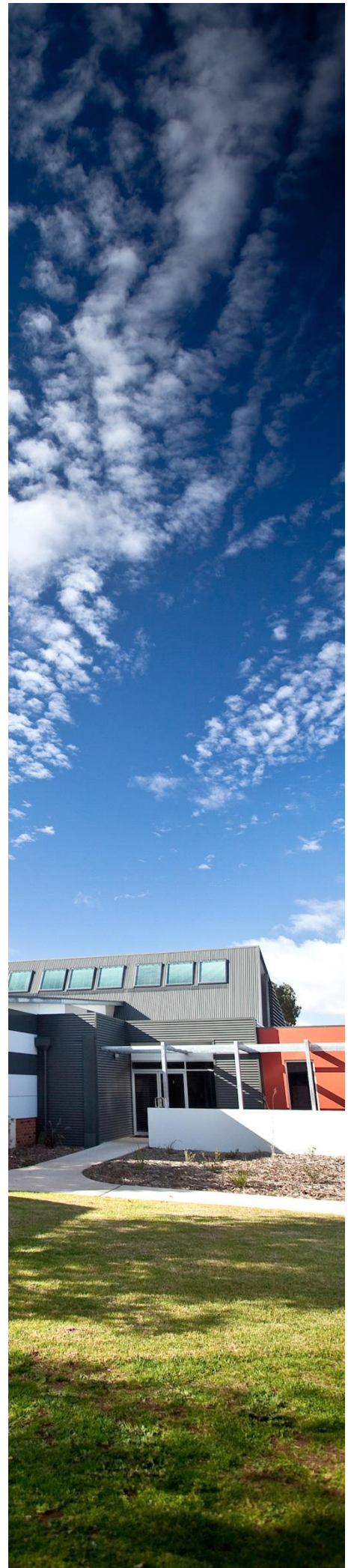




Planning Proposal

Rezoning & Additional Permitted
Use - Taylor Made Homes
2 Newell Highway & 63 Fitzroy
Street, Dubbo


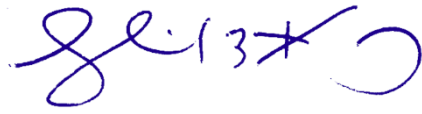
(Our Reference: 27415-PR01_B)
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Report Title:	Planning Proposal
Project Name:	Rezoning & Additional Permitted Use – Taylor Made Homes 2 Newell Highway & 63 Fitzroy Street, Dubbo
Client:	Taylor Made Buildings
Project No.	27415
Report Reference	27415-PR01_B
Date:	1/4/20
Revision:	Final

Prepared by:	Reviewed by:
	
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1 INTRODUCTION

1.1 Planning Proposal

Barnson Pty Ltd has been engaged by Taylor Made Buildings to prepare a Planning Proposal (PP) that seeks to amend Dubbo *Local Environmental Plan 2011* (Dubbo LEP) by:

- Rezoning part of Lot 1 DP 1163911, part of Lot 1 DP 197736, and part of Lot 69 DP 259061 from E3 Environmental Management to IN2 Light Industrial; and
- Providing an additional use of “Light Industry (Movable Building Manufacturing)” on part of Lot 3 DP 1194822, part of Lot 1 DP 1163911 & part of Lot 1 DP 197736.

This PP will amend both the LEP and associated LEP mapping. Plans associated with the PP are provided in **Appendix A**.

The site the subject of this PP is:

- Lot 3 DP 1194822, 2 Newell Highway, Dubbo;
- Lot 1 DP 1163911, 2 Newell Highway, Dubbo;
- Lot 1 DP 197736, 63 Fitzroy Street, Dubbo; and
- Lot 69 DP 259061, 63 Fitzroy Street, Dubbo.

Consistent with the NSW Government Planning & Environment’s *Planning Proposals: A guide to preparing planning proposals* (the Guide) (NSW Department of Planning & Environment, 2016), this PP has been prepared in the following format:

- Part 1 – Objectives or intended outcomes
- Part 2 – Explanation of Provisions
- Part 3 – Justification
- Part 4 – Mapping
- Part 5 – Community Consultation
- Part 6 – Project Timeline

The completed Information Checklist provided in Attachment 1 of the Guide is provided in **Appendix B**.

1.2 Proponent

The proponent for the PP is Taylor Made Buildings.

1.3 Consultant

Barnson Pty Ltd

Jim Sarantzouklis

Riverview Business Park

Unit 1, 36 Darling St

Dubbo NSW 2830

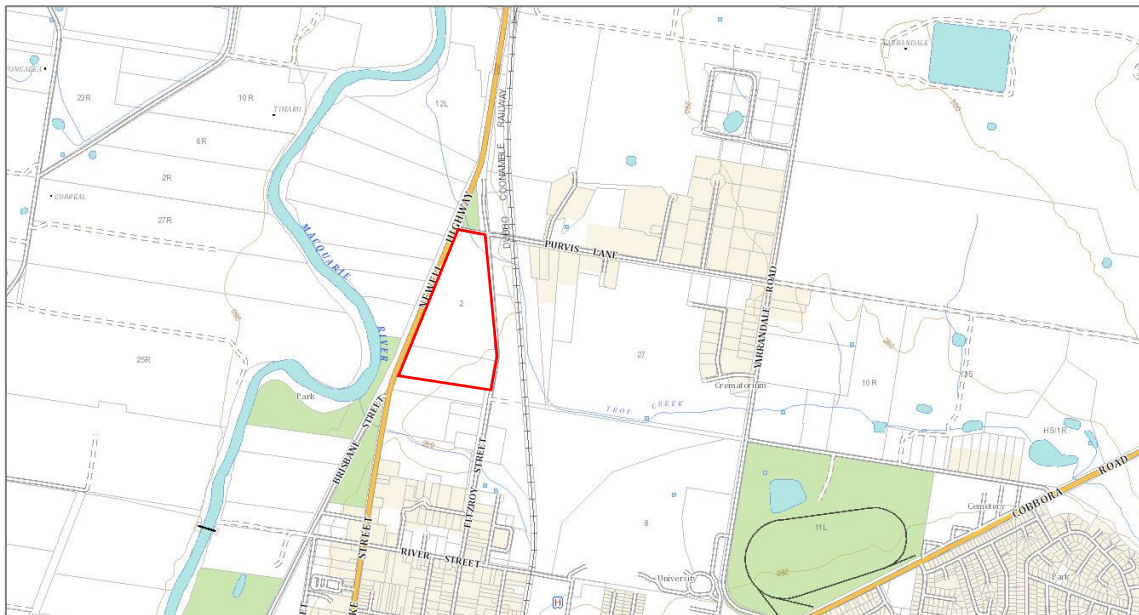
2 PLANNING PROPOSAL SITE

2.1 Location and Title

The subject site of this application is:

- Lot 3 DP 1194822, 2 Newell Highway, Dubbo;
- Lot 1 DP 1163911, 2 Newell Highway, Dubbo;
- Lot 1 DP 197736, 63 Fitzroy Street, Dubbo; and
- Lot 69 DP 259061, 63 Fitzroy Street, Dubbo

The site is located on the eastern side of the Newell Highway, approximately 2.5km north of Dubbo CBD as shown in **Figure 1**.



Source: (NSW Government Spatial Services, 2020)

Figure 1 – Site Location

The site has an overall area of 21.4738 hectares as outlined in **Table 1**. The Certificate of Title and Deposited Plan for each of the lots is provided in **Appendix C**. **Table 1** also outlines the existing land uses for each lot, which is shown in **Figure 2**. **Plate 1** to **Plate 8** illustrates the part of the site subject to this application.

Table 1 – Subject Site Details		
Lot	Area	Use
Lot 3 DP 1194822	14.57 ha	Taylor Made Buildings development
Lot 1 DP 1163911	8,518m ²	Taylor Made Buildings development
Lot 1 DP 197736	5.733 he	Former golf driving range
Lot 69 DP 259061	3,190m ²	Former golf driving range
Total	21.4738 ha	



Source: (Google Earth, 2020)

Figure 2 – Site Aerial



Plate 1 – Existing Taylor Made Building development north of entry off Newell Highway



Plate 2 – Existing Taylor Made Building development entry off Newell Highway



Plate 3 – Area of proposed Additional Permitted Use south of existing Taylor Made Building development from Newell Highway



Plate 4 – Area of proposed IN2 adjacent to Fitzroy Street



Plate 5 – Area of IN2 land looking west toward existing Taylor Made Building Development



Plate 6 – Western end of proposed IN2 zone and view towards existing storage sheds on site



Plate 7 – View north west to area of Additional Permitted Use, including existing storage sheds



Plate 8 – View west to E3 zoned land at western extent of proposed IN2 land

2.2 Land Use

The site is located in an area of mixed land uses as shown in **Figure 3**. The predominant land use in the locality is light industrial and industrial. Land uses to the west are lower density and zoned E3, which is a reflection of being within the floodplain of the Macquarie River.



Source: (NSW Planning & Environment, 2020)

Figure 3 – Zoning Map

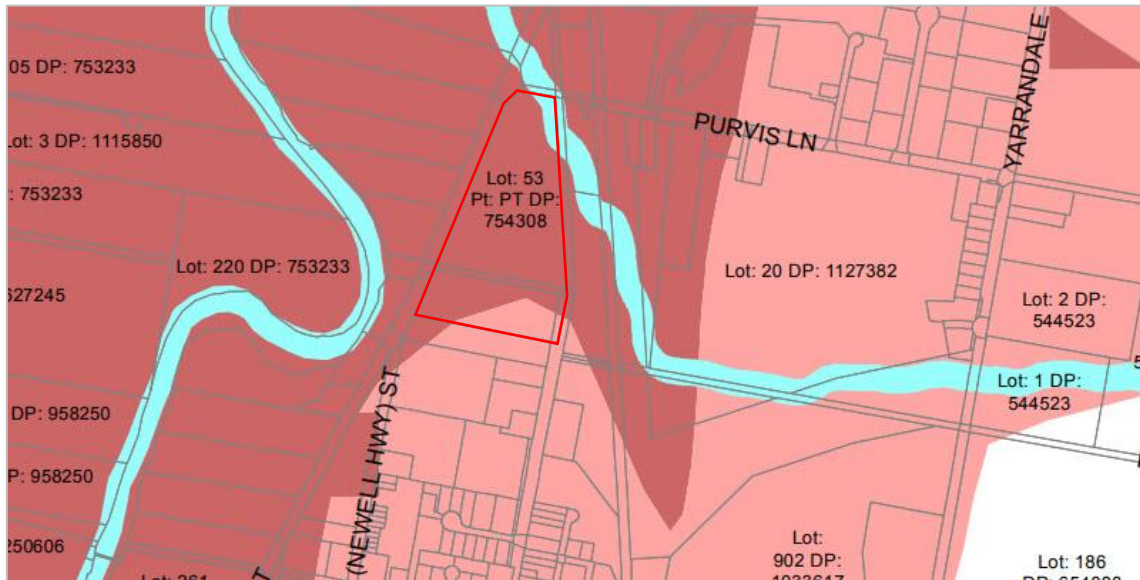
2.3 Topography and Soils

The site slopes generally from the south east to the north west. The highest point of the site is 262m and the lowest is 258m.

The site is within the Macquarie-Dubbo Soil Landscape as mapped by *Soil Landscapes of the Dubbo 1:250 000 Sheet* (Murphy & Lawrie, 1998) which is found on the alluvial plains and terraces of the Macquarie and Talbragar Rivers. It is characterised by moderate fertility; moderate to high available water holding capacity; weakly structured surface soils; streambank erosion; and flood hazard. Soil Salinity for this soil landscape is identified as Low. (Murphy & Lawrie, 1998).

2.4 Groundwater

The site is mapped under the LEP as being of moderately high and high groundwater vulnerability under the LEP (refer **Figure 4**).

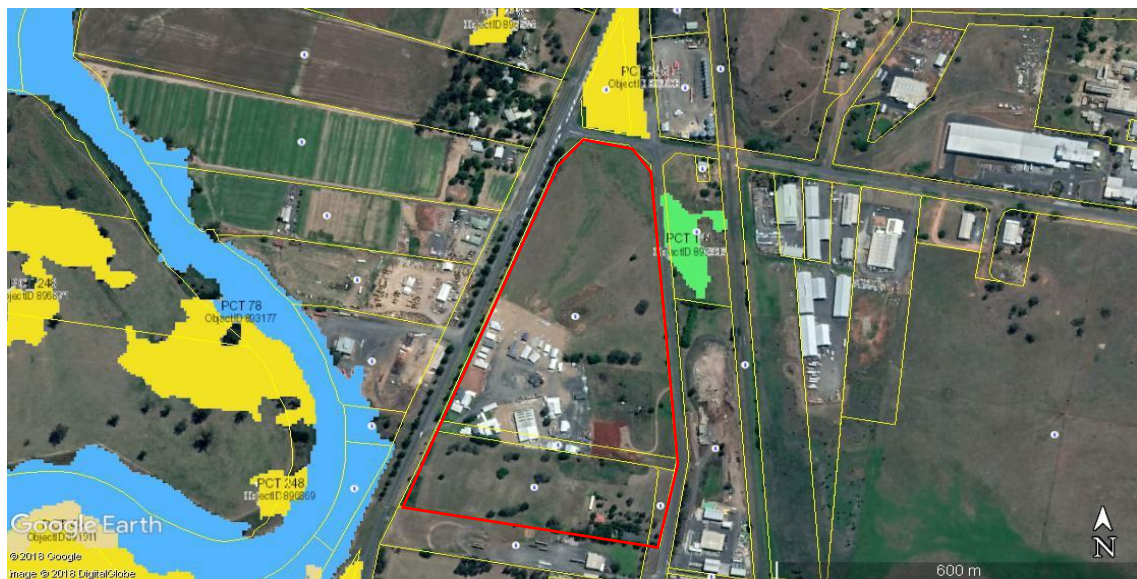


Source: (NSW Planning & Environment, 2020)

Figure 4 – Groundwater Vulnerability Map

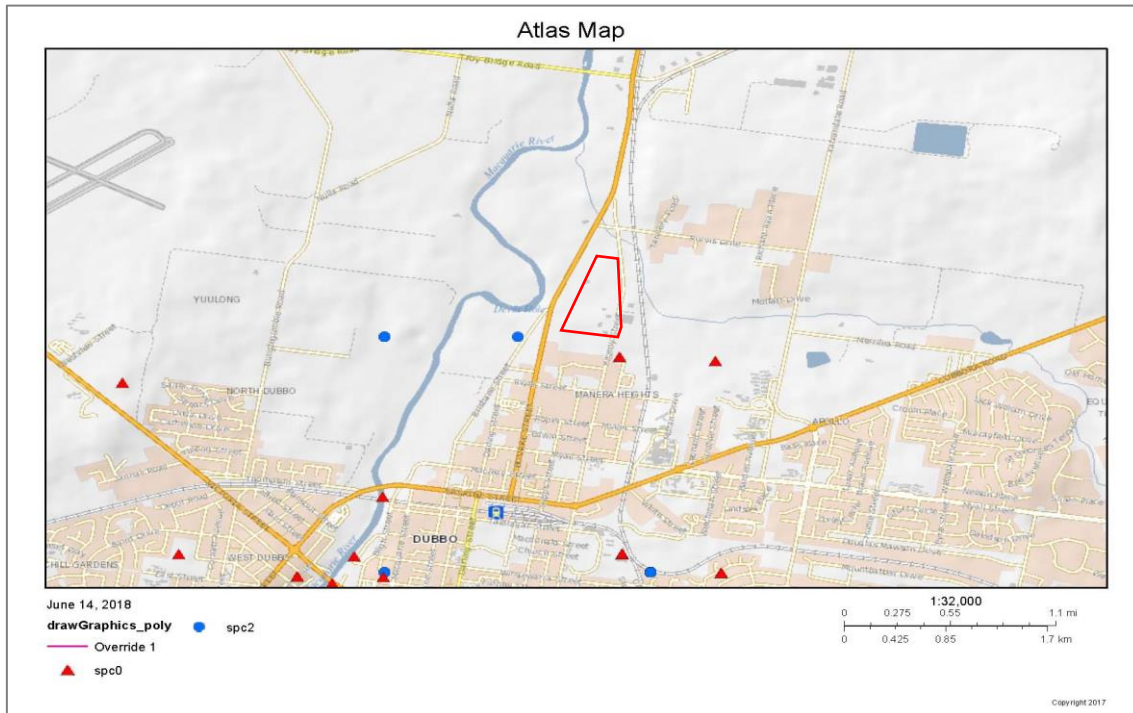
2.5 Flora and Fauna

The site is not mapped as containing any Plant Community Types (PCTs) (refer **Figure 5**). The site is heavily disturbed as a result of previous activities on site. It is predominantly grassland with scattered trees on the unbuilt upon areas. The grassland has been grazed or mown/slashed over time. No threatened species have been recorded on site (refer **Figure 6**).



Source: (NSW Office of Environment & Heritage, 2020)

Figure 5 – PCT Mapping



Source: (NSW Government Environment & Heritage, 2020)

Figure 6 – BioNet Atlas Search

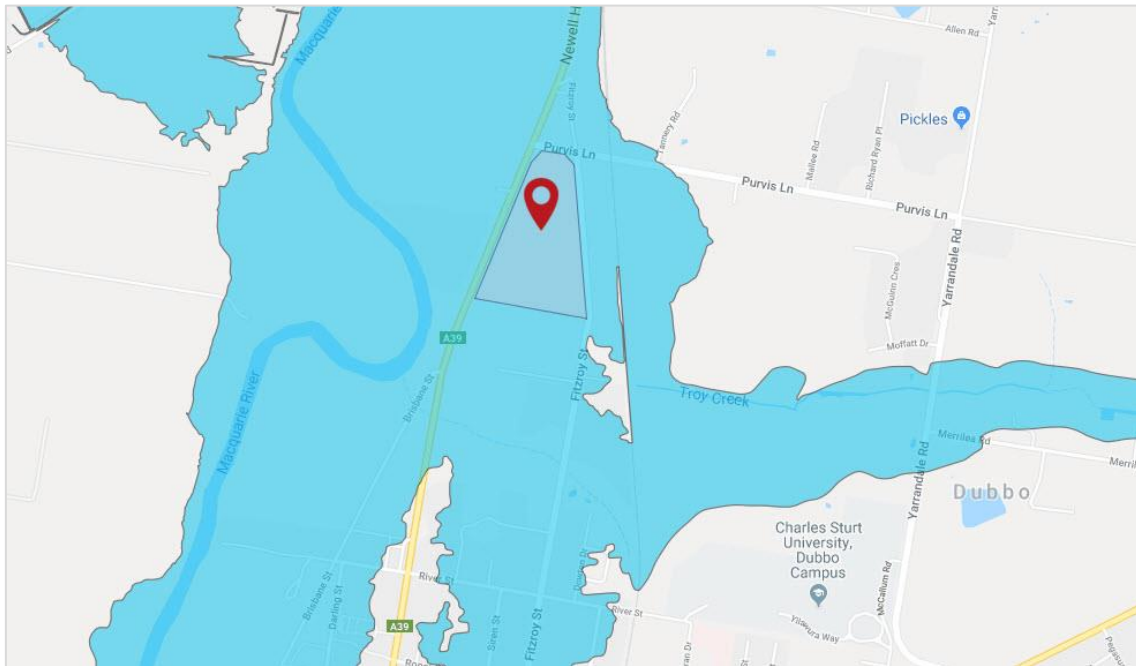
2.6 Noise Environment

A noise assessment has not been undertaken as part of this planning proposal. The site is located within an area characterised by light industry, a railway line, a major freight highway, and rural industries. Noise levels are consistent with these land uses.

2.7 Natural Hazards

2.7.1 Flooding

The is mapped under the Dubbo LEP as being within the Flood Planning Area (FPA) as shown in **Figure 7**.



Source: (NSW Planning & Environment, 2020)

Figure 7 – Flood Planning Area Map

From existing flood models, the site is affected by flooding by the Macquarie River (mainstream), Troy Gully (local) and the Talbragar River. The mainstream flooding (Macquarie River) is the dominant flood on the site. Cardno has considered the flood impact to the site based on existing flooding information, the draft Macquarie River floodplain model (2012), and the 2012 model modified to include additional fill on the subject site. The Cardno information relating to the site is provided in **Appendix D**.

2.7.2 Bush Fire

The site is not mapped as being bush fire prone on the NSW Planning Portal (NSW Planning & Environment, 2020).

2.8 Contamination

The site is not known to have previously contained any of the land uses listed in Table 1 of the *Contaminated Land Planning Guidelines* (NSW Department of Urban Affairs and Planning & Environment Protection Authority, 1998) that are likely to cause contamination.

2.9 Services

A Dial Before You Dig Search was undertaken for the site. It revealed the following existing connections:

- An existing water main is located in the road reserve on the eastern side of Fitzroy Street.

- An existing sewer main is located in the road reserve on the eastern side of Fitzroy Street. Lot 1 DP 197736 has an existing sewer connection
- Above ground powerlines are located in the road reserve on the eastern side of Fitzroy Street and the Newell Highway.
- An existing Jemena gas main is located in the road reserve on the western side of Fitzroy Street.
- The site has existing telecommunications available, with an underground supply located in the south eastern corner of Lot 3, and within the road reserve of Fitzroy Street.

2.10 Access and Traffic

The site has frontage to the Newell Highway, Purvis Lane and Fitzroy Street. The existing Taylor Made Buildings development has vehicular access to the Newell Highway and Fitzroy Street. The former Golf Driving range site has access from Fitzroy Street.

The Newell Highway in the vicinity of the site is a two-lane two-way sealed arterial road. It is a Classified Road under the *Roads Act 1993*. The Newell Highway extends from Tocomwal on the Murray River to the Queensland border at Goondiwindi.

Purvis Lane is a two lane two way sealed local collector road. It provides access from the Newell Highway in the west predominantly to Yarrandale Road in the east, but also extends as a semi formed road/track to the Golden Highway.

Fitzroy Street is a two lane two-way local collector road. It provides access from Purvis Lane in the north through to the CBD and then connecting with Macquarie Street in South Dubbo.

2.11 Heritage

A search of the State Heritage Inventory, *Dubbo Local Environmental Plan 2011* and Aboriginal Heritage Information Management System (AHIMS) (refer **Appendix E**) was undertaken for the site and its immediate surrounds. There are no known items or places of European or Aboriginal cultural heritage significance have been identified as being recorded on or within the vicinity of the site.

2.12 Background to Planning Proposal

The development (formerly Harnett Transportable Homes and Taylor Made Buildings since 2007) has been operating on Lot 3 for over 40 years. Details of the existing and intended development are provided in **Appendix F**. It operates under existing use rights as the development was originally approved under a previous planning instrument. The operation of the development under existing use rights limits expansion of the development.

It is understood that the site was rezoned to E3 Environmental Management under *Dubbo Local Environmental Plan 2011* to reflect the general area of flood affectation.

3 EXISTING LEGISLATIVE FRAMEWORK

3.1 Introduction

As shown in **Figure 3**, the site is part zoned E3 Environmental Management and part zoned IN2 Light Industrial under Dubbo LEP.

3.2 E3 Environmental Management Zone

The objectives of the E3 Zone are:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To ensure development is compatible with the flood hazard of the Macquarie and Talbragar Rivers.*
- *To ensure development does not create outbreaks of saline lands or exacerbate the existence of existing saline lands.*

The land use table for the E3 Zone is as follows:

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Roads

3 Permitted with consent

Boat launching ramps; Boat sheds; Camping grounds; Charter and tourism boating facilities; Dwelling houses; Environmental facilities; Farm buildings; Group homes; Home businesses; Home industries; Jetties; Mooring pens; Moorings; Recreation areas; Signage; Turf farming; Water recreation structures; Water reticulation systems; Wharf or boating facilities

4 Prohibited

Advertising structures; Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Comment: It is understood the E3 Zoning reflects the flood hazard of the site based on previous flood studies. Light Industrial land uses, such as the Taylor Made Buildings development, are prohibited in the E3 Zone.

3.3 IN2 Light Industrial Zone

The objectives of the IN2 Zone are:

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

- *To support and protect industrial land for industrial uses.*
- *To recognise the Depot Road and McKenzie Street industrial area as providing start up and transport related development opportunities.*

The land use table for the IN2 Zone is as follows:

2 Permitted without consent

Environmental protection works; Roads

3 Permitted with consent

Agricultural produce industries; Depots; Funeral homes; Garden centres; Hardware and building supplies; Health consulting rooms; Industrial training facilities; Landscaping material supplies; Light industries; Liquid fuel depots; Medical centres; Neighbourhood shops; Places of public worship; Plant nurseries; Rural supplies; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Waste or resource transfer stations; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Flood mitigation works; Forestry; Function centres; Health services facilities; Heavy industrial storage premises; Helipads; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

Comment: Light Industrial land uses, such as the Taylor Made Buildings development, are permissible with consent in the E3 Zone.

4 PLANNING PROPOSAL

4.1 Part 1 - Objectives or Intended Outcomes

The *Planning Proposals: A guide to preparing planning proposals* identifies that Part 1 of a PP should consist of:

... a short, concise statement setting out the objectives or intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved. It should be written in such a way that it can be easily understood by the general community (NSW Department of Planning & Environment, 2016).

The objective of this PP is to amend the *Dubbo Local Environmental Plan 2011* to make the existing Taylor Made Buildings development a permissible land use on the part of the site that it currently occupies and to enable future expansion of the development on the site and to the land to the south.

The masterplan provided in **Appendix F** illustrates the intent for future development of the Taylor Made Buildings development. The intent is to consolidate the development around the office/main shed area to maximise efficiencies on site and to minimise sprawl on site and contain flood impacts by providing the development in a consolidated central area adjacent to the industrial zoned land.

4.2 Part 2 - Explanation of Provisions

The *Planning Proposals: A guide to preparing planning proposals* identifies that Part 2 of a PP is to provide:

... a more detailed statement of how the objectives or intended outcomes are to be achieved by means of amending an existing LEP. ... explanation of provisions to identify what zones or development standards are being proposed (NSW Department of Planning & Environment, 2016).

The proposed outcome for the PP will be achieved by:

- Amending the Dubbo LEP 2011 Land Zoning Map on Lot 1 DP 197736 and Lot 69 DP 259061 in accordance with the proposed zoning map shown in **Appendix A**; and
- Amending the Dubbo LEP 2011 Schedule 1 Additional Permitted Uses to include a new clause to enable “Light Industry (Movable Building Manufacturing)” to be permitted to be carried out with development consent on:
 - That part of Lot 3 DP 1194822 that is within 243m of the boundary with Lot 1 DP 1163911;
 - Lot 1 DP 1163911; and
 - The part of Lot 1 DP197736 that is zoned E3 Environmental Management and located within 35m of the boundary with Lot 1 DP 1163911.

The plan in **Appendix A** shows the extent of the additional permitted use.

4.3 Part 3 - Justification

The *Planning Proposals: A guide to preparing planning proposals* identifies that Part 3 is to set out the case for the making the proposed LEP. The following section provides a response to the questions outlined in the guide.

4.3.1 Section A - Need for the Planning Proposals

Q1. Is the planning proposal a result of any strategic study or report?

No applicable studies or reports.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Other options were considered as potential means for achieving the objective of the planning proposal. These were considered as follows:

- Changing the zoning of the site from E3 to IN2 to make the land use permissible. This would result in permitting a wide range of light industrial land uses on the site, when given the constraints, the current land use is considered to be appropriate, but not others.
- Amending the Land Use Table to make 'light industry' a land use that is permissible with consent in the E3 Zone. This would have the effect of allowing the light industry land as a permissible land use in all areas zoned E3, which is not generally considered appropriate given the characteristics of E3 zoned land in most other cases.
- The small extension of the IN2 Zone and provision of an additional permitted use on the remainder of the site that has the existing Taylor Made Buildings development will enable the existing development to continue to operate and expand to the south in the less constrained area. It will facilitate the specific land use without enabling other inappropriate land uses on the site or enabling other inappropriate land uses to be facilitate in the E3 zone elsewhere throughout the LGA.

4.3.2 Section B - Relationship to Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The following Assessment Criteria have been established by the guide and are considered below in relation to the PP:

a) Does the proposal have strategic merit? Is it:

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- Consistent with a relevant local council strategy that has been endorsed by the Department; or
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

Response

- The PP is considered to be consistent with the *Central West and Orana Regional Plan 2036* as it will:
 - Provide for security of on-going operation and expansion of the existing Taylor Made Buildings development. Its location is well appointed adjacent to existing industrial zoned land and access to regional road networks whilst providing the required land for the operation of the development (Direction 10).
 - Provide for an appropriate land use location based on the most up to date available flooding information (Direction 15).
- The PP is based on the most up to date flooding information that has been sourced from Council's currently being undertaken revised flood models.

b) Does the proposal have site-specific merit, having regard to the following:

- the natural environment (including known significant environmental values, resources or hazards) and
- the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

Response

The existing Taylor Made Building development operates under existing use rights and has been operating on the site for over 40 years. The flood affectation of the area limits future development of the site to the north. However, the part of the site that currently contains the existing development is considered to be appropriate to the flood risk. Any future expansion of the Taylor Made Building development would occur to the south, which is moving away from the flood risk area.

The PP is considered to have site specific merit given:

- the substantial existing investment on site,
- nature of the development, being largely outdoor storage of the partially manufactured buildings and compatibility with the flood risk, and
- any future expansion of the land use would be away from the flood risk.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

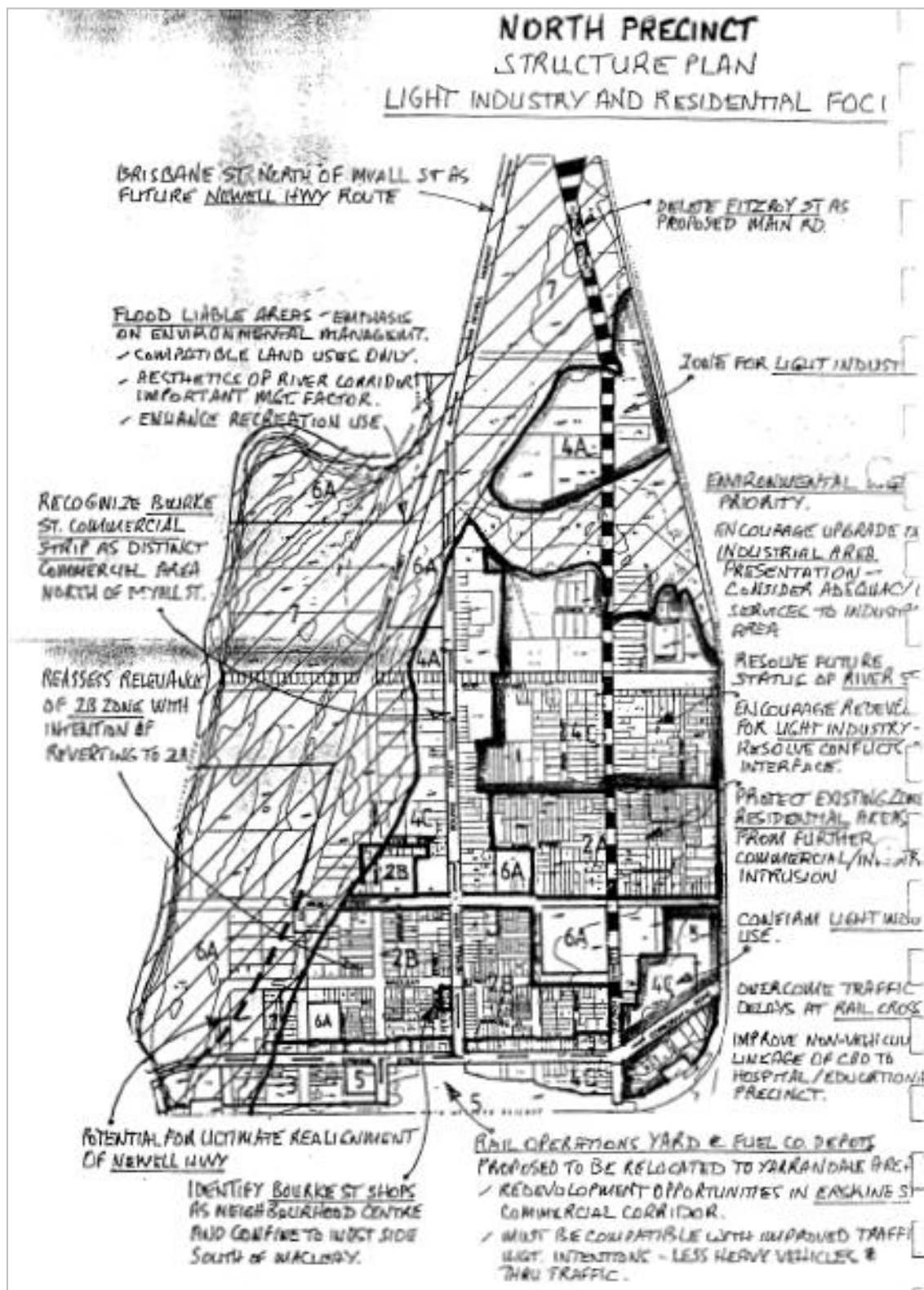
The site is covered by one of the existing local strategies:

- Dubbo City Council Urban Development Strategy (C) Industrial Areas Development Strategy 1997

Urban Development Strategy (C) Industrial Areas Development Strategy 1997

Figure 8 provides the existing structure plan for the subject site from the Industrial Areas Development Strategy. It generally reflects the current zoning of the site, being IN2 Light Industrial Zone and E3 Environmental Management Zone. The key difference on the structure plan is that the flood liable areas are excluded from the light industrial area and that the flood liable area is to:

- include compatible land use only;
- the aesthetics of the river corridor is an importance factor; and
- enhance the recreation use.



Source: (Dubbo City Council, 1997)

Figure 8 – Industrial Areas - North Precinct Structure Plan

The transportable building manufacturing development has been carried out on this site since the early 1980s. It has been designed to respond to the flood risk with the permanent habitable structures being located on earth pads above the smaller more frequent flood event levels and house construction areas and storage areas located at natural ground level with contingency plans respond to flooding events based on what products are on site at the time of the flooding event.

The PP to extend the IN2 zone will require additional filling to provide a finished ground level (FGL) above the 1% AEP Flood Level (262.4m AHD). This will provide an appropriate area for future IN2 development in accordance with the Industrial Areas Strategy.

A flood runner has been identified on the site which has been depicted on the master plan. This flood runner shall remain free of buildings and/or earth pads to ensure flood waters traverse through the site appropriately.

The additional permitted use is to be included as part of the PP on the part of the site that contains the existing transportable building manufacturing development and a small additional area (35m wide) to the south to provide for modest expansion of the development. The location of the additional area of the additional permitted use has been chosen as it is in close proximity to the existing office and storage shed on site and also would pose the least impact in terms of flooding. It is therefore considered to be compatible to the flood risk that the existing development is exposed to and thus is consistent with the Industrial Areas Strategy. Furthermore, being separated from the Macquarie River riparian area by the Newell Highway, the site does not offer any benefit in terms of the aesthetics of the river corridor or the recreation use of the river corridor.

The PP is considered not to be inconsistent with the Industrial Areas Strategy.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The applicable State Environmental Planning Policies (SEPP) are outlined below in relation to the PP.

Table 2 – Application of SEPPs	
SEPP	Comments
SEPP 55 – Remediation of Land	<p>The land is not known to:</p> <ul style="list-style-type: none"> • be within an investigation area, or • have been used for any purpose referred to in Table 1 of the Contaminated Land Planning Guidelines <p>and it is not proposed to carry out development for residential, educational, recreational or childcare purposes, or for the purpose of a hospital.</p>

Table 2 – Application of SEPPs	
SEPP	Comments
	Therefore, no further consideration of SEPP 55 is considered to be required.
SEPP Infrastructure 2007	Whilst the site fronts a classified road (Newell Highway), there are no provisions of the SEPP that would apply at PP stage. The PP would not result in changes to access off the Newell Highway. All additional access points would be from Fitzroy Street.
SEPP Vegetation in Non-Rural Areas 2017	The SEPP applies to the removal of vegetation in non-rural zones, including IN2 and E3, where it is not included in a DA. No provisions are applicable to PPs. Any future vegetation removal would need to be considered under this SEPP if it is undertaken outside of a DA. Note Exempt and Complying Development is not obviated from the consideration of the approval requirements of the Vegetation SEPP.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table provides an assessment of the consistency of the PP with the Section 117 Directions issued by the Minister under Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
1. Employment & Resources			
1.1 Business & Industrial Zones	When a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary)	A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment.	The PP is considered to be consistent with this direction. It will increase the area within the industrial zone and provide for surety for the existing Taylor Made Buildings development in terms of permissibility and potential expansion in the future.
1.2 Rural Zones	When a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).	(4) A planning proposal must: (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an	N/A – No rural zones affected.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		existing town or village). Applies to certain listed LGAs.	
1.3 Mining, Petroleum Production & Extractive Industries	<p>When a relevant planning authority prepares a planning proposal that would have the effect of:</p> <ul style="list-style-type: none"> (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development. 	<p>In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) consult the Director-General of the Department of Primary Industries (DPI) to identify any: <ul style="list-style-type: none"> (i) resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and (ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and (b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and : <ul style="list-style-type: none"> (i) development of resources identified under (4)(a)(i), or 	N/A – no mining, petroleum production of extractive industries proposed or affected.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>(ii) existing development identified under (4)(a)(ii).</p> <p>Where a planning proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act. 	

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
1.4 Oyster Aquaculture	<p>when a relevant planning authority prepares any planning proposal that proposes a change in land use which could result in:</p> <p>(a) adverse impacts on a Priority Oyster Aquaculture Area or a “current oyster aquaculture lease in the national parks estate”; or</p> <p>(b) incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or a “current oyster aquaculture lease in the national parks estate” and other land uses.</p>	<p>In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <p>(a) identify any Priority Oyster Aquaculture Areas and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply,</p> <p>(b) identify any proposed land uses which could result in any adverse impact on a Priority Oyster Aquaculture Area or oyster aquaculture leases outside such an area,</p> <p>(c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use incompatibility,</p> <p>(d) consult with the Director-General of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and</p> <p>(e) ensure the planning proposal is consistent with the Strategy.</p>	N/A – no oyster aquaculture proposed or affected.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>Where a planning proposal proposes land uses that may result in adverse impacts identified under (4)(b) and (c), relevant planning authority must:</p> <ul style="list-style-type: none"> (a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning before undertaking community consultation in satisfaction of section 57 of the Act. 	
1.5 Rural Lands	<p>This direction applies to all planning proposals to which State Environmental Planning Policy (Rural Lands) 2008 applies</p> <p>This direction applies when:</p>	<ul style="list-style-type: none"> • A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008. 	<p>The PP will affect land in the E3 Zone, therefore, the rural planning principles need to be considered.</p> <p>The PP is not considered to be inconsistent with the rural planning principles as the current land uses that occur on site are not of</p>

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
	<p>(a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</p> <p>(b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.</p>	<ul style="list-style-type: none"> A planning proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in State Environmental Planning Policy (Rural Lands) 2008. 	<p>a rural land-use nature. It would not impact on the agricultural potential of any land or adversely impact on any natural resources. The PP is considered to appropriately respond to the natural hazards and associated constraints.</p>
2. Environment & Heritage			
2.1 Environment Protection Zones	When a relevant planning authority prepares a planning proposal.	<ul style="list-style-type: none"> A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection 	<p>The PP would provide for an additional use on the E3 zoned land. The additional use would make the development that has been operating for over 40 years on site (currently under existing use rights) permissible on the site.</p> <p>There would be no other change to the current controls for the zone and as such it is</p>

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”.	not considered to reduce the environmental protection standards.
2.2 Coastal Management	Applies to land that is within the coastal zone, as defined under the Coastal Management Act 2016 – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area – and as identified by the State Environmental Planning Policy (Coastal Management) 2018. Applies when a relevant planning authority prepares a planning proposal that applies to land identified above.	<ul style="list-style-type: none"> A planning proposal must include provisions that give effect to and are consistent with: <ol style="list-style-type: none"> the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas; the NSW Coastal Management Manual and associated Toolkit; NSW Coastal Design Guidelines 2003; and any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land. 	N/A – not within the coastal zone.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<ul style="list-style-type: none"> A planning proposal must not rezone land which would enable increased development or more intensive land-use on land: <ul style="list-style-type: none"> (a) within a coastal vulnerability area identified by the State Environmental Planning Policy (Coastal Management) 2018; or (b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken: <ul style="list-style-type: none"> (i) by or on behalf of the relevant planning authority and the planning proposal authority, or (ii) by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority. A planning proposal for a Local Environmental Plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the State 	

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>Environmental Planning Policy (Coastal Management) 2018:</p> <ul style="list-style-type: none"> (a) Coastal wetlands and littoral rainforests area map; (b) Coastal vulnerability area map; (c) Coastal environment area map; and (d) Coastal use area map. <p>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016.</p>	
2.3 Heritage Conservation	Applies when a relevant planning authority prepares a planning proposal.	<p>A planning proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of 	<p>The site is not known to contain any items of Aboriginal or European Heritage significance (refer Section 2.11).</p> <p>No known items of heritage significance would be impacted by the PP.</p>

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	
2.4 Recreation Vehicles Area	Applies when a relevant planning authority prepares a planning proposal.	<p>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):</p> <p>(a) where the land is within an environmental protection zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p>	N/A – PP not enabling land to be developed for the purpose of a RV area.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>(c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration:</p> <p>(i) the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</p> <p>(ii) the provisions of the guidelines entitled Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.</p>	
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	<p>Applies to the local government areas of Ballina, Byron, Kyogle, Lismore and Tweed.</p> <p>Applies when a relevant planning authority prepares a planning proposal:</p> <p>(a) that introduces or alters an E2 Environmental Conservation or</p>	<p>A planning proposal that introduces or alters an E2 Environmental Conservation or E3 Environmental Management zone or an overlay and associated clause must:</p> <p>(a) apply the proposed E2 Environmental Conservation or E3 Environmental Management zones, or the overlay and associated clause, consistent with the</p>	N/A – not in Ballina, Byron, Kyogle, Lismore and Tweed LGAs.

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Direction No.	Provisions		Comment
	Applicability	Provision	
	E3 Environmental Management zone; (b) that introduces or alters an overlay and associated clause.	Northern Councils E Zone Review Final Recommendations.	
3. Housing, Infrastructure & Urban Development			
3.1 Residential Zones	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:</p> <ul style="list-style-type: none"> (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary), (b) any other zone in which significant residential development is permitted or proposed to be permitted. 	<ul style="list-style-type: none"> • planning proposal must include provisions that encourage the provision of housing that will: <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. • A planning proposal must, in relation to land to which this direction applies: <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other 	N/A – no residential zone or area proposed.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	
3.2 Caravan Parks & Manufactured Home Estates	<p>Applies to all relevant planning authorities. This direction does not apply to:</p> <p>(a) Crown land reserved or dedicated for any purposes under the Crown Lands Act 1989, except Crown land reserved for accommodation purposes, or</p> <p>(b) land dedicated or reserved under the National Parks and Wildlife Act 1974.</p>	<ul style="list-style-type: none"> In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must: <ul style="list-style-type: none"> (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park. In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must: 	N/A – no caravan parks or manufactured home estates.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<ul style="list-style-type: none"> (a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located, (b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and (c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent. 	
3.3 Home Occupations	Applies when a relevant planning authority prepares a planning proposal.	Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	N/A – no impact on this provision.
3.4 Integrating Land Use and Transport	Applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned	A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:	The PP would result in a minor increase in the existing industrial zoned land. No change to the provisions relating to industrial zoned land is considered warranted in this instance.

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Direction No.	Provisions		Comment
	Applicability	Provision	
	for residential, business, industrial, village or tourist purposes.	<ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). 	
3.5 Development Near Regulated Airports and Defence Airfields	This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.	<ul style="list-style-type: none"> • In the preparation of a planning proposal that sets out controls for development of land near a regulated airport, the relevant planning authority must: <ul style="list-style-type: none"> (a) consult with the lessee/operator of that airport; (b) take into consideration the operational airspace and any advice from the lessee/operator of that airport; (c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls; (d) Not allow development types that are incompatible with the current and future operation of that airport. • In the preparation of a planning proposal that sets controls for development of land 	N/A – site not in the vicinity of a licensed aerodrome.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>near a core regulated airport, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</p> <p>(b) for land affected by the prescribed airspace (as defined in Regulation 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Environmental Planning and Assessment Act 1979.</p>	

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<ul style="list-style-type: none"> In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must: <ul style="list-style-type: none"> (a) consult with the Department of Defence if: <ul style="list-style-type: none"> (i) the planning proposal seeks to exceed the height provisions contained in the Defence Regulations 2016 – Defence Aviation Areas for that airfield; or (ii) no height provisions exist in the Defence Regulations 2016 – Defence Aviation Areas for the airfield and the proposal is within 15km of the airfield. (b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls. (c) not allow development types that are incompatible with the current and future operation of that airfield. LOCAL PLANNING DIRECTIONS Section 9.1(2) of the Environmental Planning and Assessment Act 1979 	

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<ul style="list-style-type: none"> A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic- Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land: <ul style="list-style-type: none"> (a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25; or (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or (c) for commercial or industrial purposes where the ANEF is above 30. A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 ANEC/ANEF contour for Western Sydney Airport. 	
3.6 Shooting Ranges	Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision	A planning proposal must not seek to rezone land adjacent to and/or adjoining an existing shooting range that has the effect of:	N/A – no impact on a shooting range.

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Direction No.	Provisions		Comment
	Applicability	Provision	
	relating to land adjacent to and/ or adjoining an existing shooting range.	(a) permitting more intensive land uses than those which are permitted under the existing zone; or (b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.	
3.7 Reduction in non-hosted short term rental accommodation period	<ul style="list-style-type: none"> Applies in the Byron Shire Council. Applies when Council prepared a planning proposal to identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out in parts of its LGA. 	<ul style="list-style-type: none"> The council must include provisions which give effect to the following principles in a planning proposal to which this direction applies: <ul style="list-style-type: none"> non-hosted short term rental accommodation periods must not be reduced to be less than 90 days the reasons for changing the non-hosted short-term rental accommodation period should be clearly articulated there should be a sound evidence base for the proposed change, including evidence of the availability of short-term rental accommodation in the area (or parts of the area) in the 12 months preceding the proposal, relative to the amount of 	N/A – site not within LGA.

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>housing in the area, and trend data on the availability of short-term rental accommodation over the past 5 years.</p> <ul style="list-style-type: none"> - the impact of reducing the non-hosted short-term rental accommodation period should be analysed and explained, including social and economic impacts for the community in general, and impacted property owners specifically. 	
4. Hazard and Risk			
4.1 Acid Sulfate Soils	<ul style="list-style-type: none"> • Applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning. • Applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as 	<ul style="list-style-type: none"> • The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present. • When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in 	N/A – site not known to contain acid sulfate soils.

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Direction No.	Provisions		Comment
	Applicability	Provision	
	shown on the Acid Sulfate Soils Planning Maps.	<p>acid sulfate soils, those provisions must be consistent with:</p> <ul style="list-style-type: none"> (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or (b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines. <ul style="list-style-type: none"> • A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act. 	

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<ul style="list-style-type: none"> Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5). 	
4.2 Mine Subsidence and Unstable Land	<ul style="list-style-type: none"> applies to land that: <ol style="list-style-type: none"> is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or has been identified as unstable land. applies when a relevant planning authority prepares a planning proposal that permits development on land that: <ol style="list-style-type: none"> is within a mine subsidence district, or 	<ul style="list-style-type: none"> When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must: <ol style="list-style-type: none"> consult the Mine Subsidence Board to ascertain: <ol style="list-style-type: none"> if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and the scale, density and type of development that is appropriate for the potential level of subsidence, and 	N/A – site not within an MSD or identified as being unstable land.

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Direction No.	Provisions		Comment
	Applicability	Provision	
	(b) has been identified as unstable in a study, strategy or other assessment undertaken: <ul style="list-style-type: none"> (i) by or on behalf of the relevant planning authority, or (ii) by or on behalf of a public authority and provided to the relevant planning authority. 	(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and (c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act. <ul style="list-style-type: none"> • A planning proposal must not permit development on unstable land referred to in paragraph 3(b). 	
4.3 Flood Prone Land	<ul style="list-style-type: none"> • Applies to all relevant planning authorities that are responsible for flood prone land within their LGA. • Applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a 	<ul style="list-style-type: none"> • A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas). • A planning proposal must not rezone land within the flood planning areas from 	<p>No changes would be made to the existing flood planning area provisions.</p> <p>The PP will rezone a small portion of land from E3 to IN2 that is contiguous to the existing IN2 zone. It has been demonstrated that the land to be rezoned to IN2 will be able to facilitate future development above the Flood Planning Level (FPL) as outlined in Appendix D. The PP will also include an</p>

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Direction No.	Provisions		Comment
	Applicability	Provision	
	<p>provision that affects flood prone land.</p> <p>A flood runner has been identified on the site which has been depicted on the master plan. This flood runner shall remain free of buildings and/or earth pads to ensure flood waters traverse through the site appropriately.</p> <ul style="list-style-type: none"> • 	<p>Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <ul style="list-style-type: none"> • A planning proposal must not contain provisions that apply to the flood planning areas which: <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land, (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. 	<p>additional permitted use over the E3 zoned land that contains the current Taylor Made Buildings development plus an additional 35m to the south.</p> <p>A flood runner has been identified on the site which has been depicted on the master plan. This flood runner shall remain free of buildings and/or earth pads to ensure flood waters traverse through the site appropriately. The following is considered:</p> <ul style="list-style-type: none"> • The rezoned area of IN2 land will not be within a floodway. • The works to facilitate future development in accordance with this PP would not result in significant flood impacts to other properties as shown in Appendix D. • The PP would not permit a significant increase in development on the E3 zoned land. The IN2 zoned land would be above the 1% AEP Flood Level and facilitate development above the FPL. • The PP would not result in a substantially increased requirement for government

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<ul style="list-style-type: none"> A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General). For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General). 	<p>spending on flood mitigation measures, infrastructure or services.</p> <ul style="list-style-type: none"> The PP would not change the development types in the zones permitted to be carried out without development consent. The PP would not impose any flood related development controls. <p>Overall, the PP is considered to be generally consistent with this Direction.</p>
4.4 Planning for Bushfire Protection	<ul style="list-style-type: none"> Applies to all local government areas in which the responsible Council is required to prepare a 	<ul style="list-style-type: none"> In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the 	N/A – the site is not mapped as being bushfire prone land.

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Direction No.	Provisions		Comment
	Applicability	Provision	
	<p>bush fire prone land map under section 146 of the Environmental Planning and Assessment Act 1979 (the EP&A Act), or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.</p> <ul style="list-style-type: none"> • Applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land. 	<p>NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made,</p> <ul style="list-style-type: none"> • A planning proposal must: <ul style="list-style-type: none"> (a) have regard to Planning for Bushfire Protection 2006, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. • A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with 	

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Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>the incorporation of an APZ, within the property, and</p> <p>(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</p> <p>(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,</p> <p>(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p>	

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		(f) introduce controls on the placement of combustible materials in the Inner Protection Area.	
5. Regional Planning			
5.1 Implementation of Regional Strategies	<ul style="list-style-type: none"> This direction applies to land to which the following regional strategies apply: <ul style="list-style-type: none"> (a) South Coast Regional Strategy (excluding land in the Shoalhaven LGA) (b) Sydney–Canberra Corridor Regional Strategy 	Planning proposals must be consistent with a regional strategy released by the Minister for Planning	N/A – not within strategy area.
5.2 Sydney Drinking Water Catchment	Applies when a relevant planning authority prepares a planning proposal that applies to land within the Sydney drinking water catchment.	<ul style="list-style-type: none"> A planning proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, and in accordance with the following specific principles: <ul style="list-style-type: none"> (a) new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality, and 	N/A – not within the Sydney drinking water catchment.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>(b) future land use in the Sydney drinking water catchment should be matched to land and water capability, and</p> <p>(c) the ecological values of land within a Special Area that is:</p> <ul style="list-style-type: none"> (i) reserved as national park, nature reserve or state conservation area under the National Parks and Wildlife Act 1974, or (ii) declared as a wilderness area under the Wilderness Act 1987, or (iii) owned or under the care control and management of the Sydney Catchment Authority, should be maintained. <ul style="list-style-type: none"> • When preparing a planning proposal that applies to land within the Sydney drinking water catchment, the relevant planning authority must: <p>(a) ensure that the proposal is consistent with State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011, and</p>	

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		(b) give consideration to the outcomes of the Strategic Land and Water Capability Assessment prepared by the Sydney Catchment Authority, and (c) zone land within the Special Areas owned or under the care control and management of Sydney Catchment Authority generally in accordance with the details outlined, and (d) consult with the Sydney Catchment Authority, describing the means by which the planning proposal gives effect to the water quality protection principles set out in paragraph (4) of this Direction, and (e) include a copy of any information received from the Sydney Catchment Authority as a result of the consultation process in its planning proposal prior to the issuing of a gateway determination under section 56 of the Environmental Planning and Assessment Act 1979.	
5.3 Farmland of State and Regional Significance	<ul style="list-style-type: none"> applies to: <ul style="list-style-type: none"> (a) Ballina Shire Council, (b) Byron Shire Council, 	A planning proposal must not:	N/A to the site.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
on the NSW Far North Coast	<p>(c) Kyogle Shire Council, (d) Lismore City Council, (e) Richmond Valley Council, and (f) Tweed Shire Council, except within areas contained within the “urban growth areas” mapped in the North Coast Regional Plan 2036.</p> <ul style="list-style-type: none"> • apply when a relevant planning authority prepares a planning proposal for land mapped as: <ul style="list-style-type: none"> (a) State significant farmland, or (b) regionally significant farmland, or (c) significant non-contiguous farmland, <p>on the set of four maps held in the Department of Planning and Environment marked “Northern Rivers Farmland Protection Project, Final Map 2005 (Section 117(2) Direction)”.</p>	<p>(a) rezone land identified as “State Significant Farmland” for urban or rural residential purposes.</p> <p>(b) rezone land identified as “Regionally Significant Farmland” for urban or rural residential purposes.</p> <p>(c) rezone land identified as “significant non-contiguous farmland” for urban or rural residential purposes.</p>	

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	<ul style="list-style-type: none"> Applies to those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive. Applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway. 	<ul style="list-style-type: none"> A planning proposal that applies to land located on “within town” segments of the Pacific Highway must provide that: <ol style="list-style-type: none"> new commercial or retail development must be concentrated within distinct centres rather than spread along the highway; development with frontage to the Pacific Highway must consider impact the development has on the safety and efficiency of the highway; and for the purposes of this paragraph, “within town” means areas which, prior to the draft local environmental plan, have an urban zone (eg: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc) and where the Pacific Highway speed limit is less than 80km/hour. A planning proposal that applies to land located on “out-of-town” segments of the Pacific Highway must provide that: <ol style="list-style-type: none"> new commercial or retail development must not be established near the Pacific Highway if this proximity would be 	N/A to the site.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>inconsistent with the objectives of this Direction;</p> <p>(b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway; and</p> <p>(c) for the purposes of this paragraph, “out-of-town” means areas which, prior to the draft local environmental plan, do not have an urban zone (eg: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc) or are in areas where the Pacific Highway speed limit is 80km/hour or greater.</p> <ul style="list-style-type: none"> Notwithstanding the requirements of paragraphs (4) and (5), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that Roads and Maritime Services is satisfied that the highway service centre(s) can be safely and efficiently integrated into the Highway interchange(s) at those localities. For the purposes of this paragraph, a highway service centre has the same meaning as is 	

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		contained in the Standard Instrument (Local Environmental Plans) Order 2006.	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	(Revoked 18 June 2010)	-	-
5.6 Sydney to Canberra Corridor	(Revoked 10 July 2008)	-	-
5.7 Central Coast	(Revoked 10 July 2008)	-	-
5.8 Second Sydney Airport: Badgerys Creek	(Revoked 20 August 2018)	-	-
5.9 North West Rail Link Corridor Strategy	<ul style="list-style-type: none"> Applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council. Applies when a relevant planning authority prepares a planning proposal for land within the North West Rail Link Corridor, as identified in the NWRL Corridor Strategy and Structure Plans. 	<p>A planning proposal that applies to land located within the NWRL Corridor must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction (b) be consistent with the proposals of the NWRL Corridor Strategy, including the growth projections and proposed future character for each of the NWRL precincts (c) promote the principles of transit-oriented development (TOD) of the NWRL Corridor Strategy. 	N/A to the site.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
5.10 Implementation of Regional Plans	Applies to land to which a Regional Plan has been released by the Minister for Planning.	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The PP is not considered inconsistent to the Regional Plan as outlined in Section 4.3.2 .
5.11	Applies to all relevant planning proposal authorities.	<ul style="list-style-type: none"> When preparing a planning proposal to which this direction applies, the planning proposal authority must take into account: <ul style="list-style-type: none"> (a) any applicable development delivery plan made under State Environmental Planning Policy (Aboriginal Land) 2019; or (b) if no applicable development delivery plan has been published, the interim development delivery plan published on the Department's website on the making of this direction. <p>Note: Development delivery plans must be published in the Gazette or the NSW planning portal.</p>	N/A to the site.
6. Local Plan Making			
6.1 Approval and Referral Requirements	Applies when a relevant planning authority prepares a planning proposal.	<p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) minimise the inclusion of provisions that require the concurrence, consultation or 	The PP would not impact on requirements for concurrence, consultation or referral of development applications to a Minister or

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>(i) the appropriate Minister or public authority, and</p> <p>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),</p> <p>prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have</p>	<p>public authority. The PP is not for a designated development.</p>

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>a significant impact on the environment, and</p> <p>(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p>	
6.2 Reserving Land for Public Purposes	Applies when a relevant planning authority prepares a planning proposal.	<ul style="list-style-type: none"> A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just 	The PP would not impact on any zonings or reservations of land for public purposes.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>Terms Compensation) Act 1991, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) reserve the land in accordance with the request, and (b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and (c) identify the relevant acquiring authority for the land. <ul style="list-style-type: none"> • When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: <ul style="list-style-type: none"> (a) include the requested provisions, or (b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department 	

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>nominated by the Director-General) with respect to the use of the land before it is acquired.</p> <ul style="list-style-type: none"> When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request. 	
6.3 Site Specific Provisions	Applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.	<ul style="list-style-type: none"> A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: <ul style="list-style-type: none"> (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development 	The PP will provide for an additional permissible use within the existing zone on which the development is located, plus rezone a small portion of the adjacent land to an existing zone within the LEP. The PP is consistent with this Direction.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <ul style="list-style-type: none"> • A planning proposal must not contain or refer to drawings that show details of the development proposal. 	
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Applies to certain LGAs within the Sydney metropolitan area.	Planning proposals shall be consistent with: (a) the NSW Government's A Plan for Growing Sydney published in December 2014.	N/A – not within the Sydney metropolitan area.
7.2 Implementation of Greater Macarthur Land Release Investigation	<ul style="list-style-type: none"> • Applies to Campbelltown City Council and Wollondilly Shire Council • Applies when a relevant planning authority prepares a planning proposal for land within the Greater Macarthur 	Planning proposals shall be consistent with the Preliminary Strategy published in September 2015.	N/A – not within Campbelltown City Council or Wollondilly Shire Council LGAs.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
	Land Release Investigation Area, as identified in the Preliminary Strategy.		
7.3 Parramatta Road Corridor Urban Transformation Strategy	<ul style="list-style-type: none"> This Direction applies to the following Local Government Areas: <ul style="list-style-type: none"> (a) City of Parramatta Council, (b) Cumberland Council, (c) Strathfield Council, (d) Burwood Council, (e) Canada Bay Council, and (f) Inner West Council. Applies when a relevant planning authority prepares a planning proposal for land within the Parramatta Road Corridor as identified on the Map titled Parramatta Road Corridor on pages 14 and 15 of the Parramatta Road Corridor Urban Transformation Strategy (November, 2016). 	<p>A planning proposal that applies to land within the Parramatta Road Corridor must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this Direction, (b) be consistent with the Strategic Actions within the Parramatta Road Corridor Urban Transformation Strategy (November, 2016), (c) be consistent with the Parramatta Road Corridor Planning and Design Guidelines (November, 2016) and particularly the requirements set out in Section 3 Corridor-wide Guidelines and the relevant Precinct Guidelines, (d) be consistent with the staging and other identified thresholds for land use change identified in the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016), (e) contain a requirement that development is not permitted until land is adequately 	N/A – not within applicable LGAs.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
		<p>served (or arrangements satisfactory to the relevant planning authority, or other appropriate authority, have been made to service it) consistent with the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016),</p> <p>(f) be consistent with the relevant District Plan.</p>	
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Applies to Blacktown City Council, The Hills Shire Council and Hawkesbury City Council.	Planning proposals shall be consistent with the North West Land Use and Infrastructure Strategy.	N/A – not within applicable LGAs.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Applies to land contained within Greater Parramatta Priority Growth Area and as indicated in the map attached.	Planning proposals shall be consistent with the interim Plan published in July 2017.	N/A – not within applicable LGAs.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	<ul style="list-style-type: none"> • Applies to Wollondilly Shire Council • Applies when a relevant planning authority prepares a planning proposal for land 	A planning proposal is to be consistent with the Interim Land Use and Infrastructure Implementation Plan and Background Analysis, approved by the Minister for Planning and as published on 5 August 2017 on the website of	N/A – not within applicable LGAs.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
	within the Wilton Priority Growth Area (being the Wilton Priority Growth Area within the meaning of <i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</i>).	the Department of Planning and Environment (Implementation Plan).	
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	<ul style="list-style-type: none"> Applies to Campbelltown City Council. Applies when a relevant planning authority prepares a planning proposal for land within the precincts between Glenfield and Macarthur. 	A planning proposal is to be consistent with the precinct plans approved by the Minister for Planning and published on the Department's website on 22 December 2017.	N/A – not within applicable LGAs.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	To Liverpool City Council, Penrith City Council, Blue Mountains City Council, Blacktown City Council, Camden Council, Campbelltown City Council, Fairfield City Council and Wollondilly Shire Council.	A Planning Proposal is to be consistent with the Stage 1 Land Use and Infrastructure Implementation Plan.	N/A – not within applicable LGAs.
7.9 Implementation of Bayside West Precincts 2036 Plan	Applies to land within the Bayside LGA.	A Planning Proposal must be consistent with the Bayside West Precincts 2036 Plan.	N/A – not within applicable LGA.

Table 3 – Section 117 Directions

Direction No.	Provisions		Comment
	Applicability	Provision	
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Applies to Cooks Cove Precinct in the Bayside LGA.	Ensure the Planning Proposal is consistent with the relevant principles of the precinct.	N/A – not within applicable LGA.

4.3.3 Section C - Environmental, Social and Economic Impact

Q7. 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?

As outlined in **Section 2.5**, the site is quite disturbed as a result of previous land uses on site. The site does not contain any mapped PCTs or previously identified threatened species. Given this and the nature of the PP, it is unlikely that critical habitat, threatened species, population or ecological communities or their habitats would be adversely affected as a result of the PP. Further assessment of biodiversity and clearing of vegetation would be required at DA stage for any future development or under the Vegetation SEPP if a DA is not required.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

As outlined in **Section 2.7.1**, the site is mapped as being within the Flood Planning Area under the LEP. The 1% AEP Flood Level has been determined for the site, from the dominant flood (Macquarie River), as being 262.4m AHD.

A flood runner has been identified on the site which has been depicted on the master plan. This flood runner shall remain free of buildings and/or earth pads to ensure flood waters traverse through the site appropriately.

Initial modelling of the likely development to be facilitated as a result of the PP has been undertaken in relation to flooding impact and is provided in **Appendix D**. The assessment concludes that:

- The proposed earthworks would have a negligible impact on the 1% AEP flood levels.
- The proposed earthworks would have a negligible impact or a local impact only on flood velocities, velocity x depth, and provisional flood hazard.
- Local changes in peak velocity are such that peak velocity remains low and does not pose a concern in relation to erosion or scour in the 1% AEP flood (Cardno (NSW) Pty Ltd, 17).

There is no other known likely environmental effects that would occur as a result of the planning proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?

As outlined in **Section 2.11**, the site is not known to contain any items or places of European or Aboriginal Heritage significance.

The PP is considered that it will provide for security for the existing development to operate as a permissible land use on site, rather than having to operate under existing use rights. The PP will also provide the ability for some small-scale expansion of the existing development. The development currently employs 34 people and approximately 15 sub-contractors.

As outlined above, the PP will not result in adverse off-site flooding impacts as a result of the required earthworks. It is also not considered that the reinforcement of the existing development would result in adverse social or economic impacts. The development has been carried out on the site for over 40 years and has procedures in place for managing the risk, which does not extend any costs to the wider community.

The PP is therefore considered that it will provide for positive social and economic outcomes.

4.3.4 Section D - State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

The PP is not expected to result in a noticeable increase in demand for public infrastructure. Existing service infrastructure would be augmented to support future development. No limitations to existing services are known to exist.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No preliminary views were sought from any State or Commonwealth agencies as it was deemed to be unnecessary at this time given the scale and scope of the PP.

It is likely that pre-gateway consultation would be undertaken with the Office of Environment and Heritage (OEH) for flooding matters.

Post Gateway consultation would be determined through the gateway process.

4.4 Part 4 - Mapping

The plans provided in **Appendix A** clearly outline the PP and associated likely development requirements. The plans include:

- P02 Sheet 1 – Existing and proposed zoning map. Showing the area to be rezoned from E3 to IN2.
- P02 Sheet 2 – Showing the proposed area of the Additional Permitted Use.
- P02 Sheet 3 – Showing the masterplan for the site.
- P02 Sheet 4 – Showing the likely fill areas and associated batters. To inform the flood assessment and preliminary impact assessment.

4.5 Part 5 - Community Consultation

It is expected that the PP would not be considered to be a Low Impact Proposal and therefore community consultation would be undertaken as such in accordance with the requirements set out in *A guide to preparing local environmental plans* for “all other planning proposals”.

The consultation would include:

- notification in a newspaper that circulates in the area affected by the planning proposal;
- notification on the website of the RPA; and
- notification in writing to affected and adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them.

4.6 Part 6 -Project Timeline

The following indicative project timeline is provided:

Table 4 – Indicative Project Timing	
Stage	Timing
Anticipated commencement date (date of Gateway determination)	TBA
Anticipated timeframe for the completion of required technical information	4 weeks
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	4 weeks
Commencement and completion dates for public exhibition period	4 weeks (28 day exhibition period)
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	4 weeks
Timeframe for the consideration of a proposal post exhibition	4 weeks
Date of submission to the Department to finalise the LEP	TBA
Anticipated date RPA will make the plan (if delegated)	TBA

Table 4 – Indicative Project Timing	
Stage	Timing
Anticipated date RPA will forward to the Department for notification.	TBA

5 CONCLUSION

It is recommended that the planning proposal that intends to amend Dubbo *Local Environmental Plan 2011* (Dubbo LEP) by:

- Rezoning part of Lot 1 DP 1163911, part of Lot 1 DP 197736, and part of Lot 69 DP 259061 from E3 Environmental Management to IN2 Light Industrial; and
- Providing an additional use of “Light Industry (Movable Building Manufacturing)” on part of Lot 3 DP 1194822, part of Lot 1 DP 1163911 & part of Lot 1 DP 197736.

be supported on the following grounds:

- It is consistent with the Central West and Orana Regional Plan and Dubbo City Council Industrial Areas Development Strategy;
- It is consistent with the applicable SEPPs;
- It is consistent with the Section 117 directions;
- It will not have any adverse environmental impacts;
- It is not expected to have any adverse social or economic effects;
- There is adequate public infrastructure for the proposal; and
- The Planning Proposal provides the best way to achieve the intended objective.

It is therefore requested that the PP be forwarded for Gateway Determination.

6 REFERENCES

- Cardno (NSW) Pty Ltd. (17). *Flooding Information for Proposed Subdivision of Lot 3 in DP 1194822, Lot 1 in DP 1163911 and Lot 1 in DP 197736, Fitzroy Street, Dubbo*. Sydney: Cardno (NSW) Pty Ltd.
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Appendix A - Planning Proposal Plans

E3

 ENVIRONMENTAL MANAGEMENT

IN2

 LIGHT INDUSTRIAL

IN3

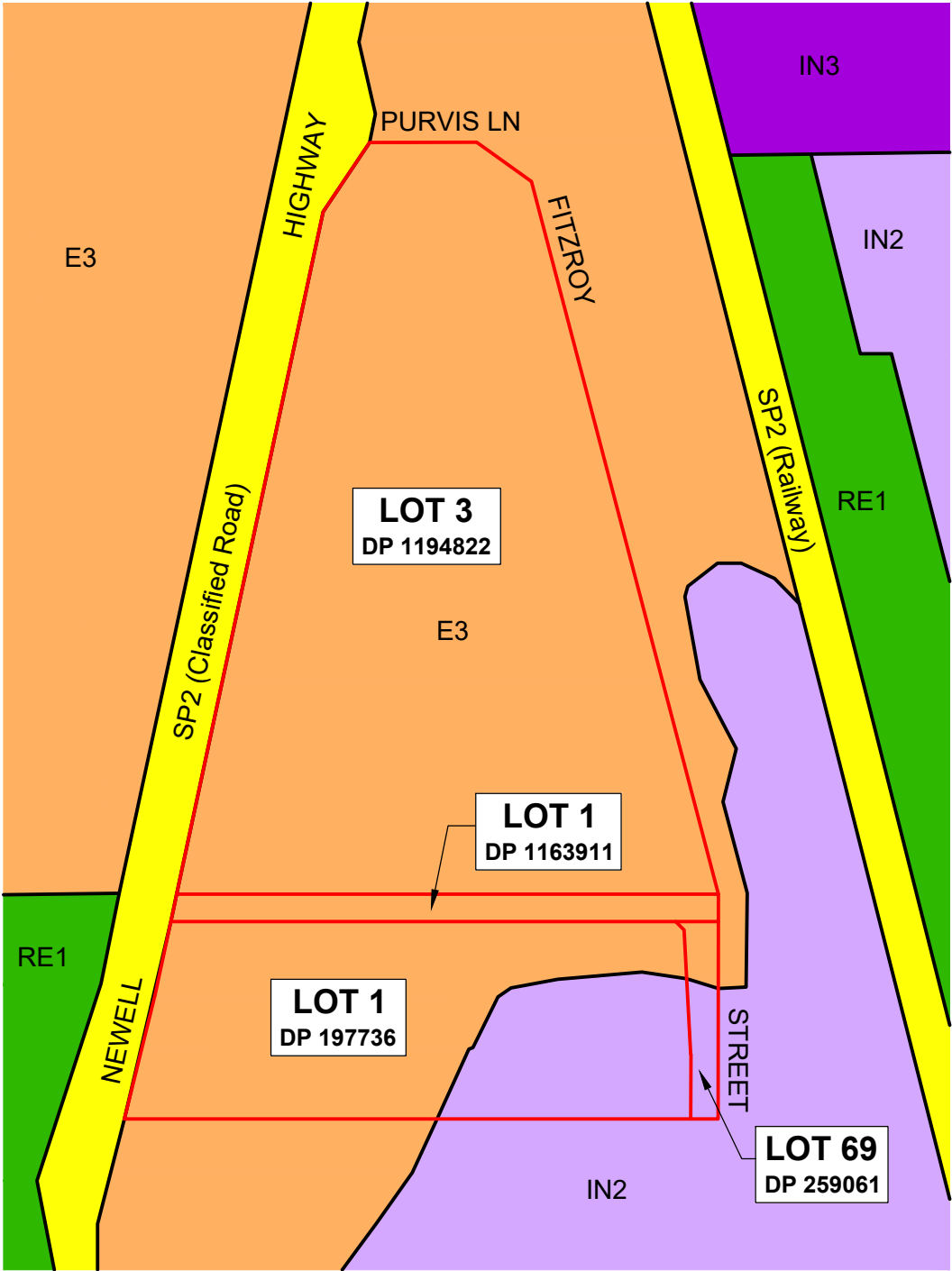
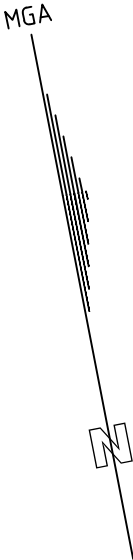
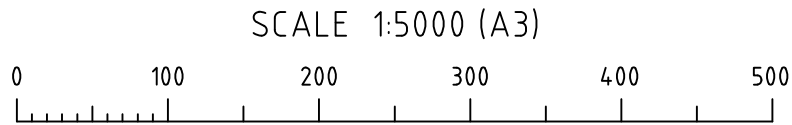
 HEAVY INDUSTRIAL

RE1

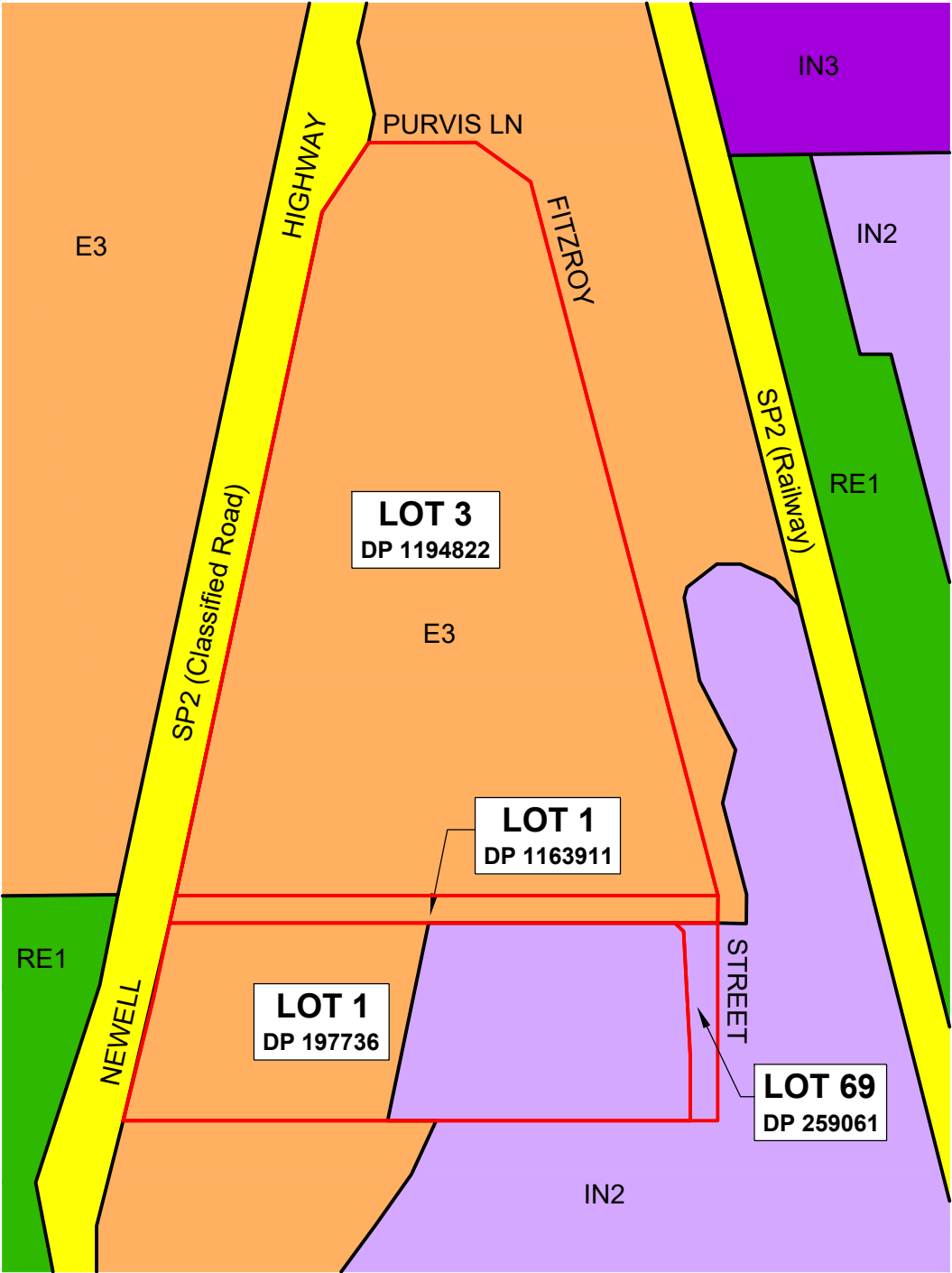
 PUBLIC RECREATION

SP2

 INFRASTRUCTURE

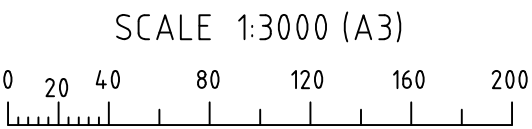
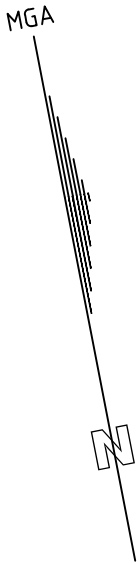
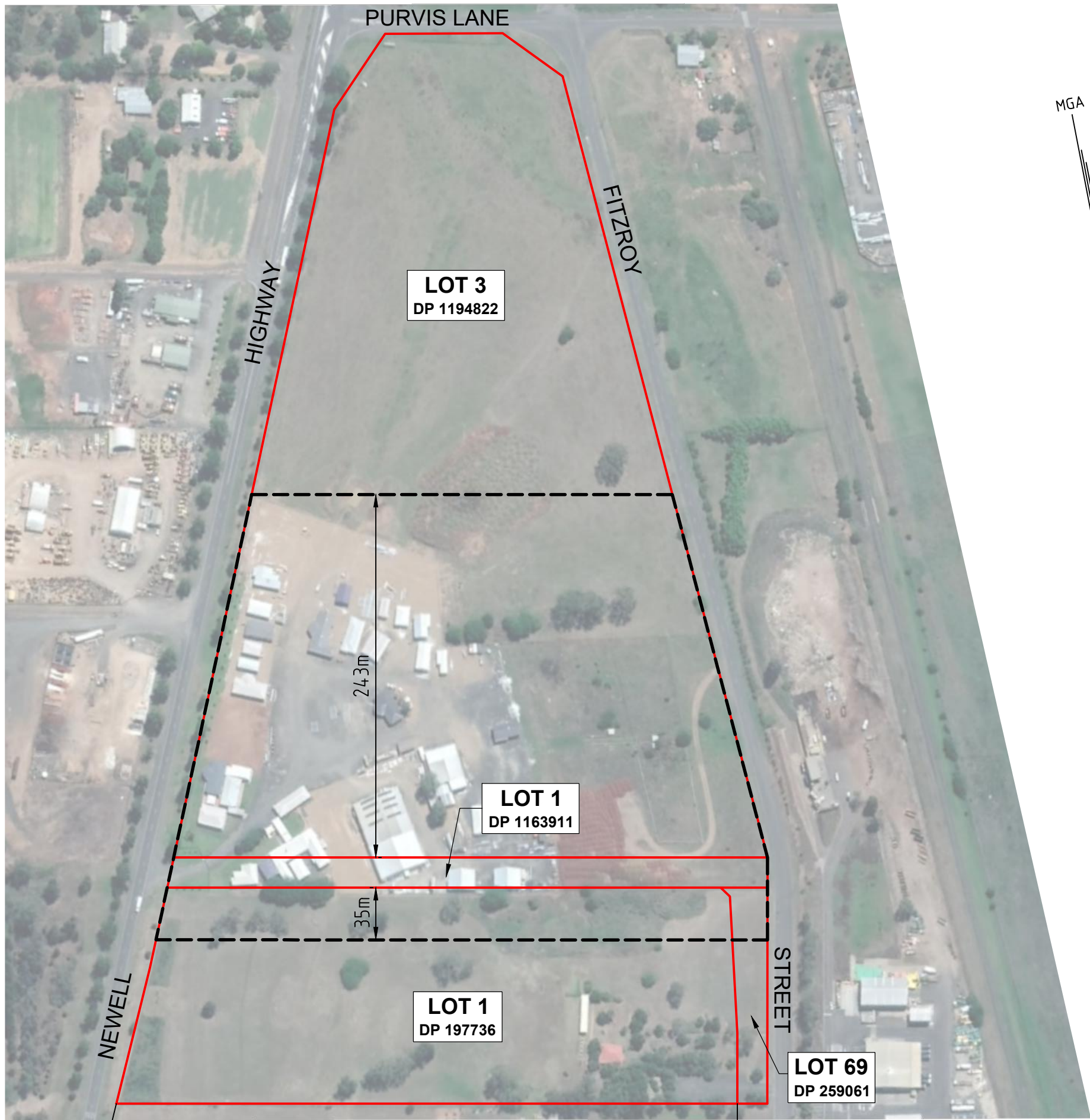


EXISTING ZONING MAP
REDUCTION RATIO 1:5000 @ A3



PROPOSED ZONING MAP
REDUCTION RATIO 1:5000 @ A3

Drawing Status:
**ISSUED FOR
AUTHORITY APPROVAL**



KEY

EXISTING CADASTRAL BOUNDARIES

AREA OF ADDITIONAL PERMITTED USE

Drawing Status:
**ISSUED FOR
AUTHORITY APPROVAL**



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Dubbo - Head Office



Accredited Laboratories
Dubbo & Bathurst

Client: TAYLOR MADE BUILDINGS

Project:
PLANNING PROPOSAL
TAYLOR MADE BUILDINGS SITE
2 NEWELL HIGHWAY, DUBBO, NSW

Drawing Title:
ADDITIONAL PERMITTED USE PLAN

Design	Drawn	Rev	Date	Amendment
E.D.	J.C.			
Check	QA			
E.D.	E.D.			
Drawing Sheet				
A3 - Original size - Scales as noted				

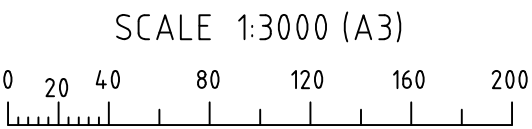
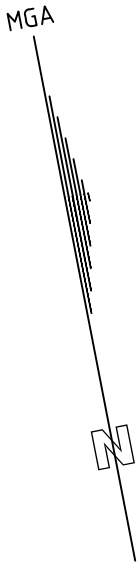
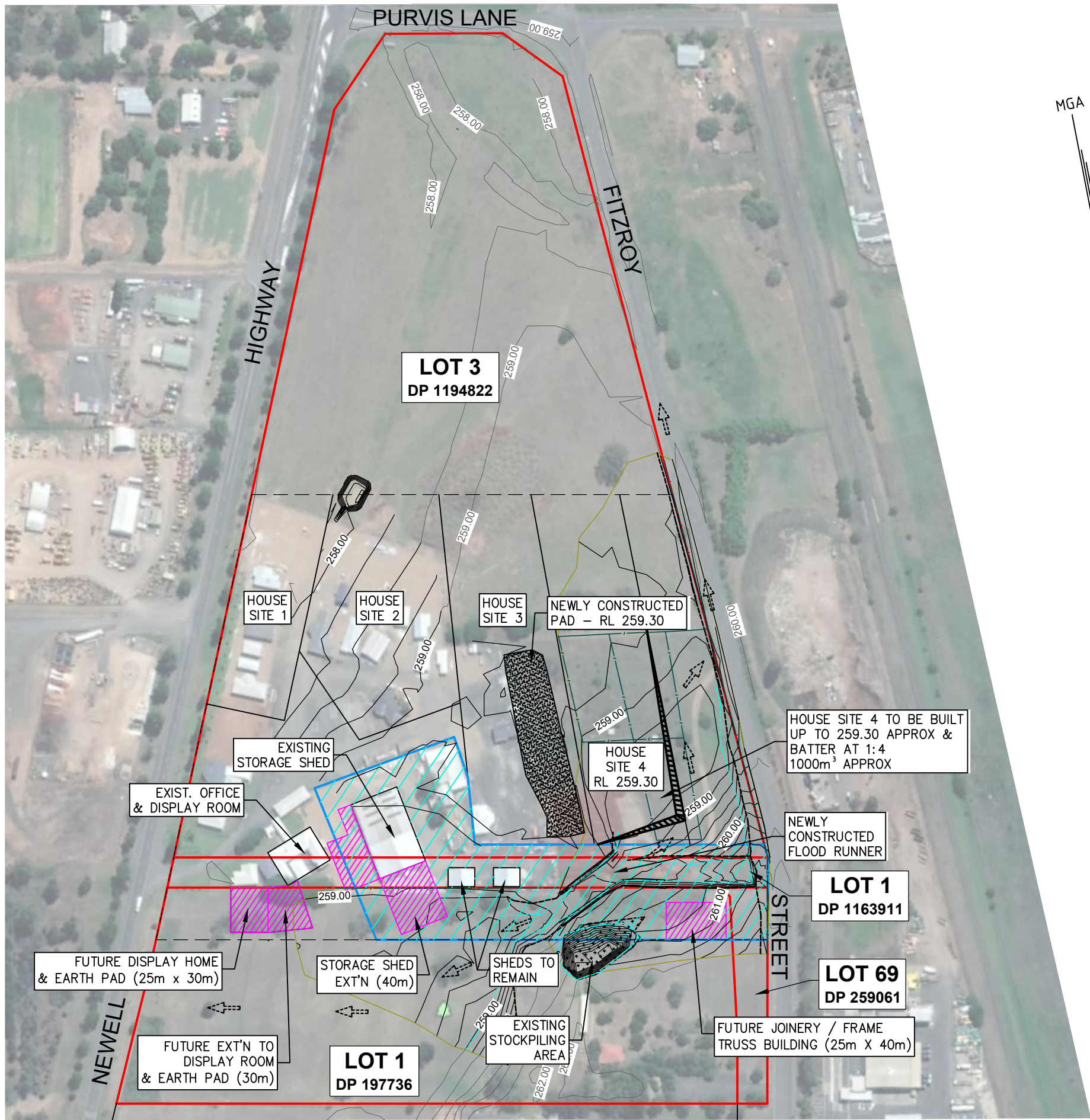
0	21/02/2020	ISSUED FOR AUTHORITY APPROVAL
B	28/01/2020	ISSUED FOR COMMENT
A	28/06/2018	ISSUED FOR COMMENT

This drawing is to be used in conjunction with general building drawings, specifications and other consultant's drawings applicable to this project.
All figured dimensions are to be checked prior to the commencement of work. Immediately notify Barnson Pty Ltd of any discrepancies.
© Barnson Pty Ltd 2020. Confidential. Subject to the Barnson terms of engagement.

Sheet 2 of 4

Drawing Number
27415_P02

Revision
0



KEY

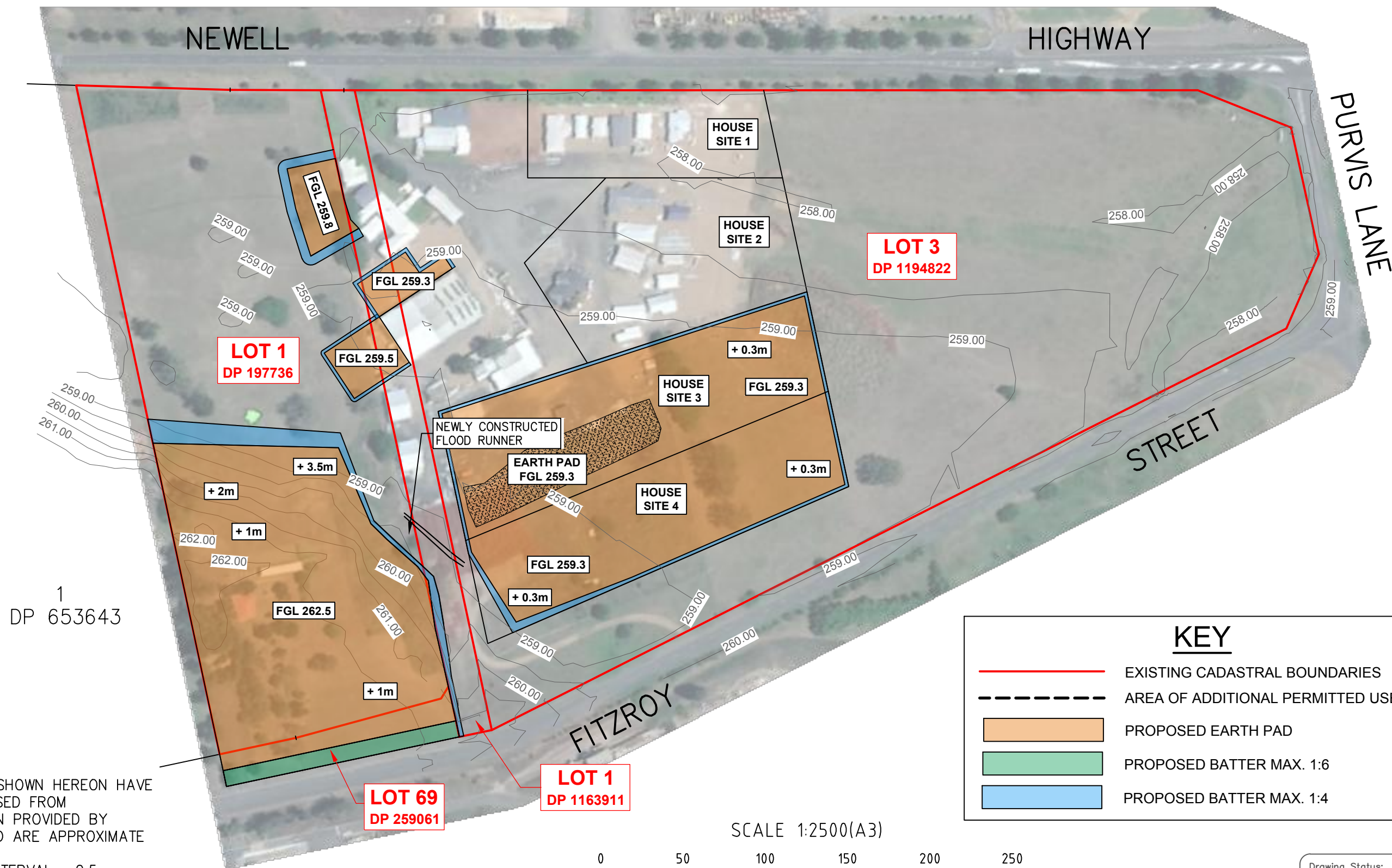
EXISTING CADASTRAL BOUNDARIES

AREA OF ADDITIONAL PERMITTED USE

PROPOSED NEW BUILDING

EXTENT OF PROPOSED COMPOUND AREA

Drawing Status:
**ISSUED FOR
AUTHORITY APPROVAL**



NOTES:

- CONTOURS SHOWN HEREON HAVE BEEN DIGITISED FROM INFORMATION PROVIDED BY OTHERS AND ARE APPROXIMATE ONLY.
- CONTOUR INTERVAL : 0.5 METRES

KEY

- EXISTING CADASTRAL BOUNDARIES
- - - AREA OF ADDITIONAL PERMITTED USE
- PROPOSED EARTH PAD
- PROPOSED BATTER MAX. 1:6
- PROPOSED BATTER MAX. 1:4

SCALE 1:2500(A3)



Drawing Status:
**ISSUED FOR
AUTHORITY APPROVAL**

Appendix B - Information Checklist

ATTACHMENT 1 – INFORMATION CHECKLIST

STEP 1: REQUIRED FOR ALL PROPOSALS (under s55(a) – (e) of the EP&A Act)

- | | |
|--|--|
| <ul style="list-style-type: none"> Objectives and intended outcome Mapping (including current and proposed zones) Community consultation (agencies to be consulted) | <ul style="list-style-type: none"> Explanation of provisions Justification and process for implementation (including compliance assessment against relevant section 117 direction/s) |
|--|--|

STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS (Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			<ul style="list-style-type: none"> Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining) Sea level rise 	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Demonstrated consistency with relevant Regional Strategy Demonstrated consistency with relevant Sub-Regional strategy Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy Demonstrated consistency with Threshold Sustainability Criteria 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Urban Design Considerations		
Site Description/Context			<ul style="list-style-type: none"> Existing site plan (buildings vegetation, roads, etc) Building mass/block diagram study (changes in building height and FSR) Lighting impact Development yield analysis (potential yield of lots, houses, employment generation) 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Aerial photographs Site photos/photomontage 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	Economic Considerations		
Traffic and Transport Considerations			<ul style="list-style-type: none"> Economic impact assessment Retail centres hierarchy Employment land 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Local traffic and transport TMAP Public transport Cycle and pedestrian movement 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Social and Cultural Considerations		
Environmental Considerations			<ul style="list-style-type: none"> Heritage impact Aboriginal archaeology Open space management European archaeology Social & cultural impacts Stakeholder engagement 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Bushfire hazard Acid Sulphate Soil Noise impact Flora and/or fauna Soil stability, erosion, sediment, landslip assessment, and subsidence Water quality Stormwater management Flooding Land/site contamination (SEPP55) 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Infrastructure Considerations		
			<ul style="list-style-type: none"> Infrastructure servicing and potential funding arrangements 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Miscellaneous/Additional Considerations		
			List any additional studies		

Appendix C - Titles & Deposited Plans



LAND
REGISTRY
SERVICES

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/1163911

SEARCH DATE	TIME	EDITION NO	DATE
13/6/2018	2:15 PM	2	23/5/2016

LAND

LOT 1 IN DEPOSITED PLAN 1163911
AT DUBBO
LOCAL GOVERNMENT AREA DUBBO REGIONAL
PARISH OF DUBBO COUNTY OF LINCOLN
TITLE DIAGRAM DP1163911

FIRST SCHEDULE

SWANLACE PTY LTD (TX AG263657)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS (S.171 CROWN LANDS ACT 1989)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 3 AK408261 MORTGAGE TO SUNCORP-METWAY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Barnson Pty Ltd (Mudgee)

PRINTED ON 13/6/2018

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title.
Warning: the information appearing under notations has not been formally recorded in the Register.

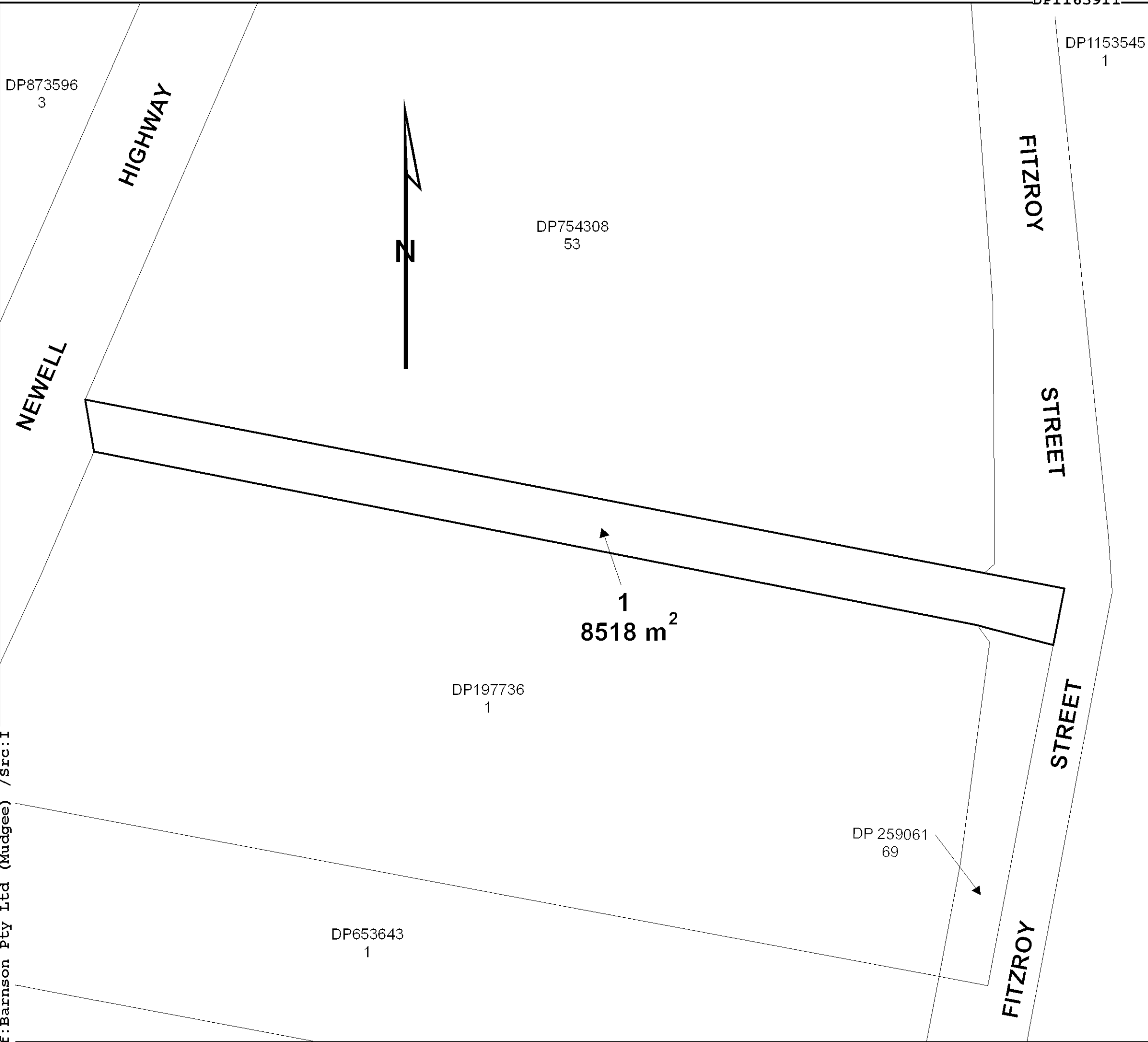
URBISPRO PTY LTD - hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.

Note: Information contained in this document is provided by URBISPRO PTY LTD (ABN 35 164 894 517),
<http://www.urbispro.com.au/> an approved NSW Information Broker


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Req:R752453 /Doc:DP 1163911 P /Rev:07-Apr-2011 /Sts:SC.OK /Pgs:ALL /Prt:13-Jun-2018 14:18 /Seq:1 of 2
Ref:Barnson Pty Ltd (Mudgee) /Src:I



P.R. PERMANENT

ePlan	
DP1163911	
Registered :	 07-04-2011
Title System :	CROWN LAND
Purpose :	ROAD CLOSURE AND FIRST TITLE CREATION
PLAN OF FIRST TITLE CREATION FOR CROWN LAND AND ROAD CLOSING UNDER THE ROADS ACT, 1993	
Lengths are in metres. Reduction Ratio - NTS	
Sheet of sheets	
L.G.A :	DUBBO
LOCALITY :	DUBBO
PARISH :	DUBBO
COUNTY :	LINCOLN
CROWN LANDS NSW APPROVAL	
File : W 399101	
This plan is exempt from Subdivision Certificate under Section 23G (b) of the Conveyancing ACT, 1919	
IT IS INTENDED TO CLOSE THE ROAD SHOWN AS LOT 1	
Full dimensions and/or area(s) may not be available for all lots. Any division of the lands herein may necessitate the lodgment of a plan of survey.	

CERTIFICATES, SIGNATURES AND SEALS

Sheet 1 of 1

PLAN OF FIRST TITLE CREATION AND ROAD CLOSING UNDER THE ROADS ACT, 1993

DP1163911

Registered:  04-07-2011

Surveying Regulation, 2001

I,
 of
 a surveyor registered under the *Surveying Act, 2002* certify that the
 survey represented in this plan is accurate, has been made in
 accordance with the *Surveying Regulation, 2001* and was completed
 on:.....

The survey relates to

(specify the land actually surveyed or specify any land shown in the
 plan that is not the subject of the survey)

Signature Dated:
 Surveyor registered under the *Surveying Act, 2002*

Datum Line:
 Type: Urban/Rural

**SIGNATURES, SEALS and STATEMENTS of intention
to dedicate public roads or to create public reserves
and drainage reserves.**

Crown Lands NSW/Western Lands Office Approval

I ANTHONY GARY PILON in approving this plan certify
 (Authorised Officer)
 that all necessary approvals in regard to the allocation of the land
 shown herein have been given

Signature:
 Date: 01-Apr-2011
 W Number: W399101
 File Number: 10/16807
 Office: Crown Lands Division, Dubbo

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning
 and Assessment Act 1979 have been satisfied in relation to:

the proposed set out herein
 (insert 'subdivision' or 'new road')

* Authorised Person/General Manager/Accredited Certifier

Consent Authority:
 Date of Endorsement:
 Accreditation no:
 Subdivision Certificate no:
 File no:

* Delete whichever is inapplicable.

Use PLAN FORM 6A for additional
 certificates, signatures and seals

SURVEYOR'S REFERENCE:

* OFFICE USE ONLY



LAND
REGISTRY
SERVICES

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/197736

SEARCH DATE	TIME	EDITION NO	DATE
13/6/2018	2:16 PM	6	1/2/2018

LAND

LOT 1 IN DEPOSITED PLAN 197736
AT NTH DUBBO
LOCAL GOVERNMENT AREA DUBBO REGIONAL
PARISH OF DUBBO COUNTY OF LINCOLN
TITLE DIAGRAM DP197736

FIRST SCHEDULE

SWANLACE PTY LTD (T AN85373)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Barnson Pty Ltd (Mudgee)

PRINTED ON 13/6/2018

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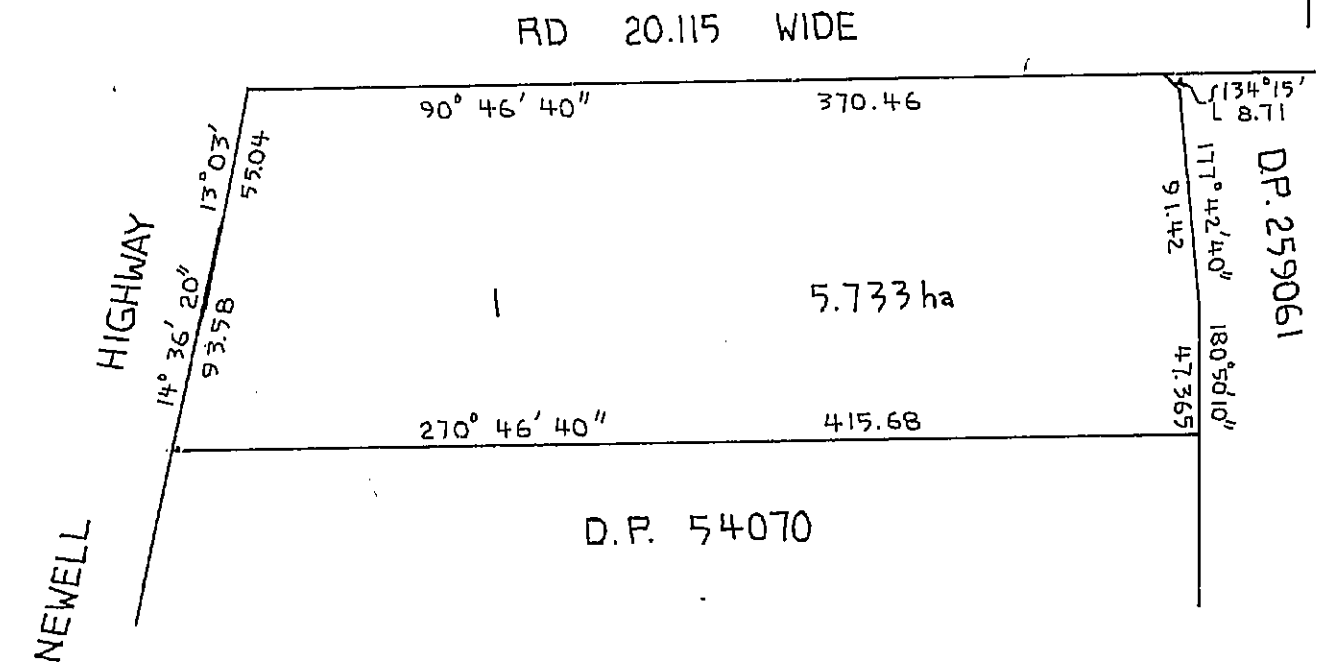
Note: Information contained in this document is provided by URBISPRO PTY LTD (ABN 35 164 894 517),
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Req:R752473 /Doc:DP 0197736 P /Rev:07-Jan-1993 /Pgs:ALL /Sts:OK.OK /Prt:13-Jun-2018 14:19 /Seq:1 of 1
Ref:Barnson Pty Ltd (Mudgee) /Src:I

LT 2/55

PLAN OF THE LAND COMPRISED IN DEED		D P 197736
BK.3864 NO.444 CA.53306		Registered:  C&W 27-4-1992
Locality: NTH. DUBBO Mun / Shire DUBBO City		Title System: OLD SYSTEM
Parish: DUBBO County: LINCOLN		Purpose: LIMITED FOLIO CREATION
Reduction Ratio 1:3000 Lengths are in metres		Ref Map: P5532-9*
Last Plan: _____		
THIS PLAN WAS PREPARED SOLELY TO IDENTIFY THE LAND IN THE ABOVE DEED AND THE BOUNDARIES HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL THE PLAN IS NOT A CURRENT PLAN IN TERMS OF SEC. 327AA LOCAL GOVERNMENT ACT, 1919.		
		

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D

										This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day. 28th April 1992									
10	20	30	40	50	60	70	Table of mm				110	120	130	140					



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 3/1194822

SEARCH DATE	TIME	EDITION NO	DATE
13/6/2018	2:14 PM	2	23/5/2016

LAND

LOT 3 IN DEPOSITED PLAN 1194822
AT DUBBO
LOCAL GOVERNMENT AREA DUBBO REGIONAL
PARISH OF DUBBO COUNTY OF LINCOLN
TITLE DIAGRAM DP1194822

FIRST SCHEDULE

SWANLACE PTY LIMITED

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 NOTIFICATION IN GOVERNMENT GAZETTE DATED 23-1-1981 FOLIO 530:
REALIGNMENT AFFECTING PART OF THE LAND ABOVE DESCRIBED BEING LOT
77 IN DP259060
- 3 AK408261 MORTGAGE TO SUNCORP-METWAY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Barnson Pty Ltd (Mudgee)

PRINTED ON 13/6/2018

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SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

* *Paul Wayne Taylor*
Director - Swanbace Hybrid

* *Kahma Maria Taylor*
Director - Swanbace Pty Ltd

Mortgagee under Mortgage No. AFD4403
Signed at *UAB* this *15* day of *August*
2011 for National
Australia Bank Limited ABN 12 004 044 937
by
its duly appointed Attorney under Power of
Attorney No. 38 Book 4512

Level 2 Attorney
Witness/Bank Officer
for the
time being at DUBBO and who is the Attorney
mentioned and referred to in Power of Attor-
ney registered in the Land Titles Book 4512
No 494

COMMONWEALTH BANK OF AUSTRALIA
ACN 123 123 124 by its attorney who is
for the
time being at DUBBO and who is the Attorney
mentioned and referred to in Power of Attor-
ney registered in the Land Titles Book 4512
No 494

Witness/Bank Officer
for the
time being at DUBBO and who is the Attorney
mentioned and referred to in Power of Attor-
ney registered in the Land Titles Book 4512
No 494

Witness/Bank Officer
for the
time being at DUBBO and who is the Attorney
mentioned and referred to in Power of Attor-
ney registered in the Land Titles Book 4512
No 494

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for the
time being at DUBBO and who is the Attorney
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No 494

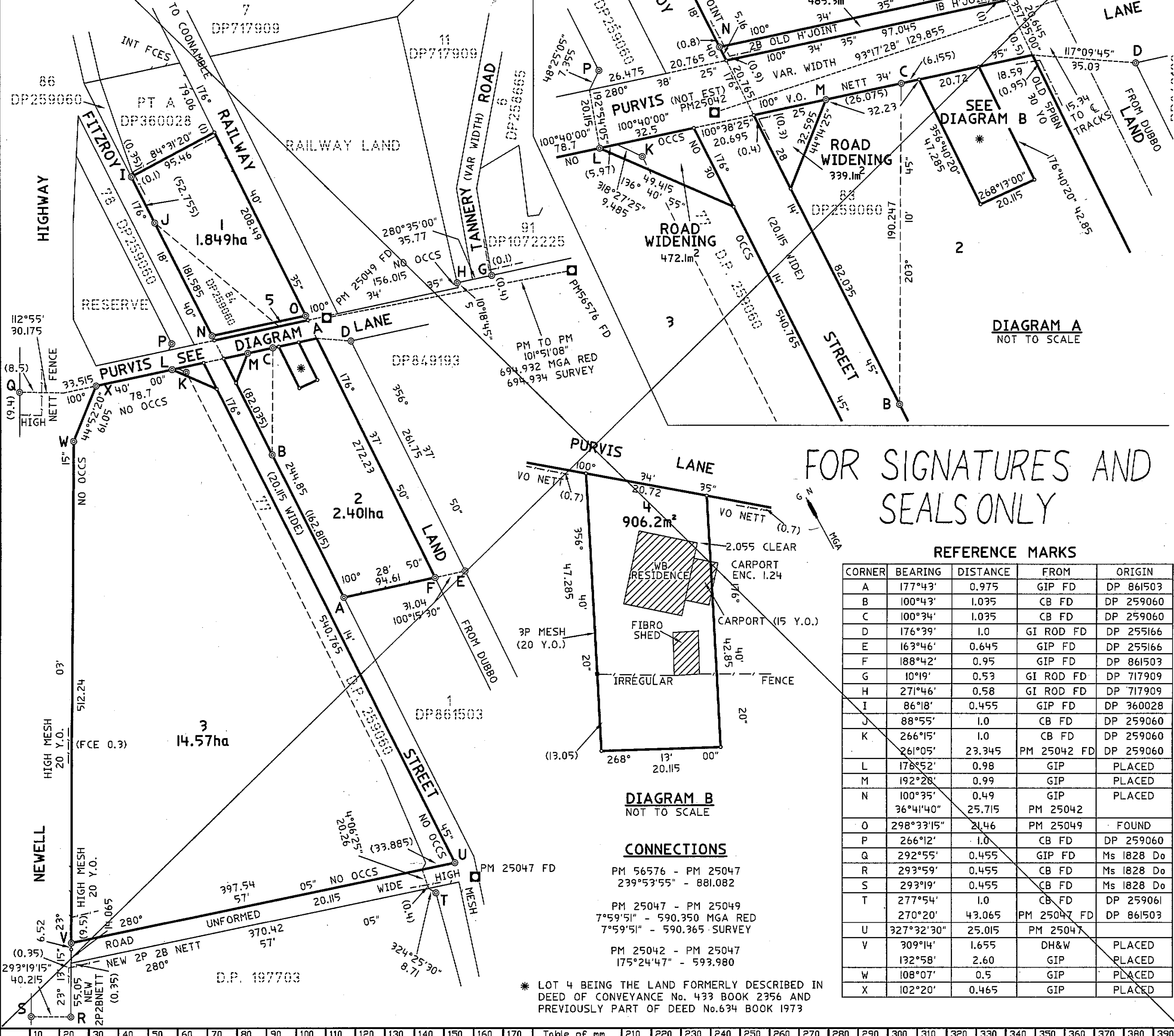
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for the
time being at DUBBO and who is the Attorney
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No 494

Witness/Bank Officer
for the
time being at DUBBO and who is the Attorney
mentioned and referred to in Power of Attor-
ney registered in the Land Titles Book 4512
No 494

MGA COORDINATES				
SURVEY PRACTICE REGULATION: CLAUSE 32(2)				
MARK	MGA COORDINATES		ZONE	CLASS
	EASTING	NORTHING		
PM 25047	652468.378	6433340.968	55	B
PM 25049	652550.501	6433925.485	55	B
PM 56576	653230.512	6433782.776	55	C
COMBINED SCALE FACTOR 0.999845				
SOURCE: M.G.A. COORDINATES ADOPTED FROM				
LAND & PROPERTY INFORMATION NSW SCIMS 23 MAY 2001				



FOR SIGNATURES AND
SEALS ONLY

REFERENCE MARKS

CORNER	BEARING	DISTANCE	FROM	ORIGIN
A	177°43'	0.975	GIP FD	DP 861503
B	100°43'	1.035	CB FD	DP 259060
C	100°34'	1.035	CB FD	DP 259060
D	176°39'	1.0	GI ROD FD	DP 255166
E	163°46'	0.645	GIP FD	DP 255166
F	188°42'	0.95	GIP FD	DP 861503
G	10°19'	0.53	GI ROD FD	DP 717909
H	271°46'	0.58	GI ROD FD	DP 717909
I	86°18'	0.455	GIP FD	DP 360028
J	88°55'	1.0	CB FD	DP 259060
K	266°15'	1.0	CB FD	DP 259060
L	261°05'	23.345	PM 25042 FD	DP 259060
M	178°52'	0.98	GIP	PLACED
N	192°28'	0.99	GIP	PLACED
O	100°35'	0.49	GIP	PLACED
P	36°41'40"	25.715	PM 25042	PLACED
Q	298°33'15"	21.46	PM 25049	FOUND
R	266°12'	1.0	CB FD	DP 259060
S	292°55'	0.455	GIP FD	Ms 1828 Do
T	293°59'	0.455	CB FD	Ms 1828 Do
U	293°19'	0.455	CB FD	Ms 1828 Do
V	277°54'	1.0	CB FD	DP 259061
W	270°20'	43.065	PM 25042 FD	DP 861503
X	327°32'30"	25.015	PM 25047	
Y	309°14'	1.655	DH&W	PLACED
Z	132°58'	2.60	GIP	PLACED
AA	108°07'	0.5	GIP	PLACED
AB	102°20'	0.465	GIP	PLACED

DIAGRAM B
NOT TO SCALE

CONNECTIONS

PM 56576 - PM 25047
239°53'55" - 881.082

PM 25047 - PM 25049
7°59'51" - 590.350 MGA RED
7°59'51" - 590.365 SURVEY

PM 25042 - PM 25047
175°24'47" - 593.980

* LOT 4 BEING THE LAND FORMERLY DESCRIBED IN
DEED OF CONVEYANCE No. 433 BOOK 2356 AND
PREVIOUSLY PART OF DEED No.634 BOOK 1973

Registered: 13.5.2014

C.A.: SEE CERTIFICATE

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: P5532-9

Last Plan: DP360028, DP1122912

PLAN: -OF SUBDIVISION OF
LOT B DP360028, LOT 53
-DP754308 & THE LAND-
-IN DEED OF
-CONVEYANCE No. 634
-BOOK 1973-
SEE SHEET 3.

Lengths are in metres. Reduction Ratio 1:3000

LGA: DUBBO

Suburb/Locality: DUBBO

Parish: DUBBO

County: LINCOLN

This is sheet 1 of my plan in 3 sheets
(Delete if inapplicable)

I, MATTHEW GERARD THORNE

of TERRA CONSULTING (NSW) PTY. LTD.
P.O. BOX 1842 DUBBO 2830
a surveyor registered under the Surveyors Act 1929, hereby
certify that the Survey represented in this plan is accurate, has
been made in accordance with the Surveyors (Practice) Regulation
1996 and was completed on 11th JULY 2001

The survey relates to LOTS 1 TO 5
NEW ROAD & CONNECTIONS

(here specify the land actually surveyed, or specify any land
shown in the plan that is not the subject of the survey).

Datum line: PM 25049 - PM 25047

Signature: *Matthew Thorne*
Zone: Suburban/Country Surveyor registered under
the Surveyors Act 1929

Plans used in preparation of survey / completion

DP360028 DP556579
DP754308 DP861503
DP259060 1828-3030
DPO122225 5-1349

PANEL FOR USE ONLY for statements of
intention to dedicate public roads or to create
public reserves, drainage reserves, easements
or restrictions as to user.

IT IS INTENDED TO DEDICATE THE
ROAD WIDENINGS TO THE PUBLIC

CONSENT FROM RAIL CORPORATION
NSW FOR BOUNDARY DEFINITION
FURNISHED.

DP1194822

Registered: 13.5.2014

This is sheet 2 of my plan in 3 sheets
dated: 11 July 2001

M. Thorne
Surveyor registered under the Surveying Act 2002

This is sheet 2 of the plan in 3 sheets covered
by subdivision Certificate no.

Authorised Persons/General Manager/Accredited Certifier
For use where space is insufficient in any panel on
Plan Form 2

A. J. ...

COMMONWEALTH BANK OF AUSTRALIA
ACN 123 123 124 by its attorney who is
for the
time being at DUBBO and who is the Attorney
mentioned and referred to in Power of Attor.
No 494
Witness *Ameyes*

In ...

FOR SIGNATURES AND SEALS ONLY

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

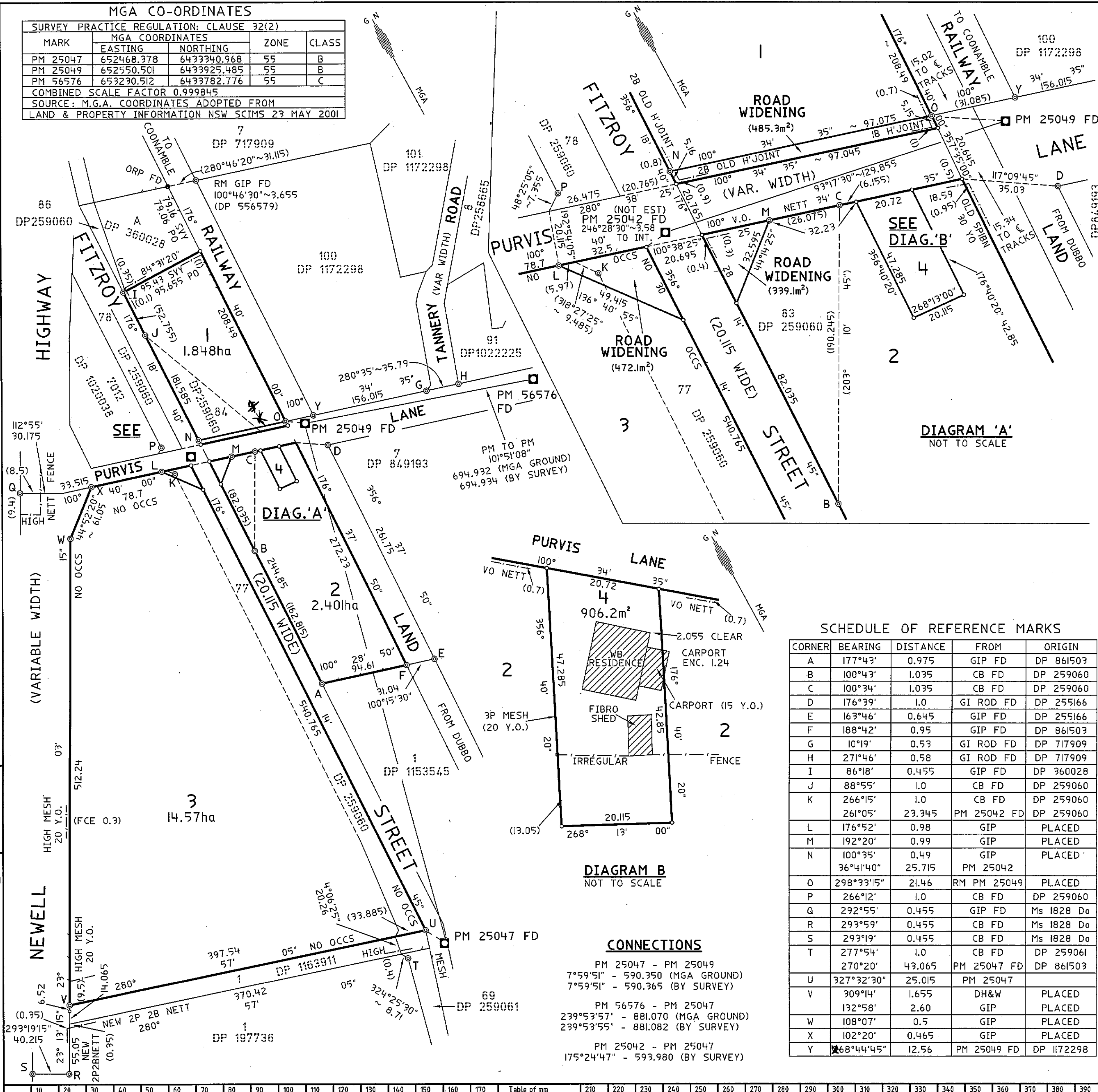
SURVEY PRACTICE REGULATION: CLAUSE 32(2)				
MGA CO-ORDINATES				
MARK	EASTING	NORTHING	ZONE	CLASS
PM 25047	652468.378	6433340.968	55	B
PM 25049	652550.501	6433325.485	55	B
PM 56576	653230.512	6433782.776	55	C
COMBINED SCALE FACTOR 0.999845				
SOURCE: M.G.A. COORDINATES ADOPTED FROM				
LAND & PROPERTY INFORMATION NSW SCMS 23 MAY 2001				

Req:R752400 /Doc:DP 1194822 P /Rev:13-May-2014 /Sts:SC.OK /Pgs:ALL /Prt:13-Jun-2018 14:14 /Seq:3 of 3

Crown Lands Office Approval
PLAN APPROVED _____
Authorised Officer
Land District _____
Paper No _____
Field Book _____

Subdivision Certificate
I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed
SUBDIVISION _____ set out herein
(Insert 'subdivision' or 'new road')
+ Authorised Person/General Manager/Accredited Certifier
Consent Authority: DUBBO CITY COUNCIL
Date of endorsement: 12/12/2001
Accreditation No.: N/A
Subdivision Certificate No.: 501/1031
File No.: 501-1031

When the plan is lodged electronically in the Land Titles Office it should include a signature in an electronic or digital format approved by the Registrar-General.
+ Delete whichever is inapplicable



SCHEDULE OF REFERENCE MARKS				
CORNER	BEARING	DISTANCE	FROM	ORIGIN
A	177°43'	0.975	GIP FD	DP 861503
B	100°43'	1.035	CB FD	DP 259060
C	100°34'	1.035	CB FD	DP 259060
D	176°39'	1.0	GI ROD FD	DP 255166
E	163°46'	0.645	GIP FD	DP 255166
F	188°42'	0.95	GIP FD	DP 861503
G	10°19'	0.53	GI ROD FD	DP 717909
H	271°46'	0.58	GI ROD FD	DP 717909
I	86°18'	0.455	GIP FD	DP 360028
J	88°55'	1.0	CB FD	DP 259060
K	266°15'	1.0	CB FD	DP 259060
L	261°05'	23.345	PM 25042 FD	DP 259060
M	176°52'	0.98	GIP	PLACED
N	192°20'	0.99	GIP	PLACED
O	100°35'	0.49	GIP	PLACED
P	36°41'40"	25.715	PM 25042	
Q	298°33'15"	21.46	RM PM 25049	PLACED
R	266°12'	1.0	CB FD	DP 259060
S	292°55'	0.455	GIP FD	Ms 1828 Do
T	293°59'	0.455	CB FD	Ms 1828 Do
U	293°19'	0.455	CB FD	Ms 1828 Do
V	277°54'	1.0	CB FD	DP 259061
W	270°20'	43.065	PM 25047 FD	DP 861503
X	327°32'30"	25.015	PM 25047	
Y	309°14'	1.655	DH&W	PLACED
Z	132°58'	2.60	GIP	PLACED
AA	108°07'	0.5	GIP	PLACED
AB	102°20'	0.465	GIP	PLACED
AC	68°44'45"	12.56	PM 25049 FD	DP 1172298

DP1194822

Registered: 13.5.2014

C.A.: SEE CERTIFICATE

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: P5532-9

Last Plan: DP360028, DP1122912

PLAN: OF SUBDIVISION OF LOT B
IN DP 360028, LOT 53 IN
DP 754308 AND LOTS 630
AND 631 IN DP 1122912

Lengths are in metres. Reduction Ratio 1:3000

LGA: DUBBO

Suburb/Locality: DUBBO

Parish: DUBBO

County: LINCOLN

This is sheet 3 of my plan in 3 sheets
(Delete if inapplicable)

I, MATTHEW GERARD THORNE

of TERRA CONSULTING (NSW) PTY. LTD.,
P.O. BOX 1842 DUBBO 2830

a surveyor registered under the Surveyors Act 1929, hereby
certify that the Survey represented in this plan is accurate, has
been made in accordance with the Surveyors (Practice) Regulation
1996 and was completed on 11th JULY 2001

The survey relates to LOTS 1 TO 5
NEW ROAD & CONNECTIONS

(here specify the land actually surveyed, or specify any land
shown in the plan that is not the subject of the survey).

Datum line: PM 25049 - PM 25047

Signature: M. Thorne

Zone: Suburban/Country Surveyor registered under
the Surveyors Act 1929

Plans used in preparation of survey /-completion

DP 360028 DP 556579 DP 255166
DP 754308 DP 861503
DP 259060 1828-3030
DP 1022225 5-1349
DP 1172298 DP 717909

PANEL FOR USE ONLY for statements of
intention to dedicate public roads or to create
public reserves, drainage reserves, easements
or restrictions as to user.

IT IS INTENDED TO DEDICATE THE
ROAD WIDENINGS TO THE PUBLIC
AS PUBLIC ROAD

CONSENT FROM RAIL CORPORATION
NSW FOR BOUNDARY DEFINITION
FURNISHED.

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 69/259061

SEARCH DATE	TIME	EDITION NO	DATE
13/6/2018	2:18 PM	5	1/2/2018

LAND

LOT 69 IN DEPOSITED PLAN 259061
AT NTH DUBBO
LOCAL GOVERNMENT AREA DUBBO REGIONAL
PARISH OF DUBBO COUNTY OF LINCOLN
TITLE DIAGRAM DP259061

FIRST SCHEDULE

SWANLACE PTY LTD (T AN85373)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Barnson Pty Ltd (Mudgee)

PRINTED ON 13/6/2018

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title.
Warning: the information appearing under notations has not been formally recorded in the Register.

URBISPRO PTY LTD - hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.

Note: Information contained in this document is provided by URBISPRO PTY LTD (ABN 35 164 894 517),
<http://www.urbispro.com.au/> an approved NSW Information Broker

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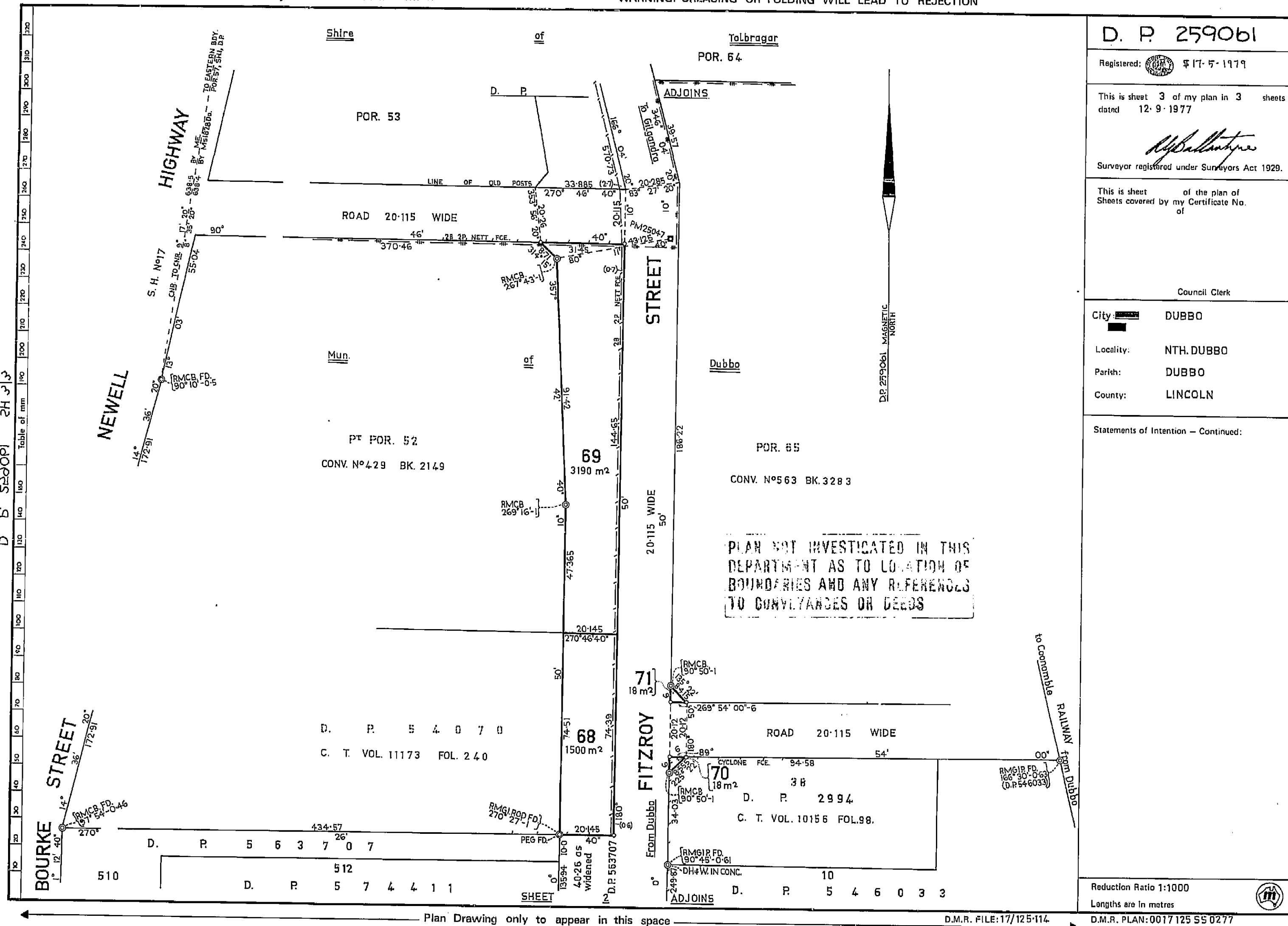
1
WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

	10	20	30	40	50	60	70	80	90	100	110	120	130	140
Table of 100%														

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 21st day of May, 1979

B. Davies

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 21st day of May, 1979

Appendix D - Flooding Assessment

Our Ref: 5991802001-L01: BCP
Contact: Dr Brett C. Phillips

30/03/2020

The Manager,
Barnson Pty Ltd
"Riverview" Business Park
1/36 Darling Street
DUBBO NSW 2830

Attention: Mr Jim Sarantzouklis
Email: jim@barnson.com.au

Cardno (NSW/ACT) Pty Ltd

Level 9

The Forum

203 Pacific Highway

St. Leonards NSW 2065

P.O. Box 19

St Leonards NSW 1590

Australia

Phone: +61 2 9496 7700

www.cardno.com.au

In response to your recent request, we are pleased to provide the findings of our assessment of the updated flooding impact of various proposed fill pads on a site located between Fitzroy St and the Newell Highway, Dubbo.

1. BACKGROUND

The location of the site is indicated in **Figure 1**.

The estimated 1% AEP flood level contours and flood depths under "mainstream" flooding conditions are given in **Figure 2**. It is evident from Figure 2 that the site is completely flooded in a 1% AEP event. This has consequences for safe evacuation of workers from the site along a route that ideally would be above the 1% AEP flood level.

In November 2018 a study was undertaken to provide information on current flooding of the site and to undertake an assessment of the impact of the proposed latest fill pad on the site in relation to flooding in a 1% AEP event under mainstream (Macquarie River) and local (Troy Gully) flooding regimes to inform Barnson's formulation of a DA for planned works on the site. This assessment is appended in **Attachment A**.

In August 2019 comments and responses were submitted in relation to a number of issues raised by Council on the flooding information dated 8 November 2018 appended to the Statement of Environmental Effects submitted with Development Application D2019-107. These comments and responses are appended in **Attachment B**.

2. OBJECTIVE

The objective of the study is to provide information on current flooding of the site and to undertake an assessment of the impact of various proposed fill pads on the site in relation to flooding in a 1% AEP event under mainstream (Macquarie River) and local (Troy Gully) flooding regimes to inform Barnson's formulation of a DA for planned works on the site.

3. OUR APPROACH

3.1 Study Inputs

The inputs to the study comprised:

- (i) Information on existing flood behaviour across the site under mainstream (Macquarie River) and local (Troy Gully) flooding including assessments undertaken since 2012 (already held);
- (ii) A copy of the hydrological and floodplain model for the site and its surrounds (already held)
- (iii) An annotated copy of the various fill pads to be assessed (provided by Barnson).

3.2 Tasks

The tasks included:

- (i) Modify the Existing Conditions Macquarie River hydraulic model represent the planned filling;
- (ii) Re-run the Post-development model and extract flooding information including flood depths, velocities and hazards for the 1% AEP event only;
- (iii) Determine the “mainstream” 1% AEP flood level differences;
- (iv) Extract information on flooding of the site in the 1% AEP “local” Troy Gully flooding conditions;
- (v) Modify the Existing Conditions Troy Gully hydraulic model represent the planned filling;
- (vi) Re-run the Post-development model and extract flooding information including flood depths, velocities and hazards for the 1% AEP event only;
- (vii) Determine the 1% AEP flood level differences;

3.3 Pedestrian and Vehicular Stability

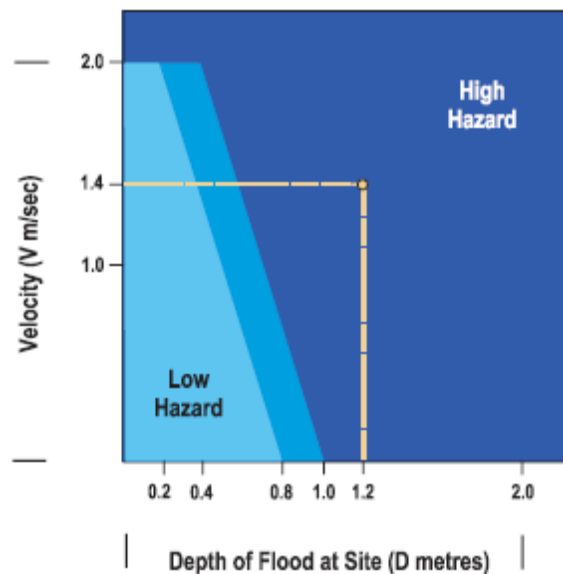
When considering pedestrian and vehicular stability, three velocity x depth criteria were identified as follows:

Velocity x Depth	Comment
$\leq 0.4 \text{ m}^2/\text{s}$	This is typically adopted by Councils as a limit of stability for pedestrians
$0.4 - 0.6 \text{ m}^2/\text{s}$	Unsafe for pedestrians but safe for vehicles if overland flood depths do not exceed around 0.3 m
$> 0.6 \text{ m}^2/\text{s}$	This is typically adopted by Councils as a limit of stability for vehicles

3.4 Flood Hazards

Experience from studies of floods throughout NSW and elsewhere has allowed authorities to develop methods of assessing the hazard to life and property on floodplains. This experience has been used in developing the NSW Floodplain Development Manual to provide guidelines for managing this hazard. These guidelines are shown schematically below.

To use the diagram, it is necessary to know the average depth and velocity of floodwaters at a given location. If the product of depth and velocity exceeds a critical value (as shown below), the flood flow will create a **high hazard** to life and property. There will probably be danger to persons caught in the floodwaters, and possible structural damage. Evacuation of persons would be difficult. By contrast, in **low hazard** areas people and their possessions can be evacuated safely by trucks.



Provisional Hazard Categories
(after Figure L2, NSW Government, 2005)

Between the two categories a transition zone is defined in which the degree of hazard is dependent on site conditions and the nature of the proposed development. This calculation leads to a provisional hazard rating. The provisional hazard rating may be modified by consideration of effective flood warning times, the rate of rise of floodwaters, duration of flooding and ease or otherwise of evacuation in times of flood.

4. COMPARISON OF 2012 AND 2019 MACQUARIE RIVER FLOODPLAIN MODELS

In response to some concerns expressed by stakeholders regarding the draft 2012 Macquarie River Flood Study Update¹, a number of reviews were undertaken to assess the stakeholder concerns and the outcomes of the additional assessments were outlined in a number of Discussion Papers. The outcomes of the assessments were also progressively peer reviewed by an independent leading industry expert. These additional assessments included:

- Re-calibration of the floodplain model against observed 2010 flood levels which included the modification of the floodplain model on the lower Talbragar River floodplain;
- A review of the rating tables, flow gaugings and the flood frequency analysis at Station 421001 Macquarie River at Dubbo (Dubbo PS gauge);
- Three separate peer reviews at various stages through the period which led to further assessments;
- An update of the flood frequency analysis which led to the adoption of different design peak flood flows at the Macquarie River gauge; and

¹ Cardno (2012) "Macquarie River, Dubbo, Compilation of Flood Studies", *Final Report*, prepared for Dubbo Regional Council, March, 34 pp

- Sensitivity assessments of the impact of model time step, mixed grids of different size (30 m grid + 6 m grid v 15 m grid+6m grid v uniform 6 m grid) and TUFLOW Classic (CPU engine) and of the TUFLOW HPC (GPU engine) on flood levels estimated for historical floods and design floods.

As discussed in Cardno (2019)², the peak design inflows for the Talbragar River adopted in the 2012 and 2018 assessments are given in **Table 1** for comparison to the Macquarie River peak design inflows.

Table 1 Comparison of Adopted Peak Design Inflows for the Macquarie River and the Talbragar River

AEP		Macquarie River				Talbragar River
(1 in X)	(%)	Table 4(b) & Table C.2	2012 TUFLOW Model	2016 PO4A EO FFA	2018 TUFLOW Model	2012 & 2018 TUFLOW Models
10	10%	820	1,142	790	790	1,819
20	5%	1,360	1,360	1,343	1,343	2,473
50	2%	2,500	2,500	2,557	2,557	3,214
100	1%	3,820	3,820	4,037	4,037	4,011
200	0.50%	5,700	4,700	6,255	5,300 [†]	4,881

[†] With the concurrence of the Peer Reviewer, the 0.5% AEP peak inflow was adjusted to give a 0.5% AEP flood level at the Dubbo PS gauge which should be comparable to the gauge height predicted by the adopted Flood Frequency Analysis (FFA)

Validation of the floodplain model was undertaken as a component of the modelling of the December 2010 flood and led to the modification of the floodplain model on the lower Talbragar River floodplain. The chronology of the iterative assessments of the 2010 flood is detailed in Appendix B of Cardno, 2019.

Various assessments were undertaken also of the flood levels estimated by a CPU version and a GPU (HPC) version of the Macquarie River floodplain from October 2016 until August 2018 as outlined in Appendix A of Cardno, 2019. This included extending the floodplain model further downstream (to improve the estimated flood levels at the downstream end of the floodplain), testing a 15 m / 6 m mixed grid (originally 30 m / 6 m mixed grid) and testing a uniform 6 m grid.

These assessments led to the re-running of all historical and design floods using a TUFLOW HPC (GPU) floodplain model based on a 6 m x 6 m grid.

The 10th, 25th, 50th, 75th and 90th percentile differences between the Macquarie River dominant and Talbragar River dominant and the envelope of the 1% AEP flood levels estimated in 2018 and reported in 2012 are as follows.

² Cardno (2019) "Macquarie River, Dubbo, Compilation of Flood Studies Addendum", *Draft Final Report*, prepared for Dubbo Regional Council, January, 25 pp + Apps

Macquarie River	1% AEP	5% AEP	Max 1% AEP
Talbragar River	5% AEP	1% AEP	
Percentile	Difference (cm) (2018-2012)	Difference (cm) (2018-2012)	Difference (cm) (2018-2012)
10%	-13	-16	-13
25%	3	-11	2
50%	8	-6	8
75%	11	1	11
90%	39	17	39

It is noted that changes in 1% AEP flood levels were slightly smaller for the Talbragar River dominant flood than for the Macquarie River dominant flood.

It was found that the estimated 1% AEP flood levels in 2012 on the subject property were around 262.41 m AHD and in 2018 were 262.49 m AHD.

5. TROY GULLY FLOODPLAIN MODEL

In 2004, the original TUFLOW Classic model for Troy Gully was developed based on LiDAR data provided at the time. The model extended from the confluence of Troy Gully and Macquarie River downstream of Newell Highway up to Peachville Road, and run based on a 10m x 10m grid spacing.

In 2007, a series of flood mitigation options for Troy Gully were assessed using a TUFLOW Classic model which was truncated to the reach from Yarrandale Road and the confluence of Troy Gully and Macquarie River. The truncated model used two separate grid bases being a 2.5m x 2.5 m grid between Yarrandale Road and the railway line and a 5 m x 5 m grid downstream of the railway line to the confluence of Troy Gully and the Macquarie River.

In 2018 the 2007 truncated TUFLOW Classic model [of Existing Conditions](#) was extended 600 m upstream from Yarrandale Road and a uniform 3 m x 3 m grid base was adopted. Existing buildings evident on current aerial photos from Nearmap were also blocked out in the model. The modified 2007 model was run using TUFLOW HPC.

There were a number of stormwater drainage structures located under road and railway crossings in the Troy Gully floodplain and within the boundary of the 2018 TUFLOW model. **Table 2** lists the stormwater drainage structures included in the 2018 TUFLOW model (refer **Figure 3**)

The same roughness zones adopted in the 2004 and 2007 models were also adopted in the 2018 TUFLOW model.

Design flood inflows to the TUFLOW model were estimated by the XP-RAFTS model previously assembled for the Troy Gully catchment. Time series of inflow hydrographs were generated by the XP-RAFTS model, and imported into the TUFLOW model as interface files.

Table 2 – Road and Railway Crossings include in Existing Conditions Model

Crossing	Reference Location (Refer Figure 1)	Details
Gilgandra-Dubbo Railway	A	4 x 600 mm diameter pipes
	B	1 x 600 mm diameter pipe
	C	3 x 1200 mm diameter pipes
	D	13 x 1.2mW x 0.9mH box culverts
	E	96 x 600mm diameter pipes
Fitzroy Street	F	2 x 1.8mW x 0.6mH box culverts
	G	3 x 1.2mW x 0.6mH box culverts
Purvis Lane	H	3 x 1.2mW x 0.6mH box culverts
	I	2 x 1.8mW x 0.6mH box culverts
Newell Highway	J	2 x 1.8mW x 0.6mH box culverts
	K	1 x 1.8mW x 0.6mH box culvert
	L	2 x 1.8mW x 0.6mH box culverts
Yarrandale Road	M	2 x 600 mm diameter pipes

In the TUFLOW model, the downstream boundary conditions for Macquarie River at the confluence of Troy Gully adopted in the 2006, 2007 and 2012 assessments were adopted in this study.

4. FLOOD IMPACT ASSESSMENTS

4.1 Macquarie River Flood

Current Conditions

The estimated 1% AEP depths, velocities, velocity x depth and hazards under Existing Conditions are plotted in **Figures 4, 5, 6** and **7** respectively.

Post-Development Conditions

The assumed properties of the filling included:

- The inclusion of a newly constructed flood runner (refer **Figure 1**);
- The fill platform levels and extents as defined in **Figure 1**;
- Side slopes as defined in **Figure 1**;
- The inclusion of a vertical wall along the southern boundary as disclosed on **Figure 1**;
- Inclusion of an extended fill pads labelled as House Site 3 and House Site 4;
- Adoption of a high roughness zone for on-grade permanent buildings (Manning $n = 0.1$); and
- Adoption of a high roughness zone for demountable houses under construction (Manning $n = 0.07$).

The estimated 1% AEP depths, velocities, velocity x depth and hazards under post-development conditions with the proposed extension of the existing pad are plotted in **Figures 8, 9, 10** and **11** respectively.

The estimated 1% AEP level differences under post-development conditions in comparison with Existing Conditions are plotted in **Figure 12**.

Flood Impact Assessment

As disclosed in **Figure 12** the proposed earthworks have a negligible impact on the 1% AEP flood levels. Likewise, it is noted that the proposed earthworks have a negligible impact or a local impact only on flood velocities, velocity x depth and provisional flood hazard. The local changes in peak velocity are such that the peak velocity remains low and does not pose a concern in relation to erosion or scour in the 1% AEP flood.

4.2 Troy Gully Flood

Current Conditions

The estimated 1% AEP depths, velocities, velocity x depth and hazards under Existing Conditions are plotted in **Figures 13, 14, 15 and 16** respectively.

Post-Development Conditions

The estimated 1% AEP depths, velocities, velocity x depth and hazards under post-development conditions with the proposed extension of the existing pad are plotted in **Figures 17, 18, 19 and 20** respectively.

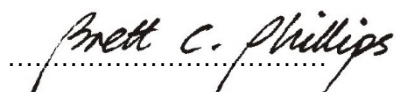
The estimated 1% AEP level differences under post-development conditions with the proposed extension of the existing pad in comparison with Existing Conditions are plotted in **Figure 21**.

Flood Impact Assessment

As disclosed in **Figure 21** the proposed earthworks locally increase the 1% AEP flood levels on the southern side of the fill platform. Likewise, it is noted that the proposed earthworks have a small impact on flood velocities on the southern site boundary. The local impact on velocity x depth and provisional flood hazard is negligible. The local changes in peak velocity are such that the peak velocity remains low and does not pose a concern in relation to erosion or scour in the 1% AEP flood.

The estimated 1% AEP level differences between the Macquarie River 1% AEP flood levels and the Troy Gully post-development conditions with the proposed earthworks are plotted in **Figure 22**. This discloses that notwithstanding local small increases in the 1% AEP flood levels under a Troy Gully flood that these flood levels remain lower than the Macquarie River flood levels.

Yours sincerely,

A handwritten signature in black ink that reads "Brett C. Phillips". The signature is written in a cursive style and is positioned above a dotted line.

Dr Brett C Phillips
Global senior Principal
for Cardno (NSW/ACT) Pty Ltd
Phone: +61 2 9496 7700
Email: brett.phillips@cardno.com.au

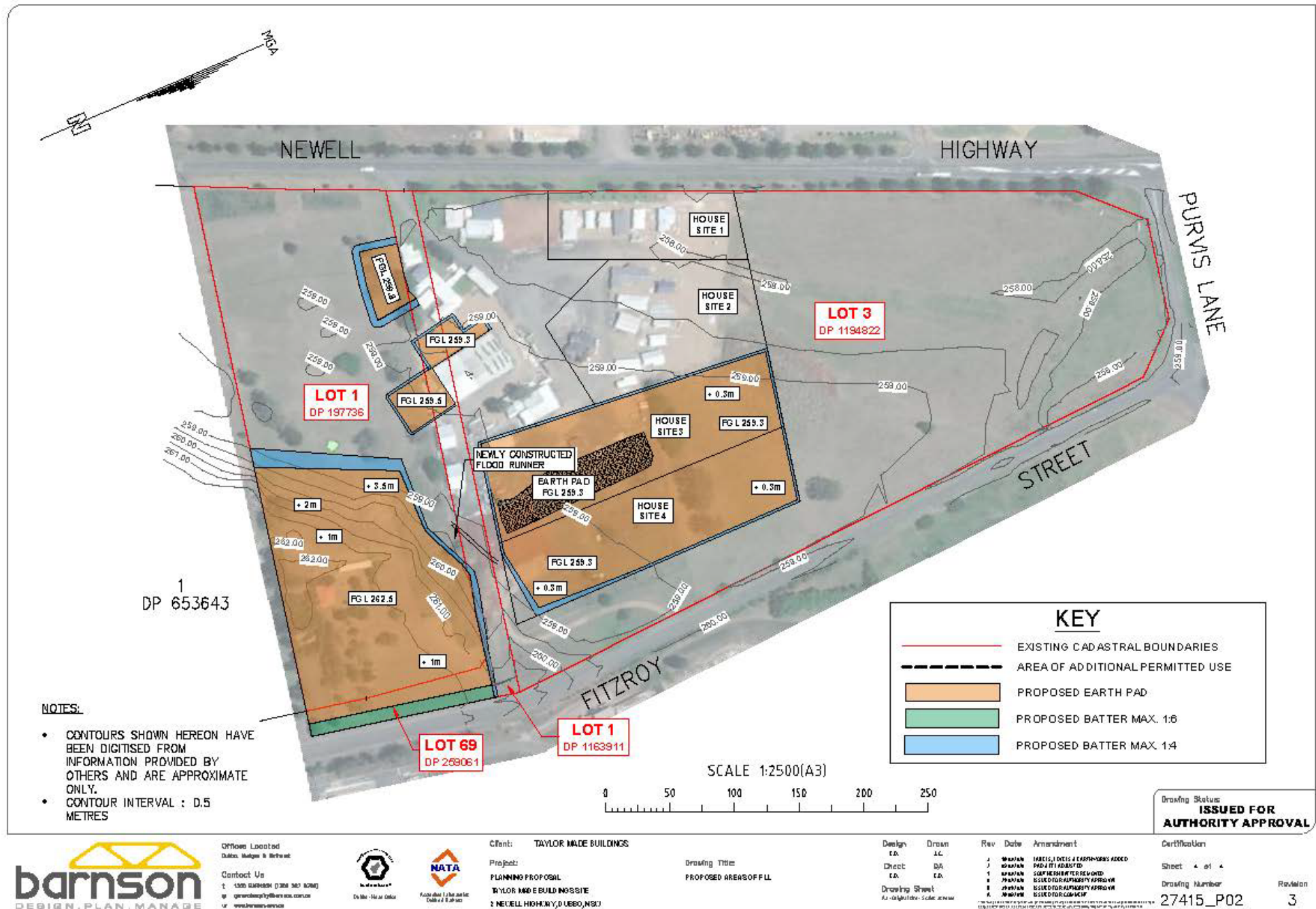


Figure 1 Layout of proposed Fill Pads, Dubbo

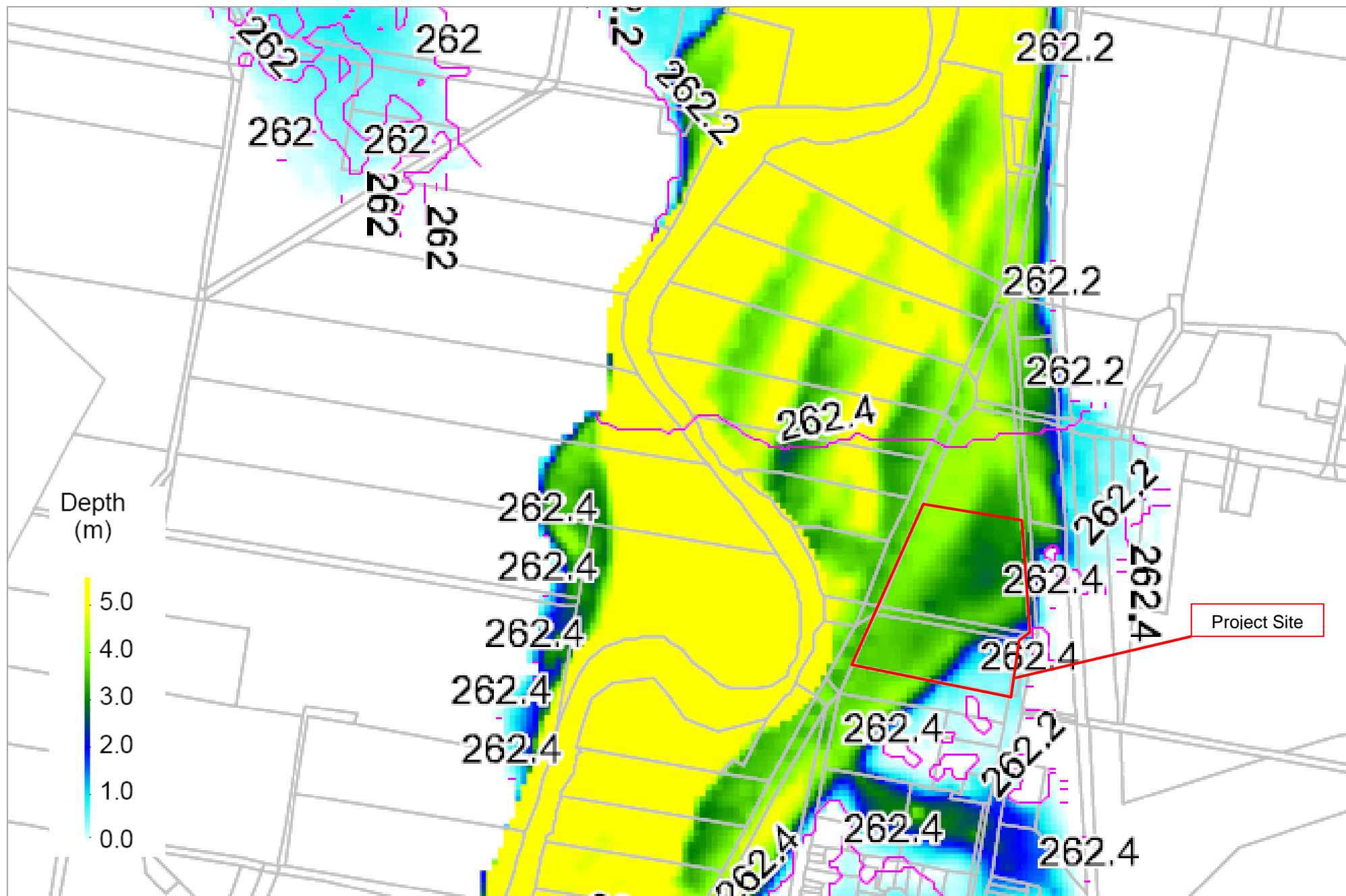


Figure 2 1% AEP Flood Level Contours and Depths – Macquarie River (Cardno, 2012)

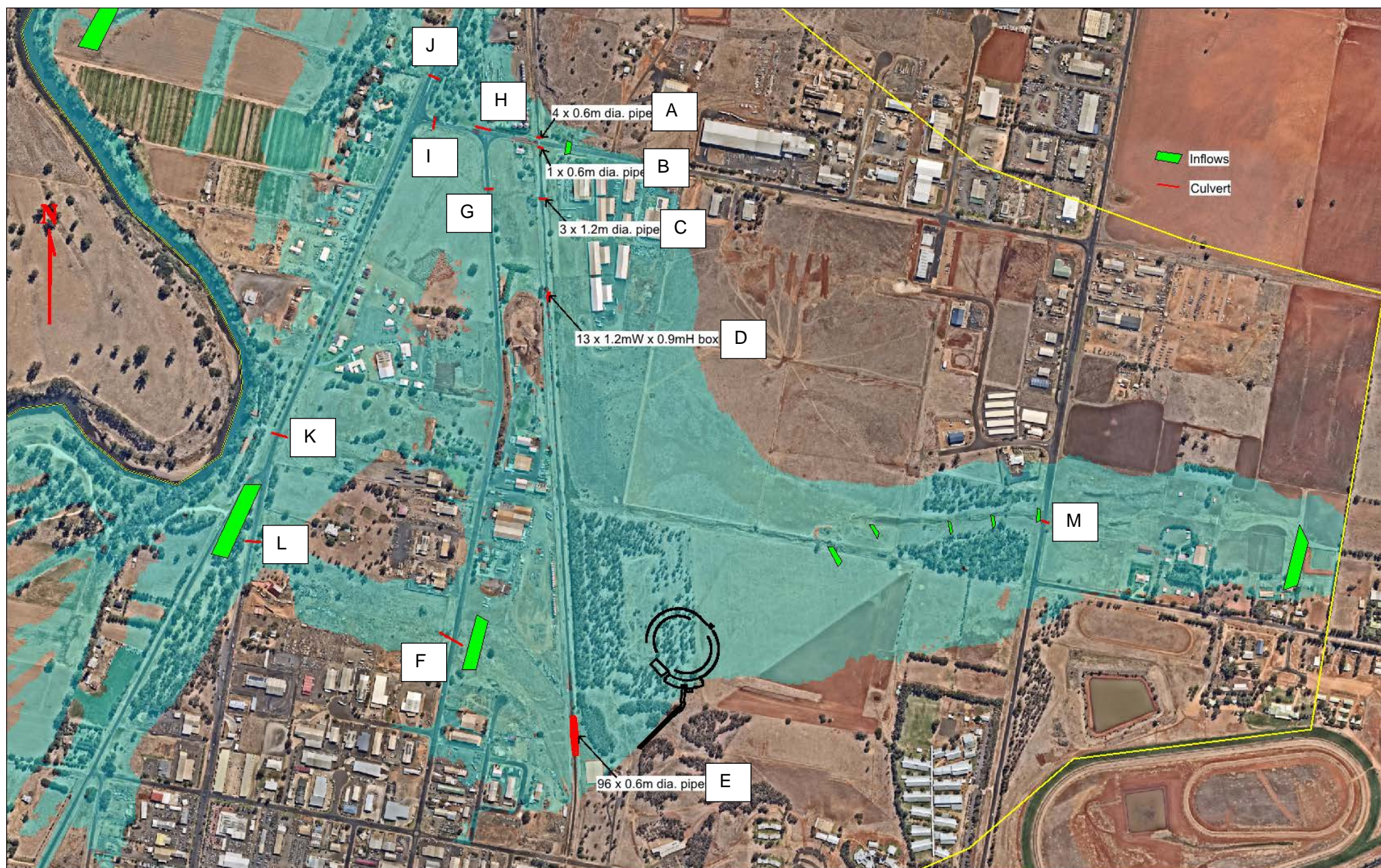


Figure 3 Location of Troy Gully Floodplain Model Crossings

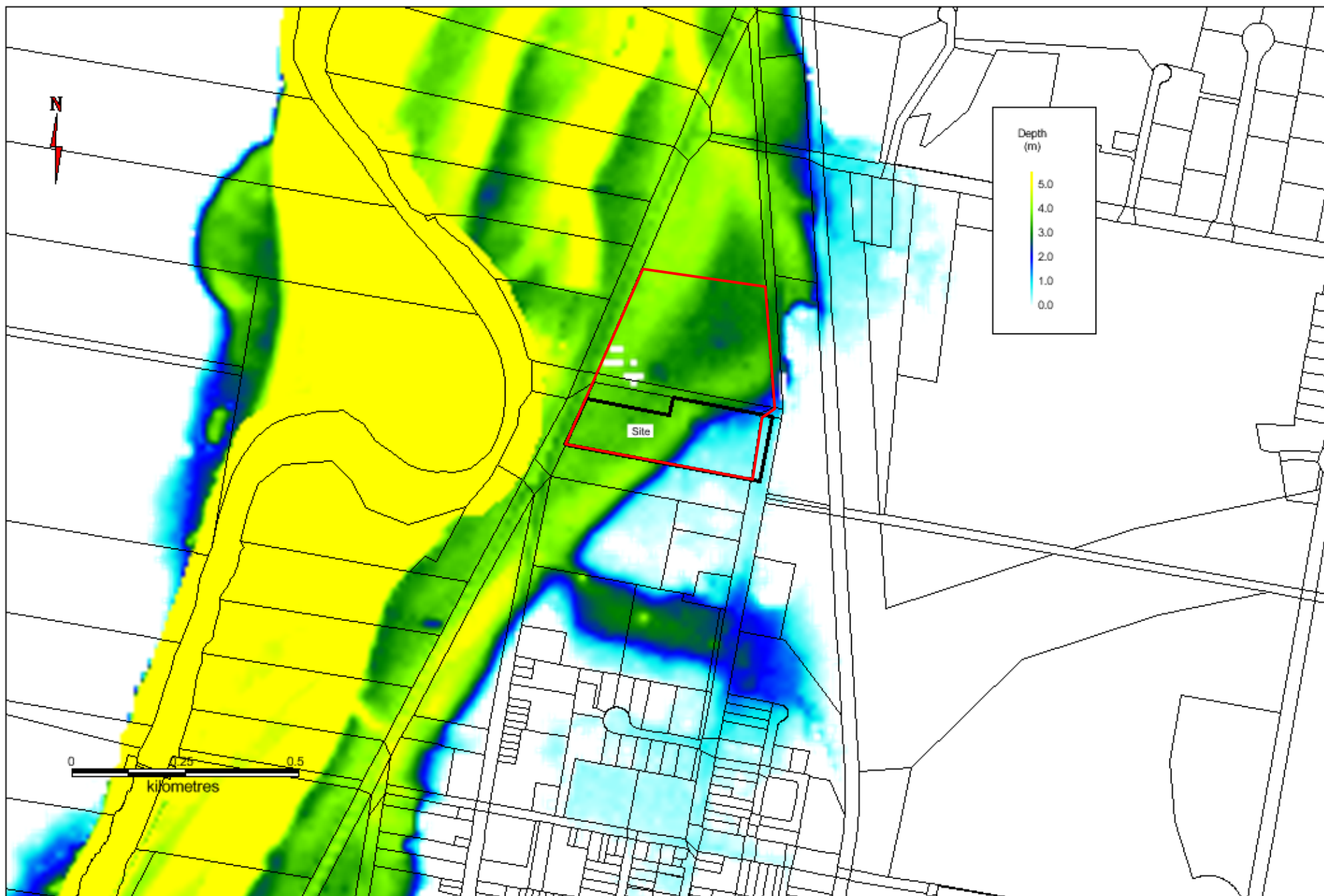


Figure 4 1% AEP Flood Depths – Macquarie River - Existing Conditions

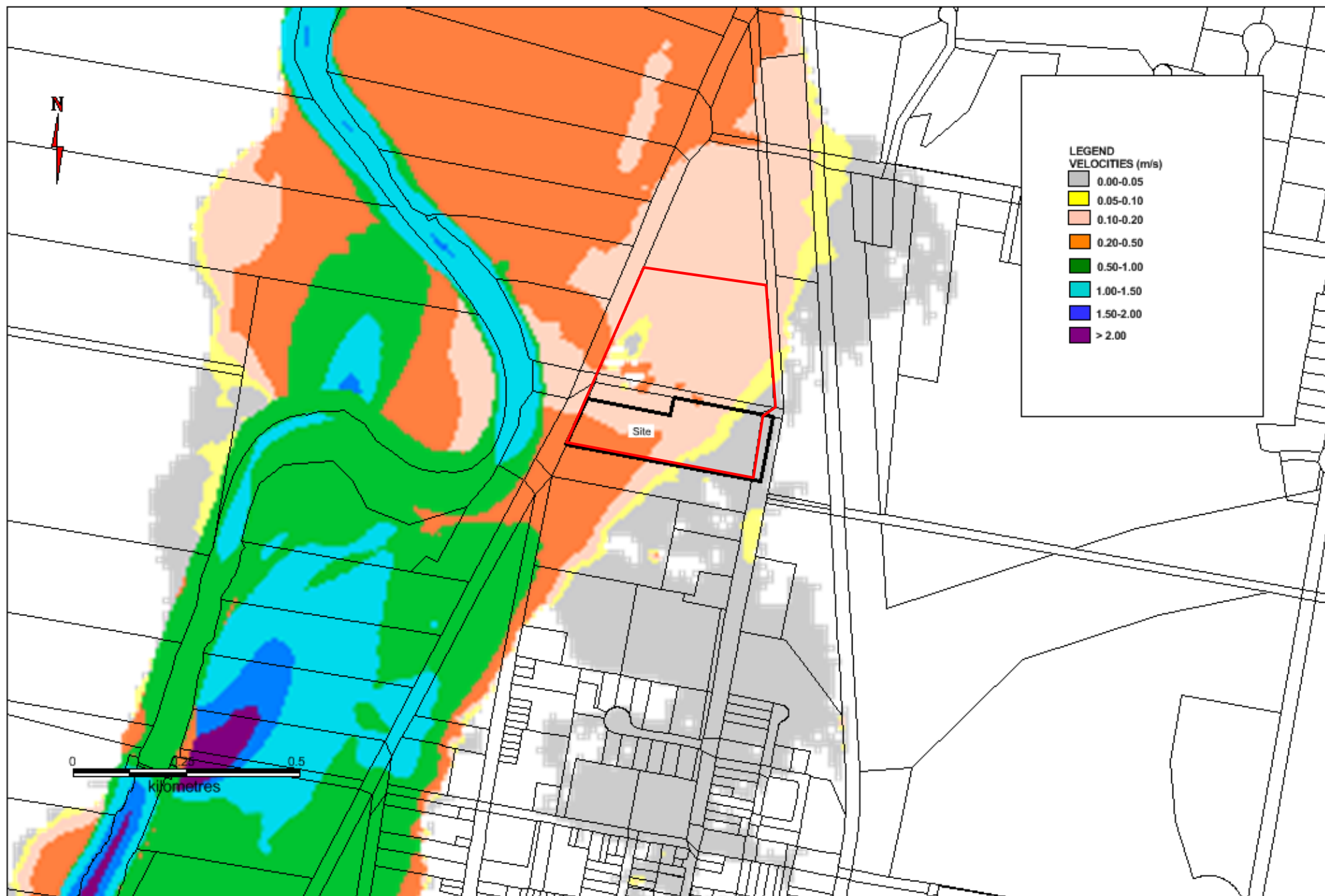


Figure 5 1% AEP Flood Velocities – Macquarie River - Existing Conditions

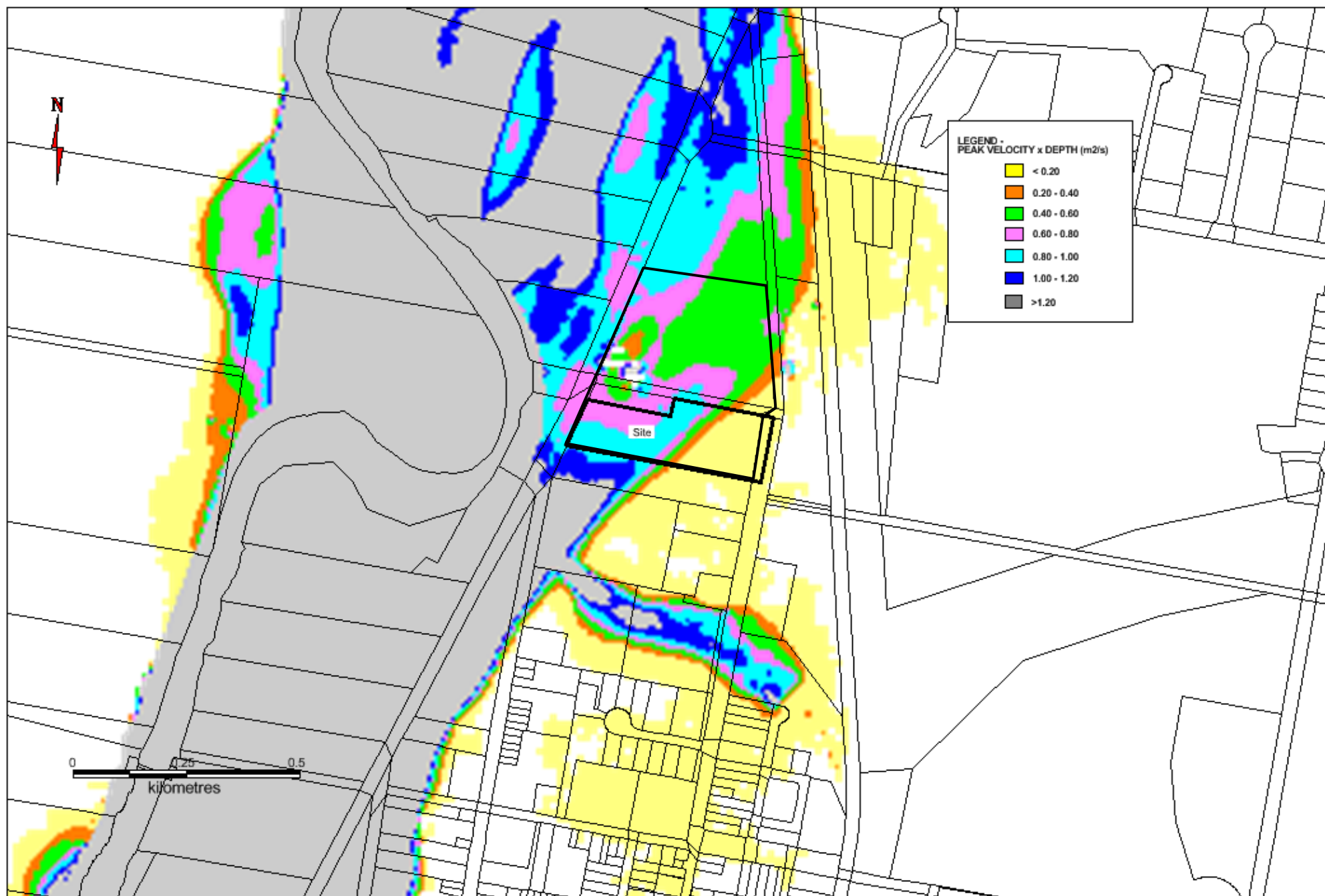


Figure 6 1% AEP Flood Velocity x Depths – Macquarie River - Existing Conditions

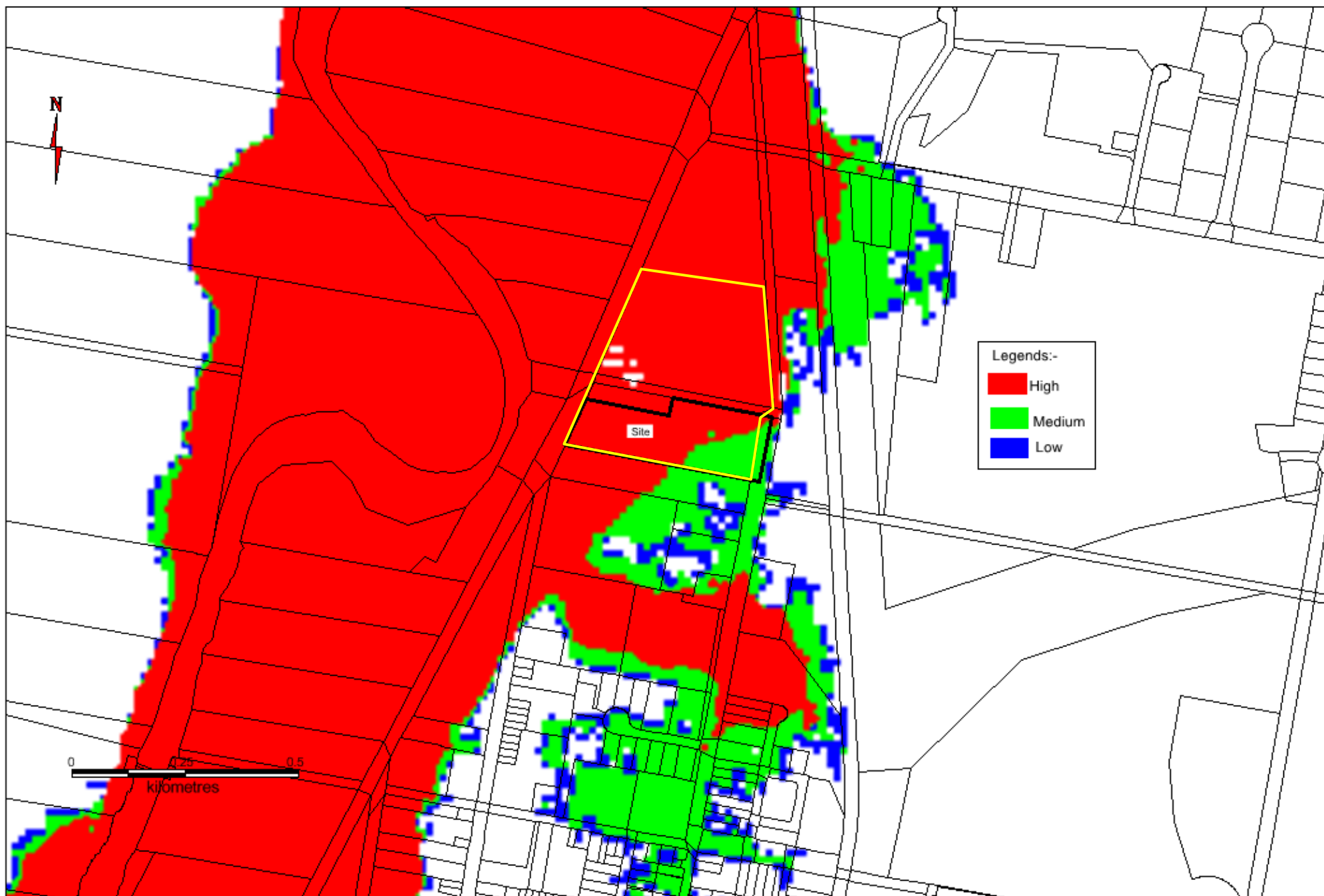


Figure 7 1% AEP Flood Hazards – Macquarie River - Existing Conditions

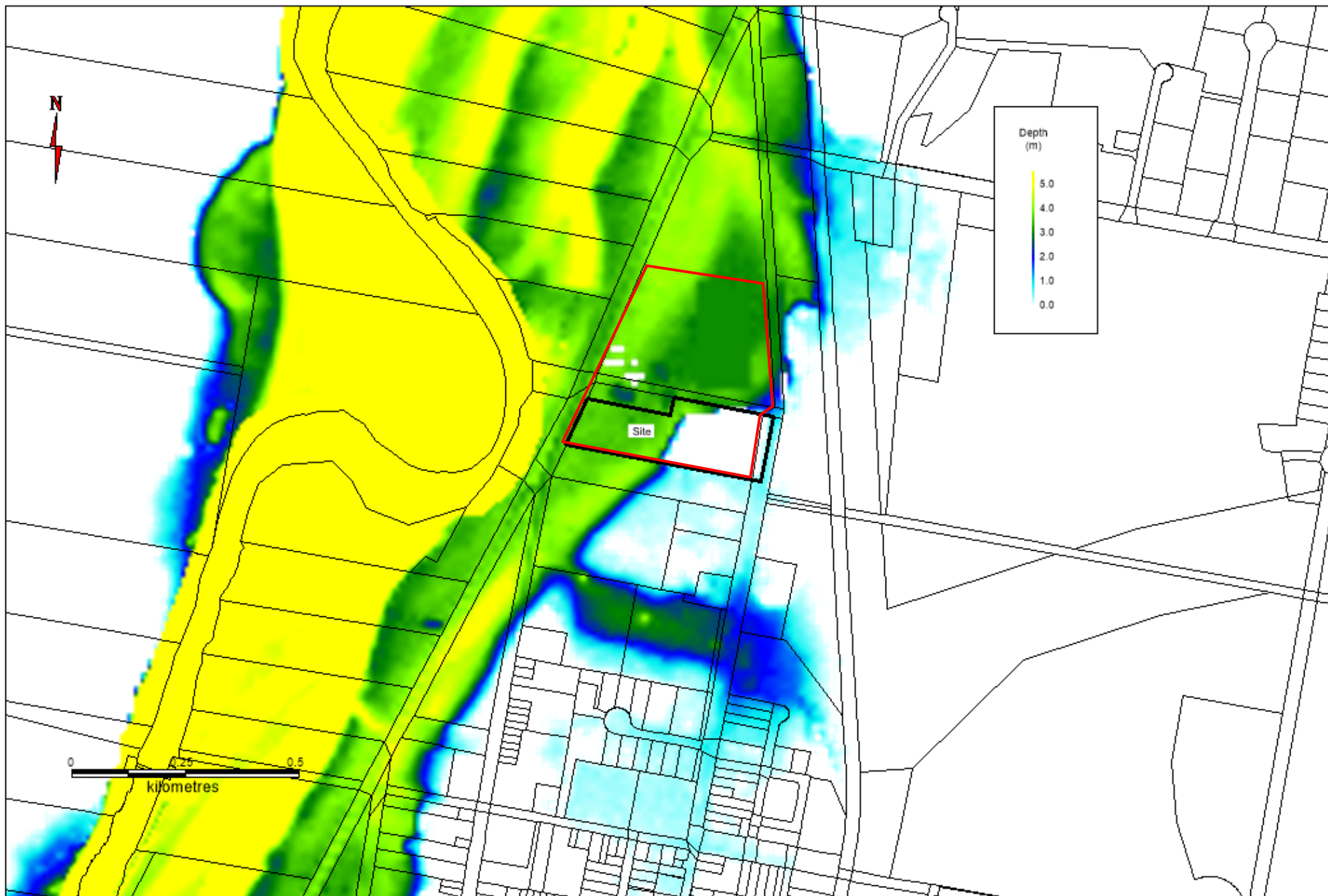


Figure 8 1% AEP Flood Depths – Macquarie River - Post Earthworks Conditions

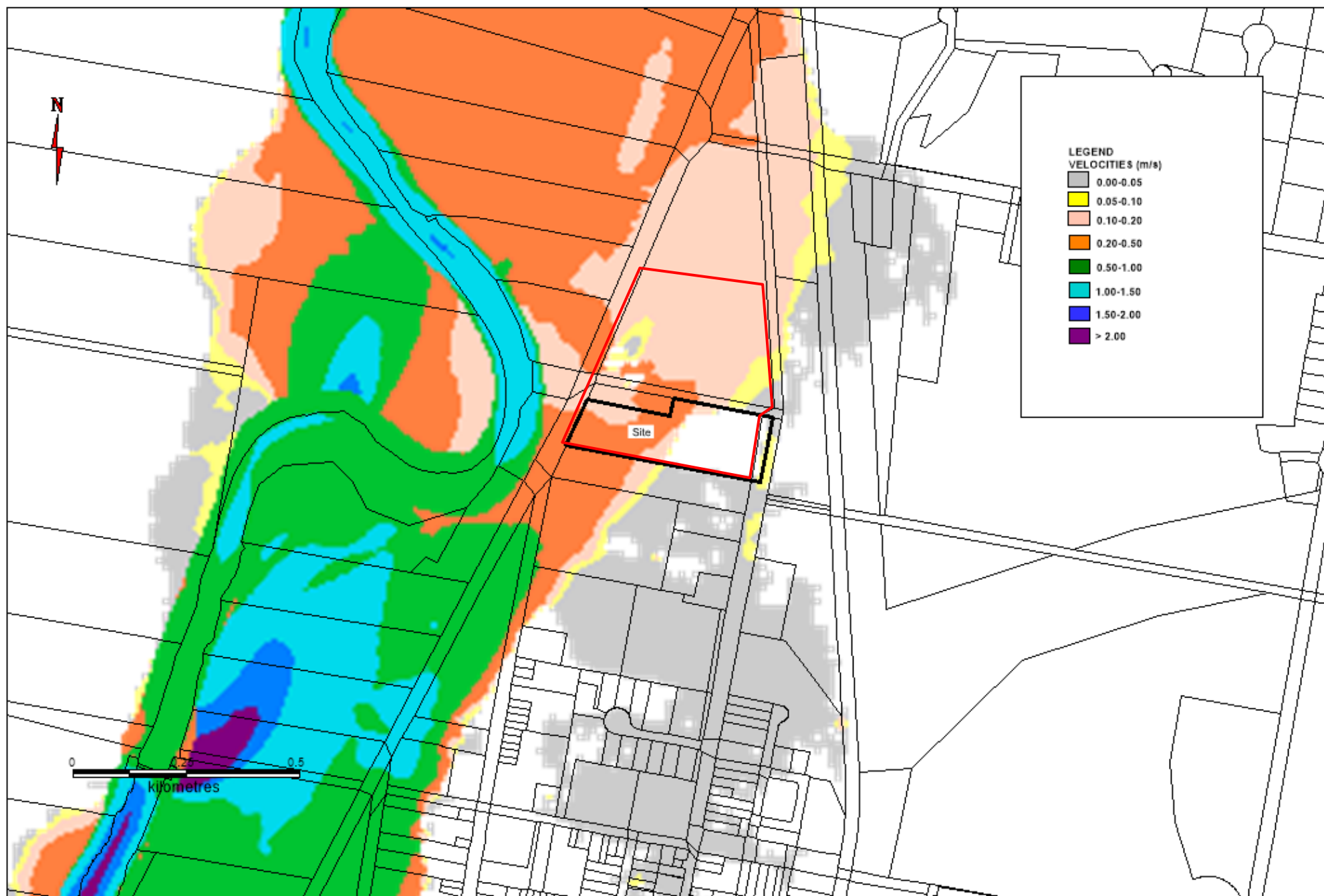


Figure 9 1% AEP Flood Velocities - Macquarie River - Post Earthworks Conditions

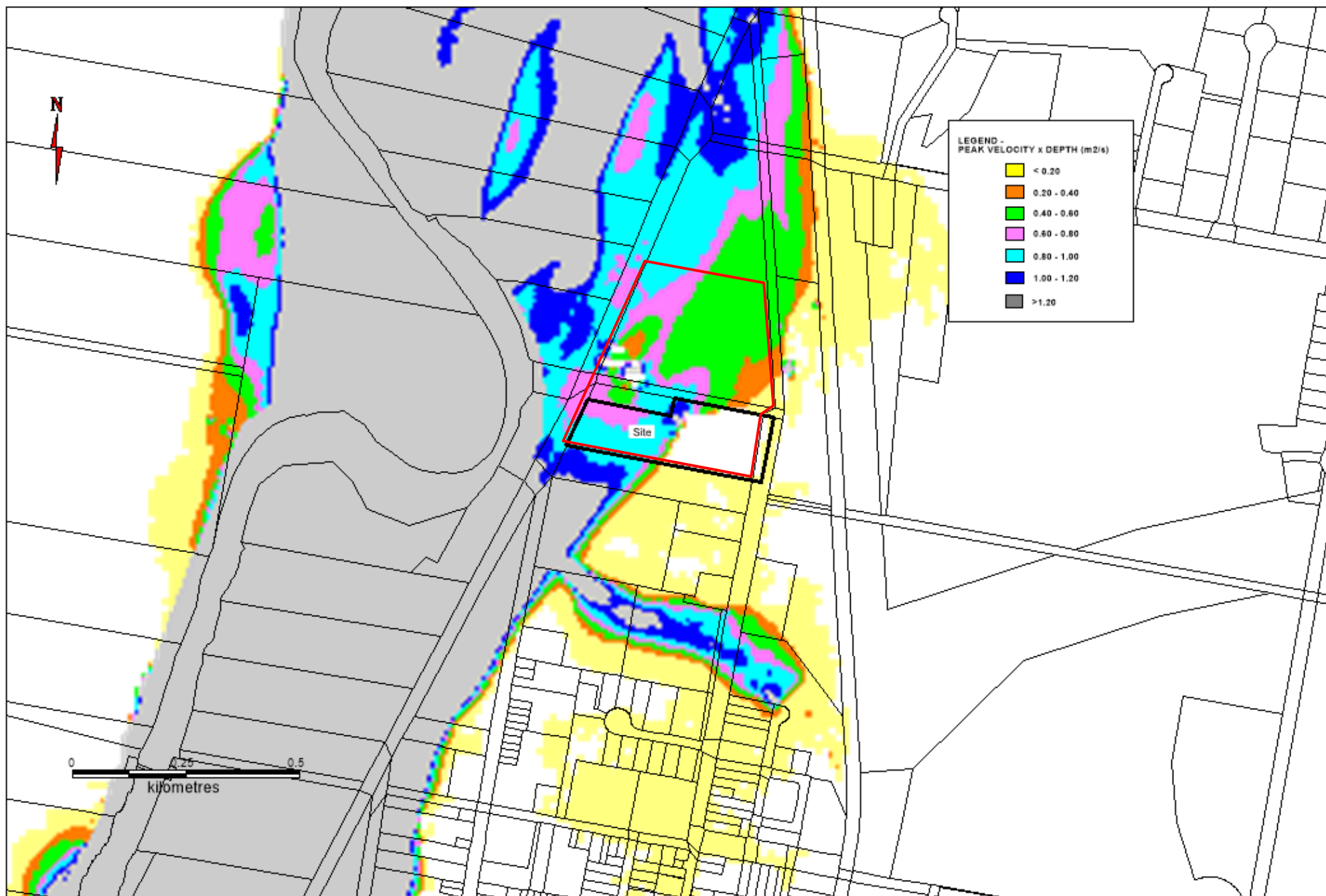


Figure 10 1% AEP Flood Velocity x Depths - Macquarie River - Post Earthworks Conditions

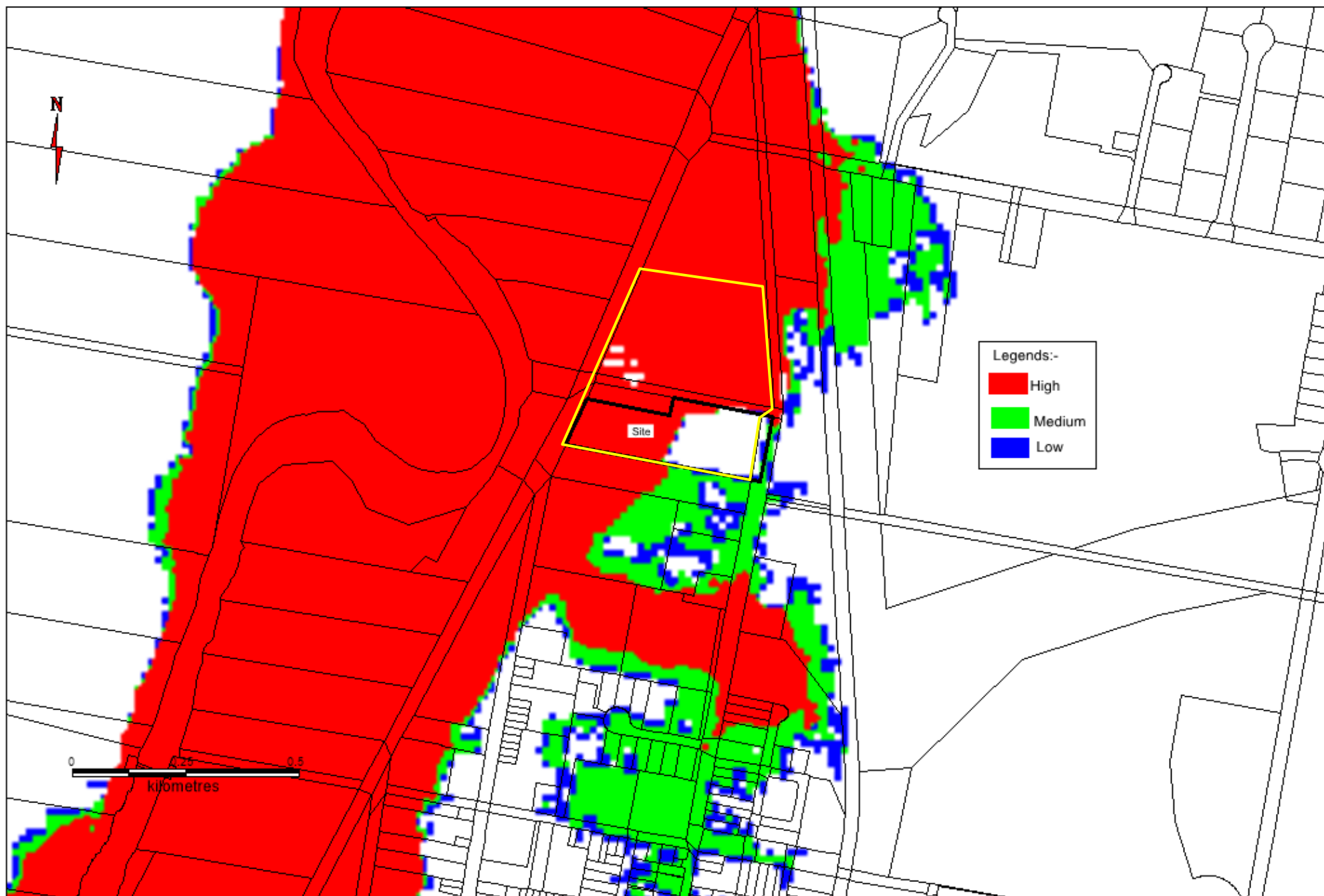


Figure 11 1% AEP Flood Hazards - Macquarie River - Post Earthworks Conditions

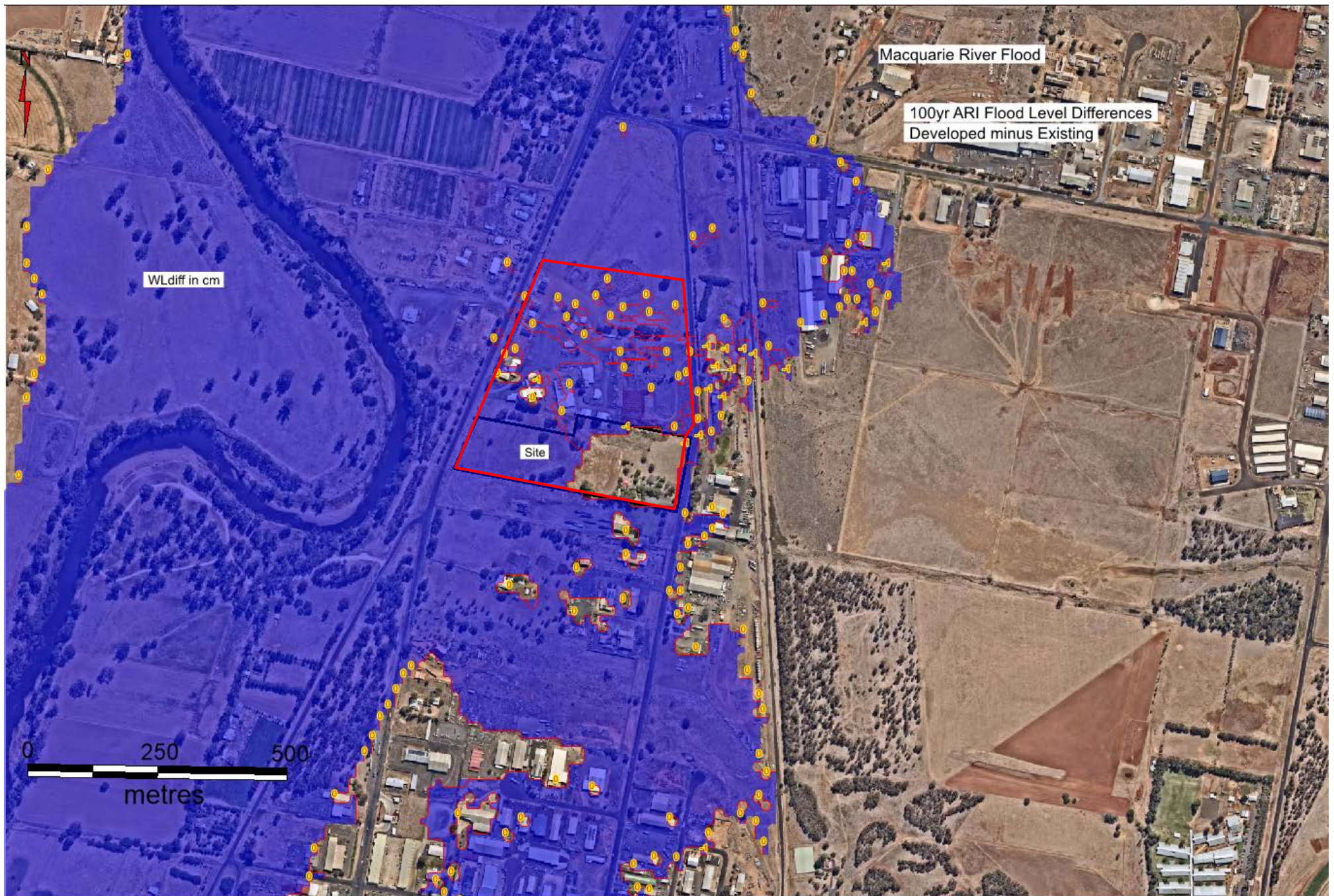


Figure 12 1% AEP Flood Levels Differences (Post Earthworks Conditions – Existing Conditions) - Macquarie River

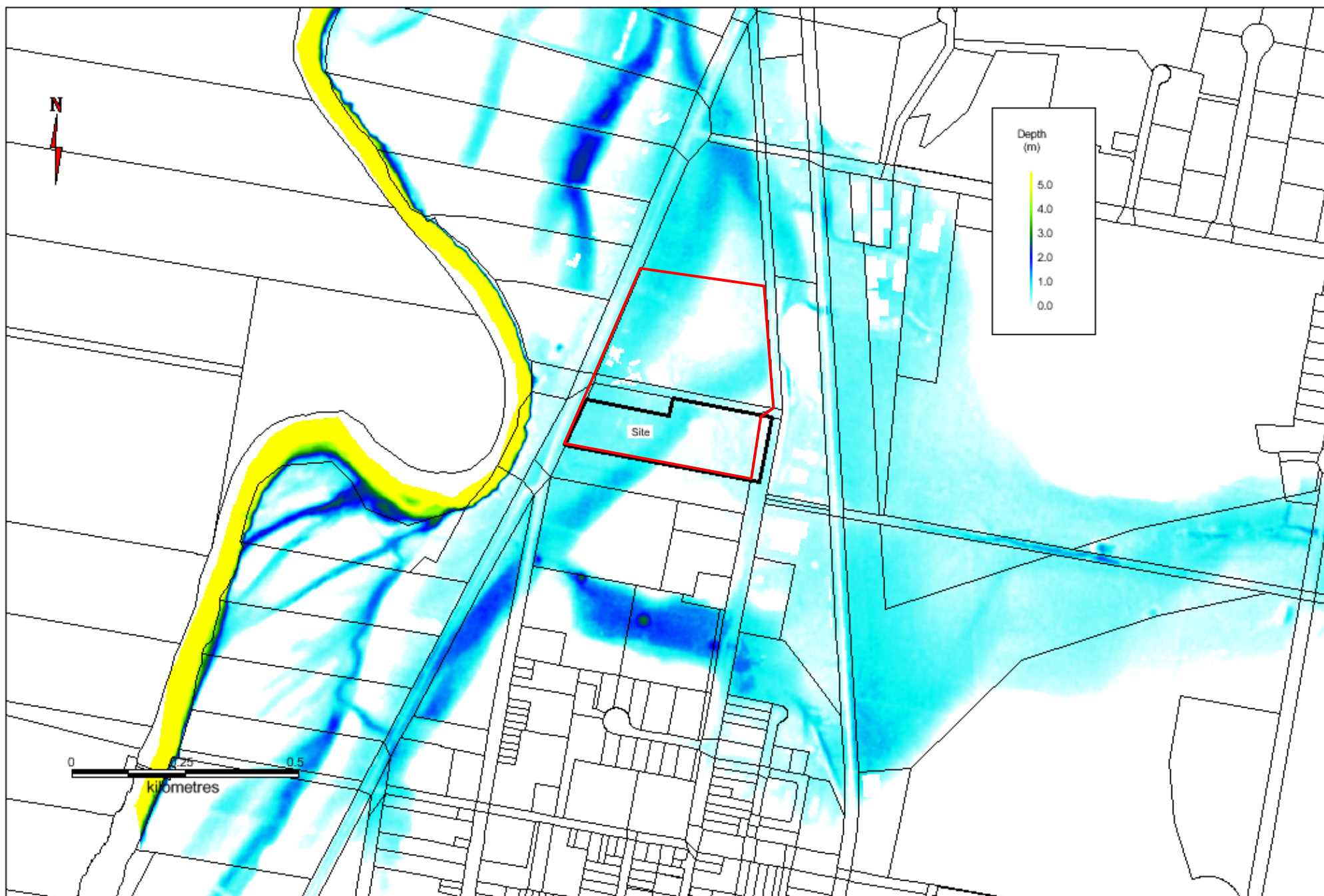


Figure 13 1% AEP Flood Depths – Troy Gully - Existing Conditions

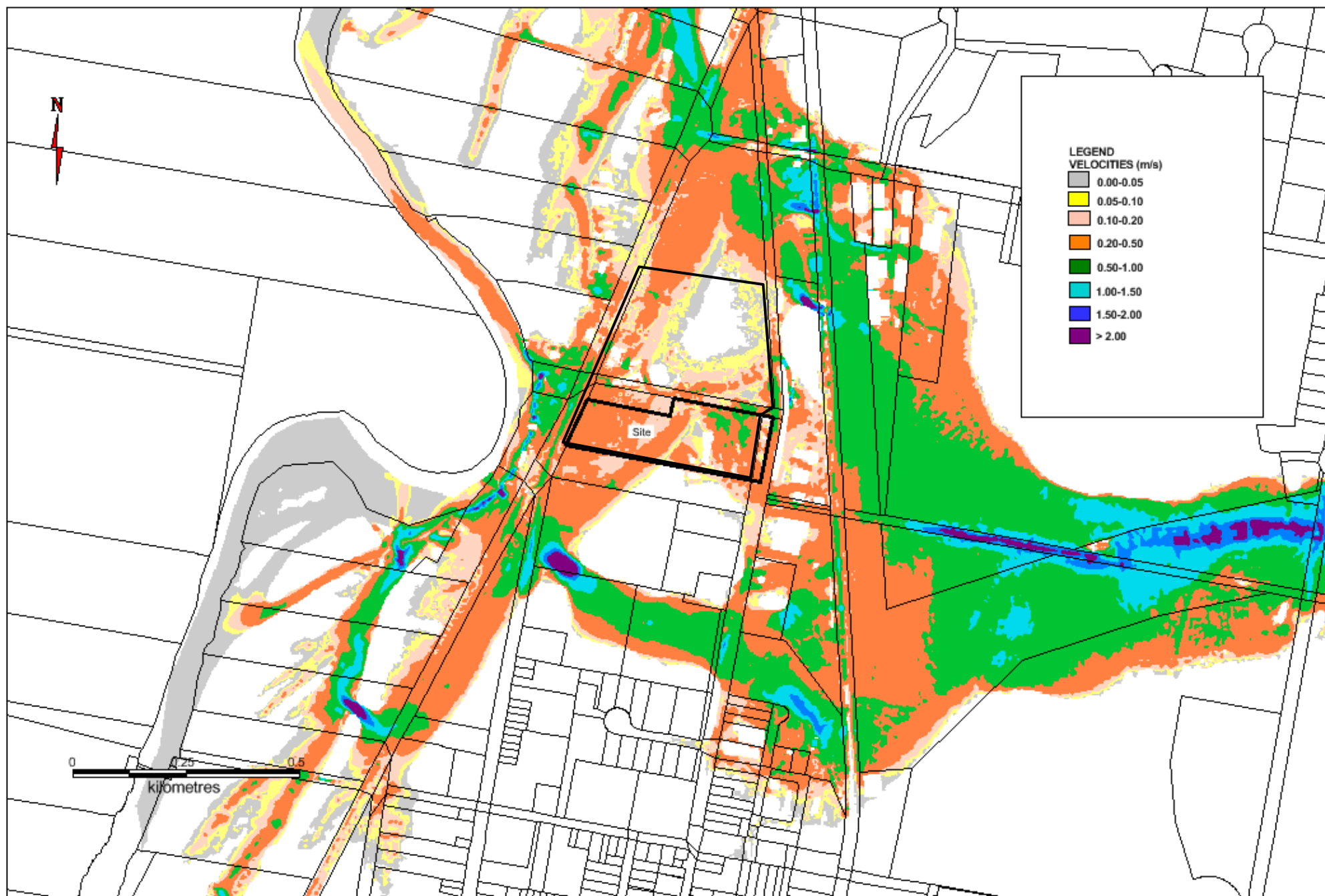


Figure 14 1% AEP Flood Velocities – Troy Gully - Existing Conditions

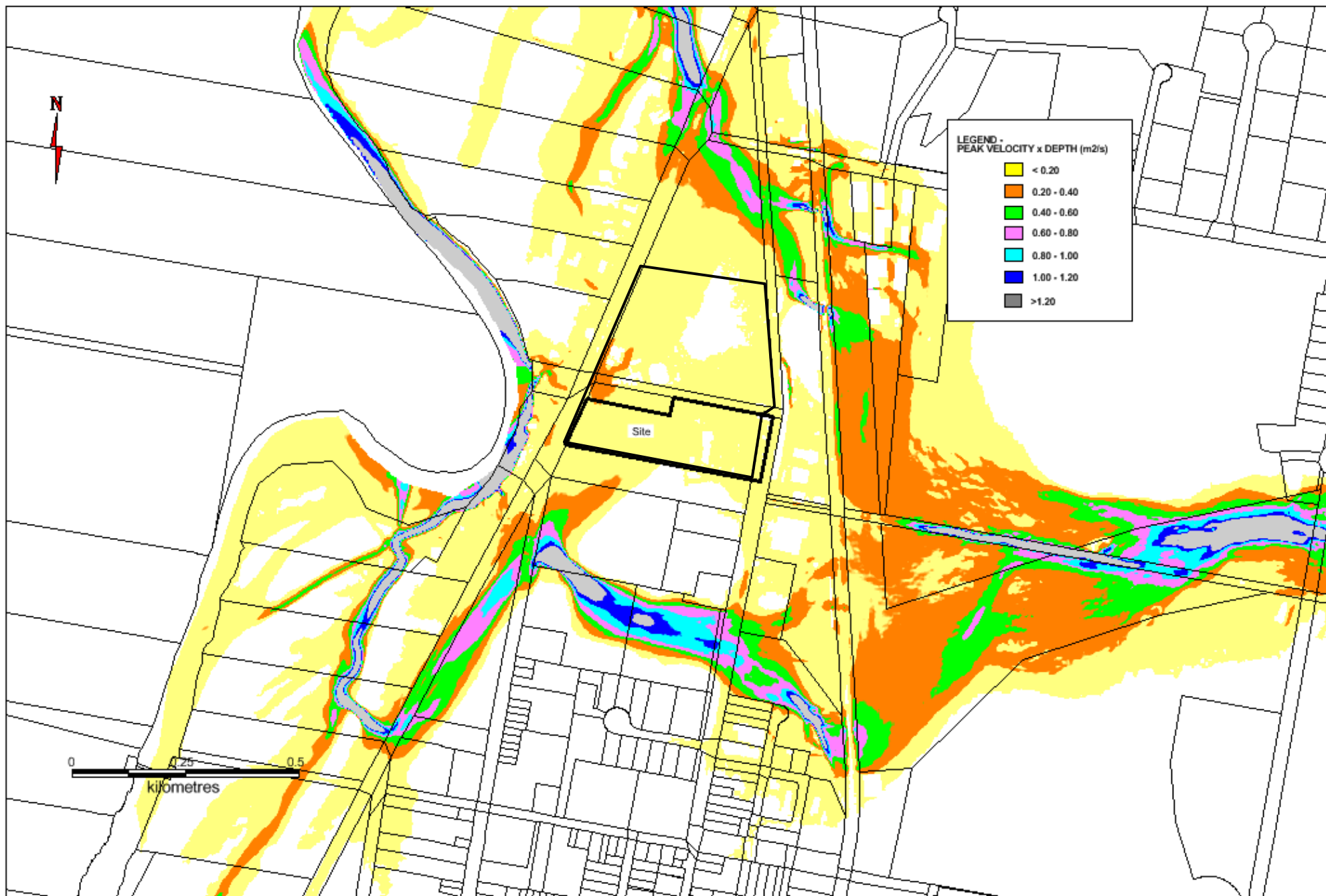


Figure 15 1% AEP Flood Velocity x Depths – Troy Gully - Existing Conditions

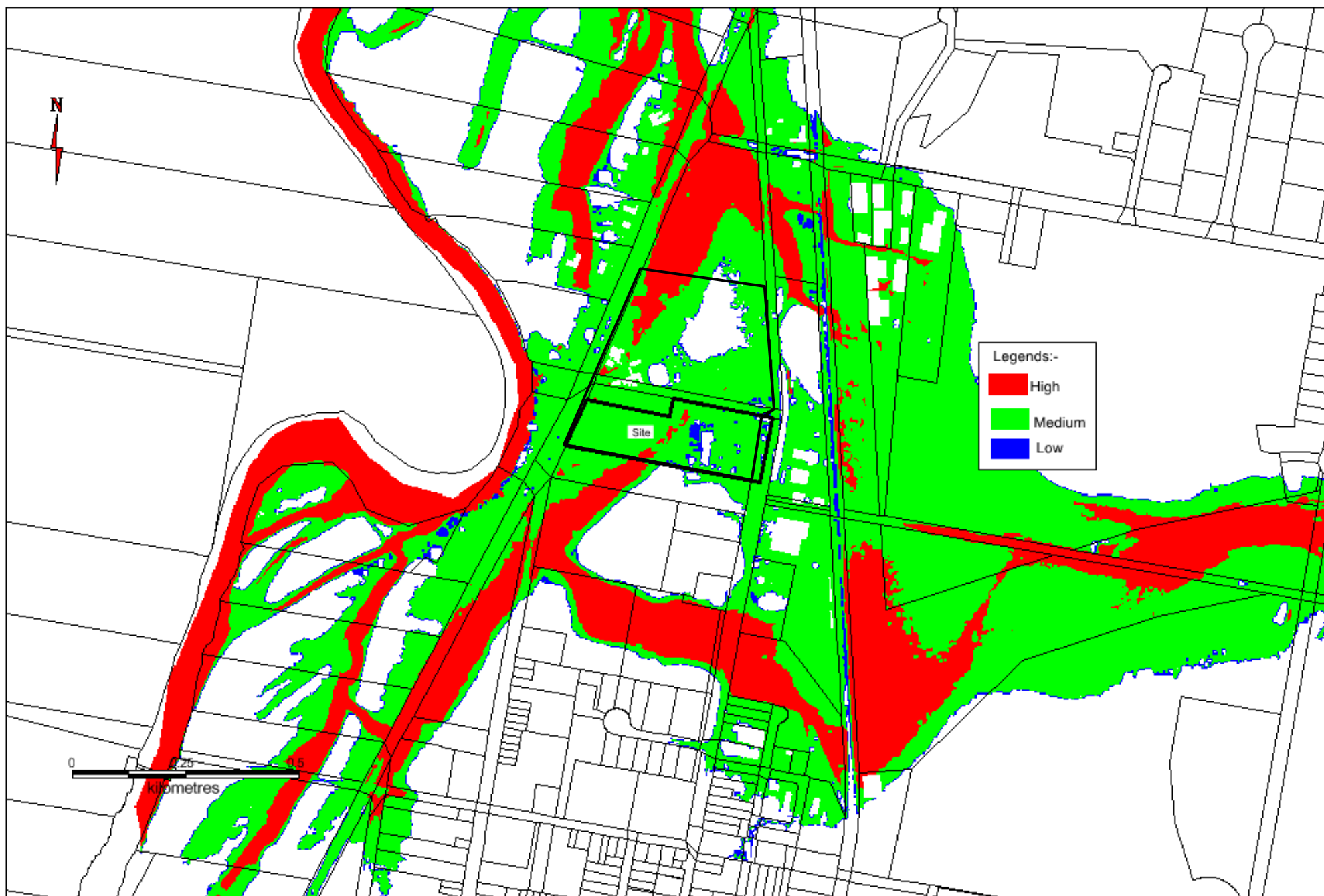


Figure 16 1% AEP Flood Hazards – Troy Gully - Existing Conditions

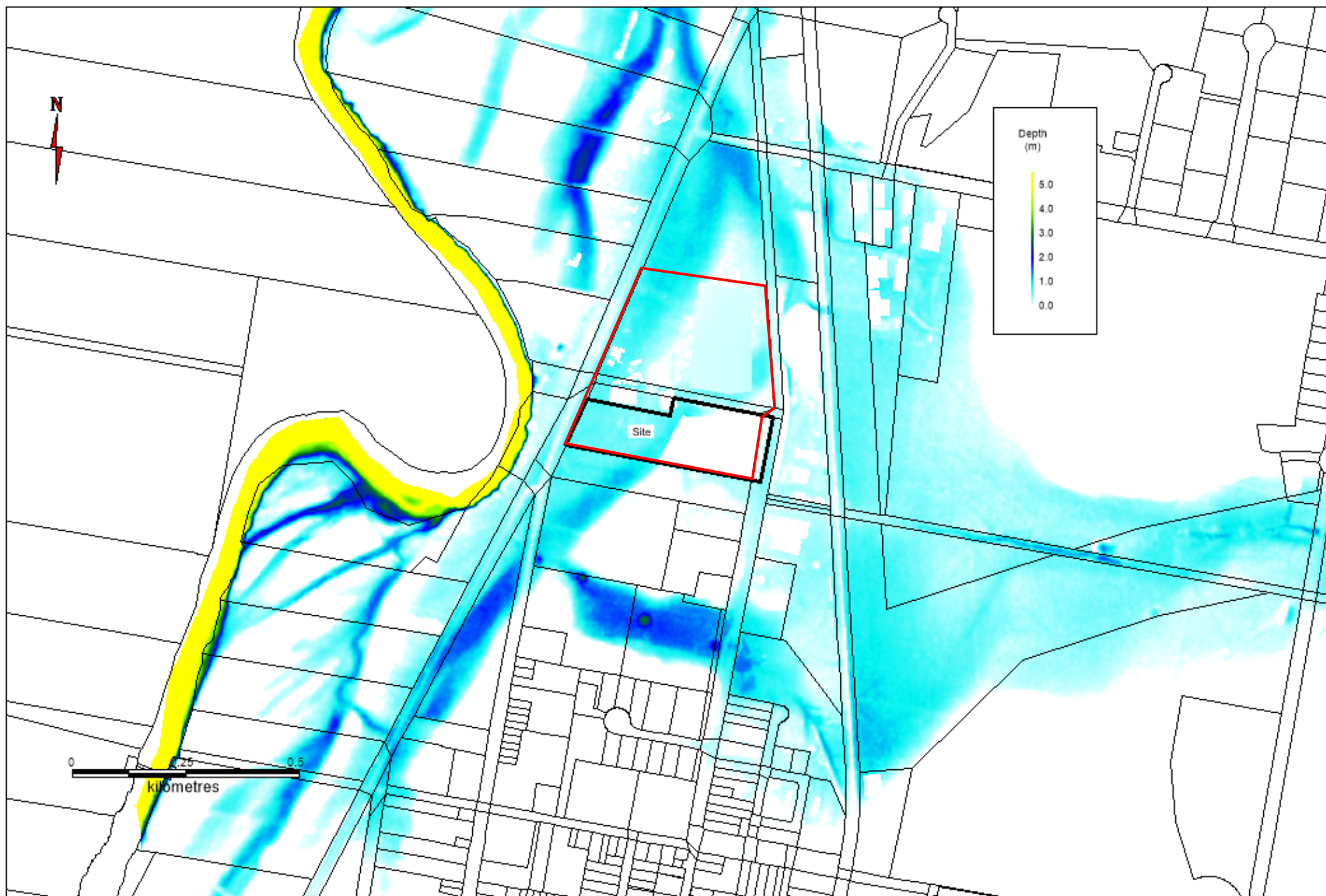


Figure 17 1% AEP Flood Depths – Troy Gully - Post Earthworks Conditions

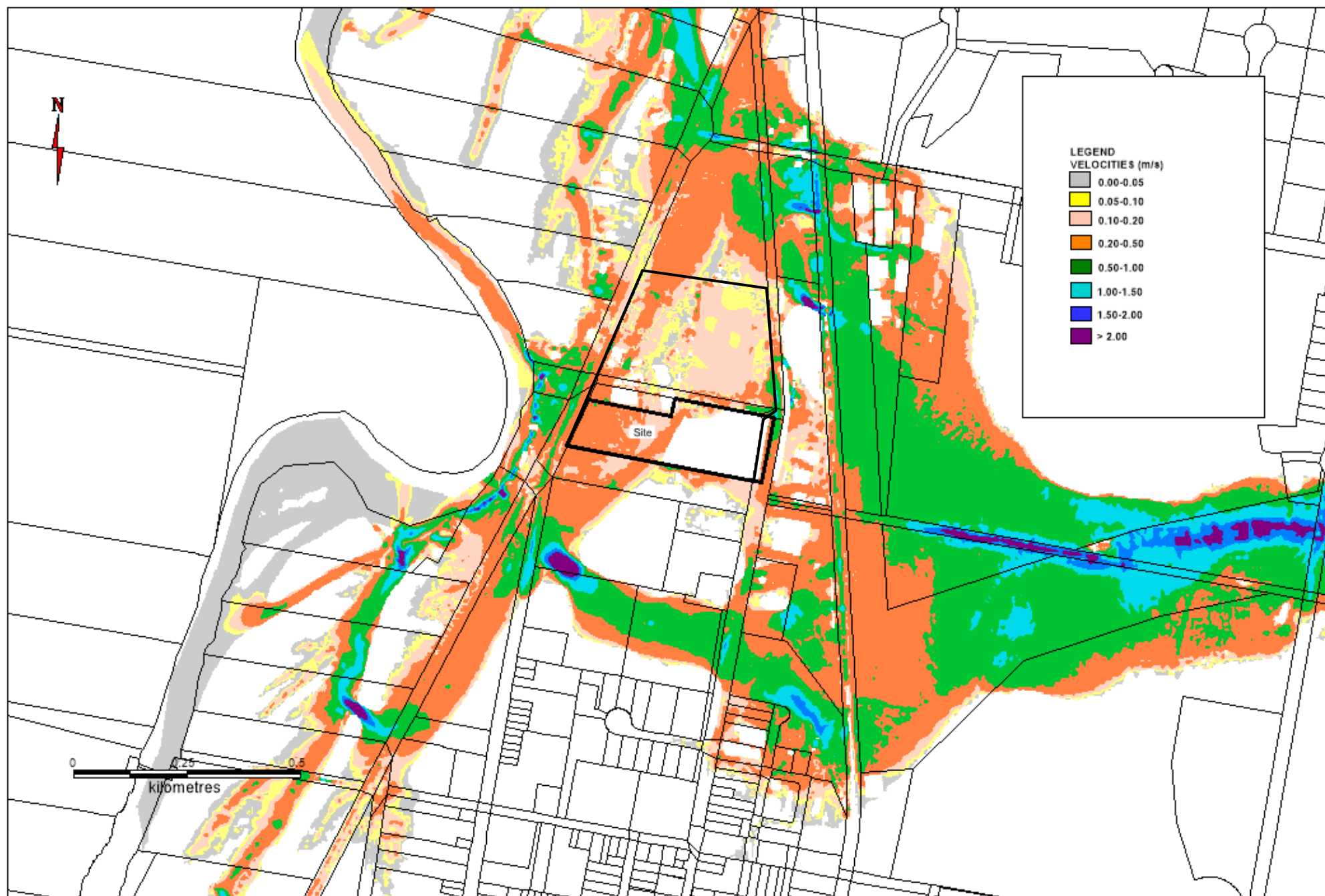


Figure 18 1% AEP Flood Velocities - Troy Gully - Post Earthworks Conditions

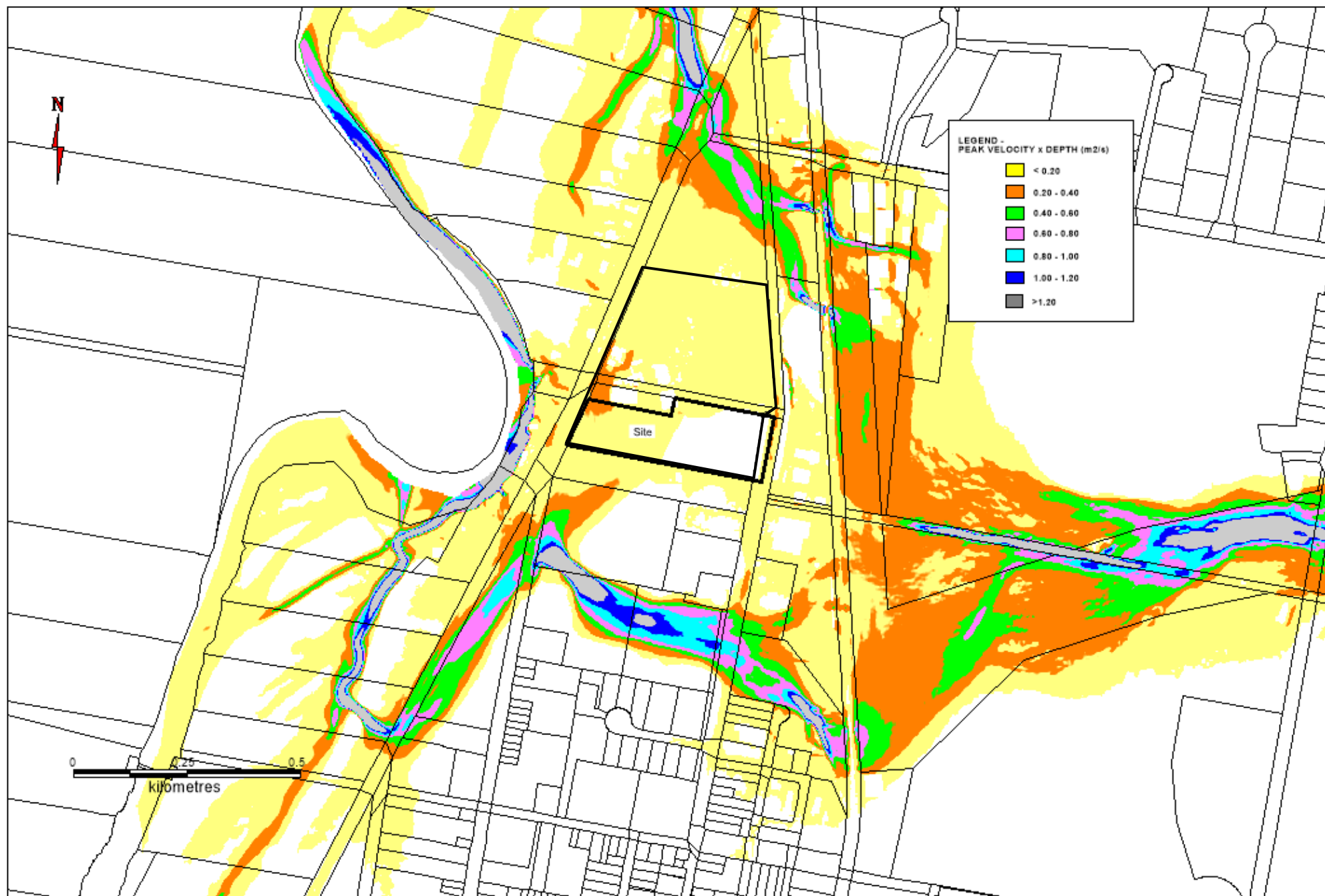


Figure 19 1% AEP Flood Velocity x Depths - Troy Gully - Post Earthworks Conditions

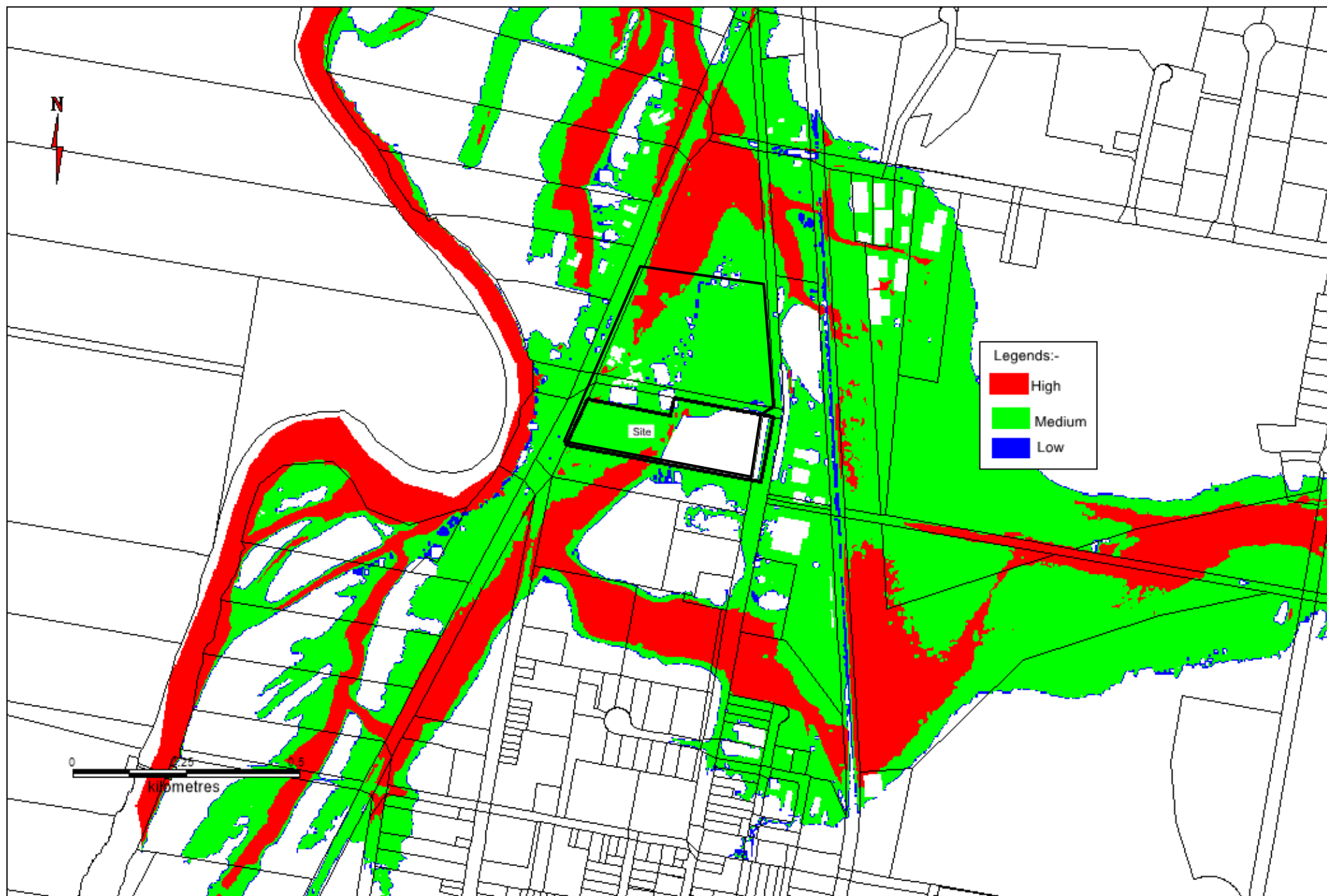


Figure 20 1% AEP Flood Hazards - Troy Gully - Post Earthworks Conditions

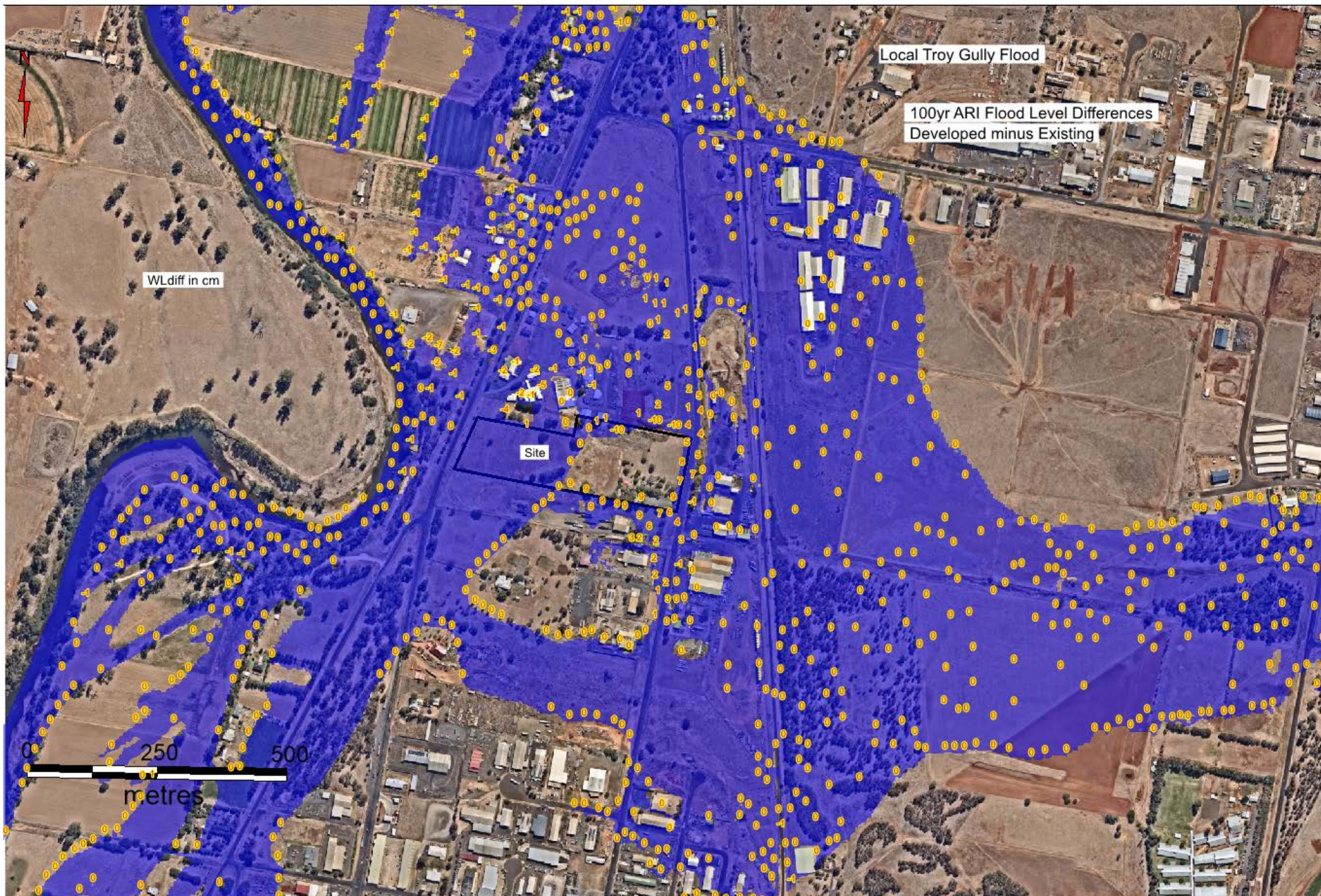


Figure 21 1% AEP Flood Levels Differences (Post Earthworks Conditions – Existing Conditions) - Troy Gully

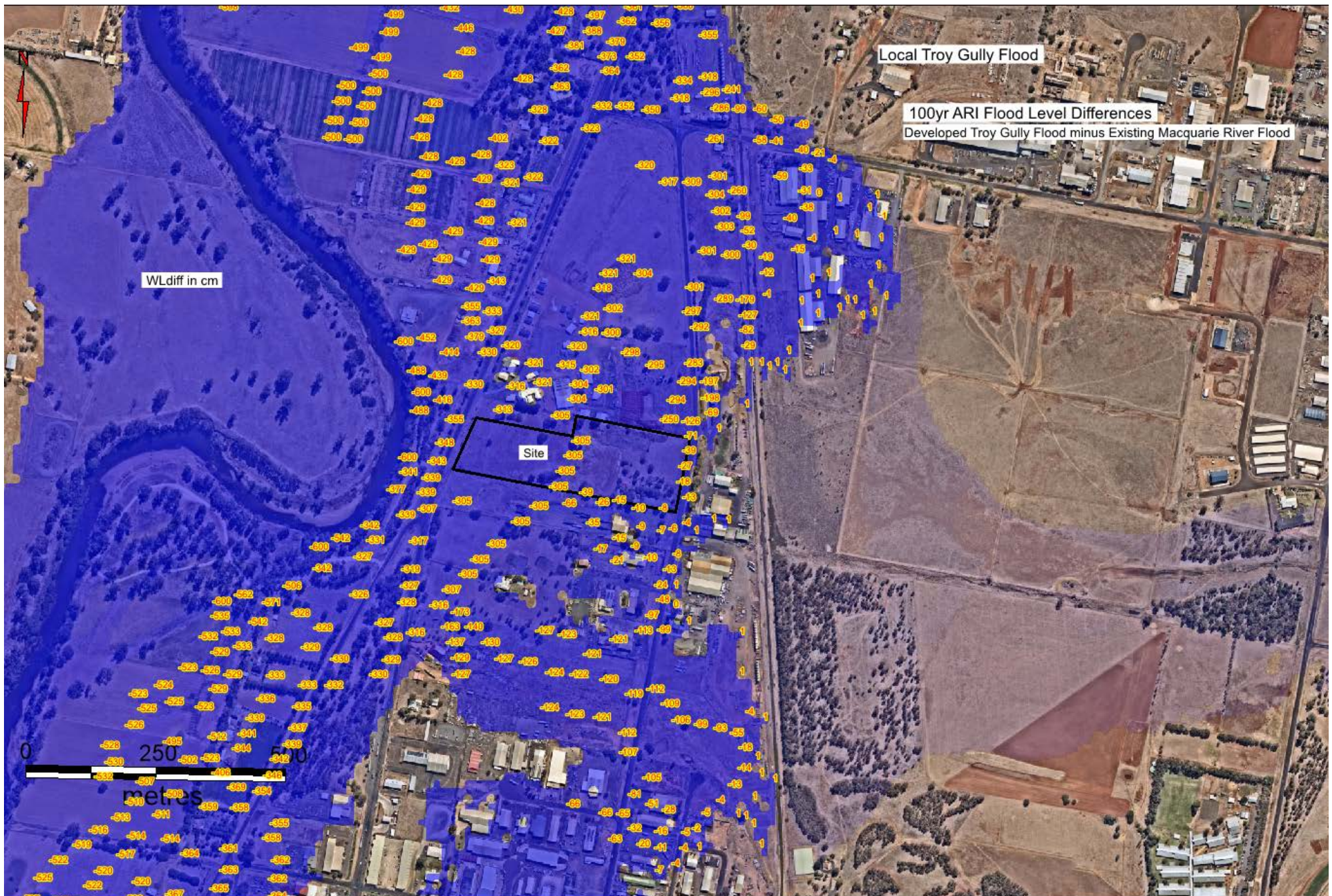


Figure 22 1% AEP Flood Levels Differences (Troy Gully Post Earthworks - Macquarie River Existing)

Our Ref: 59918021-L02:BCP/bcp
Contact: Dr Brett C. Phillips

8th November 2018

The Manager,
Barnson Pty Ltd
"Riverview" Business Park
1/36 Darling Street
DUBBO NSW 2830

Attention: Mr Jim Sarantzouklis

Cardno (NSW) Pty Ltd
ABN 95 001 145 035

Level 9
The Forum
203 Pacific Highway
St Leonards NSW 2065
Australia

Phone: 61 2 9496 7700
Fax: 61 2 9439 5170

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Dear Jim,

FLOODING INFORMATION FOR PROPOSED SUBDIVISION OF LOT 3 IN DP 1194822, LOT 1 IN DP 1163911 AND LOT 1 IN DP 197736, FITZROY STREET, DUBBO

In response to your recent request, we are pleased to provide the findings of our assessment of the updated flooding impact of the proposed fill pad on a site located between Fitzroy St and the Newell Highway, Dubbo.

1. BACKGROUND

The location of the site is indicated in **Figure 1**.

The estimated 1% AEP flood level contours and flood depths under "mainstream" flooding conditions are given in **Figure 2**. It is evident from Figure 2 that the site is completely flooded in a 1% AEP event. This has consequences for safe evacuation of workers from the site along a route that ideally would be above the 1% AEP flood level.

2. OBJECTIVE

The objective of the study is to provide information on current flooding of the site and to undertake an assessment of the impact of the proposed latest fill pad on the site in relation to flooding in a 1% AEP event under mainstream (Macquarie River) and local (Troy Gully) flooding regimes to inform Barnson's formulation of a DA for planned works on the site

3. OUR APPROACH

3.1 Study Inputs

The inputs to the study comprised:

- (i) Information on existing flood behaviour across the site under mainstream (Macquarie River) and local (Troy Gully) flooding including assessments undertaken since 2012 (already held);
- (ii) A copy of the hydrological and floodplain model for the site and its surrounds (already held)
- (iii) An annotated copy of the planned filling to be assessed (provided by Barnson)

3.2 Tasks

The tasks included:

- (i) Modify the Existing Conditions Macquarie River hydraulic model represent the planned filling;
- (ii) Re-run the Post-development model and extract flooding information including flood depths, velocities and hazards for the 1% AEP event only;
- (iii) Determine the “mainstream” 1% AEP flood level differences;
- (iv) Extract information on flooding of the site in the 1% AEP “local” Troy Gully flooding conditions;
- (v) Modify the Existing Conditions Troy Gully hydraulic model represent the planned filling;
- (vi) Re-run the Post-development model and extract flooding information including flood depths, velocities and hazards for the 1% AEP event only;
- (vii) Determine the 1% AEP flood level differences;

3.3 Pedestrian and Vehicular Stability

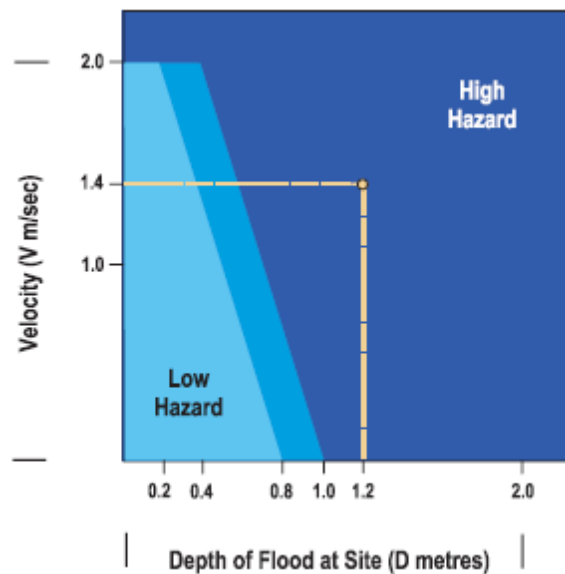
When considering pedestrian and vehicular stability, three velocity x depth criteria were identified as follows:

Velocity x Depth	Comment
$\leq 0.4 \text{ m}^2/\text{s}$	This is typically adopted by Councils as a limit of stability for pedestrians
$0.4 - 0.6 \text{ m}^2/\text{s}$	Unsafe for pedestrians but safe for vehicles if overland flood depths do not exceed around 0.3 m
$> 0.6 \text{ m}^2/\text{s}$	This is typically adopted by Councils as a limit of stability for vehicles

3.4 Flood Hazards

Experience from studies of floods throughout NSW and elsewhere has allowed authorities to develop methods of assessing the hazard to life and property on floodplains. This experience has been used in developing the NSW Floodplain Development Manual to provide guidelines for managing this hazard. These guidelines are shown schematically below.

To use the diagram, it is necessary to know the average depth and velocity of floodwaters at a given location. If the product of depth and velocity exceeds a critical value (as shown below), the flood flow will create a **high hazard** to life and property. There will probably be danger to persons caught in the floodwaters, and possible structural damage. Evacuation of persons would be difficult. By contrast, in **low hazard** areas people and their possessions can be evacuated safely by trucks.



***Provisional Hazard Categories
(after Figure L2, NSW Government, 2005)***

Between the two categories a transition zone is defined in which the degree of hazard is dependent on site conditions and the nature of the proposed development. This calculation leads to a provisional hazard rating. The provisional hazard rating may be modified by consideration of effective flood warning times, the rate of rise of floodwaters, duration of flooding and ease or otherwise of evacuation in times of flood.

4. COMPARISON OF 2012 AND 2016 DRAFT MACQUARIE RIVER FLOODPLAIN MODELS

In response to some concerns expressed by stakeholders regarding the draft 2012 Macquarie River Flood Study Update, a number of the review tasks have been undertaken to assess the stakeholder concerns and the outcomes have been outlined in a number of Discussion Papers. The outcomes of the assessments have been also progressively peer reviewed by an independent leading industry expert. These assessments have included the re-calibration of the floodplain model against the December 2010 flood. Sensitivity testing was also undertaken to ascertain the primary sources of any changes in flood levels to:

- Changes due to the modification and re-calibration of the floodplain model during the assessment of the December 2010 flood (Feb2015 floodplain model);
- TUFLOW engine version (TufLOW 2008-08-AH versus TufLOW 2013-12-AE); and
- Adopted time step for modelling

It was concluded that:

- While the modification and re-calibration of the floodplain model during the assessment of the December 2010 flood can locally increase flood levels by up to 0.62 m and locally decrease flood levels by up to 0.99 m the median change in flood levels is a 0.01 m reduction;
- The reduction in time step gives a median reduction in flood levels of around 0.08 m;
- The reduction in time step also reduces the spatial extent of 100 yr ARI flooding in north Dubbo;
- The adoption of a newer TUFLOW engine gives a median reduction in flood levels of around 0.14 m;

The overall impact of the modification and re-calibration of the floodplain model during the assessment of the December 2010 and adoption of a newer engine and shorter computational time step can locally increase 100 yr ARI flood levels by up to 0.02 m and locally decrease flood levels by up to 1.06 m the median reduction in 100 yr ARI flood levels is a 0.09 m.

Other assessments which have been undertaken include:

- A detailed review of the rating tables and flow gaugings at the Dubbo PS gauge;
- Updating the flood frequency analysis of flows at Dubbo PS gauge levels to include readings from 2007 – 2014 inclusive;
- Updating the flood frequency analysis of flows at Dubbo PS gauge using the procedure recommended by the draft 2016 edition of Australian Rainfall & Runoff
- Assessing the sensitivity of flood frequency estimates at the Dubbo PS gauge to the inclusion of major historical floods which occurred prior to the commissioning of Burrendong Dam.

A comparison of the peak flows at the Dubbo PS gauge estimated by the flood frequency analysis reported in 2012 and the updated 2016 flood frequency analysis is given in **Table 1**.

Consequently the 2016 draft Macquarie River floodplain model has been run based on:

- The floodplain model calibrated to the 2010 flood,
- The 2013-12-AE CPU Engine;
- A 2 second timestep; and
- the draft 2016 peak flows at the Dubbo PS gauge as given in **Table 1**.

Table 1 Comparison of Peak Flows at the Dubbo PS Gauge estimated by Flood Frequency Analysis

AEP (1 in)	2012 Study	Draft 2016 Assessments
10	820	790
20	1,360	1,343
50	2,500	2,557
100	3,820	4,037
200	5,700	6,255

It was found that the estimated 1% AEP flood levels in 2012 and 2016 are almost identical in the location at around 262.42 m AHD.

5. TROY GULLY FLOODPLAIN MODEL

In 2004, the original TUFLOW Classic model for Troy Gully was developed based on LiDAR data provided at the time. The model extended from the confluence of Troy Gully and Macquarie River downstream of Newell Highway up to Peachville Road, and run based on a 10m x 10m grid spacing.

In 2007, a series of flood mitigation options for Troy Gully were assessed using a TUFLOW Classic model which was truncated to the reach from Yarrandale Road and the confluence of Troy Gully and Macquarie River. The truncated model used two separate grid bases being a 2.5m x 2.5 m grid between Yarrandale

Road and the railway line and a 5 m x 5 m grid downstream of the railway line to the confluence of Troy Gully and the Macquarie River.

In 2018 the 2007 truncated TUFLOW Classic model of Existing Conditions was extended 600 m upstream from Yarrandale Road and a uniform 3 m x 3 m grid base was adopted. Existing buildings evident on current aerial photos from Nearmap were also blocked out in the model. The modified 2007 model was run using TUFLOW HPC.

There were a number of stormwater drainage structures located under road and railway crossings in the Troy Gully floodplain and within the boundary of the 2018 TUFLOW model. **Table 2** lists the stormwater drainage structures included in the 2018 TUFLOW model (refer **Figure 3**)

The same roughness zones adopted in the 2004 and 2007 models were also adopted in the 2018 TUFLOW model.

Table 2 – Road and Railway Crossings include in Existing Conditions Model

Crossing	Reference Location (Refer Figure 1)	Details
Galgandra-Dubbo Railway	A	4 x 600 mm diameter pipes
	B	1 x 600 mm diameter pipe
	C	3 x 1200 mm diameter pipes
	D	13 x 1.2mW x 0.9mH box culverts
	E	96 x 600mm diameter pipes
Fitzroy Street	F	2 x 1.8mW x 0.6mH box culverts
	G	3 x 1.2mW x 0.6mH box culverts
Purvis Lane	H	3 x 1.2mW x 0.6mH box culverts
	I	2 x 1.8mW x 0.6mH box culverts
Newell Highway	J	2 x 1.8mW x 0.6mH box culverts
	K	1 x 1.8mW x 0.6mH box culvert
	L	2 x 1.8mW x 0.6mH box culverts
Yarrandale Road	M	2 x 600 mm diameter pipes

Design flood inflows to the TUFLOW model were estimated by the XP-RAFTS model previously assembled for the Troy Gully catchment. Time series of inflow hydrographs were generated by the XP-RAFTS model, and imported into the TUFLOW model as interface files.

In the TUFLOW model, the downstream boundary conditions for Macquarie River at the confluence of Troy Gully adopted in the 2006, 2007 and 2012 assessments were adopted in this study.

4. FLOOD IMPACT ASSESSMENTS

4.1 Macquarie River Flood

Current Conditions

The estimated 1% AEP depths, velocities, velocity x depth and hazards under Existing Conditions are plotted in **Figures 4, 5, 6 and 7** respectively.

Post-Development Conditions

The assumed properties of the filling included:

- The fill platform level of 262.5 m AHD;
- Side slopes as defined in **Figure 1**;
- The inclusion of a vertical wall as disclosed on **Figure 1**;
- Inclusion of an extended fill pad with a platform level of 259.8 m AHD; and
- Adoption of a high roughness zone for on-grade permanent buildings (Manning $n = 0.1$); and
- Adoption of a high roughness zone for demountable houses under construction (Manning $n = 0.07$).

The estimated 1% AEP depths, velocities, velocity x depth and hazards under post-development conditions with the proposed extension of the existing pad are plotted in **Figures 8, 9, 10 and 11** respectively.

The estimated 1% AEP level differences under post-development conditions with the proposed extension of the existing pad in comparison with Existing Conditions are plotted in **Figure 12**.

Flood Impact Assessment

As disclosed in **Figure 12** the proposed earthworks have a negligible impact on the 1% AEP flood levels. Likewise it is noted that the proposed earthworks have a negligible impact or a local impact only on flood velocities, velocity x depth and provisional flood hazard. The local changes in peak velocity are such that the peak velocity remains low and does not pose a concern in relation to erosion or scour in the 1% AEP flood.

4.2 Troy Gully Flood

Current Conditions

The estimated 1% AEP depths, velocities, velocity x depth and hazards under Existing Conditions are plotted in **Figures 13, 14, 15 and 16** respectively.

Post-Development Conditions

The estimated 1% AEP depths, velocities, velocity x depth and hazards under post-development conditions with the proposed extension of the existing pad are plotted in **Figures 17, 18, 19 and 20** respectively.

The estimated 1% AEP level differences under post-development conditions with the proposed extension of the existing pad in comparison with Existing Conditions are plotted in **Figure 21**.

Flood Impact Assessment

As disclosed in **Figure 21** the proposed earthworks locally increase the 1% AEP flood levels on the southern side of the fill platform. Likewise it is noted that the proposed earthworks have a small impact on flood velocities on the southern side of the fill platform on Fitzroy Street just north of the fill platform. The local impact on velocity x depth and provisional flood hazard is negligible. The local changes in peak velocity are such that the peak velocity remains low and does not pose a concern in relation to erosion or scour in the 1% AEP flood.

The estimated 1% AEP level differences between the Macquarie River 1% AEP flood levels and the Troy Gully post-development conditions with the proposed earthworks are plotted in **Figure 22**. This discloses that notwithstanding local small increases in the 1% AEP flood levels under a Troy Gully flood that these flood levels remain lower than the Macquarie River flood levels.

We would be pleased to further discuss our findings with you upon your request.

Yours faithfully

A handwritten signature in black ink that reads 'Brett C. Phillips'.

.....
Dr Brett C. Phillips
Director, Water Engineering
for **Cardno**

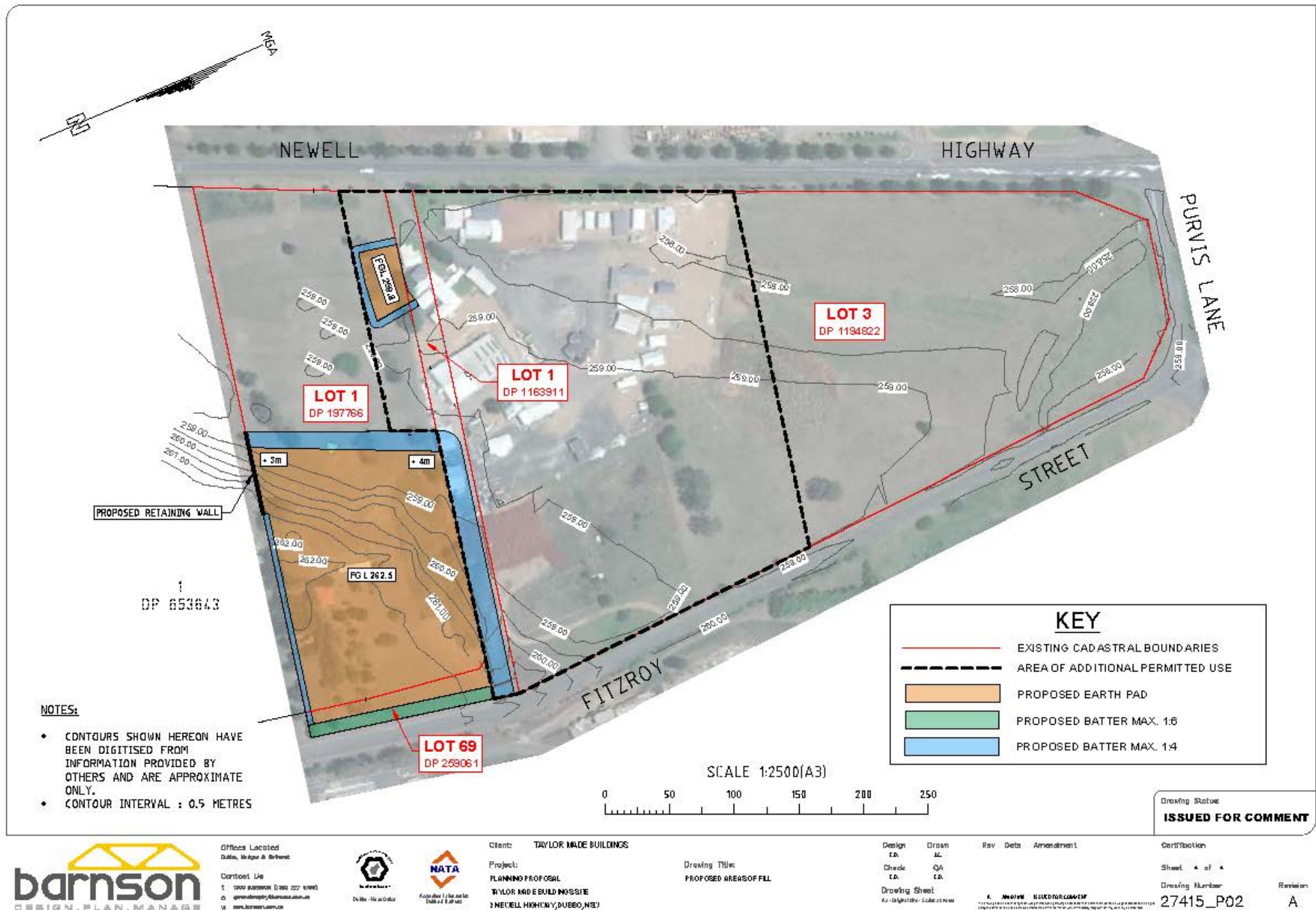


Figure 1 Layout of proposed Fill Pads, Dubbo

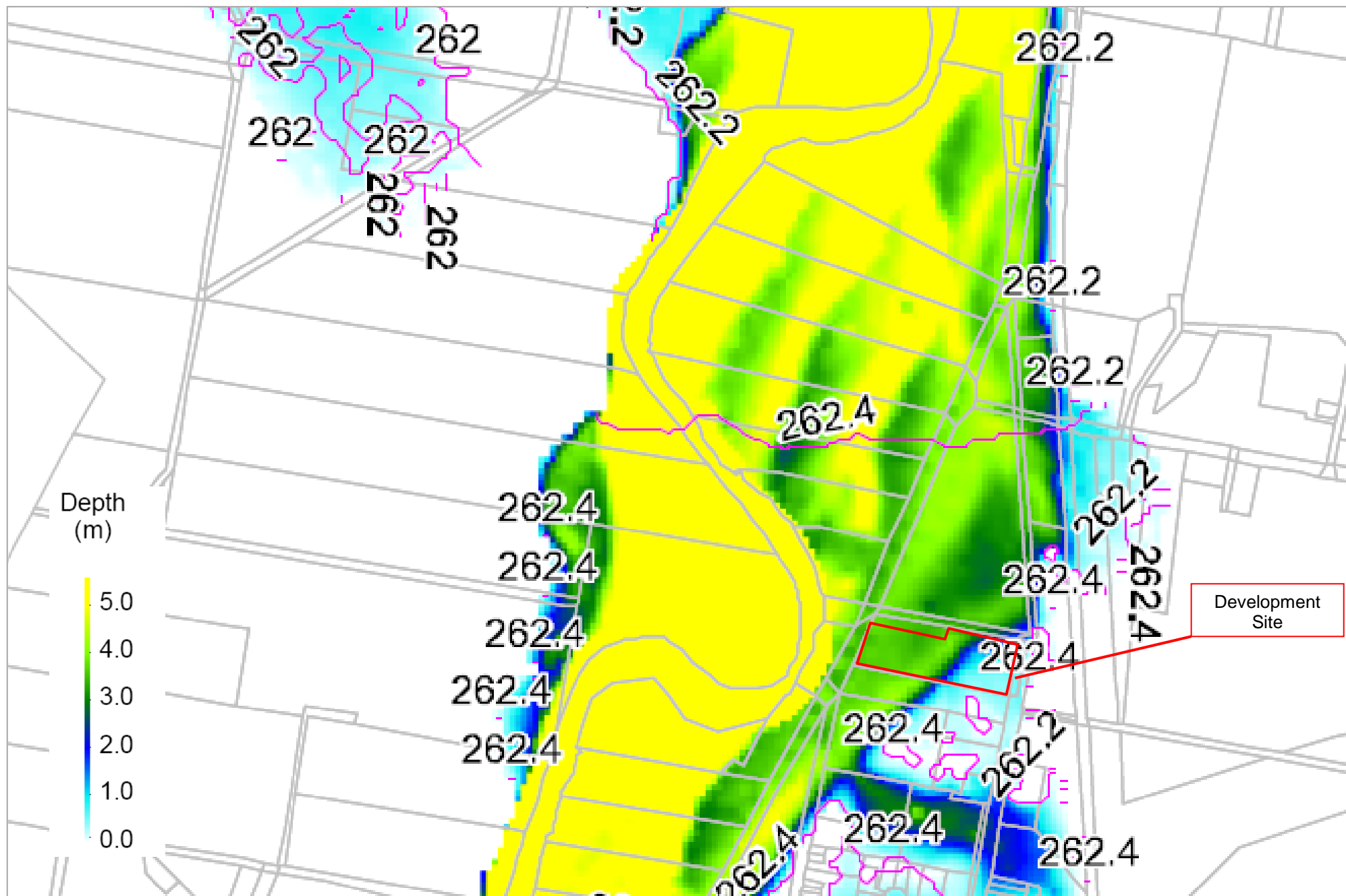


Figure 2 1% AEP Flood Level Contours and Depths – Macquarie River (Cardno, 2012)

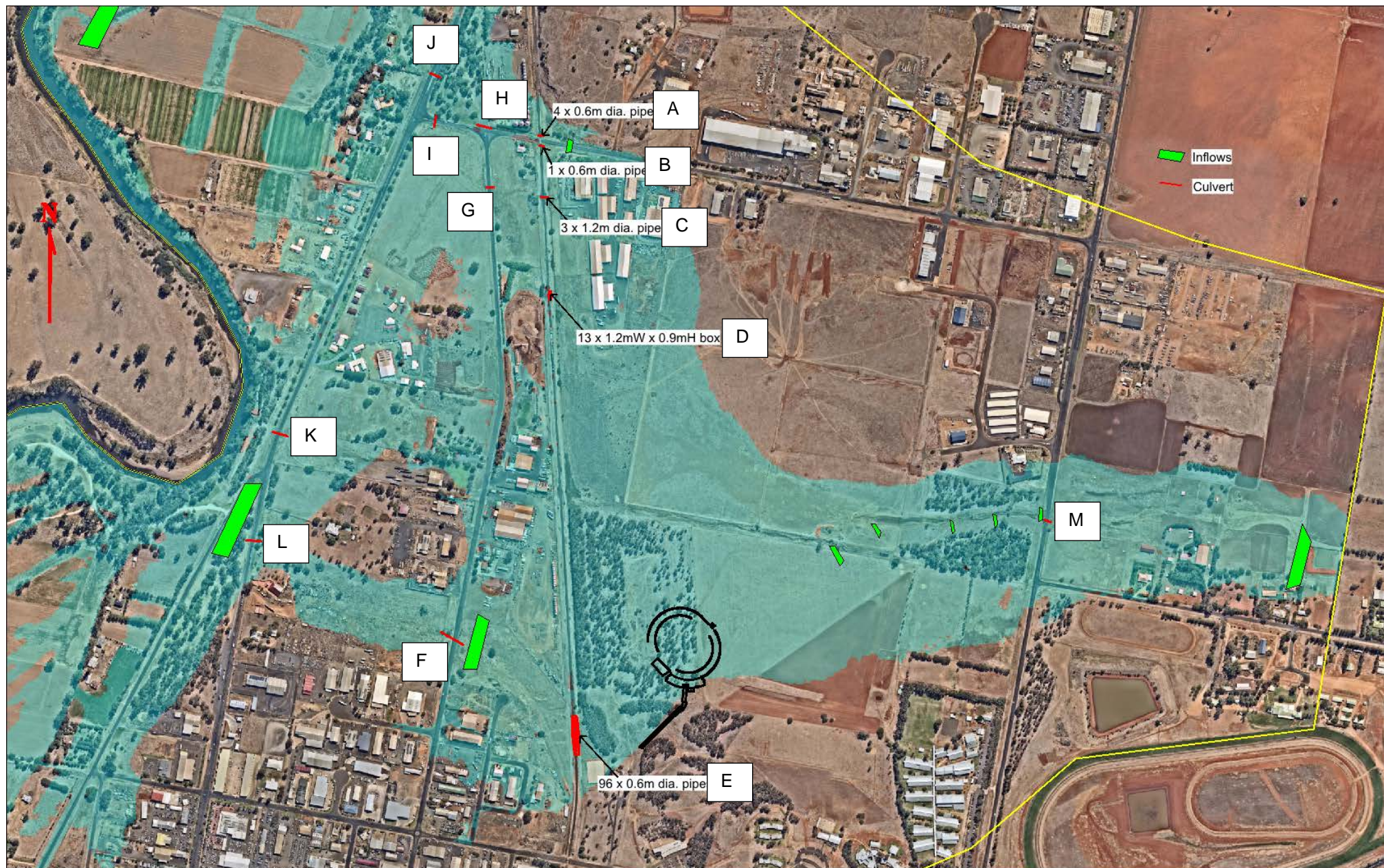


Figure 3 Location of Troy Gully Floodplain Model Crossings

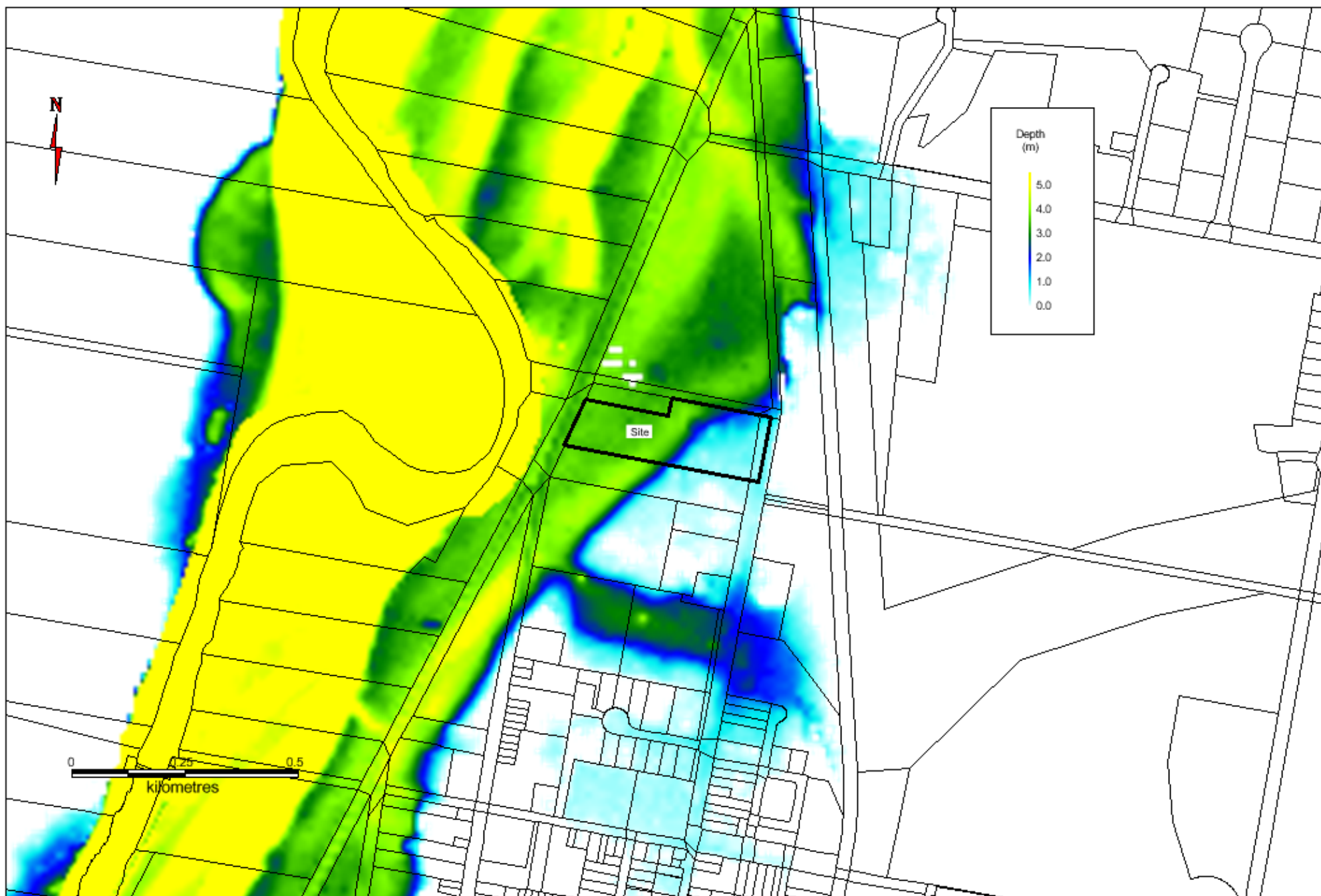


Figure 4 1% AEP Flood Depths – Macquarie River - Existing Conditions

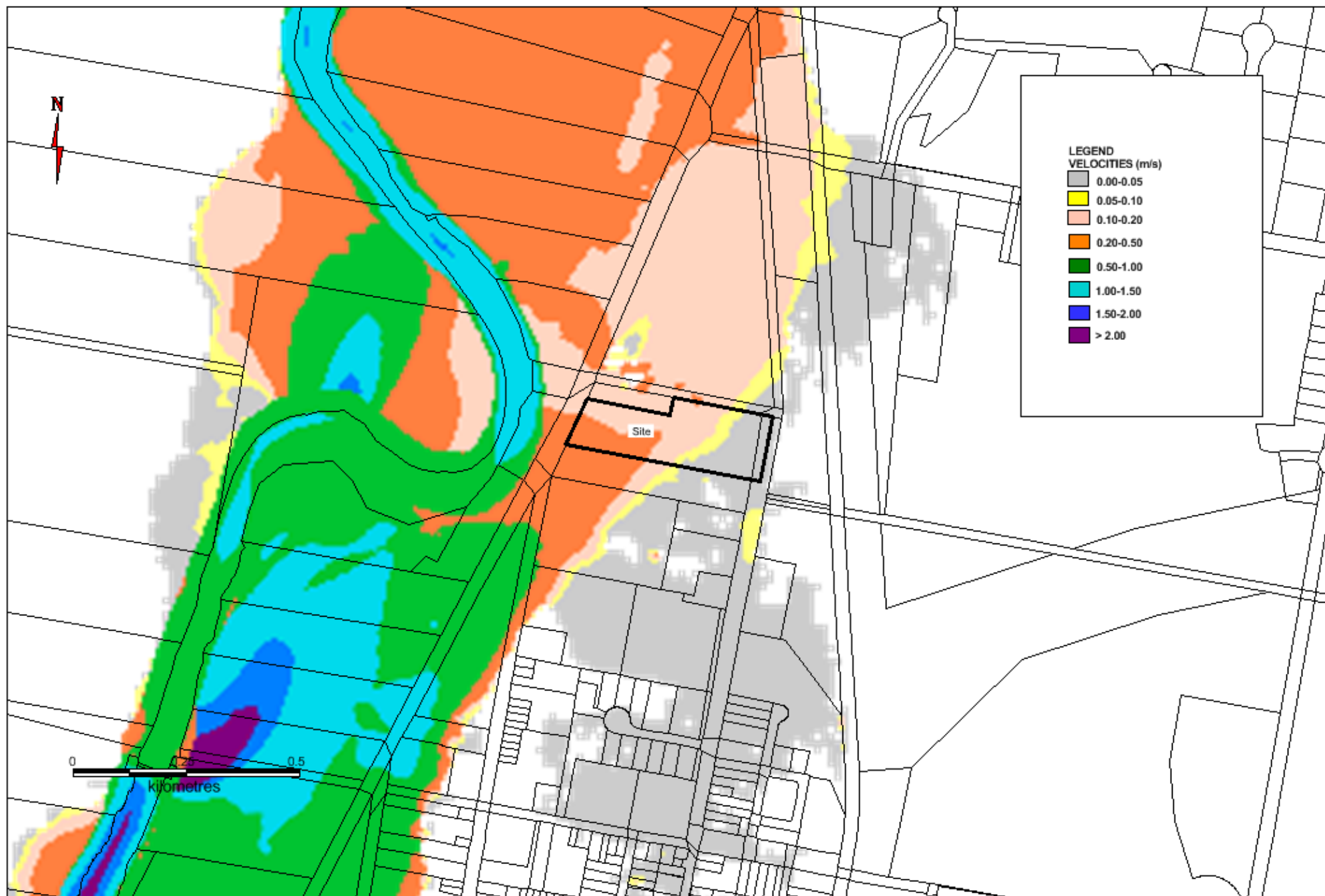


Figure 5 1% AEP Flood Velocities – Macquarie River - Existing Conditions

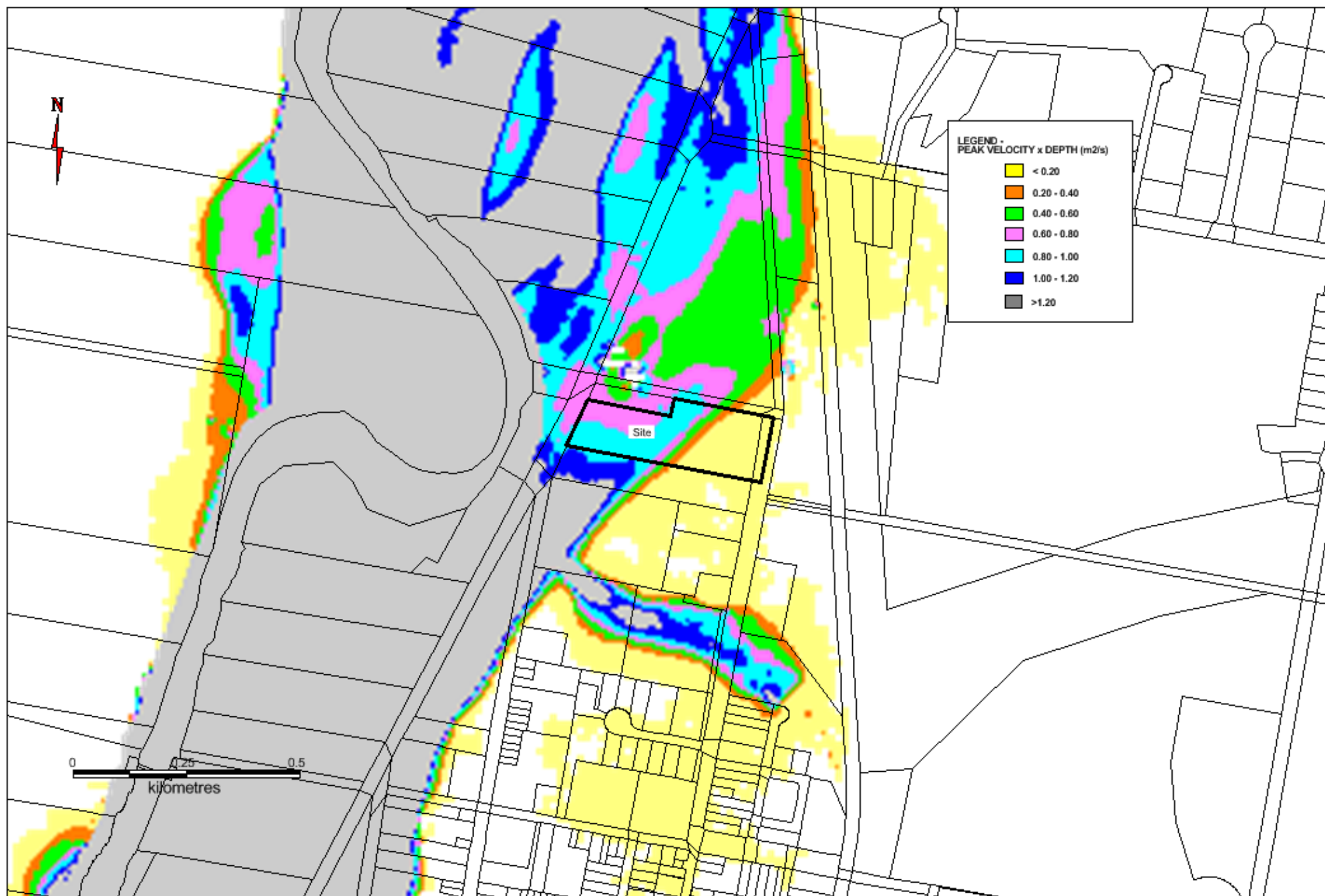


Figure 6 1% AEP Flood Velocity x Depths – Macquarie River - Existing Conditions

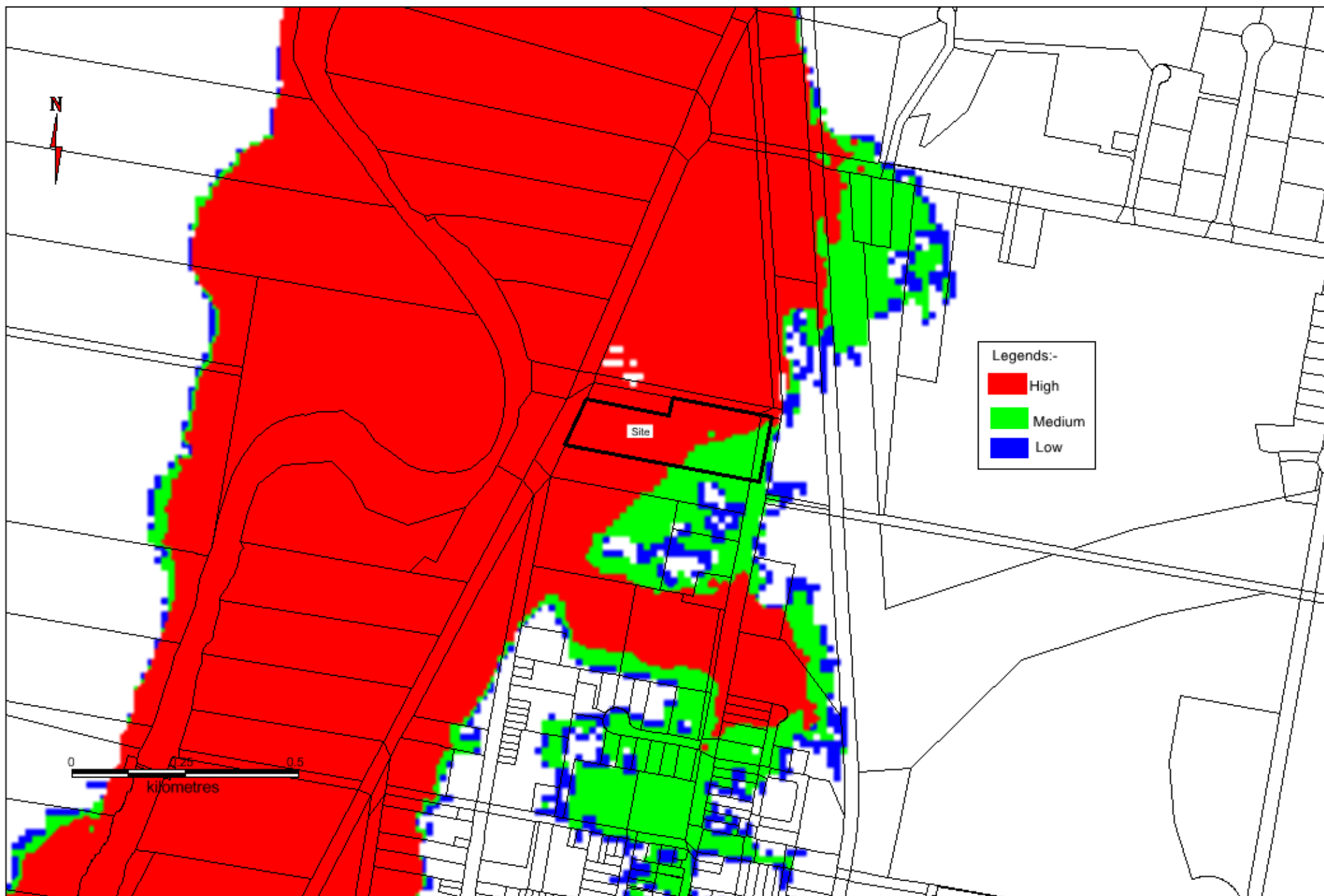


Figure 7 1% AEP Flood Hazards – Macquarie River - Existing Conditions

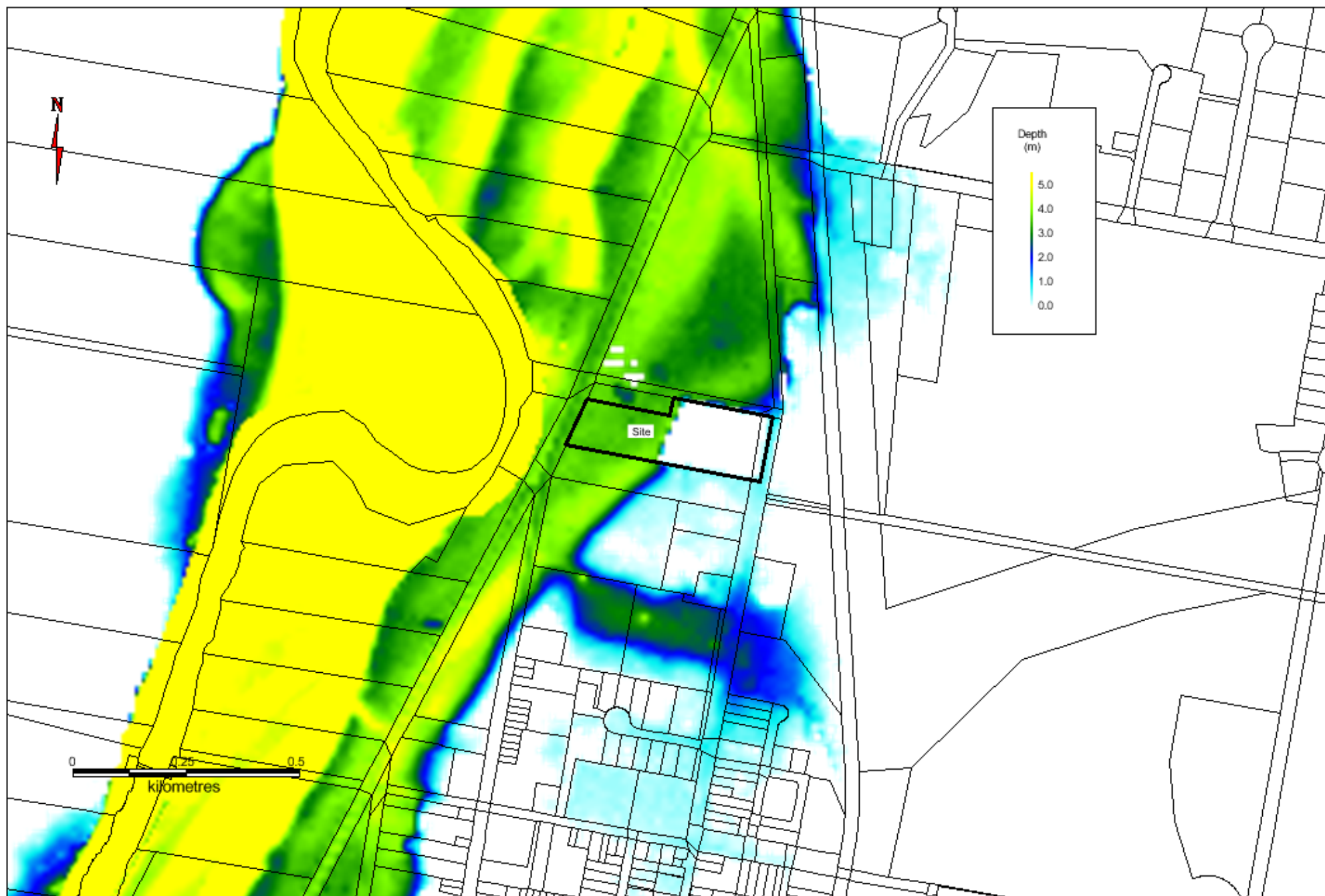


Figure 8 1% AEP Flood Depths – Macquarie River - Post Earthworks Conditions

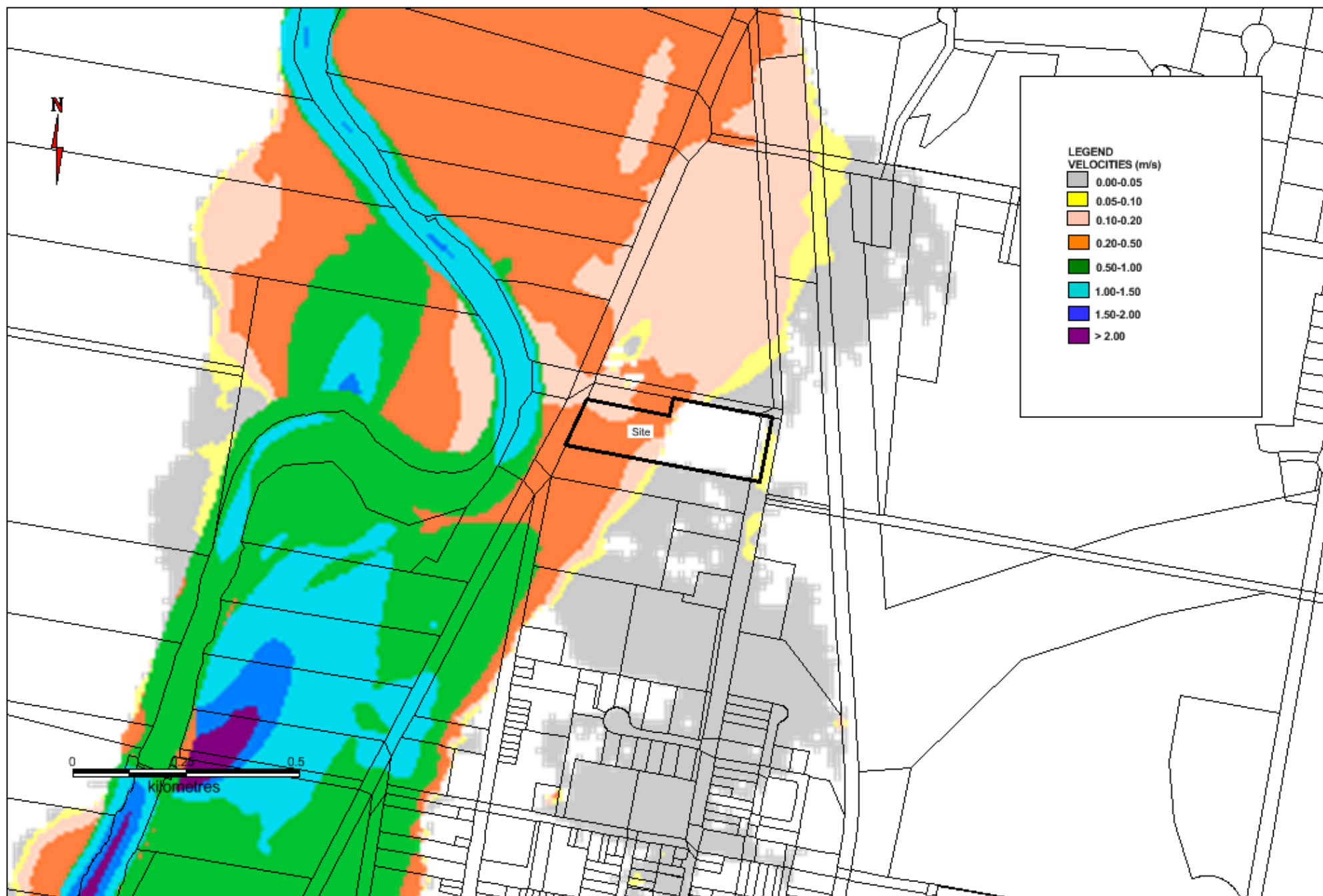


Figure 9 1% AEP Flood Velocities - Macquarie River - Post Earthworks Conditions

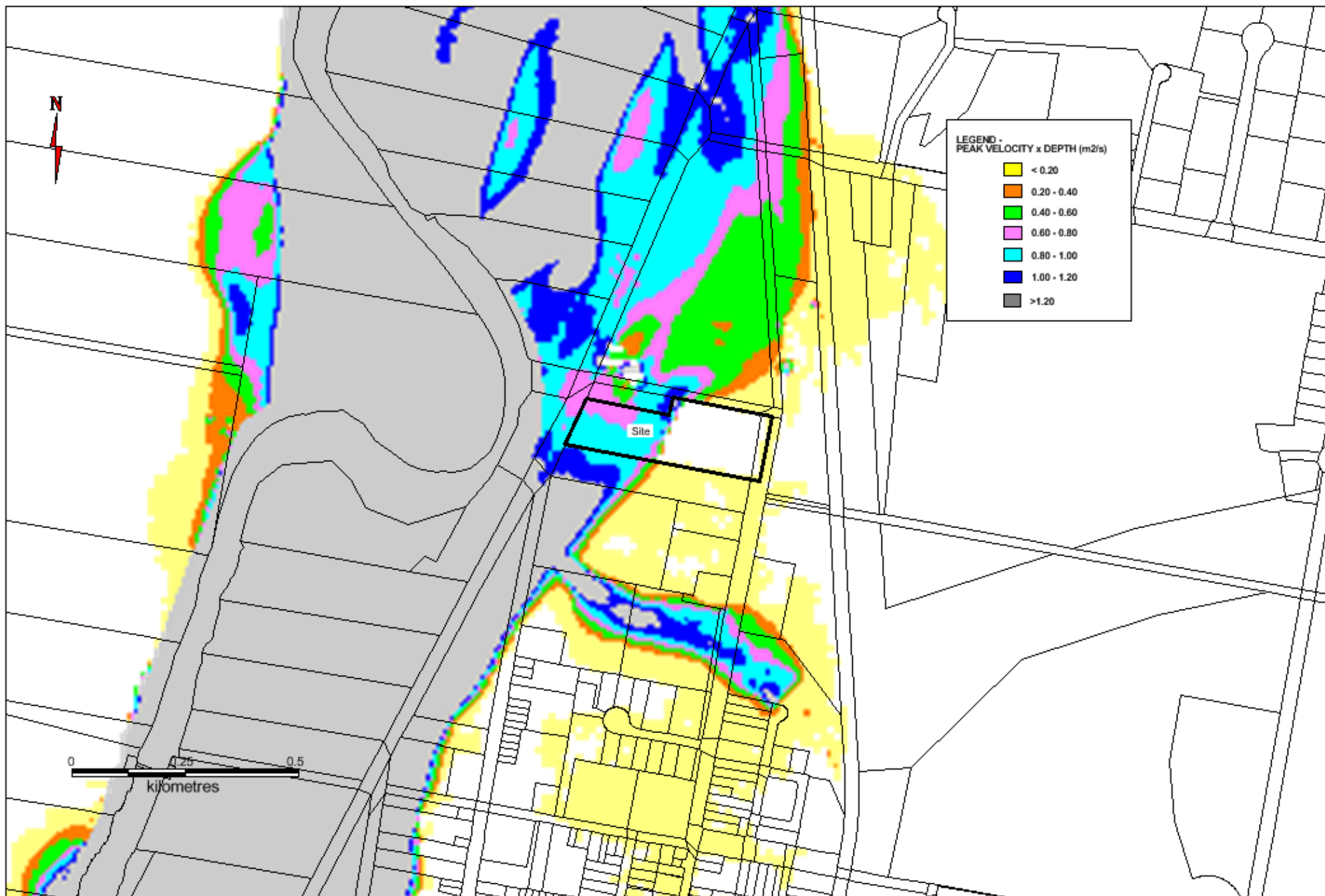


Figure 10 1% AEP Flood Velocity x Depths - Macquarie River - Post Earthworks Conditions

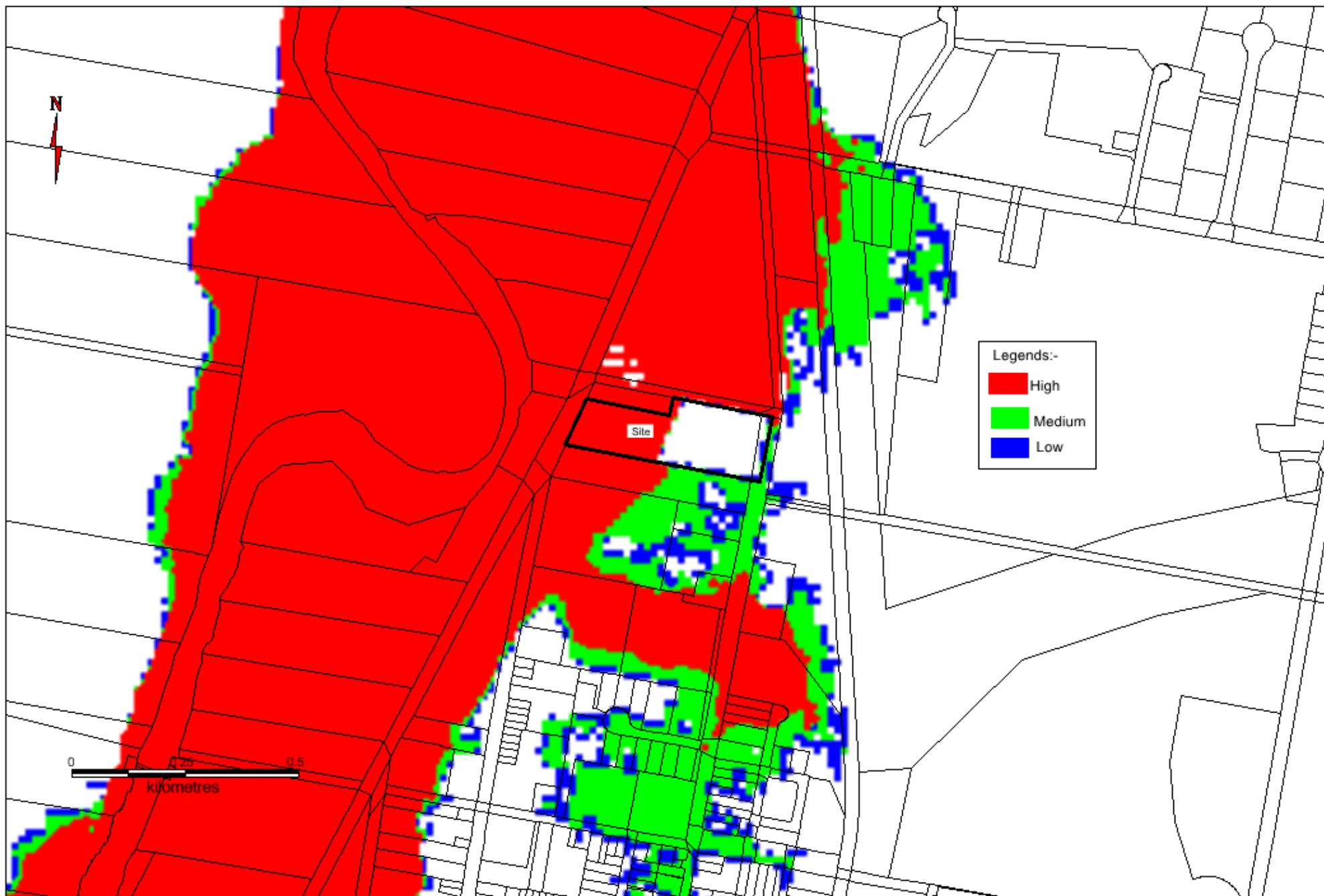


Figure 11 1% AEP Flood Hazards - Macquarie River - Post Earthworks Conditions

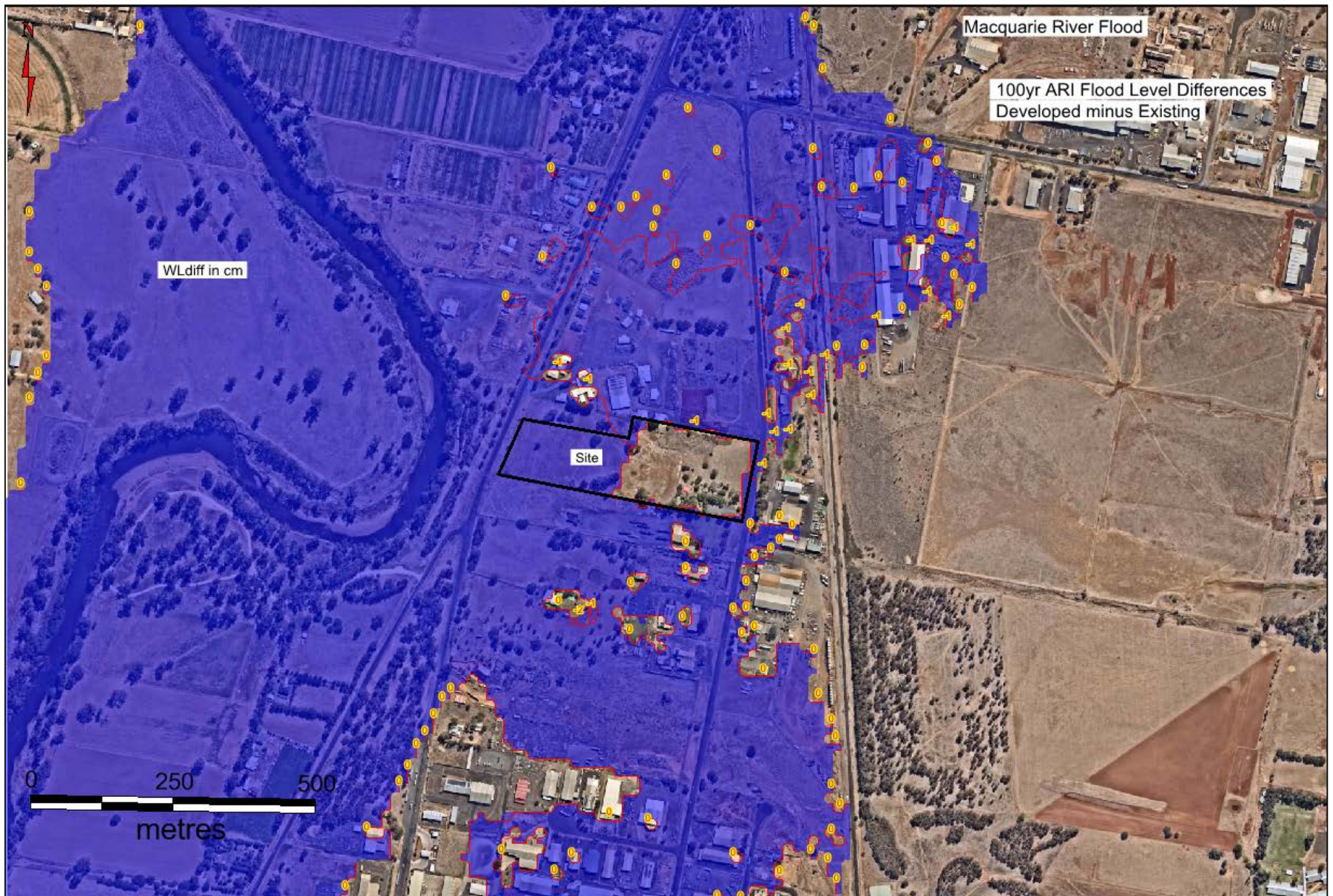


Figure 12 1% AEP Flood Levels Differences (Post Earthworks Conditions – Existing Conditions) - Macquarie River

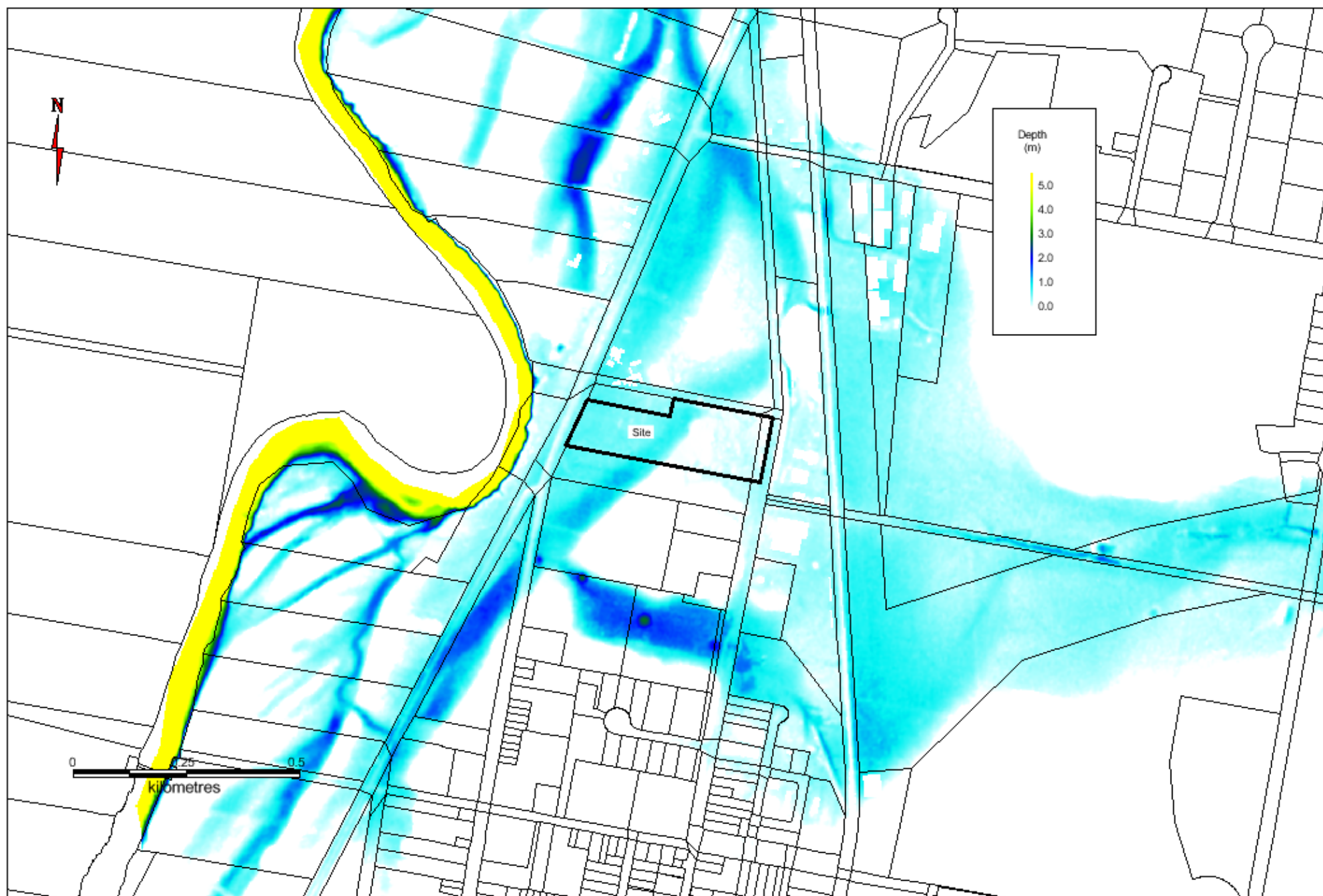


Figure 13 1% AEP Flood Depths – Troy Gully - Existing Conditions

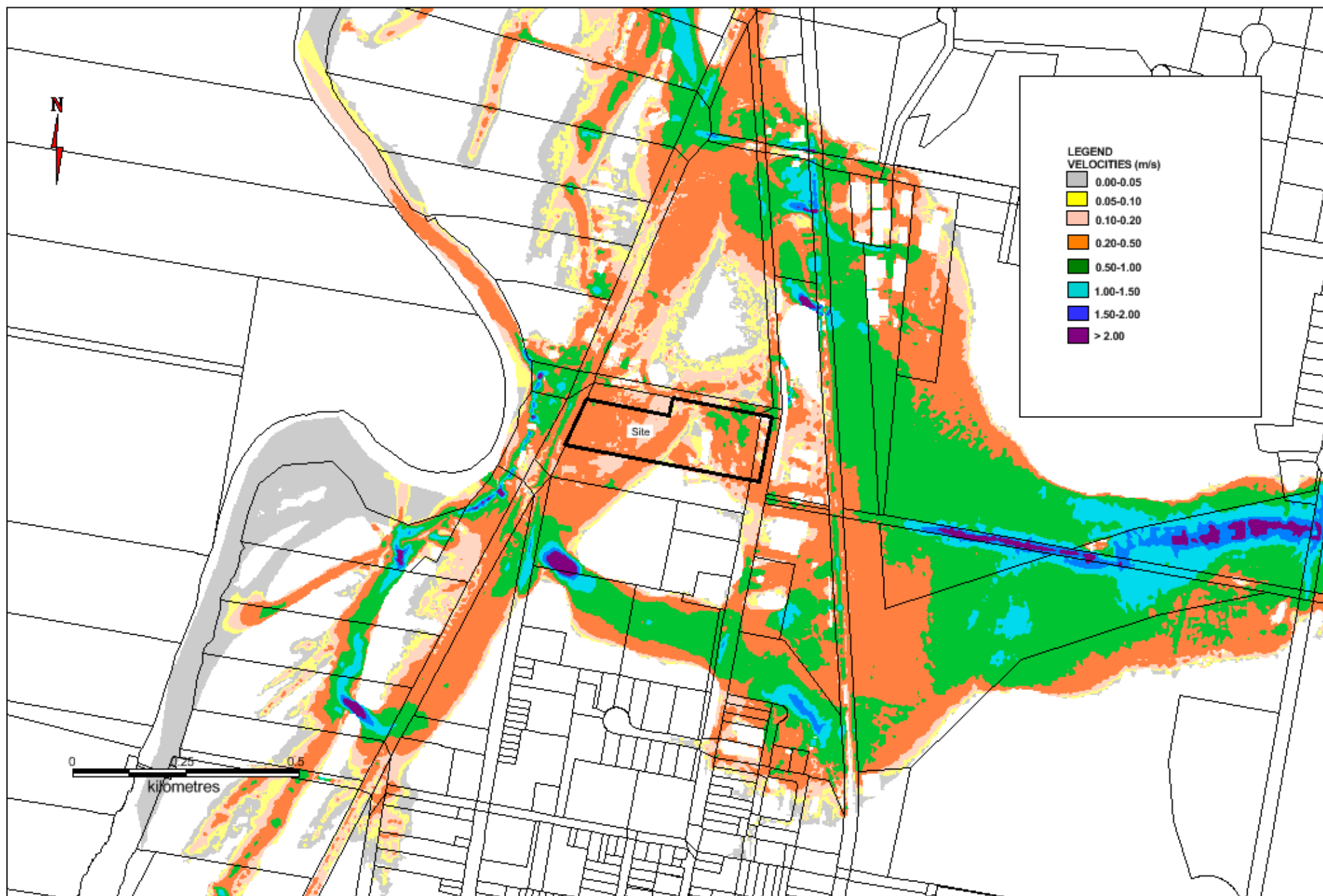


Figure 14 1% AEP Flood Velocities – Troy Gully - Existing Conditions

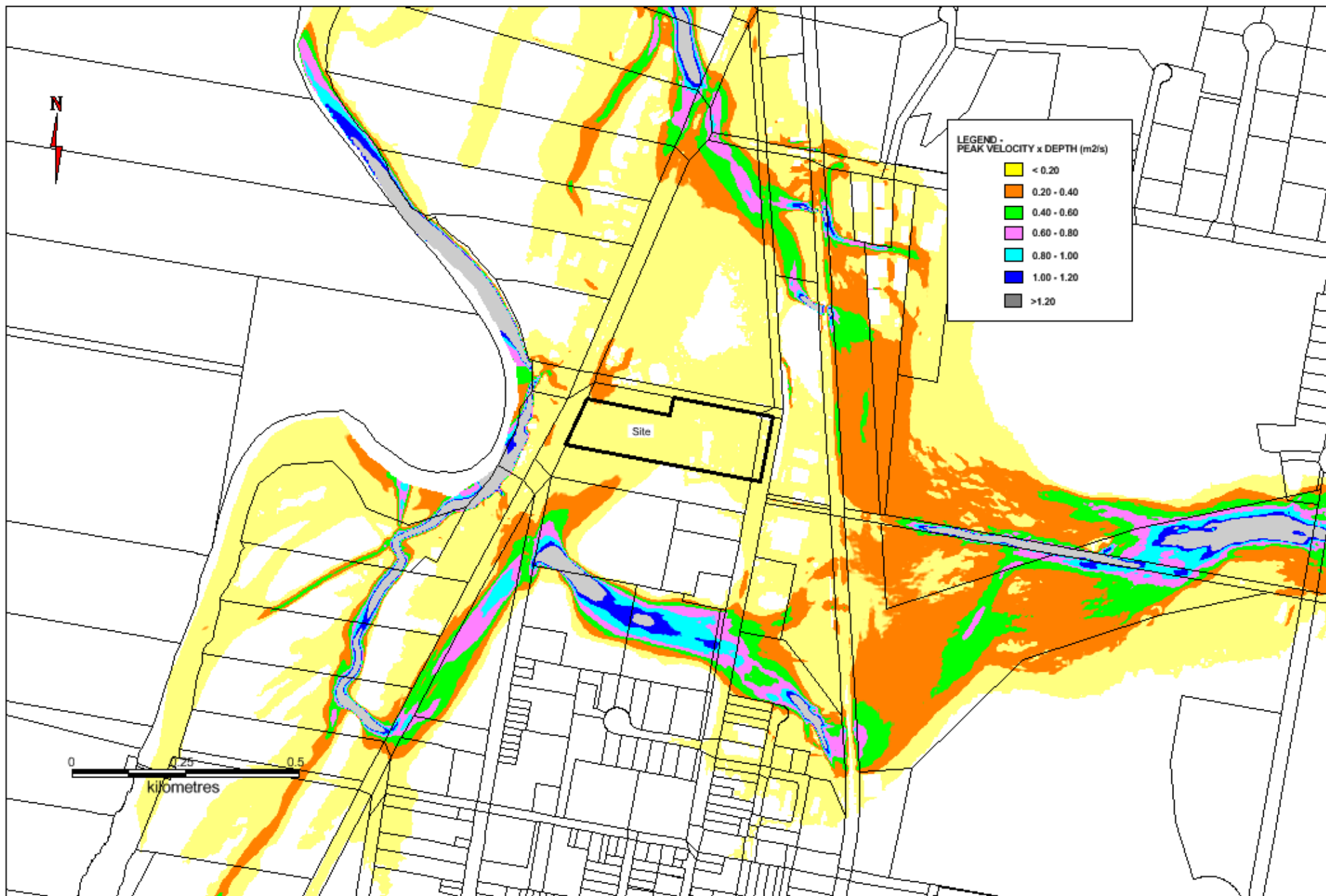


Figure 15 1% AEP Flood Velocity x Depths – Troy Gully - Existing Conditions

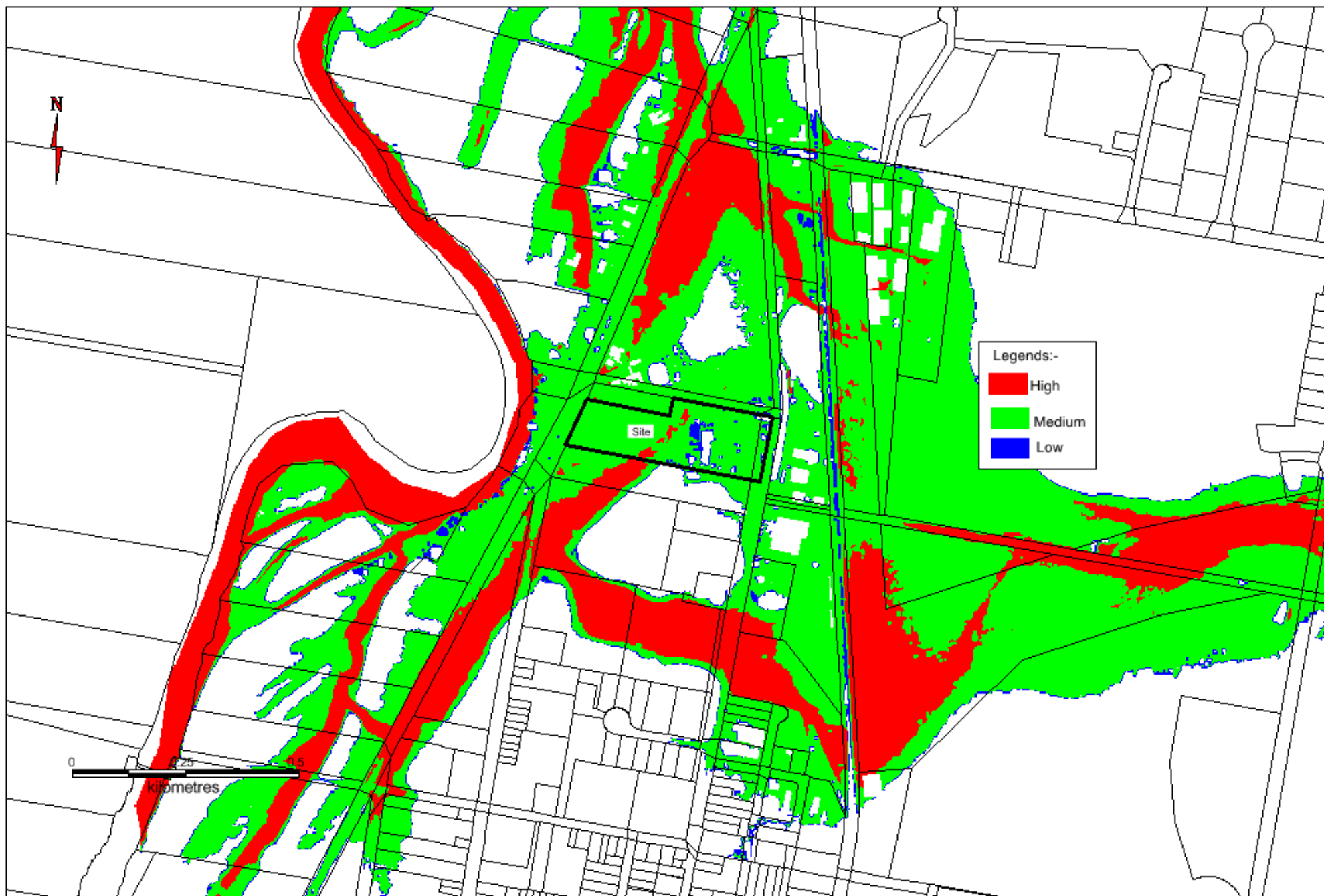


Figure 16 1% AEP Flood Hazards – Troy Gully - Existing Conditions

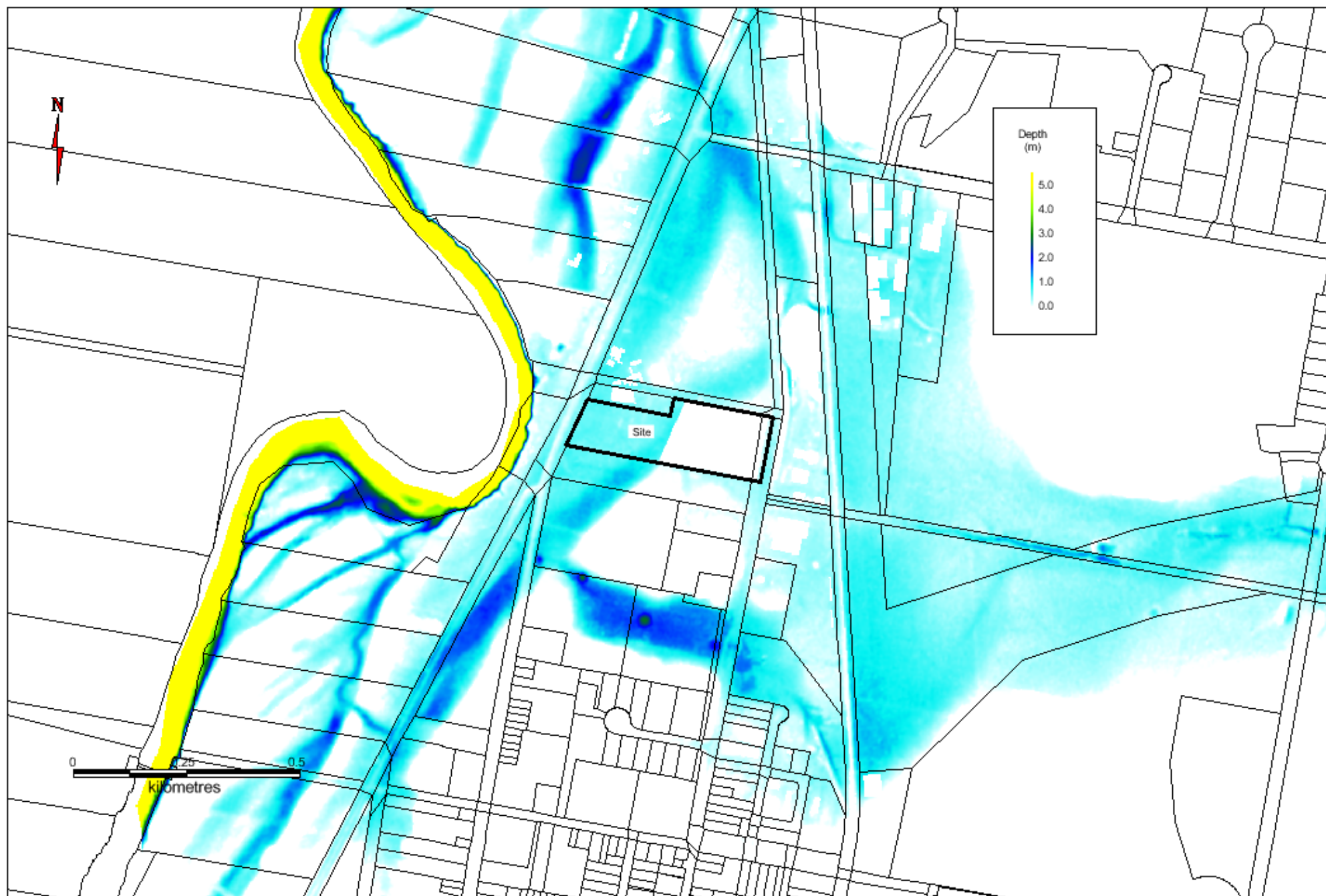


Figure 17 1% AEP Flood Depths – Troy Gully - Post Earthworks Conditions

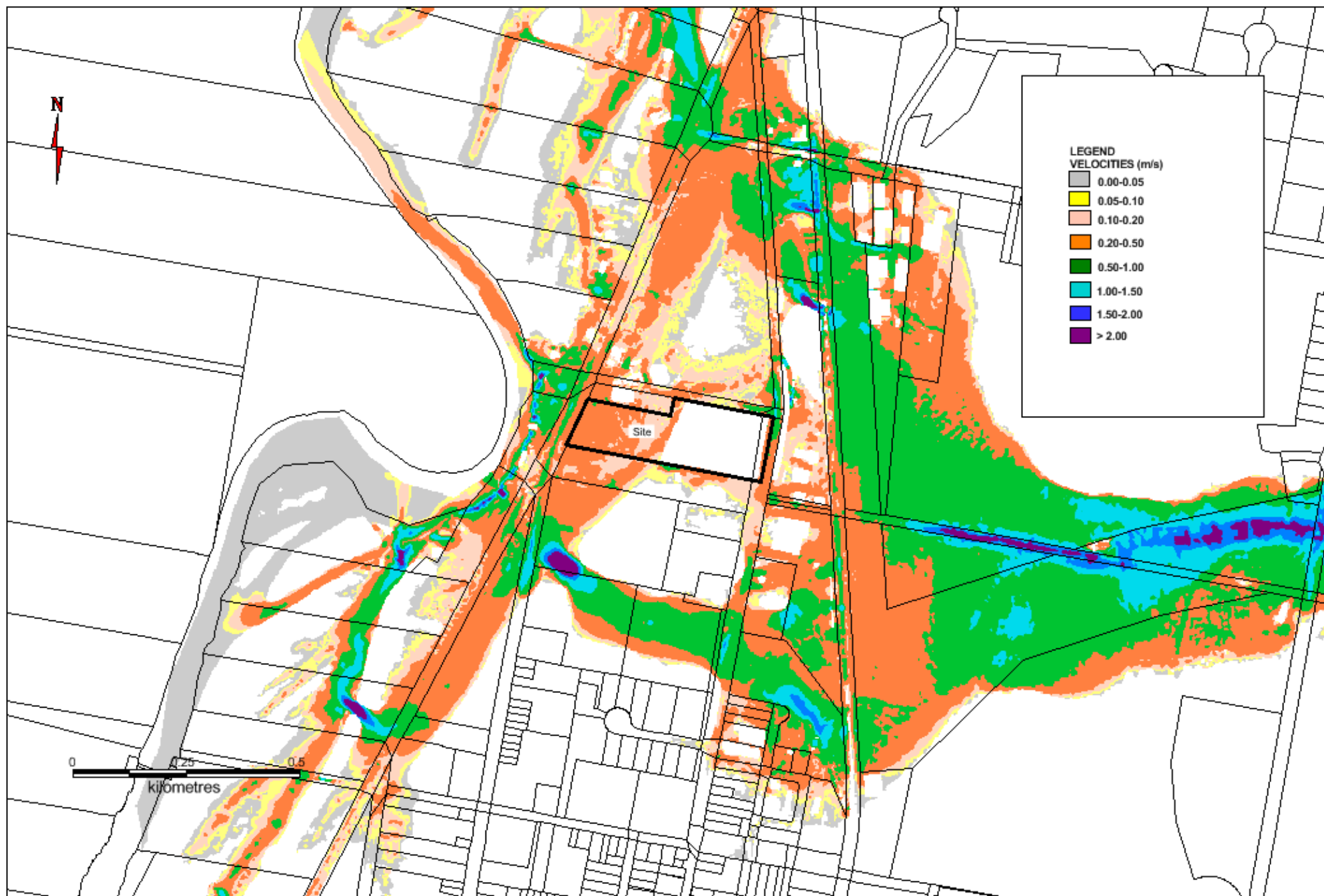


Figure 18 1% AEP Flood Velocities - Troy Gully - Post Earthworks Conditions

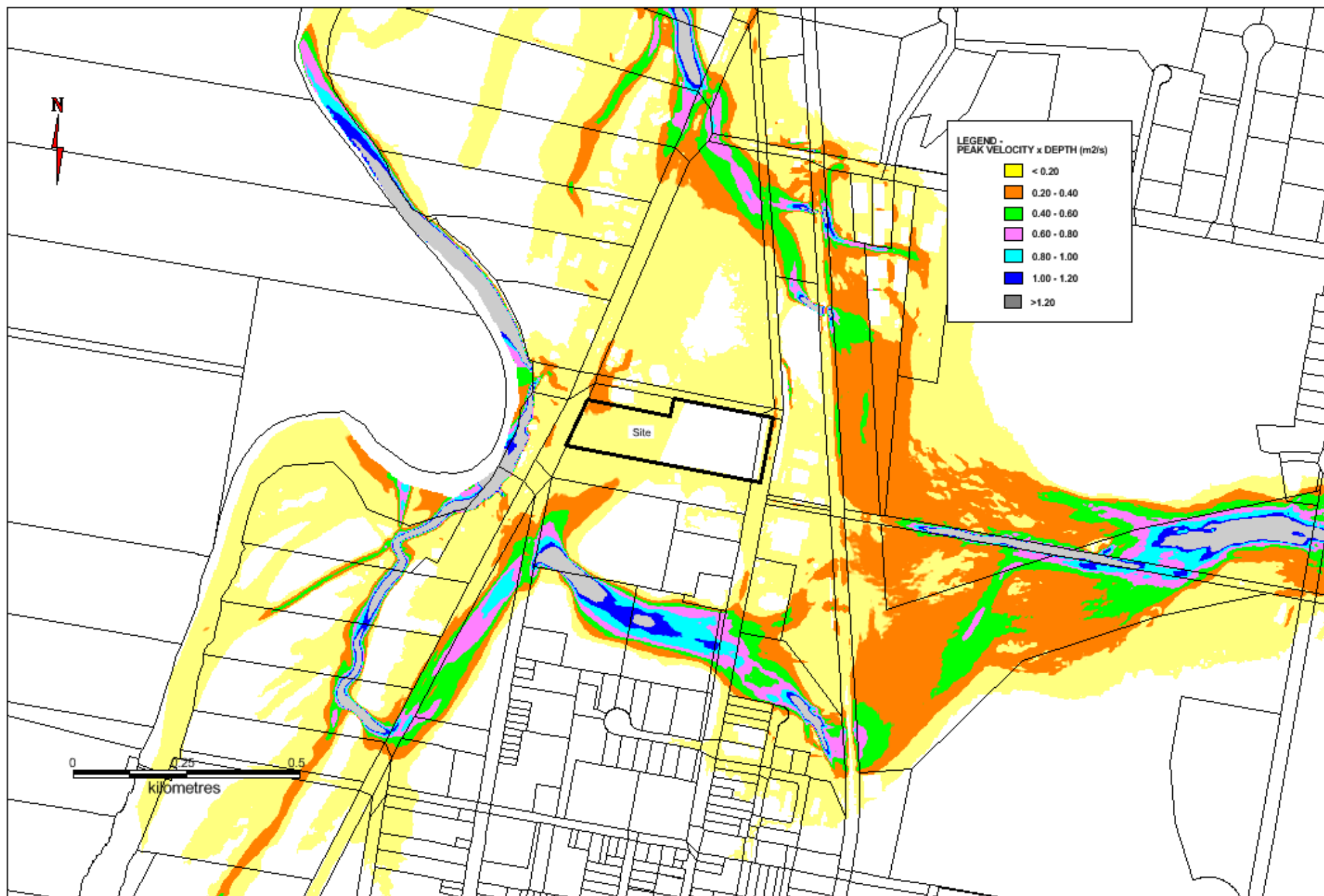


Figure 19 1% AEP Flood Velocity x Depths - Troy Gully - Post Earthworks Conditions

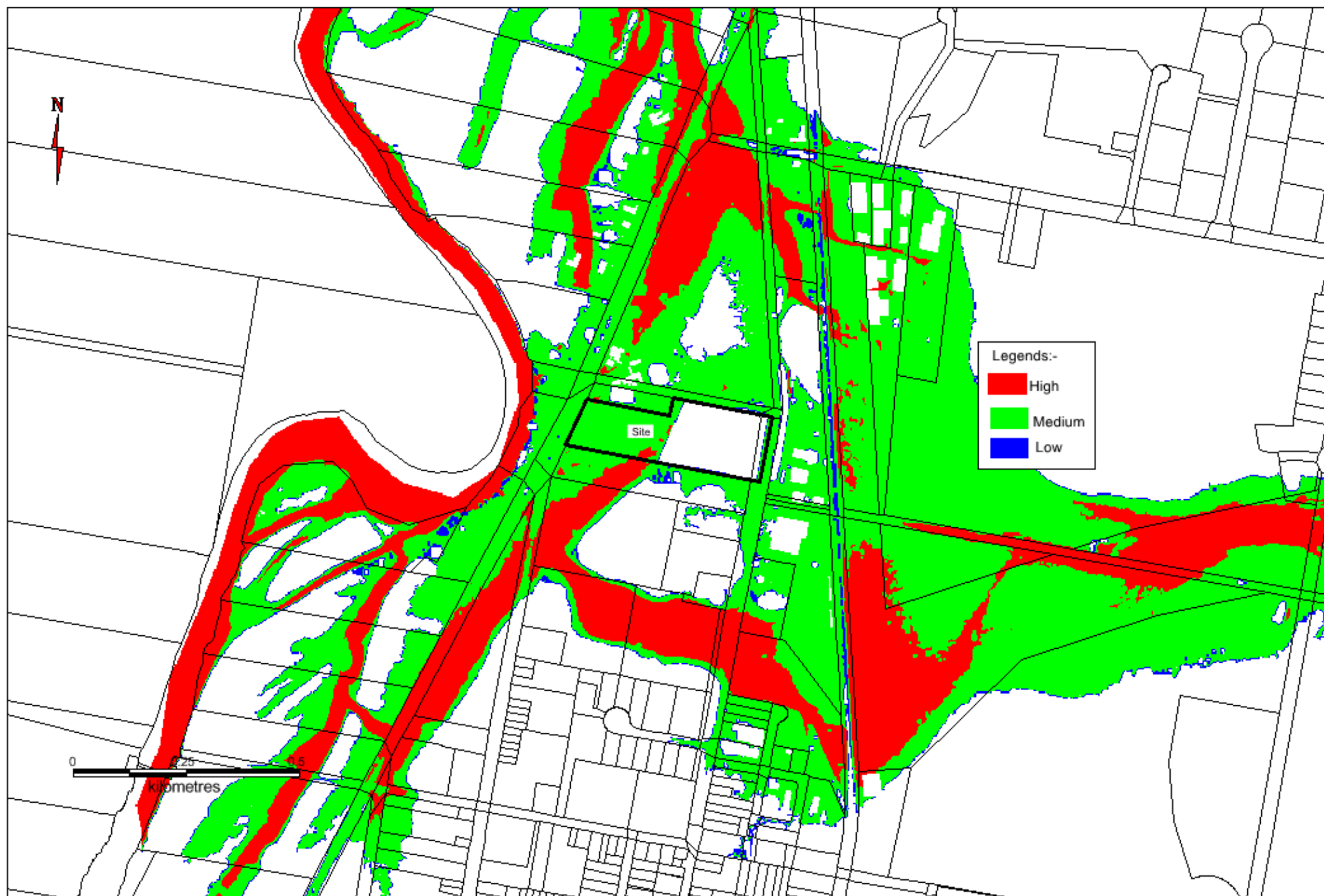


Figure 20 1% AEP Flood Hazards - Troy Gully - Post Earthworks Conditions

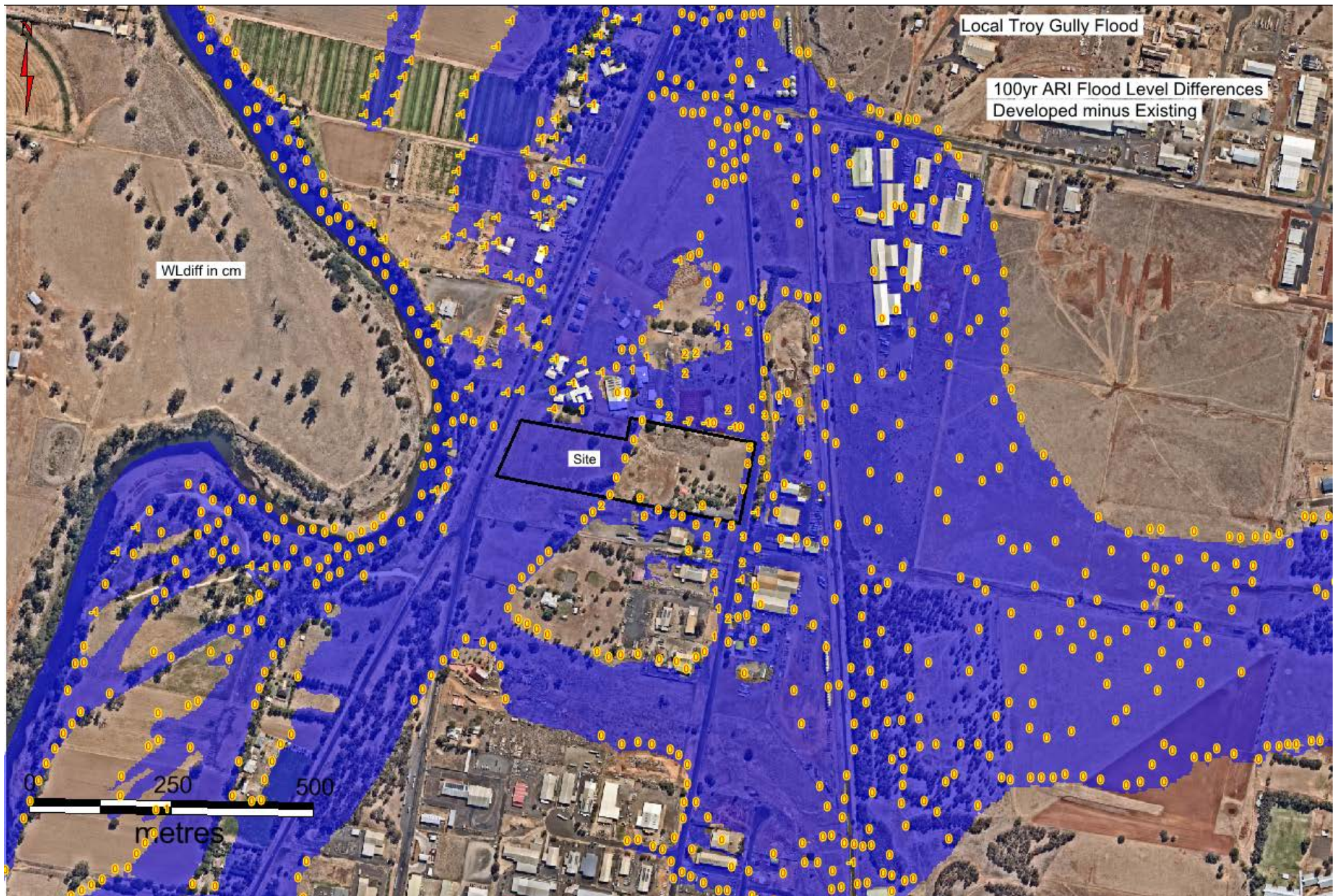


Figure 21 1% AEP Flood Levels Differences (Post Earthworks Conditions – Existing Conditions) - Troy Gully

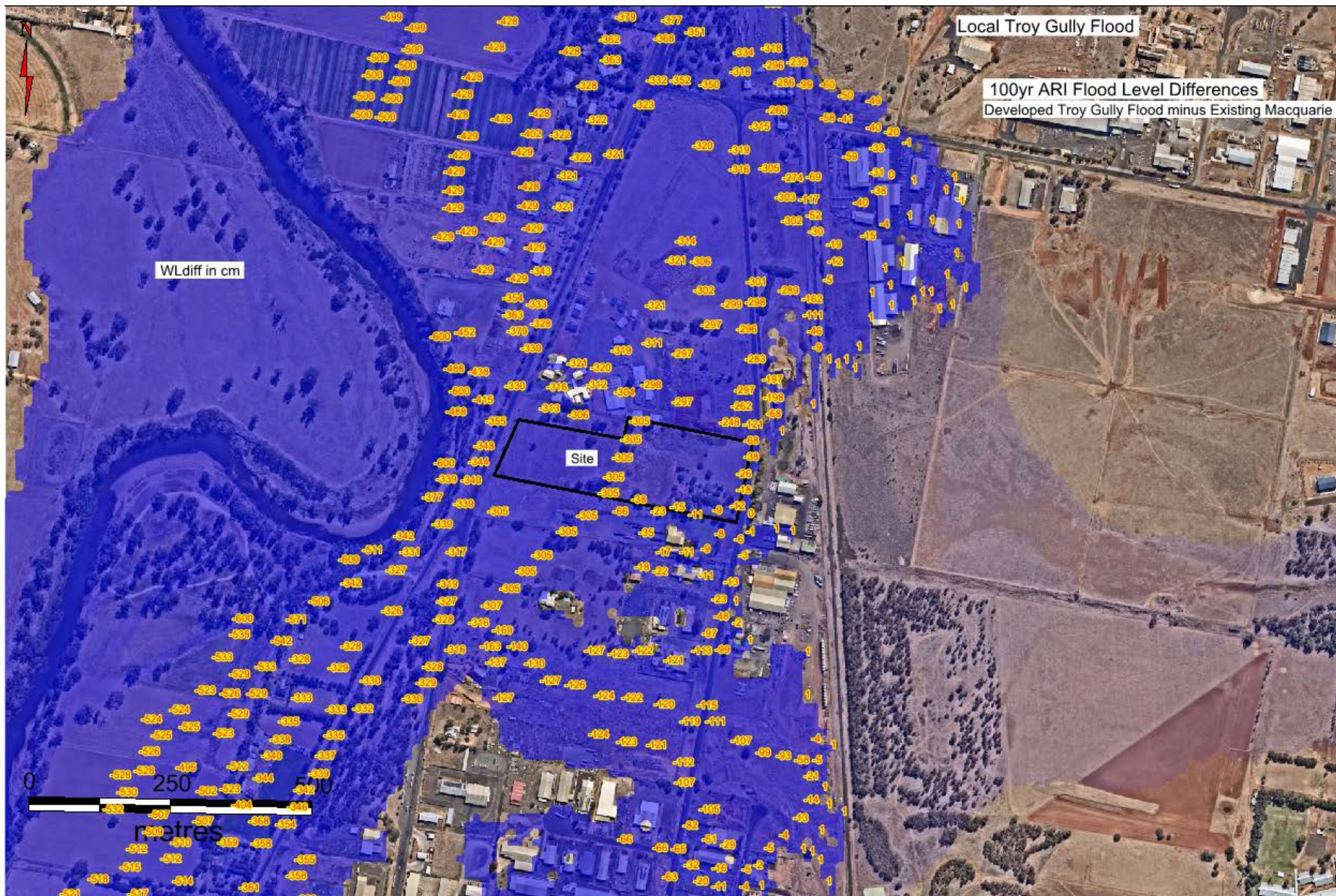


Figure 22 1% AEP Flood Levels Differences (Troy Gully Post Earthworks - Macquarie River Existing)



Our Ref: 59918021-L03:BCP/bcp
Contact: Dr Brett C. Phillips

20th August 2019

The Manager,
Barnson Pty Ltd
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Attention: Mr Jim Sarantzouklis

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Dear Jim,

**COUNCIL'S COMMENTS ON FLOODING INFORMATION FOR DEVELOPMENT
APPLICATION D2019-107**

Further to Council's comments on our flooding information dated 8 November 2018 appended to the Statement of Environmental Effects submitted with Development Application D2019-107, we are pleased to provide the following comments and responses to a number of issues raised by Council.

1. BACKGROUND

The Statement of Environmental Effects prepared by Barnson and submitted with Development Application D2019-107 describes the soil stockpiling as follows:

The soil stockpile is currently located on Lot 1 DP 197736, having been recently relocated from a potentially localised flood area on Lot 1 DP 1163911 and Lot 3 DP 1194822 to a higher elevation. The new location of the soil stockpile is supported by the Flood Assessment carried out by Cardno provided in Appendix E of this report. The Flood Assessment provides information on the flood impact of proposed fill for a planning proposal on the subject site and adjacent land to support future industrial development. The objective of this assessment was to provide information on current flooding patterns at the site and consider potential impact of a proposed (pad) filling in relation to flooding in a 1% AEP event. The assessment indicates that the proposed earthworks would have a negligible impact on the 1% AEP flood levels. It was further concluded that the earthworks would have a negligible impact on flood velocities, velocity x depth and provisions flood hazards and Troy Gully flood levels would remain lower than Macquarie River flood levels. The current soil stockpile is within the same area (location) considered in the above flood assessment. It should also be noted that the stockpile involves a far less quantity of earthworks than considered by the flood assessment, therefore the flood assessment coincides and remains relevant to this development.

Council's letter dated 7 June 2019 raised the following concerns regarding the submitted flood assessment:

(1) Amended Flood Assessment

The Flood Assessment submitted is dated 8 November 2018 which is before the works were undertaken on the land. The Assessment considers two (2) earth pads on the southern side of the property which appears to be the same report submitted with a recent Planning Proposal lodged with Council. It does not consider the temporary stockpile nor the additional works area on the eastern side of the property. While it may be argued there is some overlap between the temporary stockpile and the report in terms of the location of works and quantity of fill, the same cannot be said for the other earthworks which the Assessment fails to address. Therefore, Council is of the opinion that the study does not accurately reflect or assess the earthworks undertaken.

It is therefore requested an amended Flood Assessment be undertaken which accurately reflects and considers the works undertaken. While comments are noted regarding the quantity of earthworks undertaken compared to that mentioned in the Assessment, Council is still of the opinion that the Assessment is not accurate for the works undertaken and should be amended to reflect this.

The layout of the fill pads assessed in November 2018 (as disclosed in Appendix E of the Statement of Environmental Effects submitted with Development Application D2019-107) is given in **Figure 1**.

The layout of the proposed fill and a newly constructed hardstand area (as disclosed in Appendix C of the Statement of Environmental Effects submitted with Development Application D2019-107) is given in **Figure 2**. Also included in **Figure 2** is an overlay of the fill pad extents identified in **Figure 1**. It is very clear from Figure 2 and that the stockpile involves a considerably less quantity of earthworks than considered by the 2018 flood assessment.

It is concluded that the outcomes of the 2018 flood impact assessment of a substantially greater volume of fill are very conservative in comparison to the fill extent proposed under DA2019-107 and that the proposed fill under DA2019-107 will have negligible impact.

Council also raises a concern regarding the newly constructed hardstand area. As disclosed in Appendix C of the Statement of Environmental Effects submitted with Development Application D2019-107 the newly constructed hardstand area has raised the surface level by 0.05 up to a local maximum of 0.51 m. The raised surface level within the footprint of the hardstand area is around 259.3 m AHD. In comparison the proposed surface level of the major fill platform assessed in November 2018 was 262.5 m AHD. It is clear from **Figure 2** that the extent of the newly constructed hardstand area is substantially smaller than the extent of the of the major fill platform assessed in November 2018 and is also substantially lower.

An assessment of the loss of flood storage within the property due to the newly constructed hardstand estimated a reduction of 0.17%. This is a negligible loss and would have no discernible impact on 1% AEP flooding.

It is concluded that the outcomes of the 2018 flood impact assessment of a substantially greater volume of fill are conservative in comparison to the loss of flood storage due to the newly constructed hardstand area and that the newly constructed hardstand area will have negligible impact and additional hydraulic modelling is not warranted at this time.

A further concern with the Flood Assessment is that while it has considered flood waters from the Macquarie River and Troy Creek, it has only considered these in isolation and not as a combined event. Given flooding rains are rarely restricted to the headwaters of one of these waterways, Council considers the Assessment should consider both impacts simultaneously. Council therefore requests clarification be made as to whether the Flood Assessment has considered both simultaneously, and if not, amend the Assessment to consider this. Alternatively, if for flood engineering reasons it is considered not necessary to consider both simultaneously, details of the reasoning for this are requested

In March 2012, Version 3 of a report titled "Macquarie River, Dubbo – Compilation of Flood Studies" was submitted to Dubbo City Council. The Executive Summary of this report described the assessments undertaken prior to 2012 in part as follows.

The study area comprised the city of Dubbo and the floodplain of the Macquarie River and its tributaries from Angle Park to downstream of Whylandra Creek. The floodplain includes a number of cowals and other flow paths, which were included within the area of the 2D hydrodynamic model. A major tributary, the Talbragar River, joins the Macquarie River approximately 6 km north of Dubbo and the confluence area was included in the model.

This flood study uses data from a number of previous studies. However, by using the latest 2-dimensional hydrodynamic modelling techniques and comprehensive aerial laser survey data it is considered to be more complete and reliable than previous investigations.

Estimation of flood discharges was undertaken by a combination of flood frequency analysis and hydrological modelling. Flood frequency analysis was undertaken for the Macquarie River at Dubbo, for the post-Burrendong Dam scenario. Burrendong Dam was commissioned in 1965 and it has affected the flood behaviour of the Macquarie River, so that analyses of pre-1965 data are not directly relevant. The flood frequency analysis was updated to include stream gauging data up until 2006, and estimates of the magnitude of flood peaks for design rainfall events were updated.

Estimates of flood discharges for the Talbragar River, [and for the minor tributaries within the study area](#), were derived using rainfall-runoff modelling. In the case of the Talbragar River the modelling was based on modelling undertaken for a previous study (Rust-PPK, 1995).

The layout of subcatchments in the vicinity of Dubbo adopted in the 2012 Macquarie River study and the matching layout of the XP-RAFTS hydrological model is given in **Figure 3**. It will be noted that the Troy Gully catchment (Node TROY_GY) is included in the study area. In the case of the Macquarie River flooding assessments the inflows from the local subcatchments and the Talbragar River catchment were input directly into the 1D/2D TUFLOW floodplain model typically at locations along the Macquarie River and in the lower reach of the Talbragar River. In the case of the subcatchments downstream of Burrendong Dam the adopted storm burst duration of inflows was 18 hours.

In the 1D/2D TUFLOW model of the Troy Gully catchment, the downstream boundary conditions for Macquarie River at the confluence of Troy Gully adopted by Council in the 2006, 2007 and 2012 assessments were adopted in the November 2018 study. The locations of inflows in the 1D/2D TUFLOW model of the Troy Gully catchment are identified in **Figure 4**. In the case of the Troy Gully catchment the critical storm burst duration varies from 3 – 6 hours depending on location. Consequently, the peak inflows adopted in the Troy Gully floodplain model are higher than adopted in the Macquarie River floodplain model due to the difference in the adopted storm burst durations.

It is concluded that the impact of runoff from the Troy Gully catchment and flooding in the Macquarie River have been considered simultaneously and in accordance with the approaches adopted by Council for the Macquarie River and Troy Gully flood assessments.

(2) Alterations to Stormwater Flow

It is noted earthworks have been undertaken on the southern side of the property adjacent to the temporary stockpile which has the potential to alter natural stormwater characteristics in the area. While in general stormwater flows are pushed through the northern side of the property around the natural channel of Troy Creek, there also appears to be a natural 'flood runner' around the southern side of the property which runs west below the Newell Highway to the Macquarie River, which has the potential to carry additional stormwater flows during heavy or prolonged storm events.

Similar to the Flood Assessment, it is therefore requested an assessment be undertaken to determine if the earthworks undertaken will impact on natural stormwater flows in the locality to demonstrate it will not have a detrimental impact to downstream properties.

Appendix E of the Statement of Environmental Effects submitted with Development Application D2019-107 includes an assessment of the impacts of a substantially greater volume of fill than proposed fill under DA2019-107. The assessment of the impact of this substantially greater volume of fill on 1% AEP flooding due to runoff from the Troy Gully catchment is summarised as follows.

Current Conditions

The estimated 1% AEP depths and velocity vectors under Existing Conditions are plotted in **Figures 5 and 6** respectively.

Figure 6 discloses a shallow flood runner which crosses northeast in the southern area of the site and which appears to have been modified by the construction of Fitzroy Street. The peak velocity is generally towards the northeast. In the area immediately north of the fill platform assessed in November 2018 the velocity field is mixed with a bifurcation of flow around slightly higher ground within the property.

Post-Development Conditions

The estimated 1% AEP depths and velocity vectors under post-development conditions with the proposed extension of the existing pad are plotted in **Figures 7 and 8** respectively.

Figure 8 discloses that the peak velocity is generally towards the northeast. In the area immediately north of the fill platform assessed in November 2018 the velocity field remains mixed with a bifurcation of flow around slightly higher ground within the property.

The estimated 1% AEP level differences under post-development conditions with the proposed extension of the existing pad in comparison with Existing Conditions are plotted in **Figure 9**.

Flood Impact Assessment

As disclosed in **Figure 9** the 2018 fill pads (refer **Figures 1** and **2**) locally increase the 1% AEP flood levels on the southern side of the fill platform. Likewise, it is noted that the proposed earthworks have a small impact on flood levels on Fitzroy Street just north of the fill platform. The local changes in peak velocity are such that the peak velocity remains low and does not pose a concern in relation to erosion or scour in the 1% AEP flood.

The estimated 1% AEP level differences between the Macquarie River 1% AEP flood levels and the Troy Gully post-development conditions with the proposed earthworks are plotted in **Figure 10**. This discloses that notwithstanding local small increases in the 1% AEP flood levels under a Troy Gully flood that these flood levels remain lower than the Macquarie River flood levels.

We would be pleased to further discuss our findings with you upon your request.

Yours faithfully

A handwritten signature in black ink that reads 'Brett C. Phillips'.

.....
Dr Brett C. Phillips
Global Senior Principal - Hydrology
for **Cardno**

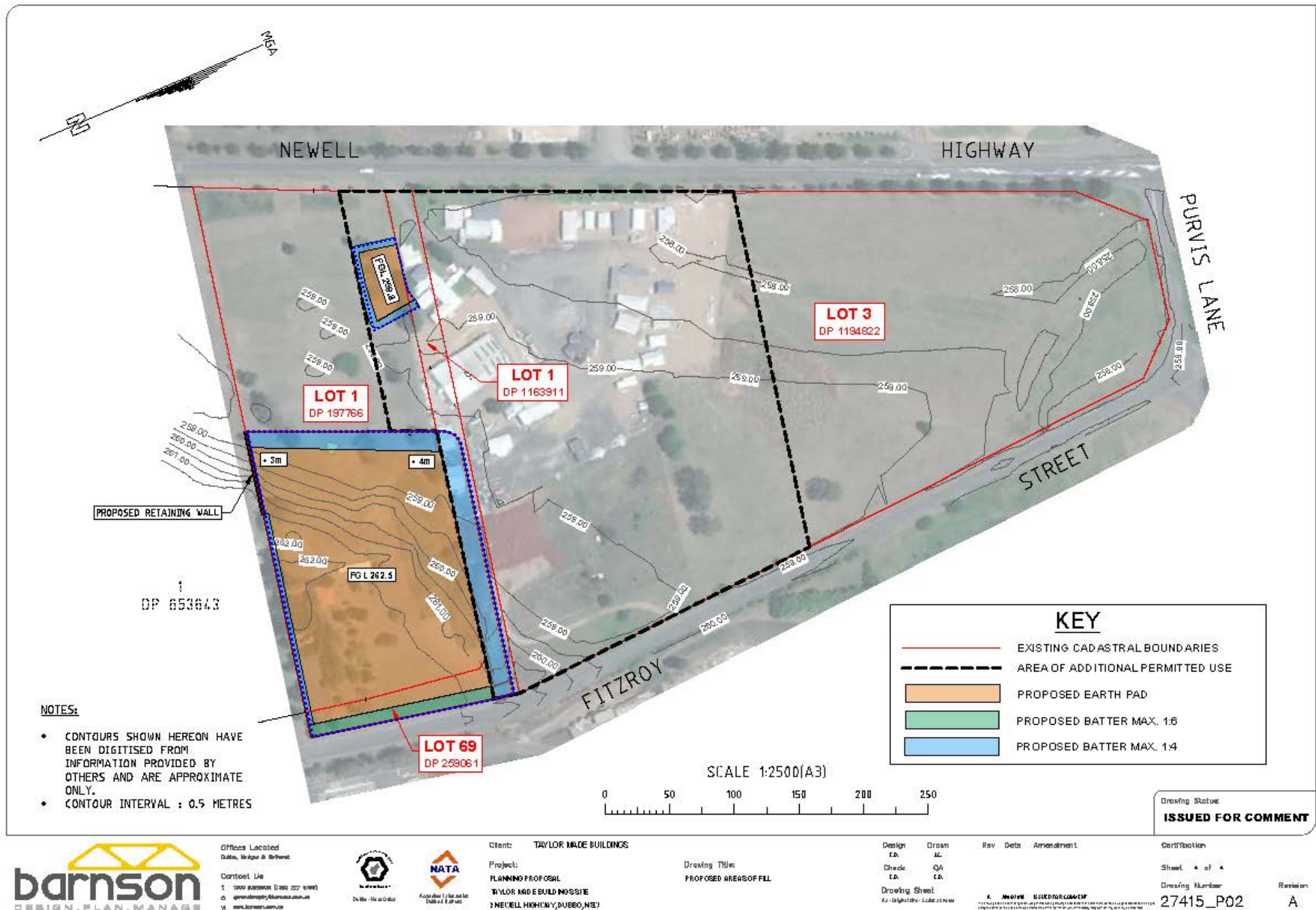


Figure 1 Layout of Fill Pads assessed in November 2018

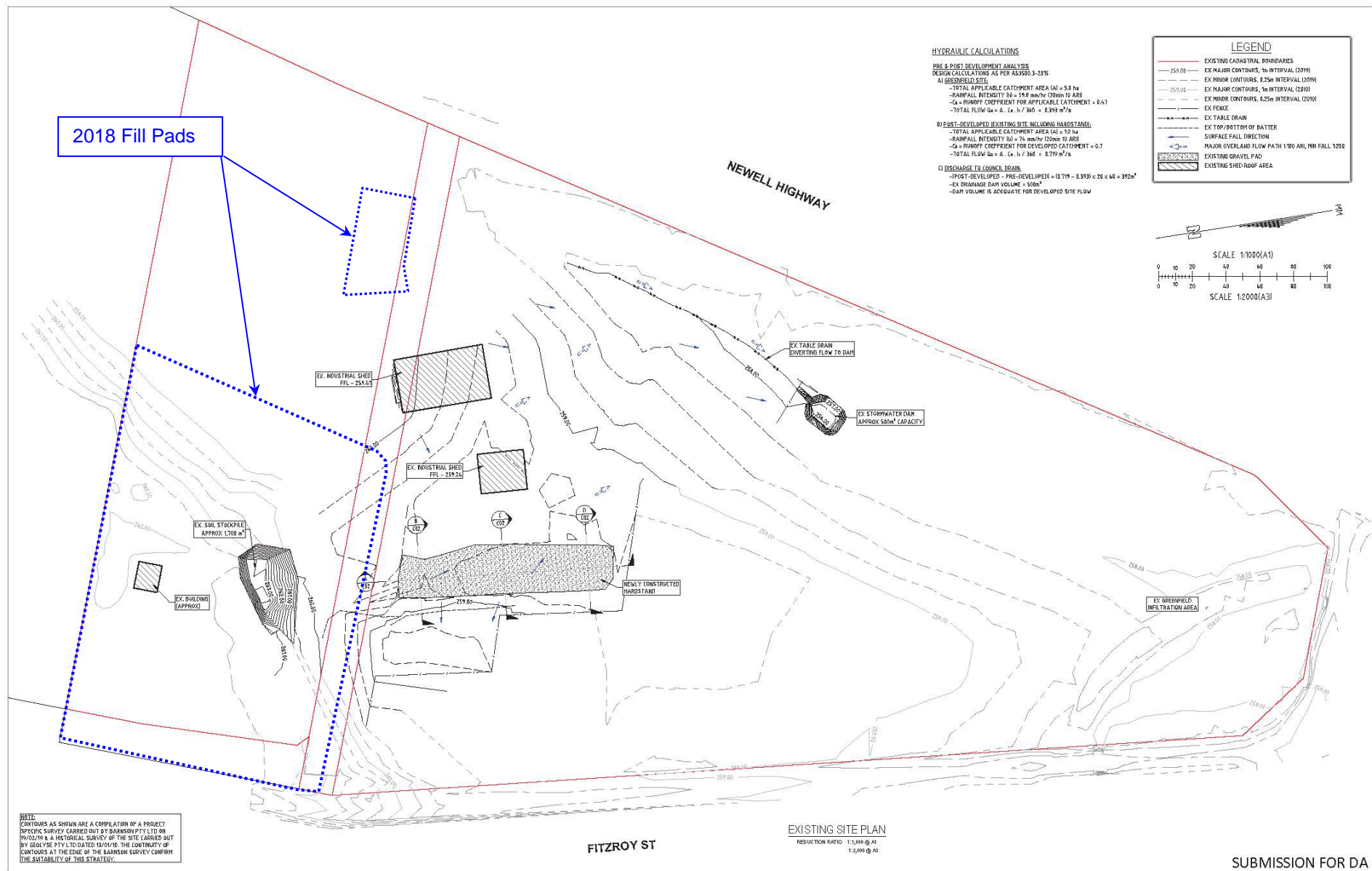
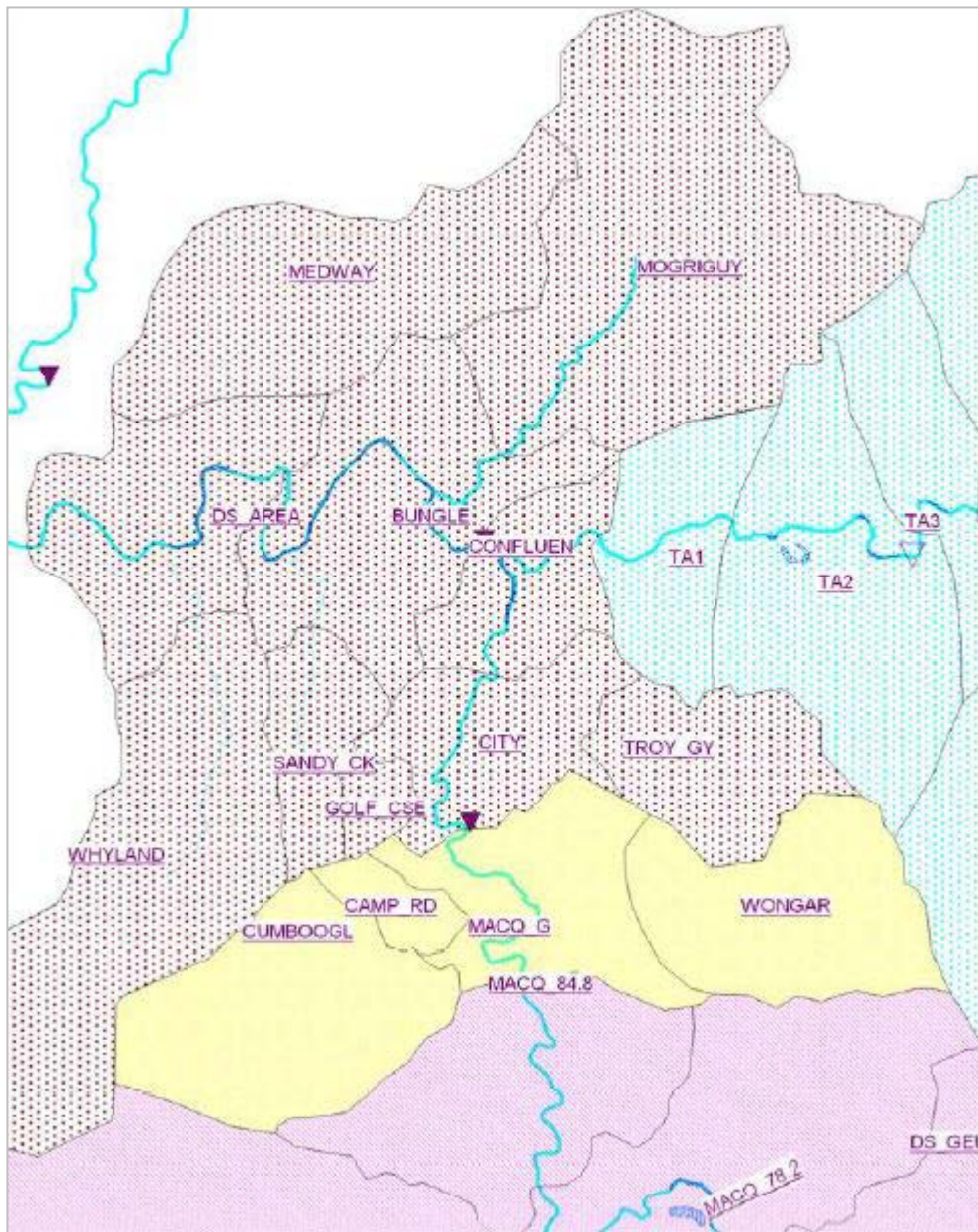
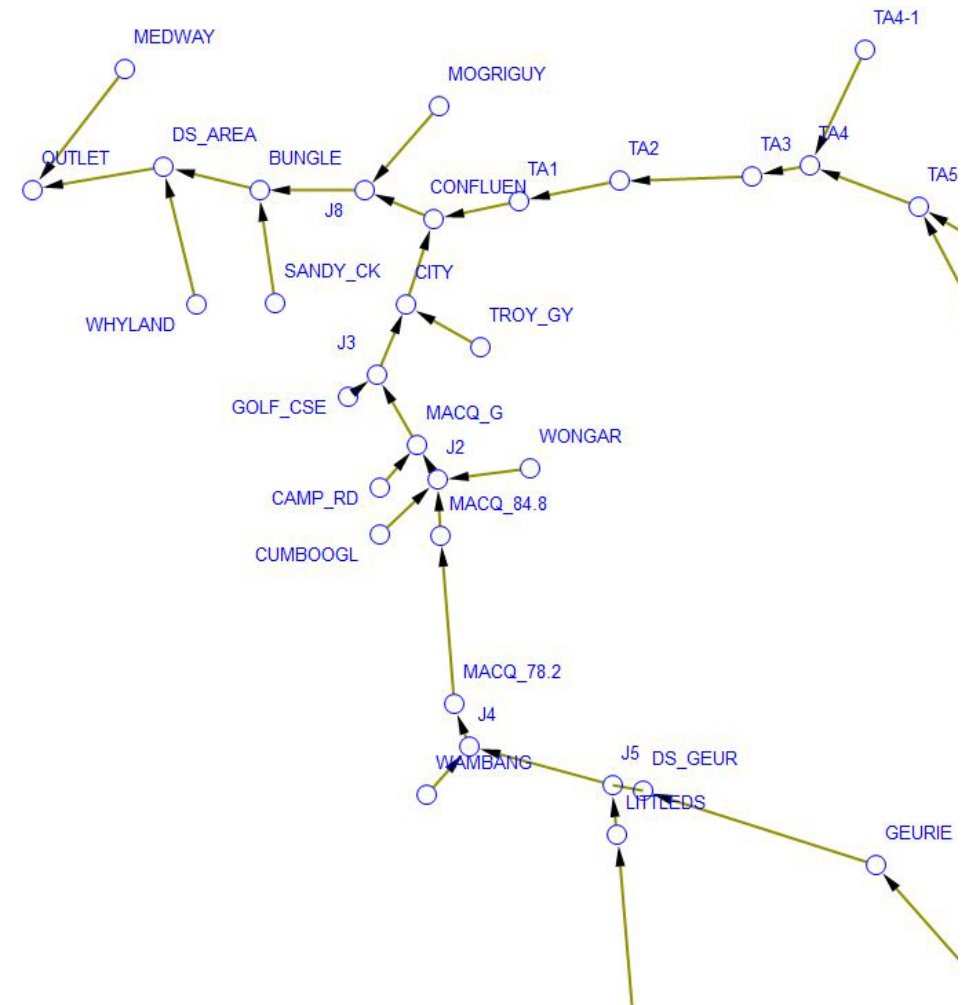


Figure 2 Layout of proposed Fill and Newly Constructed Hardstand Area (after Barnson, 2019)



(a) Extract from Figure 3 Macquarie River at Dubbo – Subcatchments downstream of Burrendong Dam



(b) Extract of Layout of XP-RAFTS Hydrological Model of Subcatchments downstream of Burrendong Dam

Figure 3 Subcatchments downstream of Burrendong Dam (Cardno, 2012)

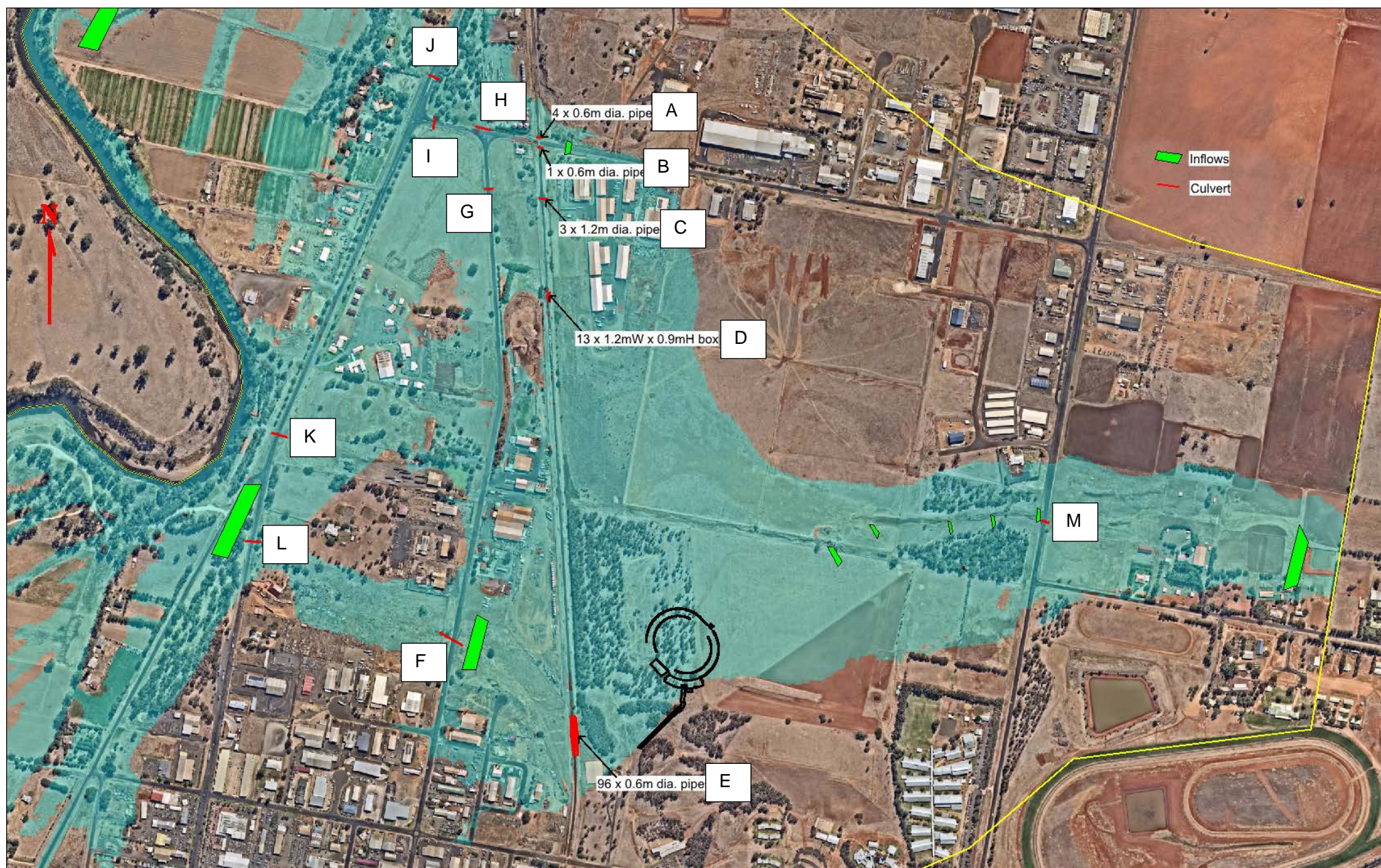


Figure 4 Location of Troy Gully Floodplain Model Crossings

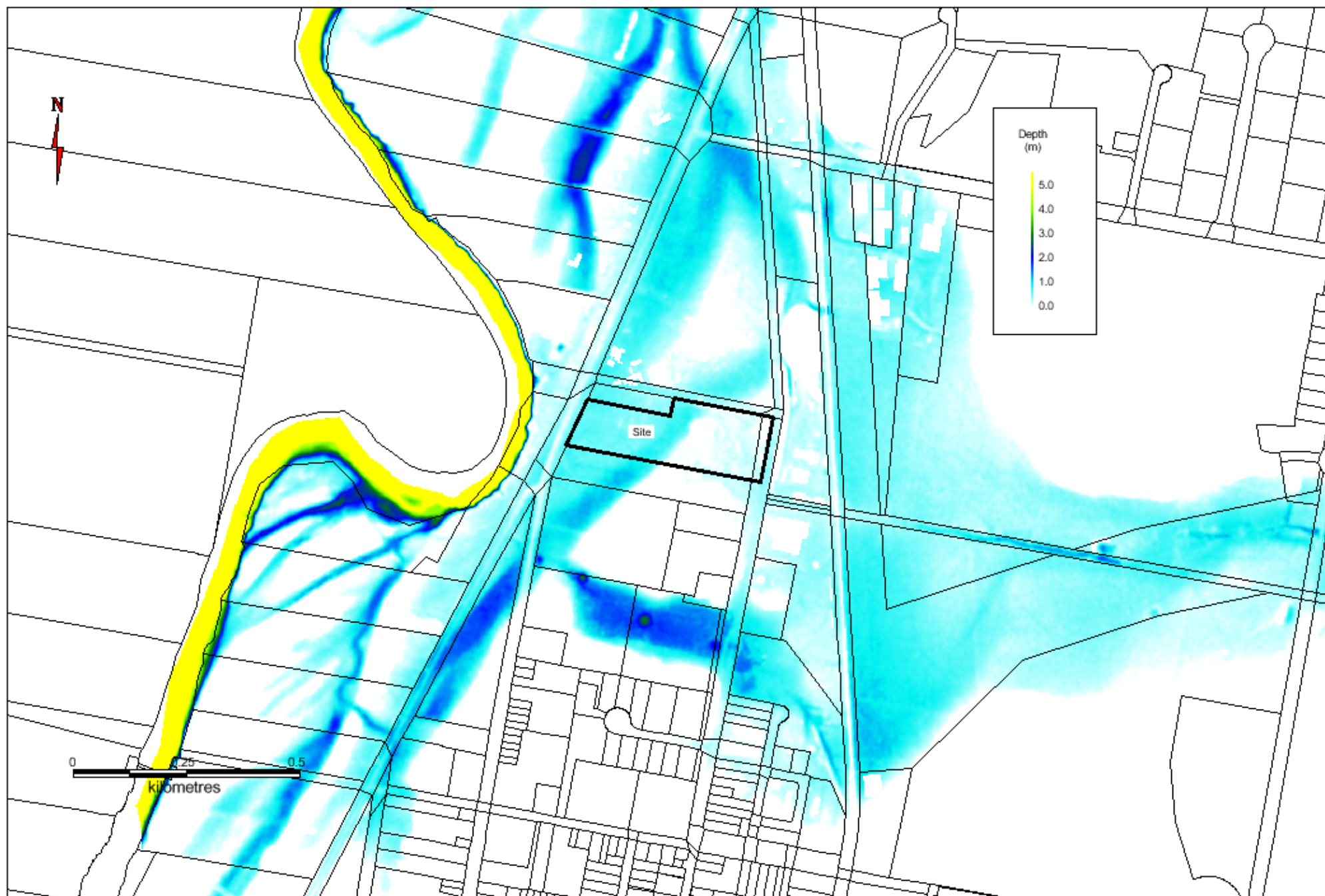


Figure 5 1% AEP Flood Depths – Troy Gully - Existing Conditions

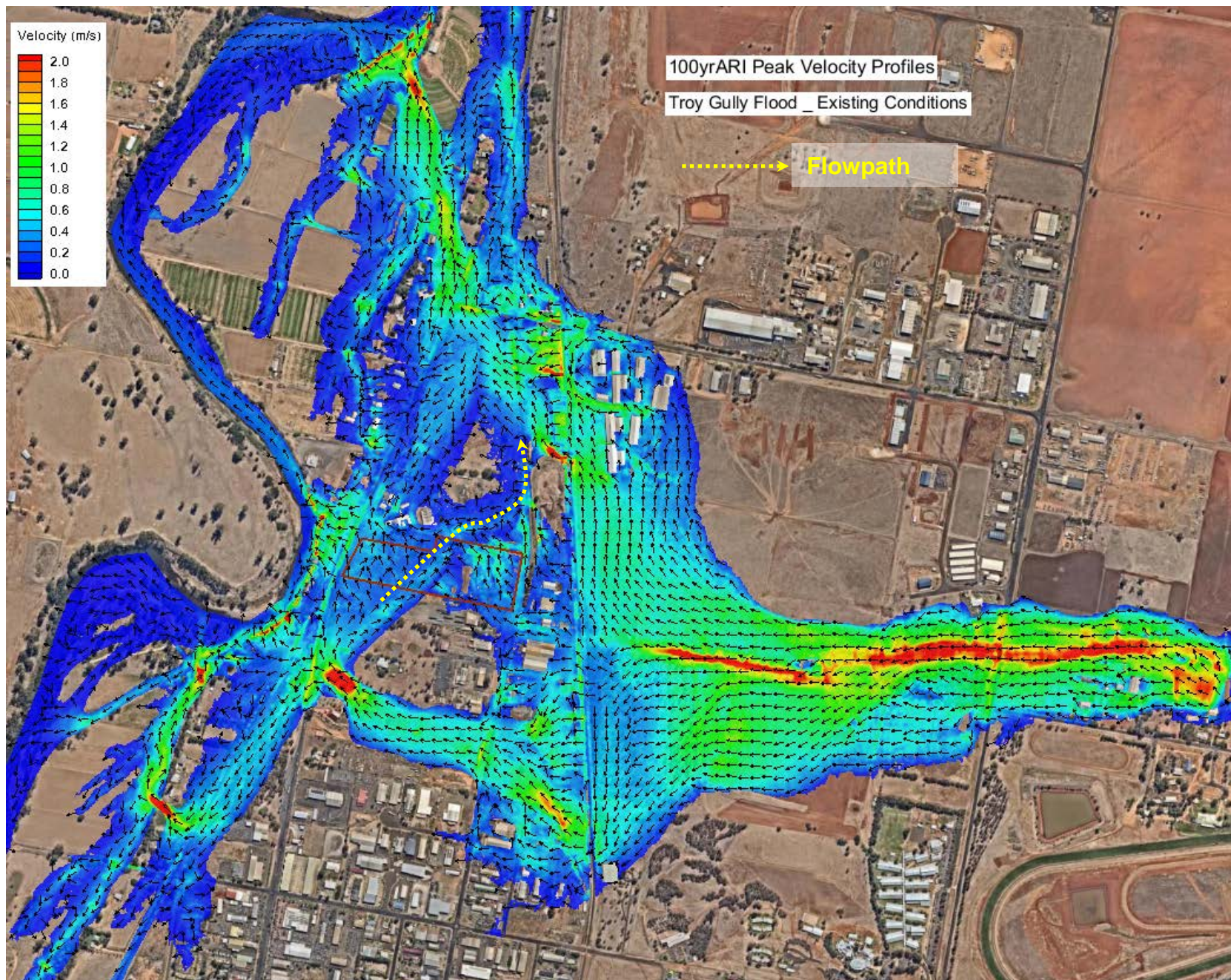


Figure 6 1% AEP Flood Velocity Vectors – Troy Gully - Existing Conditions

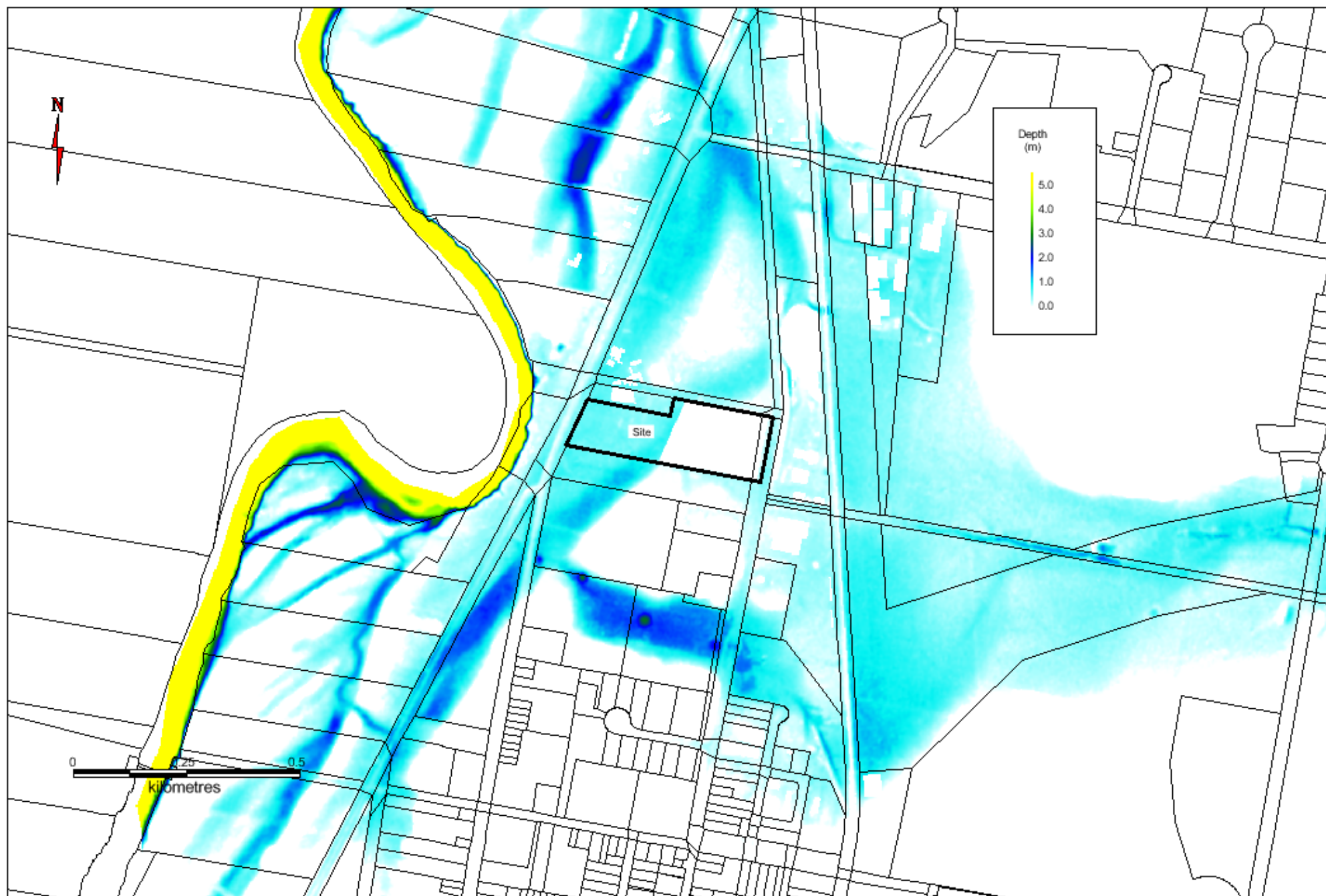


Figure 7 1% AEP Flood Depths – Troy Gully - Post Earthworks Conditions

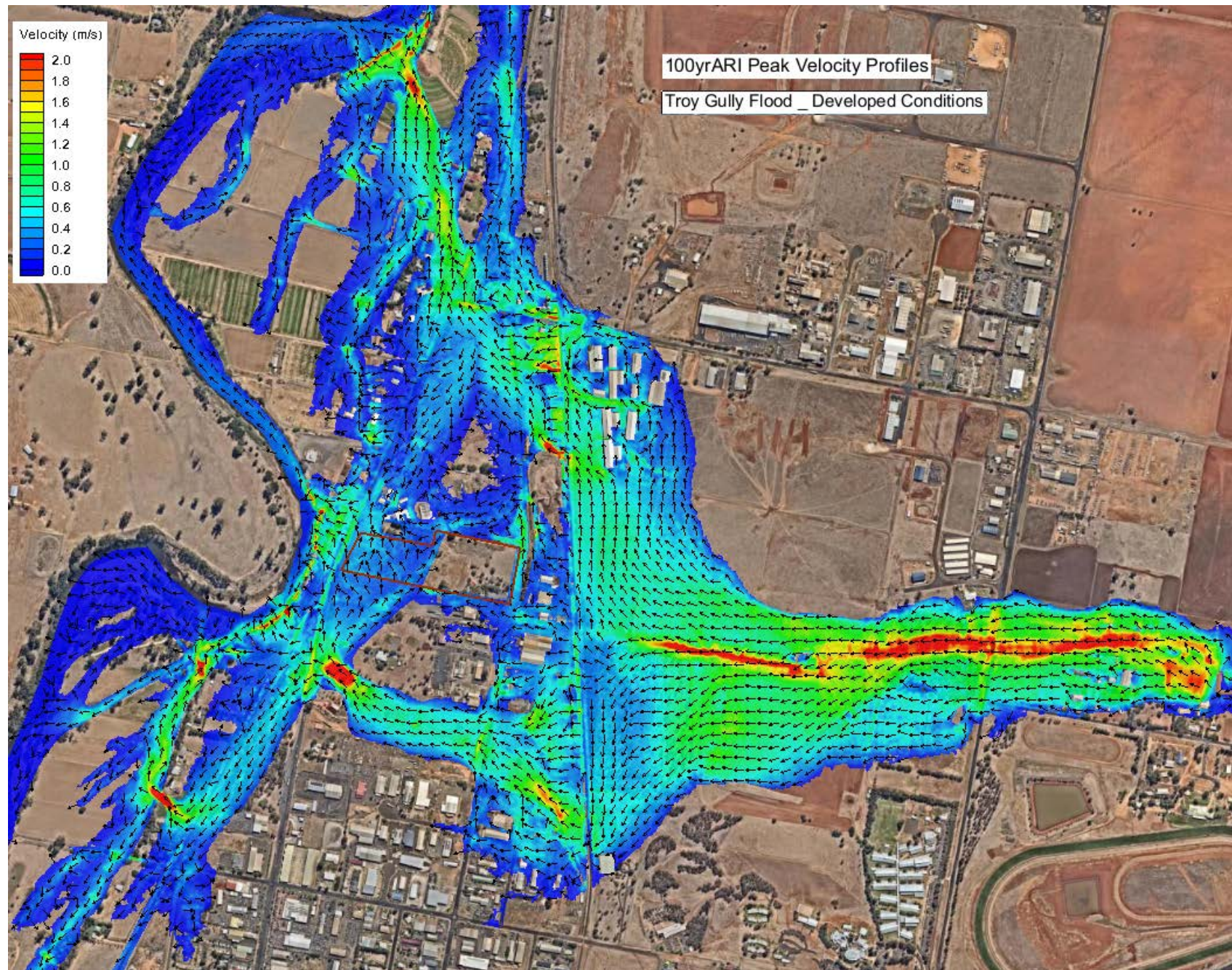


Figure 8 1% AEP Flood Velocity Vectors - Troy Gully - Post Earthworks Conditions

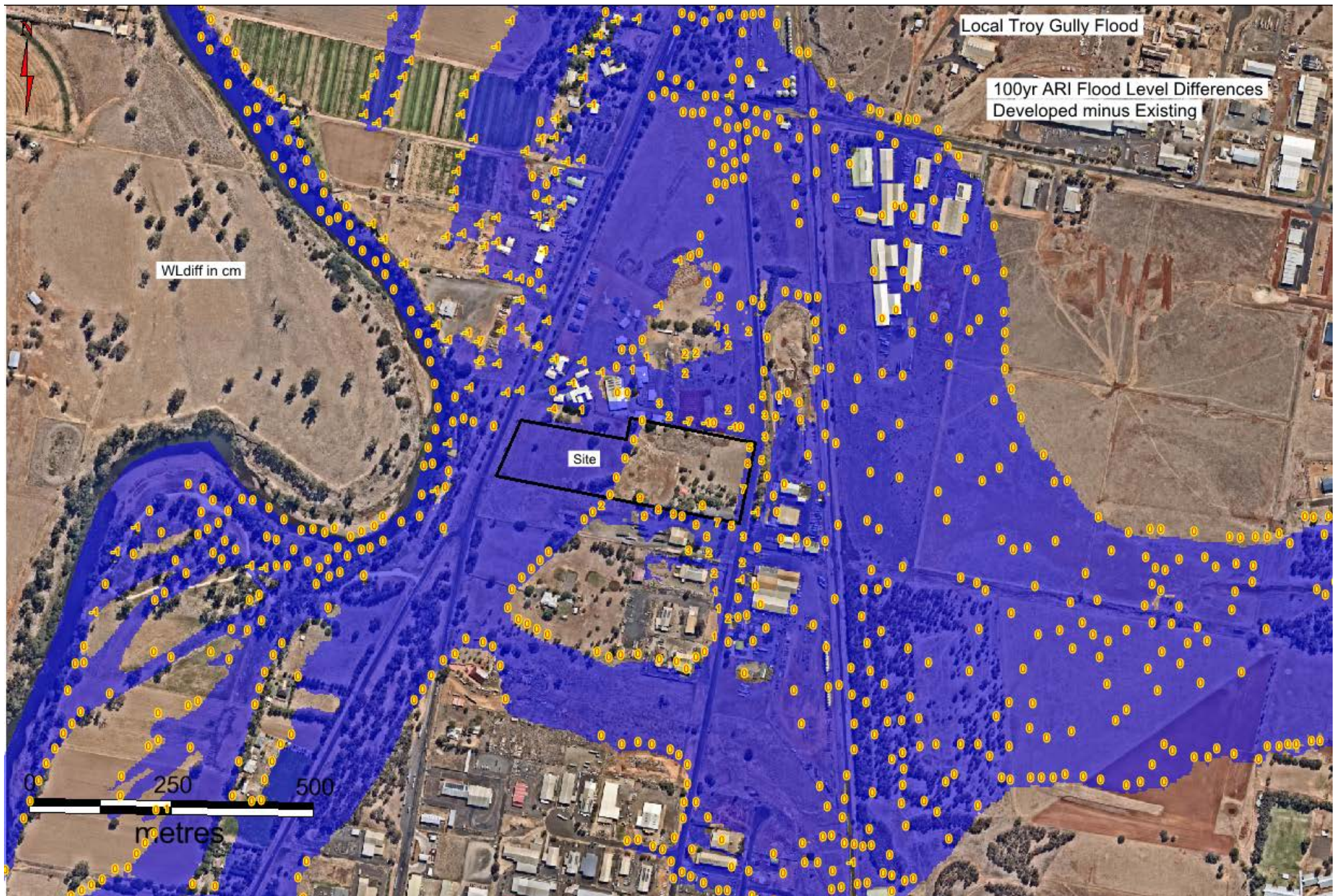


Figure 9 1% AEP Flood Levels Differences (Post Earthworks Conditions – Existing Conditions) - Troy Gully

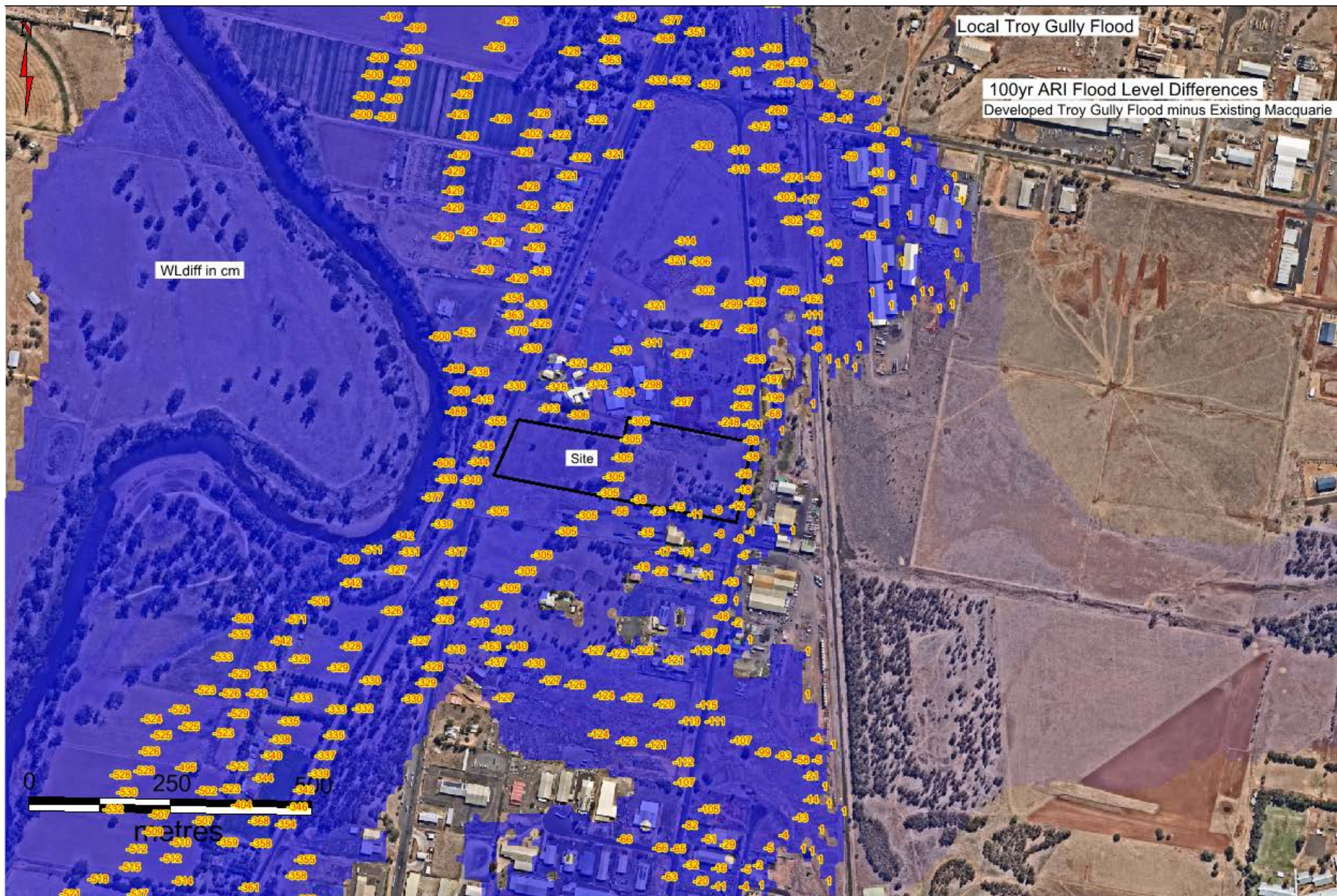


Figure 10 1% AEP Flood Levels Differences (Troy Gully Post Earthworks - Macquarie River Existing)

Appendix E - AHIMS Search

Erika Dawson
2 littlebourne Street
Bathurst New South Wales 2795
Attention: Erika Dawson
Email: edawson@barnson.com.au

Date: 14 June 2018

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 1, DP:DP1163911 with a Buffer of 50 meters, conducted by Erika Dawson on 14 June 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Erika Dawson
2 littlebourne Street
Bathurst New South Wales 2795
Attention: Erika Dawson
Email: edawson@barnson.com.au

Date: 14 June 2018

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 1, DP:DP197736 with a Buffer of 50 meters,
conducted by Erika Dawson on 14 June 2018.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

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- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Erika Dawson
2 littlebourne Street
Bathurst New South Wales 2795
Attention: Erika Dawson
Email: edawson@barnson.com.au

Date: 14 June 2018

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 3, DP:DP1194822 with a Buffer of 50 meters, conducted by Erika Dawson on 14 June 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
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Important information about your AHIMS search

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- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

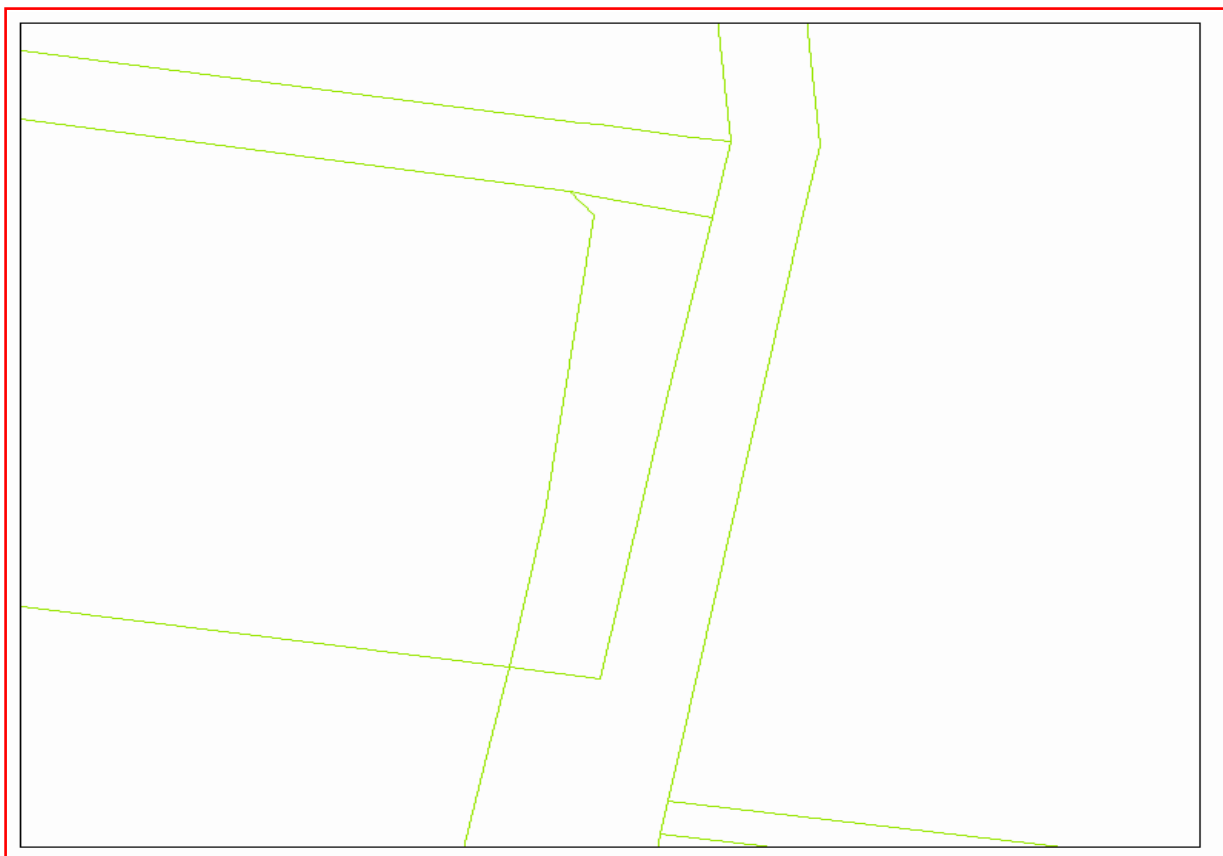
Erika Dawson
2 littlebourne Street
Bathurst New South Wales 2795
Attention: Erika Dawson
Email: edawson@barnson.com.au

Date: 14 June 2018

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 69, DP:DP259061 with a Buffer of 50 meters, conducted by Erika Dawson on 14 June 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

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- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

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- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
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- This search can form part of your due diligence and remains valid for 12 months.

Appendix F - Masterplan Details



Dubbo Regional Council
70 Church Street
Dubbo NSW 2830

ATTN: Steven Jennings

RE: Master plan for Taylor Made Buildings

Taylor Made Buildings bought Harnett Transportable Homes in May 2007. In the first year we budgeted on doing 15 homes per year. We started with 4 employees and me.

Over the 11 years we have extended the construction yard 4 times and made the materials shed 3 times the size as when we first started back in 2007.

We now employ 34 people with around 15 Subcontractors.

The sizes of the transportable houses from 2007 averaged around 93m² and all transportable homes were only a 2 module construction. Now in 2017 we have taken the average square metres up to 135m² and some transportable homes are now up to 5 and 6 modules.

Were the transportable homes have more than 2 modules we then need to have more space around the houses as the modules are all in different directions. If we build a 4 module transportable home it can take up to 3 building sites.

We are applying for an additional permit use (now under existing use rights). We are running out of land to extend our transportable business. We are seeking permission to use a portion of land 35m wide x 397m long to the south to use in the transportable business.

2R Gilgandra Rd, North Dubbo P.O. Box 989 Dubbo NSW 2830

Phone: 02 6882 6066 Fax: 02 6882 0155 Email: admin@taylormadebuildings.com.au Web: www.taylormadebuildings.com.au

ACN: 123 586 096 ABN: 32 123 586 096

 Transportable Homes  Brick Veneer Homes  Kit Homes

We do not want to extend the transportable home business to the North as this would put the buildings under construction too far away from the office, Amenities block and materials shed.

In the additional permit use we are asking for a 35m wide x 397m long section of land taken from the old Golf West Site this section would then become part of our compound and allow for use to propose 2 sheds at a later date

1st Shed would be for a Joinery shop so we can build our own kitchens

The second shed would be used for a steel frame and truss factory as we also have our own Frame and Truss engineering from Barnson

If we can use the land to the south that would put the compound extension and the two proposed sheds close to the office.

With the existing compound we will need to upgrade the shed as well as the area needed to take materials for transportable buildings. The hatched area on the plan will be used for this. We will extend the existing shed by 40m long and keep the same width. The rest of the compound will be used to store materials as we buy a lot of bulk items. This hatched area needs to be close to the existing shed and office complex.

Number 1 site

Number one building site which backs onto the Newell highway will be the first parcel of land filled with the transportable homes under construction as it makes the business look better from the highway.

Number 2 site

Number two building site will be used as the second site filled with the transportable homes under construction as it is closer to the office, Amenities and Materials shed

Number 3 site

Number three building site will be used as the third site filled with the transportable homes under construction as it will be the same distance from the office, Amenities and Materials shed as the northern end of site number one. This site will also be used for multiple building orders (say over 4 houses).

Number 4 site

Number Four building site will be only used in the future if we cannot keep up with deliveries, construction but mostly wet weather. In 2016 we had a wet winter and we had 31 houses in the yard because we could not deliver because of the trucks would get bogged on site

We have done work before where we have built up to 30 units for the same client and all delivered one after the other. It is easier to have the multiple houses for the one client in the same area not scattered throughout the other 3 building sites.

Existing House site Number one

This site will hold around 13 transportable homes depending on size and module numbers.

Existing House site Number two

This site will hold around 12 transportable homes depending on size and module numbers.

Proposed House site Number three

This site will hold around 18 transportable homes depending on size and module numbers.

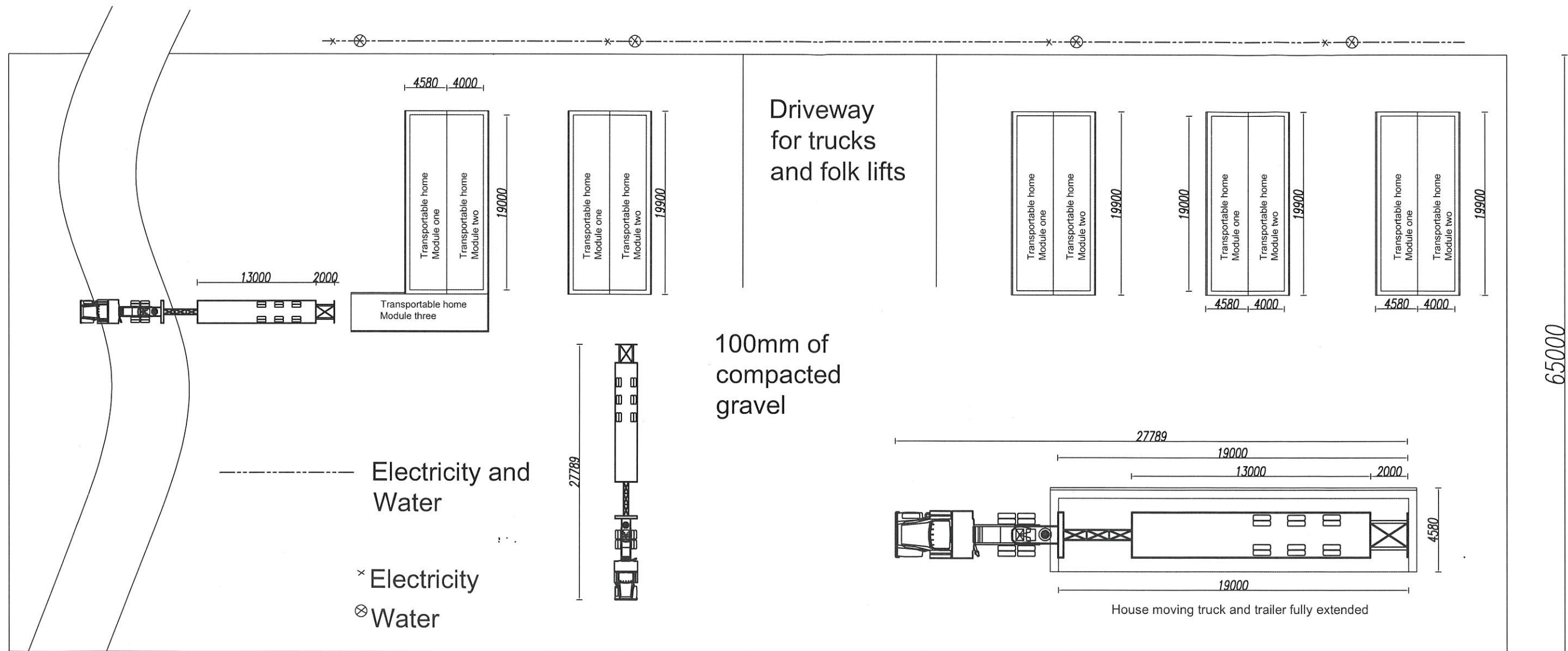
Proposed House site Number four

This site will hold around 18 transportable homes depending on size and module numbers.

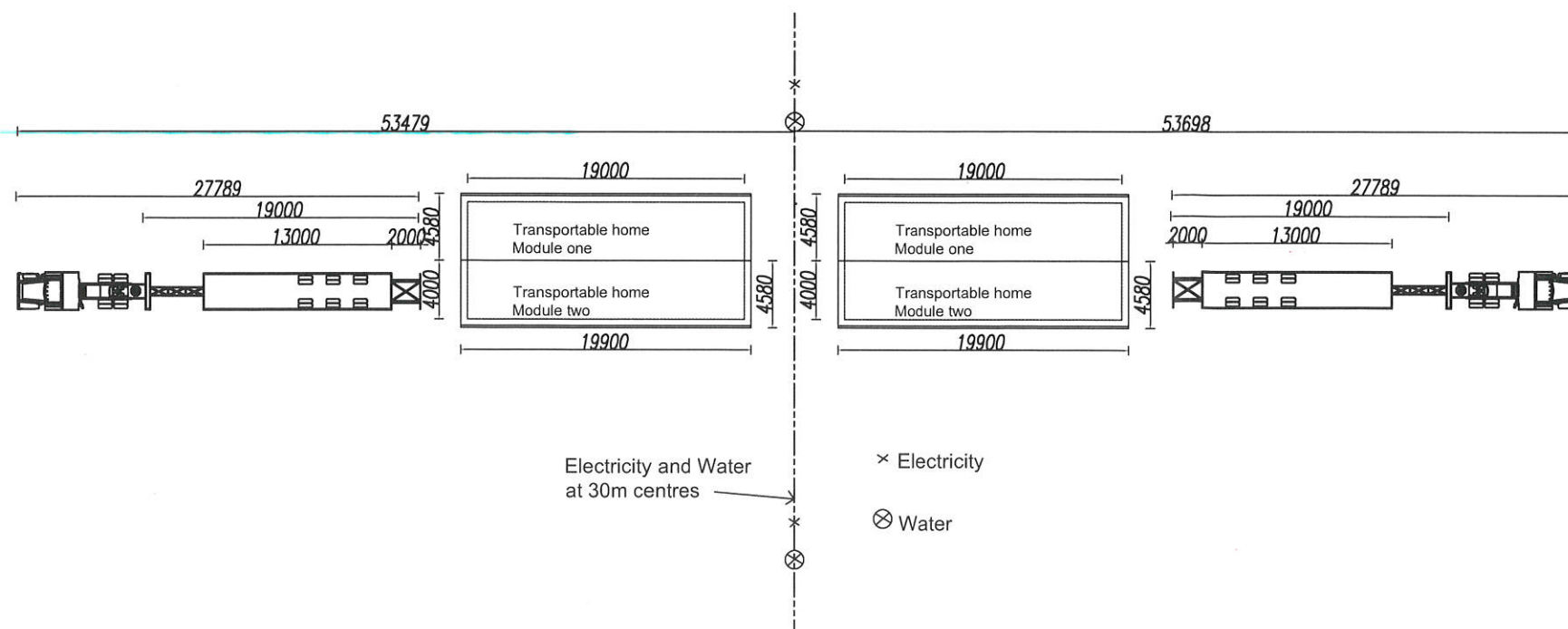
Yours faithfully

A handwritten signature in blue ink, appearing to read 'Paul Taylor', with a stylized flourish at the end.

PAUL TAYLOR



House site number three and four



Taylor Made Buildings PTY LTD
2R Gilgandra Road Dubbo NSW
PO Box 989 Dubbo NSW 2830

Paul Taylor 02 6882 6066
paul@tayormadebuildings.com.au