

PARKES SHIRE COUNCIL

Our Mission: To Deliver Progress and Value to our Community

Our Communities Vision:

In 2022 the Parkes Shire will be a progressive regional centre, embracing a national logistics hub with vibrant communities, diverse opportunities, learning and healthy lifestyles.

Ordinary Council Meeting AGENDA

Tuesday, 15 March 2022

Notice is hereby given that an Ordinary Council Meeting of Parkes Shire Council will be held at the Parkes Shire Council Offices 2 Cecile Street Parkes, commencing at 2:00 PM for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: KENT BOYD PSM

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- 1. PRAYER
- 2. APOLOGIES
- 3. CONFIRMATION OF PREVIOUS MINUTES
- 4. DECLARATIONS OF INTEREST
- 5. NOTICES OF MOTION / RESCISSION
- 5.1. Notice of Motion from Cr O'Leary

Submitted by

Cr LA O'Leary

Report

Councillor Louise O'Leary has given notice that at the Ordinary Meeting of Council on 15 March 2022 the following motion will be moved.

Motion That;

- 1. That Council support the Parkes Master Games event in principle
- 2. That a report be prepared for tabling at a future Council meeting detailing the assistance that may be requested for the event

Background

The members of the Parkes Sports Council are proposing a new sporting event planned for 2023, which will bring 8 local sporting groups together to host a Masters Games on 24th,25th & 26th March. Masters Games are multi-sport events designed to provide social and competitive competition for men and women over the age of 35 years.

The Confederation of Australian Sports (CAS) has coordinated the Australian Masters Games for over 30 years and have some 10,000 Masters athletes compete in over 50 sports each year in the nation's largest multi-sporting event. The Sports Council members met with CAS CEO, Mr Rob Bradley via TEAMS in 2021, to discuss the Parkes proposal and he has provided information and support to develop and coordinate our own event. In NSW, similar Masters Games are already successfully held in Lismore (since 1999) & Barellan (Narrandera Shire).

The Masters Games will bring further economic, social, health and wellbeing outcomes to Parkes and this event has the capacity to grow with future events, which will increase participation with additional sports and participants.

Sports on offer over this weekend include; Croquet, Dragon Boating, Golf, Hockey, Lawn Bowls, Squash, Tennis, & Touch. Invitations will be circulated through appropriate local and NSW sporting bodies. Being our Inaugural event, limits may be placed on teams/participants so that the weekend activities run as smoothly as possible.

Social activities are a highlight for all and planning for a Welcome to Parkes on Friday evening, formal dinner on Saturday night and a proposed farewell breakfast Sunday morning will add to the event experience. The long weekend activities are still in early planning, but it is hoped to showcase our new Cooke Park Pavilion facilities and our excellent sporting venues.

Other suggested highlights for the event include a nominated Sporting Ambassador, along with highlighting our local Sporting Legends.

A Masters Games Sub-committee has been formed to help plan and develop this proposal with Cr Louise O'Leary as Chairperson. To progress our planning and finalise the itinerary, the sub-committee is requesting Council's Event and Grant teams assist with branding, marketing, financial and media.

Budget

Each participant will contribute with a nomination fee, and an individual sport fee, depending on the sport or number of sports they participate in over the event. This fee will go towards the running the event which will include First Aid, trophies, social events, registration pack, etc and other associated event costs.

The Committee is also hopeful for Sponsorship and Grant opportunities and are seeking Council's assistance.

Recommendation

- 1. That Council support the Parkes Master Games event in principle
- 2. That a report be prepared for tabling at a future Council meeting detailing the assistance that may be requested for the event

6. LATE BUSINESS

7. MAYORAL MINUTES

7.1. Mayoral Minute - Functions Attended by Councillors and Senior Staff

Executive Summary

A report on functions recently attended by the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

Social distancing restrictions implemented due COVID-19, has resulted in meetings being held electronically.

Recommendation

1. That the Report on functions attended by the Mayor, Councillors or Senior Staff be received and noted.

Report

Date	Function
Wednesday 16 February 2022	Central West Lachlan Landcare Meeting Councillor ME Applebee and Councillor WP Jayet
Wednesday 16 February 2022	LGNSW Mayoral Meeting - ALGA Federal Election Campaign Mayor KJ Keith
Wednesday 16 February 2022	Lachlan Maternity Stakeholder Reference Group Mayor KJ Keith
Thursday 17 February 2022	Cultural Education & Library Committee - Jack Scoble Scholarship interviews Deputy Mayor NC Westcott, Councillor WP Jayet and Councillor JP Cass
Thursday 17 February 2022	Floodplain Risk Management Committee Councillor GW Pratt and Councillor ME Applebee
Thursday 17 February 2022	Residential Efficiency Scorecard: Energy ratings for existing homes webinar Deputy Mayor NC Westcott
Saturday 19 February 2022	Saturday Sounds Family Friendly Event Mayor KJ Keith, Deputy Mayor NC Westcott, Councillor WP Jayet and Councillor ME Applebee
Monday 21 February 2022	Meeting with Senator Fiona Nash Mayor KJ Keith and General Manager K Boyd
Monday 21 February 2022	Jock Colley Field Grandstand Design Stakeholder Workshop Councillor LA O'Leary

Date	Function
Tuesday 22 February 2022	Parkes Early Childhood Centre Committee Meeting Councillor WP Jayet
Wednesday 23 February 2022	Meeting with Graincorp Mayor KJ Keith, Deputy Mayor NC Westcott, General Manager K Boyd, Director Planning & Community Services B Hayes and Director Operations B Howard
Wednesday 23 February 2022	Country Universities Centre Board Meeting Mayor KJ Keith, Deputy Mayor NC Westcott and Councillor JP Cass
Thursday 24 February 2022	Central NSW Joint Organisation Board Meeting Mayor KJ Keith OAM and General Manager K Boyd
Thursday 24 February 2022	Trundle & District Progress Association Committee meeting Councillor WP Jayet, Councillor GS Wilson, Councillor DR Weber and Councillor ME Applebee
Monday 28 February 2022	LGNSW Special Conference Mayor KJ Keith, Deputy Mayor NC Westcott and Councillor ME Applebee
Monday 28 February 2022	Peak Hill Community Consultative Committee meeting Councillor LA O'Leary
Tuesday 01 March 2022	Parkes Special Activation Precinct announcement by The Hon Paul Toole MP, Deputy Premier Mayor KJ Keith and General Manager K Boyd
Tuesday 01 March 2022	Regional Activation Tourism Fund announcement of Brightmark by The Hon Paul Toole MP, Deputy Premier Mayor KJ Keith, Councillor WP Jayet, General Manager K Boyd, Director Customer, Corporate Services & Economy C Middleton
Wednesday 03 March 2022	Cities Power Partnership Webinar - IPCC Report (AR6 WG2): Special briefing to Council Deputy Mayor NC Westcott
Wednesday 03 March 2022	Portfolio Holder Meeting Councillor KM McGrath
Friday 04 March 2022	Meeting with Mark Spittal, CEO of Western NSW Lachlan Health District Mayor KJ Keith, Deputy Mayor NC Westcott and General Manager K Boyd

Date	Function
Friday 04 March 2022	Parkes Potters Group Exhibition Celebrating 50 years - Opening Night Deputy Mayor NC Westcott and Councillor WP Jayet
Saturday 05 March 2022	27th Australian National Photographic Convention Mayor KJ Keith
Sunday 06 March 2022	Clean up Australia Day, Peak Hill Councillor LA O'Leary
Tuesday 08 March 2022	Citizenship ceremony Mayor KJ Keith, Deputy Mayor NC Westcott, Councillor JP Cass, Councillor DR Weber, Councillor ME Applebee, Councillor WP Jayet, Councillor LA O'Leary, Councillor GW Wilson, Councillor GW Pratt, Councillor KM McGrath and Director Customer, Corporate Services & Economy C Middleton
Tuesday 08 March 2022	Parkes Delivery Plus Workshop Mayor KJ Keith, Deputy Mayor NC Westcott, Councillor JP Cass, Councillor DR Weber, Councillor ME Applebee, Councillor WP Jayet, Councillor LA O'Leary, Councillor GW Wilson, Councillor GW Pratt, Councillor KM McGrath, General Manager K Boyd, Director Customer, Corporate Services & Economy C Middleton and Director Planning & Community Services B Hayes Meetings prior: Presentation by Neoen Mayor KJ Keith, Deputy Mayor NC Westcott, Councillor JP Cass, Councillor DR Weber, Councillor ME Applebee, Councillor WP Jayet, Councillor LA O'Leary, Councillor GW Wilson, Councillor GW Pratt, Councillor KM McGrath, General Manager K Boyd, Director Customer, Corporate Services & Economy C Middleton and Director Planning & Community Services B Hayes Training sessions by CNSWJO Mayor KJ Keith, Deputy Mayor NC Westcott, Councillor JP Cass, Councillor DR Weber, Councillor ME Applebee, Councillor WP Jayet, Councillor LA O'Leary, Councillor GW Wilson, Councillor GW Pratt, Councillor KM McGrath and Director Customer, Corporate Services & Economy C Middleton

Date	Function
Tuesday 08 March 2022	Parkes Sports Council Meeting Mayor KJ Keith and Councillor LA O'Leary
Wednesday 09 March 2022	Overture Committee Meeting Mayor KJ Keith, Deputy Mayor NC Westcott, Councillor ME Applebee and Councillor WP Jayet
Wednesday 09 March 2022	Elvis Festival Committee Meeting Mayor KJ Keith, Councillor ME Applebee and Councillor WP Jayet
Wednesday 09 March 2022	Sunrise Community Consultative Committee Meeting Mayor KJ Keith and Councillor WP Jayet
Wednesday 09 March 2022	Parkes Community Arts Meeting Councillor WP Jayet
Wednesday 09 March 2022	Tullamore and District Consultative Committee meeting Councillor GS Wilson
Thursday 10 March 2022	Meeting with Sunrise Mayor KJ Keith, Deputy Mayor NC Westcott and General Manager K Boyd
Thursday 10 March 2022	Country Mayors Association Executive Meeting Mayor KJ Keith
Friday 11 March 2022	Country Mayors Association Meeting and Annual General Meeting Mayor KJ Keith
Saturday 12 March 2022	Installation of a new Minister The Reverend Ben Mackay & The Reverend Natalie Quince as Assistant Priest Mayor KJ Keith, Councillor ME Applebee, Councillor DR Weber and Councillor WP Jayet

Attachments

Nil

7.2. Mayoral Minute - Coming Known Events for Mayor and Councillors

Executive Summary

A report on the upcoming functions requiring the attendance of the Mayor, Councillors or Senior Staff in relation to community events or civic matters.

Recommendation

1. That the Report of upcoming functions for the Mayor, Councillors or Senior Staff be received and noted.

Report

Date	Function
Monday 14 May 2022	Bogan Gate Community Memorial Hall Inc. Committee meeting Councillor GW Pratt
Monday 14 May 2022	Central West PD Community Safety Precinct Committee Meeting Mayor KJ Keith, Deputy Mayor NC Westcott and General Manager K Boyd
Tuesday 15 May 2022	Ordinary Council Meeting All Councillors and Senior Staff Meetings prior: Elders Advisory Committee Meeting Mayor KJ Keith, Councillor LA O'Leary, Councillor KM McGrath and Councillor ME Applebee Long Term Financial Plan & Delivery Plan presentation All Councillors and Senior Staff
Wednesday 16 March 2022	Central West Lachlan Landcare Meeting Cr M Applebee
Wednesday 16 March 2022	Jack Scoble Scholarship presentation All Councillors invited
Wednesday 16 March 2022	Lachlan Valley ROSCO Meeting Mayor KJ Keith
Wednesday 16 March 2022	Central West Lachlan Landcare Meeting Councillor WP Jayet and Councillor ME Applebee
Wednesday 16 March 2022	Country Universities Centre Board Meeting Mayor KJ Keith, Deputy Mayor NC Westcott and Councillor JP Cass
Thursday 17 March 2022	CNSWJO Meeting with representatives of the Federal Opposition Mayor KJ Keith and General Manager K Boyd
Friday 18 March 2022	Mining & Energy Related Councils Meeting General Manager K Boyd

Data	Function	
Date	Function	
Tuesday 22 March 2022	Introductory Meeting with Mr Jianjun Tian, MD CMOC Northparkes Mines Mayor KJ Keith and General Manager K Boyd	
Tuesday 22 March 2022	CMOC Northparkes Mines Community Consultative Committee Meeting Mayor KJ Keith, Councillor WP Jayet and General Manager K Boyd	
Thursday 24 March 2022	Trundle & District Progress Association Committee Meeting Councillor GS Wilson	
Saturday 26 March 2022	Trundle Back In Time Vintage Station - Stationary Engine Day Councillor ME Applebee	
Monday 28 March 2022	Meeting with Local Land Services Mayor KJ Keith and General Manager K Boyd	
Monday 28 March 2022	Peak Hill Community Consultative Committee Meeting Councillor LA O'Leary	
Thursday 31 March 2022	Central NSW Joint Organisation Board Meeting Mayor KJ Keith and General Manager K Boyd	
Monday 04 April 2022	Central NSW Integrated Transport Group Meeting Mayor KJ Keith	
Tuesday 05 April 2022	Parkes Delivery Plus Workshop All Councillors and Senior Staff	
Wednesday 06 April 2022	Lachlan Maternity Stakeholder Reference Group Mayor KJ Keith	
Monday 11 April 2022	Bogan Gate Community Memorial Hall Inc Committee Meeting Councillor GW Pratt	
Tuesday 12 April 2022	Lachlan Health Council Meeting Mayor KJ Keith and Councillor ME Applebee	
Tuesday 12 April 2022	Parkes Sports Council Meeting Councillor LA O'Leary	
Wednesday 13 April 2022	Elvis Festival Committee Meeting Mayor KJ Keith, Councillor WP Jayet, Councillor ME Applebee and Director Customer, Corporate Services & Economy C Middleton	
Wednesday 13 April 2022	Tullamore and District Consultative Committee Meeting Councillor GS Wilson	

Date	Function
Tuesday 19 April 2022	Ordinary Council Meeting, Bogan Gate All Councillors and Senior Staff

Attachments

Nil

7.3. Mayoral Minute - Launch of Marramarra Makerspace

Executive Summary

Official opening of the Marramarra Makerspace Studio in the Parkes Shire Library and Cultural Centre.

Recommendation

1. That this report be received and noted.

Report

At 6pm on February 14, Library Lover's Day, Mayor Ken Keith officially opened the Marramarra Makerspace Studio in the Parkes Shire Library and Cultural Centre.

Those present heard from Manager Library, Education and Culture Kerryn Jones about the inception of the project and its development over the past few years.

Geoff Anderson, local Wiradjuri elder, welcomed those present to Wiradjuri land and spoke about the genesis of the name Marramarra, which means making/creating with your hands (Marra being the word for five, like the fingers on your hand, the repletion speaking of using both hands to make).

Mayor Keith congratulated those involved in the program, particularly acknowledging the work of Creative Learning Programs Coordinator Roxanne Gallacher under the leadership of Kerryn Jones.

A brief demonstration of the 3D printers was given to those present and a tour of the available resources.

Attachments

1. Photos of the launch



From left to Right: Roxanne Gallagher, Benson O'Donnell, Kerryn Jones, Mayor Ken Keith OAM, Councillor Bill Jayet, Geoff Anderson, Councillor Marg Applebee and Deputy Mayor Neil Westcott

7.4. Mayoral Minute - Saturday Sounds

Executive Summary

On Saturday 19 February 2022, Council held Saturday Sounds - Picnic at the Pavilion. Along with many local citizens, Mayor Cr Ken Keith attended the event featuring Parkes School of Dance, Gracey Denham-Jones, Amitie and PLUMP. This event was proudly funded by NSW Government through its Festival of Place – Summer Night Fund.

Recommendation

- 1. That this report received and noted.
- 2. That Council staff in particular Cathy Treasure and Megan Morrison be congratulated on organising this event.

Report

On Saturday 19 February 2022, Council held Saturday Sounds - Picnic at the Pavilion. Attending the event at Cook Parke Pavilion, Mayor Cr Ken Keith welcomed the large crowd and extended thanks to everyone involved in the event.

The evening featured a number of local acts as well as the talents of visiting Canberra band, PLUMP.

Local acts included dance routines by Parkes School of Dance, several acoustic sets by Gracey Denham-Jones and the stunning vocals of all-female band, Amitie

Headlining the night was Canberra-based band, PLUMP, consisting of Simone Glover, Aron Lyon, Jason varlet, Kyle Manning and Peter Campion. PLUMP's band members have appeared on TV shows including 'Australia's Got Talent' and stages around Australia, New Zealand, and Vanuatu with some of the biggest names in the business.

The evening was a huge success, encouraging the local community and many visitors to enjoy a lovely Summer evening in the park.

This event was proudly funded by NSW Government through its Festival of Place – Summer Night Fund.

Attachments

1. PLUMP band members, Simone Glover, Aron Lyon, Jason varlet, Kyle Manning and Peter Campion playing in front of a group of dancing children.



7.5. Mayoral Minute - Central NSW Joint Organisation Board Meeting 24 February 2022

Executive Summary

The General Manager and I attended the Central NSW Joint Organisation Board meeting on Thursday 24 February 2022 in Canowindra.

The Board elected a new Chair Cr Kevin Beatty Mayor of Cabonne and Deputy Chair, Cr Mark Kellam Mayor of Oberon. Both were elected unopposed reflecting the collegiate culture of the Board.

Recommendation

1. That this report be received and noted.

Report

I attended the Central NSW Joint Organisation Board meeting on Thursday 24 February 2022 in Canowindra.

The Board elected a new Chair Cr Kevin Beatty Mayor of Cabonne and Deputy Chair, Cr Mark Kellam Mayor of Oberon. Both were elected unopposed reflecting the collegiate culture of the Board.

Cr Kellam was one of four new Mayors in the region welcomed to the Board, the others being Cr Robert Taylor, Mayor of Bathurst, Cr Jason Hamling, Mayor of Orange and Cr Craig Bembrick, Mayor of Weddin.

Cr John Medcalf Mayor of Lachlan reflected on his term as Chair and welcomed in the new leadership team.

Subsequent to warm words from the new Chair, there was unanimous support for a vote of thanks for Cr Medcalf.

The meeting itself considered twelve reports where the full agenda is available on the website https://www.centraljo.nsw.gov.au/business-papers-agendas/:

- Review of the CNSWJO Advocacy position for a safe, swift link between Central NSW and Sydney
- 2. Advocacy Tactics to the State and Federal Elections
- 3. Developing the Statement of Strategic Regional Priority for this term of the JO
- 4. Regional State Government/Local Government Workshop Informing Community Strategic Plans
- 5. Policy for Competitive Funding
- 6. Regional Procurement and Contracts
- 7. Energy Program
- 8. Destination Network Central West Report
- 9. Regional Water Security
- 10. Matters raised by members Bathurst Regional Council Section 10 Application on the Mount Panorama Wahluu Area
- 11. Financial Report
- 12. Quarterly review of implementation of the Statement of Strategic Regional Priority

There was significant discussion on advocacy tactics and key messaging into the Federal and State elections with a separate report on a safe swift link between Sydney and Central NSW.

The Board resolved to organise a workshop on refining the policy position on the safe swift link between Sydney and Central NSW. It was recognised that it is difficult to criticise a \$4bn spend on the Great Western Highway, however when the current upgrade of Medlow Bath underway includes two sets of traffic lights, an unimpeded journey over the mountains at 100kph suitable for freight is clearly not being progressed. Worse, the Draft Central West and Orana Transport Plan has removed all references to the long term need for a highspeed transport link between Sydney and Central NSW. It is recommended that Council provide a response to the Draft Plan including on the need for planning for this link and to take an alternative approach to population assumptions being made in all State plans at present that show population decline or small growth in all Central NSW communities.

With the Federal election imminent the Board resolved to meet with both the government and opposition to advocate for the following priorities which align with:

- 1. Opportunities along the Lachlan Valley to do business differently to support the nation's growth aspirations. Raising the dam wall at Wyangala is an important first step to deliver better flood immunity and water security to enable the agricultural sector.
- 2. The roll out of Inland Rail with funding support for enabling infrastructure in region.
- 3. Regional activation precincts like the one in Parkes and the 20 suggested by the National Farmers Federation for agricultural place-based development.
- 4. Connectivity, including to ports includes ensuring a safe swift link between Western Sydney and the Central West including the current upgrades along the Great Western Highway and more importantly securing a corridor for dual carriageway for a future crossing at 100kph. How is it that Queensland has two safe swift highways at 100kph to the west of Brisbane and NSW has not one?
- 5. A progressive increase in Financial Assistance Grants to at least one percent of Commonwealth taxation revenue (at least \$4.5 billion per year), and an initial injection of additional Financial Assistance Grants funding.
- 6. A solutions-based approach to heath workforce shortages and aged care that puts the needs of regional communities first.
- 7. A Federal Government led fully funded support program for apprenticeships in local government codesigned with local government.
- 8. A Local Government Climate Response Partnership Fund of \$200m over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
- 9. Continuation of the Stronger Regional Digital Connectivity Package at \$55m over four years to improve community resilience and local economic recovery.

Discussion at the Board level suggested that media prioritise key messaging in:

- 1. A progressive increase in Financial Assistance Grants
- 2. Health and aging
- 3. Water
- 4. Connection transport and digital

Review of the CNSWJO Strategy

Like Council, CNSWJO must review its strategy each term. Given JO Board meetings are quarterly, 6 Mayors nominated to take on the role of development of the strategy. The mandated Statement of Strategic Regional Priority is due in December 2022.

Regional Submissions

Members have forwarded requests for the JO to lodge submissions, where all advice provided is within existing policy. All are available on the CNSWJO website at https://www.centraljo.nsw.gov.au/submissions/

The Board has approved submissions be lodged for the

- DPE Draft Central West and Orana Regional Plan
- TfNSW Draft Central West and Orana Regional Transport Plan
- AER Framework and Approach Consultation;
- NSW Public Lighting Code Review; and
- AEMC Review of Regulatory Framework for Metering Services
- IPART Review of Electricity Network Operators' Licenses

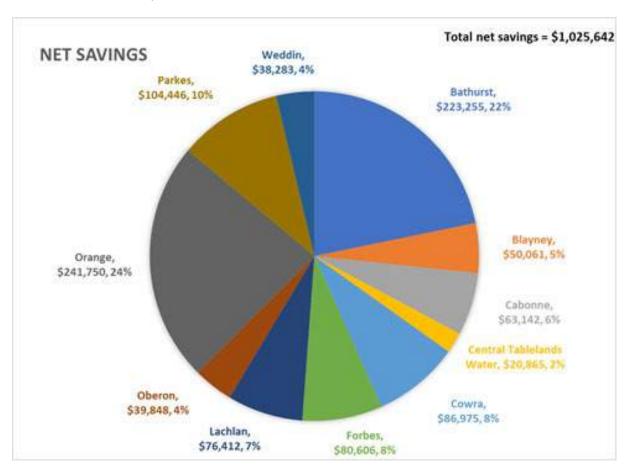
Value to members

A snapshot of the value to members of the various activities undertaken by the JO for their members in the context of the CNSWJO Strategic Plan follows.

VALUEFORMEMBE RS 2020/2021	FY2019/2020	FY2020/2021	FYTD2021/2022
	20	23	10
	26	12	2
	3	3	0
	\$215k	\$736k	0
	13	9	9
	6	3	0
	13	18	11
	\$1.87m	\$2.2m	\$1.03m
	147	159	156
	35	102	72

Savings

The following chart shows the savings achieved by member councils through aggregated procurement and programming net of JO costs. An explanation of the meaning of each column has been reported previously and is available on request. The chart reflects savings in the 21/22 financial year to date.



Attachments

1. Minutes of the Central NSW Joint Organisation Board Meeting 24 February 2022

Attachment 1 - Minutes of the CNSWJO Board Meeting 24 February 2022 in Canowindra

Minutes of the CNSWJO Board Meeting 24 February 2022 in Canowindra

In Attendance

Cr R Taylor	Bathurst Regional Council	Cr J Medcalf OAM	Lachlan Shire Council
Cr S Ferguson	Blayney Shire Council	Cr M Kellam	Oberon Council
Cr K Beatty	Cabonne Council	Cr J Hamling	Orange City Council
Cr B West	Cowra Shire Council	Cr K Keith OAM	Parkes Shire Council
Cr P Miller OAM	Forbes Shire Council	Cr C Bembrick	Weddin Shire Council

Mr D Sherley	Bathurst Regional Council	Cr D Somervaille	Central Tablelands Water
Ms R Ryan	Blayney Shire Council	Mr G Rhodes	Central Tablelands Water
Mr B Byrnes	Cabonne Council		
Mr P Devery	Cowra Shire Council	Ms J Bennett	CNSWJO
Mr S Loane OAM	Forbes Shire Council	Ms M Macpherson	CNSWJO
Mr G Tory	Lachlan Shire Council	Ms K Barker	CNSWJO
Mr G Wallace	Oberon Council		
Mr D Waddell	Orange City Council		
Mr K Boyd PSM	Parkes Shire Council		
Mr J Rath (Acting)	Weddin Shire Council		

Meeting opened at 10:04am by Chair Cr John Medcalf, OAM

- 1. Welcome from the Chair, Cr John Medcalf OAM
- 2. Acknowledgement of Country
- 3. Apologies applications for a leave of absence by Joint Voting representatives Nil
- 4. Conflicts of Interest Nil
- 5. Stepping down of outgoing Chair

Cr John Medcalf OAM, stepped down from Chair after 5 years, welcomed new Board members and thanked everyone in the room for their support.

Resolved	Cr K Keith/Cr P Miller
That the Board record its appreciation of the outgoing Chair, Cr John Medcalf.	

6. Election of Chairperson and Deputy Chairperson

Ms J Bennett became Returning Officer and advised she had received 1 nomination for the position of Chair and 1 nomination for the position of Deputy Chair.

No further nominations were provided from the floor.

Cr Kevin Beatty was elected as Chair unopposed

Cr Mark Kellam was elected as Deputy Chair unopposed

Cr Medcalf welcomed Cr Beatty to the Chair.

Cr K Beatty Assumes Chair.

 $\operatorname{Cr} K$ Beatty thanks $\operatorname{Cr} \operatorname{Medcalf},$ acknowledges Country and welcomes the Board to Cabonne

7. Minutes

Confirmation of the Minutes of the Central NSW Joint Organisation meeting 25 November 2021 held in Orange

Resolved Cr P Miller/Cr S Ferguson

That the Central NSW Joint Organisation Board confirm the Minutes of the meeting 25 November 2021 held in Orange.

8. Business Arising from the Minutes – Matters in Progress

Resolved Cr B West/Cr J Hamling

That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested, and amend item $\bf 1$ regarding 'resilience and recovery subcommittee.'

Reports on Statement of Regional Strategic Priority

Priority One: Inter-Council Co-operation

a. Financial Report

Resolved Cr P Miller/Cr J Medcalf
That the Board note the Financial Report.

Review of the CNSWJO Advocacy position for a safe, swift link between Central NSW and Sydney

Resolved Cr J Hamling/Cr J Medcalf

That the Board note the report on its advocacy position for a safe, swift link between Central NSW and Sydney and

- 1. Reiterate that this transport connection remains a priority of the CNSWJO Board;
- Provide a response to the Draft Central West and Orana Regional Transport Plan emphasizing its key messages;
- Circulate the response to the Draft Central West and Orana Regional Transport Plan for member noting;
- Include other important connections such as Hume to Newell, Mitchell and opportunities to link to Sydney, Port Kembla and Canberra; and
- Hold a workshop to revitalise strategy connection to the east coast, inviting TfNSW and including rail.

c. Advocacy Tactics to the State and Federal Elections

Resolved Cr J Medcalf/Cr B West

That the Board note the report on advocacy tactics to the Federal and State elections and 1. Adopt the CNSWJO Advocacy Policy;

2. Adopt the Advocacy Plans for

- a. Transport and Infrastructure;
- b. Water:
- c. Regional Prosperity; and
- d. Energy;
- 3. Adopt the "Central NSW Joint Organisation Advocacy Priorities to the Federal Election;"
- 4. Adopt the priorities for the Federal election as:
 - a. Opportunities along the Lachlan Valley to do business differently to support the nation's growth aspirations. Raising the dam wall at Wyangala is an important first step to deliver better flood immunity and water security to enable the agricultural sector.
 - b. The roll out of Inland Rail with funding support for enabling infrastructure in region.
 - Regional activation precincts like the one in Parkes and the 20 suggested by the National Farmers Federation for agricultural place-based development.
 - d. Connectivity, including to ports includes ensuring a safe swift link between Western Sydney and the Central West including the current upgrades along the Great Western Highway and more importantly securing a corridor for dual carriageway for a future crossing at 100kph. How is it that Queensland has two safe swift highways at 100kph to the west of Brisbane and NSW has not one?
 - A progressive increase in Financial Assistance Grants to at least one percent of Commonwealth taxation revenue (at least \$4.5 billion per year) and an initial injection of additional Financial Assistance Grants funding.
 - f. A solutions-based approach to heath workforce and aged care shortages that puts the needs of regional communities first.
 - g. A Federal Government led fully funded support program for apprenticeships in local government codesigned with local government.
 - h. A Local Government Climate Response Partnership Fund of \$200m over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
 - Continuation of the Stronger Regional Digital Connectivity Package at \$55m over four years to improve community resilience and local economic recovery.
- 5. Draft collateral to the Federal election from these priorities for feedback from members;
- Delegate up to \$10K to the Executive Officer for the development of collateral to the State and Federal elections;
- 7. Commend to members they attend the round table led by the Shadow Duty Senators for Calare and the Riverina 17 March;
- 8. Commend to members they attend a meeting with the Government in Canberra 31 March;
- Commend to members they support the rollout of weekly media releases via Mayors on key regional issues leading into both the Federal and State elections;
- Develop key messaging for the State election based on existing priority and strategic work undertaken in the development of the Statement of Strategic Regional Priority with a report to be provided to the Board in May 2022; and
- 11. Advocacy at the State level to align with and leverage Country Mayors, the Joint Organisation Chairs' Forum and Local Government NSW.

d. Developing the Statement of Strategic Regional Priority for this term of the JO

Resolved Cr R Taylor/Cr S Ferguson

That the Board note the report on developing the Statement of Strategic Regional Priority (SSRP) for this term of the JO and

- 1. Note that the Statement is to be developed by 4 December 2022;
- Adopt an approach to an output similar to the last term that being a high level two page summary document supported by a more detailed plan for the term of this Joint Organisation plus one year thereafter including a risk management plan and communication strategy;

- 3. Adopt the following timeline:
 - a. Two workshops in June and July 2022 informed by the following outputs:
 - A Risk Management Plan developed by a subcommittee of the Board identified at the Board meeting;
 - ii. An environmental scan of strategies and plans by the State and Federal Governments:
 - A report on member priorities for the JO informed by consultation with members;
 - iv. A summary report of CSPs;
 - v. A State agency snapshot developed through the regional CSP support program;
 - a. A draft SSRP for adoption at the August Board that seeks feedback from members;
 - b. Final SSRP and Strategic Plan to the November Board meeting; and
- 4. Monitor the rollout of ABS data from the 2020 Census and include this where possible;
- 5. Delegate to a subcommittee of Cr Beatty, Cr Kellam, Cr Medcalf, Cr Ferguson, Cr West, Cr Miller, the development of a Risk Management Plan and oversight of the SSRP process;
- 6. Include considerations for the subcommittee of Mayors the timing and focus for a Summit bringing together Councils in the region;
- 7. Direct a Draft Statement of Budget and Revenue Policy be prepared for the meeting in May that as best as possible resources the strategic direction of the Board on the SSRP to date; and
- Note that the workshop on the SSRP in June will need to have a formal component to adopt the Statement of Budget and Revenue Policy.

e. Regional State Government/Local Government Workshop – Informing Community Strategic Plans

Resolved Cr J Medcalf/Cr P Miller

That the Board note the CSP Report and provide a report to the May meeting on the feasibility of repeating this program in the future including the recommendations from the work undertaken to date, those being:

- To provide an ongoing opportunity to inform "State of the City/Shire" reporting and the
 development and monitoring of future Community Strategic Plans it is proposed that a similar
 forum bringing State agencies and local government together be held in a scheduled, ongoing
 way:
 - a. Around June/July ahead of each local government election to get updated data to inform reporting and the development of the next CSP;
 - Following each local government election to share draft CSPs and confirm opportunities for implementation and delivery of local strategies; and
 - Around the mid-point of each council term to monitor the progress of implementing CSP strategies.

f. Policy for Competitive Funding

Resolved Cr J Hamling/Cr B West

That the Board note the Policy for Competitive Funding report and approve the Competitive Funding Policy to be added to the policy and procedure suite.

g. Regional Procurement and Contracts

Resolved Cr P Miller/Cr J Medcalf

That the Board notes the report on Procurement and Contract Management and approves the JO to conduct new regional procurement processes for the following, along with the corresponding contract management fees:

- 1. LED lighting upgrades for buildings with a 1% contract management fee;
- 2. LED lighting upgrades at parks and sporting fields with a 1% contract management fee;
- 3. variable speed drives with a 3% contract management fee;
- 4. power factor correction devices with a 3% contract management fee;
- smart management system for new and existing solar installations with a 3% contract management fee;
- 6. solar panels and battery storage with a 1% contract management fee; and
- 7. receive a presentation on the outcomes of the Best Practice in Aggregated Procurement Program.

h. Energy Program

Resolved

Cr B West/Cr R Taylor

That the Board notes the report on the Energy Program and endorses the following submissions:

- 1. AER Framework and Approach Consultation;
- 2. NSW Public Lighting Code Review;
- 3. AEMC Review of Regulatory Framework for Metering Services; nd
- 4. IPART Review of Electricity Network Operators' Licenses.

Priority Two: Regional Prosperity

. Destination Network Central West Report

Resolved

Cr P Miller/Cr K Keith

That the Board note the report on the mooted Destination Network Central West and monitor the situation weekly through the Deputy Premier, Paul Toole's Office to ascertain timing of the Cabinet review of the boundary.

Priority Four: Regional Water Security

j. Water Update

Resolved

Cr B West/Cr S Ferguson

That the Board note the Regional Water report and

- circulate a report on the regulatory framework and
- 2. draft a submission and policy seeking to abolish the 75/25 rule.

k. Matters Raised by Members: Bathurst Regional Council Section 10 application on the Mount Panorama area

Resolved

Cr R Taylor/ Cr K Keith

That the Board note the report and provide the enclosed correspondence as a formal submission to the section 10 reporter in relation to the current section 10 application lodged under the ATSHIP Act in relation to lands at or near Mount Panorama Wahluu in support of Bathurst Regional Council's efforts in maintaining and developing the Mount Panorama Wahluu site as a tourism destination of international significance.

I. Report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority

Resolved

Cr S Ferguson/ Cr P Miller

That the Board note the Report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority and

- 1. Submit the Board response to the Draft Central West and Orana Regional Plan;
- 2. Submit the attached response to the Draft Central West and Orana Transport Plan;
- 3. Undertake advocacy regarding the content of both submissions, particularly in regard to
 - a. Consideration of Central NSW separately due to its pattern of settlement;

- b. The use of common planning assumptions;
- The need for a safe swift link between Central NSW and Sydney to be included in the Draft Transport Plan with advice on steps to be taken in this 5 year period;
- d. Commend to members they lodge their own submissions; and
- Correspondence be provided to the Auditor General on the use of Common Planning Assumptions and their impacts in Central NSW.
 - 10. Late reports Nil
 - 11. Matters raised by Members
 - a. Cr Scott Ferguson requested a report to the next Board meeting on remuneration of the Chair.
 - b. IPART decision for the 0.7% rate rise

Resolved Cr B West/ Cr J Medcalf
That the Board express its strong dissatisfaction of the 0.7% rate rise.

c. Thanks to administrative support staff at Lachlan and in the CNSWJO

Resolved Cr J Medcalf/ Cr M Kellam
That correspondence be provided thanking the administrative support staff for their support of the term for the outgoing Chair.

- 12. Speakers to next meeting TBA
- 13. Next meeting

Special Board Meeting 17 March 2022 with our Duty ALP Senators and Members of Shadow Cabinet TBA- Orange at CSU Campus TBC

Board-30/31 March 2022 Parliament House Canberra

GMAC – 28 April 2022 - Blayney

Meeting close 12.14pm

Page 6 is the last page of the Central NSW Joint Organisation meeting 24 February 2022

7.6. Mayoral Minute - A \$260M Global Recycling Business for Parkes

Executive Summary

On 1 March 2022 I had the honour extended to me as Mayor to join the Deputy Premier, The Hon Paul Toole MP, to announce that the global recycling company Brightmark will develop at the Parkes Special Activation Precinct (SAP). There was little fanfare but the importance of this event to our region is, I believe, extraordinary.

Recommendation

- 1. That the Report be received and noted.
- 2. That a letter acknowledging the work of the Regional Growth Development Corporation and the Office of Regional NSW Economic Development be sent to the Deputy Premier.

Report

The Deputy Premier announced the company Brightmark had agreed to establish at the SAP. Brightmark is a wonderful company, a world leading recycling innovator. Reference to the company's literature provides that "Brightmark is a global waste solutions company with a mission to Reimagine Waste. The company takes a holistic, closed-loop, circular economy approach to tackle the planet's most pressing environmental challenges with imagination and optimism for the future. Through the deployment of disruptive, breakthrough solutions focused on plastics renewal (plastic waste-to-fuel) and renewable natural gas (organic waste-to-fuel), Brightmark enables programs tailored explicitly to environmental needs to build scalable project solutions that have a positive impact on the world and communities in which its stakeholders live and work." The Parkes facility will employ around 100 people and has a build value of around \$260m.

However, it is not just the outstanding credentials of this company that is so extraordinary, but that it is a demonstration of the success of the Parkes SAP (and the other SAPs will follow). An internationally renowned company, now destined for Parkes! Had the NSW Government not invested in the precinct, companies like Brightmark would not even have Parkes on their radar in any way. It is a great credit to the State that they have really recognised the regions in such a meaningful way. The work of the Regional Growth Development Corporation and the Office of Regional Economic Development must also be recognised for their considerable efforts.

Parkes Council promoted the concept of a SAP to various levels of government during 2017-2018, and then on 30 July 2018 the Berejiklian/Barilaro Government announced Parkes as the first SAP as part of the States 20 Year vision. From that simple concept the Parkes SAP has grown to what it is today...4800ha, fully planned, zoned, assessed for impacts on the environment, heritage, cultural, flooding etc...creating a simple passage for developments to establish.

All the precincts are unique is some ways, all with their own aspirations, Parkes precinct has four aspirations.

Firstly, to be Australia's largest inland freight and logistics HUB, centred around inland rail and the Parkes National Logistics HUB. With inland rail progressing to Brisbane, the Parkes National Logistics Hub will strengthen as the unique feature and heart of the SAP and the heart of the nation's freight network. SCT, Pacific National, and Linfox all have a strong presence, and will efficiently connect SAP businesses to consumers, both domestically and internationally.

Secondly, to be the Central West's newest and most advanced enterprise precinct, producing high-value food and manufactured products for global and national markets. With over 65% of the region's agricultural produce leaving with no value adding, there is great opportunity for pushing our produce as far along the value-adding path as possible. With advances in automation, robotics, programable logic and the like, there is an opportunity for a manufacturing renaissance in Australia. We must however act quickly and start training our next generation of workers in these scarce skills. Jobs of this type will be highly valued and create opportunities for future generations.

Thirdly, to be Australia's first UNIDO eco-industrial park, and the nation's leading circular economy precinct. Modern economies are now demanding sustainability, ethical practices and known product provenance, to the extent that avoidance, embargos and tariffs are being considered for companies that don't meet these contemporary standards. This stands to greatly benefit Australia, and to enable this, the Parkes SAP will focus on sustainability and will aim to be Australia's first UNIDO Eco-Industrial Park.

The United Nations Industrial Development Organization (UNIDO) defines an eco-industrial park as a "...community of businesses located on a common property in which businesses seek to achieve enhanced environmental, economic and social performance through collaboration in managing environmental and resource issues. This is known as industrial symbiosis, which is a means by which companies can gain a competitive advantage through the physical exchange of materials, energy, water and by-products, thereby fostering inclusive and sustainable development", the circular economy is the principle by which this occurs.

Fourthly and finally, the State will provide streamlined planning in NSW's first Special Activation Precinct. This gives the SAP investors confidence, as all the studies have been government led, the planning approval pathway is entirely new with a 30-day fast-tracked approval now the target. The government is leading development, it owns large portions of land and is building the infrastructure to service it. The government has also established a business concierge service to help prospective investors with their projects. These initiatives now make Parkes an excellent choice for big business to establish.

The SAP is building on already-planned private and government investments, the precinct will create up to 3,000 jobs across a range of industries, including Freight and logistics, Cold-Chain Logistics, Resource recovery and recycling, E-Waste Recycling, Plastics Recycling, Value-add agriculture, Innovative Grains, Plant based meat substitutes, Renewable energy, Critical minerals and data centres.

Brightmark is a very welcome early mover, and we believe they will be the catalyst for many more. This is the start of a new era for the Parkes/Forbes region.

Attachments

- 1. Photos of Brightmark announcement including Brightmark's facility in Ashley Indiana.
- 2. Media release by The Hon Paul Toole MP dated 1 March 2022 "Parkes to be home to \$260M Global Recycling Business"

Attachment 1 - Photos of Brightmark announcement including Brightmark's facility in Ashley Indiana



An impression of the proposed Brightmark Facility at Parkes



Deputy Premier, the Hon Paul Toole MP announces Brightmark at Parkes



Left to Right: **Azaria Dobson,** Director Activation Precincts and Partnerships, Regional Growth NSW Development Corporation (RGDC), Parkes Shire Mayor Councillor **Ken Keith** OAM, **Ian Smith**, Executive Director, Office of Regional Economic Development (RGDC), **Kean Flanagan**, Brightmark, **Rebecca Fox**, Deputy Secretary & CEO RGDC, **Emily Gorrie**, Senior Engagement Advisor, RGDC, Deputy Premier, the **Hon Paul Tool**, Deputy Premier, Minister for Regional New South Wales.

Attachment 2 - Media release by The Hon Paul Toole MP dated 1 March 2022 "Parkes to be home to \$260M Global Recycling Business



Tuesday, 1 March 2022

PARKES TO BE HOME TO \$260 MILLION GLOBAL RECYCLING BUSINESS

A \$260 million investment and 100 new local jobs are on the way to Parkes under a landmark agreement that will see Australia's first advanced plastics recycling business established in the Parkes Special Activation Precinct (SAP).

Deputy Premier and Minister for Regional NSW Paul Toole visited Parkes today to announce that global plastics recycling company Brightmark will bring its innovative waste solution technology to the Central West.

"This is a huge opportunity for Parkes to get a slice of the \$66 billion global plastics recycling industry which will bring strong economic growth and jobs to the region," Mr Toole said.

"Brightmark's \$260 million investment in Parkes sends a clear message to other global companies; Parkes is the perfect place to invest, now and into the future.

"Parkes offers unparalleled access to Australian markets, as the only intersection of Australia's two major rail spines. The industrial precinct offers the potential for businesses to move their goods to 80 per-cent of the population, or through any number of international ports overnight. This is why the NSW Government invested \$185.4 million to kick-off delivery of the Parks Special Activation Precinct and it is exciting to see the benefits of the Parkes precinct already coming to life."

Brightmark Founder and CEO Bob Powell said the company is excited to be expanding its waste solution footprint into Australia, setting the new gold standard in advanced plastic recycling.

"Collaborating with the NSW Government in the Parkes Special Activation Precinct is ideal due to the sustainably-minded business environment and community; the focus on circular economy and its location as a transportation and logistics hub," Mr Powell said.

Brightmark Senior Vice President, Global Plastics Development and Origination Shakil Rahman said the facility in Parkes will be the largest of its type outside the United States.

"The Parkes facility will process 200,000 tonnes of plastic waste, diverting that waste from landfill, to create alternate usable plastic products that are delivered back into the circularity market, assisting Australia to lower its carbon footprint," Mr Rahman said.

Plant construction will start mid-2023, and is expected to be operational by 2025.

The NSW Government has collaborated with the Commonwealth Government's Global Business and Talent Attraction Taskforce to facilitate Brightmark's investment.

Special Activation Precincts are delivered by the \$4.2 billion Snowy Hydro Legacy Fund, dedicated to driving regional job creation and economic prosperity.

MEDIA: Alex Bernhardt | Deputy Premier | 0448 203 742

7.7. Mayoral Minute - Parkes Potters Exhibition Opening Night

Executive Summary

Celebration of the Parkes Potters 50th Anniversary Exhibition- Opening evening in the Coventry Room 4 March 2022.

In attendance: Deputy Mayor Neil Westcott and Councillor Bill Jayet.

Recommendation

1. That this report be received and noted.

Report

The Parkes Potters 50th Anniversary Exhibition was opened on 4 March 2022 by guest Artist Greg Daly. Deputy Mayor Westcott represented Council, he congratulated the Potters on their wonderful range of works and acknowledged the efforts of the team in putting together the exhibition and collection. Later in the evening Deputy Mayor Westcott drew the raffle, with two generous pottery pieces as prizes.

There were 90 attendees, a welcome sight in the Coventry Room, and wonderful feedback received across the evening on the standard of the event, the facilities, and the quality of the exhibition, food and entertainment.

Steve Lindsey played the recently purchased baby grand piano, with many compliments given about the standard of the event. Attendees were also treated to an impromptu vocal performance from DM Westcott and Creative Learning Programs Coordinator Roxanne Gallacher.

Attachments

1. Photographs of the Parkes Potters 50th Anniversary Exhibition

Attachment 1 - Parkes Potters Opening Exhibition photographs

1. Parkes Potters Group Photo



2. Deputy Mayor Neil Westcott and Cr Bill Jayet listening to Greg Daly's opening address



3. DM Westcott and Greg Daly with 'Parched Earth'



4. Sally Armstrong and 'Magpies Enjoying Life"



5. Cr Jayet and Elsie Mahon with 'Garden Goddess'



6. Steve Lindsey, Roxanne Gallacher and DM Westcott



8. COUNCILLORS' REPORTS

9. GENERAL MANAGER'S REPORT

9.1. (GM) Investments and Borrowings as at 28 February 2022

Prepared By:

Chief Financial Officer

Executive Summary

The carrying value of Council's cash & investments at 28 February 2022 was \$29,571,490 and the principal outstanding on Council's borrowings was \$18,393,819.

Background Information

In accordance with Clause 212 of the Local Government (General) Regulation 2005, the following details are provided for Council's investments under Section 625 of the Local Government Act, 1993. The carrying values of the investments outlined in this report have been those advised to Council by the arrangers, brokers, or custodian of those securities.

Legislative or Policy Implications

- Parkes Shire Council Investment Policy, Clause 212 of the Local Government (General) Regulation 2005 and Section 625 of the Local Government Act, 1993.
- DLG Circular 10-11 Investment Policy Guidelines
- DLG Circular 11-01 Ministerial Investment Order

Project Delivery Implications

The resolution in this report will primarily affect all the Delivery Program Future Direction's.

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Implications

All returns on investments are included in Council's Operating Budget. Any amendment to budgeted interest income is effected through the Quarterly Budget Review process. Both the average level of funds invested, and the rate of return determine returns. In accordance with the Australian equivalent of International Accounting Standards, securities that are classified as held for trading are required to be valued at market value at each balance date. Investments in the form of cash or cash equivalents and held to maturity investments are valued at cost. Floating Rate Notes acquired on the secondary market are valued at cost. Where the purchase consideration is different to face value, the resulting premium or discount are amortised on a straight-line basis over the life of the Note.

Recommendation

That the information in relation to investments held and borrowings at 28 February 2022 be received and noted.

Report

Below is the Summary of Cash & Investments, Investment Register Portfolio Report and Summary of Borrowings for Parkes Shire Council as at 28 February 2022. The movement in Cash & Investments for the month ending 28 February 2022 were as follows:

Opening Balance as at 1 February 2022	\$ 29,576,905
Net - Cash, Grants Received & Investments Redeemed	(\$ 5,415)
Closing Balance as at 28 February 2022	\$ 29,571,490

There was a slight decrease in cash & investments held during February 2022. Grant funding received was offset by expenditure incurred by council across both operational and capital activities. Council is currently holding \$7.7m in pre-paid grants & contributions which is recognised as restricted cash and must only be used on the specific grant funded projects. It is paramount that council continues to place a strong emphasis on financial sustainability objectives to enable the organisation to work towards increasing unrestricted cash reserves. The movement in Borrowings for the month ending 28 February 2022 were as follows:

Opening Balance as at 1 July 2021	\$ 19,195,731
<u>Plus,</u> New Borrowings Drawn down - July - February 2022	\$ Nil
<u>Less.</u> Borrowing Repayments - July - February 2022	(\$ 801,912)
Closing Balance as at 28 February 2022	\$ 18,393,819

Council currently has a total of 10 loans across various lenders. These loans were drawn to assist with funding significant capital expenditure projects across the shire, including the Parkes Regional Airport, Parkes Water & Sewer Treatment Plants.

Attachments

Parkes Shire Council Investment Register as at 28 Febraury 2022						
ADI/issuer	Reference	Investment Type	Principal	Yield	Settlement Date	Maturity Date
Bendigo & Adelaide Bank	1	Term Deposit	2,000,000	0.30	18/08/2021	18/03/2022
Bank of Queensland Ltd	2	Term Deposit	4,000,000	0.44	30/07/2021	29/04/2022
Suncorp Group Ltd	13	Floating Rate Note	502,045	1.01	16/08/2017	16/08/2022
AMP Bank Ltd	3	Term Deposit	500,000	0.75	18/08/2021	18/08/2022
NAB	4	Term Deposit	3,000,000	0.34	18/08/2021	18/08/2022
NAB	5	Term Deposit	1,000,000	0.62	6/01/2022	16/10/2022
AMP Bank Ltd	6	Term Deposit	3,500,000	1.10	20/01/2022	16/12/2022
NAB	7	Term Deposit	1,000,000	0.70	6/01/2022	6/01/2023
NAB	8	Term Deposit	1,000,000	0.70	6/01/2022	6/01/2023
Bank of Queensland Ltd	9	Term Deposit	500,000	3.45	2/01/2018	3/01/2023
Commonwealth Bank	14	Floating Rate Note	504,910	0.97	16/08/2018	16/08/2023
AMP Bank Ltd	10	Term Deposit	1,000,000	0.75	5/08/2021	8/08/2023
RaboBank Australia	11	Term Deposit	500,000	3.43	23/11/2018	22/11/2023
Bank of Queensland Ltd	12	Term Deposit	1,000,000	0.79	30/07/2021	30/07/2024
Commonwealth Bank	15	Floating Rate Note	1,499,535	0.77	11/01/2022	14/01/2027
Westpac Banking Group	16	Cash at Call - Maxi	8,065,000	1	At C	all
Total			29,571,490			

Loan Movements 2021-22										
Borrower (by Purpose)	Lender	System Loan No.	Loan Term Years	Date of Maturity	Interest Rate	В	Original Amount lorrowed \$	100	Principal Repaid as at 28 February 2022	Principal Outstanding as at 28 Febraury 2022
General Fund			0 10							
Airport Rumway Rehabilitation	NAB.	1	20	2030	8.21%	\$	2,000,000	\$	101,618	1,186,899.5
30 Welcome Street	NAB	3	20	2030	8.21%	5	500,000	\$	25,405	296,724.8
Henry Parkes Centre	NAB	4	20	2030	8.01%	\$	950,000	\$	23,645	584,317.6
Parkes Swimming Pool Upgrade	ANZ	5	10	2022	5.60%	\$	2,000,000	5	197,341	58,237.13
Renewable Energy	NAB	6	10	2022	3.922%	\$	700,000	\$	40,913	88,860.5
Parkes Regional Airport Redevelopment	CBA	8	10	2024	5.91%	\$	1,000,000	\$	53,081	310,209.9
Projects and IT	TCorp	10	10	2026	3.485%	\$	2,220,000	5	100	2,220,000.0
Transport Infrastructure	TCorp	11	10	2028	3.670%	\$	3,000,000	5		3,000,000.00
Total General Fund						\$	12,370,000	\$	442,003	7,745,249.7
Sewer Fund										
Parkes Sewer Treatment Plant	TCorp	7	10	2026	2.90	8	4,000,000	\$	- 8	4,000,000.0
Total Sewer Fund						\$	4,000,000	\$		4,000,000.00
Water Fund										
Parkes Water Treatment Plant	TCorp	9	20	2036	3.045	\$	8,500,000	8	359,908	6,648,569.1
Total Water Fund						\$	8,500,000	\$	359,908	6,648,569.1
Total All Funds							24.870.000		801,912	18,393,818.9

9.2. (GM) Council Priorities for Federal Election

Prepared By:

General Manager

Executive Summary

Prior to State and Federal Elections Council has previously stated a series of priories for our community. The next Federal Election will occur in the next few months; accordingly, we have proposed a new set of draft priorities for Council's consideration. The Draft priorities are tabled below.

The priorities have deliberately been based around the Australian Local Government Associations published priorities.

Also provided below is a rudimentary assessment on past election priorities and their associated progress.

Background Information

See Report

Legislative or Policy Implications

Nil

Budget and Financial Aspects

Nil

Recommendation

That the information be received and noted.

Report

Prior to State and Federal Elections Council has previously stated a series of priories for our community. The next Federal Election will occur in the next few months; accordingly, we have proposed a new set of draft priorities for Council's consideration. The Draft priorities are tabled below.

The priorities have deliberately been based around the Australian Local Government Associations published priorities.

Also provided below is a rudimentary assessment on past election priorities and their associated progress.

DRAFT - Federal Election Priorities - Parkes Shire Council

	PSC Offer to Aust Gov	PSC Ask of Aust Gov
Economic Recovery	A whole of government approach (Federal, State, Local) to drive a manufacturing renascence in Australia, especially agricultural value-adding, by supporting the Parkes Special Activation Precinct	 A progressive increase in Financial Assistance Grants to at least one percent of Commonwealth taxation revenue (including roads component). Remove the per-capita
	(SAP). PSC will commit to 10% of its workforce in structured traineeships, cadet program, apprentices.	provision from Financial Assistance Grants, which heavily bias metropolitan areas, to be off-set by 1-off special rate variation for metro.
		rate variation for metro. 3. Partner with NSW Government and Parkes Council to be an authentic participant in the Parkes SAP, including (catalyst for initiating modern manufacturing businesses, tax incentives, development of a Critical Minerals HUB, establish an AQIS presence, partnerships with universities, support circular economy initiatives particularly in the areas of waste, recycling and renewable energy innovations) 4. Targeted support to encourage modern and emerging agricultural value-adding businesses into the SAP (plant- based meats, food products, brewing etc) 5. Provide strong structured support programs for training
		next generation workforce that will support the renascence of manufacturing in Australia, such as, automation, programable logic, self- guidance, robotics,

	PSC Offer to Aust Gov	PSC Ask of Aust Gov
		engineers, drone technology etc 6. As opportunity grows, create an automation, robotics training HUB in the regions (such as Parkes)
Transport and Community Infrastructure	To partner with the Federal Government to create infrastructure that will improve the safety, liveability and productivity of our communities, while contributing to Australia's economic recovery.	 Safe swift connection between Sydney and Central NSW Maintain the Local Roads and Community Infrastructure Program Improving digital connectivity in our region, and the Newell Highway. Partner with State and Local government to deliver affordable housing in communities. Support a transition to high-value water use & agriculture in the Lachlan Valley by initially progressing the Wyangala Dam water security upgrade project. Partner with NSW Gov & Transgrid to accelerate the completion of the "reliable supply in the Bathurst, Orange and Parkes areas in Central West NSW" project.
Building Resilience	To partner with the Federal Government to focussing on local opportunities to reduce our carbon emissions and to Close the Gap between Indigenous Australians and the nation.	 Provide funding incentives to activate the Parkes Councils Climate impact abatement initiatives. On completion of the Transgrid "reliable supply in the Bathurst, Orange and Parkes areas in Central West NSW" project, extend the REZ to cover Parkes Region. Targeted support and sponsorship for training young Indigenous

	PSC Offer to Aust Gov	PSC Ask of Aust Gov
		Australians in the skills of the future (automation, programable logic, self-guidance, robotics, drone technology, renewable energy, etc)
Circular Economy	To partner with the State and Federal Government to create the first UNIDO accredited eco industrial park in Australia	1. Partner with the NSW State Government and Council to develop the Parkes Special Activation Precinct as a demonstration of an industrial symbiosis precinct, accredited UNIDO Eco industrial Park driven by Circular Economy principles, particularly in the areas of waste and recycling and Agricultural produce Value-adding.
Health and Wellbeing	To partner with the State and Federal health agencies to identify opportunities to address the declining health standards in regional NSW including the use of the "Collaborative Care Model"	1. Partner with PSC & State Government to address the decline in health services in regional Australia, particularly aged care, maternity, and A&E services 2. Expand the Peak Hill MPS to off-set closure of community lead Frazer Court hostel.

PAST ELECTION PRIORITIES AND ASSOCIATED PROGRESS

Past Election Priorities	Result at a glance	Progress Comment	
2013			
1.Inland Railway	Ľ,	In progress - but completion now extended from 2025 to 2027	
2.Western Heavy Vehicle Ring Road	L'	In progress	
3.Support for Hospital	Ľ,	New Hospital Complete	
4.Improve National Broadband Connectivity in the Shire	×	No substantial access improvements	
5.Regional Development Australia Grant for Airport (\$1.5m)		Grant successful and stage 1 business park subdivision complete	
6.Improved access to Higher education		Country Universities Centre established	
2016			
1.Inland Railway & Parkes National Logistics Hub		As above	
2.Parkes Heavy Vehicle Bypass		As above	
3.Parkes Southern Ring Road	×	No progress	
4.Telecommunication Upgrade for Shire	×	Limited progress	
5.Agriculture Value-adding - Parkes as a demonstration project		One large scale business established in SAP	
6.Bells Line Expressway	×	Limited progress	
7.Parkes Airport Business Park		Grant successful and stage 1 business park subdivision complete	
8.Parkes CBD Vibrancy Project		Grant successful and stage 1 vibrancy project complete (Cooke Park Pavilion and southern Clarinda upgrade)	
2019			
1.Drought Support for Farmers and Regional; Business		Various (though limited) support packages were offered	
2.Support a Parkes Regional City Deal		Progress at State level with SAP announcement	

Past Election Priorities	Result at a glance	Progress Comment
a.Inland Railway & Parkes National Logistics Hub		As above
b.Agriculture Value-adding - Parkes as a demonstration project	Ľ,	As above
c.Parkes Airport Business Park		As above
d.Improved Access to International Markets	×	Limited progress
e.Improved access to Higher education	Ľ.	As above
f.Parkes Heavy Vehicle Bypass	Ľ,	As above
g.Parkes Southern Ring Road	×	As above
h.Urban facilities enhancement including small town revitalisation and incentives for relocation and decentralisation		Trundle CBD & Parkes CBD revitalisation grants successful
3.Safe swift connection between Sydney and Central NSW	×	As above
4.Regional & Local Water Security		Positive funding announced for Wyangala Dam upgrade, however decision to proceed pending
5.Address the waste recycling Issue	×	Limited progress
6.Energy Cost and security for the region	×	Limited progress

Attachments

Nil

9.3. (GM) Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2021 & Joint Submission

Prepared By:

General Manager

Executive Summary

As Council is aware the NSW Environment Protection Authority (EPA) released the Energy from Waste (EfW) Infrastructure Plan 2041 (the Plan) in September 2021. The Plan identified four priority areas for the location of energy from waste facilities, being: West Lithgow; the Parkes Special Activation Precinct (SAP); the Richmond Valley Regional Jobs Precinct; and the Southern Goulburn Mulwaree Precinct.

The inclusion of the Parkes SAP in the Plan was not unexpected, as the suitability of the location for waste management (including EfW) and recycling has been an explicit inclusion in the SAP since inception in 2018.

To give effect to the Plan, the Environmental Protection Authority produced the Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2021 (the Regulation) under the Protection of the Environment Operations Act 1997. The draft Regulation is open for submission until 20 March 2022.

In response to the Plan and the Regulation the General Managers of the four (4) identified Councils have been liaising and subsequently compiled a Draft Joint Position Submission in relation to the Plan, covering clear areas of agreement. The Draft Joint Submission and associated Cover letter was presented to Council in a workshop held 8 March 2022.

Background Information

Council was first introduced to the EfW concept in a presentation from a proponent on 5 June 2018. That development did not proceed however the concept of using the Parkes National Logistics HUB to aggregate waste and recyclables has persisted.

The recycling precinct and EfW facility was the subject of robust debate in a room of experts during the May 2019 SAP Enquiry-by-Design workshop, and prior to that in 2018 at various preparatory workshops. The resultant structure plan was then prepared. (https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub-pdf/A+Parks/Parkes+SAP+-+Structure+Plan.pdf).

A Community Statement was also published at that time which featured a full page on Energy from Waste (see below). A full copy available at; (https://www.nsw.gov.au/sites/default/files/2020-04/Regional-Snowy-Hydro-SAPS-Parkes-Community-Statement.pdf).

A Draft Masterplan for the SAP was then prepared and published in September 2019, which created sub-precincts including the Resource Recovery and Recycling Sub-Precinct. The draft Master Plan, which was underpinned by an extensive community engagement program and was put on public exhibition from 20 September until 20 October 2019, is available at; (https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/A+Activation/2.+Parkes+SAP+-+draft+master+plan.pdf). During this time, landowners, stakeholders and the wider community were invited to provide submissions. At the same time, the Department also exhibited the Explanation of Intended

Effects (EIE) for a new State Environmental Planning Policy (SEPP) that enables the planning and delivery of the Special Activation Precincts; (https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-

test/fapub pdf/A+Activation/1.+Explanation+of+Intended+Effect+-+Activation+Precincts+SEPP.pdf).

Legislative or Policy Implications

Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2021 (the Regulation) under the Protection of the Environment Operations Act 1997.

Budget and Financial Aspects

Unable to be quantified at this stage

Recommendation

That Council,

- 1. Acknowledges the Parkes Special Activation Precincts inclusion in the EPA Energy from Waste Infrastructure Plan 2041, and the *Protection of the Environment Operations* (General) Amendment (Thermal Energy from Waste) Regulation 2021.
- 2. Supports the Draft Joint submission On the NSW Governments Energy from Waste Infrastructure Plan 2041, by Goulburn Mulwaree Council, Lithgow City Council, Parkes Shire Council and Richmond Valley Council, including,
 - a) The need for a state-initiated education/communication campaign on EfW,
 - b) The need to establish a Community Impact/Economic Innovation Fund ensuring economic benefit (based on tonnage) flows through to affected communities,
 - c) The need for NSW Government to work with the Councils to develop a framework for any Voluntary Planning Agreement associated with an EfW proposal,
 - d) Support the Mayor signing the Joint Submission on behalf of Council,
 - e) Support the Mayor & General Managers inclusion in a delegation to discuss the submission with relevant State Ministers.
- 3. Makes a submission to the EPA on the Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2021, consistent with this report.
- 4. Request the Secretary's Environmental Assessment Requirements (e.g. SEARs) for any proposed project, include the provision for a comprehensive Community and Stakeholder Engagement Plan (CSEP) as part of EIS preparation.

Report

Selection of the Parkes SAP

The Regulation gives effect to the Plan, which most significantly lists the Parkes Special Activation Precinct (SAP) as one of four (4) locations suitable for a EfW facility. The diagram below, excerpt from the Plan, provides the criteria against which locations were assesses for selection. The Parkes SAP assesses strongly against all criteria.



It was criteria similar to the above which resulted in EfW being included in the Parkes SAP, most of which is outlined in the background to this report.

Recycling Versus EfW

The aim of course is to eliminate the need for EfW facilities using recycling, however, Australia is not a high-performing recycling country and even the best recycling countries in the world use EfW as part of waste management.

The EPA waste hierarchy provides the preferred approach to waste management.



The waste hierarchy underpins the objectives of the *Waste Avoidance and Resource Recovery Act 2001*. The waste hierarchy is a set of priorities for the efficient use of resources and provides a base to foster the transition to a circular economy 1 - Avoid & reduce waste, 2 - Reuse waste, 3 - Recycle waste, 4 - Recover Energy, 5 - Treat waste, 6 - Dispose of waste. (*EPA. (2019). Circular Economy Policy. https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/recycling/19p1379-circular-economy-policy-final)*The unfortunate reality is that currently, and for the foreseeable future, residual waste will be destined for landfill, unless diverted to facilities such as EfW. There are currently more than 2,450 EfW plants active worldwide. They have a disposal capacity of around 330 million tonnes of waste per year. More than 250 thermal treatment plants with a capacity of nearly 60 million annual tonnes were built between 2012 and 2016. It is predicted that more than 2700 plants with a capacity of about 480 million annual tonnes will be operational by 2026.

As shown above, energy recovery features mid-way on the hierarchy. However, the real benefit is reducing landfill methane emissions. Methane is a potent greenhouse gas, with estimates ranging from it being 10-20% more potent as a global warmer than carbon dioxide. Again, impact estimates vary widely based on waste type etc, however publicly available information suggests (as an indication) that for every ton of waste that goes through a facility, a ton of greenhouse gas emission is avoided.

Emissions

One of the key considerations for any EfW facility is fugitive emissions.

It would appear that by any measure the NSW Government has been precautionary in their approach to EfW. In December 2019, the Minister of Energy and Environment, the Hon. Matt Kean MP requested that the NSW Chief Scientist & Engineer establish a working group to undertake a review of EFW in NSW, to ensure proposals adopt international best practice standards and controls to protect human health and the environment.

The Chief Scientist review (the Review) is comprehensive (https://www.chiefscientist.nsw.gov.au/ data/assets/pdf file/0019/357400/FINAL-Report EFW-with-additional-advice.pdf), and amongst other things was required to (terms of reference 1) "benchmark the NSW air emission limits with international best practice for EFW facilities'.

The review provides "The expert review undertook a detailed comparison between the draft limits and those set in other national and international jurisdictions for EFW plants. It found that the draft limits were equal to or more stringent in eight out of ten pollutant categories. The two categories where NSW limits are higher (hydrogen fluoride and heavy metals) are relative to the European Union Best Available Technology Directive for Waste Incineration (EU BAT) which was released in December 2019. The expert review recommended changes be implemented to ensure NSW limits are commensurate with the EU BAT.

The EPA subsequently accepted the Chief Scientist recommendations for the two categories, making the NSW EfW emission guidelines commensurate with the most stringent in the world. Consequently, the NSW Governments assessment of any EfW facility using the new emission parameters should ensure fugitive emissions will not have a consequential deleterious effect.

Community Consultation/Information

EfW plants are common infrastructure in many parts of the world and often nestled in major cities without apparent concern. In Australia however these plants are alarming to many in our communities, as the health and environmental effects are largely unknown, innuendo is published as facts and facts are refuted with apparent counter-facts. Communities are understandably confused and concerned.

A comprehensive NSW Government information campaign would certainly help communities decide on the potential impacts of EfW facilities if proposed in a community. Further, the Chief Scientist review recommends that if a project was proposed in a community that, as part of an EIS, applicants should prepare a Community and Stakeholder Engagement Plan (CSEP).

Source of Waste and local impact

One issue commonly raised by members of the public is that the source of waste is significantly metropolitan based, but the resultant impact will be in the four named precincts.

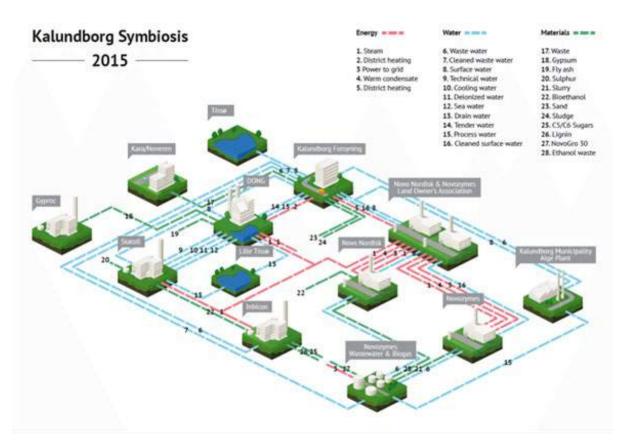
Further, as Australia moves to recycle more, any facility build today may become redundant in the future leaving a negative legacy for the community.

Some form of social license to operate in the communities is needed and a legacy which mitigates the impact is needed. A request is included in the Joint-submission discussed below.

The benefits of an EfW facility in the Parkes SAP

The Parkes SAP has an aspiration to be Australia's first UNIDO eco-industrial park, and the nation's leading circular economy precinct. The United Nations Industrial Development Organization (UNIDO) defines an eco-industrial park as a "...community of businesses located on a common property in which businesses seek to achieve enhanced environmental, economic and social performance through collaboration in managing environmental and resource issues. This is known as industrial symbiosis, which is a means by which companies can gain a competitive advantage through the physical exchange of materials, energy, water and by-products, thereby fostering inclusive and sustainable development", the circular economy is the principle by which this occurs.

An EfW plant at the Parkes SAP could be a very significant catalyst for industrial symbiosis in the precinct. The co-location of EFW operations, including integration within waste management parks, (such as the Global recycler Brightmark recently announced), installation as process heat supplier (heat networks) in industrial eco-parks for manufacturing and upcycling of waste into commodities and value-add products and integration with Carbon Capture and Storage. Industrial symbiosis is one way to help local NSW economies transition to a circular economy. Communities need to be made aware of these opportunities, but significant resources are needed to make this transition happen .A request is included in the Joint-submission discussed below.



As a reference Kalundborg in Denmark claims the first industrial symbiosis (shown schematically above). Kalundborg Symbiosis is a partnership between thirteen public and private companies in Kalundborg. They have been operating since 1972 and have developed the world's first industrial symbiosis with a circular approach to production. The main principle is that a residue from one company becomes a resource at another, benefiting both the environment and the economy, (http://www.symbiosis.dk/en/).

Also, and importantly to the Parkes SAP an EfW plant could be an important "Energy Solution", potentially providing reticulated steam & behind-the-meter direct electricity in a micro-grid, as above, steam and electricity are key enablers for many manufacturing industries, particularly food-based manufacturing.

Joint Submission

In response to the Plan and the Regulation the General Managers of the four (4) identified Councils have been liaising and subsequently compiled a Draft Joint Position Submission in relation to the Plan, covering clear areas of agreement. The Draft Joint Submission and associated Cover letter was presented to Council in a workshop held 8 March 2022.

In essence the submissions make three (3) requests of the NSW Government, as outlined below;

Request #1

A state-initiated education/communication campaign which,

- Articulates the key aspects of EfW including,
 - o how it helps address the States waste burden
 - o how it reduces greenhouse emissions impact
 - o how it will be regulated by emission parameters
 - o the science of emissions and impacts on health and environment
 - o an explanation of continuous online monitoring as a requirement
 - the role it would play in a transition to a circular economy and industrial symbiosis, etc
- Is clear and honest about the dis-benefits
- Involves deep, active listening to community concerns and meaningful address of these
- Provides contemporary reference sites that demonstrate expectations of a proposed facility in the identified precincts
- Articulates the off-set benefit of EfW to the local community, for example
 - Free waste delivery to the EfW facility for local waste collection
 - Establishment of a LGA sovereign fund, generated by a tonnage charge on incinerated waste, to provide a benefit for the LGA's economy and its citizens, to fund the circular economy opportunities created by an EfW plant, to help fund community infrastructure and to develop after-closure economy stimulus.

Request #2

Community Impact/Economic Innovation Fund

That the NSW government and the four councils develop a levy or royalty scheme, codified, and separate from any Voluntary Planning Agreement, as a feature of the Energy from Waste Infrastructure Plan to fund the economic innovation required to achieve the best local and regional economic outcomes from EfW.

Request #3

Voluntary Planning Agreement Framework

That the NSW government and the four councils develop a standard framework for the necessary VPA to provide certainty to the proponent, the Council and the community.

17 PARKES COMMUNITY STATEMENT

New uses explained



Energy from waste is a processing method that turns waste that would normally be designated to land fill into useable energy. Typically waste is moved by rail or road to these facilities,



ACCESS TO SUFFICIENT WASTE



PROCESSING AIR QUALITY NOISE AND ODOUR



WATER AND **ENERGY USAGE**

CONCERNS MITIGATION

POTENTIAL

The Parkes Special Activation Precinct is ideally located to rail and road connections, allowing of the resource recovery and goods and materials readily to be moved in and out.

Energy to weste is a relatively gulet process. The location recycling sub-precinct is situated away from residents.

The latest filtration technology makes energy from waste virtually pollution-free, additionally wide buffer zones are built into the precinct design.

Air quality and odour will be monitored across the Precinct. Businesses will need environmental approvals and licensing.

Water used during the process is captured and recycled at a precinct level and on-site. Any heat generated can also be captured and used locally, while electricity can be fed into the

CASE STUDY

Copenhill - combined heat and power plant

COMBINED HEAT AND POWER FACILITY

DENMARK

waste plant in Copenhagen, Denmark, Copenhill collects cermank. Copenhill collects waste from citizens and companies for re-use as electricity and heating. The \$660 million facility opened in 2017,

Copenhill repurposes the waste of half a million citizens and 46,000 companies in the greater Copenhagen area. The waste is used to heat water into steam that drives a turbine to create electricity for 62,500 households and heat for 160,000 households. This means that non-recyclable waste that would have become landfill is turned into secure energy in an environmentally sale manner,

Due to the air being treated and filtered using the latest technology, the facility is almost pollution free, it is one of waste-to-energy facilities in the world. Cutting 107,000 tonnes of carbon dioxide emissions annually (compared to a conventional coal-fired plant), it also reduces nitrous oxide emissions by 85 per cent and the sulphur content of smoke by 99.5 per cent.

Better still, the facility is also home to an urban mountain sports centre, with a fullservice restaurant, an apriles-ski bor and a recreational centre including an artificial ski slope, a recreational biking area and an 85 metre-tail climbing wall, the highest in the world. The recreational centre is due to open in October 2019.

The design of Copenhill opportunities presents opportunities for the Parkes Special Activation Precinct to similarly incorporate an operational energy-from-waste facility, while considering the colocation opportunities for other industries to use the energy or heaf produced by the facility. The facility is also more environmentally-friendly

and sustainable than current coal-fired plants. Copenhill is the ultimate example of how planning and design can reduce waste and pollution, produce energy and boost the economy, and sit comfortably in an urban environment.





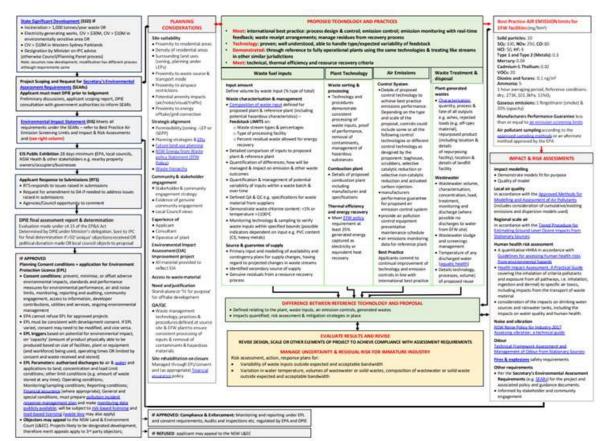


Figure 1: Assessment requirements and regulatory process for Energy from Waste projects in NSW

Attachments

Nil

9.4. (GM) The Australian Local Government Association - National General Assembly, proposed Motions

Prepared By:

General Manager

Executive Summary

The Australian Local Government Association 2022 National General Assembly (NGA) will be held in Canberra from 19-22 June 2022. Motions adopted at the NGA sets the annual agenda for the Australian Local Government Association.

The theme of the 2022 NGS is "Partners in Progress".

Background Information

See Report

Legislative or Policy Implications

Nil

Budget and Financial Aspects

Nil

Recommendation

That Council recommends as follows:

- 1. The National General Assembly calls on the Australian Government to;
 - 1. Provide for Australians to age within their communities (particularly small communities), by further funding existing aged care facilities and/or upgrading existing Hospitals and Health MPS that fulfil the role of caring for aging Australians.
 - 2. Better define the responsibilities of the various agencies so there is no doubt who is responsible for the various services.
 - 3. Work with the State Governments on a new approach that fundamentally addresses the widening health gap between those living in Regional Australia versus those living in Metropolitan areas.
- 2. The National General Assembly calls on the Australian Government to:
 - 1. Provide strong structured VET support programs for training next generation workforce that will support the renascence of manufacturing in Australia, such as, automation, programable logic, self-guidance, robotics, drone technology etc

Report

The following motions are proposed for submittal to the National general assembly.

Proposed Motion 1 - Access to Health Services, Allied Health and Aged Care in Regional and Remote Australia

Background

No one would argue that providing health services in regional Australia is both complex and costly. Notwithstanding this, a new approach is needed to address the widening gap between the health of those living in Regional and those living in Metropolitan areas.

The Australian Institute of Health and Welfare provides that "On average, Australians living in rural and remote areas have shorter lives, higher levels of disease and injury and poorer access to and use of health services, compared with people living in metropolitan areas. Poorer health outcomes in rural and remote areas may be due to multiple factors including lifestyle differences and a level of disadvantage related to education and employment opportunities, as well as access to health services".

Certainly, the very complexity of the various health organisations responsibilities, the interrelationships and the shared funding arrangements, ensures most Australians are unable to identify where the deficiencies lie and who is responsible.

The recent NSW Health inquiry has highlighted the extent of the problems, but as yet no solutions have been identified.

Further, the Royal Commission into Aged Care Quality and Safety, has had very significant effects on many facilities across Australia, resulting in a number of the smaller facilities in our smaller communities closing. No doubt the increased standards are needed for our very vulnerable aging Australians, however, the cost impact of new standards had no funding support to mitigate the impact. The closure of these facilities means that for some aging people, they will need to leave their life-long communities to die in a town remote from their friends and relatives.

An example of this is the community built and run aged care facility in the regional NSW town of Peak Hill, (Fraser Court), now closed and residents dispersed. For 30 years the community did a magnificent job running this 10-bed facility, but it is no longer financially viable.

Proposed Motion 1

The National General Assembly calls on the Australian Government to:

- 1. Provide for Australians to age within their communities (particularly small communities), by further funding existing aged care facilities and/or upgrading existing Hospitals and Health MPS that fulfil the role of caring for aging Australians.
- 2. Better define the responsibilities of the various agencies so there is no doubt who is responsible for the various services.
- 3. Work with the State Governments on a new approach that fundamentally addresses the widening gap between those living in Regional Australia versus those living in Metropolitan areas.

Proposed Motion 2 - Building the skills for an Australian Manufacturing Renascence Background

The COVID pandemic has been a massive disrupter across the world, particularly in supply lines. International supplies were particularly disrupted, highlighting a weakness in our national ability to survive when these supplies are cut-off.

Manufacturing has been in decline in Australia for decades, driven by high employment costs and international competition. Australia has a reliance on the export of bulk commodities and natural resources, often with little value-adding. For example, the central NSW branch of Regional Development Australia determined that over 65% of the regions produce leaves the area with no value adding.

However, currently there appears to be a renewed interest in Australian manufacturing and value-adding, driven in part by the desire to on-shore, but also by advances in manufacturing.

Processes which once required large labour resources, can now be completed by automation and robotics. Low paid jobs are being replaced by fewer, but highly paid jobs that are internationally exportable.

We see mines becoming fully automated, gps guidance in agricultural machinery is common, robotics are being deployed into factories, however these skills are scarce. We need to start training for the skills of tomorrow today.

Proposed Motion 2

The National General Assembly calls on the Australian Government to;

1. Provide strong structured VET support programs for training next generation workforce that will support the renascence of manufacturing in Australia, such as, automation, programable logic, self-guidance, robotics, drone technology etc

Attachments

Nil

DIRECTOR CUSTOMER, CORPORATE SERVICES & ECONOMY (DCCSE) Tabling of Written Returns of Pecuniary Interests and Other Matters

Prepared By:

Director Customer, Corporate Services and Economy

Executive Summary

Under Part 4 of the Code of Conduct, all Councillors and designated persons must complete and submit written returns of interests to the General Manager within three (3) months of becoming a Councillor or designated person, and again by 30 September each year. This report recommends that Council note the tabling of written returns of interests submitted under clause 4.1 of the Code of Conduct.

Background Information

Consistent with the requirements of the *Model Code of Conduct for Local Councils in NSW*, Part 4 of Parkes Shire Council's ("Council") Code of Conduct ("Code") requires all Councillors and designated persons to complete and submit a written return of pecuniary interests and other matters to the General Manager within three (3) months of becoming a Councillor or designated person, and again by 30 September each year.

Under the Code, "designated persons" include:

- (a) the General Manager;
- (b) other Senior Staff of the Council for the purposes of section 332 of the Act;
- (c) a person (other than a member of the senior staff of the Council) who is a member of staff of the Council or a delegate of the Council and who holds a position identified by the Council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest; and
- (d) a person (other than a member of the senior staff of the Council) who is a member of a Committee of the Council identified by the Council as a Committee whose members are designated persons because the functions of the Committee involve the exercise of the Council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the Committee and the member's private interest.

The General Manager is required to keep a register of written returns of interest, and under clause 4.25, is required to table the returns at the first Council meeting after the last day those returns are required to be lodged.

The register is categorised as open access information for the purposes of the *Government Information (Public Access) Act 2009* and accompanying *Government Information (Public Access) Regulation 2018* and will be made available for inspection from Council's Customer Service Centre at 2 Cecile Street, Parkes and its website at www.parkes.nsw.gov.au.

Legislative or Policy Implications

Model Code of Conduct for Local Councils in NSW (2020) - Part 4

Office of Local Government Circular 19-21 - Release of IPC Guideline 1 Returns of Interests (26 September 2021)

Budget and Financial Aspects

There are no financial implications for Council associated with this report.

Recommendation

That Council:

1. Note the tabling of written returns of interest of Councillors and the Director Customer, Corporate Services and Economy, pursuant to clause 4.25 of the Code of Conduct.

Report

The 2021 Local Government ordinary elections were held on Saturday, 04 December 2021, with Council's ten (10) Councillors declared elected on 22 December 2021. Consistent with requirements of the Code, all Councillors are required to complete and submit a written return of interests within three months of their election unless they have submitted a return within the previous three months.

Further, the position of Director Customer, Corporate Services and Economy within Council's organisation structure is a senior staff position for the purposes of section 332 of the *Local Government Act 1993* ("the Act"). The incumbent Director Customer, Corporate Services and Economy commenced employment on 17 January 2022 and similarly is required to complete and submit a written return of interests within three months of commencement.

As illustrated below, all written returns of interests have been completed and lodged within the prescribed period:

Position	Incumbent	Date Lodged
Councillors		
Councillor	APPLEBEE, Marg	04 March 2022
Councillor	CASS, Jacob	01 March 2022
Councillor	WEBER. Daniel	02 March 2022
Councillor	WILSON, Glenn	04 March 2022
Senior Staff		
Director Customer, Corporate Services and Economy	MIDDLETON, Cian	03 March 2022

As detailed above, written returns of interest are categorised as open access information under the GIPA Act and Regulation. Consistent with the Office of Local Government's *Circular 19-21 - Release of IPC Guideline 1 Returns of Interests*, the signatures and residential addresses of all Councillors and Senior Staff will be redacted prior to publication.

Attachments

Nil.

10.2. (DCCSE) Councillor Appointment - Community Financial Assistance Program Evaluation Panel

Prepared By:

Director Customer, Corporate Services and Economy

Executive Summary

In 2019, Council established a Community Financial Assistance Program, which includes an Evaluation Panel of Councillor members to assess applications received under that program. Following the 2021 Local Government ordinary elections in December 2021, this report recommends that Council appoint three (3) new Councillor members to serve on the panel.

Background Information

Section 356 of the *Local Government Act 1993* provides the legislative framework for local councils to provide financial assistance to others, including charitable, community and sporting organisations, and private individuals.

The Community Financial Assistance Program was established to assist Parkes Shire Council ("Council") in providing a fair, equitable and transparent process for the distribution of public funds, including in-kind assistance, under section 356.

of the Local Government Act, 1993 to local community groups and organisations in the Parkes Shire. This assistance is limited to not for profit organisations who demonstrate local membership or participation and/or are undertaking a project or provide a service demonstrating significant local benefits.

Along with the Community Financial Assistance Policy, an assessment matrix or scorecard was developed is to assist in maintaining consistency when assessing and scoring applications.

Legislative or Policy Implications

<u>Local Government Act 1993, Section 356 - Can a council financially assist others?</u>
Parkes Shire Council Community Financial Assistance Policy

Budget and Financial Aspects

Nil.

Recommendation

That Council:

- Appoint Councillors ______, ____ and _____ as the three (3) Councillor members of the Community Financial Assistance Evaluation Panel.
- 2. Note that Council's List of Delegates and Representatives to Committees and Community Groups will be updated to reflect the appointment of the three (3) Councillor members of the Community Financial Assistance Evaluation Panel, per clause (1) of this resolution.

Report

At its meeting of 22 January 2019, Council adopted a Community Financial Assistance Policy and a Leasing and Licensing Policy. With the adoption of those policies, a new CFAP process for community groups and organisations seeking financial assistance from Council was implemented.

The Charter for the CFAP is to:

- 1. Acknowledge and support community groups within the Parkes Shire Local Government Area:
- 2. Provide a framework within which requests to Council for financial assistance are assessed;C
- 3. Comply with section 356 of the Act in maintaining a consistent, open and equitable approach to the provision of financial assistance by Council to applicants in the Parkes Shire community; and
- 4. Link financial assistance to Council's Community Strategic Plan through its Delivery Program and Operational Plans.

As part of the Program's framework, an evaluation panel comprising three (3) Councillor members is to be appointed to assess applications received. Noting the 2021 Local Government ordinary elections in December 2021, it is timely that Council review and reappoint new members of the Evaluation Panel.

It is noted that the next round of the CFAP, being Round 2 of the current 2021/22 year, will be advertised shortly. The application period will close mid-April, with assessment by the Evaluation Panel to occur as soon as possible after the closing date so that the Panel's recommendations can be provided to Council at its May Ordinary Meeting.

Attachments

Nil.

10.3. (DCCSE) Adoption of Audit, Risk and Improvement Committee terms of reference and Appointment of Non-Voting Councillor Member

Prepared By:

Director Customer, Corporate Services and Economy

Executive Summary

This report recommends that Parkes Shire Council adopt the draft Audit, Risk and Improvement Committee Terms of Reference, appoint a Non-voting Councillor Member, and commence the process to appoint suitably skilled, experienced and qualified Independent Voting Members to serve on the Committee.

Background Information

Section 428A of the *Local Government Act 1993* ("the Act") requires each council (including county councils and joint organisations) to establish an Audit, Risk and Improvement Committee to independently review and advise on the following aspects of the council's operations:

- Compliance;
- Risk management;
- Fraud control;
- Financial management;
- Governance;
- Implementation of the Integrated Planning and Reporting ("IP&R") framework;
- Service reviews;
- Collections of performance management data by the council; and
- Any other matters prescribed under the Regulation.

Parkes Shire Council ("Council") established its Audit, Risk and Improvement Committee ("the Committee") in April 2011. The Committee is constituted under a Charter, which has been adapted from the Model Charter contained in the NSW Government's *Internal Audit Guidelines for Local Government in NSW* ("the current Guidelines") and was last reviewed by Council at its Ordinary Meeting held 16 October 2018. Under the current Charter, membership of the Committee comprises five voting members, being the Deputy Mayor, two Councillors, and two appropriately qualified Independent Members (the Mayor being excluded).

Since Council last reviewed the Committee's Charter, there has been significant reform within the NSW Local Government sector with respect to internal audit and risk management. Critically, the *Local Government Act 1993* ("the Act") has been amended to specifically require local councils to establish Audit, Risk and Improvement Committees, and for those committees to keep under review various aspects of the councils' operations.

In September 2019, the Office of Local Government ("the OLG") published a discussion paper, titled *A New Risk Management and Internal Audit Framework for Local Councils in NSW*, detailing the proposed role and function of local councils' Audit, Risk and Improvement Committees. After undertaking significant consultation with the Local Government sector following release of the discussion paper, the OLG released the draft *Risk Management and Internal Audit Guidelines for Local Councils in NSW* ("the revised Guidelines") in August 2021.

Once prescribed under section 23A of the Act, the revised Guidelines will supersede the current Guidelines issued by the OLG in 2010.

Legislative or Policy Implications

<u>Local Government Act 1993</u>, Section 428A - Audit, Risk and Improvement Committee Office of Local Government Circular 21-26 - New risk management and internal audit framework for councils and joint organisations (24 August 2021)

Project Delivery Implications

COUNCIL+ Council

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low.

Budget and Financial Implications

There are financial implications for Council associated with the establishment of an Audit, Risk and Improvement Committee, namely payment of sitting fees to appropriately skilled and qualified Independent Members. Sitting fees will be modelled on those used by similar sized councils and subsequently budgeted for in Council's annual Operational Plans.

Recommendation

- 1. That Council adopt the draft Audit, Risk and Improvement Committee Terms of Reference, appended at *Attachment 1*, and repeal the Audit, Risk and Improvement Committee Charter adopted 16 October 2018.
- 2. That Council appoint Councillor _____ as Non-voting Councillor Member of the Audit, Risk and Improvement Committee for the Council term, concluding at the next Local Government ordinary elections.
- 3. That Council invite Expressions of Interest for one (1) Independent Prequalified Voting Chair and two (2) Independent Voting Members to serve on the Committee.
- 4. That Council receive a further report on the appointment of the Independent Prequalified Voting Chair and two Independent Voting Members following conclusion of the Expressions of Interest process.

Report

Terms of Reference

The revised Guidelines include Model Terms of Reference for Audit, Risk and Improvement Committees. The draft Terms of Reference appended at *Attachment 1* have been adapted from the Model Terms of Reference contained in the revised Guidelines and clearly outline the objective, authority, composition, role, responsibilities and administrative arrangements of the Committee and its members.

Upon adoption of the Terms of Reference, the current Charter will be repealed.

Appointment of Independent Prequalified Voting Chair and two Independent Voting Members

The Committee must comprise three Independent Members, comprising one Independent Voting Chair prequalified under the NSW Government's *Audit and Risk Committee Independent Chairs and Members Scheme* and two Independent Voting Members that meet the eligibility criteria for non-prequalified committee members as set out in the revised Guidelines.

The Guidelines recommend that councils stagger the appointment of their Independent Members, with no more than one member leaving the Committee because of rotation in any one year. Staggering membership renewal dates ensures that knowledge of the council's operations, financial reporting structure and governance arrangements are not lost to the Committee when members change.

It is recommended that Council undertake an Expression of Interest ("EOI") process to engage suitably skilled, experienced and qualified persons to serve on the Committee. It is proposed that the Independent Voting Chair and one of the two Independent Voting Members be appointed for a term of four years, with the remaining Independent Voting Members serving a term of three years. As illustrated in *Table 1*, below, this will ensure a staggered approach and minimise disruption to the Committee's operation over the coming four years:

Position	Incumbent	Proposed Term	Proposed Commenceme nt	Proposed Conclusion
Independent Voting Member - Chair	Vacant	Four (4) years	June 2022	June 2026
Independent Voting Member (1)	Vacant	Four (4) years	June 2022	June 2026
Independent Voting Member (2)	Vacant	Three (3) years	June 2022	June 2025

The EOI process will commence following this Ordinary Meeting, with a subsequent report to be provided to Council at a future meeting regarding the outcome of this EOI process, including recommended applicants for appointment.

Appointment of one (1) Non-voting Councillor Member

Council is also able to appoint one (1) Councillor who satisfies the eligibility requirements detailed in the revised Guidelines as a non-voting member of the Committee. To be appointed as Non-voting Councillor Member, the Councillor must not be the Mayor and must:

- 1. Be financially literate;
- 2. Have a good understanding of one of more of the following that would provide a valuable contribution to the Committee:
- o Internal audit and external audit:
- Risk management;
- Governance;
- Performance management;
- Financial management and reporting;
- Accounting;
- o Human resources management:
- Internal controls frameworks;
- Fraud and corruption prevention;
- IT/cyber security;
- o The local community; or
- Another relevant subject matter
- 3. Undertake any training on the operation of Audit, Risk and Improvement Committees recommended by the Chair based on their assessment of the skills, knowledge and experience of the Committee member.

The revised Guidelines provide that should Council determine to appoint a Non-voting Councillor Member, that Councillor is elected to serve on the Committee for the term of Council. The Councillor must be appointed by resolution of Council's governing body.

Attachments

1. Audit, Risk and Improvement Committee Terms of Reference (Draft)

Attachment 1 - Audit, Risk and Improvement Committee Terms of Reference 2022



Audit, Risk and Improvement Committee

TERMS OF REFERENCE

CONTROLLED DOCUMENT INFORMATION

ECM Number	1566342
Document Owner	Director Customer, Corporate Services and Economy
Document Development Officer	Governance, Audit and Risk Lead
Review Timeframe	Two (2) years
Last Review Date	March 2022
Next Scheduled Review	March 2024

Document History				
Date Amended	Details/Comments	Resolution No.		
15 March 2022	Adopted by Council.			

Further Document Information and Relationships		
Related Legislation*	Local Government Act 1993	
	Local Government (General) Regulation 2021	
Related Policies	Internal Audit Charter	
Related Procedures/	Guidelines for Risk Management and Internal Audit	
Protocols, Statements,	Framework for Local Councils in NSW (Office of Local	
documents	Government, 2021)	
Note: Any reference to Legislation will be updated in this Policy as required. See website		
http://www.legislation.nsw.gov.au/ for current Acts, Regulations and Environmental Planning		

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Parkes Shire Council ("Council") has established an Audit, Risk and Improvement Committee in compliance with section 428A of the Local Government Act 1993 and clauses (Part 8 Sec180) of the Local Government (General) Regulation 2021.

These Terms of Reference set out the Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements. The interpretational rules contained in Schedule 1 apply in the interpretation of these Terms of Reference.

Objective

The objective of Council's Audit, Risk and Improvement Committee ("the Committee") is to provide independent assurance to Council by monitoring, reviewing and providing advice about Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

Independence

The Committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and provide Council with robust, objective and unbiased advice and assurance.

The Committee is to provide an advisory and assurance role only and is to have no administrative function, delegated financial responsibility or any management functions of Council. The Committee will provide independent advice to Council that is informed by Council's internal audit and risk management activities and information and advice provided by Council, relevant external bodies and subject matter experts.

The Committee must at all times ensure it maintains a direct reporting line to and from Council's internal audit function and act as a mechanism for internal audit to report to the Governing Body and General Manager on matters affecting the performance of the internal audit function.

Authority

Council authorises the Committee, for the purposes of exercising its role and responsibilities, to:

- + Access any information it needs from Council;
- Use any Council resources it needs;
- + Have direct and unrestricted access to the General Manager and Senior Staff of Council;
- Seek the General Manager's permission to meet with any other Council staff member or contractor;
- + Discuss any matters with the External Auditor or other external parties;
- + Request the attendance of any employee at Committee meetings; and

 Obtain external legal or other professional advice, subject to budget allocation or approval from Council's General Manager (should costs of obtaining such advice exceed budget allocation).

Information and documents pertaining to the Committee are confidential and are not to be made publicly available. The Committee may only release Council information to external parties that are assisting the Committee to fulfil its responsibilities with the approval of the General Manager, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

Composition and Tenure

The Committee consists of one (1) independent prequalified voting Chair, two (2)independent voting members and one (1) non-voting Councillor, in accordance with the Guidelines for Risk Management and Internal Audit in Local Councils in NSW.

Council's Governing Body is to appoint the Chair and members of the Committee. The Chair is counted as one member of the Committee. Current Committee members are:

Position	Incumbent	
Independent Chair (Voting)	[To be inserted following appointment]	
Independent Member (Voting)	[To be inserted following appointment]	
Independent Member (Voting)	[To be inserted following appointment]	
Councillor Member (Non-Voting)*	[To be inserted following appointment]	
* Cannot be the Mayor		

All Committee members are to meet the independence and eligibility criteria prescribed in the *Guidelines for Risk Management and Internal Audit in Local Councils in NSW*.

Members will be appointed for a four (4)-year period (or other term as defined. Members can be reappointed for a further term, but the total period of continuous membership cannot exceed eight (8) years. This includes any term as Chair of the Committee. Members who have served an eight (8)-year term (either as member or Chair) must have a two (2)-year break from serving on the Committee before being appointed again. To preserve the Committee's knowledge of Council, ideally, no more than one (1) member should leave the Committee because of rotation on any one year.

Specific member terms and conditions are to be disclosed in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

Prior to approving the reappointment or extension of the Chair's or an independent member's term, the Governing Body is to undertake an assessment of the Chair's or Committee member's performance. Reappointment of the Chair and members is also to be subject to the individual still meeting independence and eligibility requirements.

Members of the Committee are to possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of Council, the environment in which Council operates, and the contribution that the Committee makes to Council. At least one (1) member of the Committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of Council's financial reporting responsibilities to be able to contribute to the Committee's consideration of Council's annual financial statements.

Role

In accordance with section 428A of the *Local Government Act 1993*, the role of the Committee is to review and provide independent advice to Council regarding the following aspects of Council's operations:

- + Compliance;
- Risk management;
- + Fraud control;
- + Financial management;
- Governance:
- + Implementation of the Strategic Plan, Delivery Program and strategies;
- + Service reviews;
- + Collection of performance measurement data by Council; and
- Internal audit.

The Committee must also provide information to Council for the purpose of improving Council's performance of its functions.

The Committee's specific audit, risk and improvement responsibilities under section 428A are outlined in <u>Schedule 2</u> to these Terms of Reference.

The Committee will act as a forum for Council's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The Committee will have no power of direction over external audit or the manner in which the external audit is planned or undertaken but will act as a forum for the consideration of external audit findings.

The Committee is directly responsible and accountable to the Governing Body for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Governing Body and General Manager.

The responsibilities of the Committee may be revised or expanded in consultation with, or as requested by, the Governing Body from time to time.

Responsibilities of Members

6.1 Independent Members

The Chair and members of the Committee are expected to understand and observe the requirements of the *Guidelines for Risk Management and Internal Audit for Local Government in NSW*. Members are also expected to:

- + Make themselves available as required to attend and participate in meetings;
- + Contribute the time needed to review and understand information provided to it;
- + Apply good analytical skills, objectivity and judgement;
- + Act in the best interests of Council;
- + Have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry;
- Maintain effective working relationships with Council;
- + Have strong leadership qualities (Chair);
- + Lead effective Committee meetings (Chair); and
- Oversee Council's internal audit function (Chair).

6.2 Councillor Member

To preserve the independence of the Committee, the Councillor member of the Committee is a non-voting member. Their role is to:

- + Relay to the Committee any concerns the Governing Body may have regarding Council and issues being considered by the Committee;
- + Provide insights into local issues and the strategic priorities of Council that would add value to the Committee's consideration of agenda items;
- + Advise the Governing Body (as necessary) of the work of the Committee and any issues arising from it; and
- + Assist the Governing Body to review the performance of the Committee.

Issues or information the Councillor member raises with or provides to the Committee must relate to the matters listed in Schedule 2 and issues being considered by the Committee. The Councillor member of the Committee must conduct themselves in a non-partisan and professional manner. The Councillor member of the Committee must not engage in any conduct that seeks to politicise the activities of the Committee or the internal audit function or that could be seen to do so.

If the Councillor member of the Committee engages in such conduct or in any other conduct that may bring the Committee and its work into disrepute, the Chair of the Committee may recommend to Council, that the Councillor member be removed from membership of the Committee. Where Council does not agree to the Committee Chair's recommendation, Council must give reasons for its decision in writing to the Chair.

6.3 Conduct

Independent Committee members are required to comply with Council's Code of Conduct and be held to the same ethical, behavioural and conduct standards as officials of Council. Complaints or breaches of Council's Code of Conduct by an independent Committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The General Manager must consult with the Governing Body before taking any disciplinary action against an independent Committee member in response to a breach of Council's Code of Conduct.

Prequalified Committee members are also required to comply with the Code of Conduct governing the NSW Government's Audit and Risk Committee Independent Chairs and Members Prequalification Scheme.

6.4 Conflicts of Interest

Once a year, Committee members will provide written declarations to Council stating that they do not have any conflicts of interest that would preclude them from being members of the Committee. Independent Committee members are "designated persons" and must also complete and submit returns of interest.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest that may have at the start of each meeting, before discussion of the relevant agenda item or issue, and when the issue arises. Where Committee members and observers are deemed to have a pecuniary or a significant non-pecuniary conflict of interest, they are to remove themselves from Committee deliberations on the issue. Details of any conflicts of interest should also be appropriately minuted.

6.5 Standards

Committee members are to conduct their work in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and current Australian risk management standard, where applicable.

Workplans

The work of the Committee is to be thoroughly planned and executed to ensure that all Council activities and functions are reviewed. The Committee must develop a strategic plan every four (4) years to ensure that all matters listed in Schedule 2 are reviewed by the Committee and the internal audit function over each Council term. The strategic plan must be reviewed at least annually to ensure it remains appropriate.

The Committee may, in consultation with Council's Governing Body, vary the strategic work plan at any time to address new or emerging risks. Council's Governing Body may also, by resolution, request the Committee to approve a variation to the strategic work plan. However, any decision to vary the strategic work plan must be made by the Committee.

The Committee must also develop an annual workplan to guide its work, and the work of the Internal Audit function, over the forward year.

The Committee may, in consultation with Council's Governing Body, vary the annual work plan to address new or emerging risks. Council's Governing Body may also, by resolution, request the Committee to approve a variation to the annual work plan. However, any decision to vary the annual work plan must be made by the Committee.

When considering whether to vary the strategic or annual work plans, the Committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the workplan.

Assurance Reporting

The Committee must regularly report to Council to ensure that Council is kept informed of matters considered by the Committee and any emerging issues that may influence the strategic direction of Council or the achievement of Council's goals and objectives.

The Committee will provide an update to the Governing Body and General Manager of its activities and opinions after every Committee meeting.

The Committee will provide an annual assessment to the Governing Body and General Manager each year on the Committee's work and its opinion on how Council is performing.

The Committee will provide a comprehensive assessment every Council term of all the matters listed in <u>Schedule 2</u> to the Governing Body and General Manager.

The Committee may at any time report to the Governing Body or General Manager on any other matter it deems of sufficient importance to warrant their attention. The Mayor and Chair of the Committee may also meet at any time to discuss issues relating to the work of the Committee.

Should the Governing Body require additional information, a request for the information may be made to the Chair by resolution. The Chair may only provide the information requested by the Governing Body where the Chair is satisfied that it is reasonably necessary for the Governing Body to receive the information for the purposes of performing its functions under the *Local Government Act 1993*. Individual Councillors are not entitled to request or receive information from the Committee.

Administrative Arrangements

9.1 Meetings

The Committee will meet at least four (4) times per year, including a special meeting to review Council's financial statements.

The Committee can hold additional meetings when significant unexpected issues arise, or if the Chair is asked to hold an additional meeting by a Committee member, the General Manager or the Governing Body.

Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted if a member is unable to attend a meeting.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the Chair has the casting vote.

The Chair of the Committee will decide the agenda for each Committee meeting. Each Committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the Committee.

The General Manager and Head of Internal Audit are to attend Committee meetings as non-voting observers. The External Auditor (or their representative) is to be invited to each Committee meeting as an independent observer. The Chair can request Council's Chief Financial Officer, Senior Staff, Risk Management Coordinator any Councillors, any employee/contractor of Council and any subject matter expert to attend Committee meetings. These individuals must attend and provide any information requested, where possible. Observers have no voting rights and can be excluded from a meeting by the Chair at any time.

The Committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the Committee present. The Committee must meet separately with both the Internal Auditor and Council's External Auditor at least once per year.

9.2 Dispute Resolution

Members of the Committee and Council's Senior Staff should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way via discussion and negotiation.

In the event of a disagreement between the Committee and the General Manager or other Senior Staff, the dispute is to be resolved by the Governing Body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Secretary of the Department of Planning, Industry and Environment in writing.

9.3 Secretariat

The General Manager will appoint a Council employee to provide secretariat support to the Committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the Chair at least one (1) week before the meeting and ensure that minutes of meetings are prepared and maintained. Minutes must be approved by the Chair and circulated within three (3) days of the meeting to each member.

9.4 Resignation and Dismissal of Members

Where the Chair or a Committee member is unable to complete their term or does not intend to seek reappointment after the expiry of their term, they should give four (4) weeks' notice to the Chair and Governing Body prior to their resignation to enable Council to ensure a smooth transition to a new Committee member.

The Governing Body can terminate via resolution the engagement of any Chair or independent Committee member before the expiry of their term where the individual has:

- + Breached the conditions of, or become ineligible under, the NSW Government's Audit and Risk Committee Independent Chairs and Members Prequalification Scheme;
- + Breached Council's Code of Conduct;
- + Performed unsatisfactorily or not to expectations;
- + Been declared bankrupt or found to be insolvent;
- Experience an adverse change in business status;
- Been proven to be in a serious breach of their obligations under any legislation;
 or
- → Declared, or is found to be in, a position of a conflict of interest which is unresolvable.

The position of a Councillor member on the Committee can be terminated at any time by the Governing Body via resolution.

9.5 Review Arrangements

At least once every Council term the Governing Body must conduct an external review of the effectiveness of the Committee.

These terms of reference are to be reviewed annually by the Committee and once each Council term by the Governing Body. Any substantive changes are to be approved by the Governing Body.

Further Information

For further information on Council's Audit, Risk and Improvement Committee, contact Council's Governance, Audit and Risk Lead, Ms Shona Henry, by email at Council@parkes.nsw.gov.au or by phone at (02) 6861 2333.

Reviewed by Chair of the Audit, Risk and Improvement Committee:

[signed by Chair]					
[date]					

Reviewed by Council or in accordance with a resolution of the Governing Body:

Cr Ken Keith OAM, Mayor

[date]

[resolution reference]

Next review date: March 2024

Schedule 1 - Definitions

Term	Definition
Council	means Parkes Shire Council.
Code of Conduct	means the Code of Conduct adopted by Parkes Shire Council under section 440 of the Local Government Act 1993, incorporating all mandatory provisions of the Model Code of Conduct for Local Councils in NSW prescribed under the Local Government (General) Regulation 2021.
the Committee	means the Audit, Risk and Improvement Committee of Parkes Shire Council established under section 428A of the <i>Local Government Act 1993</i> .
Committee Member	means a member the Audit, Risk and Improvement Committee of Parkes Shire Council appointed in accordance with clause 4 of these Terms of Reference.
Designated Person	means a Council Official identified as a "designated person" in accordance with clause 4.8 of the Code of Conduct and subject to the pecuniary interest disclosure requirements detailed at Part 4 of the Code of Conduct.
General Manager	means the General Manager of Parkes Shire Council appointed under section 334 of the <i>Local Government Act</i> 1993.
Governing Body	means the elected representatives, called "Councillors", who comprise the governing body of Parkes Shire Council under section 222 of the <i>Local Government Act 1993</i> .
the Guidelines	means the Guidelines for Risk Management and Internal Audit in Local Councils in NSW prescribed under section 23A of the Local Government Act 1993.
Head of Internal Audit	means the employee of Parkes Shire Council delegated by the General Manager to exercise the powers, authorities, duties and accountabilities of Head of Internal Audit in accordance with the Internal Audit Charter.
Senior Staff	means the occupants of those positions within Council's organisation structure formally identified as "Senior Staff" under section 332 of the <i>Local Government Act 1993</i> .

Schedule 2 - Audit, Risk and Improvement Committee Responsibilities

Audit

Internal audit

- Provide overall strategic oversight of internal audit activities,
- + Act as a forum for communication between the Governing Body, General Manager, Senior Staff, the internal audit function and external audit,
- + Coordinate, as far as is practicable, the works programs of internal audit and other assurance and review functions, and
- Review and advise Council:
 - on whether Council is providing the resources necessary to successfully deliver the internal audit function;
 - if Council is complying with internal audit requirements, including conformance with the International Professional Practices Framework;
 - if Council's Internal Audit Charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by Council are suitable;
 - of the strategic four (4)-year plan and annual work plan of internal audits to be undertaken by Council's internal audit function;
 - if Council's internal audit activities are effective, including the performance of the Head of Internal Audit and internal audit function;
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised;
 - of the implementation by Council of these corrective actions;
 - on the appointment of the Head of Internal Audit and external providers, and
 - if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities.

External audit

- + Act as a forum for communication between the Governing Body, General Manager, senior management, the internal audit function and external audit;
- Coordinate as far as is practicable, the work programs of internal audit and external audit;
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided:
- + Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations; and
- Provide advice to the Governing Body and General Manager on action taken on significant issues raised in relevant external audit reports and better practice guides.

Risk

Risk management

Review and advise Council:

- + If Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard;
- Whether Council is providing the resources necessary to successfully implement its risk management framework;
- Whether Council's risk management framework is adequate and effective for identifying and managing the risks Council faces, including those associated individual projects, programs and other activities;
- + If risk management is integrated across all levels of Council and across all processes, operations, services, decision-making, functions and reporting;

- Of the adequacy of risk reports and documentation, for example, Council's risk register and risk profile;
- + Whether a sound approach has been followed in developing risk management plans for major projects or undertakings;
- Whether appropriate policies and procedures are in place for the management and exercise of delegations;
- + If Council has taken steps to embed a culture which is committed to ethical and lawful behaviour:
- + If there is a positive risk culture within Council and strong leadership that supports effective risk management;
- Of the adequacy of staff training and induction in risk management;
- How Council's risk management approach impacts on Council's insurance arrangements;
- + Of the effectiveness of Council's management of its assets; and
- Of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise Council:

- Whether Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective:
- → Whether Council has in place relevant policies and procedures and that these are periodically reviewed and updated;
- Whether appropriate policies and procedures are in place for the management and exercise of delegations;
- Whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with;
- + If Council's monitoring and review of controls is sufficient; and
- If internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise Council of the adequacy and effectiveness of Council's compliance framework, including:

- If Council has appropriately considered legal and compliance risks as part of Council's risk management framework;
- + How Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements; and
- + Whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise Council of the adequacy and effectiveness of Council's fraud and corruption prevention framework and activities, including whether Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise Council:

- + If Council is complying with accounting standards and external accountability requirements:
- + Of the appropriateness of Council's accounting policies and disclosures;
- Of the implications for Council of the findings of external audits and performance audits and Council's responses and implementation of recommendations;
- Whether Council's financial statement preparation procedures and timelines are sound.
- The accuracy of Council's annual financial statements prior to external audit, including:

- management compliance/representations;
- significant accounting and reporting issues;
- the methods used by Council to account for significant or unusual transactions and areas of significant estimates or judgements; and
- appropriate management sign-off on the statements;
- + If effective processes are in place to ensure financial information included in Council's report is consistent with signed financial statements;
- + If Council's financial management processes are adequate;
- The adequacy of cash management policies and procedures;
- + If there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions;
 - adequate segregation of duties;
 - timely reconciliation of accounts and balances; and
 - review of unusual and high value purchases.
- + If policies and procedures for management review and consideration of the financial position and performance of Council are adequate; and
- + If Council's grants and tied funding policies and procedures are sound.

Governance

Review and advise Council regarding its governance framework, including its:

- + Decision-making processes;
- + Implementation of governance policies and procedures;
- + Reporting lines and accountability;
- + Alignment of key roles and responsibilities;
- + Committee structure;
- + Management oversight responsibilities;
- + Human resources and performance management activities;
- Reporting and communication activities;
- + Information and communications technology (ICT) governance; and
- + Management and governance of the use of data, information and knowledge.

Improvement

Strategic planning

Review and advice Council:

- Of the adequacy and effectiveness of Council's Integrated Planning and Reporting (IP&R) processes;
- + If appropriate reporting and monitoring mechanisms are in place to measure progress against objectives; and
- Whether Council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

- + Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW Government agencies. Commonwealth Government agencies, insurance bodies):
- + Review and advise Council:
 - If Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance;
 - If appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance; and
 - How Council can improve its service delivery and Council's performance of its business and functions generally.

Performance data and measurement

Review and advise Council:

- + If Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives;
- + If the performance indicators Council uses are effective; and
- + Of the adequacy of performance data collection and reporting.

10.4. (DCCSE) Adoption of Councillor Induction and Professional Development Policy

Prepared By:

Director Customer, Corporate Services and Economy

Executive Summary

This report recommends that Parkes Shire Council adopt the draft Councillor Induction and Professional Development Policy for inclusion in Council's Policy Register, and repeal the Councillor Training and Development Policy adopted on 20 December 2016.

Background Information

Section 232 of the *Local Government Act 1993* ("the Act") provides that Councillors have a responsibility "to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor".

Under Part 8A of the *Local Government (General) Regulation 2021* ("the Regulation"), Council's General Manager has a statutory duty to ensure the delivery of:

- 1. An induction program for newly elected and returning Councillors and a specialised supplementary induction program for the Mayor within six months of their election; and
- 2. An ongoing professional development program for the Mayor and each Councillor over the term of Council to assist them in acquiring and maintaining the skills necessary to perform their roles.

Clauses 183-186 of the Regulation impose further requirements with respect to Councillor induction and ongoing professional development, as well as reporting on induction and professional development activities in Council's Annual Report.

On 18 December 2018, the Office of Local Government ("the OLG") published the Councillor Induction and Professional Development Guidelines ("the Guidelines") pursuant to section 23A(1) of the Act, which provide guidance to councils on how they should develop and deliver their pre-election candidate information sessions, Councillor induction programs and ongoing Councillor professional development programs. The Guidelines include at *Appendix C* a Model Councillor Induction and Professional Development Policy ("the Model Policy").

Legislative or Policy Implications

?Local Government Act 1993, Section 232 - The role of a Councillor?

?Local Government (General) Regulation 2021, Clause 183 - Induction training courses for Councillors?

?Local Government (General) Regulation 2021, Clause 184 - Supplementary induction training courses for Mayors?

?Local Government (General) Regulation 2021, Clause 185 - Ongoing professional development program for Councillors and Mayors?

?Local Government (General) Regulation 2021, Clause 186 - Information about induction training and ongoing professional development to be included in Annual Report?
?Councillor Induction and Professional Development Guidelines (Office of Local Government, 2018)

Project Delivery Implications

COUNCIL+ Council

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Insignificant

Budget and Financial Implications

The Guidelines provide that Council must establish an annual Budget allocation to support the induction and professional development activities undertaken by the Mayor and Councillors. The draft Policy reflects this requirement, and; consistent with the Guidelines, the draft Policy provides that the Budget will be set by Council in its Councillor Expenses and Facilities Policy and be regularly monitored and reported on via Council's Annual Report.

Recommendation

That Council:

 Adopt the draft Councillor Induction and Professional Development Policy, appended at Attachment 1, and repeal the Councillor Training and Development Policy adopted 20 December 2016

Report

Council's current Councillor Training and Development Policy ("the current Policy") was last reviewed by Council at its Ordinary Meeting held 20 December 2016. As detailed above; since the current Policy was last reviewed by Council, the OLG has released and prescribed the Guidelines, which contains a Model Policy.

The draft Councillor Induction and Professional Development Policy ("the draft Policy"), appended at *Attachment 1*, has been adapted from the Model Policy and seeks to demonstrate Council's commitment to its elected representatives have access to induction and ongoing professional development opportunities so that they can develop and maintain the skills and knowledge necessary to perform their civic roles and exercise their statutory responsibilities.

Attachments

1. Councillor Induction and Professional Development Policy (Draft

Attachment 1 - Councillor Induction and Professional Development Policy 2022



Councillor Professional Development and Induction

POLICY

CONTROLLED DOCUMENT INFORMATION

ECM Number	1573372
Document Owner	Director Customer, Corporate Services and Economy
Document Development Officer	Governance, Audit and Risk Lead
Review Timeframe	Two (2) years
Last Review Date	March 2022
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Document History							
Doc No.	Date Amended	Details/Comments					
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Further Document Information and Relationships						
Related Legislation*	Local Government Act 1993					
	Local Government (General) Regulation 2021					
Related Policies	Councillor Expenses and Facilities Policy					
Related Procedures/	Councillor Induction and Professional Development					
Protocols, Statements,	Guidelines (Office of Local Government, 2018)					
documents	Guidelines for the Payment of Expenses and the Provision					
	of Facilities for Mayors and Councillors in NSW (Office of					
	Local Government, 2009)					
Note: Any reference to Legislation will be updated in this Policy as required. See website						
http://www.legislation.nsw.gov.au/ for current Acts, Regulations and Environmental Planning						
Instruments.						

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Purpose

The purpose of this Councillor Induction and Professional Development Policy ("this Policy") is to demonstrate Parkes Shire Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993* ("the Act").

2. Scope

This Policy applies to all Councillors of Parkes Shire Council ("Council"), including the Mayor.

3. Policy Statement

3.1 Statement of Commitment

Council is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the Mayor and each Councillor will have a professional development plan that identifies specific gaps in their capabilities (i.e. their knowledge, skills and attributes) and identify professional development activities to build these capabilities.

3.2 Induction Program

Council will develop an induction program for new and returning Councillors as well as a supplementary program for the Mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so. The induction program will cover:

- + An orientation to Council facilities and the local government area;
- + An overview of the key issues and tasks for the new Council including Council's Community Strategic Plan, Delivery Program, Operational Plan, Resourcing Strategy and Community Engagement Plan;
- + The legislation, rules, principles and political context under which councils operate:
- + The roles and responsibilities of Councillors and the Mayor;
- + Council's organisational structure, Workforce Management Strategy and the roles and responsibilities of the General Manager and Council staff;
- + What Council does and how it operates, including an overview of integrated planning and reporting, land-use planning, natural resource management, financial management and asset management by Council;
- + Key Council policies and procedures Councillors must comply with including the Code of Conduct:
- + The role of Council meetings and how to participate effectively in them;
- + The support available to the Mayor and Councillors and where they can go to get more information or assistance, and

Information on the process for taking the Oath of Office and electing the Mayor at the first Council meeting (where applicable).

In the case of the Mayor, the program will also cover:

- How to be an effective leader of the governing body and the Council;
- + The role of the Chair and how to chair Council meetings;
- + The Mayor's role in Integrated Planning and Reporting;
- + The Mayor's role and responsibilities under the Code of Conduct;
- → The Mayor's role and responsibilities in relation to the General Manager's employment;
- + The Mayor's role at regional and other representative bodies; and
- + The Mayor's civic and ceremonial role.

The Mayor and Councillors must have a working knowledge and understanding of these areas by the end of the induction program. The induction program will also include team building activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals. Activities will aim to ensure Mayors and Councillors:

- Identify how they would like to work together as a team and identify a common vision for the governing body;
- + Build relationships with each other based on trust and mutual respect that facilitate collaboration;
- Contribute to a positive and ethical culture within the governing body;
- Work towards consensus as members of the governing body for the benefit of the community;
- → Develop respectful negotiation skills and manage alternative views within the governing body without damaging relationships;
- + Understand what supports or undermines the effective functioning of the governing body;
- + Respect the diversity of skills and experiences on the governing body; and
- + Communicate and uphold the decisions of Council in a respectful way, even if their own position was not adopted.

Activities should also help the Mayor, as the leader of the governing body, to:

- + Act as a stabilising influence and show leadership, and
- + Promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere.

The Mayor and Councillors, including those re-elected to office, must attend all induction sessions. Council will evaluate the induction program at the end of each Council term to determine whether it has achieved these outcomes, and to identify and address areas for improvement.

3.3 Ongoing Professional Development Program

An individual ongoing professional development plan will be developed for the Mayor and each Councillor to address any gaps in the capabilities (i.e. the knowledge, skills and attributes) needed to effectively fulfil their role. Each professional development plan will span the Council's term, and identify professional development activities that the Mayor or Councillor will participate in. Professional development activities will be prioritised according to need and approved by the General Manager where Council funds are required in accordance with Council's Councillor and Expenses and Facilities policy. The Mayor and Councillors are expected to complete all the activities included in their professional development plan.

Professional development activities will, wherever possible, follow the 70/20/10 principle. The 70/20/10 principle requires that:

+ 70 per cent of learning activities are provided via learning and developing from experience – for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice;

- + 20 per cent of learning activities are provided via learning and training through others for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations; and
- + 10 per cent of learning activities are provided via learning and developing through structured programs for example, training courses, external or inhouse workshops, seminars, webinars and other e-learning and briefing sessions conducted by the council, external training providers or industry bodies.

The timing of professional development activities for the Mayor and Councillors will be designed in such a way so as to not overload Councillors with learning activities in the early part of Council's term. The timing will reflect what knowledge and skills Councillors and the Mayor need at various points in Council's term to undertake their roles. The Mayor and Councillors will be provided with as much notice as possible for upcoming induction and professional development activities.

3.4 Responsibilities

The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the professional development plan.

The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of the Council.

The Director Customer, Corporate Services and Economy is responsible for planning, scheduling and facilitating induction and professional development activities for the Mayor and Councillors in consultation with the General Manager.

The General Manager has overall responsibility for Council's induction and professional development program.

3.5 Budget

An annual budget allocation will be provided to support the induction and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly.

3.6 Approval of Training and/or Expenses

Professional development activities that require Council funds are to be approved by the General Manager in accordance with Council's Councillor Expenses and Facilities Policy.

10.5. (DCCSE) Provision of Superannuation Contribution Payments to Councillors

Prepared By:

Director Customer, Corporate Services and Economy

Executive Summary

The Local Government Act 1993 has recently been amended to allow local councils to pay superannuation contribution payments to their Councillors. As preparation of Council's 2022/23 Operational Plan has commenced, this report recommends that Council determine to make superannuation contribution payments to its Councillors.

Background Information

In March 2020, the Office of Local Government ("the OLG") released the *Councillor Superannuation Discussion Paper*, providing information on the system for setting Councillor remuneration and the legislation governing superannuation contributions for elected officials and setting out arguments for and against the payment of superannuation contributions for Mayors and Councillors, as well as the different options and legislative models used in other jurisdictions. The discussion paper is appended at *Attachment 1* to this report.

As set out on pages 13-14 of the discussion paper, the NSW Government undertook consultation on the following four options:

- 1. **Option 1:** Maintain the status quo;
- 2. **Option 2:** Amend the *Local Government Act 1993* ("the Act") to require councils to pay a portion of the Mayor's and Councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the Mayor and Councillors;
- 3. **Option 3:** Amend the Act to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the Mayor and Councillors in addition to the payment of the Mayor's and Councillors' fees.
- 4. **Option 4:** Amend the Act to give councils the option to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the Mayor and Councillors in addition to the Mayor's and Councillors' fees.

Following its ensuing consultation, the NSW Government subsequently opted to legislate, via the *Local Government Act 2021* ("the Amendment Act"), to pursue **Option 4**, being to allow councils the option to make superannuation contribution payments for Councillors. The Amendment Act was passed by the NSW Parliament on 13 May 2021, and the OLG's circular advising the commencement of the Amendment Act is appended as *Attachment 2* to this report.

Legislative or Policy Implications

<u>Local Government Act 1993</u>, Section 254B - Payment for Superannuation Contributions for Councillors

Project Delivery Implications

COUNCIL+ Council

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low.

Budget and Financial Implications

Should Council determine to introduce superannuation contribution payments for Councillors from 01 July 2022, this would be budgeted for in Council's annual Operational Plans, as with Councillor remuneration fees and other expenses.

Recommendation

That Council:

1. Resolve to make superannuation contribution payments for its Councillors, effective from 01 July 2022, equivalent in amount to superannuation guarantee payments, pursuant to section 254B of the *Local Government Act 1993*.

Report

The Local Government Act 1993 ("the Act") provides for the framework for the payment of fees to Mayors and Councillors. Section 248 requires councils to pay their Mayors and Councillors an annual fee, which must be fixed in accordance with the appropriate determination of the NSW Local Government Remuneration Tribunal.

As detailed above, the Amendment Act has now modified the Act to provide councils (via section 254B) with the option to make superannuation contributions on behalf of Mayors and Councillors, in addition to their annual fees, from the 2022/2023 financial year. The decision on whether to make superannuation contributions on behalf of Councillors is left to each council to consider, taking into account financial considerations and local community expectations.

As noted above, the discussion paper includes commentary on the arguments in favour and against making superannuation guarantee payments for Councillors. The discussion paper outlines that paying the superannuation guarantee will:

- Ensure that Mayors and Councillors are adequately remunerated for the performance of their duties;
- Address a historic anomaly that has seen Mayors and Councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce;
- Potentially encourage more women to stand as candidates for civic office, noting that women currently comprise less than a third of all Councillors and Mayors in NSW;
- Potentially encourage more younger people to stand as candidates for civic office, noting that younger people are currently underrepresented on local councils in NSW.

As preparation of Council's 2022/23 Budget and Operational Plan has now commenced, it is timely that Council now determines if it wishes to make superannuation contribution payments to its Councillors. As reflected in the Officer's Recommendation; Management is recommending that Council resolve to make superannuation contribution payments to its Councillors.

Should Council proceed in endorsing the Officer's Recommendation, Council's Expenses and Facilities Policy will be amended the reflect this decision. This policy is scheduled to be reviewed in March, and reviewed by Council at its April Ordinary Meeting.

Attachments

- 1. Councillor Superannuation Discussion Paper (Office of Local Government, March 2020)
- 2. Circular 21-07: Commencement of the *Local Government Amendment Act 2021* (Office of Local Government, 27 May 2021)

Strengthening local government

Attachment 1 - Councillor-Superannuation-Discussion-Paper-Discussion-Paper



COUNCILLOR SUPERANNUATION



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Councillor Superannuation – Discussion Paper

Minister's foreword



Since becoming the Minister for Local Government, I have actively engaged with local councils across New South Wales. I am constantly impressed by the passion held by our mayors and councillors, and frequently find myself commenting on the incredible work ethic of many who continually deliver for their communities.

I am proud to be a part of a Government that is committed to supporting councils to deliver for their local communities. Since 2011 this Government has provided more than \$9 billion to local councils to deliver and improve local infrastructure, services and facilities for their communities. About half of

this funding has gone to regional and rural communities which are struggling through one of the worst droughts on record and are recovering and rebuilding after the recent natural disasters. This funding boost has helped local councils provide the very things that make our communities tick – from local infrastructure to essential services and programs that unite local residents.

Under Commonwealth legislation, councils are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors because they are not employees of councils. Recently I was pleased to host a workshop where the obstacles that deter women from nominating to be a councillor or mayor were identified, and the lack of superannuation payments was one of the barriers raised. It can also be said that this goes some way in deterring people under 35 from representing their community on their local council.

As you know, mayors and councillors currently receive a level of remuneration that is independently set by the Local Government Remuneration Tribunal based on the application of a range of criteria. It is currently possible for councils to make superannuation contributions on behalf of mayors and councillors on a pre-tax basis out of the fees they receive from the council as determined by the Tribunal.

However, the Government recognises that not everyone agrees with the current arrangements and acknowledges the calls for councils to be required to make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fees. The purpose of this discussion paper is to encourage further discussion about this issue and assist the Government in better understanding the views of the local government sector and the broader community.

The discussion paper:

- provides information on the current system for setting councillor remuneration and the legislation governing superannuation contributions for elected officials
- sets out the arguments for and against the payment of superannuation contributions for mayors and councillors, and
- · provides different options and legislative models.

I welcome your input into this conversation and look forward to hearing your views.

The Hon Shelley Hancock MP Minister for Local Government

Councillor Superannuation - Discussion Paper

1. Should mayors and councillors in NSW receive superannuation payments in addition to their fees?

Reasons that mayors and councillors should receive superannuation payments in addition to their fees can be summarised as follows:

- it will ensure that mayors and councillors are adequately remunerated for the performance of their duties
- it will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce, and
- it is hoped it will encourage more women to stand as candidates for election to councils.

Each of these arguments are examined below.

Are NSW mayors and councillors adequately remunerated?

In NSW, the remuneration received by mayors and councillors is independently set by an expert tribunal, the Local Government Remuneration Tribunal.

Under section 239 of the NSW *Local Government Act 1993* (the Act), the Tribunal is required to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.

To ensure that mayors and councillors receive remuneration that is commensurate with, and reflects their workload and responsibilities, the Tribunal is required to consider a range of criteria under section 240 of the Act in determining remuneration categories. These include:

- the size, physical terrain, population and the distribution of the population of each local government area
- the nature and volume of business dealt with by each council
- the nature and extent of the development of each local government area
- the diversity of the communities each council serves
- the regional, national and international significance of the council, and
- any other matters the Tribunal considers relevant to the provision of efficient and effective local government.

The Tribunal last undertook a significant review of the categories and the allocation of councils into each of the categories in 2017. The Tribunal has indicated that it will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.

Under section 241 of the Act, the Tribunal is required to determine, no later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

As noted above, in determining the maximum and minimum fees payable in each of the categories, the Tribunal is required under section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as the Industrial Relations Commission.

The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

However, the Tribunal is able to determine that a council can be placed into another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A(3) of the Act. This means that where, for whatever reason, the workload or responsibilities of the mayor and councillors increase, they may receive an increase in remuneration that reflects their increased workload even if that increase exceeds the 2.5% public sector wages cap.

The current remuneration levels for mayors and councillors in each category are set out below:

Table 1: Minimum and maximum fees for NSW mayors and councillors

Category		Councils in Category		r/Member al Fee		hairperson onal Fee*
			Minimum	Maximum	Minimum	Maximum
General	Principal CBD	1	27,640	40,530	169,100	222,510
Purpose Councils –	Major CBD	1	18,430	34,140	39,160	110,310
Metropolitan	Metropolitan Large	8	18,430	30,410	39,160	88,600
	Metropolitan Medium	9	13,820	25,790	29,360	68,530
	Metropolitan Small	11	9,190	20,280	19,580	44,230
General	Regional City	2	18,430	32,040	39,160	99,800
Purpose Councils –	Regional Strategic Area	2	18,430	30,410	39,160	88,600
metropolitan	Regional Rural	37	9,190	20,280	19,580	44,250
	Rural	57	9,190	12,160	9,780	26,530
County	Water	4	1,820	10,140	3,920	16,660
Councils	Other	6	1,820	6,060	3,920	11,060

[•] Mayors and county council chairpersons receive their fee *in addition to* the fee they receive as a councillor/member.

A comparison of average remuneration received by mayors and councillors in NSW with the remuneration received by their counterparts in other jurisdictions indicates that NSW councillors receive similar or higher levels of remuneration than their counterparts in other jurisdictions other than Queensland.

Table 2: Interjurisdictional comparison of councillor remuneration (as paid at March 2020)

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	24,860	9,190		40,530	
QLD	141,066	53,049	577%	160,938	397%
VIC	27,999	8,833	96%	47,165	116%
TAS	23,372	9,546	104%	37,198	92%
WA	17,634	3,589	39%	31,678	78%
NT¹	13,283	4,428	48%	22,137	55%
SA	16,215	6,500	71%	25,930	64%

Table 3: Interjurisdictional comparison of mayors' remuneration (as paid at March 2020)

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	141,005	18,970		263,040	
QLD	185,824	106,100	1,030%	265,549	101%
VIC	131,877	62,884	331%	200,870	76%
TAS	58,430	23,863	125%	92,997	35%
WA	94,443	4,102	22%	184,784	70%
NT	73,856	24,619	130%	123,093	47%
SA	101,500	26,000	137%	177,000	67%

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 $^{^{}m 1}$ NT's councillor and mayoral fees are based on the Councillor Member Allowances for July 2018-2019

Have NSW mayors and councillors been denied a financial benefit received by other members of the workforce through the payment of the superannuation guarantee?

The superannuation guarantee was introduced in 1992-93, with compulsory contributions rising at regular intervals from 3 per cent of wages in that year to 9 per cent in 2002-03 and 9.5 per cent in 2013-14. The superannuation guarantee is scheduled to rise incrementally from 9.5 per cent of wages today to 12 per cent by July 2025.

While superannuation guarantee payments are made in addition to an employee's wages, as the Grattan Institute has demonstrated², higher compulsory superannuation contributions are ultimately funded by lower wages. When the superannuation guarantee increases, this is wholly or mostly borne by workers who receive smaller pay rises and lower take-home pay. For example, when the superannuation guarantee increased by from 9 per cent to 9.25 per cent in in 2013, the Fair Work Commission stated in its minimum wage decision that the proposed minimum wage increase was "lower than it otherwise would have been in the absence of the Super Guarantee increase".

Given the evidence that superannuation guarantee payments are in effect paid for by workers through lower wages, it would be over simplifying the situation to assume that workers are receiving a 9.5% supplementary payment that is being denied to NSW mayors and councillors.

The last increase in the superannuation guarantee came into effect in 2013/14 when the contribution rate increased from 9.25% to 9.5%. A comparison of increases in average weekly earnings with increases in NSW mayors' and councillors' remuneration as determined by the Tribunal since then indicates that NSW mayors and councillors have, on average, enjoyed slightly higher increases in remuneration than the rest of the community.

Table 4: Comparison of increases in average weekly earnings with increases in mayors' and councillors' remuneration

Financial year	Average weekly ordinary time earnings Aust - annual average increase June to June each year	Councillor remuneration increase 1 July
1 July 2014 – 30 June 2015	2.3%	2.5%
1 July 2015 – 30 June 2016	2.0%	2.5%
1 July 2016 – 30 June 2017	2.2%	2.5%
1 July 2017 – 30 June 2018	1.8%	2.5%
1 July 2018 – 30 June 2019	2.7%	2.5%
1 July 2019 – 30 June 2020	3.1%	2.5%

² See John Daley and Brendan Coates (2018) <u>Money in retirement: More than enough.</u> Grattan Institute. November 2018

Were councils to be required to make an additional payment on behalf of mayors and councillors equivalent to the superannuation guarantee amount (currently 9.5% of their fees) this would, in effect confer on mayors and councillors a 9.5% increase in their remuneration outside of the normal process for setting mayors' and councillors' remuneration by the Local Government Remuneration Tribunal.

This will not be a one-off increase. With the superannuation guarantee set to increase to 12% in the years up to 2025, this would see further increases to mayors' and councillors' remuneration over and above any increases approved by the Tribunal.

While the receipt of a 9.5% increase in their remuneration through the payment of the superannuation guarantee is likely to be widely supported by mayors and councillors, it is important that the community is consulted and support shown by them before changes are made.

At present it is not clear whether ratepayers would support seeing the revenue they contribute to their local councils being diverted from providing services and infrastructure to fund a 9.5% increase in remuneration for their elected representatives.

Will payment of the superannuation guarantee encourage more women to stand as candidates at council elections?

Payment of the superannuation guarantee for mayors and councillors has been promoted as an equity measure to address disparities in men's and women's superannuation balances.

Research has demonstrated that the principal impediments to more women standing as candidates at local government elections are:

- lack of awareness of local government and the role of councils and councillors
- feeling unqualified
- balancing carer and work commitments
- the investment of time required to be an effective councillor, and
- perceptions of the culture of councils and councillor conduct.³

The payment of the superannuation guarantee would benefit male and female councillors alike. In the short term, male mayors and councillors will be the principal beneficiaries of any increase in remuneration through the receipt of an additional superannuation payment given that they currently comprise 69% of councillors in NSW⁴.

Major stakeholders promoting an increase in the number of females represented on councils including Local Government NSW, Women for Election Australia, Australian Local Government Women's Association and the Country Women's Association of NSW recently noted that "a key barrier for women standing for election to local government can be the lack of access to superannuation, with women unwilling to take on more work with insufficient remuneration". The stakeholders also noted "women tend to have far lower superannuation balances than men, often due to time out of the workforce caring for family members".

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³ See Manion, Jo and Sumich, Mark (2013), <u>Influencing Change – Views of elected representatives on leadership, decision making and challenges for Local Government in NSW</u>

⁴ See Office of Local Government (2019), <u>NSW Candidate and Councillor Diversity Report 2017</u>

Will payment of the superannuation guarantee encourage younger people to stand as candidates at council elections?

Two separate studies undertaken by the University of Melbourne in 2014⁵ and 2015⁶ found that younger people tend not to be engaged by and are uninterested in superannuation or retirement planning. HECS repayments and saving to purchase a first home tend to be higher financial priorities for younger people than saving for retirement.

The average tenure of councillors is between one to two terms. More than three quarters (77%) of councillors elected at the 2012, 2016 and 2017 elections had served two terms or less. Assuming that councillors were to receive the superannuation guarantee of 9.5% with respect to their fees over one or two terms, as demonstrated by table 5, the value of the capital contributions made to their superannuation funds would, at retirement, represent a small proportion of their accumulated lifetime superannuation capital.

Table 5: Comparison of superannuation contribution amounts that would be made on the maximum annual fee in each category of council at a rate of 9.5% over 1 term (4 years) and 2 terms (8 years).

Category		Number of Councils in Category	Councillor/Member Maximum Annual Fee	4 years at 9.5%	8 years at 9.5%
	Principal CBD	1	40,530	15,401	30,802
General Purpose	Major CBD	1	34,140	12,973	25,946
Metropolitan	Metropolitan Large	8	30,410	11,556	23,112
	Metropolitan Medium	9	25,790	9,800	19,600
	Metropolitan Small	11	20,280	7,706	15,412
	Regional City	2	32,040	12,175	24,350
General Purpose Councils – Non- metropolitan	Regional Strategic Area	2	30,410	11,556	23,112
	Regional Rural	37	20,280	7,706	15,412
	Rural	57	12,160	4,621	9,242
County Councils	Water	4	10,140	3,853	7,706

⁵ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2014), <u>Superannuation Knowledge</u>, <u>Behaviour and Attitudes in Young Adults in Australia</u>. CIFR Paper No. RP002/2014

⁶ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2015), <u>No Thought for Tomorrow: Young Australian Adults' Knowledge, Behaviour and Attitudes About Superannuation</u>. Law and Financial Markets Review Vol. 9, No. 2, pages 90-105

Other	6	6,060	2,303	4,606
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How much will it cost and who will pay?

The cost of paying the superannuation guarantee for mayors and councillors will need to be met by each council out of its existing budget.

This cost will vary from council to council depending on what fees the mayor and councillors receive and how many councillors there are on the council. The table below sets out the average annual cost to councils in each remuneration category of paying the 9.5% superannuation guarantee for the mayor and each councillor based on the maximum annual fee payable in each category.

The total estimated annual cost of paying the 9.5% superannuation guarantee for mayors and councillors for the local government sector as whole is close to \$3 million (\$2,758,739).

Table 6: Average annual cost to councils of making a 9.5% superannuation contribution for mayors and councillors

c	ategory	Councils in Category	Average annual cost of paying 9.5% superannuation contribution for mayors and councillors
General Purpose Councils – Metropolitan	Principal CBD	1	55,792
	Major CBD	1	55,886
	Metropolitan Large	8	45,973
	Metropolitan Medium	9	35,911
	Metropolitan Small	11	21,541
General Purpose Councils – Non-metropolitan	Regional City	2	46,007
	Regional Strategic Area	2	45,973
	Regional Rural	37	21,543
	Rural	57	11,762
County Councils	Water	4	9,289
	Other	6	5,081

2. Why are councils not required to make superannuation guarantee payments to mayors and councillors?

The Commonwealth Superannuation Guarantee (Administration) Act 1993 (SG Act) imposes an obligation on an employer to pay the superannuation guarantee of 9.5% of an employee's earnings to a complying superannuation fund nominated by the employee.

The obligations under the SG Act do not extend to councils with respect to the fees they pay to mayors and councillors because they are not employees of the council for the purposes of that Act. Mayors and councillors are elected to a civic office in the council and the council is not their employer.

Section 12(9A) of the SG Act expressly excludes mayors and councillors across Australia from the definition of "employee" meaning that councils are not obliged to make superannuation guarantee payments to mayors and councillors under that Act. Section 12(9A) of the SG Act provides that, "a person who holds office as a member of a local government council is not an employee of the council".

Section 251 of the NSW Local Government Act also makes it clear that the payment of a fee to a mayor or councillor does not constitute the payment of a salary and mayors and councillors are not to be taken to be employees of councils because of the payment of the fee.

3. Can NSW councils make superannuation contributions on behalf of mayors and councillors as a component of their fees?

There is nothing currently preventing councils from making superannuation contributions on a voluntary basis on behalf of the mayor and councillors.

The Australian Tax Office has made a definitive ruling, (ATO ID 2007/205) that allows for mayors and councillors to redirect their annual fees into superannuation on a pre-tax basis.

In practical terms, there is nothing currently preventing mayors and councillors, who wish to make concessional contributions to their superannuation funds, from entering into an arrangement with their council under which they agree to forego part of their remuneration in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Councils are also able to determine for themselves, by council resolution and/or within an appropriate council policy, if and how councillors may do this.

4. Can NSW councils make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fee?

It is open to councils under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the Commonwealth *Taxation Administration Act 1953* (TAA) to resolve that mayors and councillors are subject to Pay As You Go withholding. The resolution must be unanimous to be effective.

A resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA operates to take the mayor and councillors out of section 12(9A) of the SG Act, which recognises that they are not employees of the council, and brings them within section 12(10) of the SG Act which states that:

A person covered by paragraph 12-45(1)(e) in Schedule 1 to the Taxation Administration Act 1953 (about members of local governing bodies subject to PAYG withholding) is an employee of the body mentioned in that paragraph.

Section 12(1) effectively deems the mayor and councillors to be employees and the council to be their employer for the purposes of the SG Act. This will mean the council will be obliged to make superannuation guarantee contributions (currently 9.5% of the mayor's and councillors' fees) to complying superannuation funds in respect of fees paid to the mayor and councillors. These contributions would be paid in addition to the fees received by the mayor and councillors.

It should be noted however that a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA will also result in mayors and councillors being treated as employees for a wide range of other taxation purposes. Among other things:

- the council will have to withhold amounts from the payment of fees to the mayor and councillors in accordance with section 12-45(1)(e) of Schedule 1 of the TAA
- the council will be subject to fringe benefits tax under the Commonwealth Fringe Benefits Tax
 Assessment Act 1986 on the taxable value of expenses paid to and facilities provided to the
 mayor and councillors under the council's councillor expenses and facilities policy adopted
 under section 252 of the LGA, and
- the council will be obliged under Commonwealth Child Support (Registration and Collection) Act 1988 to withhold payments from fees paid to the mayor and councillors for the purposes of making child support/maintenance/carer payments.

It is unclear however whether a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA is permissible under sections 248(2) and 249(3) of the Act where it would have the consequence of requiring a council to make a superannuation guarantee contribution in respect of the fees paid to councillors and the mayor that, taken together with their fees, exceeds the maximum amount determined by the Local Government Remuneration Tribunal.

It is also unclear what impact section 242A of the Act would have in relation to a council's resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA. Section 242A of the Act places an obligation on the Local Government Remuneration Tribunal when determining the remuneration of mayors and councillors, to apply the same policies on increases in remuneration as those that the Industrial Relations Commission is required to apply under section 146C of the NSW *Industrial Relations Act 1996* when making or varying awards or orders relating to the conditions of employment of public sector employees.

It is possible that where a council is obliged to make superannuation guarantee contributions on behalf of the mayor and councillors in addition to their fee, the Tribunal may, in turn, be obliged under section 242A to make a determination reducing the mayor's and councillors' fees to ensure that the fee and superannuation contribution do not result in an increase that exceeds the 2.5% public sector wages cap.

5. What is the position in Queensland?

Section 226 of the Queensland *Local Government Act 2009* gives councils the option to pay an amount into a complying superannuation fund on behalf of the mayor and councillors up to an amount payable with respect to employees of the council. The amount paid is in addition to the amount the mayor and councillor receive as a fee. Alternatively, councils may contribute a portion of the mayor's or councillors' fees to complying superannuation fund as is the case in NSW.

6. Options

Option 1: Maintaining the status quo

Under this option, councils will continue not to be obliged to make superannuation guarantee payments on behalf of the mayor and councillors. Mayors and councillors who wish to make concessional contributions to their superannuation funds can continue to enter into an arrangement with the council under which they agree to forego part of their fee in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Option 2: Amending the NSW Local Government Act 1993 to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Under this option, the Act would be amended to require councils to pay a proportion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Option 3: Amending the NSW Local Government Act 1993 to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

Under this option, all councils will be required to pay an amount equivalent to the superannuation guarantee contribution payable with respect to the mayor's and councillors' fees, into a complying superannuation fund nominated by the mayor and councillors. The payment would be made in addition to the payment of the mayor's and councillors' fees.

A supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Option 4: Amend the NSW *Local Government Act 1993* to give councils the option to pay an amount equivalent to the superannuation guarantee into a

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complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

This option is based on the Queensland model. Under this option, the payment of an additional superannuation contribution in addition to the mayor's and councillors' fees would be optional for councils. Councils would also have the option to make a superannuation contribution on behalf of the mayor and councillors as a portion of the mayor's or councillors' fees.

As with option 3, a supporting amendment would be required to exempt the additional payment from section 242A of the Act.

7. Have Your Say

We now want to hear from you.

Key questions to consider

- Should councils be required to make superannuation contributions for the mayor and councillors?
- Should contributions be made as a portion of mayors' and councillors' fees or in addition to them?
- Which is your preferred option?
- Do you have an alternative suggested option?

Submissions may be made in writing by COB Friday 7 August 2020 to the following addresses.

Post Locked Bag 3015 NOWRA NSW 2541

Email: olg@olg.nsw.gov.au

Submissions should be labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olq@olq.nsw.gov.au.

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Circular to Councils

Circular Details	21-07 / 27 May 2021 / A767595	
Previous Circular	20-42	
Who should read this	Councillors / General Managers / Finance & Rating Staff / Corporate Governance & Legal Staff	
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au	
Action required	Council to implement	

Commencement of Local Government Amendment Act 2021

What's new or changing

- The Local Government Amendment Act 2021 (Amendment Act) was passed by the NSW Parliament on 13 May 2021 and has come into effect, although some reforms will commence by proclamation, as indicated below.
- This Amendment Act includes reforms to ensure a fairer and more flexible rating system for councils and ratepayers, councillor superannuation and minor changes that relate to council elections and the terms of office of chairs of county councils and joint organisations.

What this will mean for your council

- Councillors, general managers and staff should familiarise themselves with the key reforms in the Amendment Act, with a particular focus on those changes that came into effect on commencement, as outlined below.
- Councils created by merger in 2016 that have yet to harmonise their rating structures have more flexible options for their rating structures, including the option to harmonise rates gradually over up to eight years. See key points for merged councils below.

Key points

- The Government remains committed to strengthening the performance and sustainability of local government, including councils created by merger in 2016. The Amendment Act delivers key reforms to achieve these outcomes.
- Rating reforms will ensure councils have a stable and reliable revenue base, provide greater flexibility for councils and ratepayers, enabling a fairer distribution of the rating burden. This implements key elements of the Government's response to the Independent Pricing and Regulatory Tribunal's (IPART's) review of the local government rating system.
- The Amendment Act will be subject to a Statutory Review within 2 years.

Key points for merged councils

- Importantly, the Act now provides greater flexibility for those councils formed in 2016 as they prepare to harmonise rates from 1 July 2021. These councils can choose, in consultation with their communities:
 - to harmonise their rating structures gradually over up to eight years councils that take up this option must apply no more than 50% of the total increase in rates for each rating category over the period, in any year;

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- to set separate rates for different residential land within a contiguous urban area, like Greater Sydney and the Central Coast; and
- to set separate rates for farming land based on geographic location.
- It is a matter for each merged council to determine whether or not to take up one or more of these options as they develop a rating structure for their area.
- The Amendment Act also provides a process for councils constituted within the last 10 years to submit a business case with supporting reasons to the Minister for a de-amalgamation of an area. Further information on this process will be provided separately.

Key points about rating changes for all NSW councils

- Changes to improve flexibility for residential and farmland rates can also be used by all NSW councils.
 - Councils are able to set different residential rates within a contiguous urban area and can choose to set different rates for farmland based on geographic location. These provisions commence on assent.
 - Councils will be able to set business rates based on whether the land is predominantly used for industrial activities. This will commence by proclamation.
 - A new rating category for environmental land will be created for land where meaningful development is constrained by geography or regulation that imposes significant restrictions on use, such as conservation agreements. This provision will commence by proclamation, once regulations are made.
 - The Act now clearly allows for multiple rate pegs to be set, if required, as part of limiting councils' general income each year. This will enable the Government to deliver on its commitment to align councils' general income to population growth in future to help relieve pressure in growing communities. This provision commences on assent. IPART will recommend a proposed rate peg methodology to the Minister.
 - To reduce red tape, the Act will allow councils to levy a new kind of special rate for infrastructure jointly funded with other government entities. These special rates are not limited to funding council functions and resulting income does not form part of councils' general income under the rate peg. This provision will commence by proclamation, once regulations are made.
 - The Act also allows for regulations to be made to specify circumstances under which the rating exemption for land subject to a conservation agreement may be removed. This will not commence until regulations are made following consultation with key stakeholders to ensure incentives for land conservation remain in place.
 - The Act will provide any councils that provide water and sewerage services and levy special rates for that purpose with discretion about whether to exempt certain properties from those rates.
 - Limits will be placed on ratepayers eligible to postpone rates due to a change in the permitted use of their land. This will still allow owner occupiers who would face hardship to apply to council for a postponement of the portion of their rates that have increased due to rezoning.

Key points about other changes

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- Councils will have the option to make superannuation contribution payments for councillors from 1 July 2022 equivalent in amount to superannuation guarantee payments. The decision to make superannuation contribution payments must be made by resolution at an open meeting.
- Minor amendments have been made to allow the time for the receipt of
 postal votes to be prescribed by regulation and to allow greater flexibility for
 the NSW Electoral Commission and other electoral service providers in the
 administration of countbacks to fill vacancies.
- The term of office of chairpersons of county councils has been extended to
 two years, aligning it with the terms of office of mayors elected by councillors
 and chairpersons of joint organisations. Technical amendments have also
 been made to clarify that the terms of chairpersons of county councils and
 joint organisations expires on the election day of their member councils.
- Further rating reforms that do not rely on the Amendment Act will be implemented by making changes to regulations and releasing new guidance later this year.
- In part, this includes aligning rating income growth with population growth to help councils provide for growing communities within the rate pegging system while still protecting residents from sudden and excessive rate rises.
- To give effect to this commitment, the Minister has asked IPART to recommend a proposed rate peg methodology that allows the general income of councils to be varied each year in a way that accounts for population growth.
- IPART has been asked to ensure that councils with lower population growth are not disadvantaged, to undertake public consultation and to provide a final report by September.
- There is no change to the requirement for councils to pay an annual Emergency Services Levy (ESL) contribution from within councils' general income

Where to go for further information

- The Local Government Amendment Act 2021 is available at https://www.legislation.nsw.gov.au.
- The Government's response to IPART's review of the local government rating system is available at www.olg.nsw.gov.au/wp-content/uploads/2020/06/IPART-Rating-Review-Government-Response.pdf
- IPART's final report on the local government rating system is available at www.ipart.nsw.gov.au/Home/Industries/Local-Government/Reviews/Local-Government-Rating-System/Local-Government-Rating-System

Luke Walton

Acting Deputy Secretary

Local Government and Planning Policy

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10.6. (DCCSE) Public Exhibition of draft Community Strategic Plan

Prepared By:

Director Customer, Corporate Services and Economy

Executive Summary

This report recommends that Parkes Shire Council place the draft Community Strategic Plan on public exhibition for a minimum period of 28 days, as required under the NSW Government's Integrated Planning and Reporting Guidelines. Following conclusion of the public exhibition period, a further report will be provided to Council detailing any submissions received as well as any subsequent amendments or changes recommended, prior to adoption of the draft Community Strategic Plan.

Background Information

Under the Integrated Planning and Reporting ("IP&R") provisions of the *Local Government Act 1993* ("the Act"), Parkes Shire Council ("Council") is required to prepare and adopt a Community Strategic Plan. The Community Strategic Plan identifies the community's main priorities and aspirations for the future, and is the highest-level document that Council prepares as part of its IP&R framework.

While Council has a custodial role in initiating, preparing and monitoring the Community Strategic Plan on behalf of the Parkes Shire community, it is not wholly responsible for its implementation. Other partners, such as other levels of government, community organisations, business and residents, all have a role to play in delivering the long-term goals expressed in the Community Strategic Plan.

In preparing the Community Strategic Plan, Council must observe the requirements under section 402 of the Act as well as the IP&R Guidelines ("the Guidelines") issued by the Office of Local Government and prescribed under section 23A of the Act.

Council first developed its Community Strategic Plan 2009, with a comprehensive review undertaken in 2016. Consistent with the IP&R Guidelines, the Community Strategic Plan must be reviewed before 30 June in the year following an ordinary election. This process must be informed by community engagement, and consider applicable local, regional, State and Federal plans and strategies developed since the Community Strategic Plan was last reviewed.

Legislative or Policy Implications

<u>Local Government Act 1993, Section 402 - Community Strategic Plan</u>
<u>Integrated Planning and Reporting Guidelines for Local Government in NSW (Office of Local Government, September 2021)</u>

Project Delivery Implications

COUNCIL+ Council

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Implications

There are no financial implications for Council associated with this report.

Recommendation

That Council:

- 1. Place the draft Community Strategic Plan, appended at *Attachment 1*, on public exhibition with submissions closing Friday, 22 April 2022.
- 2. Receive a further report at the 17 May Ordinary Meeting regarding the adoption of the draft Community Strategic Plan, including any submissions received during the public exhibition period.

Report

Council adopted a Community Engagement Strategy in April 2021, outlining how the community was to be engaged and consulted with during the review of the Community Strategic Plan. Guided by this strategy, a community engagement process was undertaken in 2021 which included various face-to-face and online consultation tools, as well as a Community Satisfaction Survey undertaken by independent market research firm, Micromex Research. Close to 800 suggestions, comments and concerns were received during this engagement process.

Feedback gained through the above community engagement process has informed the development of the draft Community Strategic Plan, which is appended at *Attachment 1* to this report.

The draft Community Strategic Plan includes a revised vision statement for the Parkes Shire community, being: *Connected, Vibrant, Sustainable*. This vision statement reflects the kind of community we would like to be in 10 to 20 years' time and is designed to encourage shared commitment and a sense of common purpose and responsibility.

Four themes support our proposed vision, structured around the four Quadruple Bottom Line themes of Community, Economy, Environment and Civic Leadership, and includes clear objectives under each theme as well as proposed strategies to achieve those objectives:

- **Community:** We live in a safe, inclusive and growing community that provides a great quality of life for people of all ages and abilities.
- **Economy:** We have a diverse, thriving economy which supports traditional and new industries, accommodates continued population growth, and provides quality employment, education and training opportunities.
- **Environment:** We value our natural and built environments and effectively plan for a growing community.
- Leadership: We enjoy open, accountable and responsible local government that involves our community in decision-making and responsibly manages our public resources.

The Guidelines require Council to publicly exhibit its draft Community Strategic Plan for a minimum period of 28 days. Given the public exhibition period commences upon resolution of the Officer's Recommendation (15 March 2022), the statutory exhibition period would therefore conclude Tuesday, 12 April 2022. Noting that Council's Community Consultative Committees ordinarily once a month, and to provide all members of the community with the opportunity to thoroughly review the draft Community Strategic Plan prior to preparing submissions; it is recommended that the public exhibition period be extended by 10 days so that it instead concludes on Friday, 22 April 2022.

Any submissions received during this period, as well as any amendments to the draft Community Strategic Plan subsequently proposed, will be provided to Council for review and consideration prior to adoption of the final Community Strategic Plan at the May Ordinary Meeting.

Attachments

1. Community Strategic Plan (Draft) - Distributed separately

10.7. (DCCSE) Use of Peak Hill Town Improvement Funds - Purchase of Clock for Peak Hill Swimming Pool

Prepared By:

Director Customer, Corporate Services and Economy

Executive Summary

This report recommends that Parkes Shire Council approve a request from the Peak Hill Community Consultative Committee to use funds from the Peak Hill Town Improvement Fund to purchase an outdoor clock for the Peak Hill Memorial Pool.

Background Information

Parkes Shire Council ("Council") is guided by the advice provided by the various Community Consultative Committees ("CCC") in determining the most appropriate projects to be included in their Town Improvement Allocations however, the final decision concerning the expenditure of the funds remains with Council.

Legislative or Policy Implications

Nil.

Project Delivery Implications

ACTIVITY+ Pools

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Insignificant

Budget and Financial Implications

There is a current uncommitted balance of \$289,965.82 in the Peak Hill Town Improvement Fund.

Recommendation

1. That Council approves the use of Peak Hill Town Improvement funds of \$695 + GST for the purchase of a clock to be installed at the Peak Hill Memorial Pool.

Report

The Peak Hill CCC has requested the use of funds from the Peak Hill Town Improvement Fund to purchase an outdoor clock for the Peak Hill Memorial Pool.

Council's Facilities Manager has assisted with sourcing a suitable clock and provided a quote of \$695.00 plus GST. The Peak Hill CCC considered this quote at its meeting of 28 February 2022, and subsequently resolved to accept the quote and seek Council's permission to utilise funds from the Peak Hill Town Improvement Fund for this purpose.

Attachments

Nil.

11. DIRECTOR PLANNING AND COMMUNITY SERVICES

11.1. (DPCS) Major Projects & Current Works - Projects Report as of 15 March 2022

Prepared By:

Director of Planning and Community Services

Executive Summary

This report presents an update on the current major projects within the Shire being managed or undertaken by Council's Planning and Environment Department.

The report outlines work that has been carried out over the past month and is provided for the information of Councillors.

Background Information

Monthly status report to keep Councillor's abreast of projects being undertaken within the Shire

Project Delivery Program Implications

The resolution in this report will primarily affect the Delivery Program Future Direction relating to: COUNCIL+ *Council*

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

Projects have been allocated funding either from grants or Council funds as provided in the Operational Budget.

Recommendation

1. That the information be received and noted.

Report

Current major projects within the Shire being managed or undertaken by Planning and Community Services as of 15 March 2022.

Location	Project Description	Due Date	Budget	Forecast	Status	Comment
Parkes	Community Recycling	30/4/22	150,000	150,000	In progress	Signage Installed
	Centre					Inspection by
						Contractor completed
						EPA attending the site
						to inspect the facility.
						Waiting date.
Parkes	Coventry Room	1/4/22	100,000	100,000	In progress	Currently awaiting final
	Cultural Space					costings on lighting
						upgrade and scope of
						work for electrician
Parkes	Wiradjuri Keeping	1/4/22	85,000	85,000	In progress	Final curatorium
	Place Project					approvals for design
						layout and interpretive
						panels/signage
						underway

Attachments

Nil

11.2. (DPCS) Development Activity Report - February 2022

Executive Summary

During the month of February 2022 there were eleven (11) Development Applications received totalling \$1,929,003.38 and sixteen (16) consents were issued. Two (2) Complying Development Certificate was received totalling \$614,930.00 and four (4) Complying Development Certificate were approved.

Recommendation

1. For the information of Council.

Report

The figures shown in the table below are for Development Applications received during February 2022 with respect to the specified building types and comparison to the February 2021 figures.

	F€	bruary 2022	Feb	ruary 2021
Development Category	No.	Estimated Value	No.	Estimated Value
Commercial	2	\$30,000.00	2	\$7,960,000.00
Community Facilities	-	-	-	-
Industrial	1	\$984,500.00	2	\$600,000.00
Infrastructure	-	-	-	-
Tourist Development	1	\$0.00	-	-
Single Dwelling-house	2	\$846,858.38	4	\$1,869,720.00
Residential Alterations and Additions inc ancillary / outbuildings	4	\$67,645.00	5	\$900,602.24
Residential Other	-	-	-	-
Multi-Residential	-	-	-	-
Seniors Living	-	-	-	-
Subdivision only	1	\$0.00	1	\$0.00
Secondary Dwelling	-	-	-	-
Other inc demolition, earthworks, advertising structure	-	-	-	-
Mixed Development	-	-	-	-
Totals	11	\$1,929,003.38	14	\$11,330,322.24
FYTD Totals	107	\$23,240,679.72	92	\$24,539,126.63

The following list of Development Consents were issued in the month of February 2022.

Application	Address	Description
No.		
DA2021/0145	48 High Street, Parkes	Outbuilding - Shed & Retaining Wall
DA2021/0157	92 Bogan Street, Parkes	Multi Dwelling - House (x3 units), Fence and Subdivision (x3 Strata Lots)
DA2021/0163	6 Caledonia Street, Parkes	Change of Use (Business Premises - Beauty Premises)
DA2021/0171	'Springfield', 9652 Renshaw McGirr Way, Parkes	Emergency Services Facility
DA2021/0174	'Mandeville Heights' 79 Cons Lane, Parkes	Alterations & Additions to Dwelling
DA2021/0176	5 Rosary Close, Parkes	Dwelling - House
DA2021/0181	35-37 Rosewood Avenue, Parkes	Dwelling - House, Outbuilding - Shed & Swimming Pool with Child Resistant Barrier
DA2021/0182	'Wyoming' 188 Military Roar, Parkes	Alterations & Additions to Existing Dwelling - House, Dual Occupancy, Outbuilding (Studio), Outbuilding (Shed) x3 and Rainwater Tanks
DA2021/0183	Fossickers Drive, Parkes	Dual Occupancy (Attached)
DA2022/0002	4-6 Mentone Street, Trundle	Outbuilding - Shed
DA2022/0003	89 Forbes Street, Trundle	Demolition of Outbuilding - Shed & Erection of Proposed Outbuilding - Shed
DA2022/0004	24 Weston Street, Parkes	Demolition of Carport
DA2022/0007	62 Charles Rigg Avenue, Parkes	Change use to Existing Garage to Habitable Space & Construction of Swimming Pool with Child Resistant Barrier
DA2022/0008	'Bowling Club' Haylock Street, Tullamore	Recreation Facility (Outdoor) - Removal of 2x Existing Rainwater Tanks & Installation of 2x Rainwater Tanks
DA2022/0010	7 Elizabeth Street, Parkes	Additions to Dwelling - Patio Cover
DA2022/0017	291 Back Yamma Road, Parkes	Outbuilding (Shed)

The figures shown in the table below are for Complying Development Certificates received during February 2022 with respect to the specified building types and a comparison to the February 2021 figures.

	F€	bruary 2022	Fe	bruary 2021
Development Category	No.	Estimated Value	No.	Estimated Value
Commercial	-	-	-	-
Community Facilities	-	-	-	-
Industrial	-	-	-	-
Infrastructure	-	-	-	-
Tourist Development	-	-	-	-
Single Dwelling-house	2	\$614,930.00	3	\$1,208,805.00
Residential Alterations and Additions inc ancillary/outbuildings	-	-	-	-
Residential Other	-	-	-	-
Multi-Residential	-	-	-	-
Seniors Living	-	-	-	-
Subdivision	-	-	-	-
Secondary Dwelling	-	-	-	-
Other inc demolition, earthworks, advertising structures	-	-	-	-
Totals	2	\$614,930.00	3	\$1,208,805.00
FYTD Totals	21	\$3,565,537.00	33	\$5,879,273.00

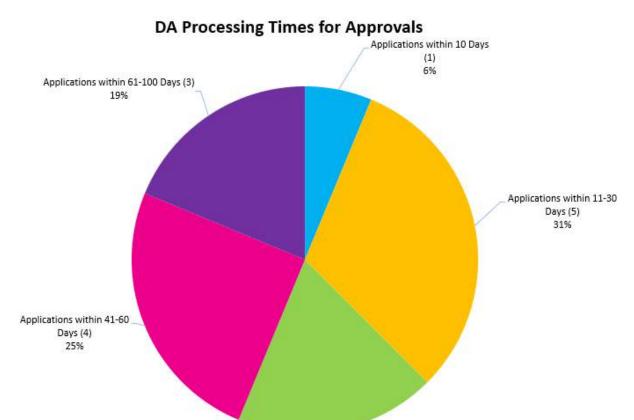
The following is a list of Complying Development Certificates which were issued in the month of February 2022.

Application No.	Address	Description	Certifying Authority
CDC2021/0027	2 Prospector Avenue, Parkes	Swimming Pool & Child Resistant Barrier	PSC
CDC2022/0002	No Mistake Lane, Parkes	Dwelling - House	PSC
CDC2022/0003	13 Barton Street, Parkes	Internal Alterations to Dwelling - Demolition of Internal Wall	PSC
CDC2022/0007	11 Alder Avenue, Parkes	Single Storey Dwelling with Attached Double Garage, Alfresco & Porch & Retaining Wall	PC

DA Processing Times for Approvals

The information shown in the pie chart below is Development Application Approvals issued for the period 1 February 2022 to 28 February 2022.

It should be noted that the total of sixteen (16) Development Applications have been approved with an average of 49.39 days.

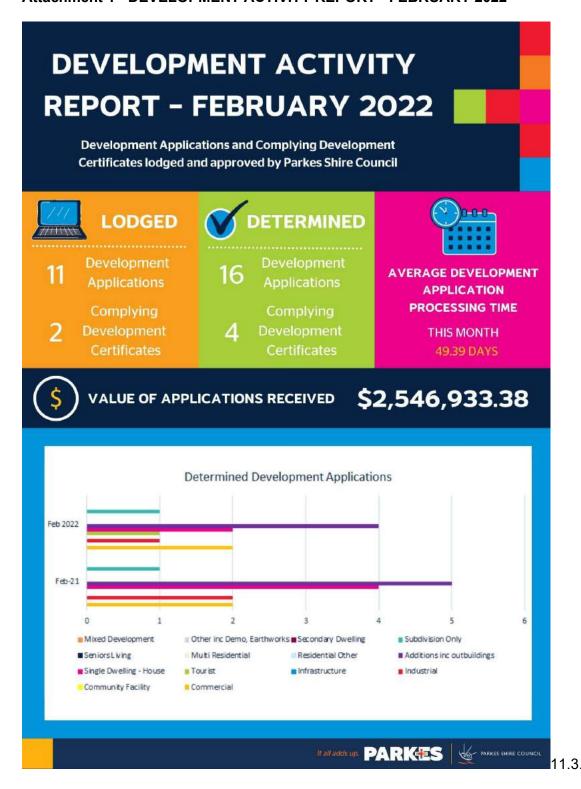


Applications within 31-40 Days (3) 19%

Attachments

Nil

Attachment 1 - DEVELOPMENT ACTIVITY REPORT - FEBRUARY 2022



(DPCS) DA2021/0165 Extractive Industry (Quarry) at 'Taweni' 1199 Taweni Road, Peak Hill

Prepared By:

Director Planning and Community Services

Development Application Information

Application No: DA2021/0165
Applicant: Parkes Shire Council

Property: Lot 42 DP 753980, 'Taweni' 1199 Taweni Road, Peak Hill

Proposal: Extractive Industry (Quarry)

Executive Summary

DA2021/0165 proposes an Extractive Industry (Quarry) on Lot 42 DP 753980 'Taweni' 1199 Taweni Road, Peak Hill. The application seeks to formalise approval of an existing quarry which has been operational intermittently since the 1950's. The development will include rehabilitation of the existing north-eastern extraction pit and expansion to the west of the southern-western pit. Extraction of material will be undertaken via conventional drilling, extracting up to 30,000m3 of material per annum for up to 25 years. The development will also include mobile crushing and screening plant, earthen bunds for stormwater management, sediment ponds for the collection of wastewater runoff and a new vehicular access. The remainder of the site will continue to be used for existing agricultural practices. The subject land is vacant of all built structures, primarily clear of vegetation and is not traversed by any natural water bodies.

The applicant for DA2021/0165 is Parkes Shire Council, which is also the consent authority for the application. To address any perception of a potential conflict of interest between Council's role as consent authority and applicant no delegation of authority has been exercised, with this report being tabled with Council for determination.

The proposed development was advertised and neighbour notified in accordance with Parkes Shire Council Community Engagement Strategy 2021-2025. No submissions to the proposal were received during the advertising and neighbour notification period. The assessment of the development proposal (see Attachment 3) concludes the proposed development fits in the locality and there are no constraints on the site or posed by adjacent developments.

The development is consistent with the Parkes Local Environmental Plan 2012, Parkes Shire Development Control Plan 2021 and all relevant State Environmental Planning Policies. The Plans of the development proposal are included in Attachment 1. The Statement of Environmental Effects in support of the development proposal is included in Attachment 2. A Development Assessment report dealing with all aspects of the proposal is included in Attachment 3.

Background Information

Nil.

Recommendation

It is recommended that the application be approved subject to the conditions contained in the report.

Conditions

- 1. The development shall be carried out in accordance with:
- i. The approved stamped Statement of Environmental Effects, prepared by Currajong Planning, Property + Project Management, dated November 2021.
- ii. The approved stamped plans, prepared by Currajong Planning, Property + Project Management, Figures 3 6, dated 16 November 2021.
- except as varied by the conditions listed herein. A current and approved copy of the approved stamped by Parkes Shire Council is to be maintained on site for constructional and reference purposes.

Prior to Commencement

- 2. The following management plans must be prepared and submitted to the satisfaction of Council's Director Planning and Community Services prior to commencement of any surface disturbance and implemented during operation and, in the case of subclause (b) following cessation of operations:
- (a) Environmental management plan adequately dealing with all mitigation measures documented in the Statement of Environmental Effects dated November 2021;
- (b) Emergency Management Plan adequately dealing with the emergency management procedures for both human life and environmental protection arising from natural events (bushfire) or operational processes (machinery/plant fire, chemical spills);
- (c) Surface water and sediment management plan this plan must be prepared in accordance withthe
- requirementsforsuchplansoutlinedinthedocument"ManagingUrbanStormwater:SoilsandConst ruction (Landcom), 2004) "and "ManagingUrbanStormwater:SoilsandConstruction-volume2E-Minesand Quarries (DECC, 2008)";
- (d) Rehabilitation management plan the plan must include:
 - details of the measures proposed in the Statement of Environmental Effects to rehabilitate the site
 - · regrading and revegetation of the final void area
 - a closure plan in the event of either temporary (in excess of 12 months) or permanent closure of the guarry.
- **3.** In accordance with clause 16(1) of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, the applicant is to prepare and implement a driver code of conduct for the task of transporting materials on public roads.
- **4.** Prior to the commencement of any work within the public road reserve, a Section 138 Permit must be obtained from Parkes Shire Council, along with a Traffic Control Plan prepared in accordance with the Roads and Traffic Authority Manual version 4.
- **5.** Prior to the commencement of any work on the site, detailed engineering drawing(s) shall be prepared for the proposed access that comply with the following:
- (a) Parkes Shire Council Engineering Specifications 2017.

- (b) Parkes Shire Council Development Control Plan 2021.
- (c) Austroads Guide to Road Design Part 4- intersections and crossings. The engineering detail shall be submitted with the Section 138 Application.
- **6.** Prior to operation, the property vehicular access from Robertson Road to the gates at the indentation of the property boundary shall be constructed to the following minimum standards:
- (a) Property access shall be constructed to "Rural Property Access with indented access (Figure 7.4 Austroads Guide to Road Design Part 4 intersections and crossings)
- (b) Gate is to be setback for the largest service vehicle, for roads that meet the minimum standards for a two lane carriageway. The access shall be constructed of 150mm of Council approved compacted gravel. Where the Driveway accesses onto a sealed pavement, the entrance will be sealed with a two coat bitumen seal to at least a 10m offset from the road edge.
- (c) Any damage to Councils road will be repaired at the applicants cost.
- (d) All works associated with the development are to be at no cost to Council.

Completion of Works and Operational Conditions

- **7.** No vegetation is to be cleared from the surrounds of the quarry pit except for the vegetation identified in the stamped approved Statement of Environmental Effects and within the Environmental Management Plan required under Condition No. 2
- **8.** Within three (3) months of removing any vegetation to enable quarry expansion the beneficiary of the consent is to notify Council's Director of Planning and Community Services of the number of trees removed, their species and location. For each individual mature tree that is removed three (3) replacement advanced native trees are to be planted on the allotment or within the adjoining road reserve vegetation corridor.
- 9. One (1) month following the first twelve (12) months of expanded guarry operations, the monetary contribution set out in the following table is to be paid to Parkes Shire Council pursuant to Section 7.11 of the Environmental Planning and Assessment Act 1979. The contribution is current as at the date of this consent and is levied in accordance with the Parkes Shire Section 94 Contributions Plan 2016, in force from 5 August 2016, which may be viewed during office hours at Council's Customer Service Centre, 2 Cecile Street, Parkes, or on Council's website www.parkes.nsw.gov.au. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each quarter. The contribution rate payable may be adjusted in the event that actual maximum tonnages transported from the site by road are less than the maximum tonnages stated in the SEE. To determine contribution payments required, the Applicant shall provide a quarterly report to Parkes Shire Council, prepared by a suitably qualified person that details actual tonnages transported by road. This report should be provided within one month of the anniversary of the commencement of expanded quarry operations. The contribution rate will be adjusted based on actual figures and as per the formula included in the Parkes Shire Section 94 Contributions Plan 2016.

Contribution Type	Per annum rate
Road maintenance	\$11,560.33
Plan management and administration	1% of the above figure
Total	\$11,675.93

Note: A part ratio payment may be paid on a tonnage basis where accurate records of extraction across a 12 month period are provided.

- **10.** The development is to proceed with caution. If any Aboriginal objects are found, works should stop and the NSW Office of Environment and Heritage contacted. In the event that an Aboriginal relic is uncovered, work must cease immediately and the NSW Office of Environment and Heritage must be contacted.
- **11.** A portable water closest is to be provided onsite during excavating or loading activities. Where quarrying is undertaken for a prolonged period exceeding three (3) continues months a formal toilet block is to be installed.
- **12.** A 20,000 litre water supply shall be provided on the site in accordance with 'Planning for Bush Fire Protection 2006' and the following:
 - Aboveground tanks shall be constructed of non-combustible material. A 65mm metal storz fitting and ball or gate valve shall be installed in any tank.
 - The gate or ball valve, pipes and tank penetration shall be adequate for full 50mm inner diameter water flow through the Storz fitting and shall be metal rather than plastic.
 - A standard Static Water Supply (SWS) marker shall be obtained from the District NSW Rural Fire Service as part of the Static Water Supply Program once the tank water supply has been installed. The marker once issued is to be:
- (a) fixed in a suitable location so as to be highly visible;
- (b) positioned adjacent to most appropriate access for the static water supply;
- (c) fixed facing the roadway on a gatepost, fence or dedicated post, at the right hand side of the entranceway to the Static Water Supply;
- (d) fixed no less than 600mm from the ground surface to the base of the sign and not higher than 1200mm from the ground surface to the base of the sign; and,
- (e) fixed with suitable screws or nails.
- **13.** All traffic movements in and out of the site are to be in a forward direction.
- **14.** Any external lights shall be operated and maintained in accordance with the Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting so as not to cause a nuisance or adverse impact on the surrounding area or to motorists on nearby roads.
- **15.** (a) Loadingactivitiesmustonlybeundertakenbetween7amand 7pmWeekdays,7amand 4pmWeekends and at no time on public holidays;
- (b) Extraction and processing work must only be undertaken between 7am and 7pm Weekdays, 7amand4pmSaturdays, and at no time on Sundays or public holidays.
- **16.** Activities at the premises must be carried out in a manner that will minimise the emission of dust, noise and odours from the premises.
- **17.** All loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out on the nature strip, footpath or public roadway system.
- **18.** Any damage caused to footpaths, roadways, utility installations and the like by reason of construction / quarry operations shall be made good and repaired to a standard equivalent to that existing prior to operation. The full cost of restoration / repairs of property or services damaged during the works shall be met by the Applicant.

Rehabilitation

- **19.** Stage 1 rehabilitation works and delineation of the proposed extraction pit is to commence within six (6) months of use of the proposed extraction area.
- **20.** Progressive rehabilitation works are to be undertaken to ensure the disturbed area of the extraction pit does not exceed a two (2) hectare area at any given time.
- **21.** The beneficiary of the consent is to notify Council's Director of Planning and Community Services of formal closure of the site within three (3) months of cessation of operations. Within six (6) months of formal closure of the quarry, the beneficiary of the consent is to rehabilitate the site in accordance with Section 3.11 of the stamped approved Statement of Environmental Effects and the rehabilitation management plan detailed in Condition No. 2.

Prescribed Conditions

- **22.** The work must be carried out in accordance with the requirements of the Building Code of Australia.
- **23.** A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- **24.** Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
- (a) protect and support the adjoining premises from possible damage from the excavation, and
- (b) where necessary, underpin the adjoining premises to prevent any such damage.

Attachments

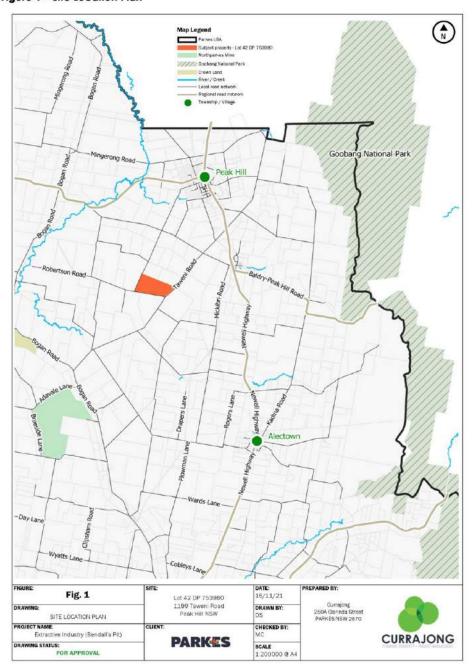
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Attachment 1 - Working Plan Set - Vers 1 - 'Taweni' 1199 Taweni Road, Peak Hill

Extractive Industry (Bendall's Pit) on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill Statement of Environmental Effects

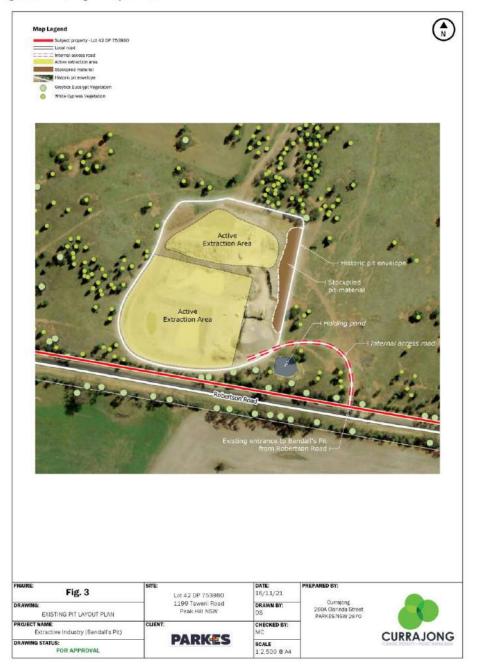
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Figure 1 – Site Location Plan



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Figure 3 – Existing Pit Layout Plan



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Figure 4 – Conceptual Gravel Pit Redevelopment Plan



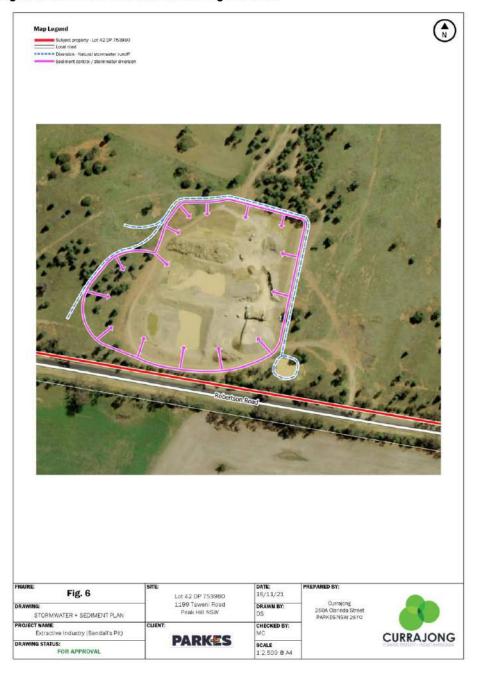
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Figure 5 – Conceptual Rehabilitation Plan

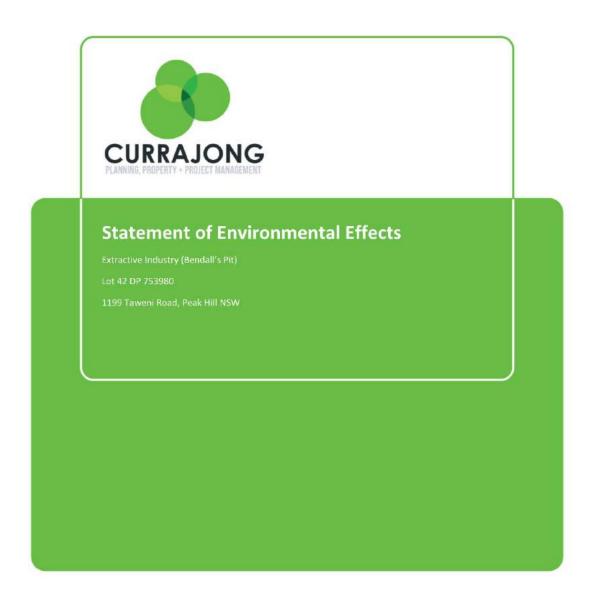


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Figure 6 – Stormwater and Sediment Management Plan



Currajong Pty Ltd 205A Clarinda Street PARKES NSW 2870





DOCUMENT CONTROL

Project Report Details

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1. INTRODUCTION

1.1. Scope

This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Parkes Shire Council, the applicant for the proposed Bendall's Pit located on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill. This document has been prepared to accompany a development application for a proposed extractive industry within the confines of an existing gravel quarry, known as Bendall's Pit (the proposal). As a result of an additional information request from Parkes Shire Council on 12 January 2022 the SEE has been updated to include revised mapping of the proposed gravel pit.

1.2. Overview

Parkes Shire Council has operated a gravel pit known as Bendall's Pit for over 30 years. Parkes Shire Council wishes to continue to operate a new gravel quarry at the Bendall's Pit location at Lot 42 DP 753980, to supply material for construction and maintenance of the local road network.

The existing site of the gravel pit is approximately 4.8 hectares (ha) in size and has vehicular access from Robertson Road. The old gravel pit site is surrounded by rural farmland on all sides. The site is located approximately 10km south of Peak Hill and 12km north of the Northparkes Mines (refer Figure 1 – Site Location Plan and Figure 2 – Site and Surrounds Plan) on the western flank of a small hill. The gravel pit is isolated from nearby sensitive receptors, as shown on Figure 2.

The proposal is to operate a new gravel quarry that will extract less than 30,000 cubic metres of gravel material per annum within a total disturbance area of less than 2 hectares and for a period of up to twenty five (25) years. The proposal will supply gravel material directly to the surrounding local road network for construction and maintenance purposes associated with Parkes Shire Council's Roads Program.

The layout of the proposed new extractive industry, in relation to the historic pit envelope and the surrounding area is shown on Figure 3 – Existing Pit Layout Plan and Figure 4 – Conceptual Quarry Development Plan). The proposal includes progressive rehabilitation of the site to achieve a post extraction landform suitable for rural activities, including livestock grazing (refer Figure 5 – Conceptual Rehabilitation Plan)

1.3. Application particulars

Applicant	Parkes Shire Council
Proposed Site	Lot 42 DP 753980
Proposal	Extractive industry (gravel quarry)
Estimated capital cost	\$5,320 excluding GST
Zoning	RU1 Primary Production under Parkes Local Environmental Plan 2012
Consent Authority	Parkes Shire Council



1.4. Approvals required

The proposal requires development consent under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The proposal does not trigger 'designated development' pursuant to Part 1, Section 19 of Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) for 'Extractive Industries' because:

- less than 30,000m3 per annum would be extracted; and
- less than 2ha of disturbance would occur; and
- all areas of disturbance are more than 40m from a waterway; and
- the existing slope of the gravel pit footprint area is less than 18 degrees to the horizontal; and
- the gravel pit footprint does not involve blasting and is more than 500m of a dwelling not associated with the development; and
- the quarry footprint is more than 500m from another extractive industry.

The proposal does not trigger 'regionally significant development' because it is not designated development and has a capital investment values of less than \$30 million.

The proposal does not trigger 'integrated development' because it does not involve the extraction, processing or storage of more than 30,000 tonnes per annum (tpa) of extractive materials or the crushing, grinding or separating of materials of more than 150 tonnes per day or 30,000tpa and therefore the proposal is not classified as a 'Scheduled Activity' and an Environment Protection Licence (EPL) is not required under the Protection of the Environment Operations Act 1997 (POEO Act).

The proposal does not trigger the Biodiversity Offsets Scheme (BOS) threshold, because it involves less than 1ha of clearing of regrowth white cyprus pine.

In accordance with Part 4 of the EP&A Act a Development Application is to be lodged with Parkes Shire Council, along with a Statement of Environmental Effects (this report) and various plans in support of the proposed extractive industry.



1.5. Format of the report

The information presented in this SEE covers all aspects of the proposal as specified under the EP&A Regulation. The SEE has been prepared as a single document of several sections as follows:

Section 1	Introduces the proposal and the main project drivers
Section 2	Describes the main features of the site and surrounds
Section 3	provides a description of the proposal, including a description of the existing gravel pit operations, proposed new gravel pit operations and the site rehabilitation phases of the project.
Section 4	reviews the proposal against the relevant legislative requirements.
Section 5	assesses the potential impacts of the proposal and documents the proposed mitigation and management strategies proposed to minimise environmental impacts.
Section 6	reviews the proposal against the environmental, economic and social considerations and other non-statutory best practice guidelines.
Section 7	provides the conclusion for the SEE.

The SEE is supported by the following figures and drawings:

Figure 1	Site location plan
Figure 2	Site and surrounds plan
Figure 3	Existing gravel pit layout plan
Figure 4	Conceptual gravel pit redevelopment plan
Figure 5	Conceptual rehabilitation plan
Figure 6	Stormwater and sediment management plan



2. DEVELOPMENT SITE DESCRIPTION

2.1. Site Description

The existing gravel pit, knowns as Bendall's Pit is located in the Parkes Shire, approximately 10km south of Peak Hill and 12km north of the Northparkes Mines (refer Figure 1 – Site Location Plan). The existing gravel pit is located on Lot 42 DP 753980, with access from Robertson Road which is located directly west of the site. The site of the gravel pit is approximately 4.8 hectares (ha) in area and comprises a relatedly shallow excavation site (ranging in depth of 2 to 12 metres below natural ground surface). Photographs of Bendall's Pit are shown below:

Photograph 1 - Bendall's Pit (view to north-east)



Photograph 2 - Bendall's Pit (view to north-west)





Photograph 3 - Bendall's Pit (view to south-west and quarry access road)



Photograph 4 - Bendall's Pit (view of quarry entrance from Robertson Road)



2.2. Land-use and zoning description

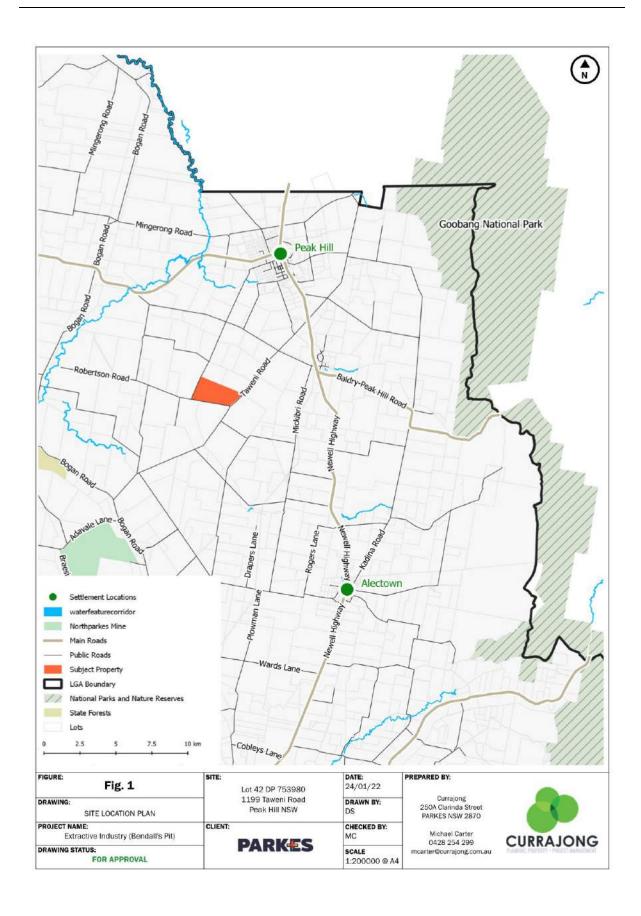
The site of the Bendall's Pit is zoned RU1 – Primary Production under the Parkes Local Environmental Plan 2012. Surrounding land is similarly zoned RU1 – Primary Production.

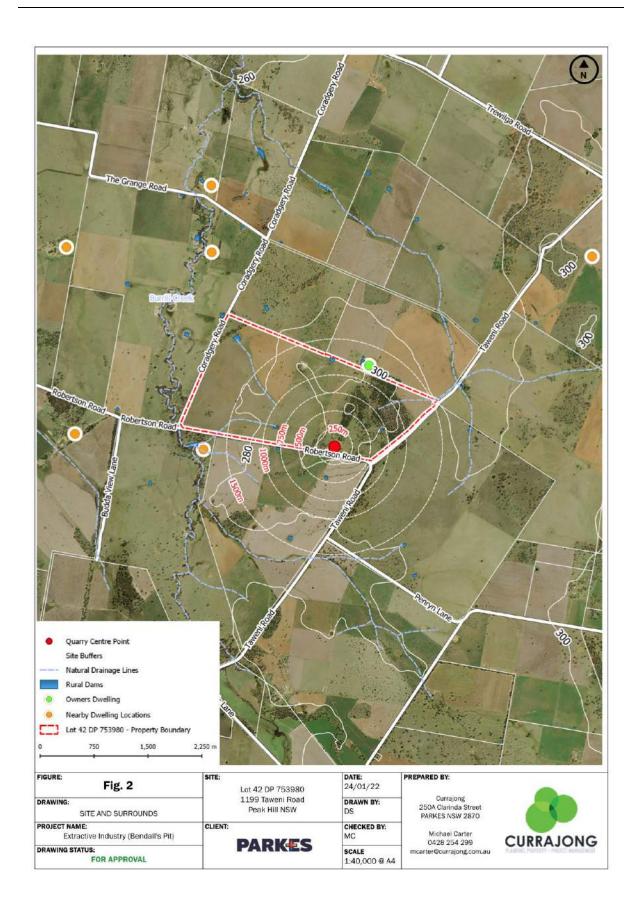
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2.3. Surrounding land-use description

The existing Bendall's Pit is generally surrounded by rural land-use comprising broadacre farming paddocks and isolated stands of native vegetation and regrowth vegetation. Robertson Road directly adjoins the site to the west. The closest residence to the quarry site is owned by R Bendall and located approximately 1.1km to the north. The nearest residence not associated with the quarry development is located 1.7km to the west (refer Figure 2 – Site and Surrounds Plan).







3. DESCRIPTION OF THE PROPOSAL

3.1. Objectives of the proposal

The principal objective of the proposal is to obtain development consent to enable the continued operation of the Bendall's Pit for extraction of gravel material. The proposal would enable the applicant (Parkes Shire Council) to supply gravel products to the surrounding local road network for construction and maintenance purposes. The objectives for the proposal are to:

- Provide a high quality, economical source of gravel products for construction and maintenance of the road network.
- Minimise to the greatest extent possible, impact to the local environment, community and stakeholders.
- Provide a final post extraction landform suitable for rural activities including livestock grazing.
- Ensure the operation of the proposal is safe, reliable and cost effective, contributing to the delivery
 of the Parkes Shire Council Roads Program and the economy of the region.

3.2. Overview of the proposal

The proposal is a new gravel quarry with a maximum annual extraction rate of less than 30,000 cubic metres of material per annum. The total area of proposed disturbance is less than 2ha (refer Figure 3 – Conceptual Site Layout Plan and Figure 4 – Conceptual Quarry Development Plan). The life of the quarry is anticipated to be less than 25 years, subject to resource availability and Parkes Shire Council's Roads Program. Blasting is generally not proposed and extraction will be via mechanical means. A number of white cyprus pine along the northern edge of the proposed gravel quarry would be removed to allow for the extension of the pit a further 50 metres further west of the previously disturbed active extraction area. This westerly pit expansion is to source high grade gravel material and to create a suitably graded and safe embankment along the western face of the quarry. Delivery of gravel material will be directly to the local road network via the existing access onto Robertson Road. Proposal extractive industry activities include:

- Delineation of the new (reduced) gravel pit footprint.
- Initial installation of new environmental controls including erosion and sediment control measures.
- Removal of white cyprus trees along the western edge of the quarry.
- Establishment of amenities as required and light vehicle parking area.
- Gravel pit operations (extraction, processing and stockpiling of material).
- Delivery of material directly to the surrounding road network.
- Closure and final rehabilitation of the gravel pit.

The Bendall's Pit will continue to involve extraction, processing and stockpiling of material in a single disturbance area. A mobile processing plant will be used to crush and screen the gravel material into a road base / re-sheeting product. Front end loaders will be used for loading of material into road haulage trucks. Stockpiled material is regularly calculated, based on survey. As such a weighbridge is not anticipated to be required as part of the operation. The active extraction area would also include a sediment basin and amenities will be provided on the site.



Progressive rehabilitation of the historic pit envelope would also be undertaken by Parkes Shire Council, under a separate program of environmental improvements being undertaken in accordance with the Parkes Shire Quarry Strategy 2021.

No chemical / fuel storage is proposed, with all plant to be serviced via PSC mobile plant or at the PSC Depot in Parkes.

3.3. Gravel Pit Layout

The site of the existing gravel pit is approximately 4.8ha and the total area of the proposed new gravel pit is 1.916ha, including the internal access road (refer Figure 3 – Conceptual Site Layout Plan and Figure 4 – Conceptual Quarry Development Plan).

3.4. Gravel Pit Resources and Products

The new pit site consists of a siltstone, claystone and sedimentary resource which forms a small hill. The low elevations, resource distributions, weathering profile and confining topography of the site has been well suited to simple lateral quarrying progression into the hillside by Parkes Shire Council earthmoving equipment. The resource is predicted to produce road base products, including fill and crushed gravel aggregates suitable for local road construction and maintenance projects. Detailed material testing to confirm suitability of the material will be undertaken subject to receipt of development consent. Photographs of material resources at Bendall's Pit are provided below:

Photograph 5 - View of Gravel Material prior to Processing





Photograph 6 - View of Gravel Material after Processing



3.5. Gravel Pit Operations

Once the proposed new pit design is implemented, the Bendall's Pit will continue to operate largely as existing but within a smaller / confined area of 1.916ha (refer Figure 4 – Conceptual Quarry Development Plan).

Similar to other gravel pits operated by Parkes Shire Council, the Bendall's Pit proposal will be operated on a campaign basis, whereby earthmoving, crushing or haulage operations may be conducted for several weeks, followed by no activity for several months other than material storage. Extraction would use standard quarrying methodologies that involve overburden stripping, mechanical extraction, processing and stockpiling with the final products used by Council for road building and maintenance. Blasting is not proposed.

When required, a mobile crushing and screening plant would be temporarily established at the site to process the extracted material. The number of plant and equipment deployed on-site is anticipated to vary. Types of major plant and equipment deployed on-site may include, but not be limited to a bulldozer, grader, excavator, off-road haul trucks and front-end loader. All quarry materials would be delivered directly to the local road network.

Photographs of the current operations at Bendall's Pit Parkes are provided as follows.



Photograph 7 - Bendall's Pit Typical Material Stockpile



Photograph 8 - Bendall's Pit Typical Support Services Operations



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3.6. Gravel Pit Water Management

Operational water would be required for dust suppression operations. This water would be sourced primarily from the sediment basin. Figure 6 provides the conceptual stormwater and sediment plan for the proposal, including the sizing of the sediment basin based on the following:

- Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom, 2004).
- Managing Urban Stormwater: Soils and Construction Volume 2C unsealed roads (DECC, 2008a).
- Managing Urban Stormwater: Soils and Construction Volume 2E mines and quarries (DECC, 2008b).

3.7. Gravel Pit Waste Management

The proposal is expected to produce a negligible amount of waste. The principal potential waste streams may include, but are not necessarily limited to:

- Material wastes (mud slurry and sediment laden water) from gravel processing and dust suppression.
- General solid wastes (putrescible and non-putrescible).
- Waste from on-site mechanical breakdowns (batteries, oil filters, waste oil / hydrocarbons and containers, oil / water emulsions and flat tyres).
- Domestic wastewaters.

Site wastes will be managed in the following manner:

- Establishing site management controls requiring all waste to be stored in vehicles.
- Removing wastes from site for disposal or recycling by appropriate licensed operator(s).
- Removing domestic wastewater from transportable toilet to an appropriate wastewater treatment plant.
- No burning or burying of wastes on-site.

3.8. Gravel Pit Infrastructure, Utilities and Services

There is currently limited infrastructure, utilities or services located at the site. Electricity would be sourced from mobile generators on the back of PSC service vehicles (if required). Potable water would be carried by each employee / contractor. Water for dust suppression will be sourced from the sediment basin or a licenced water cart supplier. Telecommunications would be provided by mobile phone and /or PSC Two-way Radio. Sewage management would be via a transportable toilet, serviced by a licenced waste contractor. Diesel fuel would be delivered to the site by PSC service vehicles and there would be no permanent fuel storage on site.

3.9. Gravel Pit Employment

The proposed temporary workforce when operating at full capacity is expected to comprise six (6) staff, including crushing contractors, loader operators and truck drivers. However, it is envisaged that only one (1) to two (2) persons would be working at the site on a usual day of quarrying operations.



3.10. Gravel Pit Hours of Operation

The hours of operation of the Bendall's Pit would continue to be:

- 7.00am to 5.00pm weekdays.
- No work on weekends or Public Holidays.

3.11. Gravel Pit Rehabilitation

The objective for rehabilitation of the proposal is to achieve a post extraction landform suitable for rural activities, including but not limited to livestock grazing (refer Figure 5 – Conceptual Rehabilitation Plan). As outlined on the rehabilitation management plan, the following measures are proposed:

3.11.1. Progressive Rehabilitation:

Rehabilitation is to be undertaken in stages, as follows:

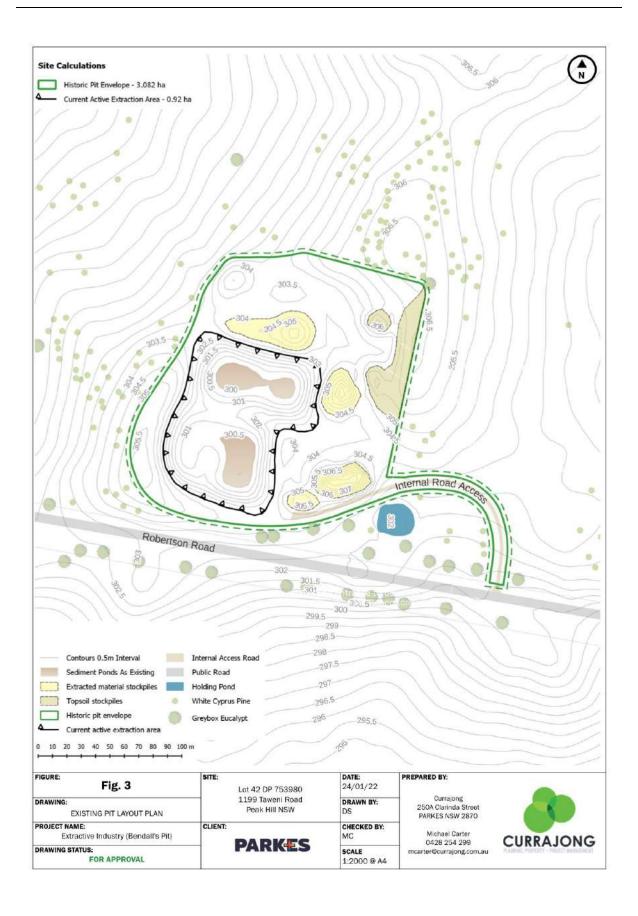
Stage 1 - Historic Pit Rehabilitation

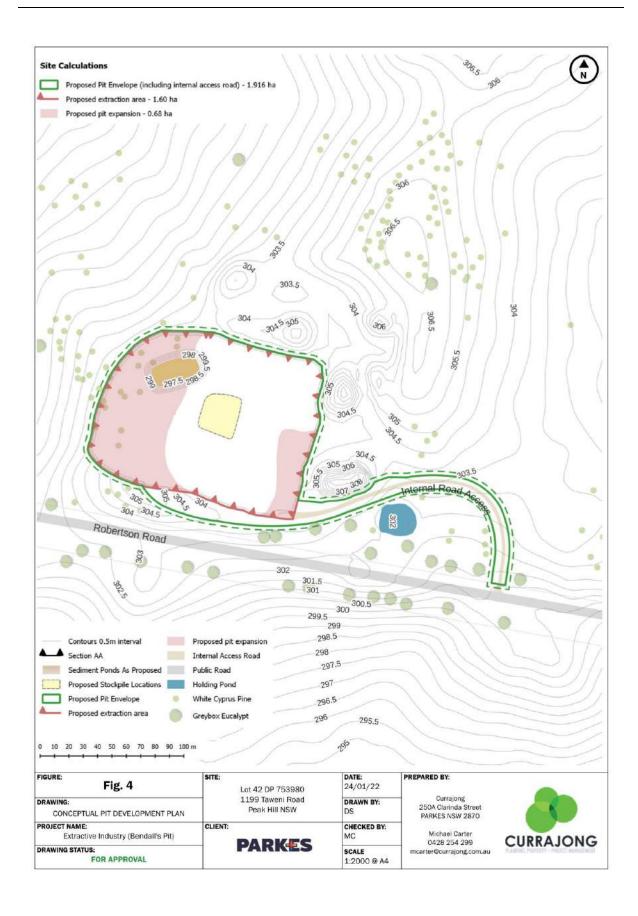
Rehabilitation of the historic pit areas would commence when the proposed new pit area is established and the slopes of the hisotic pit are properly graded, spread with available topsoil and re-establishment of grasses (with seed and fertiliser) suitable for the continuation of rural uses of the site. It is intended that the historic pit rehabilitation area would be fenced off from the proposed new pit area to prevent vehicle movement over the rehabilitation areas.

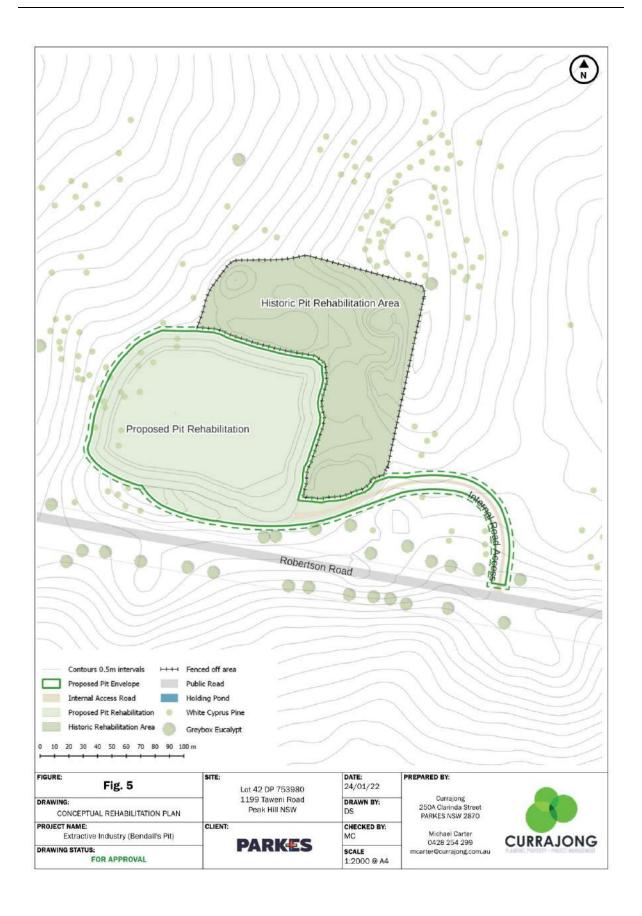
Stage 2 - Proposed Pit Rehabilitation

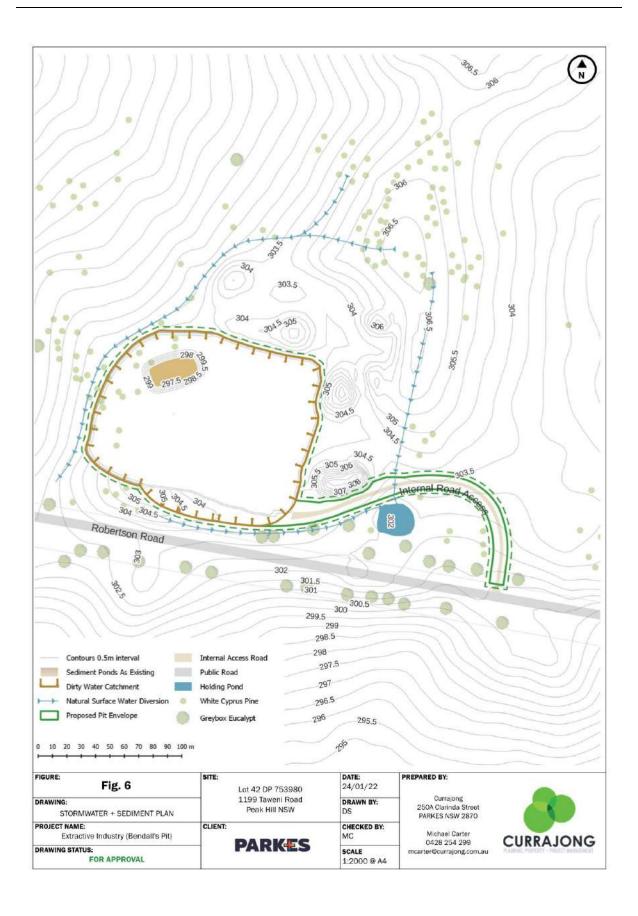
As the site approaches the end of its lifecycle, a large proportion of the historic quarry site is planned to have already been rehabilitated. Rehabilitation of the proposed pit would be undertaken when the final pit floor / drainage contours are reached. Rehabilitation work would comprise the following:

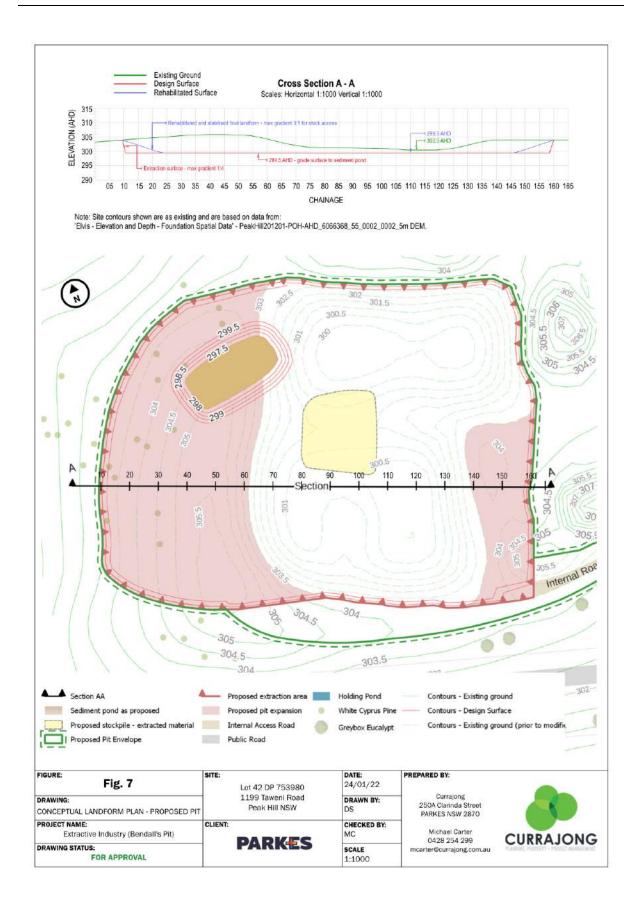
- Slopes to be graded to fall to the sediment basin.
- Available topsoil to be respread.
- Post extraction land-use to comprise of rural activities consisting of pasture grasses and livestock grazing.
- Re-establishment of grasses (with seed and fertiliser) suitable for the continuation of rural uses of the site.
- Sediment basin is to be retained as a clean water storage structure.
- Sediment is to be removed to convert the dam to a clean water storage structure.
- Property access to Robertson Road and internal access tracks will be retained.
- Sediment basins will be retained as clean water storage structures.
- Plant, equipment and buildings (including demountable and mobile equipment) will be removed.













4. PLANNING AND LEGISLATIVE CONTEXT

4.1. Introduction

The following section of the report describes the applicable local planning policies, State and Federal legislation and guidelines. The applicable documents are summarised in this section, followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.2. Commonwealth legislation

Under the Federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), referral is required to the Australian Government for proposed actions that have the potential to significantly impact on Matters of National Environmental Significance (MNES) or the environment of Commonwealth land. The assessment of the proposal's impact on MNES (refer Section 5) found that there is unlikely to be a significant impact on relevant MNES or on Commonwealth land. Accordingly, the proposal has not been referred under the EPBC Act.

4.3. New South Wales legislation

Environmental Planning and Assessment Act 1979

The EP&A Act forms the legal and policy platform for development assessment and approvals process in NSW. The objects of the EP&A Act are:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c. to promote the orderly and economic use and development of land,
- d. to promote the delivery and maintenance of affordable housing,
- to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g. to promote good design and amenity of the built environment,
- to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- to provide increased opportunity for community participation in environmental planning and assessment.

Under the EP&A Act, local councils prepare Local Environment Plan (LEPs) that specify planning controls for specific parcels of land. The EP&A Act also provides for State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs). Applicable environmental planning instruments are discussed in later



parts of this SEE. In general, development consent is required for the proposed extractive industry, pursuant to the Parkes Local Environmental Plan 2012.

4.3.1. Local Government Act 1993

Section 68 of the Local Government Act 1993 (LG Act) specifies that approval is required for a number of activities carried out on operational land, including:

- Structures or places of public entertainment.
- Water supply, sewerage and stormwater drainage work.
- Management of trade waste in the sewerage system.
- Swing or hoist goods over a public road.

No local government approvals are required.

4.3.2. Heritage Act 1977

The Heritage Act 1977 provides for the conservation of environmental heritage defined as places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance which are at least 50 years old. The Act applies to non-Aboriginal relics only, as Aboriginal relics are protected under the National Parks and Wildlife Act 1974.

The subject site is not listed on the State Heritage Register and an approval from Heritage NSW is not required under the Heritage Act 1977. The site is also not listed as a Heritage Item under the Parkes Local Environmental Plan 2012.

Heritage issues are assessed under Section 5 of this SEE. In general, no heritage issues / impacts have been assessed to apply, and an approval under the Heritage Act 1977 is not required to be obtained for the proposal.

4.3.3. National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) is administered by the Office of Environment and Heritage and provides the basis for the legal protection of flora and fauna in NSW.

Unless a licence is obtained under the NPW Act (or the Threatened Species Conservation Act 1995), it is an offence to harm any animal that is protected or is a threatened species, population or ecological community. It is also an offence to pick any plant that is protected or is a threatened species, population or ecological community. In addition, a person must not, by act or omission, damage any critical habitat.

The NPW Act also provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 86, 90 and 91 of the NPW Act provide statutory protection for any physical / material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community.

The site largely comprises 'disturbed land', as defined under The National Parks and Wildlife Regulation 2019 (NPW Regulation) and an Aboriginal due diligence assessment is not required. Aboriginal cultural heritage issues are assessed under Section 5 of this SEE. In general, no heritage issues / impacts have been assessed and an approval under the Heritage Act 1977 is not required to be obtained for the proposal. In general, no threatened species or Aboriginal issues / impacts have been assessed to apply, and an approval under the NPW Act is not required to be obtained for the proposed new gravel pit.



4.3.4. Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act 2016) provides a framework for the management of flora and fauna on lands within NSW. Under this Act the principles of ecologically sustainable development are used to achieve the conservation and protection of biodiversity values. Biodiversity impacts are addressed in Section 5 of this SEE. A small section of regrowth cycprus pine is proposed to be cleared along the northern edge of Bendall's Pit. Approval under the BC Act is not required for this area of land clearing proposed, given it does not meet the definition of native vegetation and is less than 1ha in area.

4.3.5. Roads Act 2016

Under Section 138 of the Roads Act 1993 a person must not erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road, otherwise than with the consent of the appropriate roads authority. Parkes Shire Council is the relevant authority for works on the local roads surrounding the Bendall's Pit. No new accesses or road works are proposed on the local road network to support the continued extractive industry operations at Bendall's Pit. An approval under the Roads Act 1993 is not required to be obtained for the proposed new gravel pit operations.

4.3.6. Protection of the Environment Operations Act 1997

The Protection of the Environment Operations Act 1997 (POEO Act) regulates air, noise, land and water pollution. The existing gravel pit operations on the site do not operate under an Environment Protection Licence (EPL) and Parkes Shire Council is the Appropriate Regulatory Authority (ARA) for general pollution control matters in the Parkes LGA. The nature and scale of the proposed new gravel pit operations do not fall under the threshold triggers that would require licensing by EPA under the POEO Act. No licence approvals are required.

4.3.7. Work Health and Safety Act 2011

The management and handling of hazardous substances and dangerous goods in NSW is controlled under the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2011. There are also Hazardous and Offensive Development Application Guidelines published by the Department of Planning, Industry and Environment that apply in NSW. No hazardous or offensive goods are currently stored or handled at the Bendall's Pit site in large quantities. Any handling of fuel, oils and chemicals will be temporary in nature and carefully limited / managed by PSC staff or approved contractors. A specific approval under this legislation and policy framework is not required to be obtained for the proposal.

4.3.8. Waste Management Act 2000

The objective of the Water Management Act 2000 (WM Act) is the sustainable and integrated management of the State's water sources for the benefit of both present and future generations by applying the principles of ecologically sustainable development to protect, enhance and restore water sources and their associated ecosystems, ecological processes and biological diversity and their water quality. The objectives of the Act were considered throughout the planning and design phases of this development. The watercourses and groundwater in the vicinity of the property will be protected through design and management practices, including diversion banks and sediment basins. The proposal is unlikely to intercept groundwater and any sediment basin and residual water storage structures will be within the maximum harvestable rights for the site. Water impacts are addressed in Section 5 of this SEE. In general, no specific approvals are required under the WM Act.



4.3.9. Rural Fires Act 1997

The Rural Fires Act (RF Act) 1997 requires approval of development on bushfire prone land as identified by a bushfire prone land map prepared under Section 146 of the EP&A Act. Review of the Rural Fire Service website and ePlanning Spatial viewer indicates the site of the Bendall's Pit is located on land comprising bushfire prone land. Bushfire risk is addressed in Section 5 of this SEE. In general, no specific impact mitigation or approvals are required under the RF Act to manage bushfire risk.

4.3.10. Noxious Weeds Act 1993

The Noxious Weeds Act 1993 (NW Act) provides for the declaration of noxious weeds by the Minister for Primary Industries. Noxious weeds may be considered noxious on a National, State, Regional or Local scale. All private landowners, occupiers, public authorities and Councils are required to control noxious weeds on their land under Part 3 Division 1 of the NW Act. Weed management is addressed in Section 45 of this SEE. In general, no specific impact mitigation or approvals are required under the Noxious Weeds Act to manage noxious weeds.

4.3.11. Contaminated Land Management Act 1997

Parkes Shire Council is required to notify the EPA if contamination is discovered that presents a significant risk of harm. Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997* are available on the EPA website. EPA notification is not required to be obtained for the proposed activities at the subject site.

4.4. State Environmental Planning Policies (SEPP)

4.4.1. SEPP - State and Regional Development 2011

The State and Regional Development SEPP identifies significant development and infrastructure and confer functions on Regional Planning Panels to determine development applications. The proposal is not classified as 'Regional Development' and will be assessed and determined by the Parkes Shire Council.

4.4.2. SEPP – Mining, Petroleum Production and Extractive Industries 2007

The Mining, Petroleum Production and Extractive Industries SEPP recognises the importance of mining, petroleum production and extractive industries to NSW and aims to provide for the proper management and the orderly development of land containing minerals, petroleum products and extractive materials. The SEPP aims to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management of these resources. Part 3 of the SEPP establishes specific requirements for the assessment of development pursuant to the SEPP.

An assessment against the provisions of the SEPP is provided in Table 1.



Table 1 - MPEI SEPP Assessment

Clause	Sub Cl	Clause Description	Assessment		
12AB		Non-discretionary development standards for mining	Not applicable as the proposal is not a mine		
12	Compatib uses	ility of proposed mine, petroleum production o	r extractive industry with other land		
	Before determining an application for consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must—				
	(a)(i)	the existing uses and approved uses of land in the vicinity of the development, and	the existing use of the site and surrounding land is for extractive industry, grazing and cropping.		
	(a)(ii)	the existing use of the site and surrounding land is for extractive industry, grazing and cropping.	the proposal will reduce the size of the existing gravel pit, with rehabilitation proposed to more than 50% of the active extraction area for integration into the surrounding livestock grazing paddocks.		
	(a)(iii)	any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and	the proposal is not incompatible with the existing use of the site and surrounding land.		
	(b)	evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a)(i) and (ii), and	the proposal is to use less than 2ha of the existing quarry / farming property for the proposed new extractive industry. The gravel pit materials will be used on local roads and will provide public benefit through reduced traffic impacts on the local road network by providing a supply of road base and gravel resheeting material.		
	(c)	evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a)(iii).	the proposal is compatible with the existing and approved uses of the land in the vicinity of the site.		
12A	Considera	ation of voluntary land acquisition and mitigation	n policy.		
			Not applicable as the proposal is for extractive industry and is not in the vicinity of an existing mine,		



Clause	Sub Cl	Clause Description	Assessment
			petroleum production facility or extractive industry.
13	Compatib industry.	ility of proposed development with mining, pet	roleum production or extractive
			Not applicable as the proposal is for extractive industry and is not in the vicinity of an existing mine, petroleum production facility or extractive industry.
14	Natural re	sources management and environmental mana	gement
	(1)	Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure the following—	See below.
	(1)(a)	that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable,	Impacts to water are addressed in Section 5.
	(1)(b)	that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable,	Impacts to biodiversity are addressed in Section 5.
	(1)(c)	that greenhouse gas emissions are minimised to the greatest extent practicable.	Greenhous gas emissions are addressed in Section 5.
	(2)	Without limiting subclause (1), in determining a development application for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider an assessment of the greenhouse gas emissions (including downstream emissions) of the development and must do so having regard to any applicable State	Greenhouse gas emissions are addressed in Section 5.

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Clause	Sub Cl	Clause Description	Assessment
		or national policies, programs or guidelines concerning greenhouse gas emissions.	
	(3)	Without limiting subclause (1), in determining a development application for development for the purposes of mining, the consent authority must consider any certification by the Chief Executive of the Office of Environment and Heritage or the Director-General of the Department of Primary Industries that measures to mitigate or offset the biodiversity impact of the proposed development will be adequate.	Impacts to biodiversity are addressed in Section 5.
15	Resource R	decovery	
	(1)-(3)	Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the	The proposal is unlikely to generate waste other than typical commercial waste associated with the site office,
	(2)		
	(3)	consent authority must consider the efficiency or otherwise of the development in terms of resource recovery Before granting consent for the development, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at optimising the efficiency of resource recovery and the reuse or recycling of material. The consent authority may refuse to grant consent to development if it is not satisfied that the development will be carried out in such a way as to optimise the efficiency of recovery of minerals, petroleum or extractive materials and to minimise the creation of waste in association with the	site amenities and oils and parts associated with the mobile processing plant and plant and equipment. The extraction of material will be efficient, relying on mechanical means only and not requiring blasting. Processing and stockpilling of material will be undertaken in an efficient manner by modern mobile processing plants and equipment. The proximity of the proposal to the local road network will assist in the efficient delivery of gravel material and minimise haul routes and avoiding impacts on the local road network.
		extraction, recovery or processing of minerals, petroleum or extractive materials.	Any quarry material produced that cannot be used by the PSC will be retained on site and reused in the rehabilitation of the site
16	Transport		
	(1)(a)-(c)	Before granting consent for development for the purposes of mining or extractive	The proposal is to deliver gravel material directly to local roads in the

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Clause	Sub Cl	Clause Description	Assessment
		industry that involves the transport of materials, the consent authority must consider whether or not the consent should be issued subject to conditions that do any one or more of the following—	Parkes Shire and generally within 20km from Bendall's pit. PSC has adopted procedures and training to ensure transport haulage operations follow best practice standards.
		 a. require that some or all of the transport of materials in connection with the development is not to be by public road, 	
		 b. limit or preclude truck movements, in connection with the development, that occur on roads in residential areas or on roads near to schools, 	
		 require the preparation and implementation, in relation to the development, of a code of conduct relating to the transport of materials on public roads. 	
	(2)(a)-(b)	If the consent authority considers that the development involves the transport of materials on a public road, the consent authority must, within 7 days after receiving the development application, provide a copy of the application to—	Referral to TfNSW is not necessary as the proposal does not propose to utilise the Classified Road network and is not traffic generating development.
		each roads authority for the road, and	
		 the Roads and Traffic Authority (if it is not a roads authority for the road). 	
17	Rehabilitat	ion	
	(1)	Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring the rehabilitation of land that will be affected by the development.	See below.
	(2)(a)-(d)	In particular, the consent authority must consider whether conditions of the consent should—	A rehabilitation plan has been prepared for the proposal so that the site will be returned to the

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Clause	Sub Cl	Clause Description	Assessment	
		(a) require the preparation of a plan that identifies the proposed end use and	landowner suitable for the establishment of grazing.	
		landform of the land once rehabilitated, or (b) require waste generated by the development or the rehabilitation to be	Any waste will be recycled or disposed of at an approved waste facility.	
		dealt with appropriately, or (c) require any soil contaminated as a result of the development to be remediated in accordance with relevant guidelines (including guidelines under clause 3 of Schedule 6 to the Act and the Contaminated Land Management Act 1997), or	Soil contamination is unlikely, and any minor fuel or oil spills will be addressed as part of the rehabilitation of the site.	
		(d) require steps to be taken to ensure that the state of the land, while being rehabilitated and at the completion of the rehabilitation, does not jeopardize public safety.		

4.4.3. SEPP - Infrastructure 2007

The infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services and public works across NSW, along with providing for consultation with relevant public authorities during the development assessment process.

The proposed development is not traffic generating development as defined under Schedule 3 of the Infrastructure SEPP and is not development that has implications for main roads. Consultation with Transport for NSW is not a requirement under the SEPP. The proposed development is taken to be 'Any other purpose' under Schedule 3 and it will not generate 200 or more motor vehicle movements per hour.

The Bendall's Pit is located over 5km from the Parkes - Narromine Railway. Assessment of the implications of the proposed gravel pit has been undertaken against the general functioning of the local road network and level crossings in the area, including the level crossing on the Trewilga Road (east of the quarry site).

It is assessed the proposal will place no significant additional traffic volumes on level crossings, and there is no warrant for railway / road upgrades. No implications for rail infrastructure / operations are assessed to occur, including stormwater drainage, noise, air quality, overshadowing, visibility, heritage assets or the like. Consultation with the Australian Rail Track Corporation is not a requirement under the SEPP.

Clause 45 of SEPP Infrastructure requires consideration of electricity supply requirements, where the development is:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the
 electricity infrastructure exists).
- Immediately adjacent to an electricity substation.
- · Within 5m of an overhead power line.

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- Includes installation of a swimming pool any part of which is within 30m of a structure supporting an
 overhead electricity transmission line and / or within 5m of an overhead electricity power line.
- Placement of power lines underground.

Power supply is not connected to the Bendall's Pit. There are no overhead powerlines near the proposed quarry. There are no aspects of the development proposal that impacts on electricity supply services, as per Clause 45 requirements.

4.4.4. SEPP – Exempt and Complying Development Codes 2008

The Exempt and Complying Development Codes SEPP permits certain activities without consent or by issue of a Complying Development Certificate. The proposal is neither exempt or complying development, and development consent is sought for the proposed extractive industry operations at Bendall's Pit.

4.4.5. SEPP - Koala Habitat Protection 2020

This SEPP applies to the Parkes Local Government Area. The SEPP does not apply to the proposal, given site disturbance is less than 1 hectare in size and there are insufficient feed trees in the locality to sustain Koalas.

SEPP – Primary Production and Rural Development 2019

The SEPP aims to facilitate development on rural land that is orderly and economic, promotes the social, economic and environmental welfare of the State and avoids land use conflicts with existing agriculture. It also allows government authorities to identify State significant agricultural land and ensure the ongoing viability of agriculture in the State.

The SEE states the land that would be affected by the proposal has not been identified as State or regionally significant agricultural land by Schedule 1 of the SEPP. Further, the proposal would not impact on any additional land currently managed for agriculture, nor would it be incompatible with continued agricultural land use of the site. Protection of the land that is the subject of the proposal would not provide any public benefit, and the employment and local economic stimulus that would be generated by the proposal is considered to be of wider public benefit.

It is assessed that the proposed Bendall's Pit, comprising an area of approximately 1.916ha will not compromise the objectives of the Primary Production and Rural Development SEPP.

4.4.7. SEPP – Remediation of Land 2007

Clause 7 of SEPP 55 requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.

The site has been used as a gravel pit for many years. There are no known fuel storages located on the site. Small quantities of fuels, oils, greases and chemicals may have been brought to the site for site / plant

Visual inspection of the site does not reveal any evidence of contamination of chemicals, fuels or waste dumps. A search of the NSW contaminated land register and Parkes Shire Council's Contaminated Sites Register does not show the site as contaminated land. It is not proposed to change the use of the site for continued gravel pit operations, and the quarry will continue to operate within the confines of the site and involve modern work practices that should not increase current contamination risk at the site or adjoining



lands. Upon the cessation of extraction, the proposal will involve full rehabilitation of the site including removal of infrastructure.

Based on existing operations, the site is considered suitable for the proposed gravel pit operations. No further investigations / actions are considered necessary.

4.4.8. SEPP – Advertising and Signage

SEPP 64 aims to ensure that proposed advertising signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes. No new signage is proposed at the Bendall's Pit site.

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4.5. Local Environmental Plans

4.5.1. Parkes Local Environmental Plan 2012

The Parkes Local Environmental Plan 2012 (PLEP) applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RU1 – Primary Production under the PLEP.

The proposed land use is defined as 'extractive industry' under the PLEP:

"extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming"

An extractive industry land use within the RU1 Primary Production zone is a permissible land use with development consent. The objectives of the zone RU1 are:

- 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.
- To encourage eco-tourism enterprises that minimise any adverse effect on primary industry production.
- To permit non-agricultural uses that support the primary production purposes of the zone.
- To permit small scale rural tourism uses associated with primary production and environmental
 conservation with minimal impact on primary production and the scenic amenity of the area.
- To encourage the provision of tourist accommodation in association with agricultural activities.
- To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

The proposed development is for an extractive industry, which is permissible with consent within the RU1 Primary Production zone. The proposal has been carefully designed to respond to existing site conditions, adjoining land-uses and the natural resources of the area. The site will be returned to rural and agricultural uses at the end of life of the proposal with no significant change in land capability. The continued utilisation of the balance of the site for rural and agricultural uses will minimise potential fragmentation and alienation of agricultural land. The proposal is not considered to conflict with the adjoining land-uses based on the assessments undertaken as part of this SEE. The proposed development is therefore considered to be both compatible and consistent with the surrounding land-uses and meets the objectives of the RU1 Primary Production zone.

A number of special provisions under the PLEP apply to the proposal. An assessment of the proposal against the relevant provisions of the PLEP is provided below:



Clause 2.6 Subdivision consent requirements

The Bendall's Pit is located wholly on Lot 42 DP 753980. It is not necessary to undertake any subdivision of the land and Clause 2.6 does not apply.

Clause 5.11 Bush fire hazard reduction

The proposal is located on land that is mapped as bush fire prone land. Subject to development consent a bush fire management plan will be prepared in consultation with the Rural Fire Service. This is discussed further in Section 5 of this SEE.

Clause 6.1 Earthworks

The proposal involves earthworks associated with extraction of gravel resources from part of a historic gravel pit and progressive rehabilitation of the site, including the historic pit. Soils and water quality impacts are addressed in Section 5 of this SEE. In general, no significant implications on environmental functions and processes, neighbouring uses, cultural or heritage items, drainage patterns, existing vegetation or other features of the surrounding land have been identified that can't be addressed through mitigating potential impacts.

Clause 6.2 Terrestrial Biodiversity

Clause 6.2 of the PLEP identifies the following objectives regarding terrestrial biodiversity:

- a. protecting native fauna and flora, and
- b. protecting the ecological processes necessary for their continued existence, and
- c. encouraging the conservation and recovery of native fauna and flora, and their habitats.

The clause applies to land identified as 'biodiversity' on the Natural Resource – Biodiversity Map of PLEP. A review of that map confirms that parts of Lot 42 DP 753980 and land around the perimeter of the existing gravel pit site is mapped as comprising 'biodiversity'. Section 5 of this SEE provides an assessment of the potential biodiversity impacts of the proposal. In general, no significant impacts are assessed given the proposal involves use of an existing extractive industry, the proposed gravel pit is to be located predominately on cleared land, and only minor clearing of white cyprus pine regrowth trees is proposed.

Clause 6.7 Essential services

The existing gravel pit has no connections to power, telecommunications, gas, town water supply or sewerage. No upgrades to existing accesses, public roads, water supplies, sewerage or lighting are considered necessary to accommodate the proposal.



4.6. Development Control Plans

4.6.1. Parkes Shire Council Development Control Plan

The Parkes Shire Development Control Plan 2021 (DCP) applies to the development site and there are no specific provisions relating to extractive industries.

4.7. Contribution Plan

4.7.1. Parkes Shire Council Road Contributions Plan

The Parkes Shire Council Road Contributions Plan 2016 applies to the developments that generate heavy haulage vehicle movements in the Parkes Shire.

Certain developments which use heavy vehicle haulage are exempt from the payments for the heavy vehicle contribution, in order to assist the viability of smaller local scale enterprises.

Given that truck haulage from Bendall's Pit is associated with an existing gravel quarry and Parkes Shire Council's Roads Program, the impact on local roads is offset by the benefits produced from road construction and maintenance. The Parkes Shire Council Road Contributions Plan 2016 is not considered to apply to the proposal.



ASSESSMENT OF ENVIRONMENTAL ISSUES

The main environmental issues that have been raised and investigated as part of the design process for the proposed development have been documented in this section. Each issue is investigated by way of introducing the key issue(s), documenting existing conditions, assessing impacts and proposing management and mitigation measures.

5.1. Biodiversity

5.1.1. Introduction

The subject site adjoins land identified as "High Biodiversity Sensitivity", as shown on the Natural Resource - Biodiversity Map of the PLEP. A Biodiversity Assessment has been undertaken in relation to the proposal to provide an overview of key ecological values of the local area and to assess the proposal's potential impacts on biodiversity. It is based on a desktop review and field survey. The assessment considers specific legislative requirements relating to flora and fauna, including:

- Effects on threatened species, populations and ecological communities, as listed under the BC Act;
- Likely impacts on nationally listed threatened species, populations, and ecological communities, as listed under the EPBC Act.

Under the BC Act, local development (assessed under Part 4 of the EP&A Act) that is likely to significantly affect threatened species or triggers the Biodiversity Offsets Scheme (BOS) threshold will be subject to the BOS and require assessment by an accredited assessor to apply the Biodiversity Assessment Method (BAM).

5.1.2. Assessment of existing condition

Bendall's Pit is located within the Parkes Local Government Area (LGA). The site is accessed off Robertson Road. The site is zoned RU1 – Primary Production. The total area disturbed by the existing gravel pit is 4.8ha. The topography of the site is largely influenced by a small hill and ridgeline running east-west.

The gravel pit is located on the western side of the small hill / ridgeline. Land-use surrounding the hill / ridgeline is rural (supporting grazing and cropping activities), with native vegetation occurring on the steeper slopes of the hill / ridgeline and becoming sparser along the lower slopes. Vegetation in the proposal area is sparse, consisting of scattered trees with a grassy / weedy groundcover.

Table 2 below provides further environmental context:



Table 2 - Environmental Context Summary

Attributes	Description
LGA	Parkes
Zoning	RU1 Primary Production
Catchment	Bogan River
IBRA Bioregion	NSW South Western Slopes
IBRA Subregion	NSS Lower Slopes
Mitchell Landscape	Goonumbla Hills - Rounded low hills - general elevation 290 to 390m, local relief 70m Stony yellow earths on the sands, thin brown structured loams on the hills merging with red-brown and red texture-contrast soils on the flats. Open forest of grey box (Eucalyptus microcarpa), white cypress pine (Callitris glaucophylla), with bimble box (Eucalyptus populnea) in the creeks and red ironbark (Eucalyptus sideroxylon) with shrubs on
Nearest Waterway	the gravels. Extensively cleared, grazed and cultivated.
Nearest NPWS Park	Burrill Creek, located approximately 1.7 km west of Bendall's Pit. The creek flows in a northerly direction into the Bogan River about 10 km to the north of the site.
Soils	Goobang National Park (16 km east of the site).
Biodiversity Values Map	Ordovician and silurian sandstone, andesite, siltstone and phyllite with a partial blanket of Tertiary quartz gravels and sands.

The Central West / Lachlan Regional Native Vegetation PCT Map (OEH, 2015) suggests the following vegetation communities associated with the BC Act occur within the proposal area:

- White Box Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (EEC). The community is also listed under the EPBC Act as the White Box-Yellow Box-Blakely's Red Gum grassy woodlands and derived native grasslands.
- Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Peneplain, Nandewar
 and Brigalow Belt South Bioregions EEC. The community is also listed under the EPBC Act as the
 Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of Eastern
 Australia EEC.
- Fuzzy Box on alluvials of the South West Slopes, Darling Riverine Plains and the Brigalow Belt South Bioregions EEC.
- Myall Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain, Murray Darling Basin, Riverina and NSW South Western Slopes Bioregions; and

Field survey of the proposal site suggest the gravel pit site is situated in a belt of Inland Grey Box Woodland.



Database searches identified 26 threatened flora species with potential to occur within the locality of the subject site. None of the threatened flora species listed above were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation at time of inspection was that the habitat and / or substrate requirements of these flora species are largely absent at and around the gravel pit site.

Database searches identified 39 threatened fauna species with potential to occur in the region. None of the threatened flora species were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation of habitat was that the available food foraging resources and breeding requirements of native species is lacking at and around the quarry site and largely constrained at the gravel pit site.

5.1.3. Assessment of potential impact

The proposed gravel pit footprint is approximately 1.916ha and majorly within the previously disturbed pit area. The proposed gravel pit site is devoid of native vegetation, except for isolated / sporadic trees fringing the perimeter of the gravel pit site.

Remnant native vegetation in close proximity to the proposed gravel pit site comprises white cypress pine (Callitris glaucophylla) and grey box (Eucalyptus microcarpa) and a grassy / weedy understorey.

It is proposed to clear white cyprus pine along the western edge of the proposed gravel quarry to allow for the extension of the pit a further 50 metres north of the previously disturbed active extraction area. This westerly pit expansion is to source high grade gravel material and to create a suitably graded and safe embankment along the north face of the quarry.

A significance assessment under Section 1.7 of the EP&A Act which takes into consideration Part 7 of the BC Act determining whether the proposal is likely to significantly affect threatened species and / triggers the Biodiversity Offsets Scheme (BOS) is provided in Table 3 – BC Significance Assessment:

Table 3 - BC Significance Assessment

Test	Assessment		
(a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	The site is located 10 kilometres south of Peak Hill. The gravel pit site is generally devoid of native vegetation, with the exception of several isolated trees and a weed understorey. Vegetation in the immediate area of the gravel pit site is assessed to meet the definition of BC Act native vegetation, as it provides a native overstorey midstorey, and shrubstorey and a grassy groundlayer.		
(b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	The proposal involves less than 1ha of land clearing of regrowth vegetaion, and therefore does not trigger the application of the BOS. A Biodiversity Development Assessment Report (BDAR) is not required.		
(c) it is carried out in a declared area of outstanding biodiversity value	The site is not a declared area of outstanding biodiversity value.		



5.1.4. Management and mitigation

While a Flora and Fauna Impact Assessment and BDAR is not required for the proposal, it is important that measures are taken to minimise impacts on the receiving environment in and around the gravel pit site.

Table 4 – Biodiversity Management Measures outlines the proposed management measures to reduce impacts on biodiversity:

Table 4 - Management and Mitigation

Impact	Management Measures
Pre-construction	
General	A Flora and Fauna Management Plan will be prepared and implemented as part of an Environmental Management Plan (EMP). It will include, but not be limited to: Plans showing disturbed / cleared areas and areas to be protected, including exclusion zones and weed management areas.
	 Procedures for unexpected threatened species finds and fauna handling
	Protocols to manage weeds and pathogens.
Vegetation clearing	The limits of the gravel pit and access road will be delineated using appropriate signage and barriers, identified on site construction drawings and during staff induction training.
Invasion and spread of pathogens and disease	Pathogen control protocols shall be developed and implemented in accordance with the requirements of the Biosecurity Act 2015.
Invasion and spread of weeds	Weed control protocols shall be developed and implemented as part of the EMP and gravel pit operation plan.
During construction / ope	eration
Fauna protection	Suitable fauna protection protocols are to be utilised. This includes requirements for ecologist supervision, the undertaking of pre-clearance surveys, provision of compensatory nest boxes, procedures to safely fell habitat trees and release areas for any rescued fauna should there be a need for minor clearing of trees for safety / operational reasons.
Threatened species protection	If unexpected, threatened fauna or flora species are discovered, works which may disturb the species must cease until any potential impacts are reviewed and assessed by a suitably qualified ecologist.
Disturbance to fallen timber and dead wood	Any woody debris should be re-used on site for habitat improvement. Woody debris should be lifted and placed appropriately outside the construction footprint in an adjacent area of project sites to enhance habita If long logs are required to be cut to assist relocation, logs must be cut away from hollow ends.



Impact	Management Measures
Pest animal monitoring / control	Pest animals such as rodents, foxes, rabbits, wild dogs and feral cats are controlled on an as needs basis.
Post operation	
Preparation of a site rehabilitation plan	A rehabilitation plan in accordance with the land manager needs to be prepared prior to quarry shut down.

Other management measures that are described in this SEE also manages and mitigates impacts to biodiversity values by way of:

- Surface water management measures.
- Waste management measures.
- Bushfire management measures.
- Rehabilitation management measures.

5.2. Water quality

5.2.1. Introduction

The proposal involves continued extractive industry operations at Bendall's Pit. The proposed new extraction area is to be located largely within a historic gravel pit which was conducted over an area of approximately 4.8ha. The proposed new gravel pit will have an area of 1.916ha. Surface water runoff from the gravel pit will be well-contained within the site. There are no waterways within close proximity of the site. The new pit design will involve water storage structures (sediment basins) less than the harvestable rights. It is not proposed to excavate to groundwater level, which is estimated at >70m. On this basis, a surface water and ground water impact assessment has been prepared for the proposal.

5.2.2. Assessment of existing condition

Water uses surrounding the site include on-farm storage in dams. There are no watercourses on Lot 42 DP 753980 and the site is not affected by the "Flood Planning" layer identified by Council or under the NSW Planning Portal. The likelihood of a flood inundating the site is low.

The site is not located on land identified as groundwater vulnerable identified by Council or under the NSW Planning Portal. A number of bores in vicinity of the Bendall's Pit have been identified from the Water NSW database. A summary of available information from these groundwater bores is provided below in Table 5 – Groundwater Data Summary. In general, bores are used for stock and domestic purposes and have been primarily installed to target relatively deep aquifers.



Table 5 - Groundwater Data Summary

Bore ID	Date	Depth (m)	Purpose	Approx Distance to Quarry
GW033078	1967	76.20	Stock and Domestic	>1Km E
GW034030	1967	114.3	Stock and Domestic	>1km S
GW802832	1997	76	Test Bore	>1km NW

5.2.3. Assessment of potential impact

The depth of extraction is unlikely to intercept groundwater which is at depth (>70m) in the area. The proposal does not include extraction or interception of groundwater.

It is proposed to manage the disturbed quarry area by diverting all surface water to a sediment basin. Clean over land flow water from upslope will be diverted around the disturbed gravel pit area by diversion bunds or diversion drains. The sediment basin would be significantly less than the maximum harvestable right dam capacity for the site.

The proposal is unlikely to impact on surface water or ground water due to separation from groundwater and nearby waterways, the limited area of disturbance, small scale of the activity and implementation of management measures.

5.2.4. Management and mitigation

The proposed management measures to reduce impacts on water resources are as follows:

- No groundwater will be taken.
- Stormwater runoff entering the site from external areas, and non-sediment laden (clean) stormwater runoff entering a work area or area of soil disturbance will be diverted around or through that area in a manner that minimises soil erosion and the contamination of that water for all discharges up to the specified design storm discharge.
- All reasonable and practicable measures will be implemented to control flow velocities in such a
 manner than prevents soil erosion along drainage paths and at the entrance and exit.
- Internal drainage channels will be constructed with silt traps. Such silt traps shall be cleared at regular intervals.
- Quarry and working benches shall be drained to the sediment basin.
- Operational water for dust suppression will be sourced from the sediment basin for the proposal.
 Where water is not available from the sediment basin it will be sourced from licenced water suppliers.
- The sediment basin will be designed to capture and treat stormwater prior to discharge in all cases to achieve water quality release limits of, 6.5 – 8.5 pH and 50 mg/L Total Suspended Soils (TSS).
- An Erosion and Sediment Control Plan would be implemented at the site in accordance with Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004).



5.3. Air quality

5.3.1. Introduction

The proposed new gravel pit is well separated from the nearest sensitive receptor and is unlikely to result in air quality impacts over and above that otherwise associated with the exiting rural uses of the land. The nearest sensitive receptor is 1.7km to the west of the proposal. On this basis, an air quality impact assessment has been prepared for the proposal.

5.3.2. Assessment of existing condition

The proposal involves continued extractive industry operations within an existing gravel pit. The proposal will disturb less than 2ha of the original 4.8ha quarry site.

5.3.3. Assessment of potential impact

The POEO Act sets the statutory framework for managing air quality in NSW, including establishing the licensing scheme for major industrial premises and a range of air pollution offences and penalties.

The POEO (Clean Air) Regulation 2010 sets standards of concentration for emissions to air from both scheduled and non-scheduled activities. For the proposal activities, the POEO (Clean Air) Regulation provides general standards of concentration for scheduled premises which are:

- Solid particles (total) Any activity or plan (except listed below) 50mg m³.
- Solid particles (total) Any crushing, grinding, separating or materials handling 20mg m³.

Further to the requirements above, Part 4 Clause 15 of the POEO (Clean Air) Regulation requires that motor vehicles do not emit excessive air impurities which may be visible for a period of more than 10-seconds when determined in accordance with the relevant standard. Schedule 8 of the POEO (Clean Air) Regulation indicates that burning of vegetation is prohibited, except with approval.

There is potential for emissions to air from the following:

- Removal of overburden, loading of haul trucks, transport, unloading, and storage of overburden.
- Mechanical extraction (bulldozer, excavator or front-end loader).
- Processing of rock, and storage in stockpiles.
- Loading of haul trucks, transport, unloading and haulage offsite.
- Wind erosion of parts of the extraction area and processing area.
- Emissions from vehicle and generator exhaust.

The specific pollutants of interest associated with those activities are:

- Total suspended particulate (TSP).
- Particulate matter with an aerodynamic diameter of 10 microns (PM10).
- Particulate matter with an aerodynamic diameter of 2.5 microns (PM2.5).

Emissions of particulate matter associated with construction phase and operational phase activities are unlikely to have a significant impact on air quality due to the separation from nearby sensitive receptors (1.7km), limited area of disturbance, small scale of the activity and implementation of management measures.



Emissions of noxious carbon monoxide (CO) and sulphur dioxide (SO2) related to diesel combustion would are also unlikely to have a significant impact on air quality (in addition to particulates considered above) given the distances between the proposal and nearest sensitive receptors (1.7km) and the quantity of equipment operating on site.

It is not anticipated that any air quality monitoring would be required to be performed, although it is recommended that regular audits are performed to ensure that the site is implementing the air quality control measures appropriately.

5.3.4. Management and mitigation

Procedures would be developed for the proposed quarry linking visible dust generation from all activities with wind conditions experienced at the gravel pit site. A range of actions would be listed which would be adopted to reduce visible dust generation, until such time as the adopted trigger levels have reduced.

The proposed emissions controls to be employed at the site are as follows:

- Application of water on internal haulage roads and pit or the use of dust suppression additives for dust control (if required) or closure of pit operations.
- Application of water sprays on materials crushing operations.
- Application of water sprays on materials screening operations.
- Retention of particulate matter within the pit for activities occurring in the pit.
- Covering loads with a tarpaulin.
- Limit load sizes to ensure material is not above the level of truck sidewalls.
- Minimising travel speeds and distances.

5.4. Noise and Vibration

5.4.1. Introduction

The proposal involves continued extractive industry operations within an existing gravel pit. The proposal will disturb less than 2ha of the original 4.8ha quarry site. The proposed new gravel pit is well separated from the nearest sensitive receptor and is unlikely to result in noise or vibration impacts. On this basis, a noise impact assessment has been prepared for the proposal.

5.4.2. Assessment of existing condition

The proposal involves continued extractive industry operations at an existing gravel pit site. The proposal will disturb less than 2ha of the original 4.8ha quarry site. The nearest sensitive receptor is 1.7km to the west of the proposal.

It is assumed all noise sources will be contained with the quarry footprint area, including excavators and front-end loaders for extraction, a mobile processing plant for processing the material and a front-end loader for stockpiling material and loading of haul trucks and haulage offsite.

5.4.3. Assessment of potential impact

The POEO Act sets the statutory framework for managing noise and vibration in NSW. The EPA released the Noise Policy for Industry (NPI) in October 2017 which provides a process for establishing noise criteria for

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consents and licenses enabling the EPA to regulate noise emissions from scheduled premises under the POEO Act. The objectives of the NPI are to:

- Provide noise criteria that is used to assess the change in both short term and long term noise levels:
- Provide a clear and consistent framework for assessing environmental noise impacts from industrial premises and industrial development proposals:
- Promote the use of best-practice noise mitigation measures that are feasible and reasonable where
 potential impacts have been identified; and
- Support a process to guide the determination of achievable noise limits for planning approvals
 and/or licences, considering the matters that must be considered under the relevant legislation
 (such as the economic and social benefits and impacts of industrial development).

The policy sets out a process for industrial noise management involving the following key steps:

- a. Determine the Project Noise Trigger Levels (PNTLs) (i.e. criteria) for a development. These are the levels (criteria), above which noise management measures are required to be considered. They are derived by considering two factors: shorter-term intrusiveness due to changes in the noise environment; and maintaining the noise amenity of an area.
- b. Predict the noise levels produced by the development with regard to the presence of annoying noise characteristics and meteorological effects such as temperature inversions and wind.
- c. Compare the predicted or measured noise level with the PNTL, assessing impacts and the need for noise mitigation and management measures.
- d. Consider residual noise impacts that is, where noise levels exceed the PNTLs after the application of feasible and reasonable noise mitigation measures. This may involve balancing economic, social and environmental costs and benefits from the proposed development against the noise impacts, including consultation with the affected community where impacts are expected to be significant.
- Set statutory compliance levels that reflect the best achievable and agreed noise limits for the
 development.
- f. Monitor and report environmental noise levels from the development.

Project Noise Trigger Levels

The policy sets out the procedure to determine the PNTLs relevant to an extractive industry development. The PNTL is the lower (i.e. the more stringent) of the Project Intrusiveness Noise Level (PINL) and Project Amenity Noise Level (PANL) determined in accordance with Section 2.3 and Section 2.4 of the NPI.

Project Intrusiveness Noise Level (PINL)

The PINL (LAeq(15min)) is the RBL + 5dB and seeks to limit the degree of change a new noise source introduces to an existing environment. Hence, when assessing intrusiveness, background noise levels need to be measured / predicted.

For low noise environments, such as rural environments like the Bendall's Pit site, minimum assumed RBLs apply within the NPI and can be adopted in lieu of completing background noise measurements. This is considered the most conservative method for establishing noise criteria for a project. These result in minimum intrusiveness noise levels as follows:



- Minimum Day RBL = 35dBA;
- Minimum Evening RBL = 30dBA; and
- Minimum Night RBL = 30dBA.

Due to the rural nature of the locality, the PINLs for the Bendall's Pit are assumed to be based on the minimum RBL+5dBA.

Project Amenity Noise Level (PANL)

The PANL is relevant to a specific land use or locality. To limit continuing increases in intrusiveness levels, the ambient noise level within an area from all combined industrial sources should remain below the recommended amenity noise levels specified in Table 2.2 of the NP). The NPI defines two categories of amenity noise levels:

- Amenity Noise Levels (ANL) are determined considering all current and future industrial noise within a receiver area; and
- Project Amenity Noise Level (PANL) is the recommended level for a receiver area, specifically focusing the project being assessed.

PANL for new industrial developments = recommended ANL minus 5dBA. The following exceptions apply when deriving the PANL:

- Areas with high traffic noise levels;
- Proposed developments in major industrial clusters;
- Existing industrial noise and cumulative industrial noise effects; and
- Greenfield sites.

Where the PANL is applicable and can be satisfied, the assessment of cumulative industrial noise is not required. Therefore, the recommended amenity noise levels from the NPI for a Residence in a Rural noise amenity area are:

- Day 50 dB LAeq(period)
- Evening 45 dB LAeq(period)
- Night 40 dB LAeq(period)

Assessment criteria for Bendall's Pit proposal

- Noise Management Levels (NMLs) for construction activities for all residential receivers are 45dB LAeq(15min) (RBL +10dB).
- The PINLS for the proposal are 35 dB LAeq(15min) for the morning shoulder and 40 dB LAeq(15min) for the day period.
- The PANLs for the proposal are 43 dB LAeq(15min) for the night / morning shoulder and 50 dB LAeq(15min) for the day.
- The PNTLs for the proposal are therefore 35 dB LAeq(15min) for the morning shoulder and 40 dB LAeq(15min) for the day period.



Maximum Noise Level Assessment

The potential for sleep disturbance from maximum noise level events from a project during the night-time period needs to be considered. The NPI considers sleep disturbance to be both awakenings and disturbance to sleep stages. The proposal does not involve night works and no further consideration of this matter is made in this SEE.

Road Noise Policy

The road traffic noise criteria are provided in the Department of Environment, Climate Change and Water NSW (DECCW), Road Noise Policy (RNP), 2011. The policy sets out noise criteria that provide for a degree of amenity appropriate for the land use and road category. Noise emissions associated with haulage of material on local roads are unlikely to have a significant noise impact due to the separation from nearby sensitive receptors and roads, small scale of haulage operations and infrequency of haulage operations.

ANZECC Blasting Guidelines

Noise and vibration levels from blasting are assessable against criteria established in the Australian and New Zealand Environment Conservation Council (ANZECC) – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration. The blasting limits are generally consistent with the guideline levels contained within AS2187:2006 Part 2 – Explosives - Storage and Usage – Part 2. Where compliance is achieved, the risk of human annoyance is minimised.

The proposal is unlikely to involve blasting and therefore no further conditions of the ANECC blasting guidelines is made in this SEE. Noise emissions associated with construction phase and operational phase activities are unlikely to have a significant noise impact due to the separation from nearby sensitive receptors, limited area of disturbance, small scale of the activity and implementation of management measures.

5.4.4. Management and mitigation

The proposed noise management measures are to be employed at the site are as follows:

- Enclose fixed engines, pumps and compressors where practicable.
- Maintain equipment in accordance with the original equipment manufacturer's specifications.
- Shut down equipment when not in use.
- Reduce vehicle speed on internal access roads.
- Heavy mobile equipment (e.g. front-end loaders, dozers, haul trucks, excavators) shall be fitted with broadband reversing alarms to mitigate potential nuisance from tonal characteristics of traditional beeper alarms.
- Avoid unnecessary operation of plant or revving of mobile or stationary motors and engines.
- Mobile plant and equipment operated at the site should be selected and maintained to minimise noise emissions.
- All internal roads for road haulage and off-road trucks shall be constructed and maintained to avoid
 excessive noise associated with uneven surfaces and potholes.



5.5. Traffic and Transport

5.5.1. Introduction

The proposal involves continued extractive industry operations within an existing gravel pit. All quarry materials from the proposal will be delivered directly to the road network for use by Parkes Shire Council in the construction and maintenance of the local road network. The access onto Robertson Road is already constructed. No new works on the public road network is required. On this basis, a traffic impact assessment has been undertaken.

5.5.2. Assessment of existing condition

Vehicular access to the site is already provided via Robertson Road (refer Figure 3 – Existing Pit Layout Plan and Photograph 4).

5.5.3. Assessment of potential impact

The proposal would produce less than 30,000 cubic metres of gravel per annum for direct supply to the local road network for construction and maintenance purposes.

The proposed development is not traffic generating development as defined under Schedule 3 of the Infrastructure SEPP and is not development that has implications for main roads.

The Bendall's Pit is located over 5km from the Parkes - Narromine Railway. Assessment of the implications of the proposed gravel pit has been undertaken against the general functioning of the local road network and level crossing in the area, including the level crossing on the Trewilga Road (east of the quarry site). It is assessed the proposal will place no significant additional traffic volumes on level crossings, and there is no warrant for railway / road upgrades. No implications for rail infrastructure / operations are assessed to occur, including stormwater drainage, noise, air quality, overshadowing, visibility, heritage assets or the like.

The impact on the local road network will be light vehicles and trucks associated with Parkes Shire Council's Roads Program. An existing access to Robertson Road has been constructed by Parkes Shire Council to service the existing pit operations and is considered suitable for proposed new pit operations. Traffic and transport impacts are assessed to be minimal and offset by the benefits produced from road construction and maintenance. No road contributions or road upgrades are warranted.

5.5.4. Management and mitigation

No additional mitigation measures are proposed, other than maintenance of the existing access off Robertson Road.

5.6. Visual impacts and amenity

5.6.1. Introduction

The proposed development will result in minimal changes to the surrounding landscape, given the proposal involves use of an existing gravel pit which is largely screened from Robertson Road and not readily visible from the nearest residential receptors.

5.6.2. Assessment of existing condition

The site sits within a context of rural land-use, with isolated dwellings further afield. The gravel pit is not readily visible from the nearest sensitive receptors or traffic travelling along Robertson Road.

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5.6.3. Assessment of potential impact

An assessment of the potential impacts of the proposed development on visual amenity has been undertaken, including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain.

The visual impacts of the proposal have been assessed against the contrast that will result post new gravel pit operations. It is assessed that the physical changes to the landscape will not create significant impacts on the context and setting of the area, largely due to the separation of the gravel pit from the nearest sensitive receptors.

5.6.4. Management and mitigation

No additional mitigation measures are proposed, other than continued extractive industry operations within the confines of the existing gravel pit and maintenance of existing vegetation around the perimeter of the pit.

5.7. Heritage

5.7.1. Introduction

The Bendall's Pit site is not listed as heritage items under the PLEP or State Heritage Register. Assessment of the potential impacts associated with cultural and built heritage have been considered in this section.

5.7.2. Assessment of existing condition

There are no recorded Aboriginal heritage sites recorded in and around the site. The proposal involves continued extractive industry operations within an existing gravel pit. The gravel pit site comprises 'disturbed land', as defined under NPW Regulation. The site is not listed as a local heritage item listed under the PLEP or State Heritage Register. There are no features of the site that are particular rare or have significant heritage value.

5.7.3. Assessment of potential impact

A visual inspection of the site reveals a highly disturbed / modified built environment. Section 80B of the NPW Regulation define disturbed land as follows:

Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable. Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.

Due to the highly disturbed nature of the gravel pit site, it is highly unlikely that any items of Aboriginal heritage will be discovered during new pit works. The proposal is considered to be a "low impact activity" and is exempt from the Due Diligence process as per Section 80B (1) of the NPW Regulation. Consequently, an Aboriginal Archaeological Due Diligence Assessment is not required.



Assessment of historic and built heritage is open for assessment, based on the matters for consideration under Section 4.15 of the EP&A Act. This assessment has revealed no impacts on heritage items. Consequently, a Heritage Impact Assessment is not required.

5.7.4. Management and mitigation

Due to the disturbed nature of the Bendall's Pit site, it is unlikely that any items of Aboriginal heritage will be discovered during construction of building improvements. No specific mitigation strategies are proposed, other than general awareness of the legislative protection of Aboriginal objects under the NPW Act in the unlikely event that artefacts are discovered.

5.8. Public Safety Hazards

5.8.1. Introduction

An assessment of the potential impacts of the proposal on:

- hazards;
- worker safety;
- public safety (pedestrian and motorists);
- contamination; and
- waste

in order to minimise safety risks and impacts on the public domain.

5.8.2. Assessment of existing condition

The proposal will utilise standard operational measures that a typical to the industry and the following sitespecific hazards identified at the Bendall's Pit site, as follows:

- The handling, storage and disposal of hydrocarbons.
- Potential for bushfire.
- Potential for unauthorised access to the site.

5.8.3. Assessment of potential impact

The land that accommodates the Bendall's Pit is mapped as comprising bushfire prone land. The RFS mapping tool identifies the site within a designated bushfire prone area. It should be noted that no permanent buildings will be constructed for the proposal and thus the objectives have been considered in relation to the areas which would be most likely to be populated during the day-to-day operations of the proposal. Therefore, the assets considered most at risk include employees and the local community. The gravel pit site is devoid of vegetation and will have a safe evacuation route to Robertson Road.

The site is not flood prone.

In relation to public safety risks associated with unauthorised access to the site, the site is fenced, gates would be locked when not in use and appropriate signage alerting the public to the quarry would be placed at the entrance to the access to the proposal. In addition, the landowner's residence is located within the site

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and there has been no history of unauthorised access to the site. As a result, public safety risks associated with unauthorised access to the site are considered negligible.

Waste generated by the proposal is likely to be moderate and can be managed appropriately and assuming adherence to industry standard waste management measures. Based on the adoption of these mitigation measures the site can minimise waste management impacts to an acceptable level. In relation to risks associated with hydrocarbons, based on the proposed management and mitigation measures, the risk of hydrocarbon contamination of land are considered to be negligible.

5.8.4. Management and mitigation

The proposal will implement the following risk management measures to minimise the potential for worker and public safety, waste and hazard related impacts:

Bushfire Hazard

A bushfire management plan would be prepared in consultation with the local Rural Fire Service. The bush fire management would include the following:

- A review of bush fire hazards and identification.
- A summary of controls and management measures including fire response equipment and locations.
- Emergency contact details.
- Training requirements.

Furthermore, the proposal would:

- Ensure that the site remains fenced and the entrance is locked when the site is not occupied.
- Store hydrocarbons and hazardous materials in bunded, impervious areas undercover in accordance
 with the relevant Australian Standard, including AS1940 The Storage and Handling of Flammable
 and Combustible Liquids.
- Ensure that fuel loads in undisturbed sections of the site are managed to minimise the potential for bushfire.
- Ensure that all plant is fitted with appropriate fire suppression equipment.
- Ensure that a water cart is available during all extraction campaigns, thereby providing firefighting capabilities if required.
- In the event that the site is threatened by a bushfire, site personnel would be evacuated to the
 nearest safest place. Alternatively, if evacuation were not possible or safe, the proposal would
 provide a cleared area for personnel to shelter.

Unauthorised Access

The proposal would ensure that the site remains fenced and the entrance is locked when the site is not occupied. Appropriate signage alerting the public to the quarry would be placed at the entrance to the access to the proposal.

Waste

The proposal would ensure the following:

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- Appropriate waste receptacles must be provided for the segregation and storage for waste.
- All wastes will be segregated onsite and disposed of with specific licensed waste services providers.
- Waste storage areas would be more than 150m from mapped bushfire prone land.
- Bins and storage areas must be maintained so they are free of vermin (mice, rats, cockroaches, flies)
- Littering is not permitted. All worksites must be free of litter, including cigarette butts.
- No waste is to be burnt on site.
- Store hydrocarbons and hazardous materials in bunded, impervious areas undercover in accordance with the relevant Australian Standard, including AS1940 – The Storage and Handling of Flammable and Combustible Liquids.
- All waste streams are to be removed off site by a licensed waste contractor to a lawful point of disposal.
- The Environmental Management Plan would incorporate a waste management strategy

5.9. Social and economic

5.9.1. Introduction

An assessment of potential social and economic impacts of the proposed development has been undertaken.

5.9.2. Assessment of existing condition

The site and surrounding land are zoned RU1 Primary Production. The proposed gravel pit is to be largely confined within the active extraction area of an existing gravel pit. The land surrounding the proposed gravel pit will continue to be used for agricultural purposes concurrently with the operation of the proposal.

5.9.3. Assessment of potential impact

An assessment of potential impacts of the proposed development has been undertaken with regards to scoping methodology outlined in the Social Impact Assessment Guideline 2017 (SIA Guideline), published by the Department of Planning and Environment. Table $6-{\rm SIA}$ Guideline Assessment provides an assessment of the proposed development against the criteria in the SIA Guideline.



Table 6 - SIA Guideline Assessment

Matters	Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Amenity				
Acoustic	Way of life;	Unlikely	Negative	Noise emissions are unlikely to impact on nearby sensitive receptors.
Visual	Surroundings	Unlikely	Negative	The proposal has been designed to avoid visual amenity impacts to the greatest numbers of nearby sensitive receptors as possible.
Odour	Surroundings	Unlikely	Negative	The proposal will not produce a strong odour.
Microclimate	Surroundings	N/A	Nil	The proposal will not significantly impact microclimate.
Access				
Access to property	Way of life;	N/A	Nil	The proposal will not impact on access to neighbouring properties.
Utilities and public transport	Access to infrastructure, services and facilities;	Unlikely	Negative	The proposal will not utilise public roads for transportation.
Road and rail	Personal and property rights.	Unlikely	Negative	The proposal will not utilise public roads and rail sidings for delivery of products.
Built Environmental				
Public domain	Community;	N/A	Nil	The proposal will not impact the public domain as it will be located on private land.
Public infrastructure	Access to infrastructure, services and facilities;	N/A	Nil	The proposal will not preclude public access to public infrastructure.

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Matters	Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Other built assets	Surroundings; Personal and property rights	N/A	Nil	As above.
Heritage				
Natural	Way of life;	N/A	Nil	Natural heritage of the site is not compromised by the proposed development.
Cultural	Community;	Likely	Negative	The proposal will not impact on cultural values in the public domain.
Aboriginal culture	Culture;	Aboriginal culture	Negative	The proposal will implement the unexpected finds procedure.
Built	Surroundings.	Unlikely	Negative	There are no built heritage items registered on the site
Community				
Health	Health and wellbeing;	Likely	Negative	Dust and noise emissions are expected to be below NSW guidelines at the nearby sensitive receptors therefore minimising the possibility of any health impacts to the community.
Safety	Surroundings	Likely	Negative	The proposal has been assessed as not increasing a known safety risk.
Services and facilities	Way of life, Access to infrastructure, services and facilities;	N/A	Nil	The proposal does not impact access to public services or facilities.
Cohesion, capital and resilience	Way of life; Community; Culture	Likely	Positive	The proposal will provide employment opportunities to the local community and contribute to the community through various community benefit programs.

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Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Way of life, Personal and property rights.	N/A	Nil	As per above.
Way of life;	Likely	Positive	The proposal will utilise available natural resources in a sustainable manner. The natural resources consumed will be supplied to support the construction of the Inland Rail Project.
Surroundings;	Likely	Positive	The proposal will provide employment and training opportunities for the area. The economic activity generated by the quarry will also relate to the longer-term benefit to the region through the construction of the Inland Rail Project.
Personal and property rights	N/A	Nil	The net benefit to the community and region outweighs the utilisation of geological resources. The opportunity cost would favour the use of the land as a quarry over agricultural uses. The site can be rehabilitated for longer term outcomes.
Surroundings	Likely	Negative	The proposal is unlikely to exceed the NSW EPA air quality criteria. Air quality mitigation measures will be implemented during the operation and monitoring will be carried out to ensure ongoing compliance.
	Way of life, Personal and property rights. Way of life; Surroundings; Personal and property rights	Way of life, Personal and property rights. Way of life; Likely Surroundings; Likely Personal and property rights	Way of life, Personal and property rights. Way of life; Likely Positive Personal and property rights N/A Nil

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Matters	Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Native vegetation and fauna	Surroundings	Likely	Negative	Vegetation clearing is proposed on site however the net loss of biodiversity impacts are minimal.
Land				
Stability/structure, land capability, topography	Surroundings	Likely	Negative	While the proposal will result in land disturbance, controls will be in place to overcome these impacts and the land will be rehabilitated following the cessation of the extractive activities.
Water				
Quality, availability, hydrological flows	Surroundings	Unlikely	Negative	Soil and water management measures will be implemented to ensure the proposed development has minimal impact to surrounding water bodies and hydrological flows.

Considering the proposal in the context of the existing gravel pit operations as well as the previously addressed issues related to biodiversity, water and air quality, noise, traffic, heritage, safety and visual amenity, the proposal would be unlikely to have an unacceptable impact on residents or the environment within or surrounding the site. As a result, adverse socio-economic impacts are assessed to be negligible.

5.9.4. Management and mitigation

Management and mitigation measures for each of the elements comprising a potential social impact (e.g. noise, traffic, visual amenity and air quality) have been addressed in their relevant sections of the SEE. Furthermore, the proposal would implement the following management and mitigation measures to ensure that the proposal-related benefits for the community surrounding the site are maximised and adverse impacts are minimised:

- Maintain a complaints telephone line and ensure that the existence of the number is advertised at the site entrance.
- Give preference, where practicable and cost-competitive, to suppliers of equipment, services or consumables located within the surrounding communities.

The SEE has considered land-use compatibility and recommended that the site is considered suitable for the proposal with respect to land use zoning and the intended purpose of the land and surrounding land.



Management and mitigation measures for each of the elements comprising a potential impact (e.g. noise, air quality, access, traffic, visual amenity, built heritage, and safety) have been addressed in their relevant sections of the SEE.

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6. EVALUATION AND JUSTIFICATION FOR THE PROPOSAL

6.1. Introduction

This section presents the evaluation and justification of the proposal in light of the objects of the EP&A Act. It also assesses the proposal against the principles of Ecologically Sustainable Development (ESD) and other key policy guidelines in order to provide further guidance as to the acceptability of the proposal, as presented in the SEE. An assessment of the consequences of not proceeding with the proposal and site suitability is also undertaken in this section.

6.2. Objectives of the EP&A Act 1979

Development Consent is being sought under Section 4.16 of the EP&A Act and must therefore satisfy the objectives of the EP&A Act. The objectives of the Act are listed below:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c. to promote the orderly and economic use and development of land,
- d. to promote the delivery and maintenance of affordable housing,
- to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g. to promote good design and amenity of the built environment,
- to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.
- to provide increased opportunity for community participation in environmental planning and assessment.



6.3. Ecological Sustainable Development

ESD is a long-standing and internationally recognised concept. The concept has been affirmed by the 2002 World Summit for Sustainable Development and has been included in multiple pieces of Federal and State legislation. Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as:

Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

The proposal has endeavoured to address long established ESD principles, as follows:

- The precautionary principle No serious environmental threats have been identified. No delays to
 the final design investigations or assessment process are recommended to allow for additional
 information / studies / surveys to take place under different climatic or seasonal conditions.
- Inter-generational (social) equity Social equity provides a notion of preservation of environmental aspects that cannot be replaced for the enjoyment of future generations. Generally, such aspects relate to biodiversity, cultural heritage, land-use and the transformation of the locality as a result of the development. The proposal has considered such aspects and the SEE assessment concludes that environmental impacts will be minimal. By adopting the recommendations in this SEE for the construction and operational phases, the operation of intergeneration equity can be maintained.
- Conservation of biological and ecological integrity Given the highly disturbed / modified nature of
 the site, no significant flora or fauna issues have been identified. Procedures will be implemented
 during construction and operation of the premises to minimise potential risks on the environment.
- Improved valuation, pricing and incentive mechanisms The small volumes of waste generated
 from the proposal will be appropriately managed to minimise impacts on common public areas, the
 appropriate pricing mechanism are used to reflect the user pays approach to environmental
 management.

An environmentally sustainable design framework has been incorporated into the development plans to:

- Identify high quality material for extraction, processing and haulage to the local road network.
- Reduce the operational costs associated with the building additions.
- Improve energy and water efficiency by creating covered / shaded areas on the site.
- Provide a healthy / safe working environment throughout the premises, relative to the age and condition of existing buildings on the site.



6.4. Safety, security and crime prevention

The design of the premises has focused on the safety and well-being of all users, including staff and contractors. The design maintains good safety standards. Adequate site security will be maintained and clear sightlines around entry / exits to ensure safety of haulage operations.

6.5. Cumulative Impacts

The potential environmental impacts of the proposal have been detailed in the relevant sections of the SEE. The proposal will not result in a net impact to biodiversity, water quality, air pollution, noise, safety, loss of views, traffic or parking. Overall, the proposal makes a neutral / positive contribution to the environment. The proposal is considered compatible with the site and its surrounds and does not contribute to having a significant cumulative impact.

6.6. Suitability of the site for the development

The suitability of the site has proven with historic use of the site for a gravel pit. The site has the capacity to support the proposed new gravel pit operations without creating adverse impacts on the site or adjoining land. The proposal is considered suitable on the site.

6.7. Public interest

The proposal has been identified for continued gravel quarry operations under Parkes Shire Quarry Strategy in 2021

The proposal is permitted in the RU1 Primary Production zone. There are no specific policy statements from either Federal or State Government that are relevant to the proposal, nor any planning studies or strategies that need to be taken into account. There are no covenants, easements or agreements that affect the proposal in the long term.

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



CONCLUSION

This Statement of Environmental Effects has been prepared by Currajong Pty Ltd on behalf of Parkes Shire Council to support a Development Application for a proposed new gravel pit on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill.

The proposed gravel pit is to be managed by Parkes Shire Council at a rate that is less than 30,000m³ per annum for a period of up to 25 years, subject to resource availability and Council's Roads Program.

The assessment of the proposed development has been documented in this Statement of Environmental Effects to visualise all aspects of the relevant matters for consideration under the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000. The assessment concludes the site is permissible in the RU1 Primary Production zone and consistent with relevant design standards.

It is recommended that sufficient information has been submitted with the Development Application to allow the Parkes Shire Council to make an informed decision on the proposal. It is the findings of this Statement of Environmental Effects that the proposed development should be supported.

Statement of Environmental Effects

Extractive Industry (Bendall's Pit) on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill

November 2021





Document Control

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Executive Summary

Since the adoption of the Parkes Quarry Strategy in 1996, Parkes Shire Council has operated several historic gravel pits under existing use rights, as defined under the *Environmental Planning and Assessment Act 1979*.

As part of the preparation of a new Parkes Shire Quarry Strategy in 2021, Council has undertaken a review of its historic and operational gravel pit network and found that a number of improvement areas need to be addressed to ensure that all quarries are meeting best practice management standards. To achieve best practice industry standards throughout its entire operational gravel quarry network, Council intends to lodge new Development Applications for all operational pits and comply with all requirements and conditions.

This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Parkes Shire Council (the applicant) for the proposed operation of a new gravel quarry operation within the confines of the existing Bendall's Pit.

The site of Bendall's Pit is located approximately 10km south of Peak Hill and 12km north of the Northparkes Mines on the western flank of a small hill on Lot 42 DP 753980, corner of Taweni Road and Robertson Road, Peak Hill.

The proposal is to extract gravel material within part of the existing gravel pit, with progressive rehabilitation of the balance of the original pit. The extractive industry will produce less than 30,000 cubic metres of gravel per annum for a period of up to 25 years.

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1. Introduction

1.1. Scope

This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Parkes Shire Council, the applicant for the proposed Bendall's Pit located on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill. This document has been prepared to accompany a development application for a proposed extractive industry within the confines of an existing gravel quarry, known as Bendall's Pit (the proposal).

1.2. Overview

Parkes Shire Council has operated a gravel pit known as Bendall's Pit for over 30 years. Parkes Shire Council wishes to continue to operate the Bendall's Pit at Lot 42 DP 753980, to supply material for construction and maintenance of the local road network.

The site of the gravel pit is approximately 4.8 hectares (ha) in size and has vehicular access from Robertson Road. The gravel pit is surrounded by rural farmland on all sides. The site is located approximately 10km south of Peak Hill and 12km north of the Northparkes Mines (refer Figure 1 – Site Location Plan and Figure 2 – Site and Surrounds Plan) on the western flank of a small hill. The gravel pit is isolated from nearby sensitive receptors, as shown on Figure 2.

The proposal is a gravel quarry that will extract less than 30,000 cubic metres of gravel material per annum within a total disturbance area of less than 2 hectares and for a period of up to twenty five (25) years. The proposal will supply gravel material directly to the surrounding local road network for construction and maintenance purposes associated with Parkes Shire Council's Roads Program.

The layout of the proposed new extractive industry, in relation to the existing gravel pit footprint, and the surrounding area is shown on Figure 3 – Conceptual Site Layout Plan and Figure 4 – Conceptual Quarry Development Plan). The proposal includes progressive rehabilitation of the site to achieve a post extraction landform suitable for rural activities, including livestock grazing (refer Figure 5 – Conceptual Rehabilitation Plan).

1.3. Application Particulars

Applicant: Parkes Shire Council Proposal Site: Lot 42 DP 753980

Proposal: Extractive industry (gravel quarry)

Estimated Capital Cost: \$5,852 inclusive of GST

Zoning: RU1 Primary Production under Parkes Local Environmental Plan 2012

Consent Authority: Parkes Shire Council

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1.4. Approvals Required

The proposal requires development consent under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The proposal does not trigger 'designated development' pursuant to Part 1, Section 19 of Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) for 'Extractive Industries' because:

- less than 30,000m³ per annum would be extracted; and
- · less than 2ha of disturbance would occur; and
- all areas of disturbance are more than 40m from a waterway; and
- the existing slope of the gravel pit footprint area is less than 18 degrees to the horizontal;
 and
- the gravel pit footprint does not involve blasting and is more than 500m of a dwelling not associated with the development; and
- the quarry footprint is more than 500m from another extractive industry.

The proposal does not trigger 'regionally significant development' because it is not designated development and has a capital investment values of less than \$30 million.

The proposal does not trigger 'integrated development' because it does not involve the extraction, processing or storage of more than 30,000 tonnes per annum (tpa) of extractive materials or the crushing, grinding or separating of materials of more than 150 tonnes per day or 30,000tpa and therefore the proposal is not classified as a 'Scheduled Activity' and an Environment Protection Licence (EPL) is not required under the *Protection of the Environment Operations Act 1997* (POEO Act).

The proposal does not trigger the Biodiversity Offsets Scheme (BOS) threshold, because it involves less than 1 ha of clearing of regrowth white cyprus pine.

In accordance with Part 4 of the EP&A Act a Development Application is to be lodged with Parkes Shire Council, along with a Statement of Environmental Effects (this report) and various plans in support of the proposed extractive industry.

1.5. Format of the Report

The information presented in this SEE covers all aspects of the proposal as specified under the EP&A Regulation. The SEE has been prepared as a single document of several sections as follows:

- Section 1 introduces the proposal and the main project drivers.
- Section 2 describes the main features of the site and surrounds.
- Section 3 provides a description of the proposal, including a description of the existing
 gravel pit operations, proposed new gravel pit operations and the site rehabilitation
 phases of the project.
- Section 4 reviews the proposal against the relevant legislative requirements.
- Section 5 assesses the potential impacts of the proposal and documents the proposed mitigation and management strategies proposed to minimise environmental impacts.
- Section 6 reviews the proposal against the environmental, economic and social considerations and other non-statutory best practice guidelines.
- Section 7 provides the conclusion for the SEE.

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The SEE is supported by the following figures and drawings:

- Figure 1 Site Location Plan Figure 2 Site and Surrounds Plan
- Figure 3 Existing Gravel Pit Layout Plan
- Figure 4 Conceptual Gravel Pit Redevelopment Plan
- Figure 5 Conceptual Rehabilitation Plan
- Figure 6 Stormwater and Sediment Management Plan

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Development Site Description

2.1. Site Description

The existing gravel pit, knowns as Bendall's Pit is located in the Parkes Shire, approximately 10km south of Peak Hill and 12km north of the Northparkes Mines (refer Figure 1 - Site Location Plan). The existing gravel pit is located on Lot 42 DP 753980, with access from Robertson Road which is located directly west of the site. The site of the gravel pit is approximately 4.8 hectares (ha) in area and comprises a relatedly shallow excavation site (ranging in depth of 2 to 12 metres below natural ground surface).

Photographs of Bendall's Pit are shown below:





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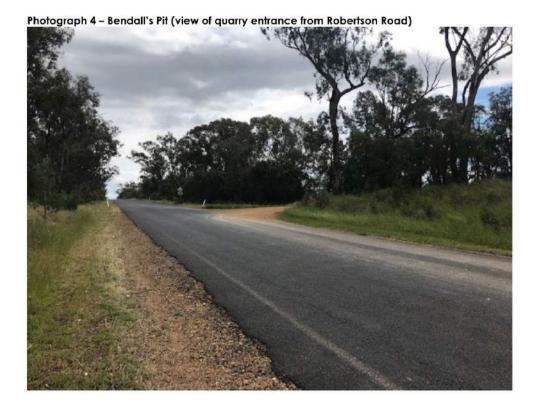
Photograph 2 – Bendall's Pit (view to north-west)



Photograph 3 – Bendall's Pit (view to south-west and quarry access road)



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2.2. Land Use and Zoning Description

The site of the Bendall's Pit is zoned RU1 – Primary Production under the *Parkes Local Environmental Plan 2012*. Surrounding land is similarly zoned RU1 – Primary Production.

2.3. Available Services

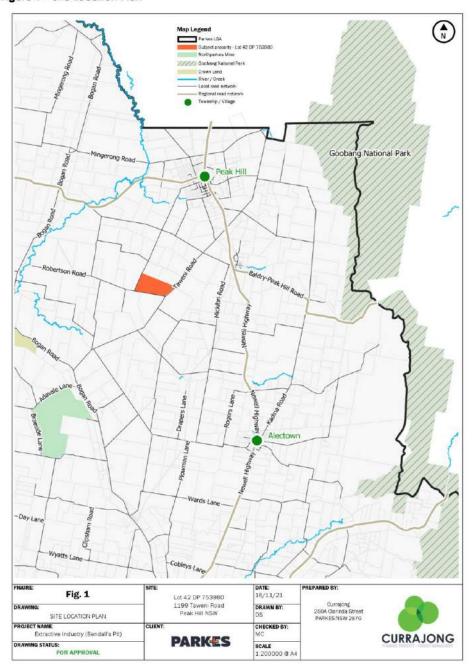
The Bendall's Pit site is not connected to centralised power, gas, telecommunications, reticulated water or sewerage services.

2.4. Surrounding Land Use Description

The existing Bendall's Pit is generally surrounded by rural land-use comprising broadacre farming paddocks and isolated stands of native vegetation and regrowth vegetation. Robertson Road directly adjoins the site to the west. The closest residence to the quarry site is owned by R Bendall and located approximately 1.1km to the north. The nearest residence not associated with the quarry development is located 1.7km to the west (refer Figure 2 – Site and Surrounds Plan).

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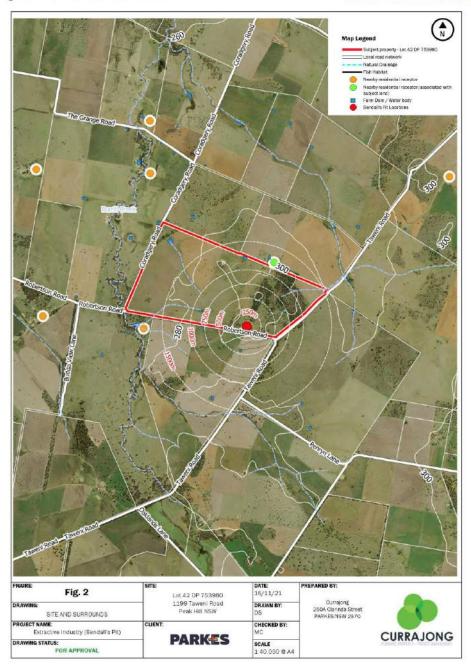
Figure 1 – Site Location Plan



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Figure 2 – Site and Surrounds Plan

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3. Description of the Proposal

3.1. Objectives of the Proposal

The principal objective of the proposal is to obtain development consent to enable the continued operation of the Bendall's Pit for extraction of gravel material. The proposal would enable the applicant (Parkes Shire Council) to supply gravel products to the surrounding local road network for construction and maintenance purposes. The objectives for the proposal are to:

- Provide a high quality, economical source of gravel products for construction and maintenance of the road network.
- Minimise to the greatest extent possible, impact to the local environment, community and stakeholders.
- Provide a final post extraction landform suitable for rural activities including livestock grazing.
- Ensure the operation of the proposal is safe, reliable and cost effective, contributing to the delivery of the Parkes Shire Council Roads Program and the economy of the region.

3.2. Overview of the Proposal

The proposal is a gravel quarry with a maximum annual extraction rate of less than 30,000 cubic metres of material per annum. The total area of proposed disturbance is less than 2ha (refer Figure 3 – Conceptual Site Layout Plan and Figure 4 – Conceptual Quarry Development Plan). The life of the quarry is anticipated to be less than 25 years, subject to resource availability and Parkes Shire Council's Roads Program. Blasting is not proposed, and extraction will be via mechanical means only. A number of white cyprus pine along the northern edge of the proposed gravel quarry would be removed to allow for the extension of the pit a further 50 metres further north of the previously disturbed active extraction area. This northly pit expansion is to source high grade gravel material and to create a suitably graded and safe embankment along the north face of the quarry. Delivery of gravel material will be directly to the local road network via the existing access onto Robertson Road.

Proposal extractive industry activities include:

- Delineation of the new (reduced) gravel pit footprint.
- Initial installation of new environmental controls including erosion and sediment control measures.
- Removal of white cyprus trees along the northern edge of the quarry.
- Establishment of a transportable site office / amenities as required and light vehicle parking area.
- Gravel pit operations (extraction, processing and stockpiling of material).
- Delivery of material directly to the surrounding road network.
- Progressive rehabilitation of previously disturbed areas not part of the new gravel pit footprint.
- Closure and final rehabilitation of the gravel pit.

The Bendall's Pit will continue to involve extraction, processing and stockpiling of material in a single disturbance area. A mobile processing plant will be used to crush and screen the gravel material into a road base / re-sheeting product. The active extraction area would also include a sediment basin.

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Amenities will be provided adjoining the active extraction area, and on the site where progressive rehabilitation of past gravel pit operations have been carried out. Amenities will comprise a small demountable site office / toilet.

Front end loaders will be used for loading of material into road haulage trucks. Stockpiled material is regularly calculated, based on survey. As such a weighbridge is not anticipated to be required as part of the operation.

No chemical / fuel storage is proposed, with all plant to be serviced via PSC mobile plant or at the PSC Depot in Parkes.

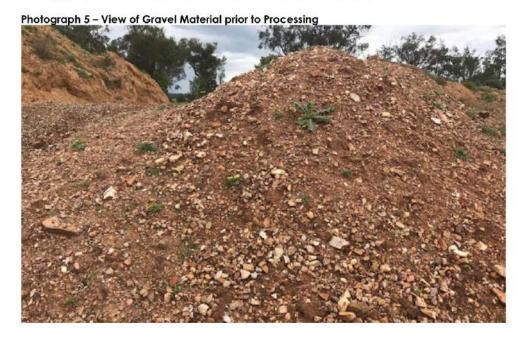
3.3. Gravel Pit Layout

The site of the existing gravel pit is approximately 4.8ha and the total area of the proposed new gravel pit is 1.8ha (refer Figure 3 – Conceptual Site Layout Plan).

3.4. Gravel Pit Resources and Products

The site consists of a siltstone, claystone and sedimentary resource which forms a small hill. The low elevations, resource distributions, weathering profile and confining topography of the site has been well suited to simple lateral quarrying progression into the hillside by Parkes Shire Council earthmoving equipment. The resource is predicted to produce road base products, including fill and crushed gravel aggregates suitable for local road construction and maintenance projects. Detailed material testing to confirm suitability of the material will be undertaken subject to receipt of development consent.

Photographs of material resources at Bendall's Pit are provided below:



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Photograph 6 – View of Gravel Material after Processing



3.5. Gravel Pit Operations

Once the proposed new pit design is implemented, the Bendall's Pit will continue to operate largely as existing but within a smaller / confined area of 1.8ha (refer **Figure 4 - Conceptual Quarry Development Plan**).

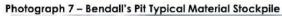
Similar to other gravel pits operated by Parkes Shire Council, the Bendall's Pit proposal will be operated on a campaign basis, whereby earthmoving, crushing or haulage operations may be conducted for several weeks, followed by no activity for several months other than material storage.

Extraction would use standard quarrying methodologies that involve overburden stripping, mechanical extraction, processing and stockpiling with the final products used by Council for road building and maintenance. Blasting is not proposed.

When required, a mobile crushing and screening plant would be temporarily established at the site to process the extracted material. The number of plant and equipment deployed on-site is anticipated to vary. Types of major plant and equipment deployed on-site may include, but not be limited to a bulldozer, grader, excavator, off-road haul trucks and front-end loader. All quarry materials would be delivered directly to the local road network.

Photographs of the current operations at Bendall's Pit Parkes are provided overleaf:

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Photograph 2 – Bendall's Pit Typical Support Services Operations



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3.6. Gravel Pit Water Management

Operational water would be required for dust suppression operations. This water would be sourced primarily from the sediment basin. **Figure 6** provides the conceptual stormwater and sediment management plan for the proposal, including the sizing of the sediment basin based on the following:

- Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom, 2004).
- Managing Urban Stormwater: Soils and Construction Volume 2C unsealed roads (DECC, 2008a).
- Managing Urban Stormwater: Soils and Construction Volume 2E mines and quarries (DECC, 2008b).

3.7. Gravel Pit Waste Management

The proposal is expected to produce a negligible amount of waste. The principal potential waste streams may include, but are not necessarily limited to:

- Material wastes (mud slurry and sediment laden water) from gravel processing and dust suppression.
- General solid wastes (putrescible and non-putrescible).
- Waste from on-site mechanical breakdowns (batteries, oil filters, waste oil / hydrocarbons and containers, oil / water emulsions and flat tyres).
- Domestic wastewaters.

Site wastes will be managed in the following manner:

- Establishing site management controls requiring all waste to be stored in vehicles.
- Removing wastes from site for disposal or recycling by appropriate licensed operator(s).
- Removing domestic wastewater from transportable toilet to an appropriate wastewater treatment plant.
- No burning or burying of wastes on-site.

3.8. Gravel Pit Infrastructure, Utilities and Services

There is currently limited infrastructure, utilities or services located at the site. Electricity would be sourced from mobile generators on the back of PSC service vehicles (if required). Potable water would be carried by each employee / contractor. Water for dust suppression will be sourced from the sediment basin or a licenced water cart supplier. Telecommunications would be provided by mobile phone and /or PSC Two-way Radio. Sewage management would be via a transportable toilet, serviced by a licenced waste contractor. Diesel fuel would be delivered to the site by PSC service vehicles and there would be no permanent fuel storage on site.

3.9. Gravel Pit Employment

The proposed temporary workforce when operating at full capacity is expected to comprise six (6) staff, including crushing contractors, loader operators and truck drivers. However, it is envisaged that only one (1) to two (2) persons would be working at the site on a usual day of quarrying operations.

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3.10. Gravel Pit Hours of Operation

The hours of operation of the Bendall's Pit would continue to be:

- 7.00am to 5.00pm weekdays.
- No work on weekends or Public Holidays.

3.11. Gravel Pit Rehabilitation

The objective for rehabilitation of the proposal is to achieve a post extraction landform suitable for rural activities, including but not limited to livestock grazing (refer **Figure 5 – Conceptual Rehabilitation Plan**). As outlined on the rehabilitation management plan, the following measures are proposed:

Progressive Rehabilitation:

Rehabilitation is to commence when:

- the new pit area is established, and the areas designated for rehabilitation are no longer required for operational or ancillary purposes; and
- the final pit floor / drainage contours are reached.

Final pit floor, hardstand and stockpile areas (and other low slope areas):

- Slopes to be graded to fall to the sediment basin.
- Available topsoil to be respread.
- Post extraction land-use to comprise of rural activities consisting of pasture grasses and livestock grazing.

Waterbodies:

- Sediment basin is to be retained as a clean water storage structure.
- Sediment is to be removed to convert the dam to a clean water storage structure.

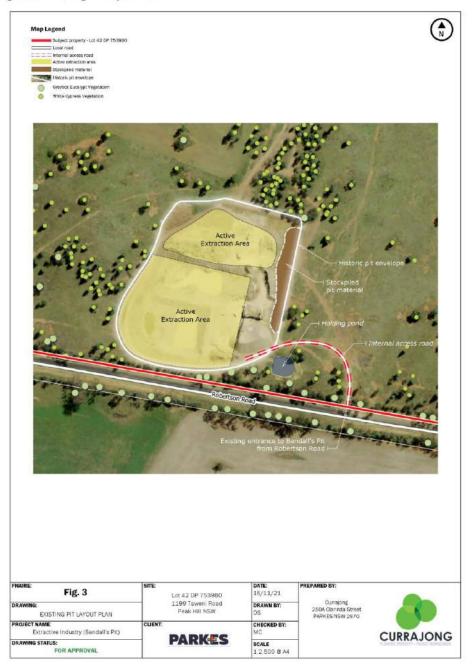
Infrastructure:

- Property access to Robertson Road and internal access tracks will be retained.
- Sediment basins will be retained as clean water storage structures.
- Plant, equipment and buildings (including demountable and mobile equipment) will be removed.

As the site approaches the end of its lifecycle, a large proportion of the original quarry site is planned to have already been rehabilitated. Therefore, the final rehabilitation works will mainly relate to the final spreading of topsoil stockpiles and the re-establishment of grasses (with seed and fertiliser) suitable for the continuation of rural uses of the site.

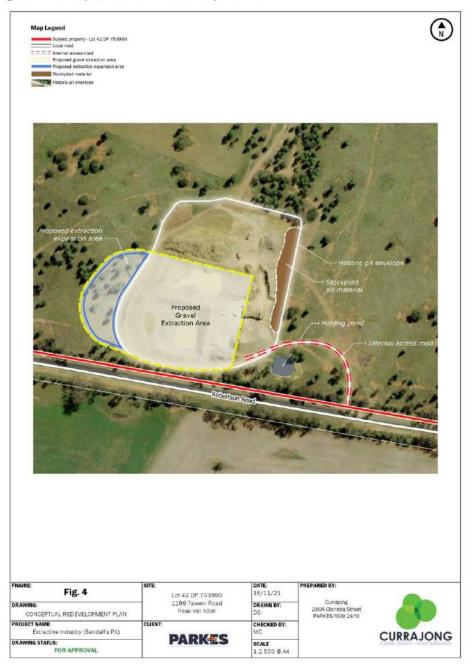


Figure 3 – Existing Pit Layout Plan



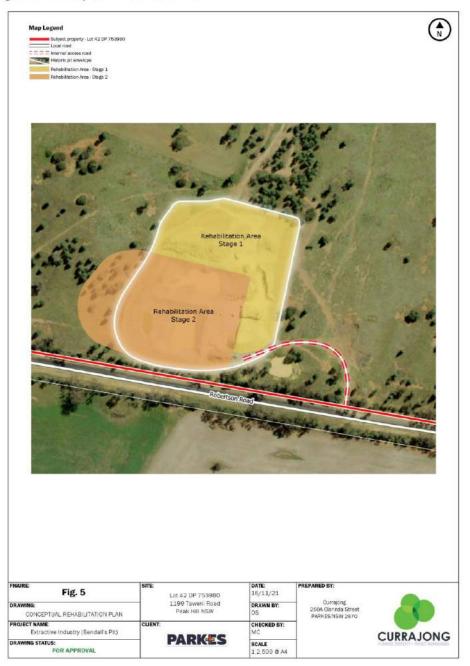
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Figure 4 – Conceptual Gravel Pit Redevelopment Plan



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Figure 5 – Conceptual Rehabilitation Plan



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Figure 6 – Stormwater and Sediment Management Plan





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4. Planning and Legislative Context

4.1. Introduction

The following section of the report describes the applicable local planning policies, State and Federal legislation and guidelines. The applicable documents are summarised in this section, followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.2. Commonwealth Legislation

Under the Federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), referral is required to the Australian Government for proposed actions that have the potential to significantly impact on Matters of National Environmental Significance (MNES) or the environment of Commonwealth land. The assessment of the proposal's impact on MNES (refer Section 5) found that there is unlikely to be a significant impact on relevant MNES or on Commonwealth land. Accordingly, the proposal has not been referred under the EPBC Act.

4.3. NSW Legislation

4.3.1. Environmental Planning and Assessment Act 1979

The EP&A Act forms the legal and policy platform for development assessment and approvals process in NSW. The objects of the EP&A Act are:

- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c) to promote the orderly and economic use and development of land,
- d) to promote the delivery and maintenance of affordable housing,
- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).
- g) to promote good design and amenity of the built environment,
- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- j) to provide increased opportunity for community participation in environmental planning and assessment.

Under the EP&A Act, local councils prepare Local Environment Plan (LEPs) that specify planning controls for specific parcels of land. The EP&A Act also provides for State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs). Applicable environmental planning instruments are discussed in later parts of this SEE. In general, development consent is

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required for the proposed extractive industry, pursuant to the Parkes Local Environmental Plan 2012.

4.3.2. Local Government Act 1993

Section 68 of the Local Government Act 1993 (LG Act) specifies that approval is required for a number of activities carried out on operational land, including:

- Structures or places of public entertainment.
- Water supply, sewerage and stormwater drainage work.
- Management of trade waste in the sewerage system.
- Swing or hoist goods over a public road.

No local government approvals are required.

4.3.3. Heritage Act 1977

The Heritage Act 1977 provides for the conservation of environmental heritage defined as places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance which are at least 50 years old. The Act applies to non-Aboriginal relics only, as Aboriginal relics are protected under the National Parks and Wildlife Act 1974.

The subject site is not listed on the State Heritage Register and an approval from Heritage NSW is not required under the *Heritage Act 1977*. The site is also not listed as a Heritage Item under the *Parkes Local Environmental Plan 2012*.

Heritage issues are assessed under Section 5 of this SEE. In general, no heritage issues / impacts have been assessed to apply, and an approval under the *Heritage Act 1977* is not required to be obtained for the proposal.

4.3.4. National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) is administered by the Office of Environment and Heritage and provides the basis for the legal protection of flora and fauna in NSW.

Unless a licence is obtained under the NPW Act (or the Threatened Species Conservation Act 1995), it is an offence to harm any animal that is protected or is a threatened species, population or ecological community. It is also an offence to pick any plant that is protected or is a threatened species, population or ecological community. In addition, a person must not, by act or omission, damage any critical habitat.

The NPW Act also provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 86, 90 and 91 of the NPW Act provide statutory protection for any physical / material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community.

The site largely comprises 'disturbed land', as defined under The National Parks and Wildlife Regulation 2019 (NPW Regulation) and an Aboriginal due diligence assessment is not required. Aboriginal cultural heritage issues are assessed under Section 5 of this SEE. In general, no heritage issues / impacts have been assessed and an approval under the Heritage Act 1977 is not required to be obtained for the proposal. In general, no threatened species or Aboriginal issues / impacts have been assessed to apply, and an approval under the NPW Act is not required to be obtained for the proposed new gravel pit.

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4.3.5. Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act 2016) provides a framework for the management of flora and fauna on lands within NSW. Under this Act the principles of ecologically sustainable development are used to achieve the conservation and protection of biodiversity values. Biodiversity impacts are addressed in Section 5 of this SEE. A small section of regrowth cycprus pine is proposed to be cleared along the northern edge of Bendall's Pit. Approval under the BC Act is not required for this area of land clearing proposed, given it is less than 1 ha in area.

4.3.6. Roads Act 1993

Under Section 138 of the *Roads Act 1993* a person must not erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road, otherwise than with the consent of the appropriate roads authority. Parkes Shire Council is the relevant authority for works on the local roads surrounding the Bendall's Pit. No new accesses or road works are proposed on the local road network to support the continued extractive industry operations at Bendall's Pit. An approval under the *Roads Act 1993* is not required to be obtained for the proposed new gravel pit operations.

4.3.7. Protection of the Environment Operations Act 1997

The Protection of the Environment Operations Act 1997 (POEO Act) regulates air, noise, land and water pollution. The existing gravel pit operations on the site do not operate under an Environment Protection Licence (EPL) and Parkes Shire Council is the Appropriate Regulatory Authority (ARA) for general pollution control matters in the Parkes LGA. The nature and scale of the proposed new gravel pit operations do not fall under the threshold triggers that would require licensing by EPA under the POEO Act. No licence approvals are required.

4.3.8. Work Health and Safety Act 2011

The management and handling of hazardous substances and dangerous goods in NSW is controlled under the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2011. There are also Hazardous and Offensive Development Application Guidelines published by the Department of Planning, Industry and Environment that apply in NSW. No hazardous or offensive goods are currently stored or handled at the Bendall's Pit site in large quantities. Any handling of fuel, oils and chemicals will be temporary in nature and carefully limited / managed by PSC staff or approved contractors. A specific approval under this legislation and policy framework is not required to be obtained for the proposal.

4.3.9. Water Management Act 2000

The objective of the Water Management Act 2000 (WM Act) is the sustainable and integrated management of the State's water sources for the benefit of both present and future generations by applying the principles of ecologically sustainable development to protect, enhance and restore water sources and their associated ecosystems, ecological processes and biological diversity and their water quality. The objectives of the Act were considered throughout the planning and design phases of this development. The watercourses and groundwater in the vicinity of the property will be protected through design and management practices, including diversion banks and sediment basins. The proposal is unlikely to intercept groundwater and any sediment basin and residual water storage structures will be within the maximum harvestable rights for the site. Water impacts are addressed in Section 5 of this SEE. In general, no specific approvals are required under the WM Act.

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4.3.10. Rural Fires Act 1997

The Rural Fires Act (RF Act) 1997 requires approval of development on bushfire prone land as identified by a bushfire prone land map prepared under Section 146 of the EP&A Act. Review of the Rural Fire Service website and ePlanning Spatial viewer indicates the Bendall's Pit is located on land comprising bushfire prone land. Bushfire risk is addressed in Section 5 of this SEE. In general, no specific impact mitigation or approvals are required under the RF Act to manage bushfire risk.

4.3.11. Noxious Weeds Act 1993

The Noxious Weeds Act 1993 (NW Act) provides for the declaration of noxious weeds by the Minister for Primary Industries. Noxious weeds may be considered noxious on a National, State, Regional or Local scale. All private landowners, occupiers, public authorities and Councils are required to control noxious weeds on their land under Part 3 Division 1 of the NW Act. Weed management is addressed in Section 45 of this SEE. In general, no specific impact mitigation or approvals are required under the Noxious Weeds Act to manage noxious weeds.

4.3.12. Contaminated Land Management Act 1997

Parkes Shire Council is required to notify the EPA if contamination is discovered that presents a significant risk of harm. Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 are available on the EPA website. EPA notification is not required to be obtained for the proposed activities at the subject site.

4.4. State Environmental Planning Policies (SEPP)

4.4.1. SEPP – State and Regional Development 2011

The State and Regional Development SEPP identifies significant development and infrastructure and confer functions on Regional Planning Panels to determine development applications. The proposal is not classified as 'Regional Development' and will be assessed and determined by the Parkes Shire Council.

4.4.2. SEPP – Mining, Petroleum Production and Extractive Industries 2007

The Mining, Petroleum Production and Extractive Industries SEPP recognises the importance of mining, petroleum production and extractive industries to NSW and aims to provide for the proper management and the orderly development of land containing minerals, petroleum products and extractive materials. The SEPP aims to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management of these resources. Part 3 of the SEPP establishes specific requirements for the assessment of development pursuant to the SEPP.

An assessment against the provisions of the SEPP is provided in Table 1 overleaf:

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Table 1 - MPEI SEPP Assessment

Clause	Assessment		
12AB Non-discretionary development standards	Not applicable as the proposal is not a		
for mining	mine		
12 Compatibility of proposed mine, petroleum			
production or extractive industry with other land			
uses			
Before determining an application for consent for	(a)(i) the existing use of the site and		
development for the purposes of mining,	surrounding land is for extractive industry,		
petroleum production or extractive industry, the	grazing and cropping.		
consent authority must—	(a)(ii) the proposal will reduce the size of		
(a) consider—	the existing gravel pit, with rehabilitation		
(i) the existing uses and approved uses of land in	proposed to more than 50% of the active		
the vicinity of the development, and	extraction area for integration into the		
(ii) whether or not the development is likely to	surrounding livestock grazing paddocks.		
have a significant impact on the uses that, in the	(a)(iii) the proposal is not incompatible		
opinion of the consent authority having regard to	with the existing use of the site and		
land use trends, are likely to be the preferred uses	surrounding land.		
of land in the vicinity of the development, and	[, , , , , , , , , , , , , , , , , , ,		
(iii) any ways in which the development may be	(b) the proposal is to use less than 2ha of		
incompatible with any of those existing, approved	the existing quarry / farming property for		
or likely preferred uses, and	the proposed new extractive industry. The		
(b) evaluate and compare the respective public	gravel pit materials will be used on local		
benefits of the development and the land uses	roads and will provide public benefit		
referred to in paragraph (a) (i) and (ii), and	through reduced traffic impacts on the		
(c) evaluate any measures proposed by the	local road network by providing a supply		
applicant to avoid or minimise any	of road base and gravel re-sheeting		
incompatibility, as referred to in paragraph (a)(iii).	material.		
	(c) the proposal is compatible with the		
	existing and approved uses of the land in		
	the vicinity of the site.		
12A Consideration of voluntary land acquisition	Not applicable as the proposal is not State		
and mitigation policy.	significant development.		
13 Compatibility of proposed development with	Not applicable as the proposal is for		
mining, petroleum production or extractive	extractive industry and is not in the vicinity		
industry.	of an existing mine, petroleum production		
maosny.	facility or extractive industry.		
14 Natural resources management and	- admiry or dynamic industry.		
environmental management			
(1) Before granting consent for development for	(1)(a) Impacts to water are addressed in		
the purposes of mining, petroleum production or	Section 5.		
extractive industry, the consent authority must	(1)(b) Impacts to biodiversity are		
consider whether or not the consent should be	addressed in Section 5.		
issued subject to conditions aimed at ensuring	(1)(c) Greenhous gas emissions are		
that the development is undertaken in an	addressed in Section 5.		
environmentally responsible manner, including			
conditions to ensure the following—			
(a) that impacts on significant water resources,			
including surface and groundwater resources, are			
avoided, or are minimised to the greatest extent			
practicable,			
(b) that impacts on threatened species and			
biodiversity, are avoided, or are minimised to the			
greatest extent practicable,			

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Clause	Assessment
(c) that greenhouse gas emissions are minimised	
to the greatest extent practicable.	
(2) Without limiting subclause (1), in determining a development application for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider an assessment of the greenhouse gas emissions (including downstream emissions) of the development and must do so having regard to	Greenhouse gas emissions are addressed in Section 5.
any applicable State or national policies, programs or guidelines concerning greenhouse	
gas emissions. (3) Without limiting subclause (1), in determining a development application for development for the purposes of mining, the consent authority must consider any certification by the Chief Executive of the Office of Environment and Heritage or the Director-General of the Department of Primary Industries that measures to mitigate or offset the biodiversity impact of the proposed development will be adequate.	Impacts to biodiversity are addressed in Section 5.
15 Resource recovery	
(1) Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider the efficiency or otherwise of the development in terms of resource recovery. (2) Before granting consent for the development, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at optimising the efficiency of resource recovery and the reuse or recycling of material. (3) The consent authority may refuse to grant consent to development if it is not satisfied that the development will be carried out in such a way as to optimise the efficiency of recovery of minerals, petroleum or extractive materials and to minimise the creation of waste in association with the extraction, recovery or processing of minerals, petroleum or extractive materials.	The proposal is unlikely to generate waste other than typical commercial waste associated with the site office, site amenities and oils and parts associated with the mobile processing plant and plant and equipment. The extraction of material will be efficient, relying on mechanical means only and not requiring blasting. Processing and stockpiling of material will be undertaken in an efficient manner by modern mobile processing plants and equipment. The proximity of the proposal to the local road network will assist in the efficient delivery of gravel material and minimise haul routes and avoiding impacts on the local road network. Any quarry material produced that cannot be used by the PSC will be retained on site and roused in the reposal literation of the site.
	and reused in the rehabilitation of the site.
16 Transport	The proposal is to deliver gravel material
(1) Before granting consent for development for the purposes of mining or extractive industry that involves the transport of materials, the consent authority must consider whether or not the consent should be issued subject to conditions that do any one or more of the following— (a) require that some or all of the transport of materials in connection with the development is not to be by public road,	The proposal is to deliver gravel material directly to local roads in the Parkes Shire and generally within 20km from Bendall's pit. PSC has adopted procedures and training to ensure transport haulage operations follow best practice standards.

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Clause	Assessment
(b) limit or preclude truck movements, in	
connection with the development, that occur on	
roads in residential areas or on roads near to	
schools,	
(c) require the preparation and implementation,	
in relation to the development, of a code of	
conduct relating to the transport of materials on	
public roads.	
(2) If the consent authority considers that the	Referral to TfNSW is not necessary as the
development involves the transport of materials	proposal does not propose to utilise the
on a public road, the consent authority must,	Classified Road network and is not traffic
within 7 days after receiving the development	generating development.
application, provide a copy of the application	
to—	
(a) each roads authority for the road, and	
(b) the Roads and Traffic Authority (if it is not a	
roads authority for the road).	
17 Rehabilitation	
(1) Before granting consent for development for	A rehabilitation plan has been prepared
the purposes of mining, petroleum production or	for the proposal so that the site will be
extractive industry, the consent authority must	returned to the landowner suitable for the
consider whether or not the consent should be	establishment of grazing.
issued subject to conditions aimed at ensuring the	
rehabilitation of land that will be affected by the	Any waste will be recycled or disposed of
development.	at an approved waste facility.
(2) In particular, the consent authority must	
consider whether conditions of the consent	Soil contamination is unlikely, and any
should—	minor fuel or oil spills will be addressed as
(a) require the preparation of a plan that	part of the rehabilitation of the site.
identifies the proposed end use and landform of	
the land once rehabilitated, or	
(b) require waste generated by the development	
or the rehabilitation to be dealt with	
appropriately, or	
(c) require any soil contaminated as a result of	
the development to be remediated in	
accordance with relevant guidelines (including	
guidelines under clause 3 of Schedule 6 to the Act	
and the Contaminated Land Management Act	
1997), or	
(d) require steps to be taken to ensure that the	
state of the land, while being rehabilitated and at	
the completion of the rehabilitation, does not	
jeopardize public safety.	

4.4.3. SEPP - Infrastructure 2007

The infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services and public works across NSW, along with providing for consultation with relevant public authorities during the development assessment process.

The proposed development is not traffic generating development as defined under Schedule 3 of the Infrastructure SEPP and is not development that has implications for main roads. Consultation with Transport for NSW is not a requirement under the SEPP. The proposed

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development is taken to be 'Any other purpose' under Schedule 3 and it will not generate 200 or more motor vehicle movements per hour.

The Bendall's Pit is located over 5km from the Parkes - Narromine Railway. Assessment of the implications of the proposed gravel pit has been undertaken against the general functioning of the local road network and level crossings in the area, including the level crossing on the Trewilga Road (east of the quarry site).

It is assessed the proposal will place no significant additional traffic volumes on level crossings, and there is no warrant for railway / road upgrades. No implications for rail infrastructure / operations are assessed to occur, including stormwater drainage, noise, air quality, overshadowing, visibility, heritage assets or the like. Consultation with the Australian Rail Track Corporation is not a requirement under the SEPP.

Clause 45 of SEPP Infrastructure requires consideration of electricity supply requirements, where the development is:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- Immediately adjacent to an electricity substation.
- Within 5m of an overhead power line.
- Includes installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line and / or within 5m of an overhead electricity power line.
- Placement of power lines underground.

Power supply is not connected to the Bendall's Pit. There are no overhead powerlines near the proposed quarry. There are no aspects of the development proposal that impacts on electricity supply services, as per Clause 45 requirements.

4.4.4. SEPP – Exempt and Complying Development Codes 2008

The Exempt and Complying Development Codes SEPP permits certain activities without consent or by issue of a Complying Development Certificate. The proposal is neither exempt or complying development, and development consent is sought for the proposed extractive industry operations at Bendall's Pit.

4.4.5. SEPP - Koala Habitat Protection 2021

This SEPP applies to the Parkes Local Government Area. The SEPP does not apply to the proposal, given site disturbance is less than 1 hectare in size and there are insufficient feed trees in the locality to sustain Koalas.

4.4.6. SEPP – Primary Production and Rural Development 2019

The SEPP aims to facilitate development on rural land that is orderly and economic, promotes the social, economic and environmental welfare of the State and avoids land use conflicts with existing agriculture. It also allows government authorities to identify State significant agricultural land and ensure the ongoing viability of agriculture in the State.

The SEE states the land that would be affected by the proposal has not been identified as State or regionally significant agricultural land by Schedule 1 of the SEPP. Further, the proposal would not impact on any additional land currently managed for agriculture, nor would it be incompatible with continued agricultural land use of the site. Protection of the land that is the

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subject of the proposal would not provide any public benefit, and the employment and local economic stimulus that would be generated by the proposal is considered to be of wider public benefit.

It is assessed that the proposed Bendall's Pit, comprising an area of approximately 1.8ha will not compromise the objectives of the Primary Production and Rural Development SEPP.

4.4.7. SEPP 55 – Remediation of Land 2007

Clause 7 of SEPP 55 requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.

The site has been used as a gravel pit for many years. There are no known fuel storages located on the site. Small quantities of fuels, oils, greases and chemicals may have been brought to the site for site / plant maintenance.

Visual inspection of the site does not reveal any evidence of contamination of chemicals, fuels or waste dumps. A search of the NSW contaminated land register and Parkes Shire Council's Contaminated Sites Register does not show the site as contaminated land. It is not proposed to change the use of the site for continued gravel pit operations, and the quarry will continue to operate within the confines of the site and involve modern work practices that should not increase current contamination risk at the site or adjoining lands. Upon the cessation of extraction, the proposal will involve full rehabilitation of the site including removal of infrastructure.

Based on existing operations, the site is considered suitable for the proposed gravel pit operations. No further investigations / actions are considered necessary.

4.4.8. SEPP 64 – Advertising and Signage

SEPP 64 aims to ensure that proposed advertising signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes. No new signage is proposed at the Bendall's Pit site.

4.5. Local Environmental Plans (LEP)

4.5.1. Parkes Local Environmental Plans 2012

The Parkes Local Environmental Plan 2012 (PLEP) applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RU1 – Primary Production under the PLEP.

The proposed land use is defined as 'extractive industry' under the PLEP:

"extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming"

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An extractive industry land use within the RU1 Primary Production zone is a permissible land use with development consent.

The objectives of the zone RU1 are:

- 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.
- To encourage eco-tourism enterprises that minimise any adverse effect on primary industry production.
- To permit non-agricultural uses that support the primary production purposes of the zone.
- To permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.
- To encourage the provision of tourist accommodation in association with agricultural activities.
- To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

The proposed development is for an extractive industry, which is permissible with consent within the RU1 Primary Production zone. The proposal has been carefully designed to respond to existing site conditions, adjoining land-uses and the natural resources of the area. The site will be returned to rural and agricultural uses at the end of life of the proposal with no significant change in land capability. The continued utilisation of the balance of the site for rural and agricultural uses will minimise potential fragmentation and alienation of agricultural land. The proposal is not considered to conflict with the adjoining land-uses based on the assessments undertaken as part of this SEE. The proposed development is therefore considered to be both compatible and consistent with the surrounding land-uses and meets the objectives of the RU1 Primary Production zone.

A number of special provisions under the PLEP apply to the proposal. An assessment of the proposal against the relevant provisions of the PLEP is provided below:

- Clause 2.6 Subdivision consent requirements The Bendall's Pit is located wholly on Lot 42 DP 753980. It is not necessary to undertake any subdivision of the land and Clause 2.6 does not apply.
- Clause 5.11 Bush fire hazard reduction The proposal is located on land that is
 mapped as bush fire prone land. Subject to development consent a bush fire
 management plan will be prepared in consultation with the Rural Fire Service. This is
 discussed further in Section 5 of this SEE.
- Clause 6.1 Earthworks The proposal involves earthworks associated with extraction of
 gravel resources from part of the existing gravel pit and progressive rehabilitation of
 the balance of the historic pit. Soils and water quality impacts are addressed in
 Section 5 of this SEE. In general, no significant implications on environmental functions
 and processes, neighbouring uses, cultural or heritage items, drainage patterns,
 existing vegetation or other features of the surrounding land have been identified
 that can't be addressed through mitigating potential impacts.

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- Clause 6.2 Terrestrial Biodiversity Clause 6.1 of the PLEP identifies the following objectives regarding terrestrial biodiversity:
 - (a) protecting native fauna and flora, and
 - (b) protecting the ecological processes necessary for their continued existence, and
 - (c) encouraging the conservation and recovery of native fauna and flora, and their habitats.

The clause applies to land identified as 'biodiversity' on the Natural Resource – Biodiversity Map of PLEP. A review of that map confirms that parts of Lot 42 DP 753980 and land around the perimeter of the existing gravel pit site is mapped as comprising 'biodiversity'. Section 5 of this SEE provides an assessment of the potential biodiversity impacts of the proposal. In general, no significant impacts are assessed given the proposal involves use of an existing extractive industry, the proposed gravel pit is to be located predominately on cleared land, and only minor clearing of white cyprus pine is proposed.

Clause 6.7 Essential services - The existing gravel pit is already established with no
connections to power, telecommunications, gas, town water supply or sewerage. No
upgrades to existing accesses, public roads, water supplies, sewerage or lighting are
considered necessary to accommodate the proposal.

4.6. Parkes Shire Council Development Control Plan

The Parkes Shire Development Control Plan 2021 (DCP) applies to the development site and there are no specific provisions relating to extractive industries.

4.7. Parkes Shire Council Road Contributions Plan

The Parkes Shire Council Road Contributions Plan 2016 applies to the developments that generate heavy haulage vehicle movements in the Parkes Shire.

Certain developments which use heavy vehicle haulage are exempt from the payments for the heavy vehicle contribution, in order to assist the viability of smaller local scale enterprises.

Given that truck haulage from Bendall's Pit is associated with an existing gravel quarry and Parkes Shire Council's Roads Program, the impact on local roads is offset by the benefits produced from road construction and maintenance. The Parkes Shire Council Road Contributions Plan 2016 is not considered to apply to the proposal.

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5. Assessment of Environmental Issues

The main environmental issues that have been raised and investigated as part of the design process for the proposed gravel pit are documented in this section. Each issue is investigated by way of introducing the key issue(s), documenting existing conditions, assessing impacts and proposing management and mitigation measures.

5.1. Biodiversity

5.1.1. Introduction

The subject site adjoins land identified as "High Biodiversity Sensitivity", as shown on the Natural Resource - Biodiversity Map of the PLEP.

A Biodiversity Assessment has been undertaken in relation to the proposal to provide an overview of key ecological values of the local area and to assess the proposal's potential impacts on biodiversity. It is based on a desktop review and field survey. The assessment considers specific legislative requirements relating to flora and fauna, including:

- Effects on threatened species, populations and ecological communities, as listed under the BC Act; and
- Likely impacts on nationally listed threatened species, populations, and ecological communities, as listed under the EPBC Act.

Under the BC Act, local development (assessed under Part 4 of the EP&A Act) that is likely to significantly affect threatened species or triggers the Biodiversity Offsets Scheme (BOS) threshold will be subject to the BOS and require assessment by an accredited assessor to apply the Biodiversity Assessment Method (BAM).

5.1.2. Existing Conditions Assessment

Bendall's Pit is located within the Parkes Local Government Area (LGA). The site is accessed off Robertson Road. The site is zoned RU1 – Primary Production. The total area disturbed by the existing gravel pit is 4.8ha.

The topography of the site is largely influenced by a small hill and ridgeline running east-west. The gravel pit is located on the western side of the small hill / ridgeline. Land-use surrounding the hill / ridgeline is rural (supporting grazing and cropping activities), with native vegetation occurring on the steeper slopes of the hill / ridgeline and becoming sparser along the lower slopes. Vegetation in the proposal area is sparse, consisting of scattered trees with a grassy / weedy groundcover.

Table 2 below provides further environmental context:

Table 2 - Environmental Context Summary

Attribute	Description	
LGA	Parkes	
Zoning	RU1 Primary Production	
Catchment	Bogan River	
IBRA Bioregion	NSW South Western Slopes	
IBRA Subregion	NSS Lower Slopes	

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Attribute	Description
Mitchell	Goonumbla Hills - Rounded low hills - general elevation 290 to
Landscape	390m, local relief 70m. Stony yellow earths on the sands, thin brown structured loams on the hills merging with red-brown and red texture-contrast soils on the flats. Open forest of grey box (Eucalyptus microcarpa), white cypress pine (Callitris glaucophylla), with bimble box (Eucalyptus populnea) in the creeks and red ironbark (Eucalyptus sideroxylon) with shrubs on the gravels. Extensively cleared, grazed and cultivated.
Nearest Waterway	Burrill Creek, located approximately 1.7 km west of Bendall's Pit.
	The creek flows in a northerly direction into the Bogan River about
	10 km to the north of the site.
Nearest NPWS Park	Goobang National Park (16 km east of the site).
Soils	Ordovician and silurian sandstone, andesite, siltstone and phyllite
	with a partial blanket of Tertiary quartz gravels and sands.
Biodiversity Values Map	No biodiversity values are mapped within the proposal area.

The Central West / Lachlan Regional Native Vegetation PCT Map (OEH, 2015) suggests the following vegetation communities associated with the BC Act occur within the proposal area:

- White Box Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (EEC). The community is also listed under the EPBC Act as the White Box-Yellow Box-Blakely's Red Gum grassy woodlands and derived native grasslands.
- Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Peneplain, Nandewar and Brigalow Belt South Bioregions EEC. The community is also listed under the EPBC Act as the Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of Eastern Australia EEC.
- Fuzzy Box on alluvials of the South West Slopes, Darling Riverine Plains and the Brigalow Belt South Bioregions EEC.
- Myall Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain, Murray Darling Basin, Riverina and NSW South Western Slopes Bioregions; and

Field survey of the proposal site suggest the gravel pit site is situated in a belt of Inland Grey Box Woodland.

Database searches identified 26 threatened flora species with potential to occur within the locality of the subject site. None of the threatened flora species listed above were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation at time of inspection was that the habitat and / or substrate requirements of these flora species are largely absent at and around the gravel pit site.

Database searches identified 39 threatened fauna species with potential to occur in the region. None of the threatened flora species were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation of habitat was that the available food foraging resources and breeding requirements of native species is lacking at and around the quarry site and largely constrained at the gravel pit site.

5.1.3. Assessment of Impacts

The proposed gravel pit footprint is approximately 1.8ha and majorly within the previously disturbed pit area. The proposed gravel pit site is devoid of native vegetation, except for isolated / sporadic trees fringing the perimeter of the gravel pit site.

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Remnant woodland vegetation in close proximity to the proposed gravel pit site comprises white cypress pine (Callitris glaucophylla) and grey box (Eucalyptus microcarpa) and a grassy / weedy understorey.

It is proposed to clear white cyprus pine along the northern edge of the proposed gravel quarry to allow for the extension of the pit a further 50 metres north of the previously disturbed active extraction area. This northly pit expansion is to source high grade gravel material and to create a suitably graded and safe embankment along the north face of the quarry.

A significance assessment under Section 1.7 of the EP&A Act which takes into consideration Part 7 of the BC Act determining whether the proposal is likely to significantly affect threatened species and / triggers the Biodiversity Offsets Scheme (BOS) is provided in **Table 3 – BC Significance Assessment**:

Table 3 – BC Significance Assessment

Test	Assessment
(a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	The site is located 10 kilometres south of Peak Hill. The gravel pit site is generally devoid of native vegetation, with the exception of several isolated trees and a weedy understorey. Vegetation in the immediate area of the gravel pit site is assessed to meet the definition of BC Act native vegetation, as it provides a native overstorey, midstorey, and shrubstorey and a grassy groundlayer. The proposal involves clearing of 10 x cyprus pine trees along the northern edge of the proposed gravel quarry. The extent of land clearing is less than 1ha. The proposed land clearing area is assessed to have low biodiversity values. No significant impacts on threatened species or ecological communities are assessed.
	The proposal would not result in any significant impacts to local species, communities or habitats.
(b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets	The proposal involves less than 1ha of land clearing, and therefore does not trigger the application of the BOS. A Biodiversity Development Assessment Report (BDAR) is not required.
scheme applies to the impacts of the development on biodiversity values, or	The subject site and surrounding land does not comprise critical habitat for threatened or endangered fauna species under the TSC Act or the EPBC Act.
	The proposal does not necessitate the removal of more than 1ha of existing vegetation and does not exceed any of the entry thresholds for BOS and consequently does not require assessment in accordance with the BAM.
	There are no known threatened species, populations, ecological communities or critical habitats that are considered to interact / adjoin the site of the proposed gravel pit.

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Test	Assessment
	The potential occurrence / impacts on threatened species is unlikely / low.
(c) it is carried out in a declared area of outstanding biodiversity value	The site is not a declared area of outstanding biodiversity value.

5.1.4. Management and Mitigation

While a Flora and Fauna Impact Assessment and BDAR is not required for the proposal, it is important that measures are taken to minimise impacts on the receiving environment in and around the gravel pit site. **Table 4 – Biodiversity Management Measures** outlines the proposed management measures to reduce impacts on biodiversity:

Table 4 – Biodiversity Management Measures

Impact	Management measure
Pre-construction	
General	 A Flora and Fauna Management Plan will be prepared and implemented as part of an Environmental Management Plan (EMP). It will include, but not be limited to: Plans showing disturbed / cleared areas and areas to be protected, including exclusion zones and weed management areas. Procedures for unexpected threatened species finds and fauna handling. Protocols to manage weeds and pathogens.
Vegetation clearing	The limits of the gravel pit and access road will be delineated using appropriate signage and barriers, identified on site construction drawings and during staff induction training.
Invasion and spread of pathogens and disease	Pathogen control protocols shall be developed and implemented in accordance with the requirements of the <i>Biosecurity Act 2015</i> .
Invasion and spread of weeds	Weed control protocols shall be developed and implemented as part of the EMP and gravel pit operation plan.
During constructi	on / operation
Fauna protection	Suitable fauna protection protocols are to be utilised. This includes requirements for ecologist supervision, the undertaking of preclearance surveys, provision of compensatory nest boxes, procedures to safely fell habitat trees and release areas for any rescued fauna should there be a need for minor clearing of trees for safety / operational reasons.
Threatened species protection	If unexpected, threatened fauna or flora species are discovered, works which may disturb the species must cease until any potential impacts are reviewed and assessed by a suitably qualified ecologist.
Disturbance to fallen timber and dead wood	Any woody debris should be re-used on site for habitat improvement. Woody debris should be lifted and placed appropriately outside the construction footprint in an adjacent area of project sites to enhance habitat. If long logs are required to be cut to assist relocation, logs must be cut away from hollow ends.

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Impact	Management measure
Pest animal	Pest animals such as rodents, foxes, rabbits, wild dogs and feral cats are
monitoring /	controlled on an as needs basis.
control	
Post operation	
Preparation of	A rehabilitation plan in accordance with the land manager needs to
a site	be prepared prior to quarry shut down.
rehabilitation	
plan	

Other management measures that are described in this SEE also manages and mitigates impacts to biodiversity values by way of:

- · Surface water management measures.
- Waste management measures.
- Bushfire management measures.
- Rehabilitation management measures.

5.2. Water Quality

5.2.1. Introduction

The proposal involves continued extractive industry operations at Bendall's Pit. The proposed new extraction area is to be located largely within an existing active extraction area that has an area of 4.8 ha. The proposed new gravel pit will have an area less than 1.8ha. Surface water runoff from the gravel pit will be well-contained within the site. There are no waterways within close proximity of the site. The new pit design will involve water storage structures (sediment basins) less than the harvestable rights. It is not proposed to excavate to groundwater level, which is estimated at >40m. On this basis, a surface water and ground water impact assessment has been prepared for the proposal.

5.2.2. Existing Conditions Assessment

Water uses surrounding the site include on-farm storage in dams. There are no watercourses on Lot 42 DP 753980 and the site is not affected by the "Flood Planning" layer identified by Council or under the NSW Planning Portal. The likelihood of a flood inundating the site is low.

The site is not located on land identified as groundwater vulnerable identified by Council or under the NSW Planning Portal. A number of bores in vicinity of the Bendall's Pit have been identified from the Water NSW database. A summary of available information from these groundwater bores is provided below in **Table 5 – Groundwater Data Summary**. In general, bores are used for stock and domestic purposes and have been primarily installed to target relatively deep aquifers.

Table 5 – Groundwater Data Summary

Bore ID	Date	Depth (m)	Purpose	Approx distance to Quarry
GW033078	1967	76.20	Stock and Domestic	>1Km E
GW034030	1967	114.3	Stock and Domestic	>1km S
GW802832	1997	76	Test Bore	>1km NW

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5.2.3. Assessment of Impacts

The depth of extraction is unlikely to intercept groundwater which is at depth (>70m) in the area. The proposal does not include extraction or interception of groundwater.

It is proposed to manage the disturbed quarry area by diverting all surface water to a sediment basin. Clean over land flow water from upslope will be diverted around the disturbed gravel pit area by diversion bunds or diversion drains. The sediment basin would be significantly less than the maximum harvestable right dam capacity for the site.

The proposal is unlikely to impact on surface water or ground water due to separation from groundwater and nearby waterways, the limited area of disturbance, small scale of the activity and implementation of management measures.

5.2.4. Management and Mitigation

The proposed management measures to reduce impacts on water resources are as follows:

- No groundwater will be taken.
- Stormwater runoff entering the site from external areas, and non-sediment laden (clean) stormwater runoff entering a work area or area of soil disturbance will be diverted around or through that area in a manner that minimises soil erosion and the contamination of that water for all discharges up to the specified design storm discharge.
- All reasonable and practicable measures will be implemented to control flow velocities in such a manner than prevents soil erosion along drainage paths and at the entrance and exit.
- Internal drainage channels will be constructed with silt traps. Such silt traps shall be cleared at regular intervals.
- Quarry and working benches shall be drained to the sediment basin.
- Operational water for dust suppression will be sourced from the sediment basin for the
 proposal. Where water is not available from the sediment basin it will be sourced from
 licenced water suppliers.
- The sediment basin will be designed to capture and treat stormwater prior to discharge in all cases to achieve water quality release limits of, 6.5 – 8.5 pH and 50 mg/L Total Suspended Soils (TSS).
- An Erosion and Sediment Control Plan would be implemented at the site in accordance with Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004).

5.3. Air Quality

5.3.1. Introduction

The proposed new gravel pit is well separated from the nearest sensitive receptor and is unlikely to result in air quality impacts over and above that otherwise associated with the exiting rural uses of the land. The nearest sensitive receptor is 1.7km to the west of the proposal. On this basis, an air quality impact assessment has been prepared for the proposal.

5.3.2. Existing Conditions Assessment

The proposal involves continued extractive industry operations within an existing gravel pit. The proposal will disturb less than 1.8ha of the original 4.8ha quarry site.

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5.3.3. Assessment of Impacts

The POEO Act sets the statutory framework for managing air quality in NSW, including establishing the licensing scheme for major industrial premises and a range of air pollution offences and penalties.

The POEO (Clean Air) Regulation 2010 sets standards of concentration for emissions to air from both scheduled and non-scheduled activities. For the proposal activities, the POEO (Clean Air) Regulation provides general standards of concentration for scheduled premises which are:

- Solid particles (total) Any activity or plan (except listed below) 50mg m³.
- Solid particles (total) Any crushing, grinding, separating or materials handling 20mg m³.

Further to the requirements above, Part 4 Clause 15 of the POEO (Clean Air) Regulation requires that motor vehicles do not emit excessive air impurities which may be visible for a period of more than 10-seconds when determined in accordance with the relevant standard. Schedule 8 of the POEO (Clean Air) Regulation indicates that burning of vegetation is prohibited, except with approval.

There is potential for emissions to air from the following:

- Removal of overburden, loading of haul trucks, transport, unloading, and storage of overburden.
- Mechanical extraction (bulldozer, excavator or front-end loader).
- Processing of rock, and storage in stockpiles.
- Loading of haul trucks, transport, unloading and haulage offsite.
- Wind erosion of parts of the extraction area and processing area.
- Emissions from vehicle and generator exhaust.

The specific pollutants of interest associated with those activities are:

- Total suspended particulate (TSP).
- Particulate matter with an aerodynamic diameter of 10 microns (PM10).
- Particulate matter with an aerodynamic diameter of 2.5 microns (PM2.5).

Emissions of particulate matter associated with construction phase and operational phase activities are unlikely to have a significant impact on air quality due to the separation from nearby sensitive receptors (1.7km), limited area of disturbance, small scale of the activity and implementation of management measures.

Emissions of noxious carbon monoxide (CO) and sulphur dioxide (SO2) related to diesel combustion would are also unlikely to have a significant impact on air quality (in addition to particulates considered above) given the distances between the proposal and nearest sensitive receptors (1.7km) and the quantity of equipment operating on site.

It is not anticipated that any air quality monitoring would be required to be performed, although it is recommended that regular audits are performed to ensure that the site is implementing the air quality control measures appropriately.

5.3.4. Management and Mitigation

Procedures would be developed for the proposed quarry linking visible dust generation from all activities with wind conditions experienced at the gravel pit site. A range of actions would

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be listed which would be adopted to reduce visible dust generation, until such time as the adopted trigger levels have reduced.

The proposed emissions controls to be employed at the site are as follows:

- Application of water on internal haulage roads and pit or the use of dust suppression additives for dust control (if required) or closure of pit operations.
- Application of water sprays on materials crushing operations.
- Application of water sprays on materials screening operations.
- Retention of particulate matter within the pit for activities occurring in the pit.
- Covering loads with a tarpaulin.
- Limit load sizes to ensure material is not above the level of truck sidewalls.
- Minimising travel speeds and distances.

5.4. Noise and Vibration

5.4.1. Introduction

The proposal involves continued extractive industry operations within an existing gravel pit. The proposal will disturb less than 1.8ha of the original 4.8ha quarry site. The proposed new gravel pit is well separated from the nearest sensitive receptor and is unlikely to result in noise or vibration impacts. On this basis, a noise impact assessment has been prepared for the proposal.

5.4.2. Existing Conditions Assessment

The proposal involves continued extractive industry operations at an existing gravel pit site. The proposal will disturb less than 1.8ha of the original 4.8ha quarry site. The nearest sensitive receptor is 1.7km to the west of the proposal.

It is assumed all noise sources will be contained with the quarry footprint area, including excavators and front-end loaders for extraction, a mobile processing plant for processing the material and a front-end loader for stockpiling material and loading of haul trucks and haulage offsite.

5.4.3. Assessment of Impacts

The POEO Act sets the statutory framework for managing noise and vibration in NSW. The EPA released the Noise Policy for Industry (NPI) in October 2017 which provides a process for establishing noise criteria for consents and licenses enabling the EPA to regulate noise emissions from scheduled premises under the POEO Act. The objectives of the NPI are to:

- Provide noise criteria that is used to assess the change in both short term and long term noise levels;
- Provide a clear and consistent framework for assessing environmental noise impacts from industrial premises and industrial development proposals;
- Promote the use of best-practice noise mitigation measures that are feasible and reasonable where potential impacts have been identified; and
- Support a process to guide the determination of achievable noise limits for planning approvals and/or licences, considering the matters that must be considered under the relevant legislation (such as the economic and social benefits and impacts of industrial development).

The policy sets out a process for industrial noise management involving the following key steps:

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- Determine the Project Noise Trigger Levels (PNTLs) (i.e. criteria) for a development.
 These are the levels (criteria), above which noise management measures are required to be considered. They are derived by considering two factors: shorter-term intrusiveness due to changes in the noise environment; and maintaining the noise amenity of an area.
- Predict or measure the noise levels produced by the development with regard to the presence of annoying noise characteristics and meteorological effects such as temperature inversions and wind.
- 3. Compare the predicted or measured noise level with the PNTL, assessing impacts and the need for noise mitigation and management measures.
- 4. Consider residual noise impacts that is, where noise levels exceed the PNTLs after the application of feasible and reasonable noise mitigation measures. This may involve balancing economic, social and environmental costs and benefits from the proposed development against the noise impacts, including consultation with the affected community where impacts are expected to be significant.
- Set statutory compliance levels that reflect the best achievable and agreed noise limits for the development.
- 6. Monitor and report environmental noise levels from the development.

Project Noise Trigger Levels

The policy sets out the procedure to determine the PNTLs relevant to an extractive industry development. The PNTL is the lower (i.e. the more stringent) of the Project Intrusiveness Noise Level (PINL) and Project Amenity Noise Level (PANL) determined in accordance with Section 2.3 and Section 2.4 of the NPI.

Project Intrusiveness Noise Level (PINL)

The PINL (LAeq(15min)) is the RBL + 5dB and seeks to limit the degree of change a new noise source introduces to an existing environment. Hence, when assessing intrusiveness, background noise levels need to be measured / predicted.

For low noise environments, such as rural environments like the Bendall's Pit site, minimum assumed RBLs apply within the NPI and can be adopted in lieu of completing background noise measurements. This is considered the most conservative method for establishing noise criteria for a project. These result in minimum intrusiveness noise levels as follows:

- Minimum Day RBL = 35dBA;
- Minimum Evening RBL = 30dBA; and
- Minimum Night RBL = 30dBA.

Due to the rural nature of the locality, the PINLs for the Bendall's Pit are assumed to be based on the minimum RBL+5dBA.

Project Amenity Noise Level (PANL)

The PANL is relevant to a specific land use or locality. To limit continuing increases in intrusiveness levels, the ambient noise level within an area from all combined industrial sources should remain below the recommended amenity noise levels specified in Table 2.2 of the NP). The NPI defines two categories of amenity noise levels:

- Amenity Noise Levels (ANL) are determined considering all current and future industrial noise within a receiver area; and
- Project Amenity Noise Level (PANL) is the recommended level for a receiver area, specifically focusing the project being assessed.

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PANL for new industrial developments = recommended ANL minus 5dBA. The following exceptions apply when deriving the PANL:

- Areas with high traffic noise levels;
- Proposed developments in major industrial clusters;
- Existing industrial noise and cumulative industrial noise effects; and
- · Greenfield sites.

Where the PANL is applicable and can be satisfied, the assessment of cumulative industrial noise is not required.

Therefore, the recommended amenity noise levels from the NPI for a Residence in a Rural noise amenity area are:

- Day 50 dB LAeq(period)
- Evening 45 dB LAeq(period)
- Night 40 dB LAeq(period)

Assessment criteria for Bendall's Pit proposal

- Noise Management Levels (NMLs) for construction activities for all residential receivers are 45dB LAeq(15min) (RBL +10dB).
- The PINLS for the proposal are 35 dB LAeq(15min) for the morning shoulder and 40 dB LAeq(15min) for the day period.
- The PANLs for the proposal are 43 dB LAeq(15min) for the night / morning shoulder and 50 dB LAeq(15min) for the day.
- The PNTLs for the proposal are therefore 35 dB LAeq(15min) for the morning shoulder and 40 dB LAeq(15min) for the day period.

Maximum Noise Level Assessment

The potential for sleep disturbance from maximum noise level events from a project during the night-time period needs to be considered. The NPI considers sleep disturbance to be both awakenings and disturbance to sleep stages. The proposal does not involve night works and no further consideration of this matter is made in this SEE.

Road Noise Policy

The road traffic noise criteria are provided in the Department of Environment, Climate Change and Water NSW (DECCW), Road Noise Policy (RNP), 2011. The policy sets out noise criteria that provide for a degree of amenity appropriate for the land use and road category. Noise emissions associated with haulage of material on local roads are unlikely to have a significant noise impact due to the separation from nearby sensitive receptors and roads, small scale of haulage operations and infrequency of haulage operations.

ANZECC Blasting Guidelines

Noise and vibration levels from blasting are assessable against criteria established in the Australian and New Zealand Environment Conservation Council (ANZECC) – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration. The blasting limits are generally consistent with the guideline levels contained within AS2187:2006 Part 2 – Explosives - Storage and Usage – Part 2. Where compliance is achieved, the risk of human annoyance is minimised.

The proposal does not involve blasting and therefore no further conditions of the ANECC blasting guidelines is made in this SEE. Noise emissions associated with construction phase and operational phase activities are unlikely to have a significant noise impact due to the

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separation from nearby sensitive receptors, limited area of disturbance, small scale of the activity and implementation of management measures.

5.4.4. Management and Mitigation

The proposed noise management measures are to be employed at the site are as follows:

- Enclose fixed engines, pumps and compressors where practicable.
- Maintain equipment in accordance with the original equipment manufacturer's specifications.
- Shut down equipment when not in use.
- Reduce vehicle speed on internal access roads.
- Heavy mobile equipment (e.g. front-end loaders, dozers, haul trucks, excavators) shall be fitted with broadband reversing alarms to mitigate potential nuisance from tonal characteristics of traditional beeper alarms.
- Avoid unnecessary operation of plant or revving of mobile or stationary motors and engines.
- Mobile plant and equipment operated at the site should be selected and maintained to minimise noise emissions.
- All internal roads for road haulage and off-road trucks shall be constructed and maintained to avoid excessive noise associated with uneven surfaces and potholes.

5.5. Traffic and Transport

5.5.1. Introduction

The proposal involves continued extractive industry operations within an existing gravel pit. All quarry materials from the proposal will be delivered directly to the road network for use by Parkes Shire Council in the construction and maintenance of the local road network. The access onto Robertson Road is already constructed. No new works on the public road network is required. On this basis, a traffic impact assessment has been undertaken.

5.5.2. Existing Conditions Assessment

Vehicular access to the site is already provided via Robertson Road (refer Figure 3 – Existing Pit Layout Plan and Photograph 4).

5.5.3. Assessment of Impacts

The proposal would produce less than 30,000 cubic metres of gravel per annum for direct supply to the local road network for construction and maintenance purposes.

The proposed development is not traffic generating development as defined under Schedule 3 of the Infrastructure SEPP and is not development that has implications for main roads.

The Bendall's Pit is located over 5km from the Parkes - Narromine Railway. Assessment of the implications of the proposed gravel pit has been undertaken against the general functioning of the local road network and level crossing in the area, including the level crossing on the Trewilga Road (east of the quarry site). It is assessed the proposal will place no significant additional traffic volumes on level crossings, and there is no warrant for railway / road upgrades. No implications for rail infrastructure / operations are assessed to occur, including stormwater drainage, noise, air quality, overshadowing, visibility, heritage assets or the like.

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The impact on the local road network will be light vehicles and trucks associated with Parkes Shire Council's Roads Program. An existing access to Robertson Road has been constructed by Parkes Shire Council to service the existing pit operations and is considered suitable for proposed new pit operations. Traffic and transport impacts are assessed to be minimal and offset by the benefits produced from road construction and maintenance. No road contributions or road upgrades are warranted.

5.5.4. Management and Mitigation

No additional mitigation measures are proposed, other than maintenance of the existing access off Robertson Road.

5.6. Visual Impacts and Amenity

5.6.1. Introduction

The proposed development will result in minimal changes to the surrounding landscape, given the proposal involves use of an existing gravel pit which is largely screened from Robertson Road and not readily visible from the nearest residential receptors.

5.6.2. Existing Conditions Assessment

The site sits within a context of rural land-use, with isolated dwellings further afield. The gravel pit is not readily visible from the nearest sensitive receptors or traffic travelling along Robertson Road.

5.6.3. Assessment of Impacts

An assessment of the potential impacts of the proposed development on visual amenity has been undertaken, including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain.

The visual impacts of the proposal have been assessed against the contrast that will result post new gravel pit operations. It is assessed that the physical changes to the landscape will not create significant impacts on the context and setting of the area, largely due to the separation of the gravel pit from the nearest sensitive receptors.

5.6.4. Management and Mitigation

No additional mitigation measures are proposed, other than continued extractive industry operations within the confines of the existing gravel pit and maintenance of existing vegetation around the perimeter of the pit.

5.7. Heritage

5.7.1. Introduction

The Bendall's Pit site is not listed as heritage items under the PLEP or State Heritage Register. Assessment of the potential impacts associated with cultural and built heritage have been considered in this section.

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5.7.2. **Existing Conditions Assessment**

There are no recorded Aboriginal heritage sites recorded in and around the site. The proposal involves continued extractive industry operations within an existing gravel pit. The gravel pit site comprises 'disturbed land', as defined under NPW Regulation. The site is not listed as a local heritage item listed under the PLEP or State Heritage Register. There are no features of the site that are particular rare or have significant heritage value.

5.7.3. Assessment of Impacts

A visual inspection of the site reveals a highly disturbed / modified built environment. Section 80B of the NPW Regulation define disturbed land as follows:

Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable. Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.

Due to the highly disturbed nature of the gravel pit site, it is highly unlikely that any items of Aboriginal heritage will be discovered during new pit works. The proposal is considered to be a "low impact activity" and is exempt from the Due Diligence process as per Section 80B (1) of the NPW Regulation. Consequently, an Aboriginal Archaeological Due Diligence Assessment is not required.

Assessment of historic and built heritage is open for assessment, based on the matters for consideration under Section 4.15 of the EP&A Act. This assessment has revealed no impacts on heritage items. Consequently, a Heritage Impact Assessment is not required.

5.7.4. Management and Mitigation Measures

Due to the disturbed nature of the Bendall's Pit site, it is unlikely that any items of Aboriginal heritage will be discovered during construction of building improvements. No specific mitigation strategies are proposed, other than general awareness of the legislative protection of Aboriginal objects under the NPW Act in the unlikely event that artefacts are discovered.

5.8. Public Safety Hazards

5.8.1. Introduction

An assessment of the potential impacts of the proposal on:

- hazards:
- worker safety;
- public safety (pedestrian and motorists);
- contamination; and
- waste

in order to minimise safety risks and impacts on the public domain.

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5.8.2. Existing Conditions Assessment

The proposal will utilise standard operational measures that a typical to the industry and the following site-specific hazards identified at the Bendall's Pit site, as follows:

- The handling, storage and disposal of hydrocarbons.
- Potential for bushfire.
- Potential for unauthorised access to the site.

5.8.3. Assessment of Impacts

The land that accommodates the Bendall's Pit is mapped as comprising bushfire prone land. The RFS mapping tool identifies the site within a designated bushfire prone area. It should be noted that no permanent buildings will be constructed for the proposal and thus the objectives have been considered in relation to the areas which would be most likely to be populated during the day-to-day operations of the proposal. Therefore, the assets considered most at risk include employees and the local community. The gravel pit site is devoid of vegetation and will have a safe evacuation route to Robertson Road.

The site is not flood prone.

In relation to public safety risks associated with unauthorised access to the site, the site is fenced, gates would be locked when not in use and appropriate signage alerting the public to the quarry would be placed at the entrance to the access to the proposal. In addition, the landowner's residence is located within the site and there has been no history of unauthorised access to the site. As a result, public safety risks associated with unauthorised access to the site are considered negligible.

Waste generated by the proposal is likely to be moderate and can be managed appropriately and assuming adherence to industry standard waste management measures. Based on the adoption of these mitigation measures the site can minimise waste management impacts to an acceptable level. In relation to risks associated with hydrocarbons, based on the proposed management and mitigation measures, the risk of hydrocarbon contamination of land are considered to be negligible.

5.8.4. Management and Mitigation

The proposal will implement the following risk management measures to minimise the potential for worker and public safety, waste and hazard related impacts:

Bushfire Hazard

A bushfire management plan would be prepared in consultation with the local Rural Fire Service. The bush fire management would include the following:

- A review of bush fire hazards and identification.
- A summary of controls and management measures including fire response equipment and locations.
- Emergency contact details.
- Training requirements.

Furthermore, the proposal would:

 Ensure that the site remains fenced and the entrance is locked when the site is not occupied.

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- Store hydrocarbons and hazardous materials in bunded, impervious areas undercover in accordance with the relevant Australian Standard, including A\$1940 – The Storage and Handling of Flammable and Combustible Liquids.
- Ensure that fuel loads in undisturbed sections of the site are managed to minimise the
 potential for bushfire.
- Ensure that all plant is fitted with appropriate fire suppression equipment.
- Ensure that a water cart is available during all extraction campaigns, thereby providing firefighting capabilities if required.
- In the event that the site is threatened by a bushfire, site personnel would be evacuated to the nearest safest place. Alternatively, if evacuation were not possible or safe, the proposal would provide a cleared area for personnel to shelter.

Unauthorised Access

The proposal would ensure that the site remains fenced and the entrance is locked when the site is not occupied. Appropriate signage alerting the public to the quarry would be placed at the entrance to the access to the proposal.

Waste

The proposal would ensure the following:

- Appropriate waste receptacles must be provided for the segregation and storage for waste.
- All wastes will be segregated onsite and disposed of with specific licensed waste services providers.
- Waste storage areas would be more than 150m from mapped bushfire prone land.
- Bins and storage areas must be maintained so they are free of vermin (mice, rats, cockroaches, flies).
- Littering is not permitted. All worksites must be free of litter, including cigarette butts.
- No waste is to be burnt on site.
- Store hydrocarbons and hazardous materials in bunded, impervious areas undercover in accordance with the relevant Australian Standard, including AS1940 – The Storage and Handling of Flammable and Combustible Liquids.
- All waste streams are to be removed off site by a licensed waste contractor to a lawful point of disposal.
- The Environmental Management Plan would incorporate a waste management strategy.

5.9. Social and Economic

5.9.1. Introduction

An assessment of potential social and economic impacts of the proposed development has been undertaken.

5.9.2. Existing Conditions Assessment

The site and surrounding land are zoned RU1 Primary Production. The proposed gravel pit is to be largely confined within the active extraction area of an existing gravel pit. The land surrounding the proposed gravel pit will continue to be used for agricultural purposes concurrently with the operation of the proposal.

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5.9.3. Assessment of Impacts

An assessment of potential impacts of the proposed development has been undertaken with regards to scoping methodology outlined in the *Social Impact Assessment Guideline 2017* (SIA Guideline), published by the Department of Planning and Environment. **Table 6 – SIA Guideline Assessment** provides an assessment of the proposed development against the criteria in the SIA Guideline.

Table 6 – SIA Guideline Assessment

Matters	l A	Key Links to Social Impacts	Risk of Impact Without Mitigation	Nature of Impact	Explanation
Amenity	Acoustic	Way of life;	Unlikely	Negative	Noise emissions are unlikely to impact on nearby sensitive receptors.
	Visual	Surroundings	Unlikely	Negative	The proposal has been designed to avoid visual amenity impacts to the greatest numbers of nearby sensitive receptors as possible.
	Odour	Surroundings	Unlikely	Negative	The proposal will not produce a strong odour.
	Microclimate	Surroundings	N/A	Nil	The proposal will not significantly impact microclimate.
Access	Access to property	Way of life;	N/A	Nil	The proposal will not impact on access to neighbouring properties.
	Utilities and public transport	Access to infrastructure, services and facilities;	Unlikely	Negative	The proposal will not utilise public roads for transportation.
	Road and rail	Personal and property rights.	Unlikely	Negative	The proposal will not utilise public roads and rail sidings for delivery of products.
Built Environment	Public domain	Community;	N/A	Nil	The proposal will not impact the public domain as it will be located on private land.
	Public infrastructure	Access to infrastructure,	N/A	Nil	The proposal will not preclude public access to

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Matters		Key Links to Social Impacts	Risk of Impact Without Mitigation	Nature of Impact	Explanation
		services and facilities;			public infrastructure.
	Other built assets	Surroundings; Personal and property rights.	N/A	Nil	As above.
Heritage	Natural	Way of life;	N/A	Nil	Natural heritage of the site is not compromised by the proposed development.
	Cultural	Community;	Likely	Negative	The proposal will not impact on cultural values in the public domain.
	Aboriginal culture	Culture;	Likely	Negative	The proposal will implement the unexpected finds procedure.
	Built	Surroundings.	Unlikely	Negative	There are no built heritage items registered on the site
Community	Health	Health and wellbeing;	Likely	Negative	Dust and noise emissions are expected to be below NSW guidelines at the nearby sensitive receptors therefore minimising the possibility of any health impacts to the community.
	Safety	Surroundings;	Likely	Negative	The proposal has been assessed as not increasing a known safety risk.
	Services and facilities	Way of life; Access to infrastructure, services and facilities;	N/A	Nil	The proposal does not impact access to public services or facilities.
	Cohesion, capital and resilience	Way of life; Community; Culture;	Likely	Positive	The proposal will provide employment opportunities to the local community and contribute to the community

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Matters		Key Links to Social Impacts	Risk of Impact Without Mitigation	Nature of Impact	Explanation
					through various community benefit programs.
	Housing	Way of life; Personal and property rights.	N/A	Nil	As per above.
Economic	Natural resource area	Way of life;	Likely	Positive	The proposal will utilise available natural resources in a sustainable manner. The natural resources consumed will be supplied to support the construction of the Inland Rail Project.
	Livelihood	Surroundings;	Likely	Positive	The proposal will provide employment and training opportunities for the area. The economic activity generated by the quarry will also relate to the longer-term benefit to the region through the construction of the Inland Rail Project.
	Opportunity cost	Personal and property rights	N/A	Nil	The net benefit to the community and region outweighs the utilisation of geological resources. The opportunity cost would favour the use of the land as a quarry over agricultural uses. The site can be rehabilitated for longer term outcomes.
Air	Air emissions.	Surroundings	Likely	Negative	The proposal is unlikely to exceed

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Matters		Key Links to Social Impacts	Risk of Impact Without Mitigation	Nature of Impact	Explanation
					the NSW EPA air quality criteria. Air quality mitigation measures will be implemented during the operation and monitoring will be carried out to ensure ongoing compliance.
Biodiversity	Native vegetation and fauna	Surroundings	Likely	Negative	Vegetation clearing is proposed on site however the net loss of biodiversity impacts are minimal.
Land	Stability/structure, land capability, topography	Surroundings	Likely	Negative	While the proposal will result in land disturbance, controls will be in place to overcome these impacts and the land will be rehabilitated following the cessation of the extractive activities.
Water	Quality, availability, hydrological flows	Surroundings	Unlikely	Negative	Soil and water management measures will be implemented to ensure the proposed development has minimal impact to surrounding water bodies and hydrological flows.

Considering the proposal in the context of the existing gravel pit operations as well as the previously addressed issues related to biodiversity, water and air quality, noise, traffic, heritage, safety and visual amenity, the proposal would be unlikely to have an unacceptable impact on residents or the environment within or surrounding the site. As a result, adverse socioeconomic impacts are assessed to be negligible.

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5.9.4. Management and Mitigation

Management and mitigation measures for each of the elements comprising a potential social impact (e.g. noise, traffic, visual amenity and air quality) have been addressed in their relevant sections of the SEE. Furthermore, the proposal would implement the following management and mitigation measures to ensure that the proposal-related benefits for the community surrounding the site are maximised and adverse impacts are minimised:

- Maintain a complaints telephone line and ensure that the existence of the number is advertised at the site entrance.
- Give preference, where practicable and cost-competitive, to suppliers of equipment, services or consumables located within the surrounding communities.

The SEE has considered land-use compatibility and recommended that the site is considered suitable for the proposal with respect to land use zoning and the intended purpose of the land and surrounding land.

Management and mitigation measures for each of the elements comprising a potential impact (e.g. noise, air quality, access, traffic, visual amenity, built heritage, and safety) have been addressed in their relevant sections of the SEE.

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Evaluation and Justification of the Proposal

6.1. Introduction

This section presents the evaluation and justification of the proposal in light of the objects of the EP&A Act. It also assesses the proposal against the principles of Ecologically Sustainable Development (ESD) and other key policy guidelines in order to provide further guidance as to the acceptability of the proposal, as presented in the SEE. An assessment of the consequences of not proceeding with the proposal and site suitability is also undertaken in this section.

6.2. Object of the EP&A Act

Development Consent is being sought under Section 4.16 of the EP&A Act and must therefore satisfy the objectives of the EP&A Act. The objectives of the Act are listed below:

- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c) to promote the orderly and economic use and development of land,
- d) to promote the delivery and maintenance of affordable housing,
- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g) to promote good design and amenity of the built environment,
- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- j) to provide increased opportunity for community participation in environmental planning and assessment.

The development site is zoned RU1 Primary Production, which permits extractive industries with consent. The proposal is not antipathetic to the objectives of the EP&A Act and will help to support transport and business objectives in the region by providing road base materials for Council's Roads Program. It is recommended that the objects of the EP&A Act have been satisfied by the proposal and this SEE.

6.3. Ecological Sustainable Development

ESD is a long-standing and internationally recognised concept. The concept has been affirmed by the 2002 World Summit for Sustainable Development and has been included in multiple pieces of Federal and State legislation. Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as:

Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

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The proposal has endeavoured to address long established ESD principles, as follows:

- The precautionary principle No serious environmental threats have been identified.
 No delays to the final design investigations or assessment process are recommended to allow for additional information / studies / surveys to take place under different climatic or seasonal conditions.
- Inter-generational (social) equity Social equity provides a notion of preservation of environmental aspects that cannot be replaced for the enjoyment of future generations. Generally, such aspects relate to biodiversity, cultural heritage, landuse and the transformation of the locality as a result of the development. The proposal has considered such aspects and the SEE assessment concludes that environmental impacts will be minimal. By adopting the recommendations in this SEE for the construction and operational phases, the operation of intergeneration equity can be maintained.
- Conservation of biological and ecological integrity Given the highly disturbed /
 modified nature of the site, no significant flora or fauna issues have been identified.
 Procedures will be implemented during construction and operation of the premises to
 minimise potential risks on the environment.
- Improved valuation, pricing and incentive mechanisms The small volumes of waste generated from the proposal will be appropriately managed to minimise impacts on common public areas, the appropriate pricing mechanism are used to reflect the user pays approach to environmental management.

An environmentally sustainable design framework has been incorporated into the Gravel Pit Conceptual Plans to:

- Identify high quality material for extraction, processing and haulage to the local road network
- Reduce the operational costs associated with the building additions.
- Improve energy and water efficiency by creating covered / shaded areas on the site.
- Provide a healthy / safe working environment throughout the premises, relative to the age and condition of existing buildings on the site.

6.4. Safety Security and Crime Prevention

The design of the premises has focused on the safety and well-being of all users, including staff and contractors. The design maintains good safety standards. Adequate site security will be maintained and clear sightlines around entry / exits to ensure safety of haulage operations.

6.5. Cumulative Impacts

The potential environmental impacts of the proposal have been detailed in the relevant sections of the SEE. The proposal will not result in a net impact to biodiversity, water quality, air pollution, noise, safety, loss of views, traffic or parking. Overall, the proposal makes a neutral / positive contribution to the environment. The proposal is considered compatible with the site and its surrounds and does not contribute to having a significant cumulative impact.

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6.6. Suitability of the site for the Development

The suitability of the site has proven with historic use of the site for a gravel pit. The site has the capacity to support the proposed new gravel pit operations without creating adverse impacts on the site or adjoining land. The proposal is considered suitable on the site.

6.7. Public Interest

The proposal has been identified for continued gravel quarry operations under Parkes Shire Quarry Strategy in 2021.

The proposal is permitted in the RU1 Primary Production zone. There are no specific policy statements from either Federal or State Government that are relevant to the proposal, nor any planning studies or strategies that need to be taken into account. There are no covenants, easements or agreements that affect the proposal in the long term.

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

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7. Conclusion

This Statement of Environmental Effects has been prepared by Currajong Pty Ltd on behalf of Parkes Shire Council to support a Development Application for a proposed gravel pit on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill.

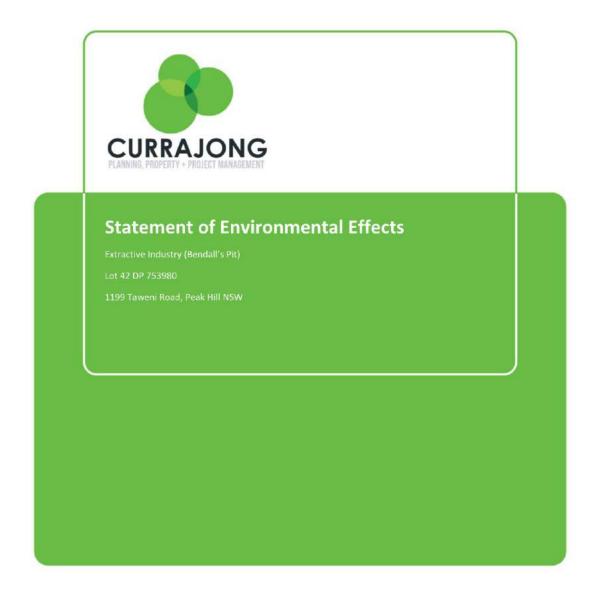
The proposed gravel pit is to be managed by Parkes Shire Council at a rate that is less than 30,000m³ per annum for a period of up to 25 years, subject to resource availability and Council's Roads Program.

The assessment of the proposed development has been documented in this Statement of Environmental Effects to visualise all aspects of the relevant matters for consideration under the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000. The assessment concludes the site is permissible in the RU1 Primary Production zone and consistent with relevant design standards.

It is recommended that sufficient information has been submitted with the Development Application to allow the Parkes Shire Council to make an informed decision on the proposal. It is the findings of this Statement of Environmental Effects that the proposed development should be supported.



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1. INTRODUCTION

1.1. Scope

This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Parkes Shire Council, the applicant for the proposed Bendall's Pit located on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill. This document has been prepared to accompany a development application for a proposed extractive industry within the confines of an existing gravel quarry, known as Bendall's Pit (the proposal). As a result of an additional information request from Parkes Shire Council on 12 January 2022 the SEE has been updated to include revised mapping of the proposed gravel pit.

1.2. Overview

Parkes Shire Council has operated a gravel pit known as Bendall's Pit for over 30 years. Parkes Shire Council wishes to continue to operate a new gravel quarry at the Bendall's Pit location at Lot 42 DP 753980, to supply material for construction and maintenance of the local road network.

The existing site of the gravel pit is approximately 4.8 hectares (ha) in size and has vehicular access from Robertson Road. The old gravel pit site is surrounded by rural farmland on all sides. The site is located approximately 10km south of Peak Hill and 12km north of the Northparkes Mines (refer Figure 1 – Site Location Plan and Figure 2 – Site and Surrounds Plan) on the western flank of a small hill. The gravel pit is isolated from nearby sensitive receptors, as shown on Figure 2.

The proposal is to operate a new gravel quarry that will extract less than 30,000 cubic metres of gravel material per annum within a total disturbance area of less than 2 hectares and for a period of up to twenty five (25) years. The proposal will supply gravel material directly to the surrounding local road network for construction and maintenance purposes associated with Parkes Shire Council's Roads Program.

The layout of the proposed new extractive industry, in relation to the historic pit envelope and the surrounding area is shown on Figure 3 – Existing Pit Layout Plan and Figure 4 – Conceptual Quarry Development Plan). The proposal includes progressive rehabilitation of the site to achieve a post extraction landform suitable for rural activities, including livestock grazing (refer Figure 5 – Conceptual Rehabilitation Plan)

1.3. Application particulars

Applicant	Parkes Shire Council
Proposed Site	Lot 42 DP 753980
Proposal	Extractive industry (gravel quarry)
Estimated capital cost	\$5,320 excluding GST
Zoning	RU1 Primary Production under Parkes Local Environmental Plan 2012
Consent Authority	Parkes Shire Council



1.4. Approvals required

The proposal requires development consent under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The proposal does not trigger 'designated development' pursuant to Part 1, Section 19 of Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) for 'Extractive Industries' because:

- less than 30,000m3 per annum would be extracted; and
- less than 2ha of disturbance would occur; and
- all areas of disturbance are more than 40m from a waterway; and
- the existing slope of the gravel pit footprint area is less than 18 degrees to the horizontal; and
- the gravel pit footprint does not involve blasting and is more than 500m of a dwelling not associated with the development; and
- the quarry footprint is more than 500m from another extractive industry.

The proposal does not trigger 'regionally significant development' because it is not designated development and has a capital investment values of less than \$30 million.

The proposal does not trigger 'integrated development' because it does not involve the extraction, processing or storage of more than 30,000 tonnes per annum (tpa) of extractive materials or the crushing, grinding or separating of materials of more than 150 tonnes per day or 30,000tpa and therefore the proposal is not classified as a 'Scheduled Activity' and an Environment Protection Licence (EPL) is not required under the Protection of the Environment Operations Act 1997 (POEO Act).

The proposal does not trigger the Biodiversity Offsets Scheme (BOS) threshold, because it involves less than 1ha of clearing of regrowth white cyprus pine.

In accordance with Part 4 of the EP&A Act a Development Application is to be lodged with Parkes Shire Council, along with a Statement of Environmental Effects (this report) and various plans in support of the proposed extractive industry.



1.5. Format of the report

The information presented in this SEE covers all aspects of the proposal as specified under the EP&A Regulation. The SEE has been prepared as a single document of several sections as follows:

Section 1	Introduces the proposal and the main project drivers		
Section 2	Describes the main features of the site and surrounds		
Section 3	provides a description of the proposal, including a description of the existing gravel pit operations, proposed new gravel pit operations and the site rehabilitation phases of the project.		
Section 4	reviews the proposal against the relevant legislative requirements.		
Section 5	ion 5 assesses the potential impacts of the proposal and documents the proposed mitigation armanagement strategies proposed to minimise environmental impacts.		
Section 6	reviews the proposal against the environmental, economic and social considerations and other non-statutory best practice guidelines.		
Section 7	provides the conclusion for the SEE.		

The SEE is supported by the following figures and drawings:

Figure 1	Site location plan		
Figure 2	Site and surrounds plan		
Figure 3	Existing gravel pit layout plan		
Figure 4	Conceptual gravel pit redevelopment plan		
Figure 5	Conceptual rehabilitation plan		
Figure 6	Stormwater and sediment management plan		



2. DEVELOPMENT SITE DESCRIPTION

2.1. Site Description

The existing gravel pit, knowns as Bendall's Pit is located in the Parkes Shire, approximately 10km south of Peak Hill and 12km north of the Northparkes Mines (refer Figure 1 – Site Location Plan). The existing gravel pit is located on Lot 42 DP 753980, with access from Robertson Road which is located directly west of the site. The site of the gravel pit is approximately 4.8 hectares (ha) in area and comprises a relatedly shallow excavation site (ranging in depth of 2 to 12 metres below natural ground surface). Photographs of Bendall's Pit are shown below:

Photograph 1 - Bendall's Pit (view to north-east)



Photograph 2 - Bendall's Pit (view to north-west)





Photograph 3 - Bendall's Pit (view to south-west and quarry access road)



Photograph 4 - Bendall's Pit (view of quarry entrance from Robertson Road)



2.2. Land-use and zoning description

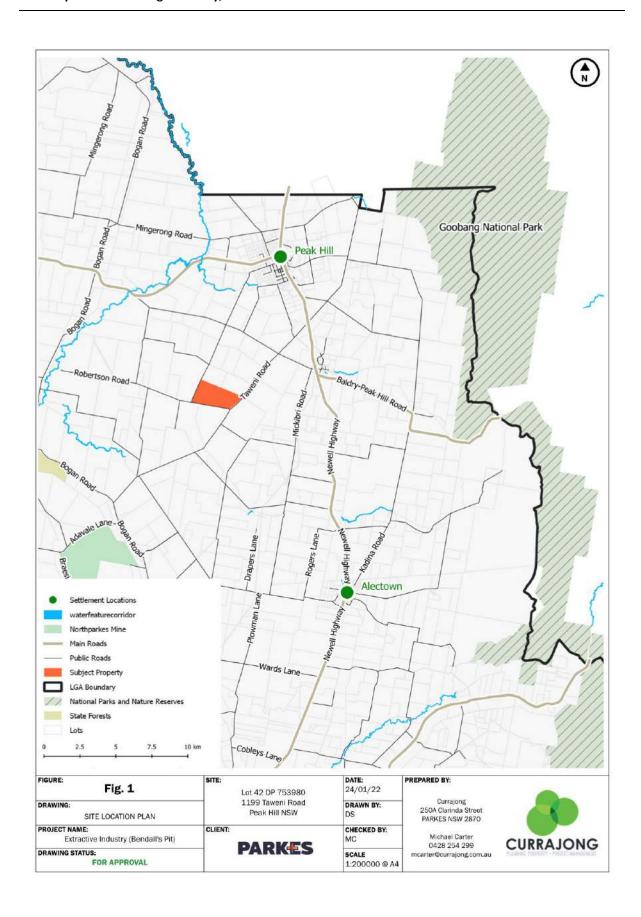
The site of the Bendall's Pit is zoned RU1 – Primary Production under the Parkes Local Environmental Plan 2012. Surrounding land is similarly zoned RU1 – Primary Production.

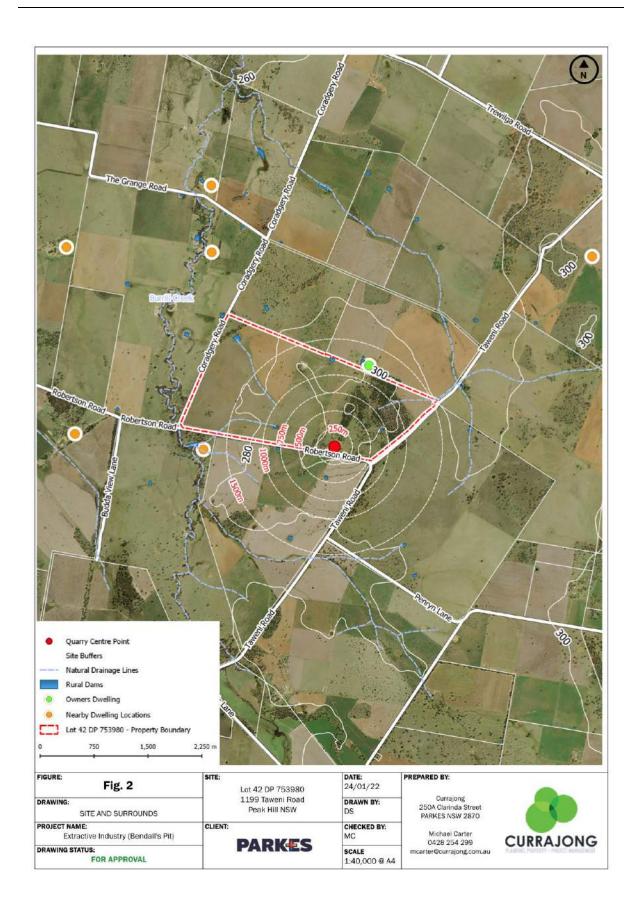
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2.3. Surrounding land-use description

The existing Bendall's Pit is generally surrounded by rural land-use comprising broadacre farming paddocks and isolated stands of native vegetation and regrowth vegetation. Robertson Road directly adjoins the site to the west. The closest residence to the quarry site is owned by R Bendall and located approximately 1.1km to the north. The nearest residence not associated with the quarry development is located 1.7km to the west (refer Figure 2 – Site and Surrounds Plan).







3. DESCRIPTION OF THE PROPOSAL

3.1. Objectives of the proposal

The principal objective of the proposal is to obtain development consent to enable the continued operation of the Bendall's Pit for extraction of gravel material. The proposal would enable the applicant (Parkes Shire Council) to supply gravel products to the surrounding local road network for construction and maintenance purposes. The objectives for the proposal are to:

- Provide a high quality, economical source of gravel products for construction and maintenance of the road network.
- Minimise to the greatest extent possible, impact to the local environment, community and stakeholders.
- Provide a final post extraction landform suitable for rural activities including livestock grazing.
- Ensure the operation of the proposal is safe, reliable and cost effective, contributing to the delivery
 of the Parkes Shire Council Roads Program and the economy of the region.

3.2. Overview of the proposal

The proposal is a new gravel quarry with a maximum annual extraction rate of less than 30,000 cubic metres of material per annum. The total area of proposed disturbance is less than 2ha (refer Figure 3 – Conceptual Site Layout Plan and Figure 4 – Conceptual Quarry Development Plan). The life of the quarry is anticipated to be less than 25 years, subject to resource availability and Parkes Shire Council's Roads Program. Blasting is generally not proposed and extraction will be via mechanical means. A number of white cyprus pine along the northern edge of the proposed gravel quarry would be removed to allow for the extension of the pit a further 50 metres further west of the previously disturbed active extraction area. This westerly pit expansion is to source high grade gravel material and to create a suitably graded and safe embankment along the western face of the quarry. Delivery of gravel material will be directly to the local road network via the existing access onto Robertson Road. Proposal extractive industry activities include:

- Delineation of the new (reduced) gravel pit footprint.
- Initial installation of new environmental controls including erosion and sediment control measures.
- Removal of white cyprus trees along the western edge of the quarry.
- Establishment of amenities as required and light vehicle parking area.
- Gravel pit operations (extraction, processing and stockpiling of material).
- Delivery of material directly to the surrounding road network.
- Closure and final rehabilitation of the gravel pit.

The Bendall's Pit will continue to involve extraction, processing and stockpiling of material in a single disturbance area. A mobile processing plant will be used to crush and screen the gravel material into a road base / re-sheeting product. Front end loaders will be used for loading of material into road haulage trucks. Stockpiled material is regularly calculated, based on survey. As such a weighbridge is not anticipated to be required as part of the operation. The active extraction area would also include a sediment basin and amenities will be provided on the site.



Progressive rehabilitation of the historic pit envelope would also be undertaken by Parkes Shire Council, under a separate program of environmental improvements being undertaken in accordance with the Parkes Shire Quarry Strategy 2021.

No chemical / fuel storage is proposed, with all plant to be serviced via PSC mobile plant or at the PSC Depot in Parkes.

3.3. Gravel Pit Layout

The site of the existing gravel pit is approximately 4.8ha and the total area of the proposed new gravel pit is 1.916ha, including the internal access road (refer Figure 3 – Conceptual Site Layout Plan and Figure 4 – Conceptual Quarry Development Plan).

3.4. Gravel Pit Resources and Products

The new pit site consists of a siltstone, claystone and sedimentary resource which forms a small hill. The low elevations, resource distributions, weathering profile and confining topography of the site has been well suited to simple lateral quarrying progression into the hillside by Parkes Shire Council earthmoving equipment. The resource is predicted to produce road base products, including fill and crushed gravel aggregates suitable for local road construction and maintenance projects. Detailed material testing to confirm suitability of the material will be undertaken subject to receipt of development consent. Photographs of material resources at Bendall's Pit are provided below:

Photograph 5 - View of Gravel Material prior to Processing





Photograph 6 - View of Gravel Material after Processing



3.5. Gravel Pit Operations

Once the proposed new pit design is implemented, the Bendall's Pit will continue to operate largely as existing but within a smaller / confined area of 1.916ha (refer Figure 4 – Conceptual Quarry Development Plan).

Similar to other gravel pits operated by Parkes Shire Council, the Bendall's Pit proposal will be operated on a campaign basis, whereby earthmoving, crushing or haulage operations may be conducted for several weeks, followed by no activity for several months other than material storage. Extraction would use standard quarrying methodologies that involve overburden stripping, mechanical extraction, processing and stockpilling with the final products used by Council for road building and maintenance. Blasting is not proposed.

When required, a mobile crushing and screening plant would be temporarily established at the site to process the extracted material. The number of plant and equipment deployed on-site is anticipated to vary. Types of major plant and equipment deployed on-site may include, but not be limited to a bulldozer, grader, excavator, off-road haul trucks and front-end loader. All quarry materials would be delivered directly to the local road network.

Photographs of the current operations at Bendall's Pit Parkes are provided as follows.



Photograph 7 - Bendall's Pit Typical Material Stockpile



Photograph 8 - Bendall's Pit Typical Support Services Operations



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3.6. Gravel Pit Water Management

Operational water would be required for dust suppression operations. This water would be sourced primarily from the sediment basin. Figure 6 provides the conceptual stormwater and sediment plan for the proposal, including the sizing of the sediment basin based on the following:

- Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom, 2004).
- Managing Urban Stormwater: Soils and Construction Volume 2C unsealed roads (DECC, 2008a).
- Managing Urban Stormwater: Soils and Construction Volume 2E mines and quarries (DECC, 2008b).

3.7. Gravel Pit Waste Management

The proposal is expected to produce a negligible amount of waste. The principal potential waste streams may include, but are not necessarily limited to:

- Material wastes (mud slurry and sediment laden water) from gravel processing and dust suppression.
- General solid wastes (putrescible and non-putrescible).
- Waste from on-site mechanical breakdowns (batteries, oil filters, waste oil / hydrocarbons and containers, oil / water emulsions and flat tyres).
- Domestic wastewaters.

Site wastes will be managed in the following manner:

- Establishing site management controls requiring all waste to be stored in vehicles.
- Removing wastes from site for disposal or recycling by appropriate licensed operator(s).
- Removing domestic wastewater from transportable toilet to an appropriate wastewater treatment plant.
- No burning or burying of wastes on-site.

3.8. Gravel Pit Infrastructure, Utilities and Services

There is currently limited infrastructure, utilities or services located at the site. Electricity would be sourced from mobile generators on the back of PSC service vehicles (if required). Potable water would be carried by each employee / contractor. Water for dust suppression will be sourced from the sediment basin or a licenced water cart supplier. Telecommunications would be provided by mobile phone and /or PSC Two-way Radio. Sewage management would be via a transportable toilet, serviced by a licenced waste contractor. Diesel fuel would be delivered to the site by PSC service vehicles and there would be no permanent fuel storage on site.

3.9. Gravel Pit Employment

The proposed temporary workforce when operating at full capacity is expected to comprise six (6) staff, including crushing contractors, loader operators and truck drivers. However, it is envisaged that only one (1) to two (2) persons would be working at the site on a usual day of quarrying operations.



3.10. Gravel Pit Hours of Operation

The hours of operation of the Bendall's Pit would continue to be:

- 7.00am to 5.00pm weekdays.
- No work on weekends or Public Holidays.

3.11. Gravel Pit Rehabilitation

The objective for rehabilitation of the proposal is to achieve a post extraction landform suitable for rural activities, including but not limited to livestock grazing (refer Figure 5 – Conceptual Rehabilitation Plan). As outlined on the rehabilitation management plan, the following measures are proposed:

3.11.1. Progressive Rehabilitation:

Rehabilitation is to be undertaken in stages, as follows:

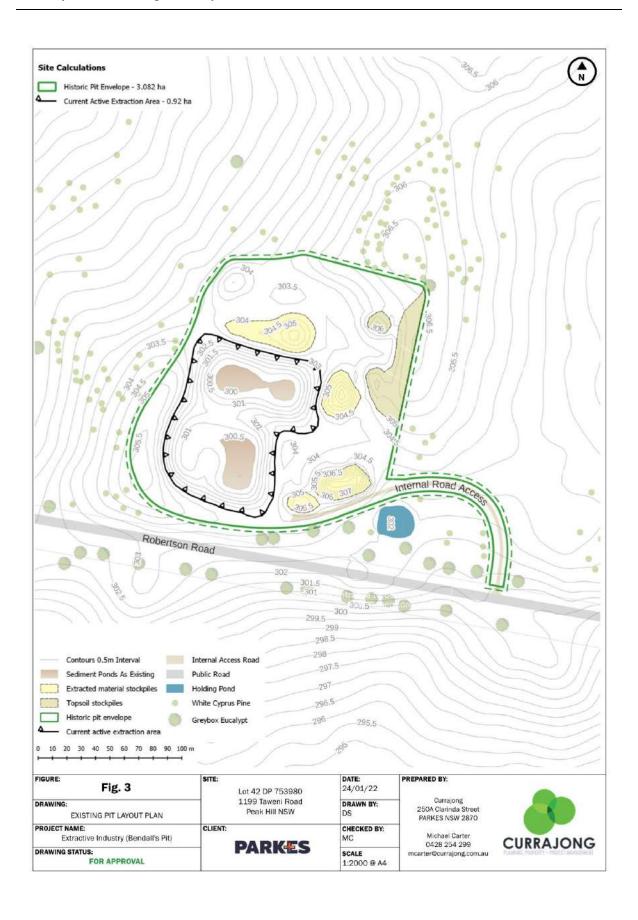
Stage 1 - Historic Pit Rehabilitation

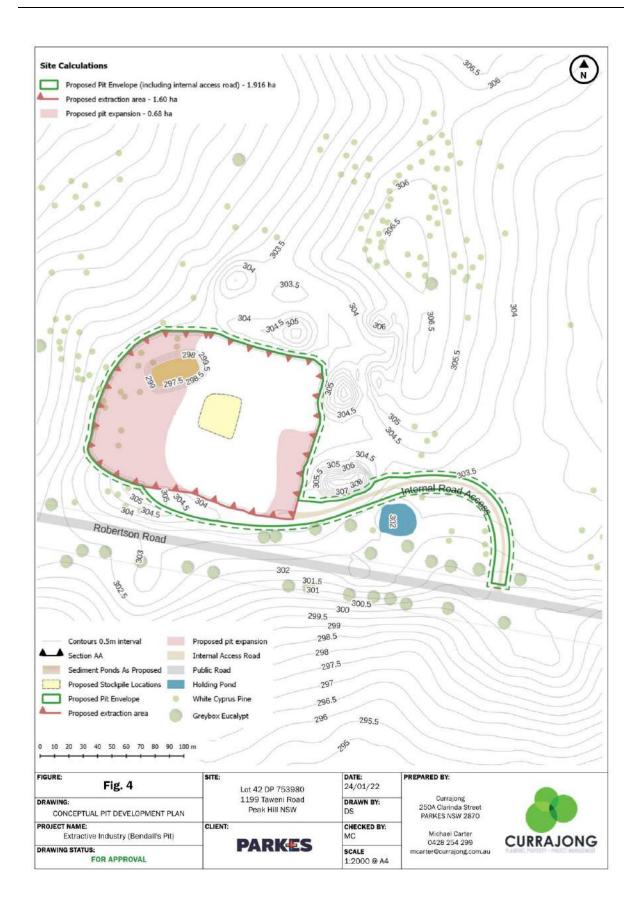
Rehabilitation of the historic pit areas would commence when the proposed new pit area is established and the slopes of the hisotic pit are properly graded, spread with available topsoil and re-establishment of grasses (with seed and fertiliser) suitable for the continuation of rural uses of the site. It is intended that the historic pit rehabilitation area would be fenced off from the proposed new pit area to prevent vehicle movement over the rehabilitation areas.

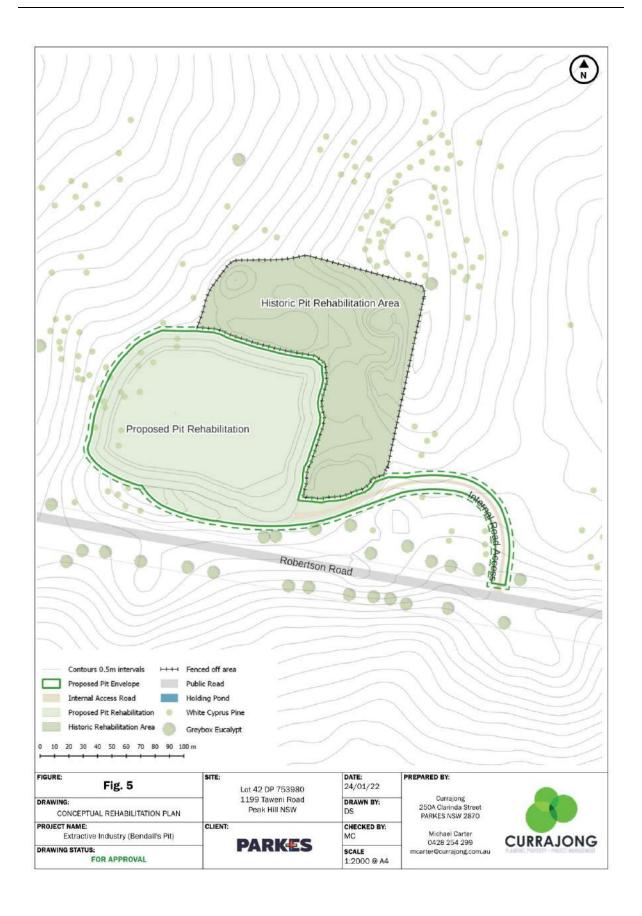
Stage 2 - Proposed Pit Rehabilitation

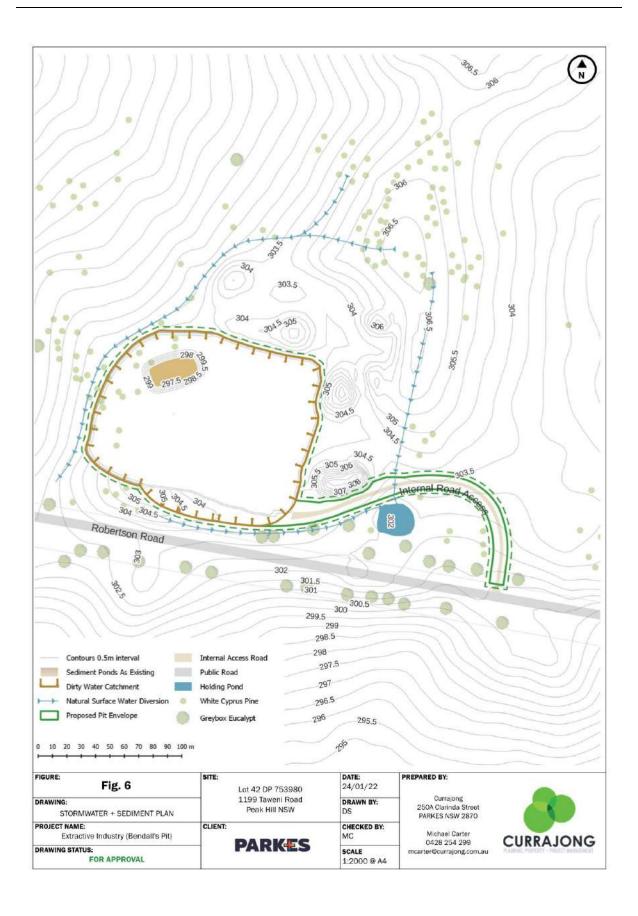
As the site approaches the end of its lifecycle, a large proportion of the historic quarry site is planned to have already been rehabilitated. Rehabilitation of the proposed pit would be undertaken when the final pit floor / drainage contours are reached. Rehabilitation work would comprise the following:

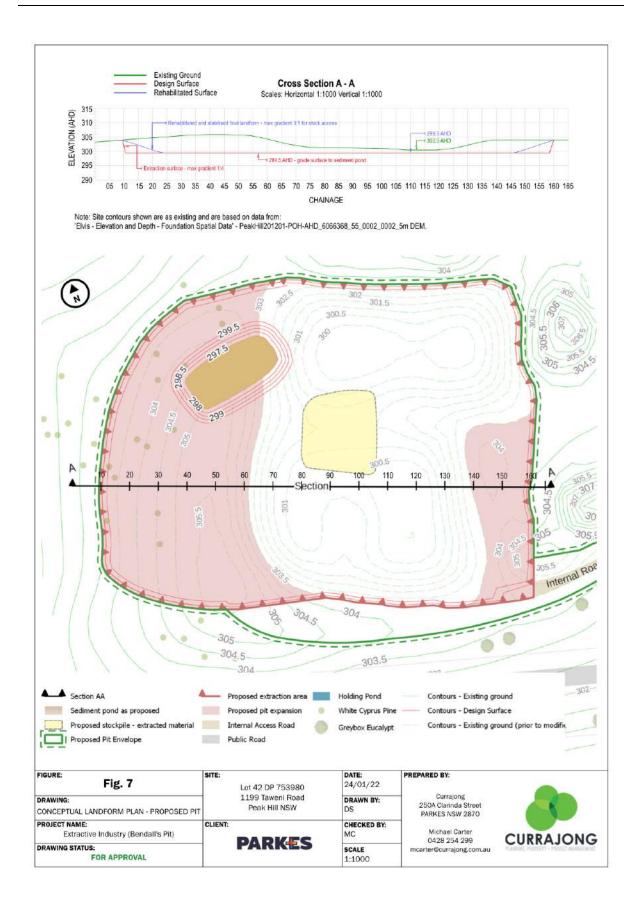
- Slopes to be graded to fall to the sediment basin.
- Available topsoil to be respread.
- Post extraction land-use to comprise of rural activities consisting of pasture grasses and livestock grazing.
- Re-establishment of grasses (with seed and fertiliser) suitable for the continuation of rural uses of the site.
- Sediment basin is to be retained as a clean water storage structure.
- Sediment is to be removed to convert the dam to a clean water storage structure.
- Property access to Robertson Road and internal access tracks will be retained.
- Sediment basins will be retained as clean water storage structures.
- Plant, equipment and buildings (including demountable and mobile equipment) will be removed.













4. PLANNING AND LEGISLATIVE CONTEXT

4.1. Introduction

The following section of the report describes the applicable local planning policies, State and Federal legislation and guidelines. The applicable documents are summarised in this section, followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.2. Commonwealth legislation

Under the Federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), referral is required to the Australian Government for proposed actions that have the potential to significantly impact on Matters of National Environmental Significance (MNES) or the environment of Commonwealth land. The assessment of the proposal's impact on MNES (refer Section 5) found that there is unlikely to be a significant impact on relevant MNES or on Commonwealth land. Accordingly, the proposal has not been referred under the EPBC Act.

4.3. New South Wales legislation

Environmental Planning and Assessment Act 1979

The EP&A Act forms the legal and policy platform for development assessment and approvals process in NSW. The objects of the EP&A Act are:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c. to promote the orderly and economic use and development of land,
- d. to promote the delivery and maintenance of affordable housing,
- to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g. to promote good design and amenity of the built environment,
- to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- to provide increased opportunity for community participation in environmental planning and assessment.

Under the EP&A Act, local councils prepare Local Environment Plan (LEPs) that specify planning controls for specific parcels of land. The EP&A Act also provides for State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs). Applicable environmental planning instruments are discussed in later



parts of this SEE. In general, development consent is required for the proposed extractive industry, pursuant to the Parkes Local Environmental Plan 2012.

4.3.1. Local Government Act 1993

Section 68 of the Local Government Act 1993 (LG Act) specifies that approval is required for a number of activities carried out on operational land, including:

- Structures or places of public entertainment.
- Water supply, sewerage and stormwater drainage work.
- Management of trade waste in the sewerage system.
- Swing or hoist goods over a public road.

No local government approvals are required.

4.3.2. Heritage Act 1977

The Heritage Act 1977 provides for the conservation of environmental heritage defined as places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance which are at least 50 years old. The Act applies to non-Aboriginal relics only, as Aboriginal relics are protected under the National Parks and Wildlife Act 1974.

The subject site is not listed on the State Heritage Register and an approval from Heritage NSW is not required under the Heritage Act 1977. The site is also not listed as a Heritage Item under the Parkes Local Environmental Plan 2012.

Heritage issues are assessed under Section 5 of this SEE. In general, no heritage issues / impacts have been assessed to apply, and an approval under the Heritage Act 1977 is not required to be obtained for the proposal.

4.3.3. National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) is administered by the Office of Environment and Heritage and provides the basis for the legal protection of flora and fauna in NSW.

Unless a licence is obtained under the NPW Act (or the Threatened Species Conservation Act 1995), it is an offence to harm any animal that is protected or is a threatened species, population or ecological community. It is also an offence to pick any plant that is protected or is a threatened species, population or ecological community. In addition, a person must not, by act or omission, damage any critical habitat.

The NPW Act also provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 86, 90 and 91 of the NPW Act provide statutory protection for any physical / material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community.

The site largely comprises 'disturbed land', as defined under The National Parks and Wildlife Regulation 2019 (NPW Regulation) and an Aboriginal due diligence assessment is not required. Aboriginal cultural heritage issues are assessed under Section 5 of this SEE. In general, no heritage issues / impacts have been assessed and an approval under the Heritage Act 1977 is not required to be obtained for the proposal. In general, no threatened species or Aboriginal issues / impacts have been assessed to apply, and an approval under the NPW Act is not required to be obtained for the proposed new gravel pit.



4.3.4. Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act 2016) provides a framework for the management of flora and fauna on lands within NSW. Under this Act the principles of ecologically sustainable development are used to achieve the conservation and protection of biodiversity values. Biodiversity impacts are addressed in Section 5 of this SEE. A small section of regrowth cycprus pine is proposed to be cleared along the northern edge of Bendall's Pit. Approval under the BC Act is not required for this area of land clearing proposed, given it does not meet the definition of native vegetation and is less than 1ha in area.

4.3.5. Roads Act 2016

Under Section 138 of the Roads Act 1993 a person must not erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road, otherwise than with the consent of the appropriate roads authority. Parkes Shire Council is the relevant authority for works on the local roads surrounding the Bendall's Pit. No new accesses or road works are proposed on the local road network to support the continued extractive industry operations at Bendall's Pit. An approval under the Roads Act 1993 is not required to be obtained for the proposed new gravel pit operations.

4.3.6. Protection of the Environment Operations Act 1997

The Protection of the Environment Operations Act 1997 (POEO Act) regulates air, noise, land and water pollution. The existing gravel pit operations on the site do not operate under an Environment Protection Licence (EPL) and Parkes Shire Council is the Appropriate Regulatory Authority (ARA) for general pollution control matters in the Parkes LGA. The nature and scale of the proposed new gravel pit operations do not fall under the threshold triggers that would require licensing by EPA under the POEO Act. No licence approvals are required.

4.3.7. Work Health and Safety Act 2011

The management and handling of hazardous substances and dangerous goods in NSW is controlled under the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2011. There are also Hazardous and Offensive Development Application Guidelines published by the Department of Planning, Industry and Environment that apply in NSW. No hazardous or offensive goods are currently stored or handled at the Bendall's Pit site in large quantities. Any handling of fuel, oils and chemicals will be temporary in nature and carefully limited / managed by PSC staff or approved contractors. A specific approval under this legislation and policy framework is not required to be obtained for the proposal.

4.3.8. Waste Management Act 2000

The objective of the Water Management Act 2000 (WM Act) is the sustainable and integrated management of the State's water sources for the benefit of both present and future generations by applying the principles of ecologically sustainable development to protect, enhance and restore water sources and their associated ecosystems, ecological processes and biological diversity and their water quality. The objectives of the Act were considered throughout the planning and design phases of this development. The watercourses and groundwater in the vicinity of the property will be protected through design and management practices, including diversion banks and sediment basins. The proposal is unlikely to intercept groundwater and any sediment basin and residual water storage structures will be within the maximum harvestable rights for the site. Water impacts are addressed in Section 5 of this SEE. In general, no specific approvals are required under the WM Act.



4.3.9. Rural Fires Act 1997

The Rural Fires Act (RF Act) 1997 requires approval of development on bushfire prone land as identified by a bushfire prone land map prepared under Section 146 of the EP&A Act. Review of the Rural Fire Service website and ePlanning Spatial viewer indicates the site of the Bendall's Pit is located on land comprising bushfire prone land. Bushfire risk is addressed in Section 5 of this SEE. In general, no specific impact mitigation or approvals are required under the RF Act to manage bushfire risk.

4.3.10. Noxious Weeds Act 1993

The Noxious Weeds Act 1993 (NW Act) provides for the declaration of noxious weeds by the Minister for Primary Industries. Noxious weeds may be considered noxious on a National, State, Regional or Local scale. All private landowners, occupiers, public authorities and Councils are required to control noxious weeds on their land under Part 3 Division 1 of the NW Act. Weed management is addressed in Section 45 of this SEE. In general, no specific impact mitigation or approvals are required under the Noxious Weeds Act to manage noxious weeds.

4.3.11. Contaminated Land Management Act 1997

Parkes Shire Council is required to notify the EPA if contamination is discovered that presents a significant risk of harm. Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997* are available on the EPA website. EPA notification is not required to be obtained for the proposed activities at the subject site.

4.4. State Environmental Planning Policies (SEPP)

4.4.1. SEPP - State and Regional Development 2011

The State and Regional Development SEPP identifies significant development and infrastructure and confer functions on Regional Planning Panels to determine development applications. The proposal is not classified as 'Regional Development' and will be assessed and determined by the Parkes Shire Council.

4.4.2. SEPP – Mining, Petroleum Production and Extractive Industries 2007

The Mining, Petroleum Production and Extractive Industries SEPP recognises the importance of mining, petroleum production and extractive industries to NSW and aims to provide for the proper management and the orderly development of land containing minerals, petroleum products and extractive materials. The SEPP aims to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management of these resources. Part 3 of the SEPP establishes specific requirements for the assessment of development pursuant to the SEPP.

An assessment against the provisions of the SEPP is provided in Table 1.



Table 1 - MPEI SEPP Assessment

Clause	Sub Cl	Clause Description	Assessment	
12AB		Non-discretionary development standards for mining	Not applicable as the proposal is not a mine	
12	Compatibility of proposed mine, petroleum production or extractive industry with other land uses			
	Before determining an application for consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must—			
	(a)(i)	the existing uses and approved uses of land in the vicinity of the development, and	the existing use of the site and surrounding land is for extractive industry, grazing and cropping.	
	(a)(ii)	the existing use of the site and surrounding land is for extractive industry, grazing and cropping.	the proposal will reduce the size of the existing gravel pit, with rehabilitation proposed to more than 50% of the active extraction area for integration into the surrounding livestock grazing paddocks.	
	(a)(iii)	any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and	the proposal is not incompatible with the existing use of the site and surrounding land.	
	(b)	evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a)(i) and (ii), and	the proposal is to use less than 2ha of the existing quarry / farming property for the proposed new extractive industry. The gravel pit materials will be used on local roads and will provide public benefit through reduced traffic impacts on the local road network by providing a supply of road base and gravel resheeting material.	
	(c)	evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a)(iii).	the proposal is compatible with the existing and approved uses of the land in the vicinity of the site.	
12A	Consideration of voluntary land acquisition and mitigation policy.			
			Not applicable as the proposal is for extractive industry and is not in the vicinity of an existing mine,	



Clause	Sub Cl	Clause Description	Assessment				
			petroleum production facility or extractive industry.				
13	Compatibility of proposed development with mining, petroleum production or extractive industry.						
			Not applicable as the proposal is for extractive industry and is not in the vicinity of an existing mine, petroleum production facility or extractive industry.				
14	Natural re	sources management and environmental mana	ngement				
	(1)	Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure the following—	See below.				
	(1)(a)	that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable,	Impacts to water are addressed in Section 5.				
	(1)(b)	that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable,	Impacts to biodiversity are addressed in Section 5.				
	(1)(c)	that greenhouse gas emissions are minimised to the greatest extent practicable.	Greenhous gas emissions are addressed in Section 5.				
	(2)	Without limiting subclause (1), in determining a development application for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider an assessment of the greenhouse gas emissions (including downstream emissions) of the development and must do so having regard to any applicable State	Greenhouse gas emissions are addressed in Section 5.				

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Clause	Sub Cl	Clause Description	Assessment
		or national policies, programs or guidelines concerning greenhouse gas emissions.	
	(3)	Without limiting subclause (1), in determining a development application for development for the purposes of mining, the consent authority must consider any certification by the Chief Executive of the Office of Environment and Heritage or the Director-General of the Department of Primary Industries that measures to mitigate or offset the biodiversity impact of the proposed development will be adequate.	Impacts to biodiversity are addressed in Section 5.
15	Resource R	ecovery	
	(1)-(3)	Before granting consent for development	The proposal is unlikely to generate
	(2)	for the purposes of mining, petroleum production or extractive industry, the	waste other than typical commercial waste associated with the site office,
	(3)	consent authority must consider the efficiency or otherwise of the development in terms of resource recovery Before granting consent for the development, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at optimising the efficiency of resource recovery and the reuse or recycling of material. The consent authority may refuse to grant consent to development if it is not satisfied that the development will be carried out in such a way as to optimise the efficiency of recovery of minerals, petroleum or extractive materials and to minimise the creation of waste in association with the extraction, recovery or processing of minerals, petroleum or extractive materials.	site amenities and oils and parts associated with the mobile processing plant and plant and equipment. The extraction of material will be efficient, relying on mechanical means only and not requiring blasting. Processing and stockpilling of material will be undertaken in an efficient manner by modern mobile processing plants and equipment. The proximity of the proposal to the local road network will assist in the efficient delivery of gravel material and minimise haul routes and avoiding impacts on the local road network. Any quarry material produced that cannot be used by the PSC will be retained on site and reused in the rehabilitation of the site
16	Transport		
	(1)(a)-(c)	Before granting consent for development for the purposes of mining or extractive	The proposal is to deliver gravel material directly to local roads in the

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Clause	Sub Cl	Clause Description	Assessment			
		industry that involves the transport of materials, the consent authority must consider whether or not the consent should be issued subject to conditions that do any one or more of the following—	Parkes Shire and generally within 20km from Bendall's pit. PSC has adopted procedures and training to ensure transport haulage operations follow best practice standards.			
		 require that some or all of the transport of materials in connection with the development is not to be by public road, 				
		 b. limit or preclude truck movements, in connection with the development, that occur on roads in residential areas or on roads near to schools, 				
		 require the preparation and implementation, in relation to the development, of a code of conduct relating to the transport of materials on public roads. 				
	(2)(a)-(b)	If the consent authority considers that the development involves the transport of materials on a public road, the consent authority must, within 7 days after receiving the development application, provide a copy of the application to—	Referral to TfNSW is not necessary as the proposal does not propose to utilise the Classified Road network and is not traffic generating development.			
		a. each roads authority for the road, and				
		 the Roads and Traffic Authority (if it is not a roads authority for the road). 				
17	Rehabilitation					
	(1)	Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring the rehabilitation of land that will be affected by the development.	See below.			
	(2)(a)-(d)	In particular, the consent authority must consider whether conditions of the consent should—	A rehabilitation plan has been prepared for the proposal so that the site will be returned to the			

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Clause	Sub Cl	Clause Description	Assessment
		(a) require the preparation of a plan that identifies the proposed end use and landform of the land once rehabilitated, or (b) require waste generated by the development or the rehabilitation to be dealt with appropriately, or (c) require any soil contaminated as a result of the development to be remediated in accordance with relevant guidelines (including guidelines under clause 3 of Schedule 6 to the Act and the Contaminated Land Management Act 1997), or	landowner suitable for the establishment of grazing. Any waste will be recycled or disposed of at an approved waste facility. Soil contamination is unlikely, and any minor fuel or oil spills will be addressed as part of the rehabilitation of the site.
		(d) require steps to be taken to ensure that the state of the land, while being rehabilitated and at the completion of the rehabilitation, does not jeopardize public safety.	

4.4.3. SEPP - Infrastructure 2007

The infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services and public works across NSW, along with providing for consultation with relevant public authorities during the development assessment process.

The proposed development is not traffic generating development as defined under Schedule 3 of the Infrastructure SEPP and is not development that has implications for main roads. Consultation with Transport for NSW is not a requirement under the SEPP. The proposed development is taken to be 'Any other purpose' under Schedule 3 and it will not generate 200 or more motor vehicle movements per hour.

The Bendall's Pit is located over 5km from the Parkes - Narromine Railway. Assessment of the implications of the proposed gravel pit has been undertaken against the general functioning of the local road network and level crossings in the area, including the level crossing on the Trewilga Road (east of the quarry site).

It is assessed the proposal will place no significant additional traffic volumes on level crossings, and there is no warrant for railway / road upgrades. No implications for rail infrastructure / operations are assessed to occur, including stormwater drainage, noise, air quality, overshadowing, visibility, heritage assets or the like. Consultation with the Australian Rail Track Corporation is not a requirement under the SEPP.

Clause 45 of SEPP Infrastructure requires consideration of electricity supply requirements, where the development is:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the
 electricity infrastructure exists).
- Immediately adjacent to an electricity substation.
- · Within 5m of an overhead power line.



- Includes installation of a swimming pool any part of which is within 30m of a structure supporting an
 overhead electricity transmission line and / or within 5m of an overhead electricity power line.
- Placement of power lines underground.

Power supply is not connected to the Bendall's Pit. There are no overhead powerlines near the proposed quarry. There are no aspects of the development proposal that impacts on electricity supply services, as per Clause 45 requirements.

4.4.4. SEPP – Exempt and Complying Development Codes 2008

The Exempt and Complying Development Codes SEPP permits certain activities without consent or by issue of a Complying Development Certificate. The proposal is neither exempt or complying development, and development consent is sought for the proposed extractive industry operations at Bendall's Pit.

4.4.5. SEPP - Koala Habitat Protection 2020

This SEPP applies to the Parkes Local Government Area. The SEPP does not apply to the proposal, given site disturbance is less than 1 hectare in size and there are insufficient feed trees in the locality to sustain Koalas.

SEPP – Primary Production and Rural Development 2019

The SEPP aims to facilitate development on rural land that is orderly and economic, promotes the social, economic and environmental welfare of the State and avoids land use conflicts with existing agriculture. It also allows government authorities to identify State significant agricultural land and ensure the ongoing viability of agriculture in the State.

The SEE states the land that would be affected by the proposal has not been identified as State or regionally significant agricultural land by Schedule 1 of the SEPP. Further, the proposal would not impact on any additional land currently managed for agriculture, nor would it be incompatible with continued agricultural land use of the site. Protection of the land that is the subject of the proposal would not provide any public benefit, and the employment and local economic stimulus that would be generated by the proposal is considered to be of wider public benefit.

It is assessed that the proposed Bendall's Pit, comprising an area of approximately 1.916ha will not compromise the objectives of the Primary Production and Rural Development SEPP.

4.4.7. SEPP – Remediation of Land 2007

Clause 7 of SEPP 55 requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.

The site has been used as a gravel pit for many years. There are no known fuel storages located on the site. Small quantities of fuels, oils, greases and chemicals may have been brought to the site for site / plant maintenance.

Visual inspection of the site does not reveal any evidence of contamination of chemicals, fuels or waste dumps. A search of the NSW contaminated land register and Parkes Shire Council's Contaminated Sites Register does not show the site as contaminated land. It is not proposed to change the use of the site for continued gravel pit operations, and the quarry will continue to operate within the confines of the site and involve modern work practices that should not increase current contamination risk at the site or adjoining



lands. Upon the cessation of extraction, the proposal will involve full rehabilitation of the site including removal of infrastructure.

Based on existing operations, the site is considered suitable for the proposed gravel pit operations. No further investigations / actions are considered necessary.

4.4.8. SEPP – Advertising and Signage

SEPP 64 aims to ensure that proposed advertising signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes. No new signage is proposed at the Bendall's Pit site.



4.5. Local Environmental Plans

4.5.1. Parkes Local Environmental Plan 2012

The Parkes Local Environmental Plan 2012 (PLEP) applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RU1 – Primary Production under the PLEP.

The proposed land use is defined as 'extractive industry' under the PLEP:

"extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming"

An extractive industry land use within the RU1 Primary Production zone is a permissible land use with development consent. The objectives of the zone RU1 are:

- 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.
- To encourage eco-tourism enterprises that minimise any adverse effect on primary industry production.
- To permit non-agricultural uses that support the primary production purposes of the zone.
- To permit small scale rural tourism uses associated with primary production and environmental
 conservation with minimal impact on primary production and the scenic amenity of the area.
- To encourage the provision of tourist accommodation in association with agricultural activities.
- To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

The proposed development is for an extractive industry, which is permissible with consent within the RU1 Primary Production zone. The proposal has been carefully designed to respond to existing site conditions, adjoining land-uses and the natural resources of the area. The site will be returned to rural and agricultural uses at the end of life of the proposal with no significant change in land capability. The continued utilisation of the balance of the site for rural and agricultural uses will minimise potential fragmentation and alienation of agricultural land. The proposal is not considered to conflict with the adjoining land-uses based on the assessments undertaken as part of this SEE. The proposed development is therefore considered to be both compatible and consistent with the surrounding land-uses and meets the objectives of the RU1 Primary Production zone.

A number of special provisions under the PLEP apply to the proposal. An assessment of the proposal against the relevant provisions of the PLEP is provided below:



Clause 2.6 Subdivision consent requirements

The Bendall's Pit is located wholly on Lot 42 DP 753980. It is not necessary to undertake any subdivision of the land and Clause 2.6 does not apply.

Clause 5.11 Bush fire hazard reduction

The proposal is located on land that is mapped as bush fire prone land. Subject to development consent a bush fire management plan will be prepared in consultation with the Rural Fire Service. This is discussed further in Section 5 of this SEE.

Clause 6.1 Earthworks

The proposal involves earthworks associated with extraction of gravel resources from part of a historic gravel pit and progressive rehabilitation of the site, including the historic pit. Soils and water quality impacts are addressed in Section 5 of this SEE. In general, no significant implications on environmental functions and processes, neighbouring uses, cultural or heritage items, drainage patterns, existing vegetation or other features of the surrounding land have been identified that can't be addressed through mitigating potential impacts.

Clause 6.2 Terrestrial Biodiversity

Clause 6.2 of the PLEP identifies the following objectives regarding terrestrial biodiversity:

- a. protecting native fauna and flora, and
- b. protecting the ecological processes necessary for their continued existence, and
- c. encouraging the conservation and recovery of native fauna and flora, and their habitats.

The clause applies to land identified as 'biodiversity' on the Natural Resource – Biodiversity Map of PLEP. A review of that map confirms that parts of Lot 42 DP 753980 and land around the perimeter of the existing gravel pit site is mapped as comprising 'biodiversity'. Section 5 of this SEE provides an assessment of the potential biodiversity impacts of the proposal. In general, no significant impacts are assessed given the proposal involves use of an existing extractive industry, the proposed gravel pit is to be located predominately on cleared land, and only minor clearing of white cyprus pine regrowth trees is proposed.

Clause 6.7 Essential services

The existing gravel pit has no connections to power, telecommunications, gas, town water supply or sewerage. No upgrades to existing accesses, public roads, water supplies, sewerage or lighting are considered necessary to accommodate the proposal.



4.6. Development Control Plans

4.6.1. Parkes Shire Council Development Control Plan

The Parkes Shire Development Control Plan 2021 (DCP) applies to the development site and there are no specific provisions relating to extractive industries.

4.7. Contribution Plan

4.7.1. Parkes Shire Council Road Contributions Plan

The Parkes Shire Council Road Contributions Plan 2016 applies to the developments that generate heavy haulage vehicle movements in the Parkes Shire.

Certain developments which use heavy vehicle haulage are exempt from the payments for the heavy vehicle contribution, in order to assist the viability of smaller local scale enterprises.

Given that truck haulage from Bendall's Pit is associated with an existing gravel quarry and Parkes Shire Council's Roads Program, the impact on local roads is offset by the benefits produced from road construction and maintenance. The Parkes Shire Council Road Contributions Plan 2016 is not considered to apply to the proposal.



ASSESSMENT OF ENVIRONMENTAL ISSUES

The main environmental issues that have been raised and investigated as part of the design process for the proposed development have been documented in this section. Each issue is investigated by way of introducing the key issue(s), documenting existing conditions, assessing impacts and proposing management and mitigation measures.

5.1. Biodiversity

5.1.1. Introduction

The subject site adjoins land identified as "High Biodiversity Sensitivity", as shown on the Natural Resource - Biodiversity Map of the PLEP. A Biodiversity Assessment has been undertaken in relation to the proposal to provide an overview of key ecological values of the local area and to assess the proposal's potential impacts on biodiversity. It is based on a desktop review and field survey. The assessment considers specific legislative requirements relating to flora and fauna, including:

- Effects on threatened species, populations and ecological communities, as listed under the BC Act;
- Likely impacts on nationally listed threatened species, populations, and ecological communities, as listed under the EPBC Act.

Under the BC Act, local development (assessed under Part 4 of the EP&A Act) that is likely to significantly affect threatened species or triggers the Biodiversity Offsets Scheme (BOS) threshold will be subject to the BOS and require assessment by an accredited assessor to apply the Biodiversity Assessment Method (BAM).

5.1.2. Assessment of existing condition

Bendall's Pit is located within the Parkes Local Government Area (LGA). The site is accessed off Robertson Road. The site is zoned RU1 – Primary Production. The total area disturbed by the existing gravel pit is 4.8ha. The topography of the site is largely influenced by a small hill and ridgeline running east-west.

The gravel pit is located on the western side of the small hill / ridgeline. Land-use surrounding the hill / ridgeline is rural (supporting grazing and cropping activities), with native vegetation occurring on the steeper slopes of the hill / ridgeline and becoming sparser along the lower slopes. Vegetation in the proposal area is sparse, consisting of scattered trees with a grassy / weedy groundcover.

Table 2 below provides further environmental context:



Table 2 - Environmental Context Summary

Attributes	Description		
LGA	Parkes		
Zoning	RU1 Primary Production		
Catchment	Bogan River		
IBRA Bioregion	NSW South Western Slopes		
IBRA Subregion	NSS Lower Slopes		
Mitchell Landscape	Goonumbla Hills - Rounded low hills - general elevation 290 to 390m, local relief 70m Stony yellow earths on the sands, thin brown structured loams on the hills merging with red-brown and red texture-contrast soils on the flats. Open forest of grey box (Eucalyptus microcarpa), white cypress pine (Callitris glaucophylla), with bimble box (Eucalyptus populnea) in the creeks and red ironbark (Eucalyptus sideroxylon) with shrubs on		
Nearest the gravels. Extensively cleared, grazed and cultivated. Waterway			
Nearest NPWS Burrill Creek, located approximately 1.7 km west of Bendall's Pit. The control of the Bogan River about 10 km to the north of the Nearest NPWS and the Nearest NPWS Park			
Soils	Goobang National Park (16 km east of the site).		
Biodiversity Ordovician and silurian sandstone, andesite, siltstone and phyllite with a partial blanket of Tertiary quartz gravels and sands.			

The Central West / Lachlan Regional Native Vegetation PCT Map (OEH, 2015) suggests the following vegetation communities associated with the BC Act occur within the proposal area:

- White Box Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (EEC). The community is also listed under the EPBC Act as the White Box-Yellow Box-Blakely's Red Gum grassy woodlands and derived native grasslands.
- Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Peneplain, Nandewar
 and Brigalow Belt South Bioregions EEC. The community is also listed under the EPBC Act as the
 Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of Eastern
 Australia EEC.
- Fuzzy Box on alluvials of the South West Slopes, Darling Riverine Plains and the Brigalow Belt South Bioregions EEC.
- Myall Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain, Murray Darling Basin, Riverina and NSW South Western Slopes Bioregions; and

Field survey of the proposal site suggest the gravel pit site is situated in a belt of Inland Grey Box Woodland.



Database searches identified 26 threatened flora species with potential to occur within the locality of the subject site. None of the threatened flora species listed above were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation at time of inspection was that the habitat and / or substrate requirements of these flora species are largely absent at and around the gravel pit site.

Database searches identified 39 threatened fauna species with potential to occur in the region. None of the threatened flora species were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation of habitat was that the available food foraging resources and breeding requirements of native species is lacking at and around the quarry site and largely constrained at the gravel pit site.

5.1.3. Assessment of potential impact

The proposed gravel pit footprint is approximately 1.916ha and majorly within the previously disturbed pit area. The proposed gravel pit site is devoid of native vegetation, except for isolated / sporadic trees fringing the perimeter of the gravel pit site.

Remnant native vegetation in close proximity to the proposed gravel pit site comprises white cypress pine (Callitris glaucophylla) and grey box (Eucalyptus microcarpa) and a grassy / weedy understorey.

It is proposed to clear white cyprus pine along the western edge of the proposed gravel quarry to allow for the extension of the pit a further 50 metres north of the previously disturbed active extraction area. This westerly pit expansion is to source high grade gravel material and to create a suitably graded and safe embankment along the north face of the quarry.

A significance assessment under Section 1.7 of the EP&A Act which takes into consideration Part 7 of the BC Act determining whether the proposal is likely to significantly affect threatened species and / triggers the Biodiversity Offsets Scheme (BOS) is provided in Table 3 – BC Significance Assessment:

Table 3 - BC Significance Assessment

Test	Assessment		
(a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	The site is located 10 kilometres south of Peak Hill. The gravel pit site is generally devoid of native vegetation, with the exception of several isolated trees and a weedy understorey. Vegetation in the immediate area of the gravel pit site is assessed to meet the definition of BC Act native vegetation, as it provides a native overstorey, midstorey, and shrubstorey and a grassy groundlayer.		
(b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	The proposal involves less than 1ha of land clearing of regrowth vegetaion, and therefore does not trigger the application of the BOS. A Biodiversity Development Assessment Report (BDAR) is not required.		
(c) it is carried out in a declared area of outstanding biodiversity value	The site is not a declared area of outstanding biodiversity value.		



5.1.4. Management and mitigation

While a Flora and Fauna Impact Assessment and BDAR is not required for the proposal, it is important that measures are taken to minimise impacts on the receiving environment in and around the gravel pit site.

Table 4 – Biodiversity Management Measures outlines the proposed management measures to reduce impacts on biodiversity:

Table 4 - Management and Mitigation

Impact	Management Measures			
Pre-construction				
General	A Flora and Fauna Management Plan will be prepared and implemented as part of an Environmental Management Plan (EMP). It will include, but not be limited to: Plans showing disturbed / cleared areas and areas to be protected, including exclusion zones and weed management areas. Procedures for unexpected threatened species finds and fauna handling. Protocols to manage weeds and pathogens.			
Vegetation clearing	The limits of the gravel pit and access road will be delineated using appropriate signage and barriers, identified on site construction drawings and during staff induction training.			
Invasion and spread of pathogens and disease	Pathogen control protocols shall be developed and implemented in accordance with the requirements of the Biosecurity Act 2015.			
Invasion and spread of weeds	Weed control protocols shall be developed and implemented as part of the EMP and gravel pit operation plan.			
During construction / ope	eration			
Fauna protection	Suitable fauna protection protocols are to be utilised. This includes requirements for ecologist supervision, the undertaking of pre-clearance surveys, provision of compensatory nest boxes, procedures to safely fell habitat trees and release areas for any rescued fauna should there be a need for minor clearing of trees for safety / operational reasons.			
Threatened species protection	If unexpected, threatened fauna or flora species are discovered, works whi may disturb the species must cease until any potential impacts are reviewed and assessed by a suitably qualified ecologist.			
Disturbance to fallen timber and dead wood	Any woody debris should be re-used on site for habitat improvement. Woody debris should be lifted and placed appropriately outside the construction footprint in an adjacent area of project sites to enhance habital If long logs are required to be cut to assist relocation, logs must be cut away from hollow ends.			



Impact	Management Measures				
Pest animal monitoring / control	Pest animals such as rodents, foxes, rabbits, wild dogs and feral cats are controlled on an as needs basis.				
Post operation					
Preparation of a site rehabilitation plan	A rehabilitation plan in accordance with the land manager needs to be prepared prior to quarry shut down.				

Other management measures that are described in this SEE also manages and mitigates impacts to biodiversity values by way of:

- Surface water management measures.
- Waste management measures.
- Bushfire management measures.
- Rehabilitation management measures.

5.2. Water quality

5.2.1. Introduction

The proposal involves continued extractive industry operations at Bendall's Pit. The proposed new extraction area is to be located largely within a historic gravel pit which was conducted over an area of approximately 4.8ha. The proposed new gravel pit will have an area of 1.916ha. Surface water runoff from the gravel pit will be well-contained within the site. There are no waterways within close proximity of the site. The new pit design will involve water storage structures (sediment basins) less than the harvestable rights. It is not proposed to excavate to groundwater level, which is estimated at >70m. On this basis, a surface water and ground water impact assessment has been prepared for the proposal.

5.2.2. Assessment of existing condition

Water uses surrounding the site include on-farm storage in dams. There are no watercourses on Lot 42 DP 753980 and the site is not affected by the "Flood Planning" layer identified by Council or under the NSW Planning Portal. The likelihood of a flood inundating the site is low.

The site is not located on land identified as groundwater vulnerable identified by Council or under the NSW Planning Portal. A number of bores in vicinity of the Bendall's Pit have been identified from the Water NSW database. A summary of available information from these groundwater bores is provided below in Table 5 – Groundwater Data Summary. In general, bores are used for stock and domestic purposes and have been primarily installed to target relatively deep aquifers.



Table 5 - Groundwater Data Summary

Bore ID	Date	Depth (m)	Purpose	Approx Distance to Quarry
GW033078	1967	76.20	Stock and Domestic	>1Km E
GW034030	1967	114.3	Stock and Domestic	>1km S
GW802832	1997	76	Test Bore	>1km NW

5.2.3. Assessment of potential impact

The depth of extraction is unlikely to intercept groundwater which is at depth (>70m) in the area. The proposal does not include extraction or interception of groundwater.

It is proposed to manage the disturbed quarry area by diverting all surface water to a sediment basin. Clean over land flow water from upslope will be diverted around the disturbed gravel pit area by diversion bunds or diversion drains. The sediment basin would be significantly less than the maximum harvestable right dam capacity for the site.

The proposal is unlikely to impact on surface water or ground water due to separation from groundwater and nearby waterways, the limited area of disturbance, small scale of the activity and implementation of management measures.

5.2.4. Management and mitigation

The proposed management measures to reduce impacts on water resources are as follows:

- No groundwater will be taken.
- Stormwater runoff entering the site from external areas, and non-sediment laden (clean) stormwater runoff entering a work area or area of soil disturbance will be diverted around or through that area in a manner that minimises soil erosion and the contamination of that water for all discharges up to the specified design storm discharge.
- All reasonable and practicable measures will be implemented to control flow velocities in such a
 manner than prevents soil erosion along drainage paths and at the entrance and exit.
- Internal drainage channels will be constructed with silt traps. Such silt traps shall be cleared at regular intervals.
- Quarry and working benches shall be drained to the sediment basin.
- Operational water for dust suppression will be sourced from the sediment basin for the proposal.
 Where water is not available from the sediment basin it will be sourced from licenced water suppliers.
- The sediment basin will be designed to capture and treat stormwater prior to discharge in all cases to achieve water quality release limits of, 6.5 – 8.5 pH and 50 mg/L Total Suspended Soils (TSS).
- An Erosion and Sediment Control Plan would be implemented at the site in accordance with Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004).



5.3. Air quality

5.3.1. Introduction

The proposed new gravel pit is well separated from the nearest sensitive receptor and is unlikely to result in air quality impacts over and above that otherwise associated with the exiting rural uses of the land. The nearest sensitive receptor is 1.7km to the west of the proposal. On this basis, an air quality impact assessment has been prepared for the proposal.

5.3.2. Assessment of existing condition

The proposal involves continued extractive industry operations within an existing gravel pit. The proposal will disturb less than 2ha of the original 4.8ha quarry site.

5.3.3. Assessment of potential impact

The POEO Act sets the statutory framework for managing air quality in NSW, including establishing the licensing scheme for major industrial premises and a range of air pollution offences and penalties.

The POEO (Clean Air) Regulation 2010 sets standards of concentration for emissions to air from both scheduled and non-scheduled activities. For the proposal activities, the POEO (Clean Air) Regulation provides general standards of concentration for scheduled premises which are:

- Solid particles (total) Any activity or plan (except listed below) 50mg m³.
- Solid particles (total) Any crushing, grinding, separating or materials handling 20mg m³.

Further to the requirements above, Part 4 Clause 15 of the POEO (Clean Air) Regulation requires that motor vehicles do not emit excessive air impurities which may be visible for a period of more than 10-seconds when determined in accordance with the relevant standard. Schedule 8 of the POEO (Clean Air) Regulation indicates that burning of vegetation is prohibited, except with approval.

There is potential for emissions to air from the following:

- Removal of overburden, loading of haul trucks, transport, unloading, and storage of overburden.
- Mechanical extraction (bulldozer, excavator or front-end loader).
- Processing of rock, and storage in stockpiles.
- Loading of haul trucks, transport, unloading and haulage offsite.
- Wind erosion of parts of the extraction area and processing area.
- Emissions from vehicle and generator exhaust.

The specific pollutants of interest associated with those activities are:

- Total suspended particulate (TSP).
- Particulate matter with an aerodynamic diameter of 10 microns (PM10).
- Particulate matter with an aerodynamic diameter of 2.5 microns (PM2.5).

Emissions of particulate matter associated with construction phase and operational phase activities are unlikely to have a significant impact on air quality due to the separation from nearby sensitive receptors (1.7km), limited area of disturbance, small scale of the activity and implementation of management measures.



Emissions of noxious carbon monoxide (CO) and sulphur dioxide (SO2) related to diesel combustion would are also unlikely to have a significant impact on air quality (in addition to particulates considered above) given the distances between the proposal and nearest sensitive receptors (1.7km) and the quantity of equipment operating on site.

It is not anticipated that any air quality monitoring would be required to be performed, although it is recommended that regular audits are performed to ensure that the site is implementing the air quality control measures appropriately.

5.3.4. Management and mitigation

Procedures would be developed for the proposed quarry linking visible dust generation from all activities with wind conditions experienced at the gravel pit site. A range of actions would be listed which would be adopted to reduce visible dust generation, until such time as the adopted trigger levels have reduced.

The proposed emissions controls to be employed at the site are as follows:

- Application of water on internal haulage roads and pit or the use of dust suppression additives for dust control (if required) or closure of pit operations.
- Application of water sprays on materials crushing operations.
- Application of water sprays on materials screening operations.
- · Retention of particulate matter within the pit for activities occurring in the pit.
- Covering loads with a tarpaulin.
- Limit load sizes to ensure material is not above the level of truck sidewalls.
- Minimising travel speeds and distances.

5.4. Noise and Vibration

5.4.1. Introduction

The proposal involves continued extractive industry operations within an existing gravel pit. The proposal will disturb less than 2ha of the original 4.8ha quarry site. The proposed new gravel pit is well separated from the nearest sensitive receptor and is unlikely to result in noise or vibration impacts. On this basis, a noise impact assessment has been prepared for the proposal.

5.4.2. Assessment of existing condition

The proposal involves continued extractive industry operations at an existing gravel pit site. The proposal will disturb less than 2ha of the original 4.8ha quarry site. The nearest sensitive receptor is 1.7km to the west of the proposal.

It is assumed all noise sources will be contained with the quarry footprint area, including excavators and front-end loaders for extraction, a mobile processing plant for processing the material and a front-end loader for stockpiling material and loading of haul trucks and haulage offsite.

5.4.3. Assessment of potential impact

The POEO Act sets the statutory framework for managing noise and vibration in NSW. The EPA released the Noise Policy for Industry (NPI) in October 2017 which provides a process for establishing noise criteria for



consents and licenses enabling the EPA to regulate noise emissions from scheduled premises under the POEO Act. The objectives of the NPI are to:

- Provide noise criteria that is used to assess the change in both short term and long term noise levels:
- Provide a clear and consistent framework for assessing environmental noise impacts from industrial premises and industrial development proposals:
- Promote the use of best-practice noise mitigation measures that are feasible and reasonable where
 potential impacts have been identified; and
- Support a process to guide the determination of achievable noise limits for planning approvals
 and/or licences, considering the matters that must be considered under the relevant legislation
 (such as the economic and social benefits and impacts of industrial development).

The policy sets out a process for industrial noise management involving the following key steps:

- a. Determine the Project Noise Trigger Levels (PNTLs) (i.e. criteria) for a development. These are the levels (criteria), above which noise management measures are required to be considered. They are derived by considering two factors: shorter-term intrusiveness due to changes in the noise environment; and maintaining the noise amenity of an area.
- b. Predict the noise levels produced by the development with regard to the presence of annoying noise characteristics and meteorological effects such as temperature inversions and wind.
- c. Compare the predicted or measured noise level with the PNTL, assessing impacts and the need for noise mitigation and management measures.
- d. Consider residual noise impacts that is, where noise levels exceed the PNTLs after the application of feasible and reasonable noise mitigation measures. This may involve balancing economic, social and environmental costs and benefits from the proposed development against the noise impacts, including consultation with the affected community where impacts are expected to be significant.
- Set statutory compliance levels that reflect the best achievable and agreed noise limits for the development.
- f. Monitor and report environmental noise levels from the development.

Project Noise Trigger Levels

The policy sets out the procedure to determine the PNTLs relevant to an extractive industry development. The PNTL is the lower (i.e. the more stringent) of the Project Intrusiveness Noise Level (PINL) and Project Amenity Noise Level (PANL) determined in accordance with Section 2.3 and Section 2.4 of the NPI.

Project Intrusiveness Noise Level (PINL)

The PINL (LAeq(15min)) is the RBL + 5dB and seeks to limit the degree of change a new noise source introduces to an existing environment. Hence, when assessing intrusiveness, background noise levels need to be measured / predicted.

For low noise environments, such as rural environments like the Bendall's Pit site, minimum assumed RBLs apply within the NPI and can be adopted in lieu of completing background noise measurements. This is considered the most conservative method for establishing noise criteria for a project. These result in minimum intrusiveness noise levels as follows:



- Minimum Day RBL = 35dBA;
- Minimum Evening RBL = 30dBA; and
- Minimum Night RBL = 30dBA.

Due to the rural nature of the locality, the PINLs for the Bendall's Pit are assumed to be based on the minimum RBL+5dBA.

Project Amenity Noise Level (PANL)

The PANL is relevant to a specific land use or locality. To limit continuing increases in intrusiveness levels, the ambient noise level within an area from all combined industrial sources should remain below the recommended amenity noise levels specified in Table 2.2 of the NP). The NPI defines two categories of amenity noise levels:

- Amenity Noise Levels (ANL) are determined considering all current and future industrial noise within a receiver area; and
- Project Amenity Noise Level (PANL) is the recommended level for a receiver area, specifically focusing the project being assessed.

PANL for new industrial developments = recommended ANL minus 5dBA. The following exceptions apply when deriving the PANL:

- Areas with high traffic noise levels;
- Proposed developments in major industrial clusters;
- Existing industrial noise and cumulative industrial noise effects; and
- Greenfield sites.

Where the PANL is applicable and can be satisfied, the assessment of cumulative industrial noise is not required. Therefore, the recommended amenity noise levels from the NPI for a Residence in a Rural noise amenity area are:

- Day 50 dB LAeq(period)
- Evening 45 dB LAeq(period)
- Night 40 dB LAeq(period)

Assessment criteria for Bendall's Pit proposal

- Noise Management Levels (NMLs) for construction activities for all residential receivers are 45dB LAeq(15min) (RBL +10dB).
- The PINLS for the proposal are 35 dB LAeq(15min) for the morning shoulder and 40 dB LAeq(15min) for the day period.
- The PANLs for the proposal are 43 dB LAeq(15min) for the night / morning shoulder and 50 dB LAeq(15min) for the day.
- The PNTLs for the proposal are therefore 35 dB LAeq(15min) for the morning shoulder and 40 dB LAeq(15min) for the day period.



Maximum Noise Level Assessment

The potential for sleep disturbance from maximum noise level events from a project during the night-time period needs to be considered. The NPI considers sleep disturbance to be both awakenings and disturbance to sleep stages. The proposal does not involve night works and no further consideration of this matter is made in this SEE.

Road Noise Policy

The road traffic noise criteria are provided in the Department of Environment, Climate Change and Water NSW (DECCW), Road Noise Policy (RNP), 2011. The policy sets out noise criteria that provide for a degree of amenity appropriate for the land use and road category. Noise emissions associated with haulage of material on local roads are unlikely to have a significant noise impact due to the separation from nearby sensitive receptors and roads, small scale of haulage operations and infrequency of haulage operations.

ANZECC Blasting Guidelines

Noise and vibration levels from blasting are assessable against criteria established in the Australian and New Zealand Environment Conservation Council (ANZECC) – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration. The blasting limits are generally consistent with the guideline levels contained within AS2187:2006 Part 2 – Explosives - Storage and Usage – Part 2. Where compliance is achieved, the risk of human annoyance is minimised.

The proposal is unlikely to involve blasting and therefore no further conditions of the ANECC blasting guidelines is made in this SEE. Noise emissions associated with construction phase and operational phase activities are unlikely to have a significant noise impact due to the separation from nearby sensitive receptors, limited area of disturbance, small scale of the activity and implementation of management measures.

5.4.4. Management and mitigation

The proposed noise management measures are to be employed at the site are as follows:

- Enclose fixed engines, pumps and compressors where practicable.
- Maintain equipment in accordance with the original equipment manufacturer's specifications.
- Shut down equipment when not in use.
- Reduce vehicle speed on internal access roads.
- Heavy mobile equipment (e.g. front-end loaders, dozers, haul trucks, excavators) shall be fitted with broadband reversing alarms to mitigate potential nuisance from tonal characteristics of traditional beeper alarms.
- Avoid unnecessary operation of plant or revving of mobile or stationary motors and engines.
- Mobile plant and equipment operated at the site should be selected and maintained to minimise noise emissions.
- All internal roads for road haulage and off-road trucks shall be constructed and maintained to avoid
 excessive noise associated with uneven surfaces and potholes.



5.5. Traffic and Transport

5.5.1. Introduction

The proposal involves continued extractive industry operations within an existing gravel pit. All quarry materials from the proposal will be delivered directly to the road network for use by Parkes Shire Council in the construction and maintenance of the local road network. The access onto Robertson Road is already constructed. No new works on the public road network is required. On this basis, a traffic impact assessment has been undertaken.

5.5.2. Assessment of existing condition

Vehicular access to the site is already provided via Robertson Road (refer Figure 3 – Existing Pit Layout Plan and Photograph 4).

5.5.3. Assessment of potential impact

The proposal would produce less than 30,000 cubic metres of gravel per annum for direct supply to the local road network for construction and maintenance purposes.

The proposed development is not traffic generating development as defined under Schedule 3 of the Infrastructure SEPP and is not development that has implications for main roads.

The Bendall's Pit is located over 5km from the Parkes - Narromine Railway. Assessment of the implications of the proposed gravel pit has been undertaken against the general functioning of the local road network and level crossing in the area, including the level crossing on the Trewilga Road (east of the quarry site). It is assessed the proposal will place no significant additional traffic volumes on level crossings, and there is no warrant for railway / road upgrades. No implications for rail infrastructure / operations are assessed to occur, including stormwater drainage, noise, air quality, overshadowing, visibility, heritage assets or the like.

The impact on the local road network will be light vehicles and trucks associated with Parkes Shire Council's Roads Program. An existing access to Robertson Road has been constructed by Parkes Shire Council to service the existing pit operations and is considered suitable for proposed new pit operations. Traffic and transport impacts are assessed to be minimal and offset by the benefits produced from road construction and maintenance. No road contributions or road upgrades are warranted.

5.5.4. Management and mitigation

No additional mitigation measures are proposed, other than maintenance of the existing access off Robertson Road.

5.6. Visual impacts and amenity

5.6.1. Introduction

The proposed development will result in minimal changes to the surrounding landscape, given the proposal involves use of an existing gravel pit which is largely screened from Robertson Road and not readily visible from the nearest residential receptors.

5.6.2. Assessment of existing condition

The site sits within a context of rural land-use, with isolated dwellings further afield. The gravel pit is not readily visible from the nearest sensitive receptors or traffic travelling along Robertson Road.



5.6.3. Assessment of potential impact

An assessment of the potential impacts of the proposed development on visual amenity has been undertaken, including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain.

The visual impacts of the proposal have been assessed against the contrast that will result post new gravel pit operations. It is assessed that the physical changes to the landscape will not create significant impacts on the context and setting of the area, largely due to the separation of the gravel pit from the nearest sensitive receptors.

5.6.4. Management and mitigation

No additional mitigation measures are proposed, other than continued extractive industry operations within the confines of the existing gravel pit and maintenance of existing vegetation around the perimeter of the pit.

5.7. Heritage

5.7.1. Introduction

The Bendall's Pit site is not listed as heritage items under the PLEP or State Heritage Register. Assessment of the potential impacts associated with cultural and built heritage have been considered in this section.

5.7.2. Assessment of existing condition

There are no recorded Aboriginal heritage sites recorded in and around the site. The proposal involves continued extractive industry operations within an existing gravel pit. The gravel pit site comprises 'disturbed land', as defined under NPW Regulation. The site is not listed as a local heritage item listed under the PLEP or State Heritage Register. There are no features of the site that are particular rare or have significant heritage value.

5.7.3. Assessment of potential impact

A visual inspection of the site reveals a highly disturbed / modified built environment. Section 80B of the NPW Regulation define disturbed land as follows:

Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable. Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.

Due to the highly disturbed nature of the gravel pit site, it is highly unlikely that any items of Aboriginal heritage will be discovered during new pit works. The proposal is considered to be a "low impact activity" and is exempt from the Due Diligence process as per Section 80B (1) of the NPW Regulation. Consequently, an Aboriginal Archaeological Due Diligence Assessment is not required.



Assessment of historic and built heritage is open for assessment, based on the matters for consideration under Section 4.15 of the EP&A Act. This assessment has revealed no impacts on heritage items. Consequently, a Heritage Impact Assessment is not required.

5.7.4. Management and mitigation

Due to the disturbed nature of the Bendall's Pit site, it is unlikely that any items of Aboriginal heritage will be discovered during construction of building improvements. No specific mitigation strategies are proposed, other than general awareness of the legislative protection of Aboriginal objects under the NPW Act in the unlikely event that artefacts are discovered.

5.8. Public Safety Hazards

5.8.1. Introduction

An assessment of the potential impacts of the proposal on:

- hazards;
- worker safety;
- public safety (pedestrian and motorists);
- contamination; and
- waste

in order to minimise safety risks and impacts on the public domain.

5.8.2. Assessment of existing condition

The proposal will utilise standard operational measures that a typical to the industry and the following sitespecific hazards identified at the Bendall's Pit site, as follows:

- The handling, storage and disposal of hydrocarbons.
- Potential for bushfire.
- Potential for unauthorised access to the site.

5.8.3. Assessment of potential impact

The land that accommodates the Bendall's Pit is mapped as comprising bushfire prone land. The RFS mapping tool identifies the site within a designated bushfire prone area. It should be noted that no permanent buildings will be constructed for the proposal and thus the objectives have been considered in relation to the areas which would be most likely to be populated during the day-to-day operations of the proposal. Therefore, the assets considered most at risk include employees and the local community. The gravel pit site is devoid of vegetation and will have a safe evacuation route to Robertson Road.

The site is not flood prone.

In relation to public safety risks associated with unauthorised access to the site, the site is fenced, gates would be locked when not in use and appropriate signage alerting the public to the quarry would be placed at the entrance to the access to the proposal. In addition, the landowner's residence is located within the site



and there has been no history of unauthorised access to the site. As a result, public safety risks associated with unauthorised access to the site are considered negligible.

Waste generated by the proposal is likely to be moderate and can be managed appropriately and assuming adherence to industry standard waste management measures. Based on the adoption of these mitigation measures the site can minimise waste management impacts to an acceptable level. In relation to risks associated with hydrocarbons, based on the proposed management and mitigation measures, the risk of hydrocarbon contamination of land are considered to be negligible.

5.8.4. Management and mitigation

The proposal will implement the following risk management measures to minimise the potential for worker and public safety, waste and hazard related impacts:

Bushfire Hazard

A bushfire management plan would be prepared in consultation with the local Rural Fire Service. The bush fire management would include the following:

- A review of bush fire hazards and identification.
- A summary of controls and management measures including fire response equipment and locations.
- Emergency contact details.
- Training requirements.

Furthermore, the proposal would:

- Ensure that the site remains fenced and the entrance is locked when the site is not occupied.
- Store hydrocarbons and hazardous materials in bunded, impervious areas undercover in accordance with the relevant Australian Standard, including AS1940 – The Storage and Handling of Flammable and Combustible Liquids.
- Ensure that fuel loads in undisturbed sections of the site are managed to minimise the potential for bushfire.
- Ensure that all plant is fitted with appropriate fire suppression equipment.
- Ensure that a water cart is available during all extraction campaigns, thereby providing firefighting capabilities if required.
- In the event that the site is threatened by a bushfire, site personnel would be evacuated to the
 nearest safest place. Alternatively, if evacuation were not possible or safe, the proposal would
 provide a cleared area for personnel to shelter.

Unauthorised Access

The proposal would ensure that the site remains fenced and the entrance is locked when the site is not occupied. Appropriate signage alerting the public to the quarry would be placed at the entrance to the access to the proposal.

Waste

The proposal would ensure the following:



- Appropriate waste receptacles must be provided for the segregation and storage for waste.
- All wastes will be segregated onsite and disposed of with specific licensed waste services providers.
- Waste storage areas would be more than 150m from mapped bushfire prone land.
- Bins and storage areas must be maintained so they are free of vermin (mice, rats, cockroaches, flies)
- Littering is not permitted. All worksites must be free of litter, including cigarette butts.
- No waste is to be burnt on site.
- Store hydrocarbons and hazardous materials in bunded, impervious areas undercover in accordance with the relevant Australian Standard, including AS1940 – The Storage and Handling of Flammable and Combustible Liquids.
- All waste streams are to be removed off site by a licensed waste contractor to a lawful point of disposal.
- The Environmental Management Plan would incorporate a waste management strategy

5.9. Social and economic

5.9.1. Introduction

An assessment of potential social and economic impacts of the proposed development has been undertaken.

5.9.2. Assessment of existing condition

The site and surrounding land are zoned RU1 Primary Production. The proposed gravel pit is to be largely confined within the active extraction area of an existing gravel pit. The land surrounding the proposed gravel pit will continue to be used for agricultural purposes concurrently with the operation of the proposal.

5.9.3. Assessment of potential impact

An assessment of potential impacts of the proposed development has been undertaken with regards to scoping methodology outlined in the Social Impact Assessment Guideline 2017 (SIA Guideline), published by the Department of Planning and Environment. Table $6-{\rm SIA}$ Guideline Assessment provides an assessment of the proposed development against the criteria in the SIA Guideline.



Table 6 - SIA Guideline Assessment

Matters	Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Amenity				
Acoustic	Way of life;	Unlikely	Negative	Noise emissions are unlikely to impact on nearby sensitive receptors.
Visual	Surroundings	Unlikely	Negative	The proposal has been designed to avoid visual amenity impacts to the greatest numbers of nearby sensitive receptors as possible.
Odour	Surroundings	Unlikely	Negative	The proposal will not produce a strong odour.
Microclimate	Surroundings	N/A	Nil	The proposal will not significantly impact microclimate.
Access				
Access to property	Way of life;	N/A	Nil	The proposal will not impact on access to neighbouring properties.
Utilities and public transport	Access to infrastructure, services and facilities;	Unlikely	Negative	The proposal will not utilise public roads for transportation.
Road and rail	Personal and property rights.	Unlikely	Negative	The proposal will not utilise public roads and rail sidings for delivery of products.
Built Environmental				
Public domain	Community;	N/A	Nil	The proposal will not impact the public domain as it will be located on private land.
Public infrastructure	Access to infrastructure, services and facilities;	N/A	Nil	The proposal will not preclude public access to public infrastructure.

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Matters	Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Other built assets	Surroundings; Personal and property rights	N/A	Nil	As above.
Heritage				
Natural	Way of life;	N/A	Nil	Natural heritage of the site is not compromised by the proposed development.
Cultural	Community;	Likely	Negative	The proposal will not impact on cultural values in the public domain.
Aboriginal culture	Culture;	Aboriginal culture	Negative	The proposal will implement the unexpected finds procedure.
Built	Surroundings.	Unlikely	Negative	There are no built heritage items registered on the site
Community				
Health	Health and wellbeing;	Likely	Negative	Dust and noise emissions are expected to be below NSW guidelines at the nearby sensitive receptors therefore minimising the possibility of any health impacts to the community.
Safety	Surroundings	Likely	Negative	The proposal has been assessed as not increasing a known safety risk.
Services and facilities	Way of life, Access to infrastructure, services and facilities;	N/A	Nil	The proposal does not impact access to public services or facilities.
Cohesion, capital and resilience	Way of life; Community; Culture	Likely	Positive	The proposal will provide employment opportunities to the local community and contribute to the community through various community benefit programs.

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Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Way of life, Personal and property rights.	N/A	Nil	As per above.
Way of life;	Likely	Positive	The proposal will utilise available natural resources in a sustainable manner. The natural resources consumed will be supplied to support the construction of the Inland Rail Project.
Surroundings;	Likely	Positive	The proposal will provide employment and training opportunities for the area. The economic activity generated by the quarry will also relate to the longer-term benefit to the region through the construction of the Inland Rail Project.
Personal and property rights	N/A	Nil	The net benefit to the community and region outweighs the utilisation of geological resources. The opportunity cost would favour the use of the land as a quarry over agricultural uses. The site can be rehabilitated for longer term outcomes.
Surroundings	Likely	Negative	The proposal is unlikely to exceed the NSW EPA air quality criteria. Air quality mitigation measures will be implemented during the operation and monitoring will be carried out to ensure ongoing compliance.
	Way of life, Personal and property rights. Way of life; Surroundings; Personal and property rights	Way of life, Personal and property rights. Way of life; Likely Surroundings; Likely Personal and property rights	Way of life, Personal and property rights. Way of life; Likely Positive Personal and property rights N/A Nil

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Matters	Key Links to Social Impacts	Risk of Impact without mitigation	Nature of impact	Explanation
Native vegetation and fauna	Surroundings	Likely	Negative	Vegetation clearing is proposed on site however the net loss of biodiversity impacts are minimal.
Land				
Stability/structure, land capability, topography	Surroundings	Likely	Negative	While the proposal will result in land disturbance, controls will be in place to overcome these impacts and the land will be rehabilitated following the cessation of the extractive activities.
Water				
Quality, availability, hydrological flows	Surroundings	Unlikely	Negative	Soil and water management measures will be implemented to ensure the proposed development has minimal impact to surrounding water bodies and hydrological flows.

Considering the proposal in the context of the existing gravel pit operations as well as the previously addressed issues related to biodiversity, water and air quality, noise, traffic, heritage, safety and visual amenity, the proposal would be unlikely to have an unacceptable impact on residents or the environment within or surrounding the site. As a result, adverse socio-economic impacts are assessed to be negligible.

5.9.4. Management and mitigation

Management and mitigation measures for each of the elements comprising a potential social impact (e.g. noise, traffic, visual amenity and air quality) have been addressed in their relevant sections of the SEE. Furthermore, the proposal would implement the following management and mitigation measures to ensure that the proposal-related benefits for the community surrounding the site are maximised and adverse impacts are minimised:

- Maintain a complaints telephone line and ensure that the existence of the number is advertised at the site entrance.
- Give preference, where practicable and cost-competitive, to suppliers of equipment, services or consumables located within the surrounding communities.

The SEE has considered land-use compatibility and recommended that the site is considered suitable for the proposal with respect to land use zoning and the intended purpose of the land and surrounding land.



Management and mitigation measures for each of the elements comprising a potential impact (e.g. noise, air quality, access, traffic, visual amenity, built heritage, and safety) have been addressed in their relevant sections of the SEE.



EVALUATION AND JUSTIFICATION FOR THE PROPOSAL

6.1. Introduction

This section presents the evaluation and justification of the proposal in light of the objects of the EP&A Act. It also assesses the proposal against the principles of Ecologically Sustainable Development (ESD) and other key policy guidelines in order to provide further guidance as to the acceptability of the proposal, as presented in the SEE. An assessment of the consequences of not proceeding with the proposal and site suitability is also undertaken in this section.

6.2. Objectives of the EP&A Act 1979

Development Consent is being sought under Section 4.16 of the EP&A Act and must therefore satisfy the objectives of the EP&A Act. The objectives of the Act are listed below:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c. to promote the orderly and economic use and development of land,
- d. to promote the delivery and maintenance of affordable housing,
- to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g. to promote good design and amenity of the built environment,
- to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.
- to provide increased opportunity for community participation in environmental planning and assessment.



6.3. Ecological Sustainable Development

ESD is a long-standing and internationally recognised concept. The concept has been affirmed by the 2002 World Summit for Sustainable Development and has been included in multiple pieces of Federal and State legislation. Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as:

Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

The proposal has endeavoured to address long established ESD principles, as follows:

- The precautionary principle No serious environmental threats have been identified. No delays to
 the final design investigations or assessment process are recommended to allow for additional
 information / studies / surveys to take place under different climatic or seasonal conditions.
- Inter-generational (social) equity Social equity provides a notion of preservation of environmental aspects that cannot be replaced for the enjoyment of future generations. Generally, such aspects relate to biodiversity, cultural heritage, land-use and the transformation of the locality as a result of the development. The proposal has considered such aspects and the SEE assessment concludes that environmental impacts will be minimal. By adopting the recommendations in this SEE for the construction and operational phases, the operation of intergeneration equity can be maintained.
- Conservation of biological and ecological integrity Given the highly disturbed / modified nature of
 the site, no significant flora or fauna issues have been identified. Procedures will be implemented
 during construction and operation of the premises to minimise potential risks on the environment.
- Improved valuation, pricing and incentive mechanisms The small volumes of waste generated
 from the proposal will be appropriately managed to minimise impacts on common public areas, the
 appropriate pricing mechanism are used to reflect the user pays approach to environmental
 management.

An environmentally sustainable design framework has been incorporated into the development plans to:

- Identify high quality material for extraction, processing and haulage to the local road network.
- Reduce the operational costs associated with the building additions.
- Improve energy and water efficiency by creating covered / shaded areas on the site.
- Provide a healthy / safe working environment throughout the premises, relative to the age and condition of existing buildings on the site.



6.4. Safety, security and crime prevention

The design of the premises has focused on the safety and well-being of all users, including staff and contractors. The design maintains good safety standards. Adequate site security will be maintained and clear sightlines around entry / exits to ensure safety of haulage operations.

6.5. Cumulative Impacts

The potential environmental impacts of the proposal have been detailed in the relevant sections of the SEE. The proposal will not result in a net impact to biodiversity, water quality, air pollution, noise, safety, loss of views, traffic or parking. Overall, the proposal makes a neutral / positive contribution to the environment. The proposal is considered compatible with the site and its surrounds and does not contribute to having a significant cumulative impact.

6.6. Suitability of the site for the development

The suitability of the site has proven with historic use of the site for a gravel pit. The site has the capacity to support the proposed new gravel pit operations without creating adverse impacts on the site or adjoining land. The proposal is considered suitable on the site.

6.7. Public interest

The proposal has been identified for continued gravel quarry operations under Parkes Shire Quarry Strategy in 2021

The proposal is permitted in the RU1 Primary Production zone. There are no specific policy statements from either Federal or State Government that are relevant to the proposal, nor any planning studies or strategies that need to be taken into account. There are no covenants, easements or agreements that affect the proposal in the long term.

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



CONCLUSION

This Statement of Environmental Effects has been prepared by Currajong Pty Ltd on behalf of Parkes Shire Council to support a Development Application for a proposed new gravel pit on Lot 42 DP 753980, 1199 Taweni Road, Peak Hill.

The proposed gravel pit is to be managed by Parkes Shire Council at a rate that is less than 30,000m³ per annum for a period of up to 25 years, subject to resource availability and Council's Roads Program.

The assessment of the proposed development has been documented in this Statement of Environmental Effects to visualise all aspects of the relevant matters for consideration under the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000. The assessment concludes the site is permissible in the RU1 Primary Production zone and consistent with relevant design standards.

It is recommended that sufficient information has been submitted with the Development Application to allow the Parkes Shire Council to make an informed decision on the proposal. It is the findings of this Statement of Environmental Effects that the proposed development should be supported.

Attachment 3 - DA Assessment Report - DA2021-0165 - Extractive Industry



1. Application Details Summary:

Development Application No: DA2021/0165

Description of Development: Extractive Industry – Quarry Applicant: Parkes Shire Council Landowner(s): Mr RJ Bendall Landowners consent provided: Yes No

2. Property Description Summary:

Legal Description: Lot 42 DP 759380, "Taweni" 1199 Taweni Road, Peak Hill

Existing Improvements: Existing Quarry, rural fencing and access

Current land-use: RU1 Primary Production Zone

3. Executive Summary:

DA2021/0165 proposes the formalization of extraction of material from an existing extractive industry (quarry) on Lot 42 DP 753980, "Taweni" 1199 Taweni Road, Peak Hill. Parkes Shire Council is the proponent for the quarrying activities, and have been operating the quarry intermittently since the 1950's. The existing quarry, known as the Bendall's Pit, is located approximately 10.5 kilometres south-west of the Peak Hill Central Business District.

The proposed Bendall's Pit operation is a private extractive industry with a proposed maximum extraction rate of up to 30,000 cubic metres per annum. As such, the proposal is local development and as Parkes Shire Council is the proponent and assessment authority the proposal will be reported to an Ordinary Meeting of Council.

The proposed development is consistent with the Parkes Local Environmental Plan 2012, the Parkes Shire Development Control Plan 2021 and all relevant State Environmental Planning Policies. The land, the subject of the development proposal, is zoned RU1 Primary Production.

The proposed development was publically exhibited and notified to neighbouring land owners from 25 November 2021 to 9 December 2021 in accordance with the Parkes Shire Community Engagement Strategy 2021-2025. No submissions to the proposed development were received during the exhibition period.

The assessment of the proposal concludes the development documentation has been completed to a standard that allows a thorough assessment of the proposed ongoing quarry operations. It is assessed the proposal fits in the locality and there are no significant impacts on the site or on adjacent lands that cannot be properly addressed under conditions of consent. The proposed expansion of the quarry is consistent / complementary to the existing quarry operations undertaken onsite. It is recommended that the development application be approved, subject to appropriate conditions.

The plans of the proposal and the Statement of Environmental Effects are included in Attachment 1.

4. Site and Locality Description:

The site of the development is located at an existing quarry operation, known as Bendall's Pit. The site of Bendall's Pit is located approximately 10.5 kilometers south-west of the Peak Hill Township, fronting Robertson Road. The site has an approximate area of approximately 405.83 hectares and is formally described as Lot 42 DP 753980 "Taweni", 1199 Taweni Road, Peak Hill. A map showing the subject site (yellow) and the existing quarry operations (blue dotted line) is shown in Figure 1 below:

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Figure 1: Site Location Map, Source: PSC IntraMaps

The site has been primarily used for agricultural and quarrying purposes in the past. The site is clear of all built structures, including habitable buildings (e.g. dwellings) and quarrying plant (e.g. site office, amenities or storage buildings). The site rises from its boundaries towards the middle of the allotment with a small ridge to the north of quarry pit. The remainder of the site slopes in an east / west direction either side of the hill. The existing quarry is located on the southern side of he hill and the northern side of Robertson Road. The land not comprising the quarry is predominately open grassy land, with a cluster of vegetation located north / north-east of the pit. The land features a number of farm dams on the north-eastern and western side of the site which are connected via a small drainage channel.

Robertson Road is a sealed Shire road that runs along the southern boundary of the site and provides the property access point for Bendall's Pit. Taweni Road adjoins the eastern boundary of the site, but is not used for access purposes. Taweni Road (north) is an unsealed rural road that connects to Robertson Road. Taweni Road south is a sealed Shire road. The site is surrounded by agricultural land-uses. There are isolated farm residences located on the land to the south-west of the site (1.7km from the quarry), and north-west (3.1km from the quarry).

Parkes Shire Council's Development Planner and Development Engineer undertook a site inspection of Bendall's Pit on 13 December 2021. The purpose of the inspection was to view the site conditions, the locality and its environs. The following points were noted from the site inspection:

- The site of Bendall's Pit is used for both quarrying and agricultural purposes (primarily livestock grazing and cropping).
- There are existing dams associated with the quarry and farming operations, fences, and tracks located on the property.
- The site is located on Robertson Road and Taweni Road. Taweni Road is partially sealed (south) and unsealed (north) Lane is a gravel road, predominantly used by farmers in the area linking Peak Hill and the Bogan Road. Robertson Road is a part sealed road (becoming unsealed) and provides east west connection to the Bogan Road in the middle of the Shire.
- Bendall's Pit obtains vehicular access from Robertson Road.
- Bendall's Pit is an open cut operation, located on the southern side of a hill, next to Robertson Road.
- The site is clear of built structures.
- The site of the quarry is largely cleared of native vegetation, with the exception of some sporadic vegetation to the
 west / north-west of the pit. A larger cluster of vegetation is located to the north of pit. The area of the proposed



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quarry expansion is covered by grasses and exotic weeds, with contour banks and several isolated paddock trees. The development will require the removal of 10 white Cyprus pine trees.

- No evidence of Aboriginal Heritage was found on the site.
- No evidence of potential contaminants were observed / found on-site.
- No reticulated water or sewerage services are currently connected to the site.

Photographs of the site (13 December 2021) are shown below:



View looking north towards the existing quarry pit. The pit will be rehabilitated as extraction of the south-western pit expands. Existing material stockpile on the right of

View of the existing property access from Robertson Road.







Part of the existing material stockpile will be used during the rehabilitation works.



View of the south-western pit. The pit will be expanded to the west (towards the camera).



Vegetation located to the west of the south-western pit which will be removed to facilitate expansion of the pit.

Page | 5 Section 1.7 Biodiversity Conservation Act 2016 / Fisheries Management Act 1994 **Biodiversity:** Is the land identified on the Biodiversity Land Values Map? ⊠No Yes □ N/A Does the development include clearing/disturbance of vegetation above the relevant threshold? (as identified in 7.2 of the Biodiversity Conservation Regulation 2017)? Yes ⊠No □ N/A Is the development otherwise likely to affect threatened species? (as identified in Clause 7.1 and 7.2 of the Biodiversity Conservation Regulation 2017)? Yes \boxtimes No N/A Is the development proposed on land identified as an area of outstanding biodiversity value? Yes ⊠No N/A

Comments: The subject property is not identified on the Biodiversity Land Values Map. A small area of vegetation (approximately 4000m²) is proposed to be removed which is below the 1 hectare limit. The applicant details in the SEE that database searches identified 26 threatened flora species with potential to occur within the locality of the subject site. None of the threatened flora species listed above were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation at time of inspection was that the habitat and / or substrate requirements of these flora species are largely absent at and around the gravel pit site.

Database searches identified 39 threatened fauna species with potential to occur in the region. None of the threatened flora species were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation of habitat was that the available food foraging resources and breeding requirements of native species is lacking at and around the quarry site and largely constrained at the gravel pit site.

The applicant has undertaken a test of significance in Section 5.1.3 of the SEE which concludes:

- The proposal involves less than 1 ha of land clearing, and therefore does not trigger the application of the BOS. A Biodiversity Development Assessment Report (BOAR) is not required.
- The subject site and surrounding land does not comprise critical habitat for threatened or endangered fauna species under the TSC Act or the EPBC Act.
- The proposal does not necessitate the removal of more than 1 ha of existing vegetation and does not exceed any
 of the entry thresholds for BOS and consequently does not require assessment in accordance with the BAM.
- There are no known threatened species, populations, ecological communities or critical habitats that are considered to interact / adjoin the site of the proposed gravel pit.

Furthermore, the applicant has provided a range of management and impact mitigation measures that are proposed to be undertaken throughout the life cycle of the development, from pre-operation, during work and rehabilitation. Preventative/mitigation measures include:

- The preparation of a Flora and Fauna Management Plan.
- Delineation of clearing areas with appropriate exclusion areas.
- Implementation of weed control protocols.
- · Management procedures in the event that threatened species are identified.
- Re-use for fauna habitat purposes of any fallen or dead wood.
- Rehabilitation of the site post quarrying to enable use of the land consistent with the land use table.

As such it is assessed the proposed removal of a small section of white cyprus pines will not have any adverse impacts on the biodiversity of the locality.

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Is the proposed development or activity likely to have an adverse effect		⊠No	☐ N/A
n the life cycle of a threatened species such that a viable local			
if the life cycle of a threatened species such that a viable local			

		Page 6	
population of the species is likely to be placed at risk of extinction?			
Is the proposed development or activity likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction?	□Yes	⊠No	□ N/A
In relation to a threatened species, population or ecological community will the proposed development lead to the removal or fragmentation of a habitat and does the habitat have an important role in the ongoing survival of the species?	□Yes	⊠No	□ N/A
Is the proposed development or activity likely to have an adverse effect on any critical habitat (either directly or indirectly)?	□Yes	⊠No	□ N/A
Comments: The subject property is not within proximity of a watercourse a population or ecological communities, no adverse impacts are assessed.	nd is unlikely t	o affect threate	ned species,
Section 4.13 Consultation and development consent—certain bush fire p	rone land		
Is the site identified on the Bushfire Prone Land Map?	⊠Yes	□No	□ N/A
Does the development comply with "Planning for Bushfire Protection" or a certificate provided by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that			
the development conforms to the relevant specifications and requirement?	□Yes	□No	⊠ N/A
If no, has consultation been done Commissioner for Rural Fire Service?	□Yes	□No	⊠ N/A

Comments: Part of the land is identified as bushfire fire prone land on the certified Parkes Bush Fire Prone Land Map 2004. The quarry is sited approximately 70 metres south of the 100m buffer to vegetation class 1 bush fire prone land identified on the Parkes Bush Fire Prone Land Map. In accordance with subclause 4.14 (1), Council must be satisfied that the development conforms to the specifications and requirements of the latest NSW Rural Fire Service Planning for Bushfire Protection Guidelines (PBP). An assessment of the relevant provisions is provided below:

The objectives of the PBP are to:

- a) afford occupants of any building adequate protection from exposure to a bush fire;
- b) provide for a defendable space to be located around buildings;
- provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent direct flame contact and material ignition;
- d) ensure that safe operational access and egress for emergency service personnel and residents is available;
- provide for ongoing management and maintenance of bush fire protection measures, including fuel loads in the asset protection zone (APZ); and
- f) ensure that utility services are adequate to meet the needs of firefighters (and others assisting in bush fire fighting).

In consideration of the above objectives, the proposed development is site and can be conditioned to provide a suitable defendable space, emergency vehicle access and provision of an adequate water supply for fire fighting and PBP standards discussed herein.

The proposal is categorised as 'other' development under PBP. The Bushfire Protection Measures (BPM's) required to be considered are:

- a) Appropriate access standards;
- b) Emergency management arrangements for fire protection and / or evacuation; and
- c) Adequate water supply and pressure and consideration of services;
- d) Storage of Hazardous Materials.

The subject property is identified on the Parkes Shire Bushfire Prone Landmap 2006. The location of the existing gravel pit and expansion area is outside of the identified area. In accordance with Planning for Bushfire Protection 2006 the development has been classified as :other development" as it is not a Special Fire Protection Purpose or Residential Development. Accordingly the proposal has been assessed against Section 8.3 Other non-residential development as follows:



- Access: The existing quarry is located along the southern boundary of the allotment with a single vehicle access point to Robertson Road. Robertson Road is a through road which heads south towards Parkes and west towards Tullamore. Furthermore; Taweni Road (connecting to Robertson Road) heads north towards Peak Hill providing multiple egress opportunities from the locality. The bushfire prone identified area is located to the north of the quarry pit. Given the relative proximity of the quarry pit from the local road network, opportunities to evacuate in multiple directions and low staffing rates associated with the intermittent use of the quarry it is assessed the access / egress to the site is sufficient subject to upgrades of the pavement finish.
- Emergency Evacuation: Conditions of consent will be imposed requiring the preparation of an emergency management plan as per Section 8.3.6 of PBP.
- Services: There are no main services (water, sewerage, gas or electricity), within proximity of the site; therefore
 no adverse impacts in relation to the location of services adjacent to a hazard are assessed. PBP recommends
 the provision of water for the protection of buildings during and after the passage of a fire. Given the development
 is for a quarry, there will be no permanent buildings with all extraction of material undertaken via plant machinery
 it is considered unnecessary to require water supply for the protection of buildings. Conditions of consent will be
 imposed to ensure that onsite water supply is provided for the protection of persons on the site post fire events.
- Storage of Hazardous Materials: The quarry will be operations with conventional plant utilising drilling and large
 earthmoving machinery to extract and transport material around and from the site. As such there will not be any
 storage of any hazardous materials on the site associated with large stationary processing plant or for rock face
 blasting. No adverse impacts are assessed.

As detailed above the proposed development can comply with the relevant controls, subject to conditions, under the latest NSW Rural Fire Service Planning for Bushfire Guidelines.

Contributions:			
Does the Section 7.11 Contributions Plan apply?	⊠Yes	□No	
 Are Section 7.11 Contributions payable? 	⊠Yes	□No	
Does the Section 7.12 Contributions Plan apply?	Yes	⊠No	
 Are Section 7.12 Contributions payable? 	Yes	⊠No	
Were Section 7.11 Contributions paid on the land under previous applications?	Yes	⊠No	
Does the Developer Services Plan apply?	Yes	□No	⊠N/A
 Are Water Contributions payable? 	□Yes	⊠No	
 Are Sewer Contributions payable? 	Yes	⊠No	

Comments: The applicant has recognised in the SEE that the Parkes Shire Council Section 94 Contributions Plan 2016 applies to developments that generate heavy vehicle haulage movements. Section 4.7 of the SEE notes that certain developments are exempt from payment of the contribution, in order to assist the viability of smaller local scale enterprises. The application states "given that truck haulage from Bendall's Pit is associated with an existing gravel quarry and Parkes Shire Council's Road Program, the impact on local roads is offset by the benefits produced from road construction and maintenance. The Parkes shire Council Road Contributions Plan 2016 is not considered to apply to the proposal".

Section 2.3 of the Parkes Shire Section 94 Contributions Plan 2016 specifies extractive industries with an average annual approved output of up to an including 5,000m³ of solid material are exempt from paying contributions. As the proposal is seeking consent to extract up to 30,000m³ per annum the development is beyond the nominated threshold and is not considered to be of a scale where the exemption is to assist the viability of smaller local scale enterprises.

The contribution value has been calculated in accordance with the Parkes Section 94 Contributions Plan 2016 based on the following information:

- Extraction of up to 30,000 cubic metres of material per annum.
- Use of a six axle truck (with an ESA of 2.8 per trip).
- Average of 32 tonne load capacity per trip.

Assessment of the likely haulage routes from the quarry to service the surrounding locality were undertaken, with a haulage length of 8.57 kilometers of unsealed roads to the Newell Highway north-east, 1.843 kilometers sealed and





10.817 kilometers unsealed to the Newell Highway south-east and 2.332 kilometers sealed and 17.63 kilometers unsealed to the west.

Following the calculation formula as set out in the contribution plan will require an annual payment of \$10,316.62 per annum. A condition has been included in the recommendation requiring payment of the contribution.

The proposed development is not valued over \$200,000.00 and therefore will not be subject to the Section 7.12 Contributions.

5. Environmental Planning Assessment:

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

Local Environmental Plans

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RU1 Primary Production under the Parkes Local Environmental Plan 2012. The Land Use Table for the RU1 Primary Production Zone permits an extractive industry (quarry) with consent.

Clause 2.3(2) of Parkes Local Environmental Plan 2012 provides that the consent authority shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the RU1 Primary Production zone are:

The objectives of the RU1 Primary Production Zone are:

- 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.
- To encourage eco-tourism enterprises that minimise any adverse effect on primary industry production.
- To permit non-agricultural uses that support the primary production purposes of the zone.
- To permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.
- To encourage the provision of tourist accommodation in association with agricultural activities.
- To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

The proposed ongoing operation and expansion of Bendall's Pit (Quarry) is assessed to be consistent with the objectives of the zone, which permits extractive industries with consent. The proposal utilises land that is used / suitable for the extractive industry expansion. The quarry operation is well setback from nearby farming properties and associated rural dwellings. The proposed quarry expansion would not impact, alienate, fragment or conflict with agricultural land-uses in the locality. The quarry will continue to utilise Robertson Road for access purposes. The proposal provides employment opportunities and contributes positively to the local economy.

The following provisions of the Parkes Local Environmental Plan 2012 have been especially considered in the assessment of the proposal:

Clause 6.1 Earthworks

Before granting development consent for earthworks, the consent authority must take the following into consideration:

- 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) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposal is expected to involve the extraction of up to 30,000m³ of material per annum for a 25 year period. The proposal is for the continued quarrying of the existing pit with expansion of the quarrying area to the south-west. The quarry expansion area is located towards the top of the ridgeline of the quarry hill. The cross-section plans of the development demonstrate that the proposed extraction will be undertaken with a single quarry wall at a 1:4 gradient, to a depth of approximately 6.5 metres (from the existing peak ridgeline). No waterways or drainage lines will be disrupted as part of the proposed expansion works.

The management of drainage and soil movement and stability will be managed under an Environmental Management Plan

Future use of the land will likely relate to the uses permitted in the RU1 Primary Production zone as it is unlikely the land will be re-zoned or re-developed for alternate land-uses in the future. The applicant has provided a rehabilitation plan in which the existing quarry will be remediated on an ongoing basis. It is proposed to reform the land to be utilized for agricultural purposes; with the balance of the property not used for quarrying will not be adversely affected and can continue to be used for agricultural activities. The rehabilitation cross section identifies a stablished landform with a 3:1 gradient which will enable stock access.

The site is predominantly cleared farmland. The southern section of the site has been used for quarrying activities for many years. Investigation of past use and a site inspection reveals no signs of contamination, except for the area of quarrying. Excavated fill is expected to be of good quality and suitable for a variety of uses, such as bunding and to facilitate rehabilitation works. Any surplus excavated material will be stored on-site, with suitable stockpile areas being located near the southern boundary of the site.

The proposed quarry development is unlikely to affect the existing and likely amenity of adjoining properties. Adjoining properties are primarily used for agricultural purposes and are well setback / separated from the pit and processing areas. The potential for dust and soil erosion impacts will be managed under an Environmental Management Plan.

An AHIMS search did not identify any historical records. The assessment findings revealed there were no Aboriginal or sensitive landforms recorded at the site. Given the highly disturbed nature of the land no Aboriginal or European artifacts are likely to be identified. The development is not located near any natural waterways or drinking water catchments.

It is considered that the proposed development has been designed to control and minimise any potential negative impacts on the environment, taking into account the location of existing quarry and site characteristics. It is assessed the proposed development and associated earthworks will not detrimentally impact drainage lines, soil stability, amenity of adjoining properties or any environmental sensitive areas.

Clause 6.2 Terrestrial Biodiversity

This clause applies to land identified as "Biodiversity" on the Parkes Terrestrial Biodiversity Map. Part of the site is identified as 'Biodiversity', therefore this clause applies.

Clause 6.3(4) states as follows:

"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."

Site inspection shows the land, the subject of the proposed quarry expansion, is typically cleared farming land similar to many rural farms in the Parkes Shire. There is a small area of vegetation west of the existing quarry pit that will be within the expansion area and a larger cluster of vegetation to north of the pit which will not be impacted as a result of the proposal. The land has been used for agricultural purposes, then quarrying activities for many years.

Database searches identified 26 threatened flora species with potential to occur within the locality of the subject site. None of the threatened flora species listed above were observed at the gravel pit site or adjoining the site or along





adjoining road reserves. The general observation at time of inspection was that the habitat and / or substrate requirements of these flora species are largely absent at and around the gravel pit site.

Database searches identified 39 threatened fauna species with potential to occur in the region. None of the threatened flora species were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation of habitat was that the available food foraging resources and breeding requirements of native species is lacking at and around the quarry site and largely constrained at the gravel pit site.

The applicant has undertaken a test of significance in accordance with the requirements of the Biodiversity Conservation Act 2016 in which it is determined the proposed removal of vegetation will not adversely impact on any threatened species or lead to any significant adverse environmental impact.

Furthermore, the applicant has provided a range of management and impact mitigation measures that are proposed to be undertaken throughout the life cycle of the development, from pre-operation, during work and rehabilitation. Preventative/mitigation measures include:

- The preparation of a Flora and Fauna Management Plan.
- Delineation of clearing areas with appropriate exclusion areas.
- Implementation of weed control protocols.
- Management procedures in the event that threatened species are identified.
- Re-use for fauna habitat purposes of any fallen or dead wood.
- Rehabilitation of the site post quarrying to enable use of the land consistent with the land use table.

Having regard to the quarry design and the management strategies proposed for the quarry expansion, no significant impacts on the native flora and fauna are assessed.

Clause 6.7 Essential Services

The subject land is currently not connected to Council's reticulated water supply or sewer. The SEE states that on-site water supply and sewerage systems will be used to service quarry workers, amenities and work practices. No additional water supply or sewerage system systems are proposed, as it is anticipated the expanded onsite sediment basin will be able to facilitate quarrying operations. Mains power is available in the area. Existing vehicular access is available from Robertson Road.

State Environmental Planning Policies

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

- SEPP 1 Development Standards
- SEPP 4 Development Without Consent & Miscellaneous Exempt & Complying Development
- SEPP 6 Number of Storeys in a Building
- SEPP 21 Caravan Parks
- SEPP 30 Intensive Agriculture
- SEPP 32 Urban Consolidation (Redevelopment of Urban Land)
- SEPP 33 Hazardous and Offensive Development
- SEPP 36 Manufactured Home Estates
- SEPP 44 Koala Habitat Protection
- SEPP 50 Canal Estate Development
- SEPP 55 Remediation of Land
- SEPP 62 Sustainable Aquaculture
- SEPP 64 Advertising and Signage
- SEPP 65 Design Quality of Residential Flat Development
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007



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- SEPP (Major Development) 2005
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Rural Lands) 2008
- SEPP (State and Regional Development) 2011
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

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

SEPP 33 - Hazardous and Offensive Development

A potentially hazardous or potential offensive industry, and a hazardous and offensive industry are those that without the implementation of appropriate measures to reduce or minimise impacts would (potentially) pose a significant risk to the locality, human health, life or property or the biophysical environment.

In accordance with SEPP 33, the hazardous materials to be held within the subject site are required to be identified and classified in accordance with the risk screening method contained within the Hazardous and Offensive Development Application Guidelines (DoP 2011). In accordance with Clause 8 consideration must be given to the current guidelines published by the Department of Planning to determine whether a development is a potentially offensive / hazardous industry or an offensive / hazardous industry.

The SEE advises there will be no onsite storage of potentially hazardous goods. Accordingly, the proposed development is not considered to involve hazardous goods, or comprise a potential hazardous or offensive industry. A preliminary hazard analysis is not required.

SEPP 44 - Koala Habitat Protection 2020

SEPP 44 applies to the site given that it exceeds 1 hectare in size and is located within the Parkes Local Government Area to which the SEPP applies. Part 2 of the SEPP requires the consent authority to consider whether the land, the subject of the application, comprises potential or subsequently core koala habit.

As part of the flora and fauna assessment work, the applicant carried out a field inspection to identify any potential koala habitats, and to inspect these areas for signs of koalas. Investigations undertaken by Currajong included inspections of feed tree species for koala's, breeding females and koala scats. The investigations did not reveal any evidence of koala's and was the conclusion of Biosis that the land does not comprise a core koala habitat.

An inspection by Council officers on 13 December 2021 validated the work undertaken by Currajong. There was no evidence or koalas and there was a general conclusion that the site did not contain an adequate mix of feed trees to sustain koalas. Research of the previous environmental reports conducted in and around the Parkes area confirms an absence of recordings of Koalas in the region for many years. Based on the Currajong report it is considered unnecessary to proceed further with a SEPP 44 assessment.

SEPP (Infrastructure) 2007

Clause 45 of SEPP Infrastructure requires a Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- Immediately adjacent to an electricity substation.
- Within 5m of an overhead power line
- Includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line.
- Placement of power lines underground.

The proposal is not within or immediately adjacent to any of the above infrastructure. There are no special requirements that need to be considered in relation to electricity infrastructure.

Schedule 3 of SEPP (Infrastructure) 2007 requires any development with over 200 or more motor vehicles to be referred to the Roads and Maritime Services (RMS) for comment. At maximum production capacity it is anticipated the





development will not exceed 200 or more vehicles per day and therefore the proposal is not traffic generating development.

SEPP 55 - Remediation of Land

Clause 7 of SEPP 55 requires that a consent authority must consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.

Before determining whether an application for consent to carry out a development for a change of use the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines. It is assessed that the development does not constitute a change of use and a preliminary investigation report is not required.

The site is not identified on Council's Contaminated Sites Register. A visual inspection and review of the SEE and the contaminated land planning guidelines reveals a number of activities which could lead to potential contamination, including agricultural activities, extractive industries (existing quarry), oil and chemical storage and an existing waste storage area.

An assessment of existing and potential contamination is detailed in Section 4.4.7 of the SEE. The SEE confirms that there are no waste storage areas, or oil / fuel storage areas onsite. The development does not include a change of use and as there will be no changes to operational activity (with the exception of a minor increase in extractive area) it is considered the site is suitable for the ongoing use and expansion of a quarry.

SEPP (Mining, Petroleum, Production and Extractive Industries) 2007

The primary aim of SEPP (Mining, Petroleum, Production and Extractive Industries) 2007 is to provide for the proper management and development of mineral, petroleum and extractive material resources throughout NSW.

Part 3 of SEPP Mining, Petroleum, Production and Extractive Industries 2007 outlines the matters for consideration with any DA for an extractive industry. The SEPP requires a consent authority to consider a number of matters prior to determining a DA for an extractive industry, as follows:

- Clause 12AB of the SEPP lists the non-discretionary development standards relevant to mining. The proposal is identified as an extractive industry and therefore is not subject to further assessment under 12AB.
- Clause 12 of the SEPP requires consideration of the compatibility of proposed extractive industry with other landuses, as follows:
 - (i) the existing uses and approved uses of land in the vicinity of the development, and
 - (ii) whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land-use trends, are likely to be the preferred uses of land in the vicinity of the development, and
 - (iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and
 - (a) evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a) (i) and (ii), and
 - (b) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).

Having regard to the above, the proposed expanded quarry is located within a larger rural holding (Lot 42 DP 753980, "Taweni"). The vast majority of quarrying operations are to be well-contained within the property. Surrounding land-uses are predominantly broad-acre farming enterprises and associated rural dwellings. The nearest dwelling is located approximately 1.15 kilometres to the north of the quarry. The SEE confirms the proposed quarry expansion can be operated without resulting in significant impacts on nearby land-uses, including nearby dwellings.

Appropriate conditions will be incorporated into the consent to control noise, vibration, dust, groundwater and waterway issues to acceptable levels. Subject to conditions, there are no significant impacts assessed on nearby roads or infrastructure. The proposed quarry expansion is considered to be compatible with surrounding land-uses.





- Clause 12A of the SEPP requires consideration of any applicable voluntary land acquisition and mitigation policy
 provisions. The proposed development is not subject to any voluntary land acquisition. No further consideration of
 this aspect of the SEPP is necessary.
- Clause 13 of the SEPP requires consideration of the compatibility of the proposed development with other mining, petroleum production or extractive industry development / resources in the vicinity. Before determining an application to which this clause applies, consideration of the following is required:
 - (i) the existing uses and approved uses of land in the vicinity of the development, and
 - (ii) whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of those resources), and
 - (iii) any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and
 - (a) evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a) (i) and (ii), and
 - (b) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).

Having regard to the above, the proposal is for the ongoing operation and extension of an existing quarry operated by the proponent. The SEE confirms there are no other mines, petroleum production facilities or extractive industries within close proximity of Bendall's Pit. The area is not identified in any environmental planning instrument as a location of significant resources of minerals, petroleum or extractive materials. Inspection of MinView databases reveals there are several exploration licenses are located over and around Bendall's Pit. It is assessed the expanded quarry is a compatible land-use in the locality, as it does not impact on high value agricultural land or any known valuable resources.

- Clause 14 of the SEPP requires consideration as to whether the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure the following:
 - that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable,
 - (b) that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable.
 - (c) that greenhouse gas emissions are minimised to the greatest extent practicable.

The proposed development does not include any extraction or discharge from or into any water / groundwater resources. The subject proposal is not identified within proximity of any major or intermittent watercourses. As detailed in Section 1.7 above there are assessed to be no adverse impacts on terrestrial biodiversity in the locality. Consideration of the greenhouse gas emissions (including downstream emissions) of the development, must also be given in accordance with applicable State or national policies, programs or guidelines concerning greenhouse gas emissions. Based on the scale of the proposal greenhouse gas emissions from the expanded quarry are minimal in the overall context of national emissions. Appropriate conditions will be incorporated into the consent to control air quality to acceptable levels.

- Clause 15 requires the consent authority to consider the efficiency or otherwise of the development in terms of
 resource recovery. The SEE states the proposal would generate minimal waste rock due to the quality of the rock
 available. Furthermore the quarry will only be excavated intermittently as required to provide material for local
 roadworks. Overmining and stock pilling will be avoided where possible. Overburden and topsoil material will be reused on site for bunding and rehabilitation purposes.
- Clause 16 requires the consent authority to consider the efficiency or otherwise of the development in terms of
 transport. Material leaving the site will be used for roadworks in the surrounding locality with alternate pits being
 used for road works in other areas of the Shire. Haulage hours are to be restricted to avoid haulage in school bus
 times. A Drivers Code of Conduct is to be prepared and included as part of an EMP.
- Clause 17 requires consideration of conditions aimed at ensuring the rehabilitation of land that will be affected by
 the development. A detailed assessment of rehabilitation issues is provided in Section 3.11 of the SEE. The SEE
 states the site will be continuously rehabilitated to enable the land to be utilised for agricultural purposes at the
 completion of material extraction. Appropriate conditions will be incorporated into the consent to ensure
 rehabilitation is undertaken in accordance with the SEE.





It is assessed the proposed quarry expansion complies with the relevant provisions of SEPP (Mining, Petroleum, Production and Extractive Industries) 2007.

SEPP (State and Regional Development) 2011

The proposal does not meet the criterion for regional development under part 4 of State Environmental Planning Policy (State and Regional Development) 2011, in that the development is a quarry which does not extract up to or beyond the Designated Development thresholds under the Environmental Planning and Assessment Regulation 2000.

The Environmental Planning and Assessment Regulation 2000, Schedule 3, Item 19 outlines the criteria for designated development. The Statement of Environmental Effects identifies the existing quarry pit is 4.8 hectares in size which exceeds the 2 hectare disturbance area; however the proposed extraction area is approximately 1 hectare in size. The proponent has proposed to undertake rehabilitation works to the section of the existing quarry pit which can no longer extracted from to ensure the total disturbance area for the proposed extraction area does not exceed the 2 hectare disturbance area. Conditions of consent will be imposed to ensure that the disturbance area as a result of the proposed development does not exceed the 2 hectare threshold. Furthermore; the proponent has agreed to an end of life rehabilitation plan to ensure appropriate rectification works are completed upon closure of the quarry.

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

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

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

The Parkes Shire Council Development Control Plan 2021 applies to the land. The proposed development has been assessed against the relevant controls of Part D - Rural Development as follows:

Clause	Comment
D.4 - Rural Industries	The proposal is for the continued operation and expansion of an existing gravel quarry. The area for expansion is identified as terrestrial biodiversity; however as detailed in Section 6.2 above no adverse impacts are assessed. The quarry is in excess of 500 metres from the nearest dwelling. The development will not have any outdoor lighting or buildings. Access to the site and all manoeuvring will be undertaken in accordance with Council's Engineering Standards.

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

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

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

Division 8 of Part 6 of the Environmental Planning and Assessment Regulation 2000 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

Clause	Comment	Compliance	
Clause 92 - Building Demolition	Not relevant to the proposal.	⊠ Yes	□No
Clause 92(1)(e) - Medium Density Design Guide	Not relevant to the proposal.	⊠ Yes	□No



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⊠ Yes	□No
⊠ Yes	□No
⊠ Yes	□No

Clauses 93 - Change of Use Fire Safety and Structural Capacity Considerations	Not relevant to the proposal.	⊠ Yes	□No
Clauses 94 - Fire Safety Upgrades	Not relevant to the proposal.	⊠ Yes	□No
Clause 94A - Temporary Structures	Not relevant to the proposal.	⊠ Yes	□No
Clause 95 - Deferred Commencement	Not relevant to the proposal.	⊠ Yes	□No
Clause 96 - Ancillary aspects of development	Not relevant to the proposal.	⊠ Yes	□No
Clause 97 - Modification or surrender of development consent or existing use	Not relevant to the proposal.	⊠ Yes	□No
Clause 97A - Fulfilment of BASIX commitments	Not relevant to the proposal.	⊠ Yes	□No

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

- Context and Setting The subject land is located approximately 10.5 kilometres south-west of the Peak Hill Township, on Robertson Road. The site has an approximate area of 405.83 hectares. The site has primarily been used for agricultural and quarrying purposes in the past, mainly cropping and livestock grazing. A quarry was established on the site, in the 1950's with no details of approval available for this past use the development has been operating on existing use rights. The land is clear of built structures. The site is characterised by a hill located towards the centre (slightly eastern side) of the property. Other than the quarry site, the land is predominately open grasslands with farm dams and a strand of vegetation to the north of the quarry site. There is a small intermittent drainage channel which runs from east to west across the land, north of the quarry site. The subject site is bound by agricultural land on each orientation. Taweni Road runs to the east and Robertson Road to the south of the site. The extension of the quarry will be consistent with the existing land-use activities currently being carried on at the subject site and on surrounding lands. The expanded quarry operation is not expected to significantly alter the existing context and setting of the area.
- Land Use Conflict The subject land is zoned RU1 Primary Production. The proposed expanded quarry is located within a larger rural holding (Lot 42 DP 753980, "Taweni"). The vast majority of quarrying operations are to be wellcontained within the property. Surrounding land-uses are zoned RU1 Primary Production and predominantly broadacre farming enterprises and associated dwellings. The nearest dwelling (not associated with the guarry) is located approximately 1.7km to the south-east of the proposed quarry expansion area. There are several other dwellings within 5 kilometres of the subject site. The SEE confirms the proposed quarry expansion can be operated without resulting in significant impacts on nearby land-uses, including nearby dwellings. No land-use conflicts are assessed, based on the SEE findings and current land-use activities being carried out on adjoining lands.
- Access and Traffic The subject land (Lot 42 DP 753980, "Taweni") is located on the corner of Taweni Road and Robertson Road. Access to the quarry is located at the south-east corner of the site off Robertson Road. All traffic is proposed to enter and leave the site via the existing access from Robertson Road. Transport movements from the site with material will vary depending on the location of civil works which will be serviced by material from the quarry site. The SEE states that all material will be utilised by Council for surrounding roadworks within proximity of the quarry pit, with alternate quarry pits utilised for road works farther away.

Council's Development Engineer has reviewed the proposal and advised that Robertson Road has been gazetted for B-doubles. Currently the access is an unsealed access, set back from the road at the fence-line. The access to the quarry Robertson Road will need to be upgraded/designed to meet the requirements of the largest design



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vehicle. It is assumed that a class 7 (truck and dog) may be a representative vehicle to be used. This would then require the access to be reconstructed/designed to Figure 7.4 of the AUSTROADS Guide to Road design - Part 4: Intersections and crossings- general. Traffic volumes aren't expected to change as the pit mostly provides gravel for maintenance and rehabilitation of existing pavement. The construction of a rural access is to be undertaken by applicant and is noted in conditions of consent. Signage at access location currently meets the requirements and therefore no additional signage is required.

It is expected that traffic noise impacts associated with the quarry will not be significantly increased. Given the intermittent use of the gravel pit and separation distance to the nearest sensitive receiver (rural dwelling) no adverse impacts are assessed.

- Public Domain The proposed development will not compromise the availability and enjoyment of public recreational opportunities in the locality. No adverse impacts are assessed.
- Utilities The existing site is not connected to the Parkes Shire Council reticulated water or sewerage systems. No
 connections to reticulated services are required to support the proposed development. Electricity and
 telecommunication are available at the site. Conditions of consent will be imposed requiring the establishment of
 onsite services for emergency management and domestic use.
- Heritage The site has been used for broad acre agricultural purposes and quarrying since 1950. The SEE does
 not identify any items of Aboriginal or European Heritage Significance. Inspection of the site and a search of the
 AHIMS Database does not identify any items of Aboriginal or European Heritage Significance. No adverse impacts
 are assessed.
- Other land resources The site (Lot 42 DP 753980, "Taweni") is zoned RU1 Primary Production. The proposed
 development is consistent with the existing land-uses (quarry and livestock grazing) on the land. The proposal has
 been assessed against SEPP (Mining, Petroleum, Production and Extractive Industries) 2007, with no significant
 detrimental effects on valuable land resources being identified. The proposed development will not affect any water
 supply catchments.
- Bushfire The subject property is identified on the Parkes Shire Bushfire Prone Landmap 2006. The location of the
 existing gravel pit and expansion area is outside of the identified area. In accordance with Planning for Bushfire
 Protection 2006 the development has been classified as :other development" as it is not a Special Fire Protection
 Purpose or Residential Development. Accordingly the proposal has been assessed against Section 8.3 Other nonresidential development as follows:
 - Access: The existing quarry is located along the southern boundary of the allotment with a single vehicle access point to Robertson Road. Robertson Road is a through road which heads south towards Parkes and west towards Tullamore. Furthermore; Taweni Road (connecting to Robertson Road) heads north towards Peak Hill providing multiple egress opportunities from the locality. The bushfire prone identified area is located to the north of the quarry pit. Given the relative proximity of the quarry pit from the local road network, opportunities to evacuate in multiple directions and low staffing rates associated with the intermittent use of the quarry it is assessed the access / egress to the site is sufficient subject to upgrades of the pavement finish.
 - Emergency Evacuation: Conditions of consent will be imposed requiring the preparation of an emergency management plan as per Section 8.3.6 of PBP.
 - Services: There are no main services (water, sewerage, gas or electricity), within proximity of the site; therefore no adverse impacts in relation to the location of services adjacent to a hazard are assessed. PBP recommends the provision of water for the protection of buildings during and after the passage of a fire. Given the development is for a quarry, there will be no permanent buildings with all extraction of material undertaken via plant machinery it is considered unnecessary to require water supply for the protection of buildings. Conditions of consent will be imposed to ensure that onsite water supply is provided for the protection of persons on the site post fire events.
 - Storage of Hazardous Materials: The quarry will be operations with conventional plant utilising drilling and large earthmoving machinery to extract and transport material around and from the site. As such there will not be any storage of any hazardous materials on the site associated with large stationary processing plant or for rock face blasting. No adverse impacts are assessed.

As detailed above the proposed development can comply with the relevant controls, subject to conditions, under the latest NSW Rural Fire Service Planning for Bushfire Guidelines.





- Surface Water and Groundwater The site is not identified on the groundwater vulnerable land map under the Parkes Local Environmental Plan 2012. Based on the SEE which included investigation of groundwater bores in the locality it is considered unlikely that groundwater will be intersected. Stormwater will be collected and largely used on-site via a sediment pond. A Stormwater Management and Sediment Erosion Plan has been developed. The mitigation measures documented in Section 5.2.4 of the SEE are sufficient to avert potential associated environmental impacts to surface water resources. Stormwater surrounding the pit will be diverted away from any excavation areas. Given the separation of the site from key waterways and the depth of known aquifers in the locality no adverse impacts are assessed.
- Soils Earthworks will be required to construct pit and bunded areas. The SEE provides a comprehensive suite of commitments and mitigation strategies to control soil issues and impacts. The management of drainage and soil movement and stability will be managed under an Environmental Management Plan. It is considered that the proposed development has been designed to control and minimise any potential negative impacts on the environment, taking into account the location of existing quarry and site characteristics. It is assessed the proposed development and associated earthworks will not detrimentally impact drainage lines, soil stability, amenity of adjoining properties or any environmental sensitive areas, subject to suitable conditions of consent.
- Air & Microclimate The proposal has potential to generate dust from earthmoving, material processing and
 haulage operations. There is the potential for the generation of emission from the use of motor vehicles and the
 operation of plant associated with extracting, crushing and grinding of material. Given the separation distance from
 the pit to the nearest sensitive receiver it is assessed the proposed development will be able to comply with the
 Protection of the Environment Operations (Clean Air) Regulation 2010. No adverse impacts are assessed.
- Noise and Vibration The proposal has potential to generate noise and vibration from earthmoving, material processing and truck haulage operations. The SEE includes a detailed noise assessment undertaken in accordance with the EPA Noise Policy for Industry 2017. The assessment reveals that the proposed development is able to comply with the relevant project intrusiveness noise levels and project amenity noise levels that are detailed in the policy. Given the proximity of sensitive receivers and limitation to daylight operations it is assessed the maximum noise level will not lead to any sleep disturbance.

Consideration has been given to the Road Noise Policy 2011, in which it is assessed there is unlikely to be any adverse impacts given the intermittent use of the site and separation distance of dwellings from key road haulage routes that will be utilised from the site. No blasting is proposed and therefore no further consideration of the ANZECC blasting guidelines is required.

Flora and Fauna - Site inspection shows the land, the subject of the proposed quarry expansion, is typically
cleared farming land similar to many rural farms in the Parkes Shire. There is a small area of vegetation west of the
existing quarry pit that will be within the expansion area and a larger cluster of vegetation to north of the pit which
will not be impacted as a result of the proposal. The land has been used for agricultural purposes, then quarrying
activities for many years.

Database searches identified 26 threatened flora species with potential to occur within the locality of the subject site. None of the threatened flora species listed above were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation at time of inspection was that the habitat and / or substrate requirements of these flora species are largely absent at and around the gravel pit site.

Database searches identified 39 threatened fauna species with potential to occur in the region. None of the threatened flora species were observed at the gravel pit site or adjoining the site or along adjoining road reserves. The general observation of habitat was that the available food foraging resources and breeding requirements of native species is lacking at and around the quarry site and largely constrained at the gravel pit site.

The applicant has undertaken a test of significance in accordance with the requirements of the Biodiversity Conservation Act 2016 in which it is determined the proposed removal of vegetation will not adversely impact on any threatened species or lead to any significant adverse environmental impact.

Furthermore, the applicant has provided a range of management and impact mitigation measures that are proposed to be undertaken throughout the life cycle of the development, from pre-operation, during work and rehabilitation. Preventative/mitigation measures include:

· The preparation of a Flora and Fauna Management Plan.





- · Delineation of clearing areas with appropriate exclusion areas.
- · Implementation of weed control protocols.
- · Management procedures in the event that threatened species are identified.
- · Re-use for fauna habitat purposes of any fallen or dead wood.
- Rehabilitation of the site post quarrying to enable use of the land consistent with the land use table.

Having regard to the quarry design and the management strategies proposed for the quarry expansion, no significant impacts on the native flora and fauna are assessed.

- Waste An assessment of waste generation and potential impacts documented in Section 3.7 of the SEE. The
 SEE states the proposal would generate minimal waste given the proposed level of operations. Waste will be
 limited to mud slurries, general solid waste and waste from onsite mechanical breakdowns. All waste will be
 managed via establishing appropriate site management practices including removal of waste from site, installation
 of temporary toilets for domestic waste and prevention of fires / burying of waste onsite. No adverse impacts are
 assessed.
- Natural Hazards The site is not flood prone. The subject land is identified on the bushfire prone land map. No
 adverse impacts are assessed. Conditions have been provided from NSW Rural Fire Service, and incorporated in
 the recommendation.
- Technological Hazards A visual inspection and review of the SEE and the contaminated land planning
 guidelines reveals a number of activities which could lead to potential contamination, including agricultural
 activities, extractive industries (existing quarry), oil and chemical storage and an existing waste storage area.

An assessment of existing and potential contamination is detailed in Section 4.4.7 of the SEE. The SEE confirms that there are no waste storage areas, or oil / fuel storage areas onsite. The development does not include a change of use and as there will be no changes to operational activity (with the exception of a minor increase in extractive area) it is considered the site is suitable for the ongoing use and expansion of a quarry.

- Safety Security and Crime Prevention The proposal does not pose a safety security or crime prevention risk.
- Social Impact in the Locality The proposed development will support the ongoing development of infrastructure
 in Parkes and the Central West and therefore the proposal will provide a positive social and economic benefit to the
 area. The development will create an anticipated four new jobs to the local community.
- Economic Impact in the Locality The proposed development will have a positive impact on the local economy throughout the operation of the quarry, through employment opportunities and the supply of high quality quarry products to the region. It is anticipated the development will generate up to 6 workers during peak times. The proposed development has the potential to provide a valuable resource to facilitate local road works and large infrastructure projects in the Parkes Shire and will therefore support the development of the local economy.
- Site Design and Internal Design The proposal is generally consistent with the Parkes Local Environmental Plan 2012 and the Parkes Development Control Plan 2021. The design has taken into consideration the existing site features of the land and drainage patterns. The development proposal has been designed to minimise impacts on the environment, road infrastructure, as well as nearby isolated dwellings.
- Cumulative Impacts The proposal is consistent with the Parkes Local Environmental Plan 2012 and
 Development Control Plan 2021. The site has been zoned for primary production purposes. Adequate control
 measures are in place to mitigate and manage noise, dust, traffic, stormwater, erosion, and the like. It is assessed
 that the cumulative impacts of the proposed development are minimal and manageable.

6. Site Suitability Assessment:

The suitability of the site for development is a two part test:

1. Does the proposal fit in the locality?





The site is zoned RU1 Primary Production on which an extractive industry quarry is permissible with consent. The proposal involves the ongoing operation and expansion of an existing quarry. The proposed expanded use is considered suitable for the site given the land features an existing quarry, features appropriate setbacks from neighbouring dwellings, requires minimal vegetation clearance and has suitable transport networks through the local road network. The development does not require connection to Council's reticulated networks.

2. Are the site attributes conducive to development?

The location of the proposed development requires the removal of a small number of trees; however the vegetation does not form part of any biodiversity corridor, nor does it contain any endangered species. The development is not within proximity of a watercourse or any other environmental sensitive feature. The subject site has slope from the knoll of the hill in the centre of the land to the south east/west and earthworks are required; however, the earthworks can be managed via appropriate batters to ensure there are no adverse impacts on adjoining allotments. The site is conductive to the development with all appropriate measures implemented.

7. Public Submissions Review and Assessment:

The development was notified to adjoining land owners and publicly advertised from 25 November 2021 to 9 December 2021 in accordance with the Parkes Shire Community Engagement Strategy 2021-2025. No submissions to the proposal were received during the exhibition period.

8. Public Interest Assessment:

Reviewing Officer

Annalise Cummings - Manager Planning Services

The proposed freight transport facility is permitted in the RU1 Primary Production Zone. There are no specific policy statements from either Federal or State Government that are relevant to this proposal, nor any planning studies or strategies. There is no management plan, planning guideline or advisory document that is applicable to the development. There are no covenants, easements, or agreements that affect the proposal.

9.	Assessment Conclusion / Recommendation		
Con	sent be granted subject to condition(s) detailed below		
	3. fut		
~	- tul	15 February 2022	
Ass	sessment Officer	Date	
Bre	nt Tucker – Development Planner		

Date

11.4. (DPCS) DA2022/0019 - Temporary Caravan Park and Camping Ground (Parkes Elvis Festival) at "Harrison Park", Eugowra Road, Parkes

Prepared By:

Director Planning and Community Services

Development Application Information

Application No: DA2022/0019

Applicant: C Treasure

Property: Lot 7032 DP 1023740, "Harrison Park", Eugowra Road, Parkes

Proposal: Temporary Caravan Park and Camping Ground (Parkes Elvis Festival)

Executive Summary

Council is in receipt of Development Application No. DA2022/0019 from C Treasure (Parkes Shire Council) for the operation of a Temporary Camping Ground and Caravan Park at Harrison Park for a two (2) week period, annually. The operation of the Caravan Park and Camping Ground will be associated with the Elvis Festival.

Harrison Park is split by Nash Street, Lot 240 DP 750179 comprising 2.31 hectares on the northern side of the road and Lot 7032 DP 1023740, 4.03 hectares on the southern side of Nash Street. Harrison Park is actively used for recreational purposes, with playing fields for cricket and soccer. The proposed temporary caravan park will be located adjacent to the amenities buildings and around the periphery of the playing fields.

The development proposes up to seventy-five (75) short term caravan sites (eight (8) meters by twelve (12) meters) and thirty-one (31) camping sites (five (5) meters by five (5) meters) associated with providing temporary caravan park facilities to cater for the Parkes Elvis Festival. It is expected that the majority of the patrons making use of the site will utilise the many clubs, pubs and restaurants within the Parkes Central Business District during the festival. Harrison Park also has an amenity building located on each allotment, which will be operational throughout the use of the land as a temporary caravan park and camping ground.

The proposed development is consistent with all relevant planning legislations. It is assessed that the development proposal represents a temporary caravan park under the Parkes Local Environmental Plan 2012, Local Government Act 1993 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwelings) Regulations 2021.

The proposed development was advertised and neighbour notified in accordance with the Parkes Shire Community Engagement Strategy 2021-2025. One (1) objection was received during the notification period, raising concerns that the proposal does not comply with the Local Government Regulation for caravan parks / camping ground, and that the documents does not provide sufficient information on management practices such as handling waste, crime prevention and security, noise impacts and traffic management.

Temporary caravan parks and camping grounds are not required to comply with the design requirements of the regulation given their short term use. A site manager has been appointed to ensure operation of the site is undertaken in an appropriate manner, including limiting noise, ensuring patrons utilise the existing car parks and reducing potential adverse behaviour. Patrons of the site will be provided information identifying local dump points which can be utilised.

The proposed development will not result in any adverse environmental, natural, social or economic impacts in the locality. The development proposal will provide short-term accommodation throughout the Elvis Festival.

Operational aspects of the temporary caravan park will be managed by various organisations and coordinated by the Parkes Elvis Festival Director.

A Statement of Environmental Effects is included in Attachment 1 and a plan of the development proposal is included in Attachment 2.

A Development Assessment Report, dealing with all aspects of the proposal is included in Attachment 3.

Background Information

The site has historically been zoned "6 Open Space Zone". The land has been since rezoned as RE1 Public Recreation under the Parkes Local Environmental Plan 2012. Caravan Parks and Camping Grounds are listed as development permitted with consent under the Parkes Local Environmental Plan 2012.

The site is also identified on the Parkes Shire Council Plan of Management for all Council Owned Community Land. The land is categorised under the plan as a sports ground. Section 5.7 of the plan outlines potential future uses of the land including the operation of a temporary campground.

Council have previous granted approvals for caravan parks/camping grounds to provide temporary accommodation for the Elvis Festival at the following locations:

- Parkes Showground
- Harrison Park (reduced scale proposal)
- North Parkes Oval
- Pioneer Oval
- Spicer Oval
- Keast Park
- Edward McGlynn Park

Recommendation

It is recommended that the application be approved subject to the conditions contained in the report.

Conditions

Approved Plans and Documentation

- 1. The development shall be generally carried out in accordance with:
- i) The approved stamped Statement of Environmental Effects, prepared by Currajong Planning, Property + Project Management, dated November 2021.
- ii) The stamped approved site plan, prepared by Currajong Planning, Property + Project Management, Site Plan, Sheet A0.1,dated 31 October 2021.

A current and approved copy of the approved stamped by Parkes Shire Council is to be maintained on site for reference purposes.

- **2.** The Applicant shall prepare a Caravan Park Operations Management Plan in consultation with the Director Planning and Community Services, Coordinator of Parks and Gardens and the Chairperson of the Parkes Sports Council. The Caravan Park Operations Management Plan as a minimum must include the following details:
- a) The amount and location of amenities to service each temporary caravan park.
- b) The amount and location of waste receptacles.
- c) Access and traffic arrangements.
- d) Emergency Management details.
- e) The location of any security lighting and hours of operation.
- f) The procedures maintain the sports grounds in a clean and tidy condition at all times.
- g) Procedures to remove waste from the waste receptacles and clean the amenities.

Limitations on Consent

- **3.** Activities associated with the Temporary Caravan Park shall be restricted to two (2) days prior to the Elvis Festival, during the festival and two (2) days after the completion of the Elvis Festival.
- **4.** This consent is for the erection/installation of no more than 75 caravans/ camper vans and 31 camping sites.
- **5.** The Applicant must receive a Section 68 Approval to operate a caravan park under the *Local Government Act 1993* prior to the setup of the first caravan / motor home on the site.

Operational Conditions

- **6.** The contact details of the site manager, including a phone number shall be displayed at the front entrance to the site at all times.
- **7.** The site manager shall attend forthwith to any complaints and/or anti-social behaviour including noise at all times that such activities occurs.
- **8.** The premises shall be kept in a clean and tidy condition at all times to the satisfaction of Parkes Shire Council.
- **9.** The Applicant shall remove all redundant sign structures from the land at the end of the Elvis Festival weekend to the satisfaction of Parkes Shire Council's Director Planning and Environment.
- **10.** Any exterior lighting associated with the development shall be designed and installed so that no light will be directly cast onto any adjoining property or road way.
- **11.** Delineation of the extent of the boundaries, and identification number of each caravan site shall be clearly marked with semi-permanent marker paint for the duration of the existence of the temporary caravan park facility. Such delineation shall be removed in

entirety by the Applicant to the satisfaction of Parkes Shire Council, at the conclusion of the Elvis Festival.

- **12.** No open fires are permitted at any time during the Elvis Festival.
- **13.** No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever. No generators or other potentially noisy mechanical equipment are permitted to be operated beyond 10.00pm.
- **14.** Adequate waste facilities are to be provided and maintained in a clean and sanitary condition. These are to be serviced regularly with the removal of waste prior to the receptacles overflowing. Arrangements must be in place for the periodic collection of any waste or recyclable materials likely to be generated as a result of the use of the caravans and any attendant structures on the site.
- **15.** Caravans and attendant structures shall be erected at ground level.
- **16.** Trees growing on the land on which caravans and any attendant structure are erected, or on adjoining land, must not be damaged as a result of the positioning of caravans, or the erection or use of attendant structures.
- **17.** The temporary caravan park area shall be setback a minimum of forty (40) metres from the Goobang Creek.

Fire and Emergency Safety

- **18.** Fire extinguishers shall be provided to comply with Australian Standard 2444, in regard to number, type, sizing and location on the site.
- **19.** Each caravan sites shall be a minimum of seven (7) metres wide by ten (10) metres in length. There is to be a minimum lateral separation spacing of 1.5 metres between each caravan site.

Access, Parking and Loading

- **20.** A minimum of one (1) car-park space within the Harrison Park car-parking area shall be allocated to each occupied caravan site. Adequate car parking and trafficable areas shall be provided, maintained and kept clear and available at all times that the temporary caravan park is operational.
- **21.** Vehicle movements on the playing surface of Harrison Park shall be restricted to setting up, and/or packing up of caravans only.
- **22.** All caravan site shall front onto an access corridor a minimum of six (6) metres width. The access corridor shall be kept clear of all vehicles or any other obstruction at all times to facilitate appropriate access and egress by Emergency Vehicles as required and general safe pedestrian movement of park residents.
- **23.** All loading and unloading of delivery vehicles is to take place off-street and must not inhibit the free flow of vehicles accessing the site.
- **24.** Dust from the car park and trafficable areas shall be kept to an absolute minimum. Where dust is, or is likely to become a nuisance, watering down of such areas shall be undertaken.

Health and Amenity

- **25.** One (1) additional hand-basin shall be provided and permanently installed in an appropriate location, to each of the Male and Female toilet facility buildings on the Harrison Park site. All work involved in the installation of hand basins shall only be carried out by a licensed plumber, to the applicable requirements of Australian Standard AS.3500.
- **26.** The Harrison Oval playing surfaces are not to be watered with the recycled water system with 24 hours of set-up of the first caravan / camping sie.
- **27.** The onsite sewage management system shall be pumped out prior to the opening of the temporary caravan park and regularly as required, by a licensed operative, to ensure that no effluent is discharged at ground level on the site at any time.
- **28.** The onsite sewage management system shall be monitored throughout the first year of the temporary caravan park and if required, be upgraded to a suitable capacity prior to the second year of operation.

Note: This will require a geotechnical design assessment and a Section 68 Approval under the *Local Government Act 1993*.

- **29.** The canteen, food preparation area and amenities shall be cleaned daily for the duration of the use of the land as a temporary caravan park.
- **30.** The Applicant shall coordinate with Council's Manager Parks and Gardens and the Parkes Shire Sports Council groundsman to locate all irrigation systems in the vicinity of the proposed site, prior to the setup of the first caravan on the site.

Note: The proponent shall arrange for the irrigation system to be turned off to ensure that caravan on site are not sprayed whist located on Harrison Park.

Lighting

- **31.** Lighting shall be erected in compliance with WorkCover requirements and will be provided with a suitable outdoor electrical safety tag.
- **32.** Any damage caused to footpaths, roadways, utility installations, trees and flora and the like by reason of operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of use. The full cost of restoration/repairs of property or services damaged during the works shall be met by the applicant.

Attachments

Nil

Attachment 1 - SOEE - DA2022_0019

Statement of Environmental Effects

Harrison Park Temporary Caravan Park, Eugowra Road, Parkes

November 2021





Document Control

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Executive Summary

Currajong Pty Ltd has been engaged by Parkes Shire Council to prepare a Statement of Environmental Effects to support a Development Application for a Temporary Caravan Park at Harrison Park, Parkes.

Located on the corner of Eugowra Road and Nash Street Parkes, Harrison Park has been used as a temporary caravan and campervan park since 2011 in association with the Parkes Elvis Festival.

Parkes Shire Council wishes to gain consent for the continued use of Harrison Park (Lot 240 DP 750179 and Lot 7032 DP 1023740) for a Temporary Caravan Park, for up to two weeks of the year (generally in January each year) on a continued annual basis.

The design phase has been guided by inputs from Parkes Shire Council, sporting groups and other members of the local community.

The proposal is now ready for lodgement as a Development Application under the NSW Environmental Planning and Assessment Act 1979.

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1. Introduction

1.1. Scope

This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Parkes Shire Council, the applicant and manager of Harrison Park at Parkes.

This document accompanies a Development Application for a proposed temporary caravan park on Lot 240 DP 750179 and Lot 7032 DP 1023740, corner of Nash Street and Eugowra Road, Parkes. The proposal involves the establishment of 40 short-term caravan / campervan sites on Lot 240 (north the Nash Street) and a further 35 short-term caravan / campervan sites and 30 short-term tent sites on Lot 7032 (south of Nash Street).

The proposed temporary caravan park would be used during the Parkes Elvis Festival, which typically operates in January each year. The 2022 Parkes Elvis Festival is being postponed to later in the year in response to Covid-19 issues.

1.2. About Parkes Shire Council

The applicant for the proposal is Parkes Shire Council. The applicant is committed to the welfare, growth and development of residents in its Local Government Area. Council is particularly interested in supporting the Parkes Elvis Festival, including ways to provide temporary accommodation during the festival each year. The proposed use of Harrison Park for a temporary caravan park is yet another community project aimed at supporting the health, wellbeing and lifestyle of shire residents.

1.3. About Harrison Park

The Parkes Shire Council Plan of Management for Community Land shows the Harrison Park as Community Land. Harrison Park is home to the Parkes Soccer Association. Large well maintained soccer fields are located on either side of Nash Street, Parkes and to the west of the Eugowra Road and north of the Goobang Creek. Facilities at Harrison Park include soccer playing fields, amenities and change room buildings, lighting and car parking areas. Power, potable water and onsite wastewater management facilities are also available. Large gravel car parks adjoin the facility to the east.

1.4. Council's Vision for Parkes

Parkes is at the centre of a strong agricultural, mining and freight logistics sector in Central NSW. The Parkes Shire Community Strategic Plan establishes that Parkes Shire will be:

'A progressive regional centre, embracing a national logistics hub, with vibrant communities, diverse opportunities, learning and healthy lifestyles.'

Parkes Shire Council is undertaking a number of strategic projects aimed at positioning Parkes as a regional centre in Central NSW. Other tiers of government also support this approach and are investing in the Inland Railway, the Parkes Special Activation Precinct, Parkes Newell Highway Bypass, Parkes Elvis Festival and multiple other business ventures.

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Parkes Shire Council has an interest to progress a proposed temporary caravan park at Harrison Park as a means of supporting the annual Parkes Elvis Festival.

1.5. Approvals Required

In accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* a Development Application is to be lodged with Parkes Shire Council, along with the Statement of Environmental Effects (this report) and Plans of the proposed temporary caravan park. An approval under Section 68 of the *Local Government Act 1993* is also required for the operation of a temporary caravan park.

1.6. Format of the Report

The information presented in this SEE covers all aspects of the proposal as specified under the *Environmental Planning and Assessment Regulation 2000*. The SEE has been prepared as a single document of several sections as follows:

- Section 1 introduces the proposal, providing background information.
- Section 2 provides a description of the proposal.
- Section 3 describes the main features of the site.
- Section 4 reviews the proposal against the relevant legislative requirements.
- Section 5 assesses the main issues relevant to the proposal and documents the proposed mitigation and management strategies proposed to minimise environmental impacts.
- Section 6 reviews the proposal against the environmental, economic and social considerations as well as the principles of Ecologically Sustainable Development, Crime Prevention through Environmental Design and other non-statutory best practice guidelines.
- Section 7 provides the conclusion for the SEE.

Plans and drawings of the proposed temporary caravan park are presented as a separate electronic file (PDFs) to the SEE.

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Description of the Proposal

2.1. Objectives of the Proposal

The principal objective of the proposal is to obtain development consent to enable the continued use of Harrison Park as a temporary caravan park for up to two weeks every year on a continued basis.

2.2. Overview of the Proposal

The proposed temporary caravan park would be used during the Parkes Elvis Festival, which typically operates in January each year. For the 2022 Parkes Elvis Festival, the event is being postponed to later in the year to minimise potential disruption from Covid-19 issues.

The proposed temporary caravan park will have 75 short-term caravan / campervan sites and 30 short-term tent sites. In order to minimise conflict between motor vehicles and pedestrians / patrons and to prevent damage to the playing surface, car movements for the caravan sites will be restricted to set-up and pack-up only. The location of temporary sites will also avoid the soccer playing field areas and cricket pitch.

Each caravan / campervan site is to be a minimum of 8 metres wide by 12 metres long. All sites will front onto internal access roads, which have been designed to be a minimum of 6 metres wide. The extent and identification of each site will be marked with semi-permanent marker paint. Each patron will be provided with an approved site in which to park their caravan / campervan. Caravans will be provided, erected, maintained, dismantled and removed by the caravan owners. Due to the temporary nature of the caravan park, each site would be un-powered and not connected to water or sewerage.

Each tent site is to be a minimum of 5 metres wide by 5 metres long. Tents will be provided by a service provider and have a consistent appearance / structural performance. All sites will have minimum separation of 1.5 metres.

Harrison Park has two amenities building that would be utilised by the Elvis Festival patrons, including showers and toilets.

Vehicular access to Harrison Park is from Nash Street and a side road from the Eugowra Road via unsealed gravel driveways and parking areas. Access onto the fields will through existing gates fronting onto public roads.

Car parking spaces would be available in the Harrison Park car parking areas adjoining Nash Street and the Eugowra Road.

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3. Development Site Description

3.1. Locality Description

Harrison Park is located approximately 500 metres south of Parkes Township, via the Eugowra Road. Harrison Park is bounded by the Eugowra Road, Nash Street, Parkes-Sydney Railway and the Goobang Creek. The Park is well connected to the Parkes Township via the Eugowra Road, and functions as part of the urban open space network. The sign-posted speed limit of the Eugowra Road at its intersection with Nash Street is 60 km/h. A shared path (for pedestrians and cyclists) links to Harrison Park from the Parkes Urban Area.

The Goobang Creek is located directly south of Harrison Park. This creek system is subject to flooding in periods of high rainfall events in the Harvey Ranges catchment. In large flood events, the Goobang Creek floods the Eugowra Road and requires the road to be closed. These flood events occur for short periods and the Eugowra Road is usually only closed for one or two days. Recent upgrades to the Lake Endeavour Dam wall and spillway will help to regulate downstream flooding of the Goobang Creek and may alleviate some of the past disruptions to the Eugowra Road. Harrison Park is not affected by flooding of the Goobang Creek, and the Eugowra Road link between Harrison Park and the Parkes Urban Area remains open to traffic in times of flooding.

Remnant / regrowth bushland is located to the south and north of Harrison Park. A number of flora and fauna reports have been prepared in the area, which have not identified any significant flora and fauna issues. Historic studies and archaeological investigations also confirm an absence of heritage sites in the area.



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3.2. Land Title Details

The site of the proposed temporary caravan park is formally described as Lot 240 DP 750179 and Lot 7032 DP 1023740, corner of Eugowra Road and Nash Street, Parkes.

3.3. Nearby Land Use

The surrounding land comprises public roads, railways and the Goobang Creek. There are no dwellings adjoining the site. The nearest residences are located a minimum 200 metres from Harrison Park.

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4. Planning and Legislative Context

4.1. Introduction

The following section of the report describes the applicable local planning policies, State and Federal legislation and guidelines. The applicable documents are summarised in this section, followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.2. Commonwealth Legislation

4.2.1. Environment Protection and Biodiversity Conservation Act 1999

Under the Federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), referral is required to the Australian Government for proposed actions that have the potential to significantly impact on Matters of National Environmental Significance (MNES) or the environment of Commonwealth land. The assessment of the proposal's impact on MNES and the environment of Commonwealth land found that there is unlikely to be a significant impact on relevant MNES or on Commonwealth land. The EPBC Act identifies the following as matters of national environmental significance for which Ministerial approval is required:

- World heritage properties.
- Wetlands of international significance.
- Listed threatened species and communities.
- Listed migratory species protected under international agreements.
- National Heritage Places.
- Protection of the environment from nuclear actions.
- Commonwealth Marine environments.

The proposal has been assessed against the EPBC Act Significant Impact Guidelines 1.1 - Matters of National Environmental Significance. The Parkes Local Government Area does not comprise an area of world or national environmental significance. Harrison Park is not listed as a National Heritage Place. An assessment of the flora and fauna impacts of the proposal has been undertaken as part of the preparation of the SEE and concludes the proposed temporary caravan park activities at Harrison Park are unlikely to have a significant impact on threatened, critically endangered, endangered or vulnerable species and ecological communities. Accordingly, the proposal has not been referred to the Australian Government Department of the Environment and Energy under the EPBC Act, given the low potential for species / national heritage impacts.

4.2.2. Native Title Act 1993

Native title rights are considered to pre-date official recognition of native title rights, so Native title can be relevant to activities carried out on the land even if no native title claim has been made or registered. To properly address Native title, the *Native Title Act 1993* (NT Act) provides the framework for determining Native title claims in Australia. The native title process must be considered for each activity on the land and a native title assessment must be undertaken. The continued use of Harrison Park for Community Use activities managed by Parkes Shire Council does not impact on Native title, and Native title rights do not exist over the subject land.

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4.2.3. Disability Discrimination Act 1992

The Federal Disability Discrimination Act 1992 (DDA Act) exists to provide legal protection against discrimination for people with disability (and carers, co-workers or associates of a person with a disability). The DDA Act prohibits discrimination against people with disabilities in employment, education, publicly available premises, provision of goods and services, accommodation, clubs and associations, and other contexts. Discrimination is defined to include failing to make reasonable adjustments for a person with a disability. Complaints made under the Act are made to the Australian Human Rights Commission. Any member of the community can make a complaint about discrimination.

The proposed temporary caravan park is planned to be used for a wide variety of van users during the Parkes Elvis Festival, including older patrons and persons who may have a disability. A major driver of the project design is to provide access throughout Harrison Park during its temporary use as a caravan park for people with a disability. To address the above standards and guidelines and the objects of the DDA Act, the following is proposed:

- Accessible pedestrian entrance at the allotment boundaries linking from existing public car parks to the main entries into Harrison Park.
- Continuous accessible path of travel throughout the sports oval and publicly available parts of the amenity buildings.
- Sanitary facilities, including accessible facilities and ambulant cubicles.
- Information and directional signage for sight impaired and blind persons, where deemed practical.

4.3. NSW Legislation

4.3.1. Environmental Planning and Assessment Act 1979

The NSW Environmental Planning and Assessment Act 1979 (EP&A Act) forms the legal and policy platform for development assessment and approvals process in NSW. The objects of the EP&A Act are:

- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c) to promote the orderly and economic use and development of land,
- d) to promote the delivery and maintenance of affordable housing,
- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g) to promote good design and amenity of the built environment,
- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- to provide increased opportunity for community participation in environmental planning and assessment.

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Under the EP&A Act, local councils prepare Local Environment Plan (LEPs) that specify planning controls for specific parcels of land. The EP&A Act also provides for State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs). Applicable environmental planning instruments are discussed briefly in later parts of this section.

Development consent is required for the proposed temporary caravan park, pursuant to the *Parkes Local Environmental Plan 2012*. This Statement of Environmental Effects provides an assessment of the proposal against the relevant matters for consideration under Section 4.15 of the EP&A Act, and details how the proposal will be developed and operated to protect the environment, the community and to provide for ecologically sustainable development.

4.3.2. Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act 2016) provides a framework for the management of flora and fauna on lands within NSW. Under this Act the principles of ecologically sustainable development are used to achieve the conservation and protection of biodiversity values. In conjunction with the BC Act 2016, the Biodiversity Assessment Method (BAM) is used as the model for undertaking biodiversity assessments on developments that require consent under the EP&A Act. The BAM provides a classification and credit system to ensure that there is no net loss of biodiversity values across the State.

Under Section 1.7 of the EP&A Act a consent authority is required to take into consideration Part 7 of the BC Act, which requires consideration of whether a proposal is likely to significantly affect threatened species. A development activity is considered to result in a significant impact in the following assessed circumstances:

- a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or
- b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or
- c) it is carried out in a declared area of outstanding biodiversity value.

Harrison Park is located towards the southern outskirts of the Parkes Urban Area. Vegetation at Harrison Park is generally limited to native and exotic species around the periphery of the grassed playing fields. The site does not meet the definition of BC Act native vegetation, as it lacks a native over-storey, mid-storey, and shrub-storey and the ground layer is highly disturbed and predominantly exotic. The site is not a declared area of outstanding biodiversity value.

The proposal does not involve clearing above the thresholds under clause 7.23 of the *Biodiversity Conservation Regulation 2017*. The proposal will not result in any significant impacts to local species, communities or habitats.

4.3.3. Local Government Act 1993

The Local Government Act 1993 (LG Act) confers on councils their service or non-regulatory functions. Harrison Park is managed by Parkes Shire Council as Public Park Recreation. The Parkes Shire Council Plan of Management for Community Land shows the land as Community Land.

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In relation to the Harrison Park, Section 5.7 of the Plan of Management for Community Land states:

'Improvements that may be proposed in the future subject to individual assessment and the appropriate approvals include the following:

- Access
- Roads
- Playgrounds
- Drainage Works
- Lighting
- Licensed Premises (Registered Club)
- Advertising Signage
- Amenities Buildings
- Temporary/Portable Amenities Buildings
- Entertainment Establishment
- Liquor Licences
- Communication Equipment
- Electronic Scoreboards
- Car Parks
- Club Houses
- Fencing
- Utility Services
- Recreation Facilities
- Storage Sheds
- Sporting Facilities
- Shelter Sheds
- Landscaping
- BBQ Facilities
- Temporary Food Outlets
- PA Systems
- Temporary / emergency Campground.'

In this case the proposal would be accommodated under 'Temporary / emergency Campground'.

Section 68 of the LG Act specifies that approval is required for a number of activities, including an approval to operate a caravan park. A Section 68 Approvals Application is intended to be lodged with Parkes Shire Council to obtain the relevant approval for the operation of the temporary caravan park.

4.3.4. Heritage Act 1977

The Heritage Act 1977 provides for the conservation of environmental heritage defined as places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance which are at least 50 years old. The Act applies to non-Aboriginal relics only, as Aboriginal relics are protected under the National Parks and Wildlife Act 1974.

Harrison Parkl is not listed on the State Heritage Register and an approval from Heritage NSW is not required under the *Heritage Act 1977* for changes to the heritage item. The property is also not listed as a Heritage Item under the *Parkes Local Environmental Plan 2012*. No specific heritage issues or considerations are pertinent to the proposal.

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4.3.5. National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) is administered by the Office of Environment and Heritage and provides the basis for the legal protection of flora and fauna in NSW.

Unless a licence is obtained under the NPW Act (or the Threatened Species Conservation Act 1995), it is an offence to harm any animal that is protected or is a threatened species, population or ecological community. It is also an offence to pick any plant that is protected or is a threatened species, population or ecological community. In addition, a person must not, by act or omission, damage any critical habitat.

The NPW Act also provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 86, 90 and 91 of the NPW Act provide statutory protection for any physical / material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community.

No threatened species or Aboriginal sites have been found at Harrison Park. An approval under the NPW Act is not required to be obtained for the proposal.

4.3.6. Roads Act 1993

Under Section 138 of the *Roads Act 1993* a person must not erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road, otherwise than with the consent of the appropriate roads authority. Parkes Shire Council is the relevant authority for works on the local roads surrounding Harrison Park. No works are required on the road network.

4.3.7. Protection of the Environment Operations Act 1997

The Protection of the Environment Operations Act 1997 (POEO Act) regulates air, noise, land and water pollution. Harrison Oval does not operate under an Environment Protection Licence (EPL) and Parkes Shire Council is the Appropriate Regulatory Authority (ARA) for general pollution control matters in the Parkes LGA. The nature and scale of the activities proposed at Harrison Park do not fall under the threshold triggers that would require licensing by EPA under the POEO Act. No licence approvals are required.

4.3.8. Work Health and Safety Act 2011

The management and handling of hazardous substances and dangerous goods in NSW is controlled under the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2011. There are also Hazardous and Offensive Development Application Guidelines published by the Department of Planning, Industry and Environment that apply in NSW. No hazardous or offensive goods will be stored or handled at Harrison Park. Any handling and storage of chemicals will be temporary in nature and carefully managed by Parkes Shire Council staff or approved contractors to ensure compliance with the legislation. A specific approval under this legislation and policy framework is not required to be obtained for the proposal.

4.3.9. Contaminated Land Management Act 1997

Parkes Shire Council is required to notify the EPA if contamination is discovered that presents a significant risk of harm. Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 are available on the EPA website. EPA notification is not required to be obtained for the proposed activities at Harrison Park.

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4.3.10. Food Act 2003

The proposed temporary caravan park does not involve the serving of food on a commercial basis, and the proposal is not deemed to include a 'food business', under the *Food Act 2003*. There may be food prepared by individuals or other community organisations at Harrison Park during the Elvis Festival, and it will be their responsibility to ensure compliance with the NSW Food Authority for food businesses.

4.4. State Environmental Planning Policies (SEPP)

4.4.1. SEPP 21- Caravan Parks

SEPP 21 requires that a caravan park development may only be carried out with the development consent of the Council. Before granting development consent to the use of land for the purposes of a caravan park, a Council must determine:

- The number of sites (if any) within that land that the Council considers are suitable for long-term residence, within the meaning of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993, and
- The number of sites (if any) within that land that the Council considers are not suitable
 for long-term residence, but are suitable for short-term residence, within the meaning
 of that Regulation.
- Whether, because of its location or character, the land concerned is particularly suitable for use as a carayan park for tourists or for long-term residence.
- Whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist accommodation will be displaced by the use of sites for long-term residence.
- Whether there is adequate low-cost housing, or land available for low-cost housing, in that locality.
- Whether necessary community facilities and services are available within the caravan
 park to which the development application relates or in the locality (or both), and
 whether those facilities and services are reasonably accessible to the occupants of
 the caravan park.

In this particular case, consent is sought for the establishment of a temporary caravan park at Harrison Park to provide short-term accommodation during the Parkes Elvis Festival. Consideration of residency issues does not reveal any specific requirements, other than limitations on duration of stay, waste management and access issues.

4.4.2. SEPP - Infrastructure 2007

The Infrastructure SEPP seeks to protect and facilitate appropriate infrastructure. Clause 45 of SEPP Infrastructure requires consideration of electricity supply requirements, where the development is:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- Immediately adjacent to an electricity substation.
- Within 5m of an overhead power line.
- Includes installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line and / or within 5m of an overhead electricity power line.
- Placement of power lines underground.

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Overhead power supply is already connected to Harrison Park. There are no aspects of the development proposal that impacts on electricity supply services, as per Clause 45 requirements.

The proposed temporary caravan park is not traffic generating development as defined under Schedule 3 of the Infrastructure SEPP and is not development that has implications for main roads or rail infrastructure. Consultation with Transport for NSW or the Australian Rail Track Corporation is not a requirement under the SEPP.

4.4.3. SEPP – Exempt and Complying Development Codes 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 permits certain activities without consent or by issue of a Complying Development Certificate. The proposal is neither exempt or complying development, and development consent is sought for the temporary caravan park.

4.4.4. SEPP 55 - Remediation of Land 2007

Clause 7 of SEPP 55 requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out. The site is not known to have any previous industrial uses that may have resulted in contamination. Given the lack of historical / physical evidence suggesting the site may be contaminated, no further investigation / action is considered necessary.

4.4.5. SEPP 64 – Advertising and Signage

SEPP 64 aims to ensure that proposed outdoor advertising signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes. No signage is proposed in association with the proposed temporary caravan park.

4.5. Local Environmental Plans (LEP)

4.5.1. Parkes Local Environmental Plans 2012

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RE1 - Public Recreation under the Parkes Local Environmental Plan 2012. The Land Use Table for the RE1 zone permits caravan parks with consent.

Clause 2.3(2) of *Parkes Local Environmental Plan 2012* provides that the Council shall have regard to the objectives for development in a zone when determining a Development Application in respect of land within the zone. The objectives of the RE1 zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The proposed temporary caravan park would not impact the continued use of Harrison Park for recreational purposes. The proposal has been designed so as not to impact the aesthetic and recreational values of the site and to be compatible with neighbouring land-uses.

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A number of special provisions under the *Parkes Local Environmental Plan 2012* apply to the proposal. An assessment of the proposal against the relevant provisions of the *Parkes Local Environmental Plan 2012* is provided below:

- Clause 2.6 Subdivision consent requirements The proposal does not involve subdivision of land.
- Clause 2.7 Demolition requires development consent The proposal does not involve demolition of existing buildings or structures.
- Clause 2.8 Temporary use of land The proposal involves the use of Harrison Park for a temporary caravan park. A Section 68 Approval under the Local Government Act 1993 is required for the proposal.
- Clause 4.1 Minimum subdivision lot size The proposal does not involve creation of new allotments. The area of site is adequate to accommodate the proposed temporary campground.
- Clause 6.1 Earthworks The proposal does not involve earthworks. The proposal will not
 have a detrimental impact on environmental functions and processes, neighbouring
 uses, cultural or heritage items, drainage patterns, existing vegetation or other features
 of the surrounding land.
- Clause 6.7 Essential services The proposed camp sites will not have access to
 individual power supply connections. Town water supply and an onsite sewerage
 management system is available to Harrison Park amenities. No upgrades to utility
 services, public roads or street lighting are considered necessary to accommodate
 the proposal.

4.6. Parkes Shire Council Development Control Plan

The Parkes Shire Development Control Plan 2021 (DCP) applies to the development site. The DCP does not specify any controls for temporary caravan parks.

4.7. Other Policies, Standards and Guidelines

Where appropriate, the relevant guidelines are addressed in the relevant section(s) of this SEE.

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Assessment of Environmental Issues

The main environmental issues that have been raised and investigated as part of the design process for the proposed temporary caravan park are documented in this section. Each issue is investigated by way of introducing the key issue(s), documenting existing conditions, assessing impacts and proposing management and mitigation measures.

5.1. Local Government Compliance

5.1.1. Introduction

Caravan parks, camping grounds and manufactured home estates in NSW are regulated under the Local Government Act 1993 and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (LG Regulation 2005). Section 68 of the Act also specifies the activities that require approval, which includes an approval to operate a caravan park.

5.1.2. Existing Conditions Assessment

Approval has been granted by Parkes Shire Council for the use of Harrison Park for a temporary caravan park since 2011.

5.1.3. Assessment of Impacts

Section 89 of the Local Government Act 1993 specifies the matters for consideration in determining an approval under Section 68 of the Act. Section 89(1) states the Council:

- Must not approve the application if the activity or the carrying out of the activity for which approval is sought would not comply with the requirements of any relevant regulation.
- Must take into consideration any criteria in a local policy adopted under Part 3 by the council which are relevant to the subject-matter of the application.
- Must take into consideration the principles of ecologically sustainable development.

The Local Government Regulation 2005 sets standards for the design, construction, maintenance and operation of caravan parks. It also specifies the health, safety and amenity standards to be provided for the occupiers of those dwellings. Clause 73 of the LG Regulation 2005 details the conditions of approval to operate a caravan park or camping ground. Clause 73(3) of the LG Regulation 2005 states:

'This clause does not apply to the operation of a caravan park or camping ground for a period of not more than 6 weeks if the caravan park or camping ground is being operated solely in connection with the use of the land for a sporting, recreational or cultural event.'

The effect of Clause 73(3) means that short-term or temporary caravan parks and camping grounds associated with cultural events, such as the Parkes Elvis Festival, are not required to comply with the Regulation.

5.1.4. Management and Mitigation

To fulfil the provisions of the Local Government Act 1993, an approval for a temporary caravan park under Section 68 of the Act is required. It is intended to lodge the relevant LG Application at the same time as lodgement of the DA.

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5.2. Visual Impacts and Amenity

5.2.1. Introduction

The proposed development of a temporary caravan park will result in changes to the surrounding landscape for up to two weeks every year typically in January. During this time, there are many other changes being experienced in Parkes as a result of the Elvis Festival.

5.2.2. Existing Conditions Assessment

Harrison Park sits within a context of the outskirts of the Parkes Urban Area and comprises sportsground facilities, roads, railways, open space and isolated dwellings. Nearby private dwellings are well setback from Harrison Park. Existing vegetation helps with the overall screening of sportsground facilities from other land-uses and views.

5.2.3. Assessment of Impacts

An assessment of the potential impacts of the proposed development on visual amenity has been undertaken, including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain.

The visual impacts of the proposal have been assessed against the contrast that will result when the temporary caravan park is in operation. It is assessed that the physical changes to the landscape will be temporary and will not create significant long-term impacts on the context and setting of the area. No existing vegetation is required to be removed. Most changes will be confined to internal spaces and not be noticeable from public roads.

The proposed new development seeks to avoid potential streetscape and neighbour amenity impacts to the greatest practical extent possible. No significant impacts on streetscape character, views, heritage, overshadowing or neighbour amenity are assessed to likely occur.

5.2.4. Management and Mitigation

While the proposal will introduce new structure elements (caravans and tents) into the existing landscape, the duration of activities is for two weeks every year, and at a time when there are many other temporary changes occurring associated with the Parkes Elvis Festival.

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5.3. Heritage

5.3.1. Introduction

Harrison Park today is located towards the southern outskirts of the Parkes Urban Area, which is a highly disturbed and modified built environment, with a mix of buildings and infrastructure improvements. Harrison Park is not listed as a heritage item.

5.3.2. Existing Conditions Assessment

There are no recorded Aboriginal heritage sites recorded in and around the Harrison Park. There are no buildings or structures located on the site that are considered to have particular heritage value.

5.3.3. Assessment of Impacts

A search of the Aboriginal Heritage Information Management System (AHIMS) has not revealed any known items of Aboriginal cultural heritage on or within close proximity of the development site. A search of the *Parkes Local Environmental Plan 2012* also reveals no identified heritage items

Assessment of historic and built heritage is primarily determined based on the matters for consideration under Section 4.15 of the EP&A Act. Visual inspection of the site reveals a highly modified built environment, from the original open bushland that was cleared and later grazed in the late 1890s, and more recently used for public recreation activities.

Due to the highly disturbed nature of the site, it is highly unlikely that any items of Aboriginal heritage will be discovered during construction of building improvements. The proposal is considered to be a "low impact activity" and is exempt from the Due Diligence process as per Section 80B (1) of the National Parks and Wildlife Regulation. Consequently, an Aboriginal Archaeological Due Diligence Assessment is not required.

5.3.4. Management and Mitigation Measures

No special mitigating strategies are proposed, given the proposal will not significantly impact on aesthetic, architectural, cultural, historical or social values.

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5.4. Disability Inclusion and Access

5.4.1. Introduction

The Disability Discrimination Act 1992 (DDA Act) exists to provide legal protection against discrimination for people with disability (and carers, co-workers or associates of a person with a disability). The DDA Act prohibits discrimination against people with disabilities in employment, education, publicly available premises, provision of goods and services, accommodation, clubs and associations, and other contexts. Discrimination is defined to include failing to make reasonable adjustments for a person with a disability.

5.4.2. Existing Conditions Assessment

The current site of the proposal is a cleared and levelled site. Existing buildings provide for amenities.

5.4.3. Assessment of Impacts

The proposed temporary caravan park will be managed by Parkes Shire Council. A major driver of the project design is to provide access to the temporary caravan park facilities for people with a disability. The design of the facility will generally allow level access throughout the caravan park and campgrounds to the amenities building and main entry / exits. An access review has been carried out for the design phase of the project, including the following standards and guidelines:

- Disability (Access to Premises Buildings) Standards 2010.
- Australian Standard AS1428.1 (2009) Design for Access and Mobility Part 1: General requirements for access – new building work.
- Australian Standard AS1428.4 (2009) Design for Access and Mobility Part 4.1: Means to assist the orientation of people with vision impairment – tactile ground surface indicators
- Australian Standard AS1428.5 (2010) Design for Access and Mobility Part 5: Communications for people who are deaf or hearing impaired.
- Australian Standard AS2890.5 (1993) Parking Facilities Part 5: On-street parking.
- Australian Standard AS3745 (2009) Planning for Emergencies in Facilities.
- Australian Human Rights Commission Guideline on the Application of the Premises Standards, 2013.

The access review has found that compliance with access and / or disability policy objectives and standards is achievable.

5.4.4. Mitigation and Management

It is proposed to provide level access throughout the temporary caravan park, amenities and to the adjoining car parking areas.

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5.5. Traffic and Parking

5.5.1. Introduction

A broad assessment of the potential impacts associated with traffic is undertaken in this section, including assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State-road network.

5.5.2. Existing Conditions Assessment

Access to the proposed development site is via Eugowra Road and Nash Street, which are bitumen sealed roads in good condition. Car parking areas are provided at each playing field along Nash Street and the Eugowra Road. A shared path is located within the Eugowra Road and links to the Parkes Urban Area.

5.5.3. Assessment of Impacts

No additional accesses to roadways will be created as part of the development. No adverse impacts are assessed. No significant additional traffic will be generated as a result of the development as demonstrated below:

- No new vehicular accesses are proposed, and the same pattern for vehicle accesses, on-street parking and loading arrangements will be retained.
- The existing / proposed traffic volumes are well below the threshold volumes for analysis under a Traffic Study.
- There are no capacity concerns regarding the operation of intersections under existing conditions.
- There are no parking capacity concerns, with the on-site carpark and surrounding street parking supplies being adequate to meet demands for the proposal.
- Delivery requirements are expected to be minimal for the operation of the temporary caravan park.
- A public bus and taxi service will be operational during the peak times of the Parkes Elvis Festival to transport patrons to and from Harrison Park to other areas of Parkes.
- Patrons can walk to and from Harrison Park to other areas of Parkes via a shared pathway adjacent to the Eugowra Road.
- Road network performance, future intersection operation and sight distance will not be significantly impacted as a result of the development proposal.
- The current levels of service afforded under the Parkes Shire Council Roads and Traffic Asset Management Plan are adequate to meet the highest peak hour volume recorded on the roads serving the proposal.

Drivers in and around Harrison Park are forecasted to experience negligible restriction or road safety issues, and no delays at intersections. No parking availability issues are expected.

5.5.4. Mitigation and Management

No major improvements are considered necessary to existing access and parking areas. The existing car park is adequate to meet the demands of the Harrison Park Temporary Caravan Park. A Traffic Management Plan is not considered necessary for the proposal.

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5.6. Noise

5.6.1. Introduction

The proposed temporary caravan park will not operate under an Environment Protection Licence (EPL) administered by the EPA under the *Protection of the Environment Operations Act 1997* (POEO Act). The premises will continue to be regulated by Parkes Shire Council, as the Appropriate Regulatory Authority (ARA) under the POEO Act.

5.6.2. Existing Conditions Assessment

The site of the proposed temporary caravan park is well setback from the surrounding dwellings and public roads.

5.6.3. Assessment of Impacts

Construction and operational noise generated from the temporary caravan park is unlikely to impact the nearest noise sensitive receivers.

5.6.4. Mitigation and Management

No specific noise monitoring or management measures are proposed for the temporary caravan park.

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5.7. Services and Infrastructure

5.7.1. Introduction

A temporary caravan park is proposed to be operated from Harrison Park, where existing utility services are connected, including water, onsite sewage management system and electricity.

5.7.2. Existing Conditions Assessment

The development site has access to potable water and onsite sewerage. Electricity supply, telecommunications and other utility services are available to the development site.

5.7.3. Assessment of Impacts

No new services are required for the temporary caravan park.

The existing toilet and shower facilities are connected to an onsite wastewater management system. It is assessed that the existing onsite wastewater management system would not be able to treat all waste generated from the occupation of the temporary caravan park. It will be necessary to pump-out the onsite wastewater management system tank to properly manage the system during the festival.

5.7.4. Mitigation and Management

It will be necessary to pump-out the septic tank to properly manage the system during the festival. Parkes Shire Council intends to empty the septic tank prior to and during the operation of the temporary caravan park.

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5.8. Biodiversity

5.8.1. Introduction

An assessment has been conducted to determine if the proposed development is likely to significantly affect threatened species or ecological communities, or their habitats.

5.8.2. Existing Conditions Assessment

Harrison Park is located towards the southern outskirts of the Parkes Urban Area. The site comprises predominantly sportsground playing fields, gravel and paved surfaces and other vegetated / grassed areas. The site does not contain any caves, tunnels or other excavated hollows. The site of the proposed caravan park is not identified as 'Biodiversity' as shown on the Biodiversity Map of the Parkes Local Environmental Plan 2012.

5.8.3. Assessment of Impacts

The proposal will not impact on land mapped under the *Parkes Local Environmental Plan 2012*. The site does not meet the definition of native vegetation, as it lacks a native over-storey, midstorey, and shrub-storey and the ground layer is highly disturbed and predominantly exotic. The proposal does not trigger the application of the Biodiversity Offsets Scheme (BOS) and the resulting requirement to prepare a Biodiversity Development Assessment Report (BDAR) is not required.

5.8.4. Mitigation and Management

The site is not a declared area of outstanding biodiversity value. The proposal will not result in any significant impacts to species, communities or habitats. No mitigation or management strategies are required to address on-site flora and fauna issues.

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5.9. Public Safety Hazards

5.9.1. Introduction

An assessment of the potential impacts of the proposal on:

- hazards;
- · worker safety;
- public safety (pedestrian and motorists);
- contamination; and
- waste

in order to minimise safety risks and impacts on the public domain.

5.9.2. Existing Conditions Assessment

Harrison Park is located towards the southern outskirts of the Parkes Urban Area. The site is not identified as flood prone or bushfire prone in any land mapping. Harrison Park is not used for the storage of hazardous or dangerous goods. Waste will be limited to small quantities collected in waste bins, for recycling or disposal via kerbside and commercial waste collection services.

5.9.3. Assessment of Impacts

Preliminary assessment of the proposed design of the temporary caravan park has been carried out and the proposal do not represent a significant safety risk to patrons, workers or visitors to the site. In order to address safety issues and to prevent damage to the playing surface, car movements for the temporary sites will be restricted to set-up and pack-up of caravans / campervans and tents only.

5.9.4. Mitigation and Management

The proposal will implement risk management measures to minimise the potential for patron, worker and public safety as well as waste and hazard related impacts.

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5.10. Social and Economic

5.10.1. Introduction

An assessment of potential social and economic impacts of the proposed development has been detailed in this section.

5.10.2. Existing Conditions Assessment

Harrison Park has been used as a temporary caravan park associated with the Parkes Elvis Festival since 2011. The need for temporary accommodation at Harrison Park has been particularly highlighted in recent Elvis Festivals where visitor numbers have continued to increase.

5.10.3. Assessment of Impacts

The assessment has considered land-use compatibility and recommended that the site is considered suitable for the proposal with respect to land-use zoning and the intended purpose of the land and surrounding land.

To further quantify social impacts, the proposal has been assessed against the identified social impact assessment checklist Social Impact Assessment Guideline 2017 matters. While this guideline is designed to examine social and economic impacts associated with State significant resource projects, the general assessment criteria approach has been adapted in this report to assess the proposal in order to consider the broad range of matters that affect social and economic performance issues in the Parkes context.

An adapted Social and Economic Assessment is included in Table 2. The assessment concludes the proposal will not have an unacceptable impact on residents, businesses or the environment within or surrounding the site. Positive socio-economic impacts are expected.

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Table 1 - Social and Economic Assessment

Impact	Key Links	Nature	Risk of	Comment
Issue	to	of	Impact	
	Impacts	Impact	without	
			Mitigation	
Acoustic	Way of life	Negative	Unlikely	Noise emissions are unlikely to impact on the closest sensitive receptors.
Visual	Surroundings	Negative	Unlikely	The proposal is well screen from nearby sensitive receptors, including private dwellings.
Odour	Surroundings	Negative	Unlikely	The proposal will not produce a strong odour.
Microclimate	Surroundings	Negative	Unlikely	The proposal will not significantly impact microclimate.
Access	Way of life	Negative	Unlikely	There are no new accesses proposed.
Public transport	Access to infrastructure, services and facilities	Negative	Unlikely	The proposal will utilise existing public roads for transportation. This will not result in a reduction of access to public transport services.
Road and rail	Personal and property rights	Negative	Unlikely	The proposal will utilise existing public roads for delivery of products. This will not preclude public access to the public road network or impact on railways.
Public domain	Community	Positive	Likely	The proposal aims to support the Parkes Elvis Festival as well as sporting groups, schools and other businesses that use Harrison Park facilities.
Natural Heritage	Way of life	Negative	Unlikely	Natural heritage of the site is not compromised by the proposed development.
Cultural heritage	Community and culture	Negative	Unlikely	The proposal does not impact on any known Aboriginal site. The proposal will implement an unexpected finds procedure.
Built heritage	Surroundings	Negative	Likely	The proposal manages built heritage impacts. Built heritage of the site is not compromised by the proposed development.
Health	Health and wellbeing	Negative	Likely	The proposal manages potential health related issues, including asbestos, food handling and hazardous goods.
Safety	Surroundings	Negative	Likely	The proposal has been assessed as not increasing a known safety risk. Adequate worker and public safety measures can be put in place during construction and operation phases.
Services and facilities	Access to infrastructure, services and facilities	Negative	Likely	Adequate services and facilities will be organised to the proposed development, including water, onsite wastewater management, garbage collection, electricity and telecommunications.
Cohesion, capital and resilience	Way of life, community, culture	Positive	Likely	The proposed temporary caravan park will provide strong support to the Parkes Elvis Festival.
Natural resource area	Way of life	Negative	Unlikely	The proposal will utilise available natural resources in a sustainable manner.
Livelihood	Surroundings	Positive	Likely	The proposal will support tourism, local employment and other social and economic opportunities for the area.
Air emissions.	Surroundings	Negative	Unlikely	The proposal will not exceed relevant air quality criteria.
Native flora and fauna	Surroundings	Negative	Unlikely	No clearing of native vegetation is proposed.
Land quality	Surroundings	Negative	Unlikely	The proposal is in an urban area.
Water quality	Surroundings	Negative	Unlikely	The proposal manages water efficiently and will not lead to impacts on waterbodies and hydrological flows.

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5.10.4. Management and Mitigation

The proposed temporary caravan park can be undertaken on the site without causing significant impacts on the functioning of public recreation facilities, roads and traffic and surrounding land-uses in the Parkes Urban Area.

The proposed development is consistent with Council's Plan of Management for Recreational Grounds and the objects of the Parkes Local Environmental Plan 2012.

The operation of the temporary caravan park is unlikely to have detrimental effects on conserving and using valuable land resources and water supply catchments and will not lead to significant impacts on the natural resource base or the operation of the existing business sector in Parkes. The temporary caravan park will provide accommodation services and facilities during the Parkes Elvis Festival, that will improve the attraction / operation of Parkes as a whole.

Management and mitigation measures for each of the elements comprising a potential social impact (e.g. noise, access, traffic, visual amenity, built heritage, stormwater management and safety) have been addressed in their relevant sections of the SEE.

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6. Evaluation and Justification of the Proposal

6.1. Introduction

This section presents the evaluation and justification of the proposal in light of the objects of the Environmental Planning and Assessment Act 1979 (EP&A Act). It also assesses the proposal against the principles of Ecologically Sustainable Development (ESD) and other key policy guidelines in order to provide further guidance as to the acceptability of the proposal, as presented in the SEE. An assessment of the consequences of not proceeding with the proposal and site suitability is also undertaken in this section.

6.2. Object of the EP&A Act

Development Consent is being sought under Section 4.16 of the EP&A Act and must therefore satisfy the objectives of the EP&A Act. The objectives of the Act are listed below:

- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c) to promote the orderly and economic use and development of land,
- d) to promote the delivery and maintenance of affordable housing,
- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g) to promote good design and amenity of the built environment,
- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- j) to provide increased opportunity for community participation in environmental planning and assessment.

The development site is zoned RE1 Public Recreation, which permits caravan parks with consent. The design of the temporary caravan park has taken into consideration the existing site features and context of the locality. The size and scale of the proposed caravan park is appropriate for Harrison Park and the site is suitable for the short-term accommodation. The proposal will not impact on the natural environment, built heritage, roads and other nearby infrastructure, as well as nearby residential housing and Harrison Park sportsgrounds. It is recommended that the objects of the EP&A Act have been satisfied by the proposal and this SEE.

6.3. Ecological Sustainable Development

Ecologically sustainable development (ESD) is a long-standing and internationally recognised concept. The concept has been affirmed by the 2002 World Summit for Sustainable Development and has been included in multiple pieces of Federal and State legislation.

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Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as:

Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

The proposal has endeavoured to address long established ESD principles, as follows:

- The precautionary principle The proposal has been designed in accordance with
 relevant environmental data and criteria to ensure that environmental outcomes are
 quantified with a high-level of certainty. No serious environmental threats have been
 identified. No delays to the final design investigations or assessment process are
 recommended to allow for additional information / studies / surveys to take place under
 different climatic or seasonal conditions.
- Inter-generational (social) equity Social equity provides a notion of preservation of
 environmental aspects that cannot be replaced for the enjoyment of future generations.
 Generally, such aspects relate to biodiversity, cultural heritage, land-use and the
 transformation of the locality as a result of the development. The proposal has
 considered such aspects and the SEE assessment concludes that environmental impacts
 will be minimal. By adopting the recommendations in this SEE for the construction and
 operational phases, the operation of intergeneration equity can be maintained.
- Conservation of biological and ecological integrity The biological integrity of the site
 has been considered through the planning of the proposal. Due to the highly modified
 environment no significant flora or fauna issues have been identified. Procedures will be
 implemented during operation of the temporary caravan park to minimise potential risks
 on the environment.
- Improved valuation, pricing and incentive mechanisms The volumes of waste generated from the proposal will be appropriately managed to minimise impacts on common public areas, the appropriate pricing mechanism are used to reflect the user pays approach to environmental management.

6.4. Safety Security and Crime Prevention

The design of the temporary caravan park has been particularly focused on the safety and well-being of all users. A key objective of the proposal has been to make the caravan park as safe, comfortable and accessible as possible. By achieving good levels of safety, security, access and surveillance at the caravan park, Parkes Shire Council aims to create a highly valued temporary accommodation facility at Harrison Park.

6.5. Cumulative Impacts

The potential environmental impacts of the proposal have been detailed in the relevant sections of the SEE. The site is located towards the southern outskirts of the Parkes Urban Area and is characterised by open space, public recreation and rural-residential style developments. The proposed temporary caravan park will not result in a net impact to biodiversity, noise, loss of views, overshadowing, safety, traffic or parking.

The site is zoned RE1 Public Recreation, which permits caravan parks with consent. The proposed development will not lead to cumulative impacts on the environment, neighbouring land-uses, heritage values or passing traffic.

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Any cumulative impacts are likely to be positive, such as improved access to temporary accommodation during the Parkes Elvis Festival. Overall, the proposal will make positive contributions to the environment. The proposal is considered compatible with the site and its surrounds and does not contribute to having a significant cumulative impact.

6.6. Suitability of the site for the Development

The suitability of the proposed temporary caravan park is documented in the SEE. The site has the capacity to support the proposed caravan park without creating adverse impacts on the site or adjoining land. The proposal is considered suitable on the site.

6.7. Public Interest

The proposal is assessed to pose no significant detrimental impacts on the public interest. The proposal is permitted in the RE1 Public Recreation zone. There are no specific policy statements from either Federal or State Government that are relevant to the proposal, nor any planning studies or strategies that need to be taken into account. The local heritage significance of the existing built environment has been carefully assessed, and the proposed development will not impact on the public recreational values of Harrison Park. There are no covenants, easements or agreements that affect the proposal in the long term.

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7. Conclusion

This Statement of Environmental Effects has been prepared by Currajong Pty Ltd on behalf of Parkes Shire Council (the applicant).

This document accompanies a Development Application for a proposed temporary caravan park at Harrison Park, corner of Nash Street and Eugowra Road, Parkes.

Harrison Park has been used as a temporary caravan park associated with the Parkes Elvis Festival since 2011. It is proposed to expand the temporary caravan and camping facilities to allow for 75 short-term caravan / campervan sites and 30 short-term tent sites. The site is suitable for the proposal, having housed temporary caravan park activities in the past.

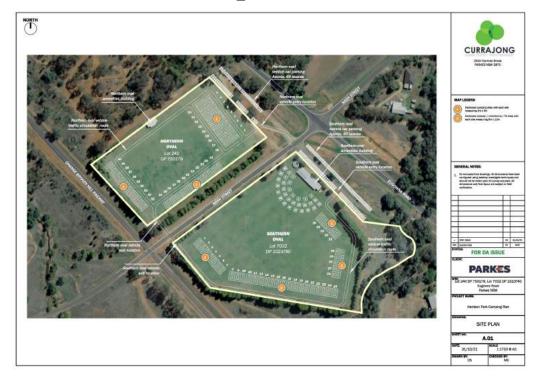
The assessment of the proposed temporary caravan park has been documented in this Statement of Environmental Effects to visualise all aspects of the relevant matters for consideration under the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000. The assessment concludes the site is appropriately zoned RE1 Public Recreation and the proposed temporary caravan park is permissible with consent under the Parkes Local Environmental Plan 2012 and Local Government Act 1993. The proposal is consistent with all relevant design standards, including the relevant Federal and State legislation and local policies.

Significant positive social and economic impacts are assessed to likely occur due to improved short-term accommodation supply during the Parkes Elvis Festival.

It is recommended that sufficient information has been submitted with the Development Application to allow the Parkes Shire Council to make an informed decision on the temporary caravan park. It is the findings of this Statement of Environmental Effects that the proposed temporary caravan park should be supported.



Attachment 2 - Site Plan - DA2022_0019



Attachment 3 - DA2022-0019 - Development Assessment Report



Application Details:

Development Application No: DA2022/0019

Description of Development: Temporary Caravan Park and Camping Ground (Parkes Elvis Festival)

Applicant: C L Treasure

Landowner(s): Parkes Public Recreation (R76582) Reserve Trust

Landowners consent provided:

Yes

No (All Landowners must give consent to the proposed

development)

Property Description:

Legal Description: Lot 7032 DP 1023740, Harrison Park Eugowra Road, Parkes

Existing Improvements: Playing fields, amenities buildings and site fencing.

Current land-use: RE1 Public Recreation

Locality and Site Context Map:



	F	Page 2	
Site Location:	ect land been correctly identified on DA Plans and SEE? Set land been correctly identified on DA Plans and SEE? Set land been correctly identified on DA Plans and SEE? Set land See		
Has the subject land been correctly identified on DA Plans and SEE?	⊠Yes	□No	□N/A
Is the land freehold title with all owners consent?	⊠Yes	□No	□N/A
Is the site vacant of buildings?	□Yes	⊠No	□N/A
Are there other buildings / structures located on the subject land?	⊠Yes	□No	□N/A
Has the proposed building location been confirmed on the subject land?	□Yes	□No	⊠N/A
Site Inspection:			
Date:	7 March 2022	?	
Was the Applicant present?	□Yes	⊠No	
Was the owner present?	Yes	⊠No	

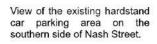
Comments: A site inspection was undertaken on 7 March 2022. The purpose of the inspection was to view the proposed caravan site, method of access, available amenities and site conditions. From the site inspection the following points were noted and are supported by the images below:

- Harrison Park is located south-east of the Parkes town centre. The land surrounding the park is mixed large lot residential properties with dwellings, vacant land and vegetated infrastructure corridors.
- The land is cleared and is relatively level. No earthworks will be required for the proposed temporary caravan park.
- The site inspection did not reveal any signs of contamination.
- Harrison Park is not subject to flooding.
- Harrison Park mainly consists of open grass land, with some scattered trees. No vegetation will be removed as part of the Development Application.
- Harrison Park is separated by Nash Street and is adjoined by Eugowra Road to the east Both streets are sealed local roads with table drains. Access to the land and the car parking areas will be obtained from Nash Street.
- The site is suitably serviced to accommodate the temporary caravan park; electricity, lighting, water and amenities are all available.

Photographs of site (taken 7 March 2022) are shown below:









View of the amenities block and area for camping (tents) to be sited.





View of Harrison Oval (south). Self contained units will be located along the tree lines.

View of Harrison Oval (north) showingthe position of self contained caravans.





View of the amenties on the northern side of Harrison Oval.

Vew of the existing car parking area on the northern side of Harrison Oval.

Internal	Referral	Advica.

Has an Internal Engineering Referral been received?
Has an Internal Building Referral been received?
Has an Internal Heritage Advice Referral been received?

☐Yes ☐Yes ☐Yes ⊠No ⊠No □No □N/A □N/A ⊠N/A



Page 6	-

Comments: The proposed development has been referred to Council's Development Engineer, Nathan McWilliam and Manager Regulation and Compliance, Scott Brakenridge.

Easement(s):			
Are there any easements applying to the subject land?	□Yes	⊠No	□N/A
Is the proposed development clear of easements?	⊠Yes	□No	□N/A
Are there any proposed easements?	Yes	⊠No	□N/A
Are easements required?	Yes	⊠No	□N/A
Comments: There are no easements applying to the land. No easements are	e proposed or re	quired.	***
Consolidation of Lots:			
Are there more than one lot owned by the landowner in same holding? Is there a need to consolidate lots?	□Yes □Yes	⊠No ⊠No	□N/A □N/A
Comments: Not applicable.			
Section 1.17 Biodiversity Conservation Act 2016 / Fisheries Managemen	nt Act 1994		
Biodiversity:			
Is the land identified on the Biodiversity Land Values Map?	□Yes	⊠No	☐ N/A
Does the development include clearing/disturbance of vegetation above the relevant threshold? (as identified in 7.2 of the Biodiversity Conservation Regulation 2017)?	□Yes	⊠No	□ N/A
Is the development otherwise likely to affect threatened species? (as identified in Clause 7.1 and 7.2 of the Biodiversity Conservation Regulation 2017)?	□Yes	⊠No	□ N/A
Is the development proposed on land identified as an area of outstanding biodiversity value?	□Yes	⊠No	□ N/A
Comments: The subject site is not identified on the Biodiversity Land Valuarea of the Parkes Township and no clearing is proposed as part of the profor commercial purposes for many years and does not contain any threatened	es Map. The sit	e is located wit	hin an urban
Fisheries:			
Is the proposed development or activity likely to have an adverse effect on the life cycle of a threatened species such that a viable local population of the species is likely to be placed at risk of extinction?	□Yes	⊠No	□ N/A
Is the proposed development or activity likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction?	□Yes	⊠No	□ N/A
In relation to a threatened species, population or ecological community will the proposed development lead to the removal or fragmentation of a habitat and does the habitat have an important role in the ongoing survival of the species?	□Yes	⊠No	□ N/A
Is the proposed development or activity likely to have an adverse effect on any critical habitat (either directly or indirectly)?	□Yes	⊠No	□ N/A



Comments: The siting of the proposed caravan park is not located within proximity of a watercourse. It is assessed the proposed development will not have any adverse impacts on any threatened species, endangered population or ecological community.

Is the site identified on the Bushfire Prone Land Map?	□Yes	⊠No	☐ N/A
Does the development comply with "Planning for Bushfire Protection" or a certificate provided by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and	□Yes	□No	⊠ N/A
requirement? If no, has consultation been done Commissioner for Rural Fire Service?	□Yes	□No	⊠ N/A
			V. (2001) C. (100)
Comments: The subject land is not bushfire prone land.			
			9
Contributions:	∐Yes	⊠No	
Contributions:	□Yes	⊠No ⊠No	
Contributions: Does the Section 7.11 Contributions Plan apply? • Are Section 7.11 Contributions payable?			
Contributions: Does the Section 7.11 Contributions Plan apply? • Are Section 7.11 Contributions payable?	□Yes	⊠No	
Contributions: Does the Section 7.11 Contributions Plan apply? • Are Section 7.11 Contributions payable? Does the Section 7.12 Contributions Plan apply? • Are Section 7.12 Contributions payable?	□Yes □Yes	⊠No ⊠No	
Contributions: Does the Section 7.11 Contributions Plan apply? • Are Section 7.11 Contributions payable? Does the Section 7.12 Contributions Plan apply? • Are Section 7.12 Contributions payable? Were Section 7.11 Contributions paid on the land under previous applications?	☐Yes ☐Yes ☐Yes	⊠No ⊠No ⊠No	□N/A
 Are Section 7.11 Contributions payable? Does the Section 7.12 Contributions Plan apply? 	☐Yes☐Yes☐Yes☐Yes☐Yes☐	⊠No ⊠No ⊠No ⊠No	□N/A

Section 4.15(1) Assessment

7.12 Contributions.

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

Local Environmental Plans

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RE1 Public Recreation under the Parkes Local Environmental Plan 2012. The Land Use Table for the RE1 Public Recreation zone permits the erection of a caravan park / camping ground with consent of Council.

Clause 2.3(2) of Parkes Local Environmental Plan 2012 provides that the Council shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the RE1 Public Recreation zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- · To protect and enhance the natural environment for recreational purposes.

The development is consistent with the objectives of the zone. The Land Use Table for the RE1 Public Recreation Zone permits caravan parks and camping grounds with consent. The development will not impact on the ongoing operation of the site for recreational (sporting purposes).





The following provisions of the Parkes Local Environmental Plan 2012 have been especially considered in the assessment of the proposal:

- Clause 2.8 Temporary Use of Land The development will not adversely impact on the amenity of the locality
 as detailed in the assessment of likely impacts below. The use of the land for camping purposes will not lead to
 any increase in natural hazards, not will have adverse impacts on existing attributes of the land. Conditions of
 consent will be imposed ensuring the land is maintained in a suitable state upon the completion of the temporary
 use.
- Clause 6.3 Groundwater Vulnerability The subject land is identified on the groundwater vulnerable land map.
 It assessed there will be no adverse impacts on the groundwater system, by way of contamination, nearby
 groundwater extraction systems or the groundwater ecosystem, given the proposal is for a temporary camping
 event in which occupants will either utilise the existing amenities blocks or utilise self-contained caravans.

State Environmental Planning Policies

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

- SEPP 21 Caravan Parks
- SEPP 33 Hazardous and Offensive Development
- SEPP 36 Manufactured Home Estates
- SEPP 44 Koala Habitat Protection
- SEPP 50 Canal Estate Development
- SEPP 55 Remediation of Land
- SEPP 64 Advertising and Signage
- SEPP 65 Design Quality of Residential Apartment Development
- SEPP 70 Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Activation Precincts) 2020
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Concurrences and Consents) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Koala Habitat Protection) 2019
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Primary Production and Rural Development) 2019
- SEPP (State and Regional Development) 2011
- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

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

SEPP Housing 2021

SEPP 21 requires that a caravan park development may only be carried out with the development consent of the Council. Before granting development consent to the use of land for the purposes of a caravan park, a Council must consider:

- •
- Whether, because of its location or character, the land concerned is particularly suitable for use as a caravan
 park for tourists or for long-term residence.
- Whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist accommodation will be displaced by the use of sites for long-term residence.
- · Whether there is adequate low-cost housing, or land available for low-cost housing, in that locality.
- Whether necessary community facilities and services are available within the caravan park to which the
 development application relates or in the locality (or both), and whether those facilities and services are
 reasonably accessible to the occupants of the caravan park.





- · Any relevant guidelines issued by the Director.
- The provisions of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993.

Comment: In this particular case, consent is sought for establishment of a temporary caravan park at Harrison Park to service the Parkes Elvis Festival. Consideration of long-term residency issues does not reveal any particular issues that need to be specifically considered in the consent, other than limitations on duration of stay, waste management and access issues. Given the separation of the site from neighbouring dwellings, historic use of land for recreational activities and existing road and rail corridors within the vicinity of the site it is assessed the proposed development will not have any adverse noise, overshadowing or privacy impacts.

- SEPP 55 Remediation of Land Clause 7 of SEPP 55 requires that a consent authority must consider the
 contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the
 development in its contaminated state, or that appropriate arrangements have been made to remediate the site
 prior to the development being carried out. Investigation of past use, Council's Contaminated Sites Register and
 visual inspect of the property does not reveal any evidence of contamination.
- SEPP Koala Habitat Protection 2020 SEPP Koala Habitat Protection is applicable to site given that it exceeds
 that in size and is located within the Parkes Local Government Area to which the SEPP applies.

Part 2 of the SEPP requires Council to consider whether the land the subject of the application retains potential and subsequently core koala habitat.

Comment: Given that the site is has been historically cleared, is located in an urban area and is actively used for recreational purposes, it is considered unnecessary to proceed further with a SEPP Koala Habitat Protection assessment, as the land is not a potential koala habitat.

- SEPP Transport and Infrastructure 2021 Clause 2.48 of SEPP Infrastructure requires a Consent Authority to
 consider any development application (or an application for modification of consent) for any development carried
 out:
 - within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists),
 - immediately adjacent to an electricity substation,
 - · within 5m of an overhead power line,
 - includes installation of a swimming pool any part of which is: within 30m of a structure supporting an
 overhead electricity transmission line and/or within 5m of an overhead electricity power line, or
 - · placement of power lines underground.

Comment: The proposal is not within or immediately adjacent to any of the above infrastructure; as such, the subject application is considered to satisfy the provisions of Clause 2.48 SEPP Transport and Infrastructure.

Schedule 3 of the SEPP, applies to the proposed development:

Purpose of development	Size or capacity—site with access to any road	Size or capacity—site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)
Parking	200 or more motor vehicles	50 or more motor vehicles
Tourist facilities, recreation facilities, showgrounds or sportsgrounds	200 or more motor vehicles	50 or more motor vehicles

Comment: The proposed development would generate 50 motor vehicles over a two week period associated with the Elvis Festival; however, the site access is in excess of 90m to a classified road or a road that connects to a classified road; as such, the proposed development is not required to be referred to the RMS.

SEPP (Vegetation in Non-Rural Areas) 2017 – Clause 7 of the Vegetation SEPP requires any person clearing
vegetation in a non-rural area to obtain permit granted by the Council under Part 3 of the SEPP. The Parkes Shire
Development Control Plan 2013 does not prescribe any vegetation to which Part 3 applies and therefore a permit
under Part 3 is not required.



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

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

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

The Parkes Shire Development Control Plan 2021 applies. The proposed development is assessed to be compliant with the relevant controls of Part C - Residential Development.

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

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

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

Division 8 of Part 6 of the Environmental Planning and Assessment Regulation 2000 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

Clause	Comment	Compliance	8
Clause 92 - Building Demolition	Not relevant to the proposal.	⊠ Yes	□No
Clause 92(1)(e) - Medium Density Design Guide	Not relevant to the proposal.	⊠ Yes	□No
Clauses 93 - Change of Use Fire Safety and Structural Capacity Considerations	Not relevant to the proposal.	⊠ Yes	□No
Clauses 94 - Fire Safety Upgrades	Not relevant to the proposal.	⊠ Yes	□No
Clause 94A - Temporary Structures	The temporary use of land is for a caravan park and camping ground which will include self-contained caravan vehicles and camping sites. The development will include appropriate measures for emergency and fire management. The subject land is relatively level and all temporary structures are able to be located on firm level ground.	⊠ Yes	□No
Clause 95 - Deferred Commencement	Not relevant to the proposal.	⊠ Yes	□No
Clause 96 - Ancillary aspects of development	Not relevant to the proposal.	⊠ Yes	□No
Clause 97 - Modification or surrender of development consent or existing use	Not relevant to the proposal.	⊠ Yes	□No
Clause 97A - Fulfilment of BASIX commitments	Not relevant to the proposal.	⊠ Yes	□No





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

- Context and Setting The temporary caravan park and camping ground is proposed to be undertaken on the northern and southern sides of Harrison Park. Harrison Park is a local sporting field complex utilised for cricket, touch and soccer and is maintained by Parkes Shire Council. Parkes Shire Council intends to run the temporary caravan park and camping ground to support the growth and demand for short term accommodation throughout the Elvis Festival. The location of the proposed caravan park and camping ground sites is generally outside the playing field areas. Adjoining properties contain vacant vegetated land to the north, the Eugowra Road to the east, Goobang Creek to the south and a large lot residence to the west. The proposed development does not involve the removal of any existing vegetation. The proposed development will have no major impact on the context and setting of the area as all facilities are temporary for the Parkes Elvis Festival. It is assessed that the caravan park will not dominate the surrounding landscape, instead will promote the area positively.
- Land Use Conflict The site of the proposed caravan park and camping ground is well setback from playing fields. There is one sensitive receiver within proximity of the land; however appropriate conditions of consent will be imposed to ensure that tenancies at the site will be required to "observe quite conditions after 10pm" and that "signage will be placed within the caravan park / camping ground to observe quite conditions after 10pm". The previous temporary caravan park for the 2015 (onwards) Parkes Elvis Festival at the site, found no complaints raised by surrounding landowners, and it is considered that this event will be a similar nature.
- Access and Traffic Access to the temporary caravan park will be from Eugowra Road with vehicle parking to be
 undertaken within the existing all-weather car parks on the western side of the playing surfaces. The development will
 have a minor increase in traffic along Eugowra Road for the duration of the Elvis Festival. The additional traffic
 generated will be short term and it is assessed that the road network can accommodate the additional traffic to the
 area. Emergency vehicle access will be provided at all times with access to be within the site and kept clear at all
 times as conditions of consent.
- Public Domain The predominant use of Harrison Park is for recreational sporting activities, including cricket, soccer and touch football. Caravan and camping sites will be outside of the playing surface areas. The local soccer association will manage the temporary caravan park; therefore not impacting on their use of the fields. The proposed temporary caravan park will not have a negative impact on public opportunities in the locality. There are no long-term changes to the amount, location, design, use and management of public spaces in the area. The proposed development will not compromise the availability and enjoyment of public land / facilities located. It is assessed that minimal impact will result on the existing public domain
- Utilities Most caravans that will use the site will be fully self-sufficient; however, the proponents will be able to utilise
 the existing amenities, located on either side of Harrison Oval. Instructions will also be provided to proponents
 outlining local dump points that can be utilised. There are no physical construction works and there is no potential to
 impact reticulated infrastructure.
- Heritage The proposal is located on Harrison Park. There are no heritage listed items on the before mentioned site.
 No adverse impacts are assessed.
- Other land resources The development is not likely to have detrimental effects on conserving and using public spaces, valuable land resources and water supply catchments.
- Bushfire The site is not identified on the bushfire prone land map. No adverse impacts are assessed.
- Surface Water and Groundwater The site is not identified on the groundwater vulnerable land map. No significant
 impacts on groundwater resources are assessed.
- Soils The development does not require any earthworks. The proposal is unlikely to create significant impacts on soils. Conditions of consent will be imposed to ensure that sites are appropriately located and the playing surfaces are not damaged.
- . Air & Microclimate The proposal is unlikely to create significant impacts on air and microclimate.





- Noise and Vibration The proposed temporary caravan park will have restrictions on noise generation after 10pm.
 Signage will be located at the site requesting tenants to limit noise, minimising any potential noise issues that could arise throughout the event. No adverse impacts assessed.
- Flora and Fauna The site has been incorporated into the Parkes Urban Area for many years. The information in support of the application has not identified any threatened species of flora or fauna that may be impacted by the proposal. No adverse impacts are assessed.
- Waste The occupants utilising the camping areas will have access to the amenities located at Harrison Park. All
 caravan sites will be required to be self-contained. Detailed information will be provided outlining the location of local
 dump points. Conditions of consent will be implemented ensuring that a reasonable level of amenity is maintained
 throughout and post festival activities.
- · Natural Hazards The site is not flood prone or bush fire prone. No adverse impacts are assessed.
- Technological Hazards No adverse impacts are assessed.
- Safety Security and Crime Prevention Crime Prevention through Environmental Design (CPTED) principles have been considered to ensure the development does not create or exacerbate crime risk. It is assessed that:
 - o The site is fenced and signposting will be provided to ensure that access is controlled.
 - The boundaries would be clearly delineated to ensure that a sense of ownership is expressed.
 - Casual surveillance will be undertaken by occupants of the temporary caravan park.
 - A site manager will be appointed and be responsible for the management of noise, waste management, adverse behaviour and so forth.

No adverse impacts are assessed.

- Social Impact in the Locality The proposed development will support the ongoing Elvis festival and therefore the event will provide a positive social and economic benefit to the area, with promoting of the location and tourism.
- Economic Impact in the Locality It is anticipated that the proposed temporary caravan park and camping ground will have a positive economic impact.
- Site Design and Internal Design The development has been designed to utilise the existing amenities buildings.
 The proposed layout minimises the use of the site and impacts on the sporting fields. Conditions of consent will be imposed ensuring that there is no adverse noise generated throughout the event and that the site is left in a suitable condition at the completion of the event.
- · Cumulative Impacts No adverse impacts are assessed.

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

The site has the capacity to support the proposal without creating adverse impacts on the site and adjoining land. The temporary caravan park and camping ground will be wholly located on the subject allotment. The proposed development will be in character for the area and will not lead to cumulative impacts on the environment, neighbouring land-uses, cultural or heritage items.

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

The proposed development was notified to neighbouring land owners and advertised in accordance with the Parkes Shire Community Engagement Strategy 2021-2025 from 21 February 2022 to 7 March 2022. During the notification period one (1) submission was received. The table below outlines the objection received in relation to the proposal.

Submissions received from neighbour notification/advertising of DA2022/0019 Temporary Caravan Park and Camping Ground (Parkes Elvis Festival) from 21 February 2022 to 7 March 2022:



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Mr G Smith 95 Nash Street, Parkes

Smith Submission / Issue: The DA does comply with Section 68 requirements/regulations.

Assessment Response: The proposed development is for a temporary caravan park and camping ground in association with the Parkes Elvis Festival. As per Clause 73(3) of Subdivision 1, Division 2, Part 3 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 a caravan park or camping ground is not required to comply with the design provisions of Division 3, where the temporary caravan park is to be operated in connection with a recreational / cultural event (Elvis Festival) for a period of no more than 6 weeks. Accordingly the subject development is not required to comply with the aforementioned provisions of the regulation.

Smith Submission / Issue: The DA doesn't explain how or who will install and monitor dump points for the vans.

Assessment Response: All caravan sites will be occupied by self-contained caravans/moveable vans. Information will be provided to each occupant advising of the existing dump sites within Parkes, when they are accessible, easiest transport routes and emergency instructions.

Smith Submission / Issue: The development will have a detrimental effect on the ambiance of Nash Street which is currently a quiet neighbourhood.

Assessment Response: A temporary caravan park has been located at Harrison Oval from 2015. The proposed application seeks to increase the tenancy of the development, with new sites along the western boundary fence and on the northern portion of Harrison Oval. Occupants to the north are not adjacent to any sensitive receivers. Conditions of consent will be imposed ensuring appropriate noise controls and restrictions are followed to limit the potential for any localised amenity impacts.

Smith Submission / Issue: The DA poses safety and security risks for adjoining land owners and their property.

Assessment Response: There is an existing fence located along the western boundary and rail corridor between the site and the nearest dwelling-house providing a level of separation. Furthermore the co-location of vans will enable casual surveillance. Furthermore a site manager will be appointed to ensure compliance with conditions of consent. Signage with emergency details will also be provided.

Smith Submission / Issue: The DA does not explain how or who will monitor and enforce vandalism.

Assessment Response: A site manager from the soccer association and supporting volunteer team will be appointed with signage outlining emergency details to be erected.

Smith Submission / Issue: The DA does not explain how or who will monitor and enforce waste management.

Assessment Response: Conditions of consent will be imposed for the management of the existing septic tank to ensure utilisation of the existing amenities does not over burden the system. All caravan sites will be required to be self-contained. Detailed information will be provided outlining the location of local dump points. Conditions of consent will be implemented ensuring that a reasonable level of amenity is maintained throughout and post festival activities.

Smith Submission / Issue: The DA doesn't explain how or who will monitor the additional load the development will put on services such as power, water and sewer.

Assessment Response: There will be minimal increase in water or sewer usage given the caravan park sites are all required to be self-contained. Conditions of consent will be imposed providing the opportunity to recoup costs for utility servicing should it be required.

Smith Submission / Issue: The DA doesn't explain how in the event of rain, with heavily vehicles traversing the site how the fields will be managed given they are sports grounds not trafficable roads.





Assessment Response: All caravan sites are located outside the playing surface areas. Conditions will be imposed ensuring that vehicle movements are limited across the site and not across playing fields. The site manager will be able to direct vehicular traffic through the appropriate entry / egress points. Conditions will also be imposed requiring rehabilitation of the site should it be damaged.

Smith Submission / Issue: The grounds are watered with treated effluent water, does this comply with Section 68.

Assessment Response: The proposed development is not subject to the Local Government Section 68 Requirements given its temporary nature. In relation to the use of treated effluent water on the playing fields, the Sewerage Treatment Plant effluent receives a high level of tertiary treatment at the Advanced Water Recycling Facility (AWRF) which includes disc filtration, UV and chlorine disinfection. The final effluent meets the criteria for unrestricted municipal irrigation. The Recycled Water System has now been operating for the past 2 years without incident. In the case of using Harrison Park for camping and caravan sites during the Elvis Festival there will not be any irrigation of effluent to the grounds within 24 hours of the first arrivals and during the occupation of the site. Given the temporary nature of the use, there will be no significant ground penetrations or undertaking of high risk activities. The grounds are currently used for weekly recreational activities and therefore it is assessed there will be no adverse impacts on the temporary use of land.

Smith Submission / Issue: The DA doesn't explain how or who will enforce traffic management or lighting.

Assessment Response: A site manager from the soccer association and supporting volunteer team will be appointed to manage operational aspects of the temporary caravan park / camping ground. Conditions of consent will be imposed to ensure that the playing surfaces are left in a suitable manner at the completion of the event.

Smith Submission / Issue: The DA doesn't explain how or who will manage security and monitor theft.

Assessment Response: A site manager from the soccer association and supporting volunteer team will be appointed to manage operational aspects of the temporary caravan park / camping ground. Emergency signage will also be provided detailing emergency contact numbers. Occupancy of multiple caravans across the site will provide for casual surveillance between occupants which is consistent with the key design criteria of Crime Prevention through Environmental Design (CPTED).

Smith Submission / Issue: The DA does not mention how noise pollution will be managed.

Assessment Response: Operational conditions of consent will be imposed limiting noise in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017. The site manager will be responsible for maintaining compliance with the requirements.

Smith Submission / Issue: The DA does not identify or consider neighbouring land owners.

Assessment Response: The proposed conditions of consent specify a range of operational compliance conditions which when in effect will prevent the potential for adverse amenity impacts on neighbouring allotments. Given the temporary nature of the activity, presence of site control and appropriate condition it is assessed there is limited potential for adverse impacts.

Smith Submission / Issue: Accommodating people away from the town centre on large events that are located in the CBD does not make sense as it promotes bad behaviour such as drink driving, illegal activity, etc. There is more than enough space to accommodate people within close proximity to the events already within town limits.

Assessment Response: The relevant legislation applicable to the application does not require a site selection review process to be undertaken for temporary caravan parks and camping grounds. Consideration has been given to the potential for environmental impacts and appropriate management measures as detailed above. Given the scale of the Elvis Festival and shortage of permanent short term accommodation available (i.e hotels/motels) there are existing approvals for temporary caravan parks at many community ovals including, Spicer Oval, Northparkes Oval, Keast Park and McGlynn Oval. A shuttle bus service is provided as part of the event to and from Temporary Caravan Parks during the Elvis Festival to reduce traffic on the local road network and reduce the potential for the above behaviours.



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S4.15(1)(e) the public interest	
The proposal is assessed to pose no significant impacts on the p	ublic interest.
Assessment Conclusion / Recommendation	
Consent be granted subject to condition(s) detailed in Annexure	'A' attached.
B. fut	
- tul	8 March 2022
Assessment Officer	Date
Brent Tucker – Acting Manager Planning Services	
Reviewing Officer	Date

Attachment 4 - Objection to Proposal (G Smith) - DA2022_0019

24th February 22

SBS SERVICES Pty Ltd

95 Nash St Parkes NSW

Ref No:002

Re: DA2022/0019

Hi Brent.

Thank you, I have received the DA for Temporary Caravan Park and Camping Ground at Lot 7032 DP 1023740 Harrison Park and I do object to the intended use on the following grounds;

- The DA doesn't comply with the Section 68 requirements/ regulations. After owning a caravan park for a number of years I am well aware of the requirements of Section 68 and am also aware Harrison Park does not comply to any of these regulations with that number of guests.
- The DA doesn't explain how or who will install or monitor dump points for the years
- It will have a detrimental effect on the ambiance of Nash St which is currently a quiet neighbourhood.
- I store a allot of goods, tools, plant, machinery and vehicles next door to Harrison Park at any given time so having temporary accommodation next door could be detrimental.
- The DA doesn't explain how or who will monitor and enforce vandalism.
- The DA doesn't explain how or who will monitor and enforce rubbish disposal.
- The DA doesn't explain how or who will supply and monitor amenities and the additional load it will put on services such as power, water, sewer.
- The DA doesn't explain how or who will monitor the grounds in the event of rain as there will be 3t plus vehicles and vans commuting through the fields at any given time and the grounds are designed for sport not trafficable roads.
- The grounds are watered by treated effluent water, does this comply with Section 68? I will have a look but I'm sure it doesn't suit the requirement for accommodation.
- The DA doesn't explain how or who will monitor and enforce traffic management, traffic control or lighting.
- The DA doesn't explain how or who will monitor and enforce security.
- The DA doesn't explain how or who will monitor and enforce theft in the localised area.
- The DA doesn't explain how or who will monitor and enforce noise pollution as my house is in close proximity.
- The DA mentions its boundaries though doesn't mention adjoining land holders such as myself or Victoria Baker/ Bill Bourke.

March 7, 2022 Page 2

Accommodating people away from the town centre on large events that are
located in the town centre doesn't make any sense as it promotes bad
behaviour such as drink driving, illegal activity, drunken behaviour, violence
etc. There is more than ample space to accommodate people within close
proximity to the events already within the town limits.

Additionally, if all of the above-mentioned issues were identified/ addressed and dealt with appropriately and satisfactorily I still would not approve of a DA that lasts any longer than a two-year period for temporary accommodation in that area due to consistent regulation changes.

Until this DA can adequately satisfy me of how it intends to mitigate these concerns than the I will remain opposed to the DA.

Let me know what you think, look forward to hearing from you in the near future.

If you require any additional information please don't hesitate to call.

Graeme Smith.
Director, SBS Services Pty Ltd.

Attachment 5 - Applicants Response to Objection - DA2022_0019



CT:CT Contact Person: Cathy Treasure

8 March 2022

Brent Tucker Acting Manager Planning Services Parkes Shire Council

Dear Brent

RE: APPLICATION NO: DA2022/0019 SUBMISSION

Reference is made to your letter dated 25 February 2022 regarding a submission from Mr Graeme Smith regarding the use of Harrison Park for a Temporary Caravan and Camping Ground during the Parkes Elvis Festival.

In reply to his letter, I would like to assure Mr Smith that all points have been addressed as outlined below.

In relation to the compliance with the Section 68 regulations, Part 3 of the Local Government Regulation 2021 covers matters relating to the design, construction, maintenance and operations of caravan parks, camping grounds and moveable dwellings. Clause 73 of the LG Regulation 2021 details the conditions of approval to operate a caravan or camping ground. Clause 73(3) states:

- (3) This section does not apply to the operation of a caravan park or camping ground if the caravan park or camping ground is being operated—
 - (a) solely in connection with the use of the land for a sporting, recreational or cultural event, and
 - (b) for a period of no more than 6 weeks.

The effect of Clause 73(3) means that short term or temporary camping grounds associated with events are not required to comply with the Regulation.

However, the requirements of Clause 83 of the Local Government Regulation 2021 have been achieved by providing suitable sized camping areas, amenities and parking facilities.

Each caravan/campervan site provides an area of 96m2 which exceeds the minimum required area of 65m² and will have internal access roads designed to be 6 metres wide. Camp sites provide an area of 25m², will be separated by at least 1.5 metres.

The proposal also achieves compliance with the required setback distances of 3 metres from the camp sites to property boundaries which is considered to be a suitable distance to minimise impacts on adjoining properties.

Parking will be utilised via the existing carpark adjacent to the Eugowra Road frontage and will allow for approximately 150 car parking spaces.

2 Cecile Street, PO Box 337 Parkes NSW 2870
P 02 6861 2333 F 02 6862 3946 E council@parkes.nsw.gov.au
www.parkes.nsw.gov.au



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Due to the temporary nature of the caravan park, each site will be unpowered and not connected to water or sewer, however amenities and facilities are available to the north and south of the sites.

Please also note that all sites (apart from the camping sites) are for self-contained vans only, ensuring that the existing facilities can cope with the demand. All bookings are provided with information regarding existing dump sites in Parkes, access times and routes, site management contacts and emergency evacuation instructions.

The target market that attends our Festival is predominantly aged 50+ with a low incident rate across the event. We have run temporary sites throughout Parkes at sporting grounds without incident and I have never received any complaints regarding rowdy behaviour, crime, or vandalism from any of these sites. It is also expected that the proposed campground will not create any greater adverse impacts to the neighbourhood than the past and current use as a sporting facility.

The temporary campground accommodation is not expected to create any adverse social impacts to the adjoining residents. The Festival engages a security company to conduct random patrols of all temporary camping sites, and Harrison Park is included on this route. Harrison Park is also included in the overall Festival Emergency Management Plan and emergency services have been briefed on the site.

The site will be managed by the Parkes & District Soccer Association who will be running the operation as a fundraiser for the community organisation. As a stakeholder who utilises the ground throughout the year, the Soccer Association will be ensuring the site is well looked after with a Site Manager who will monitor amenities, vandalism, and rubbish disposal. The Soccer Association will provide to the Festival a detailed Camping Management Plan.

The sites have been placed off the sporting fields themselves to minimise the risk to any of the grounds, and the Soccer Association will be monitoring bump in/ bump out to manage access and change routes should there be wet weather and areas that are unsuitable for use.

The Site Manager will monitor for noise, and usage of generators are not permitted between the hours of 10pm and 7am. Additionally, it is not expected that the use of the existing amenities building will severely increase the load on amenities to a level greater than the sporting events.

The Festival also encourages the use of public transport and has negotiated with a local provider to provide, and advertise at the site, a regular timetables of services between Harrison Park and Cooke Park.

The Local Government Regulations does not address the issue regarding treated effluent water. However, if/where the site is watered with treated effluent, there is no risk to the health of the campground occupants. The use of the facility is a campground poses no greater risk than the use as sporting fields.

The site will operate for a maximum of seven days for the Elvis Festival and the majority of bookings are for 4 nights only.

Please also note that for the first year of operation, we will not be activating all sites (maximum of 60%) to test the usage of existing facilities. Additional temporary toilets and showers will be hired in future years should this be needed for at full capacity.

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I have spoken directly to Mr Smith regarding his submission and offered to provide him with the site managers contact number during the Festival to call directly if he has any concerns.

In closing, I would also like it noted that Parkes Elvis Festival provides substantial economic benefits for the town injecting over \$13million into the regional economy. It continues to grow each year and the Festival needs to accommodate the increasing numbers of visitors, who in turn increase the value of the visitor economy for local businesses.

Yours faithfully

Cathy Treasure
VISITOR ECONOMY
& MAJOR EVENTS SPECIALIST

11.5. (DPCS) DA2022/0020 - Temporary Use of Land (Event) at "Cooke Park", 158-176 Clarinda Street, Parkes

Prepared By:

Director Planning and Community Services

Development Application Information

Application No: DA2022/0020
Applicant: Parkes Shire Council

Property: Lot 3 DP 507839, "Cooke Park", 158-176 Clarinda Street, Parkes

Proposal: Temporary Use of Land (Event)

Executive Summary

DA2022/0020 proposes the Use of Land for a Temporary Event (Overture) at Cooke Park, 158-176 Clarinda Street, Parkes.

The proposal seeks to obtain Development Consent for the use of Cooke Park to host Overture on Saturday, 2 April 2022. The proposed development does not seek approval for any structures associated with the event, as all temporary structures will comply with the exempt development criteria detailed in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

The applicant for DA2022/0020 is Parkes Shire Council, who is also the consent authority for the application. To address any perception of a potential conflict of interest between Council's role as consent authority and applicant, the proposal has been advertised and neighbour notified with a statement declaring Council's interest in the matter. No delegation of authority has been exercised, with this report being tabled with Council for determination.

The proposed development was advertised and notified to adjoining landowners in accordance with the Parkes Shire Community Engagement Strategy 2021-2025. One objection was received during the advertising/notification period. The objection was on the grounds the proposal will limit public access to adjoining commercial premises and seeking the traffic management plan incorporate Cooke Park Café.

The proponent has advised there will be no road closures as part of the proposed event. The perimeter site fence is for security purposes to control admission to the event, whilst patrons will be able to enter and exit the site to access local cafes and restaurants.

The proposed development is consistent with all relevant State Environmental Planning Polices, the Parkes Local Environmental Plan 2012 and the Parkes Shire Development Control Plan 2021. The proposal will not result in any adverse environmental, impacts in the locality. The proposal will result in positive social and economic outcomes for the Parkes Shire.

A Statement of Environmental Effects is included in Attachment 1 and a plan of the proposed development is included in Attachment 2. An Assessment Report, dealing with all aspects of the proposal is included in Attachment 3.

Background Information

Nil.

Recommendation

It is recommended that the application be approved subject to the conditions contained in the report.

Conditions

Approved Plans and Documentation

- **1.** The development shall be carried out in accordance with:
- I. The approved stamped plan(s) prepared by Arndell Surveying, Reference No. 11537, Sheet 1, dated 14 June 2020.
- II. The approved stamped Statement of Environmental Effects, prepared by Parkes Shire Council, dated November 2021.
- except as varied by the conditions listed herein or as marked in red on the plans. A copy of the approved stamped plans is to be maintained on site for constructional and reference purposes.

Prior to the Commencement of Use

- 2. The applicant and/or the organisers must meet with Council's Parks & Gardens Coordinator onsite prior to the event to determine the location of all utilities, furniture and existing structures to ensure no damage is inflicted on Council's assets. The locations all assets in Cooke Park must be marked prior to the commencement of use.
- **3.** The applicant and/or the organisers must notify all local residents/businesses in the affected area of proposed traffic restrictions at least seven (7) days prior to the event.

During Use

4. Any damage caused to footpaths, roadways, utility installations, trees and flora and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the applicant.

Limitations of Consent

- **5.** The applicant and/or the organisers must ensure compliance with directions issued by members of the NSW Police Force or Authorised Council Officers at all times.
- **6.** The event is to take place only between the hours of 2pm to 11:00pm on Saturday, 2 April 2022. If entertainment concludes after 10:00pm, a person must be appointed to assist with the quiet and orderly dispersal of the audience of the entertainment.
- **7.** The applicant and/or the organisers must ensure no unreasonable disturbance by nature of the level of noise and must ensure compliance with the *Protection of the Environment Operations Act, 1997.*
- **8.** No injury being caused to the amenity of the locality by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or otherimpurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.

- **9.** All exterior lighting associated with the development must be designed and installed so that no obtrusive light will be cast onto any adjoining property. All lighting must comply with the Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting.
- **10.** The applicant and/or the organisers shall attend to any complaints and/or anti-social behaviour including noise at all times that such activity occurs during the event.
- **11.** The area is to be kept clean and tidy at all times. All waste from the site must be removed to the Waste Depot at the completion of the festival. The applicant shall bear the responsibility for fully clearing the area at the completion of the event.
- **12.** Adequate waste facilities are to be provided and maintained in a clean and sanitary condition. These are to be serviced regularly with the removal of waste prior to the receptacles overflowing.
- **13.** No obstruction is to be caused to pedestrian or vehicular trafficable areas. A minimum three (3) metre wide emergency vehicle access is be maintained at all times.
- **14.** All loading and unloading of vehicles must not inhibit the free flow of vehicles accessing the site or other premises in the area.
- **15.** All food stalls must comply with the requirements of the *Food Act 2003*, associated regulation and food standards, and the NSW Food Authority Food Handling Guidelines for Temporary Events. A copy of the Code must be provided to all proprietors of such stalls.
- **16.** No stalls are to carry out hairdressing, beauty and/or skin penetration procedures without the prior consent of Council's Planning and Environment Department.
- **17.** The event is not to operate without a Public Liability insurance policy covering the event. The insurance policy must include a Public Indemnity of no less than twenty (20) million dollars. Proof of the policy is to be provided to Council's Administration Manager seven (7) days prior to the event.
- **18.** Council may impose a fee for use of water for the duration of festival if usage is considered excessive compared with normal watering for the same period of time. This is to be determined by Council's Parks & Gardens Co-ordinator.

Prescribed conditions

- **19.** The work must be carried out in accordance with the requirements of the *Building Code* of *Australia*.
- **20.** A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Attachments

1. SOEE - DA2022 0020

Attachment 1 - SOEE - DA2022_0020









Statement of **Environmental Effects**

Overture Cooke Park, Parkes

Prepared November 2021

It all adds up. PARKES PARKES SHIRE COUNCIL



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EXECUTIVE SUMMARY

Parkes Shire Council have prepared a Statement of Environmental Effects to support a Development Application to allow the event, Overture, to be held at Cooke Park at Parkes.

Cooke Park is the central park in Parkes and the major venue for community events and festivals in town. Overture is a new event for the town, a celebration of opera and musical theatre under the beautiful night skies of Parkes.

This event will be similar, albeit smaller in size, than the Parkes Elvis Festival event that has been run successfully from Cooke Park in this space under existing approvals granted under the *Environmental Planning and Assessment Act 1979* and *Local Government Act 1993*.

This Statement of Environmental Effects for the proposed development includes the assessment of the following:

- o Any impacts on Matters of National Environmental Significance under the *Environmental Protection and Biodiversity Conservation Act 1999*.
- Any impacts on threatened species in accordance with the Biodiversity Conservation Act 2016.
- o Any environmental impacts associated with the proposal as defined under the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.
- o Any operational requirements under the *Local Government Act 1993* and *Local Government* (General) Regulation 2005.



1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared to support a Development Application (DA) for the approval of the new event, Overture, at Cooke Park.

The following documents are attached to the SEE:

- Completed Development Application and Section 68 Approval Application Form (submitted online)
- o Crown land owners consent for the application to be lodged.
- o Overture Site Plan.
- o Overture Risk Management Plan.
- o Noise Management Plan for Events, Cooke Park, Parkes.

This SEE also provides background information to assist with the processing of a Section 68 Approval under the *Local Government Act 1993* for certain aspects of the development on Community Land.

2. BACKGROUND

2.1 Parkes

The Parkes Shire has a population of around 15,250 people, spread over a relatively large area of 5,919 square kilometres. The shire is located approximately 360 kilometres west of Sydney, 700 kilometres north of Melbourne, 970 kilometres south of Brisbane and 300 kilometres north-west of Canberra. It is renowned for its strategic connections to mainland cities and ports via roads and railways, The Dish and Elvis.

Parkes is the largest town in the Parkes Shire and is well connected to other major centres in the Central West of NSW; being located approximately 28 kilometres north of Forbes, 115 kilometres south of Dubbo and 100 kilometres west of Orange.



2.2 Parkes CBD Vibrancy Strategy

Parkes Shire Council adopted the Parkes CBD Vibrancy Strategy in 2016 to guide future upgrades to the town centre, including Cooke Park and surrounding streets.

2.3 Cooke Park

Cooke Park was reserved for public park purposes in the early days of settlement, as a central location between the railway station and town centre. The original Crown Land reserve was named Railway Park and was renamed Cooke Park after Henry Harry Cooke, an early miner who became the first Mayor of Parkes.

As the central park for Parkes, Cooke Park is in high demand for a wide range of community activities such as market stalls, exercise groups, community meetings and passive recreation. A new Multipurpose building, The Cooke Park Pavilion, is the main focal point for ongoing community events being carried out in Cooke Park.



2.4 Overture

'Overture' is a celebration of opera and musical theatre to be held on Saturday 2nd April at the new Cooke Park Pavilion starring prominent celebrity artists supported by emerging artists and a regional youth orchestra.

'Overture' is a new concept for Parkes that will provide the region with world-class entertainment and significantly boost visitation in an off-peak tourism period.

Preceding this event will be a series of workshops with schools and community organisations to encourage skills development and widespread participation in the arts, and a talent development-style program to recognise regional talent and invite them to perform at the event.

Overture' would run from 4pm to 10.30pm on Saturday 2nd April 2022 with an estimated 2,000 to 3,000 attendees.

Overture will use the new Cooke Park Pavilion as the performance area, using purpose-built temporary staging over the stairs, and large screens either side of the stage.

Temporary structures to be utilised in the park include toilet blocks, shade, an accessibility platform, and a small selection of food and market stalls.



2.5 Cooke Park Pavilion

In early 2016, Council resolved to implement a number of projects as part of the Parkes CBD Main Street Vibrancy Strategy 2016, including a new Multi-purpose Pavilion in Cooke Park. The Cooke Park Pavilion was completed in 2022. Plans of the Pavilion are below:



Site plan of north-west corner of Cooke Park showing new Multipurpose Pavilion.



Artist impression of the new Multi-purpose Pavilion in Cooke Park.

The Cooke Park Pavilion contains the following key facilities:

- Events stage The events stage has been designed to be used for a wide range of performance such as the Elvis Festival Concerts and Performances, other music festivals and performances, Carols by Candlelight, Moonlight Cinema, school and local performing arts productions. Most of these events are already held in Cooke Park using temporary stage facilities. The new purpose-built events stage will improve safety, management and circulation compared to temporary facilities. The stairs at the front of the stage are for normal / everyday access to the stage and can be covered when concerts or major events are held to create a separation between the stage and the public.
- Multi-purpose room behind the stage with kitchen The multi-purpose room can act as a
 community centre, conference meeting room (100 seat capacity), wedding reception hall or
 for other similar events, a back-of-stage co-ordination area or it can be opened up to expand
 the stage area.
- o Flexi-room The flexi-room provides a smaller break-out space.
- Store room and toilets Are only accessible for users of the building. The large storage room
 will assist with event management, security, and safety.
- Vehicle Access and Parking Driveway access has been created from Welcome Street to the rear (north) of the Pavilion. It is double width and provides access to an articulated truck delivery area, turning area and limited parking. There is a loading dock at the rear (north) side of the Pavilion. The parking area is suited to a light rigid truck (approximately 9m long) being able to enter and leave the site in a forward direction.

3. SITE DESCRIPTION

The following section provides a general overview of the environment in and around Cooke Park, which places the proposal in its local and regional context. A more detailed description of the site is also provided in this section.

3.1 Locality Description

Cooke Park is located towards the southern edge of the Parkes Central Business District (CBD) on the corners of Clarinda, Short and Welcome Streets. The park is an important 'gateway' to the southern entrance to the CBD and is part of a civic precinct that extends to the Parkes Shire Council Administration Centre and Library on the corner of Cecile and Bogan Streets. A locality map showing Cooke Park is below:



Figure 1: Map of Parkes CBD showing Cooke Park to the south (Source: Google Maps).

Cooke Park has an area of approximately 1.39 hectares in a number of lots, as shown in Table 1 below:

Property Description	Ownership	Land-use
Lot 3 DP 507839	Council	Contains the new Multi-purpose Pavilion in the northern corner of the site.
Lot 701 DP 1019977	Crown	'T' shaped with a frontage to Welcome Street and an access handle to Pholeros / Lowing Lane wrapping around the Parkes Community Centre lot, used as parkland.
Lots 25 and 26 Section 5 DP 758827	Council	Centrally located in the park and includes the toilet / amenities block and central fountain extending down to Short Street, used as parkland.
Lot 702 DP 101977	Crown	Narrow allotment running from an extension of Lowing Lane down to Short Street, used as parkland.
Lots 1 and 2 Section 46 DP 758827	Crown	Located in the south-west corner at the intersection of Welcome and Short Streets, used as parkland
Lots 15-19 Section 5 DP 758827	Council	Located in the south-east along Clarinda Street and used as parkland.

Table 1: Land Parcels in Cooke Park

An aerial photograph of Cooke Park is shown in Figure 2, with the park boundary shown in red outline. A yellow dotted line shows the general activity space for the Cooke Park Pavilion.



Figure 2: Cooke Park Aerial Photograph

3.2 Description of Property Improvements

Cooke Park consists of open parkland, public toilet facilities (brick construction), three water fountains / features, memorial / entrance gates, a new Multi-purpose Pavilion (under construction) and various public seating structures, sculptures, internal pathways and lighting. Vegetation is heavily scattered throughout the site, consisting of mature trees and established garden and lawn areas.

3.3 Access

The site is largely bounded by public roads; Welcome Street, Short Street and Clarinda Street as well as Pholeros Lane. A pedestrian footpath bounds the site, providing access to Cooke Park and surrounding street networks. Vehicle parking is located on the subject streets, which are two lane bitumen sealed carriageways.

3.4 Services

The site is connected to reticulated water, sewerage and electricity services. Storm water from the site is discharged to the surrounding drainage systems in Welcome and Short Streets.

3.5 Crown Land

Lot 701 DP 1019977 and Lots 1 and 2 Section 46 DP758827 are Crown land parcels and make up part of the open space areas in Cooke Park. The remaining lots in Cooke Park are Council owned land.

3.6 Surrounding Land-use

Cooke Park is surrounded by public roads, except for the private land to the north and north-east where the Henry Parkes Motor Inn wraps around the park in a 'L' shape. Further afield, Cooke Park is predominantly surrounded by commercial properties, including:

- Welcome Street (West): 24-hour car wash, Café and take-away, All Settlers Motor Inn and GWS Recruitment.
- Short Street (South): Parkes Services Club, Masonic Centre and Department of Community Services.
- o Clarinda Street (East): Wash 'n' Dry, Paint and Heating and Thrifty Car Rentals.

The nearest private residential land-use is on Welcome Street, south of Cooke Park in Short Street (blocks of flats / units).

4. DESCRIPTION OF PROPOSED DEVELOPMENT

The following section provides an overview of the proposed operation of Overture from Cooke Park in Parkes. It describes the various components of the development proposal on the subject land.

4.1 Overview of Proposal

Cooke Park has become a focal point for events in Parkes building on the success of the annual Parkes Elvis Festival. Funding was received to build a new permanent performance stage for the park, and moving forward there is a need to run regular events in this space and ensure the beautiful facility is utilised.

Following the successful 2011 Opera at the Dish event, the community has wanted to run a similar event in the classical genre. Hence Overture was conceptualised – a new event utilising the new Pavilion under the night skies of Parkes celebrating Opera and Musical Theatre. This will be the first major event that will be fenced and ticketed in the park utilising the new Pavilion stage.

The layout will include an allocated seating area immediately in front of the stage with other areas for ticket holders to bring their own chair/picnic blanket. Attendees can bring their own food and drink, with an application to be submitted to lift the alcohol-free area zone for the event. A small number of food venders will be permitted to set up in the park.

4.2 Use of Cooke Park for Overture

Cooke Park is managed by Parkes Shire Council as public open space. Overture is also managed by Council. Parkes Shire Council proposes to continue to use the whole of Cooke Park as an events space for Overture. The general layout of the event is shown below:



4.3 Use of the Cooke Park Pavilion

The event facilities at Cooke Park have been transformed with the completion of the Multi-purpose Pavilion in 2021. No longer will there be a need for event organisers to hire all of the stage performance equipment to host events.

The Cooke Park Pavilion is to be used as the main stage / performance area for Overture. Separate approval has been granted for the Pavilion, including its general use for concerts and performances.



4.4 Temporary Event Structures

The front steps to the Cooke Park Pavilion are designed to be covered over / extended to serve as the main stage area for Overture. The temporary stage extension installations are stored underneath the front stairs / landing area.

Other temporary structures, such as extra lighting, video screens, choir risers and sound equipment, will be installed in and around the Pavilion when Overture is in operation.

A large awning has been purchased by Council to provide shade and shelter in the main grassed area in front of the multi-purpose pavilion stage. This will only be installed should the weather require this.

4.5 Proposed Market Stalls and other Temporary Event Structures

A very small selection of market stalls will be held in Cooke Park during Overture. These temporary structures are likely to include:

- Market stall awnings and associated produce display areas, cooking facilities, tables and chairs and the like.
- o Temporary shade structures.
- o Mobile vans and associated awnings and equipment.
- o Temporary accessible viewing platform.
- o Exhibitions stalls / galleries and their associated awning structures.
- o Portable temporary buildings (parents room, first aid station, toilets), stages, electricity generators, cool rooms and other storage facilities.
- o Temporary fencing.
- o Temporary Way-finding, directional signage and sponsor signage.

4.6 Duration of Event

Approval is sought for the continued operation of Overture at Cooke Park for up to one week every year for five years. The event will usually held in April each year, but there may be circumstances where the event is delayed or held at a different time of the year.

Separate approval will still need to be obtained by Council under Section 68 of the *Local Government Act 1993* for Overture at Cooke Park every five years. Under this process it is intended to review event planning, site design and operations as well as the relevant matters for consideration under Section 89 of the *Local Government Act 1993*. Event organisers will also be required to complete event checklists before the annual event, such as an Accessible Event Statement / Checklist.

5. STATUTORY FRAMEWORK

A number of statutory controls relate to the proposed development and will need to be addressed as part of the ongoing use of Cooke Park for Overture. This section reviews Commonwealth, State and local environmental planning legislation and policies that apply to the proposed temporary events.

5.1 Environment Protection and Biodiversity Conservation Act 1999 (Federal)

Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC) states that an action which has, will or is likely to have a significant impact on a matter of national environmental significance may not be undertaken without prior approval of the Commonwealth Minister for Environment and Heritage, as provided for under the provisions of Part 9 of the EPBC Act. The Act identifies the following as matters of national environmental significance for which Ministerial approval is required:

- World heritage properties.
- o Wetlands of international significance.
- o Listed threatened species and communities.
- o Listed migratory species protected under international agreements.
- o National Heritage Places.
- o Protection of the environment from nuclear actions.
- o Commonwealth Marine environments.

The proposed activities have been assessed against the EPBC Act Significant Impact Guidelines 1.1 - Matters of National Environmental Significance. The proposal does not comprise an area of world or national environmental significance. An assessment of the flora and fauna impacts of the proposal has been undertaken and documented in the SEE. The assessment concludes the proposed activities at Cooke Park are unlikely to have a significant impact on threatened, critically endangered, endangered or vulnerable species and ecological communities. Referral to the Department of the Environment is not required and a Species Impact Statement is not deemed necessary, given the low potential for species / heritage impacts as a result of the Overture event proposed to be held at Cooke Park.

5.2 Native Title Act 1993 (Federal)

All activities on public reserves must address the issue of native title. Native title rights are considered to pre-date official recognition of native title rights, so Native title can be relevant to activities carried out on the land even if no native title claim has been made or registered. To properly address Native tile, the *Native Title Act 1993* (NT Act) provides the framework for determining Native title claims in Australia. The native title process must be considered for each activity on the land and a native title assessment must be undertaken.

Cooke Park has been under the care and control of Parkes Shire Council since its gazettal as a reserve for public recreation. As the manager of part of Cooke Park that is Crown Land, Parkes Shire Council has been advised that it is able to carry public works and allow community activities to be undertaken within the park in accordance with the Cooke Park Plan of Management without impacting Native Title interests.

5.3 Disability Discrimination Act 1992 (Federal)

The Disability Discrimination Act 1992 exists to provide legal protection against discrimination for people with disability (and carers, co-workers or associates of a person with a disability). The Act also requires Australian governments to actively guard against discrimination by developing Disability Action Plans.

The Parkes Shire Disability Inclusion Action Plan 2017-2021 incorporates the requirements of the *Disability Discrimination Act 1992*, including actions to increase capacity of Council to host accessible and inclusive events held in Parkes Shire. For major events at Cooke Park such as the Overture, an Accessible Event Statement / Checklist will be completed each year and implemented.

5.4 NSW Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) outlines the framework for assessment and approval of biodiversity impacts associated with developments that require consent under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Council is required under Section 1.7 of the EP&A Act to take into consideration Part 7 of the BC Act, which requires consideration of whether a proposal is likely to significantly affect threatened species. An activity is considered to result in a significant impact in the following assessed circumstances (see table 2).

BC Act Significance Assessment		
Test	Assessment	
(a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	Cooke Park is located in the Parkes urban area and is used as public open space and indoor recreation facility. A range of exotic and native vegetation species are managed in the park. The vegetation in the park does not meet the definition of BC Act native vegetation, as it lacks a native over-storey, mid-storey, and shrub-storey and the ground layer is highly disturbed and predominantly exotic. The proposal will not result in any significant impacts to local species, communities or habitats.	
(b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	The proposal does not trigger the application of the Biodiversity Offsets Scheme (BOS) and the resulting requirement to prepare a Biodiversity Development Assessment Report (BDAR) is not required.	
(c) it is carried out in a declared area of outstanding biodiversity value	The site is not a declared area of outstanding biodiversity value.	

Table 2: Biodiversity Conservation Assessment

5.5 NSW Crown Land Management Act 2016

Part of Cooke Park is Crown Land, vested in the care and control of Parkes Shire Council for public recreation and community purposes. Section 3.23(6) of the *Crown Land Management Act 2016* (CLM Act) requires Council Crown Land Managers to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager of community land. Division 3.6 of the CLM Act deals with the requirements that Council must meet in relation to Plans of Management and other Plans.

The Parkes Shire Council has adopted a Plan of Management for Cooke Park. The Overture event is consistent with the Plan of Management for Cooke Park.

Owners consent has been provided by the Crown for the lodgement of a Development Application for Overture at Cooke Park.

5.6 NSW Aboriginal Land Rights Act 1983

In NSW, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Council's to claim 'claimable' Crown land. Generally, the *Aboriginal Land Rights Act* is directed at allowing Land Council's to claim Crown land that is unlawfully used or occupied. Cooke Park has been under the care and control of Parkes Shire Council since its gazettal as a reserve.

5.7 NSW Local Government Act 1993

The Local Government Act 1993 (LG Act) states that the function of local government includes management of public land. Chapter 6 of the LG Act confers on councils their service or non-regulatory functions, including the management of public land. Under Section 36(1) of the LG Act, Plans of Management must be prepared for all community land. The Parkes Shire Council has adopted a Plan of Management for Cooke Park. The Overture event is consistent with the Plan of Management for Cooke Park.

Section 68 of the LG Act specifies that approval is required for a number of activities carried out on community land, including:

- o Community Land where the following is involved:
 - Engage in a trade or business.
 - o Direct or procure a theatrical, musical or other entertainment for the public.
 - o Construct a temporary enclosure for the purpose of entertainment.
 - o For fee or reward, play a musical instrument or sing.
 - o Set up, operate or use a loudspeaker or sound amplifying device.
 - o Deliver a public address or hold a religious service or public meeting.
- Public Roads where it is proposed to swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.

Section 89 of the LG Act specifies the matters for consideration in determining an approval under Section 68 of the Act.

A Section 68 Approvals Application has been lodged with Parkes Shire Council for the Overture temporary event facilities that require approval under the LG Act.

5.8 NSW Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) forms the legal and policy platform for development assessment and approvals process in NSW. The objects of the EP&A Act are:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,

- (c) to promote the orderly and economic use and development of land,
- (d) to promote the delivery and maintenance of affordable housing,
- to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- (g) to promote good design and amenity of the built environment,
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- to provide increased opportunity for community participation in environmental planning and assessment.

The proposed Overture event is not antipathetic to the above objects and will help to promote the orderly / sustainable development of a public recreation reserve and community facilities in an appropriate RE1 Public Recreation zone within the Parkes Local Government Area (LGA).

The proposed Overture event in Cooke Park is permitted in the RE1 zone with consent. A Development Application has been lodged with Parkes Shire Council for the temporary event facilities that require approval under the EP&A Act.

5.9 Food Act

The selling of food at temporary events in NSW is controlled under the *Food Act 2003*. A person handling or selling food or operating stalls used for selling food for human consumption, including drinks, produce, fruit and vegetables or pre-packaged food, is deemed to be a 'food business'. This includes not-for-profit operations.

A food business is required to sell safe and suitable food in accordance with the *Food Act 2003*, which also mandates compliance with the National Food Standards Code. Food businesses that trade at temporary events must ensure that their details have been notified to Council prior to commencing trading.

The NSW Food Authority has published Guidelines for Food Businesses at Temporary Events, 2016. For all temporary events involving the sale of food, Parkes Shire Council maintains a food inspection and enforcement program, including food stalls in operation at Overture.

5.10 NSW Protection of the Environment Operations Act 1997

The Protection of the Environment Operations Act 1997 (POEO Act) regulates air, noise, land and water pollution. Cooke Park does not operate under an Environment Protection Licence (EPL) and Parkes Shire Council is the Appropriate Regulatory Authority (ARA) for general pollution control matters in the Parkes Local Government Area. The nature and scale of the Overture event is such that it does not fall under the threshold triggers that would require licensing by EPA under the POEO Act.

5.11 NSW Contaminated Land Management Act 1997

Parkes Shire Council is required to notify the EPA if contamination is discovered that presents a significant risk of harm. Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997* are available on the EPA website. EPA notification is not required to be obtained for the proposed activities at Cooke Park.

5.12 NSW Water Management Act 2000

The aim of the *Water Management Act 2000* (WM Act) is the sustainable and integrated management of the State's water for the benefit of both present and future generations. Cooke Park requires only limited supplies of water for landscaping, amenities and drinking water purposes, which can be readily provided from the reticulated water supply system already connected to the park. An approval under the WM Act is not required to be obtained for the proposal.

5.13 NSW National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) is administered by the Office of Environment and Heritage and provides the basis for the legal protection of flora and fauna in NSW. Unless a licence is obtained under the NPW Act (or the Threatened Species Conservation Act 1995), it is an offence to harm any animal that is protected or is a threatened species, population or ecological community. It is also an offence to pick any plant that is protected or is a threatened species, population or ecological community. In addition, a person must not, by act or omission, damage any critical habitat. The NPW Act also provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 86, 90 and 91 of the NPW Act provide statutory protection for any physical / material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community. No threatened species or Aboriginal sites have been found on the site. An approval under the NPW Act is not required to be obtained for the Overture event at Cooke Park.

5.14 NSW Heritage Act 1977

The *Heritage Act 1977* provides for the conservation of environmental heritage defined as places, buildings, works, relics, moveable objects and precincts of State or local heritage significance which are at least 50 years old. The Act provides for the listing of heritage items on the State Heritage Register and Orders can be made under the Act to protect relics from removal or alteration. The Act applies to non-Aboriginal relics only, as Aboriginal relics are protected under the NPW Act. No State Heritage Register items have been identified within the site of Cooke Park. The park has no listed heritage items under Parkes Local Environmental Plan 2012, however there are structures within the park of heritage value. No changes to any relics or items of heritage value are required to accommodate the Overture event in Cooke Park. An approval under the Act is not required to be obtained for the proposal.

5.15 NSW Biosecurity Act 2015

The *Biosecurity Act 2015* (Biosecurity Act) outlines mandatory measures that persons are to take with respect to biosecurity matters including the management of weeds (Part 2, Division 8 including Weeds of National Significance (WoNS)). Under the Biosecurity Act, the responsibilities for weed management by public and private landholders are consistent, reflecting that weed management is a shared community responsibility. The Biosecurity Act is administered by NSW Department of Primary Industries, which determines the weed species covered by regulatory tools including Prohibited Matters, Control Orders and Biosecurity Zones. Existing Local Control Authorities (Councils) continue to be responsible for enforcing weed legislation. Weed management has been included in the Cooke Park Plan of Management, consistent with current legislation and guidelines.

5.16 NSW Noxious Weeds Act 2003

The Noxious Weeds Act 2003 provides for the identification and control of noxious weeds and specifies the duties of public and private landholders to control noxious weeds. The Act stipulates that an occupier of land must take steps to control noxious weeds on their land. Appropriate methods for controlling noxious weed species are defined under the control category or categories for particular species of weeds. Parkes Shire Council staff are available to implement weed control measures to prevent the spread and occurrence of noxious weeds at Cooke Park. A process of weeds identification and management is included in the Cooke Park Plan of Management.

5.17 NSW Local Land Services Act 2013

The Local Land Services Act 2013 (LLS Act) includes the management of natural resources in the consideration of the principles of Ecological Sustainable Development (ESD). Vegetation clearing provisions are considered under Part 5A of the LLS Act. The LLS Act regulates the clearing of native vegetation on all land in NSW mapped as Category 2 – Regulated Land as mapped on the Native Vegetation Regulatory Map. It does not include Excluded Land and Category 1 Exempt Land mapped on the Native Vegetation Regulatory Map. Vegetation clearing which does not require development

consent under the EP&A Act is considered for approval by the Native Vegetation Panel under the LLS Act. A review of the Native Vegetation Regulatory map confirms the study area occurs on land mapped as Excluded Land. Consequently, the clearing regulations under Part 5A LLS Act (s60H) do not apply to Cooke Park.

5.18 NSW Local Land Services Amendment Act 2016

The Local Land Services Amendment Act 2016 (LLSA Act), which amended the Local Land Services Act 2013, authorised the making of the Land Management (Native Vegetation) Code 2018 (Div 5, Sch 1 of the LLSA Act). The aim of the Code is to authorise clearing of native vegetation on Category 2 regulated land under certain conditions and provide for the establishment and maintenance of set aside areas. Review of the Native Vegetation Regulatory map confirms that the study area does not occur on Category 2 regulated land. Consequently, the clearing regulations under Part 14 of the LLSA Act do not apply to Cooke Park.

5.19 NSW Fisheries Management Act 1994

Under Section 199 of the *Fisheries Management Act 1994* (FMA Act) the Minister for Primary Industries is required to be consulted over any dredging or reclamation works carried out, or proposed to be authorised, by a public authority. Dredging and reclamation works are defined to include any excavation or any filling in land that is permanently or intermittently submerged by water, including construction of pump stations, coffer dams, waterway crossings / side tracks, pipelines, creek diversions, geotechnical investigations, excavating or reclaiming the bed or banks of any waterways. The Department of Primary Industries must also be consulted regarding any activity that will result in the temporary or permanent blockage of fish passage within a waterway (Section 219) and a permit may be required for these activities. Floodplain or in-stream works that may impede the flow of water at any time can be addressed by this provision. The FMA Act (through Fish Habitat Protection Plan No. 1) also requires notifying the Minister for Primary Industries of any proposal to remove or relocate snags, in particular fallen trees or rocks. The proposed Overture event at Cooke Park does not involve any works on or near a waterway. An approval under the FMA Act is not required to be obtained for the proposal.

5.20 NSW Work Health and Safety Act 2011

The management and handling of hazardous substances and dangerous goods in NSW is controlled under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*. There are also Hazardous and Offensive Development Application Guidelines published by the Department of Planning, Industry and Environment that apply. It is highly unlikely that any hazardous or offensive goods will be stored or handled at Cooke Park. Any handling and storage of chemicals will be carefully managed by Council staff to ensure compliance with the legislation. An approval under this legislation and policy framework is not required to be obtained for the proposal.

5.21 NSW Roads Act 1993

Under Section 138 of the *Roads Act 1993* a person must not "erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road" otherwise than with the consent of the appropriate roads authority. Parkes Shire Council is the relevant authority for works on roads surrounding Cooke Park and will issue appropriate authorisations for any required road works.

5.22 NSW Rural Fires Act 1997

A permit must be obtained for any open burning of cleared vegetation where required. An approval under the Act is not required to be obtained for the proposal.

ENVIRONMENTAL PLANNING ASSESSMENT

This section of the report provides an assessment of the proposed development in accordance with the relevant statutory matters for consideration under the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act).

Section 4.15 Assessment

Section 4.15 of the EP&A Act 1979 requires an evaluation of the relevant matters for consideration listed in this section. The provisions of Section 4.15 have been repeated in full below:

4.15 Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
 - (i) any environmental planning instrument, and
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - (iii) any development control plan, and
 - (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

The following sections address the matters for consideration listed under Section 4.15.

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

Local Environmental Plans

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes LGA.

Cooke Park is zoned RE1 Public Recreation under the Parkes Environmental Plan 2012. The Land Use Table for the RE1 zone permits a range of community facilities, markets, kiosks, indoor and outdoor recreational facilities associated with temporary events. The use of Cooke Park for the Overture is not considered to comprise a major recreation facility. The dominant use of Cooke Park is for public recreation. The main performance activities associated with the festival will be conducted on a temporary basis and from the new Cooke Park Pavilion, which has already been granted consent under Development Consent No. DA2018/0048.

Clause 2.3(2) of Parkes Local Environmental Plan 2012 provides that the Council shall have regard to the objectives for development in a zone when determining a Development Application in respect of land within the zone. The objectives of the RE1 Public Recreation zone are:

- o To enable land to be used for public open space or recreational purposes.
- o To provide a range of recreational settings and activities and compatible land uses.
- o To protect and enhance the natural environment for recreational purposes.

The use of Cooke Park for Overture, including the events to be held in the new Cooke Park Pavilion, are considered to be consistent with the objectives for the RE1 Public Recreation zone.

Clause 2.8 of the Parkes Local Environmental Plan 2012 also provides for the temporary use of land for any purpose, so long as it does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land or adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land. Cooke Park has a long track record of successfully hosting a wide variety of temporary events without causing adverse impacts on parkland features / assets.

There are no other special provisions under the Parkes Local Environmental Plan 2012 that are particularly relevant to the assessment of the Overture event at Cooke Park.

State Environmental Planning Policies

The following State Environmental Planning Instruments (SEPPs) apply to the proposal:

 State Environmental Planning Policy (Infrastructure) 2007 - This SEPP seeks to protect and facilitate appropriate infrastructure. Access and traffic generation is addressed in Section 4.
 There will be no impacts on other infrastructure such as electricity or other utilities.



- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 This SEPP permits certain activities without consent or by issue of a CDC. Development consent is sought for temporary events and miscellaneous structures other than those permitted without consent under this SEPP.
- State Environmental Planning Policy 55 (Remediation of Land) There is no visible evidence
 that the park has been used for any purposes that may have caused contamination.
 Temporary events proposed are unlikely to cause a contamination risk. A preliminary site
 investigation is not considered necessary.
- State Environmental Planning Policy 64 (Advertising and Signage) Temporary site identification and navigation signage only is proposed to be displayed during temporary events.

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

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

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

The Parkes Development Control Plan 2013 (DCP) applies to the proposal. The DCP provides controls for standard land uses / classes of buildings in certain zones. There are no specific controls applying to land zoned RE1 Public Recreation. The proposal has been assessed against Clause 1.2 General Principles for Development as follows:

- Consider the character of the neighbourhood Cooke Park is located at the southern end of the Parkes CBD and has distinct qualities as an important central public park. The main event activities for the Parkes Elvis Festival have been successfully run from Cooke Park for many years, without major incident or long term impacts on Cooke Park or the surrounding neighbourhood. The operation of Overture is similar to Parkes Elvis Festival at Cooke Park and will not impact the character of the commercial precinct.
- Maintain the quality of the streetscape The temporary operation of Overture at Cooke
 Park will not impact the quality of the park or adjoining streetscapes.
- Use the site's attributes to your advantage Cooke Park is relatively flat /level and has multiple mature shade trees. The Cooke Park Overture Site Plan has been designed to take advantage of key site attributes.
- Protect heritage The nearest listed heritage item is 150 metres north at the town square and will not be impacted by proposed temporary events. Historic relics / values of Cooke Park will not be affected by this application.

- o Ensure appropriate building height, bulk and form There are no permanent buildings proposed other than the large awning structure that has already been installed in Cooke Park under previous approvals. A similar but upgraded shade in front of the new Cooke Park Pavilion may also be installed. All other structures will generally be light weight awnings / tents, transportable buildings such as toilets and vans / trailers or small staging structures maintained to industry standards. No major issues are likely to occur as a result of the height, bulk and form of proposed temporary structures.
- Ensure landscape qualities are retained No trees are required to be removed to support
 this development. Experience has shown that turfed areas, gardens and paths can be
 sustained during and after events.
- Solar Access / Views / Respect privacy There are no permanent buildings proposed.
 Temporary structures will generally be light weight awnings / tents, transportable buildings such as toilets and vans / trailers. No major issues on solar access, views and privacy are likely to occur.
- Safer by Design The Overture Site Plan has been designed to maximise views and public surveillance.

S4.15(1)(a)(iiia) any Planning Agreement

There are no planning agreements relating to the site. There has been no request to enter into any form of planning agreement.

S4.15(a)(iv) the Regulations

Division 8 of Part 6 of the *Environmental Planning and Assessment Regulation 2000* specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

- o Clause 92 Government Coastal Policy Not applicable to the Parkes LGA.
- Clause 92 Building Demolition No demolition works are proposed.
- o Clauses 93 Change of Use Fire Safety and Structural Capacity Considerations No change of use to buildings is proposed and no building works involves an increase in floor area.
- Clauses 94 Fire Safety Upgrades There are no permanent buildings proposed. Upgrades to fire safety features at existing buildings are not required for the temporary events proposed.
- Clause 94A Temporary Structures There are no permanent buildings proposed. Temporary structures will generally be light weight awnings / tents, transportable buildings such as toilets and vans / trailers. Upgrades to fire safety features at existing buildings are not required for the temporary events proposed. The ground surface at Cooke Park is sufficiently

firm and level to sustain temporary events structures. Separate approval will be sought by a proponent wishing to erect a temporary structure which is not classified as exempt development under the relevant SEPP.

- o Clause 95 Deferred Commencement Not relevant to the proposal.
- o Clause 96 Ancillary aspects of development Not relevant to the proposal.
- Clause 97 Modification or surrender of development consent or existing use Not relevant to the proposal.
- o Clause 97A Fulfilment of BASIX commitments Not relevant to proposal.

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

The likely environmental impacts of the proposed development are assessed below:

- Context and Setting The operation of Overture will result in minor short term changes to the context and setting of the area due to the concentration of temporary structures and vehicles within Cooke Park and the increased numbers of people / activity in and around the park. The Overture Site Plan has been sensitively designed to integrate with park assets and the wider CBD. The proposal is acceptable in its context and setting and will not have any significant impacts on nearby roads and properties regarding heritage impacts, light overspill, limiting views / sunlight, breaching privacy or creating traffic / access problems.
- o Land Use Conflict The proposal is located in the RE1 Public Recreation zone and surrounding land-uses are commercial premises. Temporary event facilities associated with Overture can be installed and operated without causing significant impacts on nearby activities. The noise impacts of the event have been assessed against all relevant criteria as part of the assessment of the Multi-purpose Pavilion (DA2018/0048) including an assessment of afterhours events involving amplified music and public address systems on the sensitive receivers. Based on the proposed layout and the nearest noise sensitive receiver, the noise assessments carried out as part of DA2018/0048 conclude the external noise emissions would not give rise to adverse noise impacts. No significant long term land-use conflicts are likely to occur as a result of proposed temporary events.
- Access and Traffic The proposal is not traffic generating development as defined under Schedule 3 of SEPP (Infrastructure) 2007 and is not development that has implications for road and rail infrastructure. Cooke Park is zoned RE1 Public Recreation zone and surrounded by land zoned B2 Local Centre. The location is generally one of the busiest trafficable areas in Parkes and is within walking distance to shops and services in the Parkes CBD. Bus services are generally available during large events. No significant traffic impacts are assessed.

- o Public Domain Cooke Park is important community land for the public recreational needs of Parkes residents and visitors. Cooke Park is zoned RE1 Public Recreation zone, which permits a range of events and facilities in the park. The operation of the Overture in Cooke Park is consistent with the Parkes Local Environmental Plan 2012, Plan of Management for Cooke Park and the Parkes CBD Vibrancy Strategy 2016.
- Utilities The existing buildings located on the site are already connected to utilities. The temporary events proposed do not require major changes to existing utility services.
- Heritage There are no listed heritage items in Cooke Park. There are structures / sites within Cooke Park that have heritage value. No changes to existing buildings / structures are proposed to accommodate proposed temporary events. No significant impacts on heritage values / relics are assessed and a Heritage Impact Assessment is not required.
- Other land resources The operation of Overture will not cause significant impacts on the functioning of public recreation facilities, roads and traffic and surrounding land-uses in the Parkes CBD. The development is unlikely to have detrimental effects on conserving and using valuable land resources and water supply catchments and will not lead to significant impacts on the natural resource base and existing commercial business sector in the Parkes CBD.
- Bushfire The site is not identified on the bushfire prone land map. No adverse impacts are assessed.
- Surface Water and Groundwater The site is not identified as groundwater vulnerable on any mapping / reports. Storm water generated from temporary event structures will be able to be managed within the park and adjoining roadside drainage infrastructure.
- o Soils The site is relatively flat and suitable for a range of temporary structures and facilities.
- Air and Microclimate The potential for significant airborne dust and / or offensive odours is assessed to be low.
- Noise and Vibration The noise impacts of events has been assessed as part of the
 assessment of the Multi-purpose Pavilion. This assessment work demonstrates that noise
 generated from events such as Overture can be appropriately managed so as to comply with
 all relevant noise criteria.
- o Flora and Fauna No threatened species of flora or fauna have been identified at Cooke Park.
- Waste The proposed temporary events will generate waste and provision has been made for bin storage and disposal throughout the park during temporary events.
- o Natural Hazards The site is not flood prone or identified on the bushfire prone land map.

- Technological Hazards There is no visible evidence of contamination at Cooke Park. The subject land is zoned for public recreation purposes and it is assessed that the land is suitable for the proposed operation of the Overture event.
- Safety Security and Crime Prevention The risks relating to the operation of the proposed temporary event have been considered in the preparation of the Overture Site Plan with reference to the Parkes Shire Council Events Risk Management Guide.
- Social Impact in the Locality The social impacts of the Overture event at Cooke Park will be significantly positive. The temporary event provides a range of community and entertainment event spaces. Such events should assist in developing social capital in the Parkes CBD and attract new visitors to the area.
- Economic Impact in the Locality The economic impacts of the Overture event at Cooke Park
 will be significantly positive. The proposed development will have a positive impact on the
 local economy.
- Site Design and Internal Design The Overture Plan takes into consideration the relevant design criteria for the holding of events, including the Parkes Shire Council Events Risk Management Guide, Parkes Shire Council Disability Access Inclusion Plan, Food Authority Guideline for Food Businesses at Temporary Events as well as the matters for consideration under the Environmental Planning and Assessment Act 1979 and the Local Government Act 1993.
- o Cumulative Impacts The operation of the Overture event at Cooke Park is consistent with the Plan of Management for Cooke Park and the Parkes CBD Vibrancy Strategy 2016. There are no cumulative impacts that need to be considered in this proposal. The proposed development will be in character with the central areas of Parkes and will not lead to cumulative impacts on the environment, neighbouring land-uses, cultural or heritage items.

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

Cooke Park has the capacity to support the Overture event without creating long term adverse impacts on the park as a public recreation space. Cooke Park is a relatively large area of open spaces at around 1.39 hectares, and is located in a central position in the Parkes CBD. The park is zoned RE1 Public Recreation and permits a wide range of temporary events / activities. The use of the park for temporary events is consistent with the Plan of Management for Cooke Park. The mainstay of event operations will be accommodated at the new Cooke Park Pavilion, which has already been approved under separate application.

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

The proposal is assessed to pose no significant impacts on the public interest. Parkes Shire Council manages Cooke Park to a high standard for the enjoyment of residents and visitors. The proposal is permitted in the RE1 Public Recreation zone. There are no specific policy statements from either Federal or State Government that are relevant to this proposal, nor any planning studies or strategies. There is no planning guideline or advisory document that is applicable to the development. There are no covenants, easements, or agreements that affect the proposal in the long term.

7. CONCLUSION

Cooke Park has a long track record of accommodating a wide range of community events, including the annual Parkes Elvis Festival. The proposed operation of the Overture event at Cooke Park is permitted under Parkes Local Environmental Plan 2012. The relevant matters for consideration under the *Environmental Planning and Assessment Act 1979* and the *Local Government Act 1993* have been addressed in this report and the proposed development has been found to be consistent with the relevant legislation. The site is suitable for proposed temporary events, with any potential impacts likely to be minor in nature and manageable under subsequent Section 68 Approvals and specific event management plans and event evaluation checklists.

Attachment 2 - Site Plan - DA2022_0020



Attachment 3 - DA2022-0020 - Development Assessment Report



Application Details:

Development Application No: DA2022/0020

Description of Development: Temporary Use of Land (Event)

Applicant: Parkes Shire Council Landowner(s): Parkes Shire Council

Landowners consent provided:

Yes

No (All Landowners must give consent to the proposed

development)

Property Description:

Legal Description: Lot 3 DP 507839, Cooke Park 158-176 Clarinda Street, Parkes

Existing Improvements: Existing community facility / entertainment premise and park furniture, including

chairs, lighting, amenities blocks, and irrigation systems.

Current land-use: RE1 Public Recreation

Locality and Site Context Map:



		Page 2	
Site Location:			
Has the subject land been correctly identified on DA Plans and SEE?	⊠Yes	□No	□N/A
Is the land freehold title with all owners consent?	⊠Yes	□No	□N/A
Is the site vacant of buildings?	□Yes	⊠No	□N/A
Are there other buildings / structures located on the subject land?	⊠Yes	□No	□N/A
Has the proposed building location been confirmed on the subject land?	⊠Yes	□No	□N/A
Do the provided plans, specifications and supporting documents accurately of	depict the site cor	nditions?	
	⊠Yes	□No	□N/A
Comments: The site features existing park furniture, water fountain, Elvi Cooke Park Multi-Purpose Centre (under construction).	s Statue, War M	lemorial, Amer	nities and the
Site Inspection:			
Date:	8 March 202	22	
Was the Applicant present?	Yes	⊠No	
Was the owner present?	Yes	⊠No	

Comments: Parkes Shire Council Acting Manager Planning Services, Brent Tucker undertook a site inspection on 8 March 2022. From the site inspection the following points were noted and supported by the images below:

- The subject site is located within with Parkes urban centre. The built form of the area is predominantly single and two storey abutting commercial buildings.
- The site has consistent slope to the west.
- · The site did not reveal any signs of contamination.
- The site of the development contains sporadic significant vegetation.
- The site has access from Clarinda Street, Short Street, Welcome Street and Pholeros Lane.
- The subject allotment is connected to reticulated water or reticulated sewerage.
- There are electricity and telecommunication services available at the site.

Photographs of the site from 8 March 2022 are shown below:





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View of the Cooke Park Pavilion which will be the stage for the event and seating area in the foreground.



View of the parkland which will be used for seating orientated towards the Cooke Ark Pavilion





Eastern portion of the park which will be used for temporary stalls and trading.



Existing amenities within Cooke Park.

Internal Referral Advice:

Has an Internal Engineering Referral been received?	□Yes	⊠No	□N/A
Has an Internal Building Referral been received?	□Yes	⊠No	□N/A
Has an Internal Heritage Advice Referral been received?	□Yes	□No	⊠N/A

Comments: The proposed development has been referred to Council's Development Engineer, Nathan McWilliam and Manager Regulation and Compliance, Scott Brakenridge.



		Page 5	
Easement(s):			
Are there any easements applying to the subject land? Is the proposed development clear of easements? Are there any proposed easements? Are easements required? Comments: There are no easements applying to the land. No easements are	☐Yes ☐Yes ☐Yes ☐Yes ☐Yes	⊠No □No ⊠No ⊠No quired.	□N/A □N/A □N/A □N/A
Consolidation of Lots:			
Are there more than one lot owned by the landowner in same holding? Is there a need to consolidate lots?	⊠Yes □Yes	□No ⊠No	□N/A □N/A
Comments: The various allotments all form part of Cooke Park. It is not co consolidated as there is no potential for the site to be sold off as separate allo		ary to require th	ne land to be
Section 1.17 Biodiversity Conservation Act 2016 / Fisheries Managemer	nt Act 1994		
Biodiversity:			
Is the land identified on the Biodiversity Land Values Map? Does the development include clearing/disturbance of vegetation above the relevant threshold? (as identified in 7.2 of the Biodiversity Conservation Regulation 2017)?	Yes	⊠No	□ N/A
Is the development otherwise likely to affect threatened species? (as identified in Clause 7.1 and 7.2 of the Biodiversity Conservation Regulation 2017)?	□Yes	⊠No ⊠No	□ N/A
Is the development proposed on land identified as an area of outstanding biodiversity value?	□Yes	⊠No	□ N/A
Comments: The subject site is not identified on the Biodiversity Land Valuarea of the Parkes Township and no clearing is proposed as part of the devel		e is located with	nin an urban
Fisheries:			
Is the proposed development or activity likely to have an adverse effect on the life cycle of a threatened species such that a viable local population of the species is likely to be placed at risk of extinction?	□Yes	⊠No	□ N/A
Is the proposed development or activity likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction?	□Yes	⊠No	□ N/A
In relation to a threatened species, population or ecological community will the proposed development lead to the removal or fragmentation of a habitat and does the habitat have an important role in the ongoing survival of the species?	□Yes	⊠No	□ N/A
Is the proposed development or activity likely to have an adverse effect on any critical habitat (either directly or indirectly)?	□Yes	⊠No	□ N/A
Comments: The subject site is not located within proximity of a watercours will not have any adverse impacts on any threatened species, endangered po			

		Page 6	
Section 4.13 Consultation and development consent—certain bush fire pro-	one land		
Is the site identified on the Bushfire Prone Land Map?	Yes	⊠No	□ N/A
Does the development comply with "Planning for Bushfire Protection" or a certificate provided by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that			
the development conforms to the relevant specifications and requirement?	□Yes	□No	⊠ N/A
If no, has consultation been done Commissioner for Rural Fire Service?	□Yes	□No	⊠ N/A
Comments: Not relevant to the proposal.			
Contributions:			
Does the Section 7.11 Contributions Plan apply?	□Yes	⊠No	
 Are Section 7.11 Contributions payable? 	□Yes	⊠No	
Does the Section 7.12 Contributions Plan apply?	⊠Yes	□No	
 Are Section 7.12 Contributions payable? 	□Yes	⊠No	
Were Section 7.11 Contributions paid on the land under previous applications?	Yes	□No	⊠N/A
Does the Developer Services Plan apply?	□Yes	⊠No	
 Are Water Contributions payable? 	Yes	⊠No	
 Are Sewer Contributions payable? 	Yes	⊠No	
Comments: The proposed development is not valued over \$200,000.00 and Section 7.12 Contributions to be paid will not be imposed.	therefore a	condition of con	sent requiring

Section 4.15(1) Assessment

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

Local Environmental Plans

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RE1 Public Recreation under the Parkes Local Environmental Plan 2012.

Clause 2.3(2) of Parkes Local Environmental Plan 2012 provides that the Council shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the RE1 Public Recreation zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The development is consistent with the objectives of the RE1 Public Recreation Zone. The use of land for a temporary event will not adversely impact the natural environment or adjoining land-uses.

Clause 2.8 Temporary Use of Land permits the temporary use of land and associated structures with an event with consent of Council. Given the proposal is for the use of land and all structures will comply with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 it is assessed the proposed development will not impact on future developments or activities on the land or adjoining properties and upon completion of the event the site will be returned to its pre-event condition and therefore meets the requirements of Clause 2.8 Temporary Use of Land.





The following provisions of the Parkes Local Environmental Plan 2012 have been especially considered in the assessment of the proposal:

- Clause 2.8 Temporary use of land The subject land is zoned RE1 Public Recreation and is currently utilised for a range of community recreational purposes including the Parkes Elvis Festival, markets, and community events (i.e. International Womens Day) with associated amenities and park infrastructure. The proposal is for a temporary event (music concert) to be held on the Parkes Pavilion Stage with associated food vendors in proximity of the building. Given the development is appropriately setback from sensitive receivers, the site has previously been used for recreational / community purposes and the short nature of the event it is assessed the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, nor will the temporary use or any structures adversely impact the environment, features of the land or increase the risk of natural hazards.
- Clause 6.7 Essential Services The subject land is currently connected to Council's reticulated water system and
 reticulated sewerage system. The site is connected to mains power and telecommunications. Vehicular access is
 available from Clarinda Street, Short Street, Welcome Street and Pholeros Lane to the site. No new or additional
 connections are proposed or required. Additional portable amenities blocks will be provided to cater for the event.

State Environmental Planning Policies

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

- SEPP 21 Caravan Parks
- SEPP 33 Hazardous and Offensive Development
- SEPP 36 Manufactured Home Estates
- SEPP 44 Koala Habitat Protection
- SEPP 50 Canal Estate Development
- SEPP 55 Remediation of Land
- SEPP 64 Advertising and Signage
- SEPP 65 Design Quality of Residential Apartment Development
- SEPP 70 Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Activation Precincts) 2020
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Concurrences and Consents) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Koala Habitat Protection) 2019
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Primary Production and Rural Development) 2019
- SEPP (State and Regional Development) 2011
- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

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

- SEPP 55 Remediation of Land Clause 7 of SEPP 55 requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out. Investigation of past use, Council's Contaminated Sites Register and visual inspection of the property does not reveal any evidence of contamination. The subject land will be used for a temporary event stage and will be returned to its original condition post the event.
- SEPP Infrastructure Clause 45 of SEPP Infrastructure requires a Consent Authority to consider any
 development application (or an application for modification of consent) for any development carried out:
 - within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists),





- immediately adjacent to an electricity substation,
- within 5m of an overhead power line,
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line, or
- placement of power lines underground.

The proposal is not within or immediately adjacent to any of the above infrastructure; as such, the subject application is considered to satisfy the provisions of Clause 45 SEPP Infrastructure.

SEPP Vegetation in Non-Rural Areas) 2017 – Clause 7 of the Vegetation SEPP requires any person clearing
vegetation in a non-rural area to obtain permit granted by the Council under Part 3 of the SEPP. The Parkes Shire
Development Control Plan 2013 does not prescribe any vegetation to which Part 3 applies and therefore a permit
under Part 3 is not required.

\$4.15(1)(a)(ii) The provisions of any proposed environmental planning instrument

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

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

The Parkes Shire Development Control Plan 2021 applies to the land. There are no specific controls for temporary events; however it is assessed the proposed development is consistent with the objectives of the DCP and the objectives of Part E - Commercial Development.

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

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

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

Division 8 of Part 6 of the Environmental Planning and Assessment Regulation 2000 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

Clause	Comment	Compliance	
Clause 92 - Government Coastal Policy	Not applicable to the Parkes Shire Local Government Area.	⊠ Yes	□No
Clause 92 - Building Demolition	Not relevant to the proposal.	⊠ Yes	□No
Clauses 93 - Change of Use Fire Safety and Structural Capacity Considerations	Not relevant to the proposal.	⊠ Yes	□No
Clauses 94 - Fire Safety Upgrades	Not relevant to the proposal.	⊠ Yes	□No
Clause 94A - Temporary Structures	No temporary structures are approved under this Development Consent. The proposed application is solely for the use of land. All temporary structures will comply with the requirements detailed under The State Environmental Planning Policy (Exempt and Complying Development	⊠ Yes	□No



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	Codes) 2008.		
Clause 95 - Deferred Commencement	Not relevant to the proposal.	⊠ Yes	□No
Clause 96 - Ancillary aspects of development	Not relevant to the proposal.	⊠ Yes	□No
Clause 97 - Modification or surrender of development consent or existing use	Not relevant to the proposal.	⊠ Yes	□No
Clause 97A - Fulfilment of BASIX commitments	The proposed development is not subject to a BASIX Certificate.	⊠ Yes	□No

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

- Context and Setting The subject land, Cooke Park comprises an existing amenities block, war memorial, park furniture, water fountains, Elvis Statue and the Cooke Park Pavilion. The subject site has vehicular access from Clarinda Street, Short Street and Welcome Street. Properties adjacent to the subject land are used for commercial purposes. Given the land-uses within the locality are of a commercial nature, the undertaking of the annual Elvis Festival within the park has happened for many years and the use is consistent with the RE1 Public Recreation and B2 Local Centre zone objectives it is not expected that the use of land for Overture will create significant impacts on the context and setting of the area. The proposal will not have any negative impacts regarding limiting views or solar access to neighbouring properties.
- Land Use Conflict The subject land is zoned for recreational purposes and has been used for a range of community events for many years. Adjoining properties are used for a range of commercial purposes. The proposal is for a temporary use of the land and will not lead to any ongoing land use conflicts. The noise impacts of the event can be mitigated via adoption of the recommendations detailed in the noise assessment report provided during the development of the Cooke Park Pavilion. Based on the proposed layout and the nearest noise sensitive receiver, the noise assessments carried out as part of DA2018/0048 conclude the external noise emissions would not give rise to adverse noise impacts. No significant long term land-use conflicts are likely to occur as a result of proposed temporary event. The proposal is consistent with the Parkes Local Environmental Plan 2012. The development is in accordance with the Parkes Development Control Plan 2021. The development on the site will not detrimentally affect adjoining land and will not lead to land-use conflict.
- Access and Traffic The subject site has existing vehicular accesses from Welcome Street, Short Street and
 Clarinda Street. The proposed development does not include any road closures. The proposed development is not
 traffic generating development in accordance with the State Environmental Planning Policy (Transport and
 Infrastructure) 2021. Condition of consent will be imposed to prevent any potential adverse car parking impacts. It is
 assessed car parking will not be in excess of the capability of the local road network. No adverse impacts are
 assessed.
- Public Domain The proposed development will occupy Cooke Park for a single day for a one-off event. Conditions
 will be imposed to ensure the park is left in a suitable condition at the completion of the event. It is assessed that
 minimal impact will result on the existing public domain.
- Utilities The site is connected to Council's reticulated water and sewerage systems. The proposed development will
 be able to utilise the existing utilities. Additional temporary onsite utilities will be provided for the event and therefore
 no additional permanent utility connections will be required. No adverse impacts are assessed.
- Heritage The site is not identified as containing any items of Heritage Significance in the Parkes Local Environmental Plan 2012. The proposed development is for a temporary use of land with all structures to be erected in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. As such no adverse impacts are assessed.





- Other land resources The land is zoned RE1 Public Recreation and has been used for recreational purposes for many years. The development is not likely to have detrimental effects on conserving and using valuable land resources and water supply catchments.
- **Bushfire** The site is not identified on the bushfire prone land map. Due to the temporary nature of the event and proposed emergency contingency plans proposed no adverse impacts assessed.
- Surface Water and Groundwater The site is not identified on the groundwater vulnerable land map. The
 development will not alter any drainage lines. The proposal is for a temporary event and therefore will not lead to
 ongoing increases in stormwater collection. No adverse impacts are assessed.
- Soils No earthworks are required for the proposed development. The development is for the use of land only.
 Conditions will be imposed ensuring there are no adverse impacts on the site as a result of temporary structures. No adverse impacts are assessed.
- Air & Microclimate The proposal is for a temporary event. No earthworks or disturbance of soil is proposed which
 would lead to air / microclimate pollution. No adverse impacts are assessed given the setbacks of sensitive receivers.
- Noise and Vibration The proposed development will lead to an increase in noise from the site beyond standard operations. The subject land is zoned for recreational purposes and is used for a range of temporary events including Elvis, Carols in the park, Australia Day Ceremonies and the like. Short term temporary uses of land which lead to an increase in noise generation are therefore consistent with the undertaking which have historically occurred on the subject land. The noise impacts of the event have been assessed against all relevant criteria as part of the assessment of the Multi-purpose Pavilion (DA2018/0048) including an assessment of after-hours events involving amplified music and public address systems on the sensitive receivers. Based on the proposed layout and the nearest noise sensitive receiver, the noise assessments carried out as part of DA2018/0048 conclude the external noise emissions would not give rise to adverse noise impacts. No adverse impacts are assessed.
- Flora and Fauna The information in support of the application has not identified any threatened species of flora or fauna that may be impacted by the proposal. No vegetation clearing is proposed as part of the development. No adverse impacts are assessed.
- Waste The development will not generate any construction or ongoing waste. Waste bins will be provided
 throughout the event, with the existing amenities able to be utilised, with provision for port-a-loo's to be provided
 throughout the event. The development will be suitably serviced with waste bins and receptacles to ensure there are
 no adverse impacts.
- Natural Hazards The site is not flood prone or bushfire prone. Due to the temporary nature of the event, setback
 from the vegetation source, services and vehicular access available to the site and emergency management (egress)
 protocols to be provided throughout the event no adverse impacts assessed.
- Technological Hazards The property is not identified on Council's contaminated lands register. The subject land
 has been used for a variety of recreational land uses. No contaminants were found onsite. The proposed use will not
 generate any potential contamination. No adverse impacts are assessed.
- Safety Security and Crime Prevention The development is for a temporary nature and will not create an ongoing
 security risk. Security arrangements, including personnel and risk management plans will be implemented throughout
 the undertaking of the event. The proposed development was referred to the NSW Police for safer by design
 assessment. NSW Police have not objected to the development, subject to conditions requiring suitable notice of the
 event to arrange appropriate resourcing.
- Social Impact in the Locality The development will have positive social impacts. The event will provide an
 opportunity for the community to enjoy a social event within the urban area of Parkes, attracting new visitors to the
 region. No adverse impacts are assessed.
- Economic Impact in the Locality The proposed development will have a significant positive economic impact
 upon the local economy with respect to accommodation, food and drink, shops and entertainment venues. No
 adverse impacts are assessed.
- Site Design and Internal Design The proposal is consistent with the Parkes Local Environmental Plan 2012 and the Parkes Shire Development Control Plan 2021. The size and scale of the proposal are appropriate for the subject





lot. The development will have sufficient setbacks from any adjoining sensitive land-uses and is assessed not to have any adverse impacts upon the locality. The development on the site will not detrimentally affect adjoining land.

Cumulative Impacts - The proposal is consistent with the Parkes Local Environmental Plan 2012 and the Parkes
Shire Development Control Plan 2021. The development will not have any ongoing adverse cumulative impacts. The
proposal has been undertaken on the site previously in a similar size, configuration and density. It is assessed that
the cumulative impacts of the proposed development are not such that the application should be refused.

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

The site has the capacity to support the proposal without creating adverse impacts on the site and adjoining land. The proposed development will be in character for the area, previous undertakings on the site and will not lead to cumulative impacts on the environment, neighbouring land-uses, cultural or heritage items.

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

The development was notified to adjoining landowners and publicly exhibited in accordance with the Parkes Shire Community Engagement Strategy 2021-2025 from 21 February 2022 to 7 March 2022. One (1) submission to the proposal was received during the notification period.

Submissions received from neighbour notification/advertising of DA2022/0020 Temporary Use of Land (Event) from 21 February 2022 to 7 March 2022:

Mr G Smith 95 Nash Street, Parkes

Smith Submission / Issue: The current design/layout should be reviewed to ensure local businesses are not excluded from event trading. The Traffic Management Plan should be utilised to incorporate Cooke Park Café. Moving the bollards up to Welcome Street and removing the fencing adjacent to Cooke Park Café to allow free flowing traffic should be considered.

Assessment Response: The proposed event includes perimeter fencing to establish site control and a suitable level of security. The event is also ticketed; therefore requiring perimeter fencing to control patron access. The event does not propose any road closures of the surrounding streets that would limit access to adjacent commercial properties. The entry / exit gates to the event are located on Welcome Street; therefore enabling patrons of the event to access adjoining food and drink premises in Welcome Street and surrounding areas.

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

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

Assessment Conclusion / Recommendation

Consent be granted subject to condition(s) detailed in Annexure 'A' attached.

Assessment Officer 8 March 2022

Date

Brent Tucker – Acting Manager Planning Services

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Reviewing Officer	Date

Attachment 4 - Objection to Proposal (G Smith) - DA2022_0020

24th February 22

SBS SERVICES Pty Ltd

95 Nash St Parkes NSW

Ref No:001

Re: DA2022/0020

Hi Brent,

Thank you, I have received the Temporary Use of Land on Lot 3 DP 507839 and do not object to the intended use. However, I did notice that Welcome St is somewhat restricted which has and will continue to have a detrimental effect on trade to Cooke Park Café. I have spoken to Tammy from Cooke Park Café and she has told me of the downfall in revenue which is why I am writing you this letter. I think it is necessary to address the current design/ layout/ situation so this doesn't happen again. I don't think it is prudent for any committee to intentionally exclude a business that operates in that exact location all year round from a one-off event. I think trade should not be adversely affected and think a new Traffic Management Plan should be utilised to incorporate Cooke Park Café into the Cooke Park activities moving forward. If the bollards can be moved up Welcome St to the carwash and fencing removed adjacent to Cooke Park Café to allow free flowing pedestrian activity, it would be greatly appreciated.

Let me know what you think, look forward to hearing from you in the near future.

If you require any additional information please don't hesitate to call.

Graeme Smith.
Director, SBS Services Pty Ltd.

Attachment 5 - Applicants Response to Objection - DA2022_0020



CT:CT Contact Person: Cathy Treasure

8 March 2022

Brent Tucker Acting Manager Planning Services Parkes Shire Council

Dear Brent

RE: APPLICATION NO: DA2022/0020 SUBMISSION

Reference is made to your letter dated 24 February 2022 regarding a submission from Mr Graeme Smith regarding the use of land for the Overture event on the 2 April 2022.

Please be advised that approval of this DA will benefit the local business surrounding Cooke Park. We are not implementing any road closures for the event and Welcome Street will not be obstructed. As it is a ticketed event, fencing is required for access control and security.

Please note we have made the decision to allow BYO food into the event (with a limited number of food vans within the ticketed area) to encourage people to buy from local, surrounding businesses. We will encourage ticket holders via email correspondence and MC announcements to purchase from local cafes and restaurants.

The extra people in town attending or performing in this event will attract will increase trade for the surrounding businesses and provide a welcome economic boost for the town.

Please note that there will be over 150 performers and staff that will be working and rehearsing in the park the days prior to the concert that are also bound to frequent Cooke Park Café and other surrounding eateries. We have also ensured that not all of Cooke Park will be fenced to allow general public to still enjoy takeaway meals in the park.

I have spoken directly to Mr Smith regarding his submission and he was supportive of the measures outlined above.

Yours faithfully

Cathy Treasure VISITOR ECONOMY & MAJOR EVENTS SPECIALIST

www.parkes.nsw.gov.au

11.6. (DPCS) Middleton Master Plan

Prepared By:

Director Planning and Community Services

Executive Summary

Strategic planning needs to be undertaken for the Middleton area to ensure urban growth is planned in a logical and coordinated manner.

Background Information

The Parkes Local Strategic Planning Statement 2020 and Parkes Housing Strategy 2021 identified land for future urban growth.

Land within the Middleton area of Parkes was identified as Urban Release Area 1 in the Urban Staging Framework of the Parkes Housing Strategy 2021.

Legislative or Policy Implications

The planning proposal seeks to amend the Parkes Local Environmental Plan 2012. The development of a Master Plan for Middleton and infrastructure contribution plan will have policy implications for Council.

Project Delivery Implications

ACTIVITY+ Active Recreation
ACTIVITY+ Passive Recreation
COUNCIL+ Council
COMMUNITY+ Wellbeing
ECONOMY+ Investment Attraction
ENVIRONMENT+ Built
ENVIRONMENT+ Natural
ENVIRONMENT+ Waste
H2O+ Drinking Water
H2O+ Waste Water
H2O+ Stormwater
TRANSPORT+ Roads

Risk Assessment

TRANSPORT+ Footpaths

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Implications

Strategic planning work can be accommodated within existing operational budget.

Recommendation

That Council:

- 1. Endorse the Planning Proposal Middleton Urban Release Area for progression to the NSW Department Planning and Environment for a Gateway Determination and any actions that are required as a result of the Gateway Determination (e.g. public consultation).
- 2. Endorse Planning Staff to progress the development of a Master Plan for Middleton.
- 3. Endorse Planning Staff to investigate appropriate funding mechanisms for public infrastructure.

Report

The Parkes Housing Strategy 2021 included an Urban Staging Framework, which identified areas of Parkes for future residential housing development. The Urban Staging Framework included a priority list of areas, based on the ability for the land to be serviced with infrastructure to support lots of ~600m2. The existing R5 Large Lot Residential zoned land in Middleton has been identified as Stage 1 in the Urban Staging Framework. The land can be serviced by a reticulated sewerage trunk main which was constructed with the development of the Parkes Sewerage Treatment Plant in 2016.

To ensure growth and development is coordinated and infrastructure is appropriately planned, a master plan for Middleton needs to be developed to properly consider and plan for the following:

- Necessary sewer and water infrastructure augmentation,
- Stormwater infrastructure, including trunk main, necessary detention basin and provision of overland flow paths,
- Transport movement hierarchy plan,
- Open space network (passive and active),
- Amelioration of hazards/ Site constraints, (e.g. contaminated land)
- Staging plan (infrastructure and sequencing),
- Landscaping strategy to protect and enhance riparian areas and remnant vegetation,
- Suitably located public facilities,
- Appropriate neighbourhood commercial uses.

To enable this work to be carried out the following things will need to be put in place:

- include a clause in the Parkes Local Environmental Plan 2012 (LEP) to identify the area as an
 - 'residential release area', and require the development of a master plan to be first put in place prior to any rezoning or subdivision taking place.
- Promptly proceed with the development of a Master plan for the Middleton area, setting out the matters listed above.
- Investigate appropriate funding opportunities for public infrastructure to service the area.

Attachments

- 1. Planning Proposal Middleton Residential Release Area
- 2. Middleton Residential Release Area Map
- 3. Middleton Master Plan Study Area Map

Attachment 1 - Parkes Planning Proposal Middleton Masterplan v2



Planning Proposal - Middleton Residential Release Area

Amendment to the Parkes Local Environmental Plan 2012





Version 1 February 2022

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INTRODUCTION

This planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979. It explains the intended effect of, and justification for, the proposed amendment to the Parkes Local Environmental Plan 2012 (PLEP2012).

This planning proposal seeks to amend the PLEP2012 to identify the area known as Middleton, south Parkes as a residential release area. The PLEP 2012 will be amended by inserting a local clause and a map which identifies the area and requires that a masterplan be developed prior to the zone or minimum lot size being changed.

The identification of Middleton as an urban growth in the Parkes Local Environmental Plan 2012 will enable appropriate strategic master planning of the area, including necessary public infrastructure and urban form before the area is rezoned and development is carried out.

This planning proposal is deemed to be a basic planning proposal, as per the NSW Department Planning and Environment Local Environmental Plan Making Guideline due to it's consistency with Parkes Shire Housing Strategy 2021, which has been endorsed by the NSW Department Planning and Environment.



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PART 1: OBJECTIVES OR INTENDED OUTCOMES

The intended outcomes of this planning proposal is to identify land as an residential release area in the PLEP2012.

A local clause and map identifying the subject area will be inserted into the PLEP2012.

PART 2: EXPLANATION OF PROVISION

The planning proposal seeks to amend the Parkes LEP 2012 to reflect the changes itemised below. The final LEP mechanism to achieve the objectives of this PP will be confirmed during the drafting of the LEP amendment.

1. Inclusion of a local clause that relates to development of land identified in the residential release area

It is proposed to include a clause that achieves the following objectives:

- a) development on land in the residential release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.
- b) the existing minimum lot size and land use zone of the land identified on the residential release area map (i.e. Middleton Area 1 - R5 Large Lot Residential and 4000m² and Middleton Area 2 - R5 Large Lot Residential and 1ha) cannot be changed unless a development control plan that provides for the matters specified below has been prepared for the land
 - a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.
 - an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
 - iii. an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
 - iv. a network of passive and active recreational areas,
 - v. stormwater and water quality management controls,
 - amelioration of natural and environmental hazards, including bush fire, flooding and site
 contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from,
 any land so affected,
 - vii. detailed urban design controls for significant development sites,
 - viii. measures to encourage higher density living around transport, open space and service nodes,
 - ix. measures to accommodate and control appropriate neighbourhood commercial and retail uses,
 - suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

2. Inclusion of a map that identifies land in the residential release area

Please refer to the attached map.





PART 3: JUSTIFICATION FOR PROPOSED REZONING

In accordance with the Department of Planning's 'Guide to Preparing Planning Proposals', this section provides a response to the following issues:

- Section A: Need for the planning proposal.
- + Section B: Relationship to strategic planning framework.
- + Section C: Environmental, social and economic impact.
- Section D: State and Commonwealth interests.

SECTION A - NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

The Parkes Local Strategic Planning Statement 2020 and Parkes Housing Strategy 2021 identified land for future urban growth.

The land subject to this planning proposal was identified as Area 1 in the Urban Staging Framework of the Parkes Housing Strategy 2021.

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

Council could proceed with the masterplan of Middleton without amending the Parkes Local Environmental Plan 2012, but it could result in planning proposals being submitted for spot rezoning prior to appropriate planning being undertaken to support coordinated, logical and cost-effective manner.

3. Is there a net community benefit?

Not applicable.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The planning proposal is consistent with the aims and objectives of the *Draft Central West and Orana Regional Plan 2041 (CWORP)*. The planning proposal will enable appropriate planning of public infrastructure, including transport hierarchy, passive and recreational areas, stormwater management and suitably located public facilities. These actions are consistent with the following objectives in the Draft CWORP 2041:

- Objective 2: Support connected and healthy communities
- Objective 7: Provide well located housing options to meet demand
- Objective 21: Leverage the Parkes Special Activation Precinct.

5. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with the following Future Directions of the *Parkes Shire 2030 Community Strategic Plan:*



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- · Promote, support and grow our communities
- Enhance recreation and culture
- Maintain and improve the Shire's assets and infrastructure.

The Parkes Local Strategic Planning Statement 2020 and Parkes Housing Strategy 2021 included an Urban Staging Framework, which identified areas of Parkes for future residential housing development. The Urban Staging Framework included a priority list of areas, based on the ability for the land to be serviced with infrastructure to support lots of ~600m2.

The subject land is identified in the Urban Staging Framework as Priority 1.

Council wishes to ensure appropriate planning for public infrastructure is carried out prior to the land being rezoned to enable logical and coordinated growth. The inclusion of the local clause will enable this work to be carried out in a promptly before individual planning proposals are submitted.

6. Is the planning proposal consistent with applicable state environmental planning policies?

There are no state environmental planning policies applicable to this planning proposal.

7. Is the planning proposal consistent with applicable Ministerial Directions for Local Plan Making?

s117 DIRECTIONS	CONSISTENCY AND IMPLICATIONS
1. EMPLOYMENT AND RESOURCES	
1.1 Business and Industrial zones	Not Applicable
Objectives:	
a) encourage employment growth in suitable locations	
b) protect employment land in business and industrial zones	
c) support the viability of identified centres	
1.2 Rural Zones	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not Applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	Not Applicable
2. ENVIRONMENT AND HERITAGE	
2.1 Environment Protection Zones	Not Applicable
2.2 Coastal Protection	Not Applicable
2.3 Heritage Conservation	Not Applicable
2.4 Recreation Vehicle Areas	Not Applicable



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3.1 Residential Zones	Consistent - by identifying this land as a
tives: residential release area, further plant Masterplan will support the efficient	
 a) encourage a variety and choice of housing types to provide for existing and future housing needs. 	infrastructure and services.
 to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and 	
c) to minimise the impact of residential development on the environment and resource lands. 3.2 Carayan Parks & Manufactured Home	Nes Applicable
3.2 Caravan Parks & Manufactured Home Estates	Not Applicable
3.3 Home Occupations	Not Applicable
3.4 Integrating Land Use and Transport	Consistent - by identifying this area as an residential release area, necessary planning can be undertaken to ensure future urban growth is integrated with transport.
3.5 Development Near Regulated Airports and Defence Airfields	Not applicable.
3.6 Shooting ranges	Not Applicable
4. HAZARD and RISK	
4.1 Acid Sulfate Soils	Not Applicable
4.2 Mine Subsidence and Unstable Land	Not Applicable
4.3 Flood Prone Land	Not Applicable
4.4 Planning for Bushfire Protection	Not Applicable
5. REGIONAL PLANNING	
5.2 Sydney Drinking Water Catchment	Not Applicable
5.3 Farmland of State and Regional Significance on the NS Far North Coast	W Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
ingilivay, ivoidi coast	
	Not Applicable
5.9 North West Rail Link Corridor Strategy 5.10 Implementation of Regional Plans	Not Applicable Consistent - The planning proposal is consistent with the Central West and Orana Regional Plan.
5.9 North West Rail Link Corridor Strategy 5.10 Implementation of Regional Plans	Consistent - The planning proposal is consistent with
5.9 North West Rail Link Corridor Strategy 5.10 Implementation of Regional Plans 5.11 Development of Aboriginal Land Council Land	Consistent - The planning proposal is consistent with the Central West and Orana Regional Plan.
5.9 North West Rail Link Corridor Strategy	Consistent - The planning proposal is consistent with the Central West and Orana Regional Plan.
5.9 North West Rail Link Corridor Strategy 5.10 Implementation of Regional Plans 5.11 Development of Aboriginal Land Council Land 6. LOCAL PLAN MAKING	Consistent - The planning proposal is consistent with the Central West and Orana Regional Plan.



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7. METROPOLITAN PLANNING

7.1 Implementation of the Metropolitan Plan for Sydney Not Applicable 2036

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The implementation of an residential release area for Middleton will enable further planning to be undertaken to assess whether there are critical habitats, threatened species and the like in the area that need to be protected through land use planning process.

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

The planning proposal will not result in any adverse environmental effects.

10. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal will not result in any adverse social and economic effects. The development of a Masterplan will drive better social and economic outcomes for the community.

SECTION D - STATE AND COMMONWEALTH INTERESTS

11. Is there adequate public infrastructure for the planning proposal?

The subject area is within Council's reticulated water and sewerage infrastructure catchment. Further investigation and work are required to determine the augmentation of infrastructure to service the residential release area.

12. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

n/a

PART 4: LOCALITY PLANS

Please refer to the attached map which identifies the project area.

PART 5: COMMUNITY CONSULTATION

In accordance with Section 57(2) of the Environmental Planning and Assessment Act 1979, community consultation must be undertaken by the local authority prior to the approval of the planning proposal.

In accordance with Council's Community Engagement Strategy consultation on the planning proposal will be exhibited for a period of 28 days, or as specified by the Gateway Determination.



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It is also proposed to write directly to the owners of lots that are directly affected by the proposed amendments.

At the close of the consultation process, Council will consider all submissions received and present a report to Council for their endorsement of the planning proposal before proceeding to finalisation of the amendment.

The consultation process, as outlined above, does not present any additional consultation measures that may be determined appropriate as part of the Gateway Determination process.

PART 6: TIMEFRAMES

This planning proposal is deemed to be a basic planning proposal, as per the NSW Department Planning and Environment Local Environmental Plan Making Guideline and therefore a maximum timeframe of 140 working days will be required to complete the LEP amendment from submission for Gateway Determination.

Project Timeline	Date
Anticipated commencement date (Gateway determination)	March 2022
Anticipated timeframe for completion of required studies	N/A
Timeframe for Government Agency consultation	N/A
Commencement and completion dates for public exhibition period	March 2022
Dates for public hearing	N/A
Timeframe for consideration of submissions	May 2022
Timeframe for consideration of proposal post exhibition	30 days
Anticipated date RPA will forward the plan to the department to be made, if not delegated	June 2022
Anticipated date RPA will make the plan	n/a
Anticipated date RPA will forward to the department for notification (if delegated	n/a



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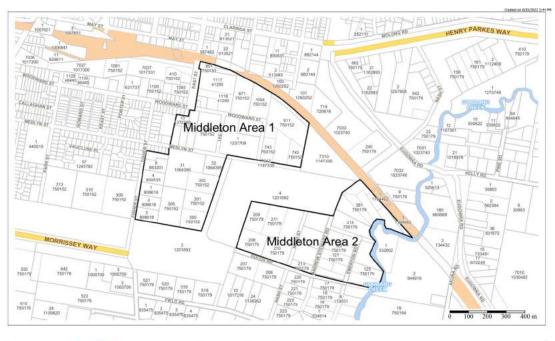
Appendix 1 - Proposed Residential Release Area



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Attachment 2 - Map - Middleton Residential Release Area





Attachment 3 - Middleton Masterplan Study Area





11.7. (DPCS) Parkes Local Environmental Plan 2012 - Insertion of Agri-Tourism Clauses

Prepared By:

Director Planning and Community Services

Executive Summary

Since 2020 the NSW Government has been introducing a suite of reforms to deliver a between planning system for New South Wales.

Council has been advised by the Department of Planning and Environment that the first set of recommendations from the Explanation of Indented Effected for Agri-tourism and small-scale agriculture development are being commenced to support regional NSW recover from the impacts of natural disasters and COVID-19.

The first set of changes include the Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 (LEP Order) which comprises optional clauses for adoption in Council's Local Environmental Plan. Key clauses include:

- Clause 5.23 Farm Stay Accommodation: a new optional clause which seeks to establish suitable occupancy numbers, floor spaces and assessment considerations for farm stay accommodation, and
- Clause 5.24 Farm Gate Premises: a new optional clause which seeks to establish suitable occupancy numbers, floor spaces and assessment considerations for farm gate premises.

Council is required to provide to the NSW Department of Planning an endorsed nomination of the optional clauses by 31 March 2022.

Background Information

Since 2020 the NSW Government has been introducing a suite of reforms to deliver a between planning system for New South Wales. The NSW Department of Planning and Environment have recently drafted the Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 (LEP Order) which is the first stage of rolling out the recommendations in the Agritourism and small-scale agriculture development Explanation of Intended Effect.

Legislative or Policy Implications

The update of the LEP will be undertaken via a State Environmental Planning Policy to amend the relevant LEP (the Parkes LEP 2012) without the need for Council to prepare a planning proposal.

Budget and Financial Aspects

Nil.

Recommendation

1. That the information be received and noted.

Report

The resolution in this report will primarily effect the Delivery Program Future Direction relating to: 3. *Promote, Support and Grow our Communities*

Predicted positive effect / opportunity for the Delivery Program: *Good* Predicted negative / challenge to the Delivery Program: *Very Low*

Quadruple Bottom Line

8	Economic	****	\odot	Environmental	****
0	Social	****	8	Civic Leadership	****

Attachments

Nil

Attachment 1 - Standard Instrument (LEP) Amendment (Agritourism) Order 2021 draft



Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021

under the

Environmental Planning and Assessment Act 1979

7	The following local environmental plan is made by the local plan-making authority under the Environmental Planning and Assessment Act 1979.
Ε	Environmental Planning and Assessment Act 1979.

e2021-237.d09

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Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Amendment of Standard Instrument (Local Environmental Plans) Order 2006 Land Use Table

Insert in appropriate order in Direction 5—

Agritourism;

Farm experience premises;

Farm gate premises;

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Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

[1] Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]

Omit "not less than 8" from clause 5.4(8). Insert instead "not less than 9".

[2] Clause 5.18 Intensive livestock agriculture [compulsory if intensive livestock agriculture permitted with consent]

Omit clause 5.18(4)(b)(v). Insert instead—

- (v) for a poultry farm used for breeding poultry—within 5,000 metres of another poultry farm, or
- (vi) for a poultry farm not used for breeding poultry-
 - (A) within 5,000 metres of a poultry farm used for breeding poultry, or
 - (B) within 1,000 metres of a poultry farm not used for breeding poultry, or
- (vii) for a pig farm—within 3,000 metres of another pig farm.

[3] Clauses 5.23 and 5.24

Insert after clause 5.22—

23 Farm stay accommodation [optional]

- (1) The objectives of this clause are—
 - to diversify the uses of agricultural land without adversely impacting the principal use of the land for a primary production business, and
 - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.
 - (c) [set out other objectives of the clause]
- (2) Development consent must not be granted to development for the purposes of farm stay accommodation on a landholding unless the consent authority is satisfied that—
 - (a) the maximum number of guests accommodated in bedrooms at any 1 time will not be more than the greater of—
 - (i) 3 times the number of bedrooms permitted under clause 5.4(5), or
 - (ii) 20 guests, and
 - (b) the gross floor area of a building used to accommodate guests will not be more than [insert number no less than 60] square metres, and
 - (c) the maximum number of guests accommodated in moveable dwellings on the landholding will not be more than [insert number no more than 20] at any 1 time, and
 - (d) the maximum number of moveable dwellings used for the accommodation of guests will not be more than [insert number no more than 6], and
 - (e) all buildings or moveable dwellings used to accommodate guests will be—
 - (i) on the same lot as an existing lawful dwelling house, or

Page 3

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- (ii) on a lot-
 - (A) for which a minimum size is shown for a dwelling house on the Lot Size Map, and
 - (B) the size of which is not less than the minimum size shown.
- (3) Subclause (2)(b) does not apply if the development is the change of use of an existing dwelling to farm stay accommodation.
- (4) Development consent must not be granted to development for the purposes of farm stay accommodation on land unless the consent authority has considered—
 - (a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land
 - residential accommodation,
 - (ii) primary production operations,
 - (iii) other land uses, and
 - (b) whether the development will have significant adverse impact on the following on or near the land—
 - (i) the visual amenity, heritage or scenic values,
 - (ii) native or significant flora or fauna,
 - (iii) water quality,
 - (iv) traffic,
 - (v) the safety of persons, and
 - (c) whether the development is on bush fire prone land or flood prone land, and
 - (d) the suitability of the land for the proposed development, and
 - (e) the compatibility of the development with nearby land uses.

5.24 Farm gate premises [optional]

- (1) The objectives of this clause are—
 - to allow for small scale tourism and related commercial uses on land used for primary production without adversely impacting the principal use of the land for primary production, and
 - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.
 - (c) [set out other objectives of the clause]
- (2) Development consent must not be granted to development for the purposes of farm gate premises on a landholding unless the consent authority is satisfied that—
 - (a) the gross floor area of a building used for farm gate premises will not be more than [insert number no more than 200] square metres, and
 - (b) the maximum number of persons that will be permitted on the landholding at any 1 time for the purposes of the farm gate premises will not be more [insert number not more than 50] persons.
- (3) Development consent must not be granted to development for the purposes of farm gate premises on land unless the consent authority has considered—
 - (a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land—

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Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- (i) residential accommodation,
- (ii) primary production operations,
- (iii) other land uses, and
- (b) whether the development will have significant adverse impact on the following on or near the land—
 - (i) the visual amenity, heritage or scenic values,
 - (ii) native or significant flora or fauna,
 - (iii) water quality,
 - (iv) traffic,
 - (v) the safety of persons, and
- (c) whether the development is on bush fire prone land or flood prone land, and
- (d) the suitability of the land for the proposed development, and
- (e) the compatibility of the development with nearby land uses.

[4] Dictionary

Insert after the definition of agriculture, paragraph (d)—

(e) agritourism.

[5] Dictionary

Omit the definition of farm stay accommodation.

Insert in alphabetical order-

agritourism means the following-

- (a) farm gate premises,
- (b) farm experience premises.

Note—Agritourism is a type of agriculture—see the definition of the term in this Dictionary.

farm stay accommodation means a building or place—

- (a) on a farm -
 - (i) that is a primary production business, or
 - (ii) on land categorised as farmland under the Local Government Act 1995, section 515, and
- used to provide temporary accommodation to paying guests of the farm including in buildings or moveable dwellings.

Note— Farm stay accommodation is a type of *tourist and visitor accommodation*— see the definition of the term in this Dictionary.

farm experience premises means a building or place-

- (a) on a farm that is—
 - (i) a primary production business, or
 - (ii) on land categorised as farmland under the Local Government Act 1995, section 515, and
- (b) that is ancillary to the farm, and
- (c) that is used to provide visitors to the farm with small scale and low impact tourist or recreational services on a commercial basis including the following—
 - (i) horse riding,

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Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- (ii) farm tours,
- (iii) functions or conferences,
- (iv) farm field days.

Note— Farm experience premises is a type of *agritourism*—see the definition of the term in this Dictionary.

farm gate premises-

- (a) means a building or place—
 - (i) on a farm that is-
 - (A) a primary production business, or
 - B) on land categorised as farmland under the Local Government Act 1995, section 515, and
 - (ii) that is ancillary to the farm, and
 - (iii) that is used to provide visitors to the farm with agricultural products predominantly from the farm or other farms in the region or with services or activities related to the products, including the following—
 - processing, packaging and sale of the products, but not the processing of animals,
 - (B) a restaurant or cafe,
 - (C) a facility for holding tastings or workshops, or providing information or education, related to the products, and
- (b) includes cellar door premises.

Note— Farm gate premises is a type of *agritourism*—see the definition of the term in this Dictionary.

landholding means 1 or more lots of land that-

- (a) are constituted or worked as a single property, and
- (b) are contiguous or are separated only by a road or watercourse.

primary production business has the same meaning as in the Income Tax Assessment Act 1997 of the Commonwealth and includes a business that—

- (a) was a primary production business, and
- (b) has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.
- [6] Dictionary, definition of "cellar door premises"

Omit "retail premises" from the note. Insert instead "farm gate premises".

[7] Dictionary, definition of "restaurant or cafe"

Insert ", but does not include a restaurant or cafe that is included as part of artisan food and drink industry or farm gate premises" after "provided".

[8] Dictionary, definition of "retail premises"

Insert "farm gate premises," before highway service centres".

[9] Dictionary, definition of "retail premises"

Omit paragraph (b).

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Attachment 2 - Agritourism information sheet December 2021

Standard Instrument LEP Agritourism Amendment Order



Information sheet

December 2021

Standard Instrument LEP Agritourism Amendment Order

Following the exhibition of the <u>explanation of intended effect</u> (EIE) in March-April 2021, the <u>draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 (LEP Order)</u> has been prepared which will amend the Standard Instrument LEP.

This is the first stage of rolling out the proposals in the EIE.

A summary of the submissions made to the EIE can be found in the <u>Submission and Survey</u> Analysis Report.

What are the proposed changes?

Proposed changes in the LEP Order include

- new land use terms for 'agritourism', 'farm gate premises' and 'farm experience premises'
- changes to the definition of 'farm stay accommodation'
- optional clauses to be inserted into the Standard Instrument LEP for 'farm stay accommodation' and 'farm gate premises'
- · transferring 'cellar door premises' to become a subset of 'farm gate premises'.

What are the benefits of the changes?

The changes will provide farmers with additional income sources to allow them to be more resilient. They will enable them to better recover from natural disasters and the economic impacts of the COVID-19 pandemic and provide opportunities for sustainable tourism outlined in regional plans.

What do the changes mean for councils?

Councils can now nominate to adopt the optional clauses and/or specify the land use zones to permit the new land uses in their LEPs and provide justification for their nominations.

Councils need to submit:

- preliminary responses to the <u>Standard Instrument LEP Agritourism nomination form</u> by Friday 25 February 2022. These responses will inform the drafting of amendments.
- final responses to the Standard Instrument LEP Agritourism Nomination and council minutes or a letter by Thursday 31 March 2022.

What happens next?

The department proposes to make the LEP Order in early 2022.

A state environmental planning policy to amend relevant LEPs without the need for a planning proposal is proposed to be made in mid-2022.

Agritourism permissibility

The LEP Order includes new agritourism land uses, as shown in Figure 1.

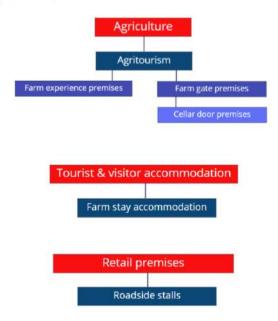
¹ Farm gate premises were previously identified as 'farm gate activities' in the EIE.

² Farm experience premises were previously identified as 'farm events' in the EIE



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Figure 1: Hierarchy of land uses



Agritourism land use, farm gate premises and farm experience premises

Agritourism, and the subsets of this use, farm gate premises and farm experience premises will sit under the parent term of 'agriculture' and will be permissible in land use zones where agriculture is permissible.

They will not be automatically permissible where other subsets of agriculture, such as extensive agriculture or intensive plant agriculture, are permissible.

Councils wishing to allow agritourism, farm gate premises or farm experience premises in other zones can nominate these zones through the Standard Instrument LEP Agritourism Nomination.

Farm stay accommodation and roadside stalls

Farm stay accommodation and roadside stalls will remain under their existing parent terms and continue to be permitted where tourist and visitor accommodation and retail premises, respectively, are permitted, or where the use is specified as permissible in a land use zone under the relevant LEP.

Cellar door premises

Cellar door premises will continue to be permitted in land use zones in which they are currently permissible and will also be permitted where agriculture, agritourism or farm gate premises are permitted under the relevant LEP.



Information sheet

Councils that wish to expand these land uses into other zones can nominate the relevant zones through the Standard Instrument LEP Agritourism Nomination.

Agritourism definitions

The table below details changes to the definitions of farm stay accommodation, farm experience premises and farm gate premises made in response to submissions received during exhibition of the EIE.

Table 1. Changes to definitions

Land use	Definition changes	Reason
Farm stay accommodation	Now includes moveable dwellings as defined in the SI LEP to facilitate small-scale camping on farms	A response to council requests to clarify the type of camping allowed under the revised farm stay accommodation definition A section 68 approval under the Local Government Act 1993 will be required to install a moveable dwelling on a farm unless the council's local approvals policy allows the activity without approval.
Farm experience premises	Farm events has been amended to farm experience premises Farm experience premises now include farm field days	The amendment to the term recognises guests will visit a farm to take part in tourist and recreational activities and to experience the features of the farm and farm life. Including farm field days is a response to submissions requesting specific activities be included in the definition. The department proposes to prepare model DCP clauses to assist councils where further parameters for farm experience premises are required.
Farm gate premises	Roadside stalls will remain as a form of retail premises and will not become a form of farm gate premises	This will ensure roadside stalls remain permissible in zones other than rural zones. Exempt development provisions are being prepared for roadside stalls in rural zones having regard to submissions received during the exhibition of the EIE.
	Clarifies that animal processing is not permitted as part of farm gate premises	Animal processing has not been included as a form of agritourism as it has potentially significant impacts and less potential to generate tourism. The processing of other agricultural produce can be undertaken under the definition.



Information sheet

Principal use of the land

Submissions received during the exhibition of the EIE requested the department clarify the meaning of land principally used as primary production for commercial purposes. The LEP Order will amend the existing definition of farm stay accommodation and include in the new definitions for farm gate premises and farm experience premises a requirement that these uses must be undertaken on land that is a primary production business as defined under the *Income Tax Assessment Act 1997 (Cth)*, or which is rated 'farmland' by the council under the *Local Government Act 1993*. This approach will give applicants two options to show their development will be on land used for commercial farming and not a hobby or recreational farm.³

For farm experience premises and farm gate premises, the relevant use must also be ancillary to the farm. Ancillary uses are explained in <u>Planning Circular How to characterise development</u>.

Optional clauses

The optional clauses recognise the importance of local controls and have been prepared to allow councils to apply numerical standards that best fit their local strategic plans. Heads of consideration have also been included in each clause to require both applicants and council officers to address the impacts of the development. Please note that under <u>LEP Practice Note PN 11-001</u> Preparing LEPs using the Standard Instrument: standard clauses, councils cannot add local clauses that can be addressed using the optional clauses.

The development standards in the optional clauses that have been amended in response to submissions to the EIE are detailed in the table below.

Table 2 Changes to development standards

Type of development	Standard in EIE	Amended standard	Reason
Farm stay accommodation building – maximum guests	3 times the number of bedrooms in clause 5.4(5) or another number nominated by council	3 times the number of bedrooms in clause 5.4(5) or 20 guests	This will provide a maximum cap on guests to ensure that farm stays are small scale. Councils can reduce the number of guests for a development through a condition of development consent.
Farm stay accommodation building – maximum gross floor area (GFA) for a building	75sqm or a number that council specifies (that is not more than 75sqm)	A number the council nominates which is greater than 60sqm	This will provide flexibility for councils to nominate an area that reflects their strategic planning. Councils can reduce the GFA for a development through a condition of development consent.

³ See <u>Taxation Ruling TR 97/11</u> Income tax: am I carrying on a business of primary production? and <u>section 515</u> of the *Local Government Act 1993*.



Information sheet

Type of development	Standard in EIE	Amended standard	Reason		
			Changes are proposed to the Codes SEPP to allow buildings for farm stay accommodation up to 60sqm as complying development.		
Farm stay accommodation – GFA exclusion for dwellings	As above	The maximum GFA will not apply to a change of use of an existing dwelling.	This will allow a dwelling house which is larger than 60sqm to be converted into farm stay accommodation without the need for substantial work to limit its size.		
Farm stay accommodation - maximum number of days for guests in a moveable dwelling	14 days	The maximum number of consecutive days guests can stay in moveable dwellings will be included in model conditions of consent.	The department will prepare model conditions of consent for farm stay accommodation, farm experience premises and farm gate premises that councils can choose to adopt. This will complement model conditions of consent currently being prepared for other types of development.		
Farm stay accommodation - dwelling entitlement	Modify clause 2.6 to prevent the creation of a dwelling entitlement in relation to farm stay accommodation	Farm stay accommodation will be required to be on: (i) the same lot as an existing lawful dwelling house, or (ii) on a lot for which a minimum size is shown for a dwelling house on the council's Lot Size Map and the size of which is not less than the minimum size shown.	This clause is intended to prevent the fragmentation of agricultural land.		
Farm gate premises – maximum gross floor area	200sqm or the number council specifies in its LEP	A number council nominates which is no greater than 200sqm	Caps have been placed on the maximum floor area and number of guests for farm gate premises to ensure they remain small scale.		



Information sheet

Type of development	Standard in EIE	Amended standard	Reason
Farm gate premises - maximum number of guests	50 guests or the number council specifies in its LEP	A number council nominates which is no greater than 50 guests	Caps have been placed on the maximum floor area and number of guests for farm gate premises to ensure they remain small scale.

Poultry and pig farm setbacks

The amendment proposed in the EIE regarding setback requirements for poultry and pig farms has been included in the LEP Order.

The Order will amend clause 5.18 of the SI LEP to increase the setback requirements for poultry and pig farms permitted without consent, as proposed, to mitigate biosecurity risks.

However, most of the submissions received were not in favour of increasing the current limit of poultry farms permitted without consent to 10,000 birds. The submissions raised concerns about amenity and environmental impacts.

In response to these submissions, the department has proposed to not increase the development consent threshold for poultry farms from 1,000 to 10,000 birds.

More information

For more information on the changes you can:

- · visit the department's website
- visit the <u>NSW planning portal</u>.
- email the project team at agritoursm@dpie.nsw.gov.au.

12. DIRECTOR OPERATIONS

12.1. (DO) Major Projects & Current Works - Progress Report as at 15 March 2022

Prepared By:

Director Operations Ben Howard

Executive Summary

This report presents an update on the current major projects within the Shire being managed or undertaken by Council's Operations Department. The report outlines work that has been carried out over the past month and is provided for the information of Councillors.

Background Information

Monthly status report to keep Councillor's abreast of projects being undertaken within the Shire

Project Delivery Program Implications

The resolution in this report will primarily affect the Delivery Program Future Direction relating to: COUNCIL+ *Council*

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

Projects have been allocated funding either from grants or Council funds as provided in the Operational Budget.

Recommendation

1. That the information be received and noted.

Report

Location	Project Descriptio n	Due Date	Budget	Actuals	Status	Comment
Parkes	Parkes Tennis Courts - Resurfacin g Project	30/6/22	200,000	171,000	In progress	 Geotechnical analysis complete, recommends slag/lime blend stabiliser and subsoil drainage. Rectification works scheduled commencement 26 March (tentative).
Parkes	Spicer Oval Amenities	20/12/22	2,534,216	572,350	In Progress	 Detailed design for Hydraulic, electrical and mechanical systems have been completed. Bulk filling to the floor pad is complete Installation of Hydraulic in ground services is complete Detailed excavation at pad level is 70% complete The next task is form, place reinforcement and pour in of the floor slab. The contractor has scheduled the concrete pour for the 11 March 2022 pending any weather delays
Peak Hill	Community Garden	20/6/22	100,000	93,121	In progress	 Pavers from Ray Merton plaza into garden completed Water line run from meter into

Location	Project Descriptio	Due Date	Budget	Actuals	Status	Comment
	n					garden and taps installed around site • Stormwater pit installed and pipe to street outlet • Power conduit run into shelter • Shelter Slab completed & shelter installed • Concrete block retainer wall completed • Path & Gardens construction underway • Storage Container procured • Drinking Fountain procured No progress this week as contractor has had family issue and worker has COVID
Parkes	Currajong Street Roundabo ut	30/6/22	865,000	220,000	Commenc	 The Currajong and Church Street roundabout project is progressing according to schedule and budget, even with recent inclement weather events. The next project milestone is completion of all kerb and gutter works to facilitate a temporary opening of the intersection to allow for operational access during Elvis.

Location	Project Descriptio n	Due Date	Budget	Actuals	Status	Comment
Parkes	SAP Detour Road (Coopers to Keith)	18/04/22	2,200,000	1,550,000	In Progress	Completed 1.5km / 3.2km of the Detour Road to finished level including batter works (from Keiths Lane) Installation of culverts underneath Link road progressing Construction of causeways Tree clearing and clearzone works Completed 70% pavements on link road

Attachments

Nil

12.2. (DO) IPWEA Excellence Awards

Prepared By:

Director Operations

Executive Summary

The Institute of Public Works Engineering Australasia (IPWEA) Engineering Excellence Awards aspire to endorse and recognise excellence of Local Government and Public Works Projects. This is achieved through inspiration, innovation, collaboration, development and completion of projects and technical management by our Members.

I am pleased to inform you that Parkes Shire Council along with Forbes Shire Council and Lachlan Shire Council, was the winner in Category 7 Local Government Excellence in Road Safety specifically on the Load Restraint Education Project at the Award Presentation on 10 March 2022.

Background Information

See Report

Legislative or Policy Implications

Nil

Budget and Financial Aspects

Nil

Recommendation

- 1. That the information be received and noted.
- 2. That Melanie Suitor Road Safety & Injury Prevention Officer be congratulated on her dedication and work on the Load Restraint Education Project.

Report

Forbes, Parkes and Lachlan Shire Councils' 'Load Restraint Education Project' was heralded a success, meeting both its objectives. The project aimed to increase awareness of load restraint fundamentals and decrease the number of load restraint incidents and breaches occurring on local roads.

The results of the project show that load restraint awareness amongst the target group (farmers and transport companies) did improve over the course of the project and we have seen load restraint breaches decrease 69 per cent this year, with no incidents occurring.

The project was funded by the Commonwealth Government through the National Heavy Vehicle Register (NHVR) Heavy Vehicle Safety Initiative (HVSI) and was supported by NSW Police, NSW Farmers and Transport for NSW, with assistance from NSW Rural Fire Service, SafeWork NSW and NSW Health's Rural Adversity Mental Health Program.

This project demonstrates the benefits of the HVSI, where initiatives are driven by industry, for industry. The project focused on the safe transportation of hay bales, machinery and general freight, to cover the majority of load types in the region.

Strategies included:

- Pre and post online awareness quiz
- Development of how-to videos and accompanying fact sheets
- Promoting case studies
- Social media
- Load Restraint Village Tour (visiting 12 local villages across the three shires)
- Distribution of load restraint packs

Project results include:

- More than 100 farmers attended the Load Restraint Village Tour and all provided positive feedback about the program
- The how-to videos have had more than 1,000 views
- 1,100 additional load restraint packs have been distributed to the local community
- 311,740 people were reached through social media posts and there were 5,070
 engagements this is across five Facebook pages small increases in awareness
 were recorded for two of the online quiz questions (most appropriate lashing to use to
 tie down a tractor and what to do if you notice your load of hay has shifted during the
 trip)
- Police enforcement figures up to August 2021, show that local load restraint breaches have decreased 69 per cent on the 2020 figures and 54 per cent based on the 2019 figures, with no load restraint incidents recorded thus far in 2021

This project addressed a local issue of concern, developed high quality collateral, saw grass roots community engagement resulting in increased awareness and decreased load restraint breaches.

Parkes Shire Council along with Forbes Shire Council and Lachlan Shire Council, was the winner in Category 7 Local Government Excellence in Road Safety specifically on the Load Restraint Education Project at the Award Presentation on 10 March 2022.

Attachments

1. Photo of Award

Attachment 1 - IPWEA Excellence Award



12.3. (DO) Participation in CNSWJO Contracts for Bulk Fuel

Prepared By:

Director Operations

Executive Summary

Council has been invited to participate in the procurement contract for the purchase of fuel through Central NSW Joint Organisation (CNSWJO) Compliance and Cost Savings program and Supply Management Team.

Background Information

This report seeks Council's resolve to participate in a regional procurement process for the supply and delivery of bulk fuel through Central NSW Joint Organisation (CNSWJO).

Council has participated in regional contracts for bulk fuel through CNSWJO and previously Centroc for approx. 10 years, and interest has been expressed by member councils to conduct a new procurement process for a contract to commence on or after 1 July 2022.

The following report provides more background advice regarding both CNSWJO's Inter-Council Co-Operation Priority and the regional procurement of bulk fuel.

Legislative or Policy Implications

Tendering requirements are prescribed in the Local Government Act 1993 and Local Government (General) Regulation 2005.

Project Delivery Implications

TRANSPORT+ Roads

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Implications

CNSWJO manages the process, including all costs of advertising and tender assessment, and takes a management fee from the supplier to cover these costs. Using the CNSWJO Contract may incur a fee to CNSWJO of 10% of the total savings.

Recommendation

1. That Council agree to participate in a regional contract for the supply and delivery of bulk fuel and advise Central NSW Joint Organisation accordingly.

Report

The Supply Management Team first decided to explore a regional contract for bulk fuel in 2010 culminating in a three-year regional contract. This process has been repeated a number of times with the most current contract due to expire in June 2022. As the conclusion

Parkes¤

Wedding

Bland¤

Mid-Western¤

Upper-Lachlanx

Total¤

of the current contract nears, CNSWJO seeks to repeat the procurement process on behalf of its participating member councils. The CNSWJO Roads Technical Committee now has carriage of this contract.

The annual spend by CNSWJO members procuring under this arrangement from 1 July 2019 to 31 December 2021 is as follows:

CDENIDE	2010/2020*	2020/2024	2021/2022-	lotal¶
<u>SPEND</u> ¤	2019/2020¤	2020/2021¤	(YTD)¤	(exc.·GST)¤
Bathurst¤	\$791,610¤	\$767,533¤	\$250,398 ¤	\$1,809,541 ¤
Blayney¤	\$449,677¤	\$337,561¤	\$76,626 ¤	\$863,864 ¤
Cabonne¤	\$819,800¤	\$623,088¤	\$306,099 ¤	\$1,748,987 ¤
Central-Tablelands-Water¤	\$0¤	\$0¤	\$0 ¤	\$0 ¤
Cowra¤	\$691,492¤	\$514,957¤	\$372,846 ¤	\$1,579,295 ¤
Forbes¤	\$316,115¤	\$313,021¤	\$74,007 ¤	\$703,143 ¤
Lachlan¤	\$732,703¤	\$645,139¤	\$448,035 ¤	\$1,825,876 ¤
Oberon¤	\$371,361¤	\$393,409¤	\$248,994 ¤	\$1,013,763 ¤
Orange¤	\$383,431¤	\$353,999¤	\$67,040 ¤	\$804,470 ¤

\$519,790¤

\$198,601¤

\$4,667,098

\$161,652¤

\$1,137,365¤

\$618,216¤

\$310,800

\$201,673**¤**

\$2,356,518¤

\$0¤

\$647,318¤

\$524,023¤

\$1,341,537

\$567,393**x**

\$12,257,869

\$372,778¤

\$3,022,163¤

\$1,905,849¤

At its meeting on 25 November 2021, the CNSWJO Board resolved to:

\$510,947¤

\$167,119¤

\$5,234,255¤

\$211,126¤

\$1,237,480¤

\$763,610¤

- 1. approve the JO to conduct a new procurement process for the supply and delivery of bulk fuel for participating member councils;
- 2. note the analysis of the income to the JO via the bulk fuel contract which recognises the cost savings and shared value of procurement and approve the increase of the management fee for bulk fuel from 0.15% to 0.7%;

Should Council agree to participate in the process, CNSWJO will put out a Request for Tender (RFT) to identify suitable providers for the supply and delivery of bulk fuel for the period 1 July 2022 to 30 June 2024 with an option for a 12-month extension. Benefits of a regional approach include:

- cost savings to members through bulk procurement;
- time saved by Council staff though centralised coordination; and
- income stream to CNSWJO from the Service Provider with a view to reducing fees

Member councils have the opportunity to be involved in the procurement process, where the Evaluation Panel consists of representatives from member councils, with CNSWJO staff acting as the procurement facilitator.

Council Contribution

CNSWJO manages the process including all costs of advertising, evaluation and ongoing contract management and receives a management fee from the service provider/s to cover these costs. As detailed above, the CNSWJO Board resolved at its November 2021 meeting to increase the management fee for the bulk fuel contract to 0.7%.

Through the Best Practice in Aggregated Procurement Program, CNSWJO and the other participating JOs, are reviewing ways to generate income for the JO conducting aggregated procurement. Outcomes of this review will be provided to CNSWJO member councils in due course.

Attachments

1. Agreement to participate in a CNSWJO Regional Procurement Project - Supply and Delivery of Bulk Fuel (S1_2022)

Attachment 1 - 220202_S1_2022_participation agreement form



AGREEMENT TO PARTICIPATE IN A CNSWJO REGIONAL PROCUREMENT PROJECT

Project: Supply and Delivery of Bulk Fuel (S1_2022)

Council agrees to participate in the proposed Regional Procurement Project.

Council does not have any formal or informal arrangements in place that may affect its participation in the proposed project.

CNSWJO will ensure that the documentation prepared for the project clearly states that no member council provides any undertaking to enter contractual arrangements with a recommended Service Provider. However, Council's inclusion in the documentation is a clear statement by Council that it is in a position to enter into contractual arrangements with the recommended Service Provider.

Council agrees not to enter into any permanent arrangements in relation to the supply of the above service prior to the completion of the CNSWJO procurement project.

Council understands that if it does not complete and return this form it will \underline{not} be included in the Regional Procurement Project.

Council Name:
Name of Council contact person for this Procurement Project:
Signed:
Name of Director/General Manager:
Date

13. DIRECTOR INFRASTRUCTURE

13.1. (DISF) Major Projects & Current Works - Progress Report as at 15 March 2022

Prepared By:

Director Infrastructure & Strategic Futures

Executive Summary

This report presents an update on the current major projects within the Shire being managed or undertaken by Council's Infrastructure & Strategic Futures Department. The report outlines work that has been carried out over the past month and is provided for the information of Councillors.

Background Information

Monthly status report to keep Councillor's abreast of projects being undertaken within the Shire

Project Delivery Program Implications

The resolution in this report will primarily affect the Delivery Program Future Direction relating to: COUNCIL+ *Council*

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

Projects have been allocated funding either from grants or Council funds as provided in the Operational Budget.

Recommendation

1. That the information be received and noted.

Report

Location	Project	Target Date	Budget	Forecast	Status	Comment s
Parkes	National Logistics Hub GLE Grant	31/10/2021	\$7,808,400	\$7,808,400	Complete	Project completed
Parkes - Peak Hill	Water Supply Drought Relief Program	30/6/2022	\$4,070,000	\$4,070,400	In progress	Bore refurbishm ent works continuing, completed upgrade of Bores 1, 3, 4, 5. Working on upgrade options for Bore 2. Alternate route for connecting pipeline awaiting further negotation s with landholder/s.
Parkes - Peak Hill	Town Water Security Program	28/2/2021	\$2,032,075	\$2,032,075	Awaiting feedback	Still awaiting feedback from grant body on initial business case submission . Supplemen tary business case for CENTROC Water Grid connection submitted to DPIE.
Shire	IWCM	30/11/2021	\$448,000	\$448,000	Complete	IWCM Final Report received,

Location	Project	Target Date	Budget	Forecast	Status	Comment
						ready for public exhibition.

Attachments

Nil

14. CONSIDERATION OF COMMITTEE MINUTES

14.1. Committee Minutes - Culture, Education and Library Committee meetings 10 February 2022 and 17 February 2022

Prepared By:

Manager Cultural, Education and Library Services

Executive Summary

A Cultural, Education and Library (CEL) Committee meeting was held on 10 February 2022. The Minutes of that meeting are provided for endorsement.

A further CEL Committee meeting was held on 17 February 2022 specifically to make recommendations for the 2022 Jack Scoble Scholarship. The Minutes and recommendations from that meeting are also provided for endorsement.

Background Information

The Cultural Advisory Committee was established in 2004 as a key outcome of the original Cultural Plan. In 2016 this Committee was merged with the Education and Library Committee, forming the Cultural, Education and Library Committee.

This Committee advises Council on cultural and library activities with the Shire or affecting the Shire, assists in determining the best uses of, and improvements to, community cultural/library assets and resources, makes recommendations for the annual cultural awards, cultural grants and the annual Jack Scoble Scholarship. It also is chartered with selecting works of art for Council's collection.

The Committee meets on an as needs basis.

Legislative Information

Nil.

Project Delivery Program Implications

COMMUNITY+ Public Libraries
COMMUNITY+ Education
COMMUNITY+ Culture

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

That the recommendations made in General Business be investigated for cost and appropriate budget.

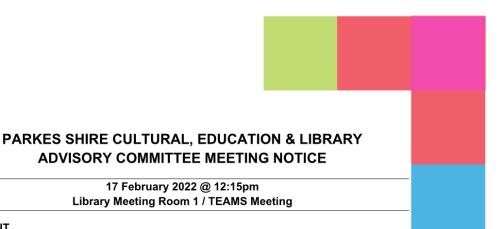
Recommendation

- 1. That the Minutes of the Cultural Education & Library Committee meeting held on 10 February 2022 be received and actions noted.
- 2. That the Recommendations under general business of the 10 February 2022 meeting be investigated for cost and appropriate budget with findings to be reported to a future Council meeting for decision.
- 3. That the Minutes of the Cultural Education & Library Committee meeting held on 17 February 2022 be received and recommendations endorsed.

Attachments

1. Minutes of Cultural, Education & Library Committee meetings held 10 February 2022 and 17 February 2022

Attachment 1 - CEL Committee Minutes 17.02.2022



PRESENT

Cr W Jayet

Cr J Cass

Cr N Westcott

Kerryn Jones Manager Cultural Education & Library Services

MEETING COMMENCEMENT

The meeting commenced at 12:15pm with Cr Neil Westcott chairing the meeting.

JACK SCOBLE EDUCATIONAL SCHOLARSHIP 2022

In 2022 there is a \$15,000 total scholarship pool (due to a \$5000 refund in 2021) to be awarded.

Six applicants were interviewed today by a panel comprising of Cr Westcott, Cr Jayet, Cr Cass and Kerryn Jones for the 2022 Jack Scoble Educational Scholarship and the following recommendation is made:

The following applicants will receive a \$5000 scholarship payment each:

James Finn

Maisy Osborne

Zac Redfern

Moved: Cr Westcott Seconded: Cr Cass

CARRIED

MEETING CLOSED

Meeting finished at 12:30pm

Attachment 2 - CEL Committee Meeting Minutes 10.02.2022



PARKES SHIRE CULTURAL, EDUCATION & LIBRARY ADVISORY COMMITTEE MEETING NOTICE

10 February 2022 @ 10:30am Library Meeting Room 1 / TEAMS Meeting

PRESENT

Cr W Jayet

Cr J Cass

Cr N Westcott

Kelly Hendry Destination Development

Brendan Hayes Director Planning & Community Services

Kerryn Jones Manager Cultural Education & Library Services

APOLOGIES

Mayor K Keith

Cr L O'Leary

MEETING COMMENCEMENT

The meeting commenced at 10:30am with Cr Neil Westcott chairing the meeting

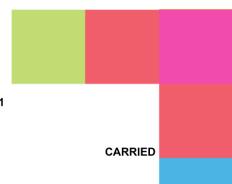
2. Declarations of Interest

CR Westcott declared an interest regarding Jack Scoble Scholarship applicant Darcey Hoyle

Kelly Hendry declared and interest regarding Jack Scoble Scholarship applicant Maisy Osborne

Cr Cass declared an interest regarding Jack Scoble Scholarship applicant Talesha Ellis

Kerryn Jones declared an interest regarding Jack Scoble Scholarship applicants Charlie Jones and William McLean



3. Minutes of previous meetings, held 23 November 2021

Moved Cr Neil Westcott Second Cr Jacob Cass

4. Business arising from the minutes

Action: Kerryn to approach School Principals meeting requesting a representative to attend a CEL meeting regarding music in public schools.

Work has begun on scoping Peak Hill Library Disability access project with Sharon Ross as Project Manager.

Wiradjuri Language Workshop - Kerryn has approached Geoff Anderson and will work with Marie Wyatt to organise a date and time.

5. Jack Scoble Scholarship 2022

In 2022 there is a \$15,000 total scholarship pool (due to a \$5000 refund in 2021)

All applications were assessed against criteria and the following applicants are shortlisted for interview on Thursday 17 February from 9am- 12:30pm in Meeting Room 1, Parkes Library:

Abbey Kennedy

Charlie Jones

Darcy Hoyle

James Finn

Maisy Osborne

Zac Redfern

Panel: Cr Neil Westcott, Cr Bill Jayet, Cr Jacob Cass, Kerryn Jones

Action: Kerryn Jones to arrange interviews, contact unsuccessful applicants and arrange morning tea.

6. Community Representative for the CEL Committee and replacement of Kelly

Action: Kerryn to approach Cathy Treasure for a representative to replace the Destination Development Manager.

Action: Kerryn to approach Margot Jolly as Chair of Parkes Shire Arts Advisory Council to be Community Representative.



8. General Business

The Committee recommends Cr Bill Jayet as CEL representative for Parkes Shire Library to attend Central West Zone Meetings and annual SWITCH Conference.

Moved Cr Neil Westcott Second Cr Jacob Cass

Cr Jayet made the following recommendations to Council:

- The 2 rooms in Cooke Park Pavilion are given Wiradjuri names
- 3 flag poles are permanently erected near the Cooke Park Pavilion stage
- A second plaque on a rock is erected at the front of Cooke Park Pavilion recognising Council and the councillors.
- All plaques on major projects be formatted with Councillors' names and this becomes a requirement of the finalisation of all major project processes (eg, Water Treatment Plant) including the Project Manager and Comms team.
- A second piano is purchased to be based in Cooke Park Pavilion.

Moved Cr Bill Jayet Second Neil Westcott

CARRIED

Cr Cass reported positive feedback on the Sensory Play Day session at the library which was well received and much appreciated.

MEETING CLOSED

Meeting finished at 12:10pm

14.2. Committee Minutes - Henry Parkes Centre Management Committee Meeting 15 February 2022

Prepared By:

Visitor Services & Promotion Lead

Executive Summary

Henry Parkes Centre Management Committee meeting are scheduled to be held bi monthly with the Minutes from those meetings tabled at a Council for information.

A meeting was held on 15 February 2022, minutes are attached for Councillors information.

Background Information

The Henry Parkes Centre Management Committee provides a base structure for the running of the Henry Parkes Centre.

Legislative Information

Nil

Project Delivery Program Implications

ECONOMY+ Marketing
ECONOMY+ Investment Attraction

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

Administration support for the Committee is provided as part of Council's core costs.

Recommendation

1. That the Minutes of the Henry Parkes Centre Management Committee meeting held on 15 February 2022 be endorsed.

Attachments

1. Minutes of Henry Parkes Centre Management Committee meeting held 15 February 2022 be endorsed.

Attachment 1 - Henry Parkes Centre Management Committee Meeting Minutes 15 February 2022(1)



PARKES SHIRE COUNCIL

Our Mission: To Deliver Progress and Value to our Community

HENRY PARKES CENTRE MANAGEMENT COMMITTEE MEETING

Our Communities Vision:

In 2022 the Parkes Shire will be a progressive regional centre, embracing a national logistics hub with vibrant communities, diverse opportunities, learning and healthy lifestyles.

MINUTES

TUESDAY, 15 FEBRUARY 2022

Notice is hereby given that a meeting of the Henry Parkes Management Committee Meeting was held in the Committee Room of the Parkes Shire Council commencing at 11am for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Kent Boyd

Henry Parkes Management Committee Meeting Minutes

Order of Business:

ITEM	SUBJECT	PAGE
1	APOLOGIES	2
2	REVIEW OF MINUTES OF PREVIOUS MEETING	2
3	REVIEW OUTSTANDING ACTION ITEMS	2
4	UPDATE FROM VISITOR SERVICES & PROMOTIONS LEAD	3
5	INTRODUCING THE NEW EXECUTIVE TEAM	3
6	WALL OF FAME	3
7	UPDATE & REQUESTS FROM THE PARKES ANTIQUE MOTOR CLUB	4
8	GENERAL BUSINESS	5-7

ATTENDEES

Mayor K Keith
Cr M Applebee
Cr B Jayet
Cr N Westcott
Cian Middleton, Director Customer, Corporate Services & Economy
Chris Horsburgh, Executive Manager, Economy & Engagement
Cathy Treasure - Visitor Economy & Major Events Specialist
Lisa Moon - Visitor Services & Promotions Lead
Phil Dixon - President Parkes Antique Car Club
Barry Garment - Secretary Parkes Antique Car Club

1. Apologies

Councillor Louise O'Leary Anthony McGrath Andrew Francis

2. Review of Minutes of previous meeting

Moved - B Garment Seconded - P Dixon

3. Review of Outstanding Action Items

ACTION	wно
The request to seal the back road into the Motor Museum	Cathy Treasure

HPC Management Committee Meeting Tuesday 15 February 2022

2

Response - The site has been surveyed, a quote has been received, Council is waiting on L Hignett to complete a report outlining the scope of works. This is on track to be completed this FY.	
Investigate a site option to construct a new building for CWCC. Response - Lisa and Cathy have met with the President of PHS and the site suggested was not supported by them. There was another suggested space at the lower end of the site but this would be difficult to manage re ticketing. The whole concept needs to be reviewed.	Cathy Treasure
Media Release to announce the new Air Con in the Car Museum. Response - A Media Release has been scheduled.	Lisa Moon
Roof sealing in the Henry Parkes Museum – the same issue is occurring Response - the matter has been referred to Building Services for investigation. L Moon will follow up.	Lisa Moon

4. UPDATE FROM VISITOR SERVICES AND PROMOTIONS LEAD - Lisa Moon

Lisa Moon presented statistics for 2021 showing ongoing fluctuations throughout the year due to the pandemic and travel restrictions.

However, overall, the annual visitor numbers were only down by 9% which was a great recovery considering the HPC was closed for 5 weeks during August and September and then only traded on weekdays until October. Annual ticket sales were not as lucky, down by 19% highlighting the impacts on travel for leisure purposes.

Lisa also updated the committee on the Driver Reviver project and provided images of the newly installed umbrella at the entrance and the indoor furniture purchased under the government funding.

5. INTRODUCING THE NEW EXECUTIVE TEAM

Cian Middleton - Director Customer, Corporate Services and Economy

- Cian is joining us from Liverpool Plains Shire Council where he held the role of Director Corporate and Community Services
- Cian has close to 10 years' experience in the Local Government sector including Edward River Council, Uralla Shire Council and Whitsunday Regional Council.
- Cian complements his experience with strong technical knowledge of governance, internal audit and risk management, qualifications in Law, Business and Management and demonstrated skills in project management, change management and strategic planning.

Chris Horsburgh - Executive Manager Economy & Engagement

3

- Chris is joining us from Bega Valley Shire Council where he was the Program Leader, leading the Recovery, Rebuilding and Resilience Directorate, established following the Black Summer Bushfires.
- Chris has over 25 years' experience in Economic Development in both the Local, State and private sector including the Queensland Government, Austrade, ACT Government, Trade and Investment Queensland, and Bega Valley Shire Council.
- Chris brings with him a wealth of knowledge including qualifications in International Business, Marketing Management, Export Management and Project Management.

6. WALL OF FAME - Initial design and concept - Cathy Treasure

Cathy Treasure presented the concept and design for the new 'Wall of Fame' submission for the park area at HPC. Below were the key points presented:

- In creating the concept design, not only did we want to create a replica of the gates
 of Gracelands but there was also a clear emphasis on creating a tribute to the
 people involved in the organisation of the festival.
- Interpretative signs will tell the story of Elvis and the Festival.
- Artworks around the gardens will create photo opportunities and interactions.
- There will be a kid's area to entice families to stop.
- The new Driver Reviver seating and shelters will also be incorporated in the design offering shade and rest areas.
- The 'Jungle Room' stage located at the bottom of the grassy sloped area is another feature and will be used as a multipurpose stage with an amphitheatre setting.
- Trees will be planted around the gardens using similar varieties planted at Gracelands.

Mayor Keith asked if the current plaques would be relocated, Cathy Treasure advised all items from the old site would be transferred to the new site.

Cathy added that the new development will create Tourism opportunities and could be a great spot for markets.

Cr Jayet advised this is a much safer place for parking for visitors to the wall of fame.

Mayor Keith queried the space used previously by the car club. Phil Dixon advised that they are happy to move across the road to use the space around Moat.

Everyone agreed it was a great concept.

Cr Westcott would like to see a 3D concept, Cathy advised this is in the scope if the funding is approved.

7. UPDATE & REQUESTS FROM PARKES ANTIQUE MOTOR CLUB

- The Club requested new door stops for the recently installed doors to the rear vehicle entry of the Motor Museum.
 - ACTION L Moon will submit a request to Building Services to install door stops.
- The Club would like some assistance with the celebrations recognising the 50th Anniversary of the Motor Museum which is between 4th and 7th October 2022.
 This was supported by the Committee. Phil Dixon advised a rally would be part of the event and that there is also a commemorative with highlights of the 50 years being compiled by members.

4

Lisa queried if the club had sent in an Events form to Megan Morrison (Events Officer). Answer was yes but they now have more information so Phil advised he would submit a new form to Council.

Phil Dixon advised he would like to see the road sealing project occur soon as it will
provide many benefits to the Club

8. GENERAL BUSINESS

The following requests were received from the Parkes Historical Society - Comments and Actions have been noted beside each item.

 Permission in principle to build another shed out the back to house more equipment.

Response - the Committee was supportive of this request. PHS need to submit a design and the proposed site to Council.

ACTION - L Moon to write to PHS advising of this requirement.

· Permission to place an additional container on the grounds for museum storage.

Response - the Committee was supportive of this request. PHS need to submit a design and the proposed site to Council.

ACTION - L Moon to write to PHS advising of this requirement.

To have discussions with Council regarding collecting the rainwater runoff from the
existing sheds and have that incorporated in drainage for the new upgraded road.
 Also could the new road allow for future underground provisions (electricity, water).

Response - It was agreed that these issues need to be referred to Logan Hignet for consideration

ACTION - L Moon to refer to Logan Hignet for a response.

· Request to prune two gum trees overhanging the sheds.

ACTION - L Moon to submit a request to Parks and Gardens for action.

 To have a discussion with Council regarding the replacement of the boundary fence along Pioneer St due to some damage and also security concerns.

Mayor Keith suggested to investigate the cost of replacing the fence and then take the proposal to Council for funding. The Committee agreed.

ACTION - L Moon to arrange for 3 quotes to replace the boundary fence.

 A second artwork design for the façade of the museum was submitted to the committee for approval or feedback.



The feedback from the Committee was:

- · The artwork on the gates does not look right
- · The themes do not flow
- The indigenous element next to "Henry Parkes Museum" suggests that the museum is primarily indigenous content. Suggested to put Henry Parkes there instead

Mayor Keith suggested that a separate meeting take place within the next two months, to talk to members of the Historical Society and discuss the concept artwork. This suggestion was agreed by the committee.

Mayor Keith also suggested that a representative of the Parkes Historical Society should attend all HPC Committee meetings in the future.

Moved - Cr N Westcott Seconded - L Moon

Items from Parkes Shire Council

A request was submitted to the Committee for approval to increase the entry fees to
the King's Castle and Parkes Motor Museum. The last fee increase was in 2016 at
the time of the changeover to the separated ticket arrangement between PSC and
PDHS. The new fee proposal is:

Ticket Type	Current Price	Proposed Price
Adult	\$10	\$12
Adult (Concession)	\$8	\$10
Family	\$25	\$30
Child	\$5	\$6

6

HPC Management Committee Meeting Tuesday 15 February 2022

Group (Adult)	\$8	\$10
Group (Adult Concession)	\$6	\$8
Group (Child)	\$4	\$5

This was accepted by the Committee Moved - P Dixon Seconded - Cr B Jayet

Other Items

• The following request was received from Don Unger:

"Dear Councillors

I am putting this request to you regarding the housing of two home made tractors at the Parkes Antique Machinery Museum.

In the late 70's, my cousins and I built our own tractors and the time has now come for them to be pensioned off.

As there is already one home made tractor in the museum (built by the Unger Family), it would be a great attraction to have two more in the display. Surely three homemade tractors would create a lot of interest from people far and wide.

I am asking Council to please give consideration to the construction or extension to an existing shed to house all three tractors which are part of the heritage of the Parkes District".

Mayor Keith suggested that this is not a matter for the Committee and should be referred to the Parkes Historical Society for their consideration. A response to the writer will be arranged. This was agreed by the Committee.

ACTION - L Moon to acknowledge the letter from Mr Unger and refer the matter to the PHS.

Cathy Treasure advised the Committee that a request had been made from Michael
Durrant, Big Fish Fossil Hut to re-locate his collection of fossils to the Henry Parkes
Centre complex due to the current site at Peak Hill no longer being available. Cathy
advised that there currently wasn't any suitable area to set up this type of display at
the HPC. Mayor Keith advised that it would be good to see the collection remain in
Peak Hill as an attraction for the town. It was suggested to refer the request to Cr
O'Leary for assistance to see if there are any other suitable locations in Peak Hill.

ACTION - C Treasure to seek advice from C O'Leary

Meeting closed at 12:10pm

14.3. Committee Minutes - Waste Facilities Committee Meeting 15 February 2022

Prepared By:

Director Planning & Community Services

Executive Summary

A meeting of the Parkes Shire Council Waste Facilities Committee was held at 10.15am on Tuesday 1 June 2021.

Background Information

The Committee is a 'Councillor Only' Committee and meets when necessary to discuss issues relating to the Shire landfill sites.

Legislative Information

Nil

Project Delivery Program Implications

ENVIRONMENT+ Waste

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Moderate

Budget and Financial Aspects

Domestic Waste Management and other waste long term financial plan.

Recommendation

1. That the Minutes of the Waste Facilities meeting held on 15 February 2022 be endorsed.

Attachments

1. Minutes of the Waste Facilities meeting held on 15 February 2022

Attachment 1 - Waste Facilities Committee minutes 15 February 2022



PARKES SHIRE COUNCIL

Our Mission: To Deliver Progress and Value to our Community

WASTE FACILITIES COMMITTEE MEETING

Our Communities Vision: In 2022 the Parkes Shire will be a progressive regional centre, embracing a national logistics hub with vibrant communities, diverse opportunities, learning and healthy lifestyles.

Waste Committee Minutes

TUESDAY 15 FEBRUARY 2022

Minutes of the Waste Committee Meeting of Parkes Shire Council held at the Parkes Administration Centre, 2 Cecile Street Parkes, commencing at 9.30am for the purpose of considering the items included on the agenda.

1. Welcome

Mayor KJ Keith,
Deputy Mayor Neil Westcott
Councillor KM McGrath,
Councillor GW Pratt,
Councillor LA O'Leary,
Councillor ME Applebee
Councillor GS Wilson (enter 9:55am)

IN ATTENDANCE

GM Kent Boyd
Director Planning and Community Services - B Hayes
Environmental Waste Lead - P Parmar (Raj)
Financial Accountant - Luke Nash

MEETING COMENCEMENT

- The meeting commended on time at 9:30am.

Apologies

- Nil

2. Confirmation of previous meeting minutes

Recommendation

That the Minutes of the Waste Committee Meeting of Parkes Shire Council held on Tuesday 01 June 2021, copies of which have been forwarded to Councillors, be confirmed.

Moved Councillor McGrath, seconded Councillor Newton.

CARRIED

3. Declarations of interest

Election Of Chair

Councillor George Pratt was nominated and elected unopposed as the Chair for Waste Committee.

4. Agenda Items

4.1. Confidential Report. Waste Fees and Charges 2022/2023

- DP and CS presented a summary of Waste Management in Parkes Shire Council. This include update on Waste Asset, Landfill closure cost, operation cost and building up waste reserve.
- There was general acceptance with the proposed increase in the fees and charges. This includes 4% increase in Domestic Waste Charge and 9% increase in the Non-Domestic/ Commercial Waste Charge for the financial year 2022-23. The Parkes Waste Facility and Peak Hill Station fees and charges are to be increased to recognise the Domestic and Non-Domestic Waste Charge
- All members supported the concept of building up the waste reserve to cover the landfill closure fee and maintenance fee.

Recommendation

- 1. That the Fees and Charges for Waste Functions be developed to provide the necessary increase in accordance with the report as set out below and be presented to Council in the draft revenue policy.
- Domestic Waste Charges levied against residential properties be increased by 4%
- Waste Charges at Parkes Waste Facility and Peak Hill Transfer Station be increased by 4% for Domestic waste disposal and 9% for commercial waste
- Commercial kerbside collection charges levied against commercial and industrial properties be increased by 9%.
- 2. That the Sewer, Water and General Funds provide \$165000.00 per annum contribution to Waste Income to cover cost of waste delivered by these functions and this figure be increased by CPI each year.

Moved Councillor McGrath, seconded Councillor Wilson.

4.2. Waste Customer Service - Waste APP for Parkes Shire Council

 All Waste Committee members are keen to get Waste and Recycling App for Parkes Shire Council on board.

Recommendation

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Waste Lead to provide a brief information/ presentation in the next Waste Committee meeting for the Waste App.

Moved Councillor OLeary, seconded Councillor McGrath.

5 General Business

Rural Landfill Management

- DP and CS discussed and highlighted rural landfill availability options (council fence and available land for future).
- Due to the limited waste reserves, digging a new cell is more feasible than developing a new rural-transfer station. As an example, Peak Hill Transfer station costs around \$250,000 for construction and ongoing annual maintenance cost.
- A new cell for Tullamore tip is proposed and is expected to cost \$30,000.

Parkes Waste Facility

- Councillor Pratt requested for waste summary for Parkes Weighbridge (Waste flow and diversion form landfill), which will be submitted in the next waste committee meeting.
- DP and CS discussed the opportunities for charities to have subsidised waste fee at tip.

Waste/Bin Collection Service

- Traffic related issue on weekend with JR Richards Street bin collection. This
 issue be raised in the upcoming quarterly NetWaste JRC Meeting and will be
 discussed with the collection contractors.
- The weekly green bin collection and red bin collection is aligned to the NSW Waste and Sustainable Materials Strategy 2021-2041 and Parkes Shire Waste Management Strategy to maximize diversion of household waste from landfill.
- Missed collection and delay in bin collection at Peak Hill was recorded and raised by Councillor O'Leary. Due to covid circumstances and limited staff with JR Richards there was a delay in collection and council was made aware about it in advance in Dec 2021.

Illegal Dumping near Parkes Hospital

- Illegal Dumping issue behind the hospital was raised by the Councillor McGrath. Council will organise a Clean-up, once the fence work is completed.
- Councillor Marg Applebee Clean Up Australia Day 2022 Advertisement update. The Clean-up Australia 2022 will be taking place on 06.03.2022. Council will advertise it 1-2 week prior to the event date.
- Councillor O' Leary Recommended to include recycling in the waste management plan of Elvis Festival for next year 2023
- Councillor O'Leary would be sharing the new initiatives for coffee cup recycling bin. In addition, council in conjunction with NetWaste has put "Green Caffeine" project on hold due to covid circumstances.
- · Waste education to be driven within the community.

Solar Panel Recycling

Councillor Pratt requested to provide brief information on solar panel recycling. Currently, solar panel recycling is done via JLW Services in conjunction with Mattress Collection. The solar panel recycling is currently limited to household only.

Council in conjunction with NetWaste is looking for more efficient and feasible options for solar panel recycling. Last December 2021, PSC organised a NetWaste meeting, and PV Industries were invited to present on solar panel recycling.

6. Next Meeting Date

Next meeting date is to be decided by DP and CS and the Chair of Waste Committee (Councillor George Pratt).

7. Closure

The meeting closed at 10:45am.

14.4. Committee Minutes - Parkes Floodplain Risk Management Committee Meeting 17 February 2022

Prepared By:

Andrew Francis

Executive Summary

The Parkes Floodplain Risk Management Committee held their meeting on 17 February 2022. The Minutes of that meeting are attached the information of Council.

Background Information

The Parkes Floodplain Risk Management Committee was established in 202 to provide advice on the development and implementation of floodplain risk management studies relating to the Parkes Shire, in accordance with the NSW Floodplain Development Manual 2005.

Legislative Information

Local Government Act, 1993

Project Delivery Program Implications

ENVIRONMENT+ Natural

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

Nil

Recommendation

1. That the Minutes of the Floodplain Risk Management Committee held on 17 February 2022 be received and any actions endorsed.

Attachments

1. Minutes of the Floodplain Risk Management Committee held on 17 February 2022

Attachment 1 - ECM_1574341_v1_Floodplain Risk Management Committee Minutes 17 February 2022



Parkes Shire Floodplain Risk Management Committee Minutes of the Parkes Shire Floodplain Risk Management Meeting held on Thursday 17 February 2022 at 2:00pm.via Microsoft Teams

PRESENT

Andrew Francis Craig Ronan Cr George Pratt Cr Marg Applebee James Buchanan Kristine Thacker Robert Haddin Sheree Chellas

Meeting commenced at 2:09pm

1 APOLOGIES

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

That the Minutes of the Parkes Shire Floodplain Risk Management Committee Meeting held on Thursday 18 November 2021, copies of which have been forwarded to Committee members, be confirmed.

Confirmed.

Support for recommendation: Unanimous

Moved: Robert Haddin Second: James Buchanan

Parkes Shire Council
Parkes Shire Floodplain Risk Management Meeting – 17 February 2022

Minutes

3 BUSINESS ARISING

Outstanding Actions

Action	Responsible member	Completed
Andrew Francis to engage with James Buchanan regarding Bushfire enquiry, continue to push for engagement with ARTC & JHG.	Andrew Francis / James Buchanan	RFS Team - Work in progress
Andrew Francis to write formal letter to SES to nominate operational individuals to be involved.	Andrew Francis	
Gully across from hall in Bogan Gate is always blocked up.	Raised by Cr George Pratt	Parkes Council to investigate.
Shire road 12A concerns with flooding	Raised by Robert Haddin	
Parkes Council secured funding for planning and design projects in Trundle, Cookamidgera, Gunningbland and Bogan Gate	Parkes Shire Council	

4 DECLARATION OF INTERESTS Nil.

5 ITEMS OF BUSINESS

- 5.1 Robert Haddin has asked that the agenda includes project progress updates.
- 5.2 Andrew Francis gave verbal update on project progress.
 - Good progress from Consultant Company, being cost effective and having more experience.
 - Additional area surveys done and utilising public works.
 - Next stage to involve community consultation (Ali Standen, Andrew Francis and Graeme Bayliss) with paper based surveys, full letter box drops for both townships and spreadsheet for additional rural properties. Consultation to be sent to Robert

Parkes Floodplain Management Committee November 2021

Parkes Shire Council Parkes Shire Floodplain Risk Management Meeting – 17 February 2022

Minutes

Haddin and James Buchanan for review and additional input. Consultation to be also posted on Council's website and social media platforms.

Robert Haddin has offered to hand out survey's himself in Cookamidgera.

6. GENERAL BUSINESS

- 6.1 Andrew Francis noted that the Parkes Urban Area is not a floodplain but has significant flooding. Andrew noted that council has received funding to upgrade bridge on East Street..
 - James Buchanan left at 3:04pm.
 - Sheree Chellas left at 3:06pm.

Meeting closed at 3:24pm

Parkes Floodplain Management Committee November 2021

14.5. Committee Minutes - Extra Ordinary Traffic Committee Meeting

Prepared By:

Director Operations

Executive Summary

The Parkes Local Traffic Extra Ordinary Committee Meeting was held on 1 March 2022.

Background Information

The Parkes Local Traffic Committee meetings are held quarterly and membership consists of a Council Representative, Transport NSW Representative, NSW Police Representative and a Representative of the Local Member of State Parliament. The Committee is an advisory body only, having no decision making powers. It is, primarily, a technical review committee that is required to advise the Council on traffic related matters referred to it by Council.

Legislative Information

Under the Road Transport (Safety & Traffic Management) Act 1999, Transport NSW is legislated as the organisation responsible for the control of traffic on all roads in New South Wales. In order to deal with the large number and range of traffic related matters effectively, Transport NSW has delegated certain aspects of the control of traffic on local roads to Councils. Transport NSW delegation imposes certain conditions on Councils. One of these conditions requires Councils to obtain the advice of Transport NSW and the Police prior to proceeding with any proposal. This is achieved by Councils establishing a Local Traffic Committee.

Project Delivery Program Implications

TRANSPORT+ Roads

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

Signage and road related expenditure.

Recommendation

 That the Minutes of the Parkes Local Traffic Extra Ordinary Committee Meeting held on 1 March 2022 be received and any actions endorsed.

Attachments

1. Meeting Minutes Extra Ordinary Traffic Committee Meeting 1 March 2022

Attachment 1 - ECM_1574466_v3_Meeting Minutes Extra Ordinary Traffic Committee Meeting 1 March 2022



PARKES TRAFFIC COMMITTEE

MINUTES

TUESDAY 1 MARCH 2022

Minutes of the Extra Ordinary Traffic Committee Meeting of Parkes Shire Council for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Kent Boyd

Voting Members of the Committee are invited to attend, namely:

Cr Ken McGrath (Chairperson - Council Representative)
Ms Angie Drooger (Transport NSW Representative)
Sergeant Martin Ling - NSW Police - Central West Highway Patrol (Police Representative)
Chris McQuie - State Member Representative

And non-voting representatives

Cr George Pratt (substitute Council Representative)

Council staff:

Ben Howard, Director Operations Melanie Suitor, Road Safety and Injury Prevention Officer Ben Coultas, Design and Traffic Engineer Sue McGrath, Business Support Coordinator

NOTE:

Each formal member has one vote, the quorum being one (1) Council representative, one (1) NSW Police Force representative and one (1) Transport NSW representative.

All enquiries relating to the items appearing on this Agenda are to be directed to Mr Ben Howard, Director Operations on 02 6861 2343.

Extra Ordinary Traffic Committee Meeting Minutes 9 February 2022

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Delegation to Councils - Regulation of Traffic

A Council can regulate traffic for the specific reasons set out in Division 1 of Part 8 of the *Roads Act 1993*, such as carrying out work on a road, etc, whereas the Roads and Maritime Services (RMS) can regulate traffic for any purpose.

If a Council wishes to regulate traffic for purposes other than those specified in Division 1 of Part 8 of the *Roads Act 1993*, it must seek the advice of its Local Traffic Committee and act in accordance with the RMS' "Delegation to Councils - Regulation of Traffic".

Section 50 of the *Transport Administration Act 1988* confers the power to the RMS to delegate the following Traffic Regulation responsibilities to Council:

- Section 50 to Section 55 (inclusive) of the Road Transport (Safety and Traffic Management) Act 1999. Install, display and remove prescribed traffic control devices.
- Section 122 of the Road Transport (Safety and Traffic Management) Regulation 1999. Establish
 and operate a special event parking scheme for any road.
- 3) Section 116 to 119 (inclusive) of the Roads Act 1993 Part 8 Division 2. The erection (or removal) of any notice or barrier, the carrying out of any work or the taking of any other action for the purpose of regulating traffic (restrict or prohibit the passage along a road of persons, vehicles or animals) on a public road for purposes other than those referred to in Division 1 (ie. Sections 114 and 115).
- 4) 115 Roads Authority may regulate traffic in connection with road work, etc.
- 5) A roads authority may regulate traffic on a public road by means of barriers or by means of notices conspicuously displayed on or adjacent to the public road.
- 6) The power conferred by this section may be exercised by the RMS for any purpose but may not be exercised by any other roads authority otherwise than:
 - a) For the purpose of enabling the roads authority to exercise its functions under this Act with respect to the carrying out of road work or other work on a public road, or
 - For the purpose of protecting a public road from serious damage by vehicles or animals as a result of wet weather, or
 - For the purpose of protecting earth roads from damage caused by heavy vehicles or by animals, or
 - d) For the purpose of protecting members of the public from any hazards on the public road, or
 - e) For the purpose of protecting vehicles and other property on the public road from damage, or
 - For the purpose of enabling a public road to be used for an activity in respect of which a permit is in force under Division 4 or Part 9, or
 - g) For a purpose for which the roads authority is authorised or required, by or under this or any other Act or law, to regulate traffic.

The Council may sub-delegate their powers to Councillors, the General Manager or an employee of the Council for Items 1 and 2 above.

Council may not sub-delegate Item 3.

For further information please refer to the following document:

"A Guide to Delegation to Councils for the Regulation of Traffic (Including the Operation of Traffic Committees)" RTA - Version 1.3 2009

http://www.rms.nsw.gov.au/doingbusinesswithus/lgr/index.html

Extra Ordinary Traffic Committee Meeting Minutes 9 February 2022

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AGENDA ITEM WAS SENT TO

Cr Ken McGrath (Chairperson - Council Representative)
Cr George Pratt (Council Representative)
Cr Ken Keith (Council Representative)
Ms Angie Drooger (Transport NSW Representative)
Chris McQuie - State Member Representative
Martin Ling - NSW Police - Central West Highway Patrol
David Harvey - NSW Police Force
Ben Howard, Director Operations
Ben Coultas - Design and Traffic Engineer
Melanie Suitor, Road Safety and Injury Prevention Officer
Sue McGrath, Business Support Coordinator (Minute Secretary)

Note: No response was received from Chris McQuie - State Member Representative

1 DECLARATION OF PECUNIARY INTERESTS

Nil.

Support for Recommendation: Unanimous

2 MEETING INSTRUCTIONS

Members are asked to read and consider each item in the agenda, emailed Tuesday 1 March 2022, then vote either for or against the recommendation by replying via email to Ben Coultas, Design and Traffic Engineer, by 5:00pm Tuesday 8 March 2022:

• Agenda item 4.1 | Church Street and Currajong Street Intersection Upgrade

Extra Ordinary Traffic Committee Meeting Minutes 9 February 2022

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4 COMMITTEE BUSINESS

4.1 Church Street and Currajong Street Intersection Upgrade

Executive Summary

Council was successful in their application to Transport for NSW for funding to upgrade the intersection of Church Street and Currajong Street.

Background Information

Currajong/Church Street is an existing four-way intersection with Give Way signs on Church Street with Currajong Street having the right of way.

There are buildings on all four corners of the intersection including Service NSW, two churches and a commercial property. The speed limit in this location is 50km/hr.

There are gardens/parking in the middle of Church Street on both legs and gardens in middle of Currajong Street on both legs. Sight distance at the intersection is currently adequate.

Currajong Street is a major feeder road within town particularly with the employees of the surrounding businesses.

The Baptist Church have driveway access on Church Street located approximately 6m west of the Currajong Street intersection. The access was used for funeral service, drop off and pick up of disabled people and general deliveries.

Issues

(1) This intersection has had five cross traffic injury crashes between July 2013 and June 2018. All these crashes involved vehicles driving straight through the intersection or turning from Church Street onto Currajong Street.

Staff Recommendation

- (1) Install a one lane roundabout to conform with AS1742.2
- (2) Update lighting at the intersection to conform with AS1158.4
- (3) Update kerb returns to reduce the width of the intersection.
- (4) Update line marking to at the intersection. (as per attached plan)
- (5) Update signage at the intersection (as per attached plan)
- (6) Relocation of disabled parking out the front of Transport NSW building to the north
- (7) Remove driveway for Baptist Church on Church St, provide pram ramp and parking on Currajong Street for funerals.
- (8) Install Disabled a park located on Church Street along the frontage of the Baptist Church to conform with AS2890.5
- (9) Install a pram ramp in Currajong St for the loading and unloading of funeral vehicles.

Notes

 With the proposed design layout for the roundabout, there will be about 15 carparks removed around the intersection.

Extra Ordinary Traffic Committee Meeting Minutes 9 February 2022

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Committee Recommendation

- (1) Install a one lane roundabout to conform with AS1742.2
- (2) Update lighting at the intersection to conform with AS1158.4
- (3) Update kerb returns to reduce the width of the intersection.
- (4) Update line marking to at the intersection. (as per attached plan)
- (5) Update signage at the intersection (as per attached plan)
- (6) Relocation of disabled parking out the front of Transport NSW building to the north
- (7) Remove driveway for Baptist Church on Church St, provide pram ramp and parking on Currajong Street for funerals.
- (8) Install Disabled a park located on Church Street along the frontage of the Baptist Church to conform with AS2890.5
- (9) Install a pram ramp in Currajong St for the loading and unloading of funeral vehicles.

Notes

With the proposed design layout for the roundabout, there will be about 15 carparks removed around the intersection.

Extra Ordinary Traffic Committee Meeting Minutes 9 February 2022

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14.6. Committee Minutes - Parkes Sports Council Meeting 8 March 2022

Prepared By:

Anthony McGrath - Secretary

Executive Summary

The Minutes of the Parkes Sports Council meeting held on 8 March 2022 are presented for the information of Council.

Background Information

The Parkes Sports Council engages with the sporting groups in the Shire on the use and development of sports fields and facilities. Fees are raised from member groups, which are used to subsidise the cost of maintenance of grounds and plant replacement. Council has two nominated representatives on the Sports Council including Councillors O'Leary and Cass. The group also facilitates the Ron Harrison Bursary, Shire Sports Awards, the Life Members board, the Sporting Legends gallery and the Northparkes / Parkes Shire Council Sports Grants scheme. As a Section 355 committee, the minutes of its meetings must be presented to Council.

Legislative Information

Nil

Project Delivery Program Implications

The Parkes Sports Council operates under Section 355 of the Local Government Act.

Risk Assessment

An assessment of the challenge posed to Council implementing the action/s contained in this report, in the current environment with available resources: Low

Budget and Financial Aspects

Funding for sports field maintenance and amenities is included in Council's operational plan. Capital projects are also funded from the Capital Works programme. A financial snapshot for 2021/2022 is provided for information and is included with the Minutes.

Recommendation

1. That the Minutes of the Parkes Sports Council Meeting held on 8 March 2022 be received and any actions endorsed.

Attachments

1. That the Minutes of the Parkes Sports Council Meeting held on 8 March 2022 be received and any actions endorsed.

Attachment 1 - Committee Minutes - Parkes Sports Council 8 March 2022

Minutes 8/03/2022

Monday, 7 March 2022 2:46 PM



Meeting Structure

Meeting Purpose

To consider the items on the Agenda and provide recommendations to Council for decision-making.

Chair

Chairperson as elected, or Vice Chairperson in their absence. If either away then elected from the floor at the meeting.

Invited Attendees

Each affiliated sporting group (2), Sports Council Executive (Al Gersbach, Anthony McGrath & Luke Nash), Councilor representatives (Mayor Ken Keith, Cr Louise O'Leary & Cr Jacob Cass), Community Representatives (Michael Greenwood & Gail Bartley).

Minutes

Secretary of the Parkes Sports Council.

Context

The Parkes Sports Council engages with the sporting groups in the Shire on the use and development of sports fields and facilities. Fees raised from member groups are used to subsidise the cost of maintenance of grounds and plant replacement. Council has three nominated representatives on the Sports Council including Crs O'Leary, Keith and Cass. The group also facilitates the Ron Harrison Bursary, Life Member Honour Board, Parkes Shire Sports Awards, the Legends of Sport and the Northparkes/Parkes Shire Council Sports Grants scheme.

Outcomes

Information and Action plan in report to the next Council Meeting.

Meeting Formalities

Chairperson

Al Gersbach

Commencement and Location

7:30pm in the Committee Room and online via Microsoft Teams

Welcome

Chair Al Gersbach

Attendance

Alan Gersbach (Chair), Anthony McGrath, Luke Nash, Jim Daley (Hockey), Al Ryan (Rugby) Wayne Osbourne (Soccer), Al Ryan (Rugby), Bill Thomas (Dragon Boating), Beth Thomas (Croquet), Mayor Ken Keith, Cr Louise O'Leary (Peak Hill Sports, Parkes Masters), Michael Greenwood (Senior League),

Andrew Thomas (Junior League), Jim Daley (Hockey)

Online

Leannda Earsman (Parkes Public School), Leanne Arndell (Tennis), Scott Knights (Cricket), Jay Kross (Squash), Mark Kelly (Golf)

Guests: Geoff Finn - online (Parkes Shire Council), Kasey Hilderson (Good Sports)

Apologies

Noel Huggett (Touch), Gail Richardson (Community Representative), Greg Morrissey (Junior Cricket), Greg Duffy

PREVIOUS Minutes

Moved for confirmation by Anthony McGrath. Seconded by Al Ryan Carried.

Next Meeting Date

12 April 2022

Meeting Close

The meeting closed at 9:13pm.

Meeting Minutes

Notable Sporting Performances

- Tennis: Sam Rivett was selected as 1 of 2 Country NSW juniors to ball kid at the Davis Cup last
 weekend in Sydney between Australia and Hungary. 7 Parkes juniors involved in the 24 player
 Central West Zone Squads running monthly across the region. Helen has been contracted by
 Tennis Australia to coach these squads throughout 2022.
- . Bowls Paul Kirwan won major singles then won Zone 4 winner club champion of champions
- · Hockey Mariah Williams selected in Australian world cup squad
- · Boars won Kiama 7s competition (cup division)
- · Students from Parkes Public selected for Western touch and tennis teams
- · Henry Kross in Australian team for U13s squash
- Golf No. 2 & 3 pennants sides playing in grand finals
- Cricket Brent Tucker played in Country Championships for Western

Review of Outstanding Actions

11/09/2018	1	That a draft version of the new constitution be put to a meeting of the Executive and Patrons before it is tabled at a future Sports Council meeting.	Anthony McGrath
13/8/2019	2	Sports Legends Board at Parkes Leagues Club to be relocated prior to their renovations in November	
8/9/2020	3	Cr O'Leary requested that the Sports Council arrange for some Defib training for sporting groups. NPM is unable to assist but Parkes Touch is organising some training and will invite other groups.	Noel
14/10/2020	4	Dedication ceremony for the Cheney family trophy to be conducted before the first Grinsted Cup match this season	Luke Nash
8/12/2021	5	Sports Council recommends that council publish a media release to advise local residents of what is permitted and not permitted on local sporting grounds. Sporting groups can then share the media release on their social media pages.	Anthony McGrath
8/12/2021	6	Information to be circulated for the PSC after-hours contact number so sporting groups can report information when	Anthony McGrath

		residents are not adhering to ground rules. Suggest that a sticker be placed on the existing signage.	
14/12/2021	7	Parkes Cricket to investigate the holding of a Pink event in 2022. Postponed to October due to Covid 19	Scott Knights
8/02/2022	8	League are requesting rams logo and numbers marked on Jock Colley field for Western v Monaro match on 27 Feb. Geoff to follow up with the team.	Geoff Finn
8/02/2022	9	Hockey request that the alarm be looked at in McGlynn Amenities because it couldn't be reset following the break-in. Maybe a power related issue.	Bart Ingram
8/02/2022	10	Practice goal at Parker-Stone field is damaged. Geoff to organise repair	Geoff Finn
8/02/2022	11	Soccer are considering plans for a backstop fence at Harrison to prevent balls from being kicked into trees. Wayne to meet with Geoff to discuss options	Geoff Finn
8/02/2022	12	Soccer is concerned that despite being asked for input into the planning for the carpark in Nash Street, they have not been consulted since. Soccer is keen to see what Council is planning for the area prior to the drainage works starting	Logan Hignett
8/02/2022	13	Review Julian Callachor (former solicitor) Sports Memorabilia Collection and report back to next meeting.	Luke Nash
8/02/2022	14	That a letter be written to Parkes Shire Council supporting the request made by Bob Barter to rename the Parkes Aquatic Centre the Rex Aubrey Aquatic Centre in honour of Olympian and Parkes native, Rex Aubrey.	Anthony McGrath
8/02/2022	15	That the possibility of a new social channel for Sporting groups to use to publicize their events and matches be discussed with Councils Comms team. The channel would allow contributions from sporting groups and be administered by a group of sports council members.	Anthony McGrath
8/02/2022	16	That the worsening condition of Cheney Park be raised by Cr O'Leary at the next Council meeting.	Cr Louise O'Leary

Discussion

- 3. Groups decided that training and maintenance of Defib machines remains with the individual club first aid officers.
- 7. Cricket will organise a Pink event but not until October 2022.
- 8. Preparation of fields for RAMS game went well and was appreciated by League clubs and Western.
- 9. Alarm at McGlynn has been repaired by Bart
- 10. Soccer goal posts were repaired by Sports Team staff
- 12. Council have discussed plans for drainage and parking on Nash St and provided a plan
- 13. The Callachor Collection will be discussed in General Business
- 14. Email of support for the naming of the Parkes Aquatic Centre to Rex Aubrey Aquatic Centre sent to Council's Road and Place name committee.
- 16. The condition of Cheney Park was raised by Cr O'Leary. Council resolved to discuss the issue with the Sports Council.

Correspondence

The following items of correspondence was received or sent

- 1. Minutes of the last meeting distributed to members
- 2. Email notice of meeting sent to groups

3. Sports grants now open email

Action

- 1, 2 For information
- 3. General business

Sports Projects Update

Geoff Finn presented a report on the current status of the sports related projects

- 1. Preasure cleaned Keast park wicket
- 2. Welded goal posts at Parker-Stone field for Soccer
- 3. Yet to meet with Wayne on fence location at Parker-Stoner
- Override switch put on Woodward pavilion so outside lights could be turned on during night matches
- Sport toilets are usually cleaned on Thursday or Friday. Not cleaned on Saturday. Groups should arrange cleaning if there will be sport on Sundays as well. Request that groups remember to lock up after the game.
- 6. Peak Hill tennis court has some cracks appearing contractor will have a look. The contractor will also review McGlynn park when onsite.
- 7. Little As are using Announcer room at Northparkes this weekend. Request rugby check clean up prior to the weekend. Al Ryan undertook to check it out.

For the information of the groups (See attached sports projects report).

Around the Grounds

Tennis (Leanne Arndell)

- It's 1 year exactly to the day (March 8th) when the resurfacing project started. Sadly for our
 community the project still sits dormant and the weeds continue to grow through 6 courts.
 Helen spoke to the new contractor yesterday, who was also the independent assessor, and he
 said he would not be starting before April at the earliest.
- With this in mind, the Committee are concerned that we are heading into the cooler weather again and it will be a huge job to be able to remove the sand out of the existing 6 courts which have to be pulled up, the bases re-done properly and then the same courts re-laid.
- In the meantime we have taken the opportunity to re-direct our funds and replace the flooring, and paint the inside of the clubhouse.
- Tournaments- We had to give away our Country event for April to Bathurst which is frustrating
- · Next regional and state events are scheduled for August and September respectively.

Rugby (Al Ryan)

- Preseason games starting soon
- Holding a black tie ball on 2 April
- Spicer Amenities about to pour slab despite wet weather delays

Squash (Jay)

- Parkes Doubles on 2-3 April
- · Completed court renovations. Doing new floors soon
- Forbes open is also using Parkes courts
- 5 April for CHS squash in Parkes
- Parkes Open in May expecting >200 entries

Golf (Mark)

- 20 March for Ladies Open
- Pro-Am on 5 May and 6 May in Forbes playing for \$40k prizemoney

Cricket (Scott Knights)

- · Lachlan cricket finals
- Bogan Gate holding the Grinstead over the winter break

Croquet (Beth Thomas)

- · Have received new shirts
- · Adopted universal rules for croquet

Dragon Boating (Bill Thomas)

- Beth Thomas appointed assistant co-ordinator for Western NSW
- · Competing in Forbes regatta
- · Anniversary day with a 6km challenge

Cricket (Junior)

- Finals on 26 March, presentation
- U12 & U14s in finals

League (Michael Greenwood)

- Western comp starts April 9-10
- Western Rams day at Pioneer Oval was a great success

Soccer (Wayne)

- Girls training program starts soon
- Parker-Stone light out on North West end. Geoff to investigate

Hockey (Jim Daley)

- Concern over Cheney park water
- Louise advised that it was raised at Council and that they resolved to report back to the Sports Council meeting.
- Anthony/ Louise to raise with Andrew for a report to next sports council meeting

League Junior (Andrew Thomas)

- Broken window at corporate boxes Anthony to ask Bart to investigate
- Appreciate work done for Western Rams game
- · Season starts 28 April draw pending
- · Attended a workshop for concept planning for the Jock Colley Field Grandstand

Peak Hill (Cr L O'Leary)

- Possible trail match soon. Louise to confirm
- Woodbridge cup may have additional teams

Financial Report - Operational and Capital Works Projects

Presented and moved by Luke Nash Seconded by Michael Greenwood. Carried

General Business

Good Sports Program

Kasey Hilderson gave a presentation on the Good Sports program, which is fully funded by the NSW Government. The program supports drug, alcohol and mental health based initiatives for sporting groups. There is no cost for clubs to be involved. Online portal helps clubs set up good sports policies.

Mental health grant program available sporting groups

www.goodsports.com.au

Elvis Festival 20 - 24 April 2022

All sporting groups should avoid using sporting facilities during the festival from 18 April. Camping & caravans will be at Northparkes, Pioneer, Spicer, Harrison, Keast & McGlynn parks.

Trishaw Peddlers Training

After 2 years the Parkes Trishaw is about to be put to use. As we are all young fellows I thought some of you may like to be the peddlers. To this end there is a training morning at Lions Park on Saturday the 12th of March starting at 8.30am. Please let anyone you know who may like to give a half hours pleasure to those less mobile than ourselves about Saturday or if they ring Peter Guppy 0448166016 to set up a time.

Northparkes / Parkes Shire Sports Grants Program

Now Open. Complete your group's online application via Council's web site here. Sporting Grants | Parkes Shire Council (nsw.gov.au)

Masters Games Sub-Committee Meeting Minutes

The minutes of the Masters Games sub-committee were presented (see below).

Sports Council Staff

Michael Greenwood asked if there was a full team. Geoff advised that a new casual with a greenkeeper certificate has started

Peak Hill Lindner Oval

Shade structure at front of the canteen is filling up with water and dirt. Geoff to investigate.

Callahor Memorabilia Collection

Scott Knights advised that he has talked with Julian. Would like to donate collection to Parkes Cricket. Asked that some of the display be put up at the new Spicer Oval pavilion. Al Ryan will discuss with Rugby committee. General discussion about lack of club rooms available to store the collection.

Jock Colley Field Design Workshop

Andrew Thomas reported that he attended a workshop on a concept design for Jock Colley Field. The first concept plans will be presented at the next workshop on 4 April.

Meeting Actions

Meetin g	Item	What	Who	By When
8/3/20 22	1	Parker-Stone light out on North West end. Geoff to investigate	Geoff	12/4/2 022
8/3/20 22	2	Request that Council staff provide a report back to the Sports Council on the condition of Cheney Park and the proposed remedy	Anthony	12/4/2 022
8/3/20 22	3	Broken window at corporate boxes on Jock Colley field. Anthony to ask Bart to investigate	Anthony	12/3/2 022
8/3/20 22	4	Shade structure at front of the canteen at Lindner Oval is filling up with water and dirt. Geoff to investigate.	Geoff	12/3/2 022

Masters Games Sub-Committee Meeting Minutes

The Masters Games Sub-Committee meeting held on 8/3/2022 commenced at 6:34pm

Present

Cr Louise O'Leary (Chair), Al Gersbach (Sports Council), Anthony McGrath (Sports Council), Bill & Beth Thomas (Dragon Boating & Croquet), Andrew Daley (Hockey, Bowls), Rachael Rice (Touch),

Online

Mark Kelly (Golf), Jay Kross (Squash),

Apologies

Noel Huggett (Touch), Louie (Bowls), Leanne Arndell (Tennis). Wayne Osbourne (Soccer),

Welcome

Cr Louise O'Leary took the chair and welcomed.

Louise gave a brief outline of the event and what work had been done to date including discussions held with Rob Bradley (Australian Masters Games).

Information on the Barrellan and Lismore masters games was distributed to those present (links below).

- Barellan Welcomes You... It's Never Too Late to Participate! Always Last Weekend in February Home (barellanmastersgames.com.au)
- Lismore MASTERS GAMES Lismore & Nimbin Tourism LISMORE MASTERS GAMES

Sports committed

The following sports have committed to be a part of 2023 Masters Tennis, golf, touch, squash, croquet, hockey, dragon boating and bowls

Set the date (planned for 2023).

Suggested Dates - Friday 31 March, Saturday 1 April & Sunday 2 April.

Mark Kelly (Golf) said that the course will be renovated 2 weeks prior to the current date and will not be in the best condition for the masters event. Would likely hold their masters event on the Friday.

Recommend that the date proposed be 24 - 26 March 2023. Groups present would be able to work with those dates but will confirm with their local and regional/NSW sporting bodies.

Fees and Fundraising

Suggest entry fee + sport fee. Sports to determine what their fee would be. Moved that the entry fee be set at \$25 per person. Groups present agreed

Merchandising to be discussed at a later meeting.

Events

Groups to advise the Secretary by next meeting what event they would like to stage, what day/s they would like to play and how much their sport fee would be

Sport	Event	Friday	Saturday	Sunday	Fee
Squash			X		
Tennis					
Golf		Χ			
Bowls			X	Χ	
Hockey			X		

Croquet		X		
Dragon Boating			X	
Touch	Х	Х		

Name of the Event

Louise suggested that the event be called the Parkes Masters Games. All groups present agreed.

Schedule of social events and functions

Suggested social events discussed were as follows

- Welcome event at the Pavilion in Cooke Park on Friday
 - Ambassadors for the event are used at other games and sports are asked approach their own ambassadors
 - o Michael Greenwood or Bob Aitken as MC for the event
 - o Involve 'local legends' e.g. John Van der Ryden, Noel Johnstone
- · Saturday night sit down event with dinner and entertainment
 - o Suggest Services club (260)
 - Suggest guest speaker
- Closing ceremony on Sunday
 - Suggest medal presentation
 - Suggest at Cook Park Pavilion
 - o Suggest breakfast on Sunday morning

Event support

Recommend that Council provide event and marketing support.

Australian Masters

Louise has been in touch with Rod Bradley who is happy to help out and promote our event

Next Meeting

12 April 2022 at 6:30pm

Meeting Closed at 7:25pm

Attachments:

	Financial Snapshot 2021/22	pshot 20	22/122					
Sports	Sports Council (Sporting Grounds) Overview - March 2022	unds) Over	view - Mai	rch 2022	ı	ı	ı	
	Sporting Grounds - Operational Revenue	Operational	Revenue	ı	ı	ľ	ı	
	Gt Number	Budget	Actual	% Budget Received				
Sports Council -Levies/Usage Charges Sports Council - SMS Lighting	10-1009-1001-41187	\$12,960	\$3,956	31%				
	Sporting Grounds - Operational Expenditure	perational Ex	penditure		ı	ı	ı	
	Project Number	Budget	Actual	Budget Actual Committed A+C	A+C	% Spent	Budget	
Sporting Grounds Operating	100121	\$265,115 \$227,094	\$227,094	Ш	\$229,312	86%	\$35,803	
	Total Expenditure \$265,115 \$227,094	\$265,115	\$227,094	\$2,218	\$229,312	86%	\$35,803	
	Sporting Grounds - Capital Expenditure	Capital Expe	inditure					
Cepital Expenditure Projects	Wark Project	Budget	Actual	Actual Committed A+C		% Spent	Budget Remaining	Completion Status
Prainage Improvements - Northparkes, Ploneer & Spicer Oval (Grant Funded - Crown Land Reserves)	400116	\$41,016	\$41,619	05	\$41,619	101%	-\$603	Works On-going
John & Dishbed Access - McGlone Back (Grant Funded - Local Roads & Community Infrastructure)	500000	\$30,000	\$17.890	S	\$17.890	60%	\$12,110	Works Completed
Vortitiparies Oval - 880 Area (Grant Funded - Local Roads & Community Infrastructure)	600009	\$130,000	\$106	0\$	80	0%	\$130,000	Awaiting
spicer Oval Clubhouse (Grant Funded - Resources for Regions)	400089	\$2,520,000	\$582,625	\$1,593,734	\$2,176,358	96%	\$343,642	Works On-going
Parkes Tennis Courts - Surfacing Upgrades (Grant Funded - LRCI & Grown Land Reserves)	400094 & 400112	\$421,000	\$288,838	\$100.097	\$388.936	92%	\$32,064	Works On-going
Parkes Tennis Courts - Lighting Upgrades (Funded - Community Infrastructure Projects Policy)	9002020	\$86,691	\$86,691	8	\$86,691	100%	SO	Works Completed
spicer Oval - Lighting Upgrades (Grant Funded - LRCI)	400040	\$400,000	\$336,248	\$3,400	\$339,648	85%	\$80,352	Works Completed
Pola Park - Changerooms & Public Amenities (Grant Funded - Drought Communities & Ti Fund)	400041	\$209,940	\$209,940	\$0	\$209,940	100%	SO	Works Completed
Berryman Oval - Changerooms Refurbishment (Grant Funded - Drought Communities & Ti Fund)	400042	\$92,365	\$92,365	\$0	\$92,365	100%	80	Works Completed
Berryman Oval - Cricket Nets (Grant Funded - Local Roads & Community Infrastructure)	400109	\$96,500	\$80,777	\$4,436	\$95,213	96.66	\$1,287	Works On-going
Peak Hill Tennis Courts (Grant Funded - Local Roads & Community Infrastructure)	400115	\$138,500	\$138,202	\$0	\$138,202	100%	\$298	Works Completed
Parkes Skate Park (Grant Funded - Stronger Country Communities Fund)	TBC	\$150,000	80	8 9	20	0%	\$150,000	\$150,000 Grant Funding Awarded & Planning Stage \$150,000 Grant Funding Awarded & Planning Stans
Internet State Late (or any Continue) and the Continue State Conti	3	00 00 000	00	2	3	2	900000	Aller Samuel A consult Simuel and the

15. QUESTIONS AND MATTERS OF URGENCY 15.1. Q&M from Cr Glenn Wilson - Large Playground in Parkes

Submitted by

Cr Glenn Wilson

Report

It has been raised with me that Parkes does not have a large "destination" playground. Can an investigation be conducted to determine the viability of creating a facility of significance?

It is my view that Kelly Reserve-Bushman Dam area is the best location for this to occur, due to location, current equipment on site, the available room to expand, the retail food facilities about to be available, and the topography for flying foxes, and accessibility by locals, as well as attracting visitors to call into Parkes in cars, to spend some time and money in Parkes, rather than drive around Parkes on the truck by-pass.

Comments from General Manager or Director Response from Director Operations

Council has just completed a "Places to Play" grant for Kelly's reserve, which if successful would commence the option of a more significant playground. However, Council does not currently have a "Destination" playground designed and socialised with the community, which would reduce the probability of success of the grant.

Council currently maintains 65 parks from small to medium across the shire, largely as a consequence of past practices which allowed developers to provide land for playgrounds in lieu of playground developer charges, which has resulted in the proliferation of small parks. The cost of maintaining so many parks significantly reduces Council's financial capacity to invest in further or larger playgrounds as suggested above.

An audit analysis of playgrounds was completed previously in 2018, which looked at the current safety requirements and also provided a gap analysis with a potential to rationalise some of the small playgrounds and invest in larger area-based ones. These would be positioned such that the community would have fewer, but better-quality playgrounds.

The above analysis could be revisited and contemporised with a large destination playground included for consideration.

Recommendation

1. That Council revisits the audit analysis and contemporise with a large destination playground included for consideration.

Attachment

Nil

16. CONSIDERATION OF CONFIDENTIAL ITEMS16.1. DO) CNSWJO Linemarking Services - Panel Contract

Reason for confidentiality

This report is CONFIDENTIAL in accordance with Section 10A(2)© of the Local Government Act 1993 and Council's Code of Meeting Practice, which permits the meting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed
- (i) prejudice the maintenance of law

Tender details, should be revealed, may result in commercial disadvantage to parties involved in the tender process. Tenderers have provided sensitive information about their operations in the confidence that the details will not be made public by Council. The practice of publication of sensitive information provided by tendered could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

16.2. Committee Minutes - Parkes Elvis Festival Committee Meetings 9 February 2022 and 9 March 2022

Reason for confidentiality

This report is CONFIDENTIAL in accordance with Section 10A(2)© of the Local Government Act 1993 and Council's Code of Meeting Practice, which permits the meting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed
- (ii) confer a commercial advantage on a competitor of Council