

Our ref: Rural Supplies Building, Moree (DA25/5067)

Mr Bill Ferguson  
The Trustee for Armatree Farming Trust  
6L Benelong Road  
DUBBO NSW 2830

By email: [cwferg03@gmail.com](mailto:cwferg03@gmail.com); [jack.morrissey@premise.com.au](mailto:jack.morrissey@premise.com.au)

22 May 2025

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**Subject: Rural Supplies Building, Moree - Request for Information**

Dear Mr Ferguson

I refer to the above development application and the Department of Planning, Housing and Infrastructure's (the Department) previous correspondence dated 16 May 2025 which requested the provision of a response to issues raised in government advice received during the public exhibition period.

Advice has now been received from Safework NSW and is appended to this correspondence for your consideration.

In addition to responding to the advice already received, you are required to submit additional information that addresses the issues identified by the Department in **Attachment 1** and respond to the recommendations of Safework NSW. Please include your response to the Department's issues and government authority advice in a consolidated response.

The Department would like to meet with you to discuss the issues raised. We will be in contact with you to arrange a suitable time.

If you have any questions, please contact Sally Munk, Principal Planner, on 9274 6431 or via email at [sally.munk@planning.nsw.gov.au](mailto:sally.munk@planning.nsw.gov.au).

Yours sincerely,



**Joanna Bakopanos**  
**A/Director, Industry Assessments**  
as delegate for the Planning Secretary

Attached:

- *Department's Request for Further Information*
- *Correspondence from Safework NSW*

## Attachment 1

### Request for Further Information

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#### 1. Hazard and Risk

##### Toxic Chemicals

The risks associated with the storage of Fumitoxin tablets has been assessed in the Preliminary Hazard Analysis (PHA) by Sherpa. The analysis identified two major incidents could result in off-site impact:

1. Fumitoxin is a Class 4.3 Dangerous Good – Dangerous when wet. These tablets, with a total weight of 1.5kg are stored in a flask and packaged in a case totalling 21kg (14 flasks in a case). When a case of Fumitoxin is dropped and in contact with water, it can rapidly generate phosphine gas and cause a potential fatality at the nearby caravan park. If the proposed maximum storage inventory of 45kg is in contact in water, it may cause fatalities at the residential zone, which is located at 170 north of the proposed warehouses.
2. Full warehouse fire generates toxic smoke plume containing such as hydrogen chloride, hydrogen bromide, nitrogen dioxide and phosphine. This toxic plume could reach a toxic level at 94 metres, which will affect the caravan park located 70m away from the proposed warehouse. The heat radiation impact from the warehouse fire, however, will remain within the site boundary.

Given the extent of impact, the current PHA does not provide sufficient information on specific controls (engineering or operation) to mitigate the identified incidents.

##### **Recommendations:**

- **Further information on the following is required:**
  - **Section 5.3 identified some of the potential scenarios that may result in Fumitoxin in contact with water, and Table 5-2 identified some generic proposed controls. Given the extent of toxic consequences from Fumitoxin, further details on the specific controls that are to be incorporated by the operators to control the release of phosphine from Fumitoxin in contact with water is required.**
  - **From Table 6.6, it is understood that the toxic impacts from one flask will not reach the caravan park or the nearest residential area, and the toxic impacts from one case (14 flasks) can reach these areas. However, it is uncertain from Table 6.6 of the minimum number of flasks which can lead to toxic impacts to these areas. An estimate of the number of flasks (between 2 to 13) which can lead to toxic injury impacts to the caravan park (closest receptor) is required. The Applicant should consider appropriate segregation based on this estimate as a control measure. The segregation should also consider the fire and explosion consequences presented in Table 6.7 to prevent fire propagation, causing off-site risk.**
  - **The development is located within the public safety zone of Runway 01/19 of the Moree Regional Airport, as identified in Figure 25 of the Moree SAP Master Plan. Consistent with the requirements of PC3 of the Moree SAP Delivery Plan and Guideline I of the National Airports Safeguarding Framework – Managing the Risk in Public Safety Areas at the Ends of Runways, the risk of air crash to the proposed development although is low, should be qualitatively discussed.**  
**(<https://www.infrastructure.gov.au/sites/default/files/documents/NASF-Guideline-I-PSA.pdf>)**

- **Recommendation No.3 of the PHA, in relation to the warehouse fire, is very generic. Please provide details of the controls to be adopted to reduce the risk of generating a toxic plume from a warehouse fire.**
- **From Table 6.8, it is understood that the consequence distances for toxic impacts from warehouse fire involving Fumitoxin is based on nitrogen dioxide (NO<sub>2</sub>) as the primary combustion product. However, from reviewing Section 5 of the Safety Data Sheet for Fumitoxin provided in Appendix A, it is understood that if Fumitoxin is involved in a fire, the emitted toxic fumes may also contain phosphine (PH<sub>3</sub>), oxides of phosphorous (PO<sub>2</sub>/PO<sub>3</sub>) and nitrogen oxides (NO<sub>2</sub>/NO<sub>3</sub>). As such, please verify if the consequence distances based on nitrogen dioxide (NO<sub>2</sub>) is the largest (most conservative) compared to PH<sub>3</sub>, PO<sub>2</sub>/PO<sub>3</sub> and nitrogen trioxide (NO<sub>3</sub>).**

*(Note: CASA and AirServices Australia have advised the Department they do not comment on matters relating to the Public Safety Zone).*

### **3. Traffic Impacts**

#### **Safety**

The vehicle turning paths plan in Appendix G, Drawing No. C006, Revision A, dated 18 January 2024, indicates that the swept path of a B-double entering and exiting the site will conflict with the swept path movements of light vehicles (LVs) as the enter and exit the site.

Performance Criteria 17 (PC17) of the Moree SAP Delivery Plan states that development must provide adequate space for parking and manoeuvring of service and heavy vehicles (HVs). The acceptable solutions outlined in PC17 do not appear to have been met and the Department is concerned the proposed movements of HV and LVs may present a safety risk.

It is noted that the SEE states that mitigation of delivery and customer traffic would be timed to avoid any conflict, however, the details of these measures and how this would be implemented in practice have not been provided.

#### **Recommendations:**

- **Further consideration of the requirements of PC17 is required, including further details of proposed management and mitigation measures, to demonstrate how the proposed movements of HVs and LVs will not conflict and create any safety risks.**
- **Details of loading/unloading facilities/bays must also be provided to demonstrate how and where unloading will occur on the site.**
- **If more than two HVs are anticipated on the site at once, details of how trucks will park, load and unload without conflicting and/or presenting a safety risk are required.**

#### **Site Access**

Section 2.3 of the SEE states *'The gate to Harry Sullivan Avenue will be automatic with remote access for approaching staff members to open which will avoid the requirement for a vehicle banking area within the site'*.

It is unclear how this system will work to prevent queuing on the local road network or within the site, and what is meant by the term 'vehicle banking area'.

#### **Recommendation:**

- **A more detailed description of how HV movements will be managed when the site gates are closed to prevent queuing on the local road network.**

## Parking

Section 5.1.2 states that car parking has been provided in accordance with the Moree Plains Shire Council DCP 2013 (Council DCP). Development controls for development in the Moree SAP are outlined in the Moree SAP Delivery Plan, not the Council DCP.

### **Recommendations:**

- **Confirm parking provision complies with PC16 of the Moree SAP Delivery Plan, including relevant parking rates, demonstrated compliance with Australian Standards and a commitment to provide EV charging stations in line with relevant RGDC requirements.**

*(Note: It is understood that RGDC are preparing an electric vehicle strategy that will address the delivery of EV infrastructure across the precinct).*

## **4. Airport Safeguarding**

Section 2.4, Table 1, Row G, states that construction lighting impacts to the Moree Regional Airport will be managed by restricting construction to standard daylight construction hours. Operational lighting has not been addressed or assessed having regard to *NASF Guideline E - Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports*.

### **Recommendations:**

- **Details of operational lighting requirements must be provided.**
- **Further consideration of operational lighting is required, having regard to the requirements of PC32 of the Moree SAP Delivery Plan, NASF Guideline E, and the comments received from the Civil Aviation Safety Authority (CASA) and AirServices Australia.**

## **5. Earthworks**

Section 5.1.7 of the SEE states that an erosion and sediment control plan will be provided as part of the construction certification application to address management of construction and **earthworks** impacts on natural waterways. It is unclear if the DA is seeking consent for earthworks as it is not included in the description of the development at section 3.0 of the SEE and has not been assessed.

If the DA seeks consent for earthworks, the details of these works must be described and the impacts assessed. It is noted the Site Classification Report prepared by SMK Consultants dated 25 March 2024 submitted as Appendix I of the SEE provides several recommendations for any earthworks to be carried out at the site.

The development plans at Appendix G include a 0.4m retaining wall. The SEE does not provide any commentary regarding the proposed design or intent of this retaining wall.

### **Recommendations:**

- **Confirm whether the DA seeks consent for earthworks.**
- **If the DA does seek consent for earthworks, the following is to be provided:**
  - **details of any bulk earthworks in a civil engineering report, including any cut and fill, retaining walls and finished levels**
  - **an assessment of the potential impacts of earthworks and retaining walls and the details of any mitigation measures, having regard to the recommendations of the Site Classification Report**
  - **a consideration of the requirements of Section 6.1.2.8 and PC27 of the Moree SAP Delivery Plan.**

## **6. Building Design and Visual Amenity**

The architectural design drawings provided in Appendix A do not provide sufficient details to confirm that glazing will cover at least 50% of the main office building entry. Details of the proposed colour palette have also not been provided.

### **Recommendations:**

- **Details of the extent of proposed glazing to the main office building entry and the proposed colour palette is required consistent with the requirements of PC13 of the Moree SAP Delivery Plan.**

## **7. Waste Storage Areas**

Section 5.1.13 provides details of how waste from the development would be managed. While it is stated that there is adequate space to accommodate the required general and recycling rubbish bins discreetly out of view from the public domain, the location of waste storage areas is not depicted on the plans.

### **Recommendations:**

- **Confirm where waste storage areas will be located and confirm consistency with the requirements of PC33 of the Moree SAP Delivery Plan, including details of any screening.**

## **8. Evidence of Consultation**

### **Appendices**

Appendix I is identified as identified as the Site Classification Report in the list beneath the table of contents, but Section 5.1.8 refers to Appendix I for correspondence received from Safework NSW regarding the characterisation of the development as a Major Hazard Facility (MHF). This correspondence has not been included in the SEE package.

**Recommendations: Please provide a copy of the correspondence from Safework NSW.**

## **9. Wastewater**

The SEE states *'bundling is to be included in the floor design of the building which provides for the management of any spills onsite. This does not discharge into Council's sewerage system and would be independently cleaned in accordance with relevant safety protocol as required.'* However, the Floor Plan in Appendix G identifies a 900mm x 900mm pit in the centre of the warehouses. There are no details of where wastewater from the warehouses will drain to. This has also been noted in the Sherpa PHA. It is assumed they are routed to sumps to prevent discharge offsite, but the plans and SEE do not address this.

### **Recommendation:**

- **Further details of how and where trade waste / wastewater from the warehouse will be drained to and disposed of is required.**

## **Stormwater**

The SEE states that the site is fairly level and would be graded to allow stormwater to fall to the street. The proposed stormwater design is included in the attached stormwater management plans at Appendix G. The Stormwater Layout plan in Appendix G notes that *'Shed 1 & 2 roof water drainage systems are to be piped to the proposed stormwater pit in the north-eastern corner of lot 9'*.

The stormwater design does not include any on-site detention (OSD), treatment or capture/re-use. The Delivery Plan stormwater design principles state that lot-scale treatment should include OSD, treatment and rainwater tanks.

PC23 requires sites to include 40% pervious surfaces to control runoff generation and capture rainwater. When sites include < 30% pervious surfaces, OSD is to be provided.

PC24 required development to provide on-site rainwater capture, storage facilities and re-use of galvanized water. A rainwater tank with a minimum volume of 10,000 square metres (m<sup>2</sup>) is required for development with a building footprint < 6,000m<sup>2</sup>.

**Recommendation:**

- **The stormwater design is to be amended to incorporate OSD, treatment and rainwater tanks. Alternatively, further evidence/justification is required to demonstrate why OSD, treatment and rainwater tanks do not need to be provided in the stormwater design.**
- **A calculation of the total area of pervious surfaces, as a percentage of the total site area, is to be provided.**