

PLANNING PROPOSAL

PROPOSED REZONING OF "TAMBAROORA"

LOT 10 DP 243046 – 381 LOWER LEWIS PONDS ROAD
CLIFTON GROVE, ORANGE

PREPARED FOR:

MR P VEENSTRA

JULY 2014

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Introduction

1.1 OVERVIEW

The purpose of this report is to support a request to rezone land at 381 Lower Lewis Ponds Road, Clifton Grove, Orange by amending Cabonne Local Environmental Plan 2012 (CLEP2012). This will permit the development of the land for a large lot residential development commensurate with the zoning of the adjoining lands as R5 - Large Lot Residential. This request is in context of the current zoning, which is zoned RU1 (Primary Production) under the provisions of CLEP 2012.

This report is the initial Planning Proposal report to be submitted to Council to formally resolve to proceed with the rezoning of the land in accordance with the requirements of the EP&A Act. A Local Environmental Study is not a requirement under the revised Planning Proposal process. The Gateway Determination from NSW Planning outlines the additional information, studies and consultations required.

The report seeks an amendment to CLEP2012 to reflect future development aspirations of current owner Mr P. Veenstra and the future owners Landorange Partnership to develop the land for large lot residential development.

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning & Assessment Act 1979 (the Act) and the Department of Planning's advisory document *A Guide to Preparing Planning Proposals*. These documents require the Planning Proposal to be provided in four (4) parts, being:

- **Part 1** – A statement of the **Objectives or Intended Outcomes** of the proposed LEP;
- **Part 2** – An **Explanation of the Provisions** that are to be included in the proposed LEP;
- **Part 3** – The **Justification** for those objectives, outcomes and provisions and the process for their implementation; and
- **Part 4** – Details of the **Community Consultation** that is to be undertaken on the Planning Proposal.

The Director General has, under Section 55 (3) of the EP&A Act, issued requirements regarding specific matters that must be addressed in the **Justification** as follows:

- Section A – Need for Planning Proposal.
- Section B – Relationships to strategic planning framework.
- Section C – Environmental, social and economic impact.
- Section D – State and Commonwealth interests.

The Council's of Blayney, Cabonne and Orange City joined forces to undertake a comprehensive strategy for the sub-region entitled "*Sub-Regional Rural and Industrial Land Use Strategy July 2008*" with a focus on guiding future land use planning for each Council as well as the Sub-Region, for the next 30 years.

"The Strategy has been developed in consultation with the three Councils, the Department of Planning, the community and various state agencies and provides the broad directions for future planning in the Sub-region. As well as providing a sound basis for private and public sector decisions on services, development and new facilities, it outlines the planning framework for development, environment and infrastructure issues affecting the Sub-Region and its representative Councils.

The Strategy identifies potential future changes to zone boundaries and provides for the economic, social and environmental justification for the zoning of the land. It also identifies the types of development preferred to achieve economic, environmental and social sustainability. The Strategy

also recommends development controls for the future land resource management within the Council areas”.

One objective of the Strategy was to provide a range of residential opportunities within the Sub-Region which are compatible with the natural environment, settlement patterns, community aspirations, and economic pursuits of people living and working in the Sub-Region. Growth is to be directed to the defined footprints for each settlement and is not allowed to sprawl, form ribbon or ad hoc development that would compromise the rural landscape and atmosphere.

A number of new 'lifestyle areas' were identified within the Sub-Region.

The subject land was nominated as Strategy Area 3 (SA3) – Weemilah, having the potential to provide for large lot residential development.

A Gateway determination under Section 56 of the Act is therefore requested.

1.2 LOCATION OF SUBJECT LAND

The subject land is located on the western side of the Lower Lewis Ponds Road approximately 6.5kms north east of the Orange CBD (**Refer to Figure 1**).

1.3 SITE DESCRIPTION

The current real property description of the land is Lot 10 DP 243046. It has a total area of approximately 24.45 hectares (**Refer Figure 2**). A Crown Road Reserve 20.115m in width dissects the site. An existing dwelling owned by Mr P. Veenstra “Tambaroora” is situated at the northern end of the site.

The subject land is gently undulating in the south and adjacent to the Lower Lewis Ponds Road. The land is steeper around the northern boundary and adjacent to the existing dwelling. It rises from approximately 880m in the south to 920m AHD in the north.

The subject land is divided into two catchments. The northern portion of the site, as well as the adjoining Strathnook Lakes Estate, drains west to the Ironbark Estate (Orange City Council LGA). A large earth storage dam is situated on this drainage line. The southern catchment drains from the Weemilah Estate and heads west into the Clifton Grove Estate. Several small dams are scattered over the property for stock watering purposes. Some of these drainage channels are intermittent but the land around them is boggy and would be less suitable for development.

With the exception of two watercourses and associated flood plains the major portion of the subject land does not appear to be low lying or waterlogged to the extent that they would pose an unreasonable constraint to the future development of the land for urban residential purposes.

The land has been mostly cleared due to previous agricultural practices with small stands of native timber and regrowth occurring along the higher areas. Along the northern boundary and on the steeper slopes the native timber is more dense.

A small set of stock yards are located adjacent to the Lower Lewis Ponds Road. A farm shed is situated near the existing homestead. The remaining area has been used for grazing with good grass cover showing no evidence of bare ground, commonly associated with contaminated sites. It will be necessary however to undertake a chemical residue assessment prior to release of the Subdivision Certificate and linen plan.

Access to the property “Tambaroora” is via the Lower Lewis Ponds Road which forms the eastern boundary. This road is a two lane rural road. The existing road also services the Weemilah and Strathnook Lakes Estates opposite.

There is no reticulated water or sewer available to the site. Dwellings in the Clifton Grove and the Ironbark Estates to the west are serviced by Orange City Council in regards to reticulated water and are required to have onsite wastewater disposal.

There is no formal stormwater drainage system that services the site. Stormwater from the site is returned to the rural catchment via overland flow or natural drainage depressions.

Power and telephone services are available in the locality and the further extension of these services will be to the requirements of the relevant supply authority.

Pursuant to the recent gazettal of Cabonne Local Environmental Plan 2012 the land is zoned RU1 – Primary Production.

The surrounding development pattern comprises:

- Small rural holdings to the north and north east;
- Strathnook Lakes and Weemilah Estates, which are rural residential estates within the Cabonne LGA, to the east;
- Ironbark and Clifton Grove Estates, which are rural residential estate within the Orange LGA, to the west; and
- Undeveloped rural areas to the north west which are relatively steep and heavily vegetated.

1.4 DEVELOPMENT CONCEPT

The proposed rural residential development of the site would involve the following:

- Lot sizes ranging from 1.10 to 4.48 hectares;
- Sealed, recessed, entrances from the Lower Lewis Ponds Road to provide access to most of the proposed lots. A gravelled access road will be constructed to the proposed northern two lots;
- Building envelopes will be nominated for each lot to minimise removal of vegetation, optimise on site wastewater disposal options and ensure adequate bushfire protection is provided;
- Water supply for residential purposes to be provided by rainwater tanks supplemented with onsite farm storages and the provision of several bores; and
- Electricity supply and Telstra services will be provided via the extension of the existing overhead network and underground cabling respectively.

It is proposed that the development may be released in stages, based on demand for the lots and the provision of accesses and services. The variation in proposed lot sizes reflects the constraints and opportunities afforded by the subject land (**Refer to Figure 3**) with smaller lots located in the south and larger lots to the north.

A conceptual development plan has been prepared and is attached to this report (**Refer Figure 4**). It should be noted that the conceptual plan is indicative only at this stage and is subject to final assessment and design.

Objectives or Intended Outcomes

The objectives or intended outcomes of this Planning Proposal are:

- The intent of the Planning Proposal is to rezone the subject site to enable a large lot residential subdivision.
- To provide for a Minimum Lot Size (MLS) for the subject land of 1.0 hectare.

The objectives or intended outcomes of this Planning Proposal would be achieved by:

- Rezoning Lot 10 DP 243046 from RU1 Primary Production to RU5 Large Lot Residential pursuant to *Cabonne Local Environmental Plan 2012*.
- Amending the *Cabonne Local Environmental Plan 2012 Lot Size Map (Sheet LSZ_005B)* as it applies to Lot 10 DP 243046 to permit a Minimum Lot Size of 1.0 hectare.

Explanation of Provisions

It is proposed by this submission to rezone the lands under LEP2012 to R5 - Large Lot Residential.

3.1 OBJECTIVES OF THE ZONE

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

Permitted Without Consent

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

Permitted With Consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Home businesses; Home industries; Information and education facilities; Open cut mining; Recreation areas; Roads; Water storage facilities.

Prohibited

Any developments not specified in item 2 or 3.

Clause 4.2 – Rural subdivision Minimum subdivision lot size would apply. This refers to the Lot Size Map (*Sheet LSZ_005B*). The Lot Size Map for adjoining lands RU5 Large Lot Residential indicates a MLS of 2.0 hectares.

Justification

4.1 NEED FOR THE PLANNING PROPOSAL

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

The Planning Proposal is the result of the “*Sub-Regional Rural and Industrial Land Use Strategy July 2008*”. The strategy was developed in consultation with the Blayney, Cabonne and Orange City Councils, the Department of Planning, the community and various state agencies and provides the broad directions for future planning in the Sub-region.

One objective of the Strategy was to provide a range of residential opportunities within the Sub-Region which are compatible with the natural environment, settlement patterns, community aspirations, and economic pursuits of people living and working in the Sub-Region. Growth is to be directed to the defined footprints for each settlement and is not allowed to sprawl, form ribbon or ad hoc development that would compromise the rural landscape and atmosphere.

A number of new ‘lifestyle areas’ were identified within the Sub-Region.

The subject land was identified as Strategy Area 3 (SA3) – Weemilah.

The Subregional Strategy makes the following statements/recommendations about Strategy Area SA3 (Final Strategy p.37):

“SA 3 Weemilah encompasses land within Cabonne LGA on the eastern boundary of the Clifton Grove estate. The existing Weemilah rural residential subdivision has formed an extension to Clifton Grove, fronting on to Lower Lewis Ponds Road, being the extension of the main vehicular spine through Clifton Grove, Banjo Paterson Way. SA 3 involves an extension of the existing Weemilah subdivision to the north of Lower Lewis Ponds Road to reinforce the contiguity of rural residential development and linkages between the Weemilah and Clifton Grove localities.

The weighted constraint assessment demonstrates that SA 3 is affected by low levels of environmental constraint, with a constraint level of 1-2. The SA is not affected by Class 1, 2 or 3 (agricultural) land, drinking water catchment, and steep slope or remnant vegetation. The constraints for the SA relate to holding size and designation as bush fire prone land. This latter constraint, however, does not entirely preclude future rural residential development in the SA, with anticipated lots being of sufficient size to accommodate the required asset protection zones in compliance with the Planning for Bushfire3 Protection (PBP) Guidelines 2006.

Based on the above, future zoning allowing rural residential development could be pursued in this location.”

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

An amendment to the Cabonne LEP 2012 and the Minimum Lot Size map as it applies to the subject land is the best means of achieving the objectives or intended outcomes.

c) Is there a net community benefit?

It is expected that a net community benefit would be gained from the Planning Proposal. In this regard:

- The proposal will result in an increase in the number of large residential lots within an appropriately zoned area. As such it will enhance the supply and diversity of such land.
- The proposal to rezone the land to R5 zoning is consistent with the zoning of adjoining lands.
- The proposed reduction in the Minimum Lot Size will allow zoned large lot residential land to be developed to an optimum yield and thus minimise pressure for such development to expand onto agricultural land. The range of lot sizes reflects the opportunities and constraints applicable to the site.
- The proposal has the potential to bring indirect economic benefit by providing for additional permanent population in close proximity to a major regional centre.
- The provision of services and infrastructure to serve the development will be borne by the developer and without additional costs or burden upon the community. In particular:
 - The area is already serviced by electricity and telecommunications. Rainwater will be collected and stored on each dwelling for potable water supplies. There is potential to utilise one large dam and several smaller dams as well as the installation of water bores for additional non potable water supplies.
 - Reticulated sewer and stormwater infrastructure is not required for this style of development. The proposed lots will incorporate on site waste water disposal and stormwater not captured on site for water supply will be returned to the rural catchment in a non-erosive manner.
 - The existing road network is capable of accommodating the development without unreasonable upgrading.
- The proposal is unlikely to impact upon travel distances given that it will continue large lot residential development on the fringe of a major regional centre. The site integrates with the existing transport routes that serve the area.
- There are no known significant government infrastructure investments in the immediate area that would be affected by this proposal.
- The subject land has not been identified as having any significant environmental or biodiversity values. The land has been subject to ongoing agricultural activities over many years. Consequently the land has been mainly cleared and is highly disturbed.

4.2 RELATIONSHIP TO STRATEGIC PLANNING NETWORK

a) Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

There is no Regional Strategy that is relevant to the subject land or proposal. The proposal is consistent with “*Sub-Regional Rural and Industrial Land Use Strategy July 2008*” and the subject land has been identified as Strategy Area 3 (SA3) – Weemilah.

b) Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

There is no Community Strategic Plans applicable to the subject land.

c) Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The planning proposal is consistent with all applicable SEPPS (**Refer to Appendix B**). In particular it is considered that the proposal is consistent with SEPP Rural Lands 2008 because the proposal specifically relates to ensuring 'the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained lands'

d) Is the planning proposal consistent with applicable Ministerial Directions?

Section 117 of the Environmental Planning and Assessment Act, 1979 allows the Minister to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of draft local Environmental Plans.

A Planning Proposal needs to be consistent with the requirements of the Direction but can be consistent if justified using the criteria stipulated.

The consistency or otherwise of the planning proposal with the Ministerial Directions is provided in **Appendix C**.

4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

a) 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?

A preliminary flora and fauna assessment has been undertaken by Envirowest Consulting (**refer Appendix D**). The report states:

'No threatened flora and fauna have been identified on the site from a review of the NSW OEH Bionet database and no threatened flora, fauna or communities were identified on the site from site walkovers.

Minimal habitat will require removal. The vegetation along Lewis Ponds Road reserve will not become isolated or fragmented as a result of the development. Vegetation corridors will be retained.'

The assessment concludes that 'no impact from the proposed rezoning is expected on threatened flora and fauna which may occur in the locality.'

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

The potential impacts of the Planning Proposal are considered below.

(i) Water Quality

Potential impacts on water quality relate to the following:

- On site effluent disposal.
- Erosion and sedimentation as a result of earthworks during construction phases of the development.
- An increase in impervious surfaces as a result of buildings and roadways will increase the volume and velocity of run-off from the site.

On-site Effluent Disposal

On-site effluent disposal systems within each lot are to comprise surface irrigation and sized to ensure nil to minimal wastewater infiltrates the soil.

An on-site effluent management study has been undertaken by Envirowest Consulting and is included as **Appendix D**. A desktop study and site and soil assessment was undertaken using *Australian Standard 1547:2012 On-site domestic wastewater management* and *On-site sewage management for single households* (Department of Urban Affairs and Planning 1998), as guidelines.

The assessment made the following generic recommendations for the treatment and application of effluent:

- *It is recommended effluent is treated in a secondary treatment tank approved by NSW Health and applied to the soil by surface irrigation. The irrigation area for each site, assuming a four bedroom dwelling using tank water ranges from 444m² to 565m².*
- *All lots are expected to have sufficient areas for application systems after allowance for buffer distances to boundaries, buildings and bores.*
- *Available area on each lot ranges from 1,100m² to 2,500m².*

Soil Erosion

An erosion and sediment control plan should be prepared and should provide for:

- Retention of existing vegetation around disturbed areas where practical to reduce mass movement of sediment.
- Staging of excavation and earthworks where practical to minimise the extent of ground disturbance.
- The retention of as much topsoil as possible for reuse as landscaping material.
- The use and installation of sediment traps, bunds, banks and drains in suitable locations during all stages of the development.
- The prompt revegetation or stabilisation of all disturbed areas.
- Re-sow exposed areas with appropriate grass species as soon as practical after construction works have been completed.
- The erosion and sediment control devices installed at the construction phase should remain in place until revegetation of the exposed areas has occurred.

Stormwater Management

Stormwater drainage from future buildings and the roadway should be provided in a manner that returns flows to the rural catchment at non erosive velocities. In this regard the following measures may mitigate potential impacts:

- Implement appropriate erosion and sediment control devices.
- Collect roof water in rain water tanks for water supply, which will provide an on-site water supply to satisfy BASIX requirements as well as reduce the peak run-off from the site.
- Provide appropriate drains from roads, driveway and paved areas with adequate scour protection measures as required.

(ii) Flooding

The subject land is not identified as flood liable land.

(iii) Bushfire Hazard

A site assessment was conducted by Envirowest Consulting in accordance with the procedures detailed in Planning for Bushfire Protection (NSW Rural Fire Service 2006) to determine bushfire hazard classification, asset protection zones around the dwelling, bushfire attack level (BAL) and access.

A summary of asset protection zones and BAL for each building envelope are provided in **Appendix D**.

Three building envelopes and the existing dwelling in the proposed development are located in mapped bushfire prone areas CLEP2012. The impacted lots are proposed Lots 108 to 110 and Lot 1 (existing dwelling).

Envirowest Consulting have recommended that bushfire management plans for Lots 108 to 110 and Lot 1 (the existing dwelling), should be completed at the development application stage. The bushfire management plans should include site assessment details and compliance with the NSW Rural Fire Service acceptable solutions as described in Planning for Bushfire Protection (NSW Rural Fire Service 2009).

(iv) Traffic and Access

SA3 is adjacent to Lower Lewis Ponds on the eastern side of the site. This is a sealed two way local road that provides connection from Clifton Grove up to Lower Lewis Ponds and Ophir. There are no roads on the northern or western sides with access to SA3 and roads in these locations are unlikely due to existing vegetation/development patterns. The narrow nature of the site and site constraints suggest that the creation of an internal road to service lots would be expensive, difficult to construct, and would not necessarily create more lots.

It is proposed that access to the lots on the site occurs with driveways directly off Lower Lewis Ponds Road. The size of the development is unlikely to trigger RMS concurrence under SEPP (Infrastructure) 2007 – but RMS guidance may also be sought.

A preliminary review suggests that except for the curves at the southern end and the rise and curve in the middle of the site this road is relatively straight with good sight lines. The road adjacent to the site is currently sign-posted for 80km/hr vehicle speeds that improve safety for access/egress. However, native vegetation along the side of the road may pose an issue with entry/exit from driveways and therefore sight-lines will need to be verified with further survey work at the DA stage.

(v) Heritage

CLEP2012 (Heritage Maps) does not identify any listed heritage items on or near SA3. Ozark Environment and Heritage Management (OzArk) were engaged to undertake an Aboriginal heritage assessment for the subject land. The report applied the *Due Diligence Code of Practice of Aboriginal Objects in NSW* (DECCW 2010a). A copy of the report is included in **Appendix E**.

A field study was conducted by an Ozark archaeologist in addition to the desktop assessment and application of the Due Diligence Code. The report concluded;

No sites of Aboriginal heritage were identified within the study area and no unrecorded sites are anticipated to exist.

Based on this assessment, the following recommendations are made:

1. A desktop assessment of the Study Area, combined with field inspection, has demonstrated that the Study Area has a very low likelihood of containing Aboriginal sites or objects. No further archaeological assessment is required;

2. As it is assessed that there is a low probability of impacting Aboriginal cultural heritage within the Study Area, the Proposal can proceed under the following conditions:

a. All land-disturbing activities must be confined within the assessed Study Area. Should project impacts change such that the area to be impacted is altered then additional assessment may be required;

b. Any work crews employed in ground disturbing works within the Study Area should be made aware of the legislative protection of Aboriginal sites and objects; and

c. In the unlikely event that objects are encountered that are suspected to be of Aboriginal origin (including skeletal material), the Unanticipated Finds Protocol (Appendix 2) should be followed.

(vi) Contamination

There are no known historic activities on the parcel of land that may have resulted in land contamination. There are no remnants of any old spraying facilities, petrol or chemical storage etc. visible on the site. There are some small stock yards. The current owner Mr P. Veenstra who has occupied "Tambaroora" since 1984 has used the property for grazing only and is unaware of any activity past or present that may cause concerns in regard to site contamination. The sloping nature of the land and vegetation suggests it was unlikely to have been used for activities that would create a risk of significant contamination.

(vii) Groundwater

CLEP2012 does not identify any part of the site as having a sensitive groundwater system. The NSW Natural Resource Atlas does not reveal any existing bores on the site but there are bores on the eastern side of Lower Lewis Ponds Road that may impact on the location of on-site effluent management systems/lot sizes. Envirowest Consulting have indicated that there are no bores located with 100m of the subject land. Onsite effluent disposal options and areas have been sized and located with this in mind.

(viii) Riparian Corridors

CLEP2012 (Watercourse Map) identifies two watercourses running through Lots 10 (central) as sensitive riparian corridors. The southern stream is classified as a 1st Order while the northern stream is of a 2nd Order. Setbacks of 10m and 20m respectively are required from the top of the stream banks for 'controlled activities' under the Water Management Act 2000 to protect water quality and biodiversity.

(ix) Demand

There is no current demand and take up data for large residential lots in the Cabonne Council area. Apart from the Windera Estate, located on the Molong Road, rural residential developments of this nature have been limited while the "Sub-Regional Rural and Industrial Land Use Strategy July 2008" was being prepared and implemented.

The Windera Estate has been developed over the last 10 years and comprised approximately 50 large residential lots. It is now basically completed. Another such development Ploughmans Valley West (Orange City LGA) comprising 19 lots are under construction. This development lies to the southern end of the original Golden Downs Estate (29 lots) that was completed and sold approximately 7 years ago.

Both the Weemilah (20 lots) and Stathnook Lakes Estates (14 lots), which adjoin the subject land, were constructed over 13 years ago and are fully developed.

It is submitted that this proposal, which will provide for an additional 10 large residential lots around the Orange City area, will have a relatively minor impact on the overall market.

c) How has the planning proposal adequately addressed any social and economic effects?

The social and economic benefits of the Planning Proposal are considered to be positive due to the following:

- Relates to the provision of new appropriately located rural residential land on the fringe of the Orange urban area and adjacent to existing rural residential developments.
- Increases the availability of zoned rural residential land in close commuting distance to Orange and diversifies the supply of such land.
- Encourages additional permanent population which should generate positive impacts upon the retail, service and employment sectors of the local economy as well as benefit community facilities.

4.4 STATE AND COMMONWEALTH INTERESTS

a) Is there adequate public infrastructure for the Planning Proposal?

Yes. The Planning Proposal applies to land that is substantially surrounded by existing R5 Large Lot Residential Zones. Electricity and telecommunications are available in the area and will be extended to the proposed development in accordance with the requirements of the relevant service authority.

Reticulated urban infrastructure such as water, gravity sewer and stormwater drainage will not be provided. These will be addressed via on-site means and thus not present a burden to the community.

The conceptual subdivision pattern and new road system relates effectively to the existing road network. Road infrastructure to serve the development will be provided by the developer.

b) What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The view of State and Commonwealth public authorities are not required on the Planning Proposal until after the Gateway determination.

Any extensive consultation process was undertaken as part of the preparation of the "*Sub-Regional Rural and Industrial Land Use Strategy July 2008*" and is detailed below..

Community Consultation

As part of the preparation of the “*Sub-Regional Rural and Industrial Land Use Strategy July 2008*” an extensive consultation process was undertaken and included:

- Stage 1 – an initial inception and fact finding stage including agency and community consultation for issue identification purposes;
- Stage 2 – formulation of the draft Strategy, again including agency and community consultation for the purpose of direction, clarification and outcome identification; and
- Stage 3 – a final consultation and confirmation stage following delivery of the draft Strategy. This incorporated public display of the draft Strategy, community consultation meetings, receipt of comments and finalisation of the Strategy.

Section 2 of the Strategy detailing the consultation process is included in **Appendix F**.

The Planning Proposal will be subject to public exhibition and agency consultation as part of the Gateway process. The Gateway determination will specify the community consultation that must be undertaken on the Planning Proposal.

This Planning Proposal is considered to be a minor proposal for the following reasons:

- This Planning Proposal provides information to demonstrate that it is consistent with the strategic planning framework.
- Issues pertaining to infrastructure servicing are not significant and can be adequately addressed.
- The Planning Proposal is not for a principal LEP.
- The Planning Proposal does not seek to reclassify public land.

Community consultation would involve:

- An exhibition period of 28 days.
- The community is to be notified of the commencement of the exhibition period via a notice in the local newspaper and on Council's website. The notice will:
 - Give a brief description of the objectives or intended outcomes of the planning proposal;
 - Indicate the land affected by the planning proposal;
 - State where and when the planning proposal can be inspected;
 - Provide the name and address for the receipt of submissions; and
 - Indicate the closing date for submissions.
- Written notification to adjoining and surrounding land owners.

During the exhibition period, it is expected that Council would make the following material available for inspection:

- The planning proposal in the form approved for community consultation by the Director General of Planning;
- Any studies (if required) relied upon by the planning proposal.

Electronic copies of relevant exhibition documentation to be made available to the community free of charge. At the conclusion of the notification and public exhibition period Council staff will consider submissions made in respect of the Planning Proposal and prepare a report to Council.

Conclusion

This Planning Proposal warrants support due to the following:

- It accords with the formal position of Cabonne Council expressed in Council Resolution dated the 15 March 2010.
- The information presented in Section 4.2 (b) reinforces the consistency of the proposal with the *“Sub-Regional Rural and Industrial Land Use Strategy July 2008”*.
- The information presented in Section 4.3 and the relevant assessments (as attached) demonstrates that the potential environmental impacts of the development can be adequately addressed. In particular, sufficient information is provided to address the key Strategy issues.

Yours faithfully

Per:

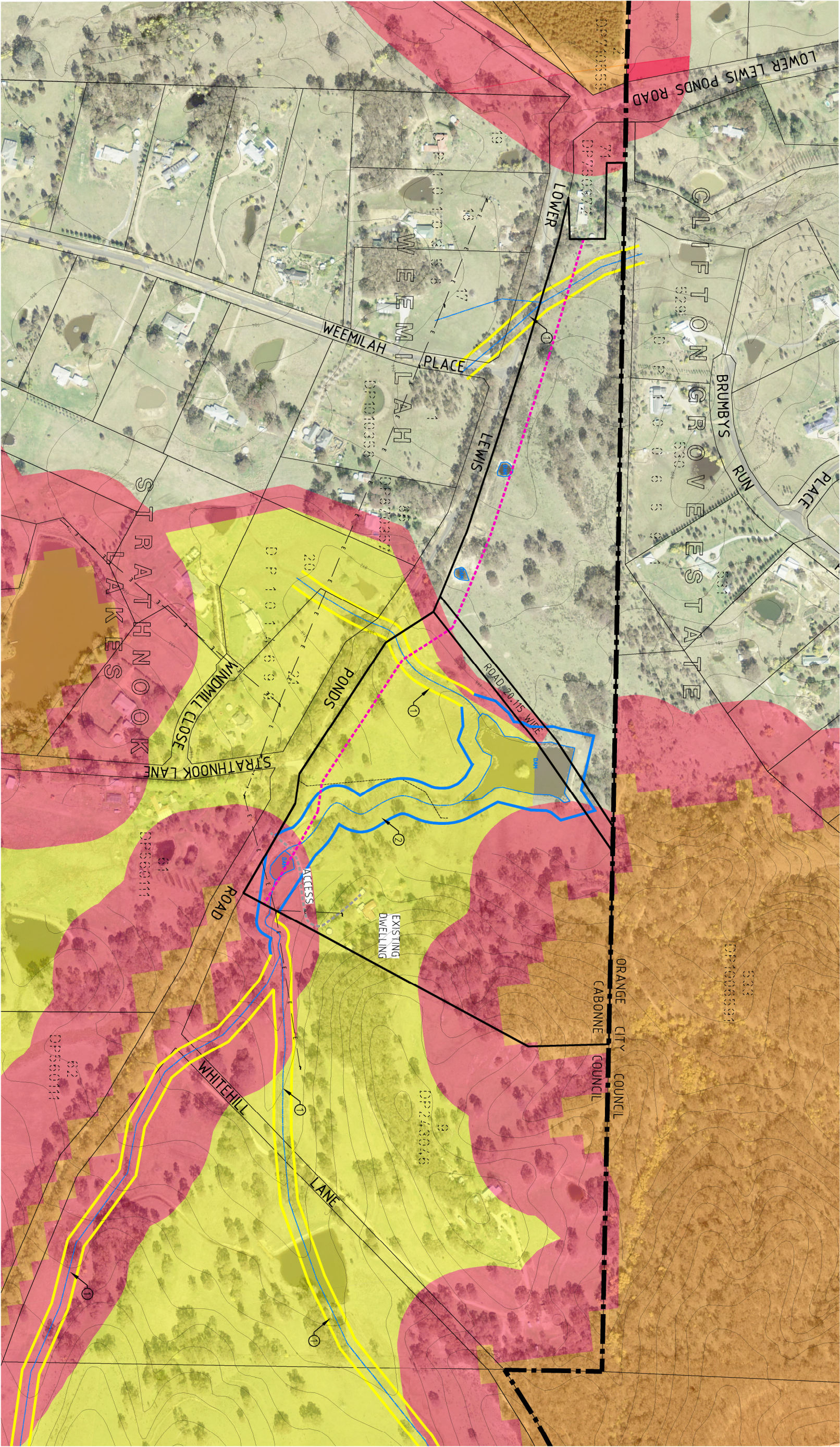
David Fenton

B.E. (Civil), Dip Urb. Reg. Planning, LGE

Landorange Partnership

Appendix A

PLAN SET



THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY.

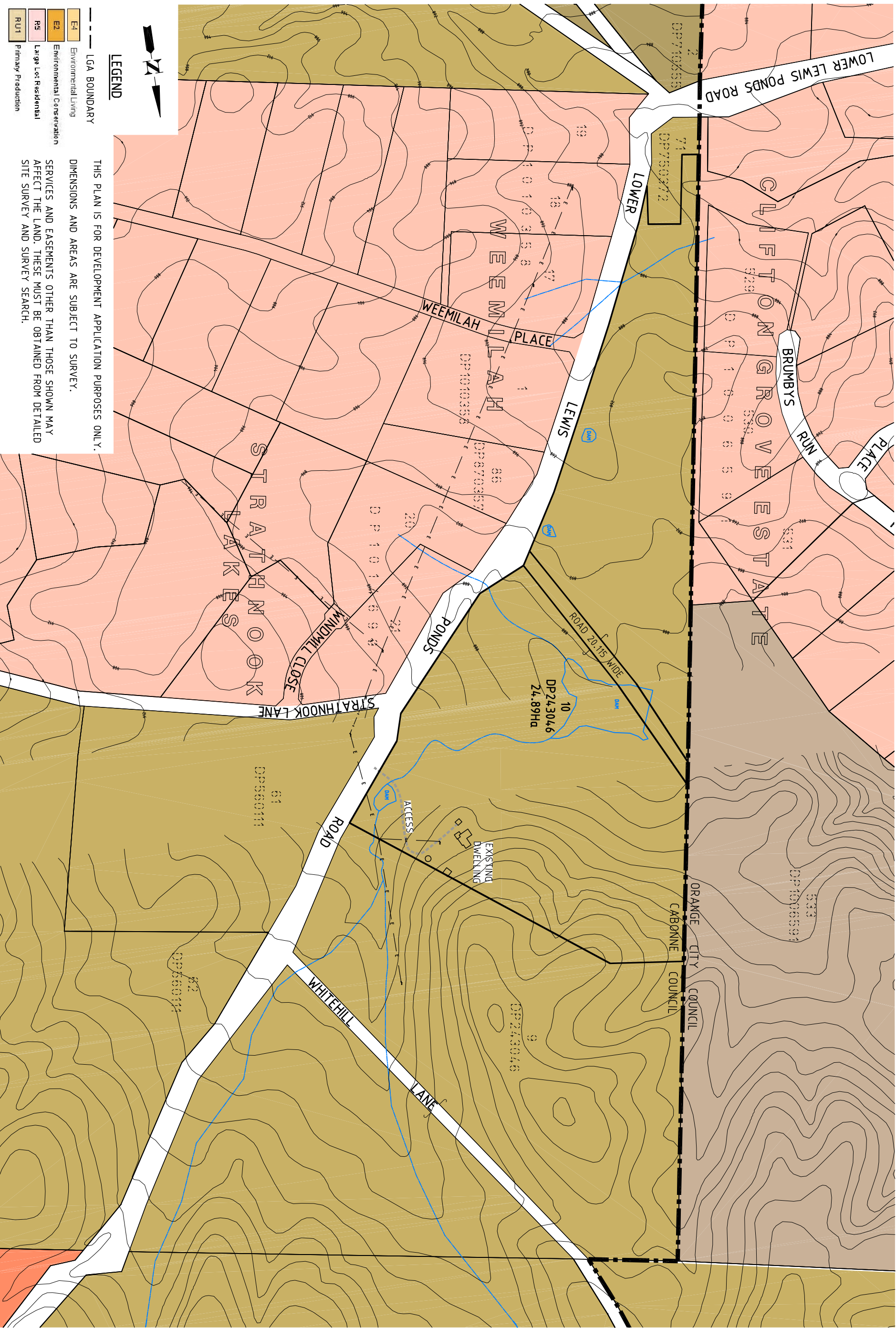
SERVICES AND EASEMENTS OTHER THAN THOSE SHOWN MAY
AFFECT THE LAND. THESE MUST BE OBTAINED FROM DETAILED
SITE SURVEY AND SURVEY SEARCH.

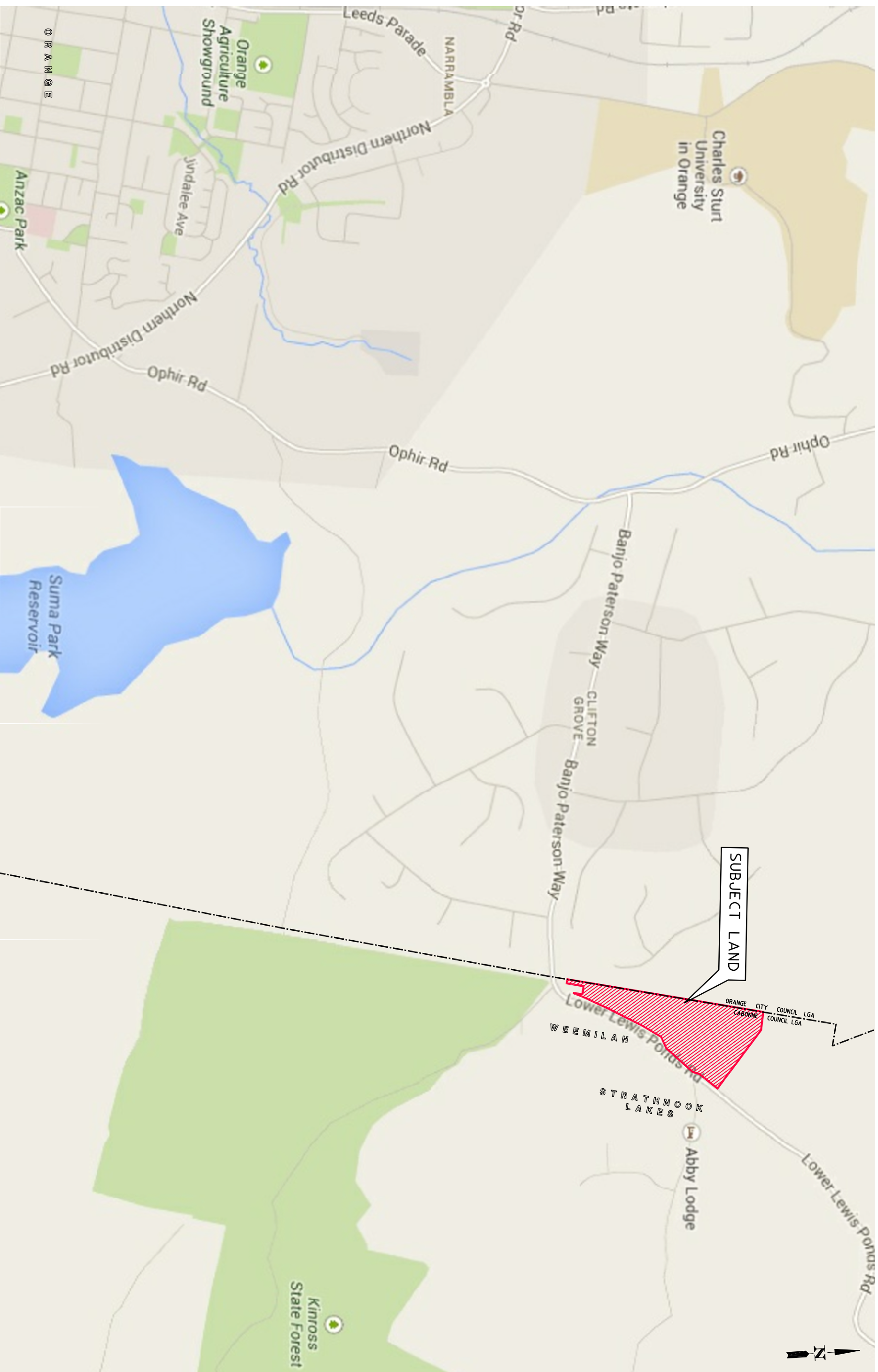
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RECOMMENDED CORRIDOR WIDTHS			
WATERCOURSE TYPE	VEGETATED RIPARIAN ZONE WIDTH EACH SIDE OF WATERCOURSE	TOTAL RIPARIAN CORRIDOR WIDTH	TOTAL WIDTH AS SHOWN ON PLANS
1ST ORDER	10m FROM TOP OF BANK	20m + CHANNEL WIDTH	22m *
2ND ORDER	20m FROM TOP OF BANK	40m + CHANNEL WIDTH	44m *
3RD ORDER	30m FROM TOP OF BANK	60m + CHANNEL WIDTH	66m *
4TH ORDER & GREATER	40m FROM TOP OF BANK	80m + CHANNEL WIDTH	NONE ON PLAN
* INCLUDES ESTUARIES, INCLUDING ANY PARTS OF RIVERS BY TIDE, MEASURES BY TIDE.			
* ASSUMED AVERAGE CHANNEL WIDTH OF 1m or 4m.			

STREAM ORDER	
①	1st ORDER STREAM
②	2nd ORDER STREAM
③	3rd ORDER STREAM

VEG. CAT. 1 (HIGH HAZARD)	100m BUFFER TO CAT. 1	L.G.A. BOUNDARY	PROPOSED ACCESS	30m ROAD SETBACK
VEG. CAT. 2 (MEDIUM HAZARD)				







Appendix B

STATE ENVIRONMENTAL PLANNING POLICIES SCHEDULE OF CONSIDERATION

Annexure B State Environmental Planning Policies Schedule of Consistency	
SEPP	Relevance/Comment
SEPP No. 1 - Development Standards	Not applicable
SEPP No. 2 - Minimum Standards for Residential Flat Development	Repealed by SEPP No. 20
SEPP No. 3 – Castlereagh Liquid Waste Disposal Depot	Repealed by Infrastructure SEPP
SEPP No.4 - Development without Consent and Miscellaneous Complying Development	Not applicable
SEPP No. 5 - Housing for Older People or People with Disability	Repealed by SEPP (Housing for Seniors or People with a Disability) 2004
SEPP No. 6 - Number of Storeys in a Building	Not applicable
SEPP No. 7 - Port Kembla Coal Loader	Repealed by Infrastructure SEPP
SEPP No. 8 - Surplus Public Land	Repealed by Infrastructure SEPP
SEPP No. 9 - Group Homes	Repealed by Infrastructure SEPP
SEPP No. 10 - Retention of Low-Cost Rental Accommodation	Not applicable
SEPP No. 11 - Traffic Generating Developments	Repealed by Infrastructure SEPP
SEPP No. 12 - Public Housing (Dwelling Houses)	Repealed by SEPP No. 53
SEPP No. 13 - Sydney Heliport	Repealed by Sydney REP No. 26 - City West
SEPP No. 14 - Coastal Wetlands	Not applicable
SEPP No. 15 - Rural Land Sharing Communities	Not applicable
SEPP No. 16 - Tertiary Institutions	Repealed by Infrastructure SEPP
SEPP No. 17 - Design of Building in Certain Business Centres	Did not proceed
SEPP No. 18 - Public Housing	Did not proceed
SEPP No. 19 - Bushland in Urban Areas	Not applicable
SEPP No. 20 - Minimum Standards for Residential Flat Development	Repealed by SEPP No. 53
SEPP No. 21 – Caravan Parks	Not applicable
SEPP No. 22 - Shops and Commercial Premises	Not applicable
SEPP No. 23	Not allocated
SEPP No. 24 - State Roads	Did not proceed
SEPP No. 25 - Residential Allotment Sizes	Repealed by SEPP No. 53
SEPP No. 26 - Littoral Rainforests	Not applicable
SEPP No. 27 - Prison Sites	Repealed by Infrastructure SEPP
SEPP No. 28 - Town Houses and Villa Houses	Repealed by SEPP No. 25
SEPP No. 29 - Western Sydney Recreation Area	Not applicable
SEPP No. 30 - Intensive Agriculture	Not applicable
SEPP No. 31 - Sydney (Kingsford Smith) Airport	Repealed by Infrastructure SEPP
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	Not applicable
SEPP No. 33 - Hazardous and Offensive Development	Not applicable
SEPP No. 34 - Major Employment Generating Industrial Development	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005
SEPP No. 35 - Maintenance Dredging of Tidal Waterways	Repealed by Infrastructure SEPP
SEPP No. 36 - Manufactured Home Estates	Not applicable
SEPP No. 37 - Continued Mines and Extractive Industries	Repealed by SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP No. 38 - Olympic Games and Related Development	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005
SEPP No. 39 - Spit Island Bird Habitat	Not applicable
SEPP No. 40 - Sewerage Works	Did not proceed
SEPP No. 41 - Casino/Entertainment Complex	Not applicable

Annexure B
State Environmental Planning Policies
Schedule of Consistency (continued)

SEPP	Relevance/Comment
SEPP No. 42 - Multiple Occupancy and Rural Land (Repeal)	Repealed
SEPP No. 43 - New Southern Railway	Repealed by Infrastructure SEPP
SEPP No. 44 - Koala Habitat Protection	Not applicable
SEPP No. 45 - Permissibility of Mining	Repealed by SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP No. 46 - Protection and Management of Native Vegetation	Repealed by Native Conservation Act, 1997
SEPP No. 47 - Moore Park Showground	Not applicable
SEPP No. 48 - Major Putrescible Land fill Sites	Repealed by Infrastructure SEPP
SEPP No. 49 - Tourism Accommodation in Private Homes (Draft Only)	Not applicable
SEPP No. 50 - Canal Estates	Not applicable
SEPP No. 51 - Eastern Distributor	Repealed by Infrastructure SEPP
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable
SEPP No. 53 - Metropolitan Residential Development	Not applicable
SEPP No. 54 - Northside Storage Tunnel	Repealed by Infrastructure SEPP
SEPP No. 55 - Remediation of Land	Applicable. Addressed in Planning Proposal at Section 4.3(b)(viii) and Annexure H
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005
SEPP No. 57	Not allocated
SEPP No. 58 – Protecting Sydney’s Water Supply	Repealed by Clause 7(3) of the Drinking Water Catchments REP No. 1
SEPP No. 59 - Central Western Sydney Economic and Employment Area	Not applicable
SEPP No. 60 - Exempt and Complying Development	Not applicable
SEPP No. 61 - Exempt and Complying Development for White Bay and Glebe Island Ports	Repealed by Infrastructure SEPP
SEPP No. 62 - Sustainable Aquaculture	Not applicable
SEPP No. 63 - Major Transport Projects	Repealed by Infrastructure SEPP
SEPP No. 64 - Advertising and Signage	Not applicable
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable
SEPP No. 67 - Macquarie Generation Industrial Development Strategy	Repealed by Infrastructure SEPP
SEPP No. 69 - Major Electricity Supply Projects	Repealed by Infrastructure SEPP
SEPP 70 - Affordable Housing (Revised Schemes)	Not applicable
SEPP No. 71 - Coastal Protection	Not applicable
SEPP No. 72 - Linear Telecommunications Development – Broadband	Repealed by Infrastructure SEPP
SEPP No 73 – Kosciuszko Ski Resorts	Repealed by SEPP (Kosciuszko National Park – Alpine Resorts) 2007
SEPP No. 74 - Newcastle Port and Employment Lands	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable
SEPP (ARTC Rail Infrastructure) 2004	Repealed by Infrastructure SEPP

Annexure B
State Environmental Planning Policies
Schedule of Consistency (continued)

SEPP	Relevance/Comment
SEPP (Sydney Metropolitan Water Supply) 2004	Repealed by Infrastructure SEPP
SEPP (Development on Kurnell Peninsula) 2005	Not applicable
SEPP (Major Development) 2005	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	Not applicable
SEPP (Temporary Structures) 2007	Not applicable
SEPP (Infrastructure) 2007	Not applicable
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
SEPP (Western Sydney Employment Area) 2009	Not applicable

Appendix C

SECTION 117 DIRECTIONS STATEMENT OF CONSISTENCY

ANNEXURE C
STATEMENT OF CONSISTENCY, SECTION 117 DIRECTIONS
TAMBAROORA, ORANGE

1. EMPLOYMENT AND RESOURCES

1.1 Business and Industrial Zones

This Direction does not apply because the Planning Proposal does not affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

1.2 Rural Zones

This Direction does not apply because the Planning Proposal does not affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

1.3 Mining, Petroleum and Extractive Industries

The planning proposal is not affected by this Direction.

1.4 Oyster Aquaculture

The planning proposal is not affected by this Direction.

1.5 Rural Lands

This Direction does not apply because the Planning Proposal:

- Does not affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary).
- Does not change the existing minimum lot size on land within a rural or environment protection zone.

2. ENVIRONMENT AND HERITAGE

2.1 Environment Protection Zones

This Direction does not apply because the Planning Proposal does not affect land within an environment protection zone.

2.2 Coastal Protection

The Planning Proposal is not affected by this Direction.

2.3 Heritage Conservation

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

According to this Direction, a planning proposal must contain provisions that facilitate the conservation of:

- 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 the item, area, object or place, identified in a study of the environmental heritage of the area,
- b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and
- 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.

The Planning Proposal is inconsistent with this Direction to the extent that it does not include provisions to the above effect. However, the inconsistency is justified on the grounds that the potential impacts are not significant and that a more detailed assessment can be undertaken at the DA stage. In this regard:

- An Aboriginal archaeological site investigation that has been undertaken by Ozark Environmental and Heritage Management Pty Ltd (refer Annexure E) of the Planning Proposal) follows the generic due diligence process as expressed in *The Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.
- No other aboriginal heritage sites are recorded or declared in or near the investigation area.

2.4 Recreation Vehicle Areas

The Planning Proposal is not affected by this Direction.

3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

3.1 Residential Zones

This Direction is not applicable to the Planning Proposal.

3.2 Caravan Parks and Manufactured Home Estates

The Planning Proposal is not affected by this Direction.

3.3 Home Occupations

The Planning Proposal is not affected by this Direction.

3.4 Integrating Land Use and Transport

This Direction applies to the Planning Proposal.

There are no aspects of the proposal that are inconsistent with the objectives of this Direction, particularly as:

- The existing and planned road system would be of an adequate standard to cater for the additional traffic that would be generated by this proposal.
- School bus routes operate in the vicinity of the subject land however there are no current passenger services.
- The distance of the site from the CBD, does not warrant the provision of pedestrian and cycling paths.

3.5 Development near Licensed Aerodromes

The Planning Proposal is not affected by this Direction.

3.6 Shooting Ranges

The Planning Proposal is not affected by this Direction.

4. HAZARD AND RISK

4.1 Acid Sulphate Soils

The Planning Proposal is not affected by this Direction.

4.2 Mine Subsidence and Unstable Land

The Planning Proposal is not affected by this Direction.

4.3 Flood Prone Land

The Planning Proposal is not affected by this Direction.

4.4 Planning for Bushfire Protection

This Direction is applicable to the Planning Proposal because part of the northern portion of the subject land is impacted by mapped bushfire prone areas and associated 100m buffer areas.

Future development within this tract of land is required to satisfy the *Rural Fires Amendment Regulation 2006* and the relevant provisions of *NSW Rural Fire Service Planning for Bushfire Protection 2006*. A full assessment would be undertaken at the DA stage, a preliminary assessment indicates that the proposed lots in the vicinity of the bushfire prone land would be subject to an Asset Protection Zone of 10 to 15 metres based on the following:

- The hazard vegetation is to the north of the subject land and is identified as woodland.
- The hazard vegetation is upslope of the subject land and the slope under vegetation is within the range of 0 - 5°.
- The subject land is within the FDI 80 Fire Area. Accordingly, *Table A2.5 Minimum Specifications for Asset Protection Zones for Residential and Rural Residential Subdivision (for Class 1 and 2 Buildings)* is used to determine the APZ. With reference to this table, an APZ of 10 to 15 metres is required dependent on the nominated building envelope.

5. REGIONAL PLANNING

5.1 Implementation of Regional Strategies

The Planning Proposal is not affected by this Direction.

5.2 Sydney Drinking Water Catchments

The Planning Proposal is not affected by this Direction.

5.3 Farmland of State and Regional Significance on the NSW Far North Coast

The Planning Proposal is not affected by this Direction.

5.4 Commercial and Retail Development along the Pacific Highway, North Coast

The Planning Proposal is not affected by this Direction.

5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)

Revoked

5.6 Sydney to Canberra Corridor

Revoked

5.7 Central Coast in vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)

Revoked

5.8 Second Sydney Airport: Badgery's Creek

The Planning Proposal is not affected by this Direction.

6. LOCAL PLAN MAKING

6.1 Approval and Referral Requirements

The Planning Proposal does not alter provisions relating to approval and referral requirements.

6.2 Reserving Land for Public Purposes

The Planning Proposal is not affected by this Direction.

6.3 Site Specific Provisions

The Planning Proposal is not affected by this Direction.

7. METROPOLITAN PLANNING

7.1 Implementation of the Metropolitan Strategy

The planning proposal is not affected by this Direction.

Appendix D

FLORA & FAUNA, ON-SITE EFFLUENT & BUSHFIRE ASSESSMENTS



6 May 2014

Fenlor Group
1 Borrodell Drive
Orange NSW 2800
Attn: Dave Fenton

Ref: L14105

Dear Dave,

Preliminary results for flora and fauna assessment, on-site effluent assessment and bushfire assessment - Lot 10 DP243046 Lower Lewis Ponds Road, Orange NSW

1. Introduction

Rezoning to large lot residential is proposed for Lot 10 DP243046 Lower Lewis Ponds Road, Orange NSW. The rezoning application proposes creation of eleven lots. Building envelopes are proposed for ten lots and a dwelling is existing on one lot.

A preliminary assessment of the site for flora and fauna, on-site effluent application and bushfire assessment is required as part of the rezoning application.

2. Scope

- Preliminary assessment on the impacts of the rezoning in accordance with the proposed development plan on threatened flora and fauna.
- Preliminary assessment of the suitability of each lot for effluent application from the proposed dwellings.
- Preliminary assessment for bushfire management of the building envelopes located in mapped bushfire prone areas.

3. Assessment results

3.1 Flora and fauna

The development involves the creation of eleven lots, ten building envelopes and associated access from Lower Lewis Ponds Road. Minimal tree removal will be required to allow construction of boundary fencing, dwellings and access ways.

The land-use of the site is sheep and cattle grazing on semi-improved pasture. The vegetation on the site is scattered eucalypts on native and introduced grasses. The site has a low biodiversity.

The tree spacing is sufficient to ensure boundary fencing will not require tree removal. Existing paddock fencing will not be substantially extended and no effect on faunal movement is expected. The building envelopes are located in cleared areas. Access points from Lower Lewis Ponds Road have been positioned to allow access to multiple lots where possible and in areas where minimal tree removal will be required. Driveways to the dwellings will be created in cleared areas.

No threatened flora and fauna have been identified on the site from a review of the NSW OEH Bionet database. No threatened flora, fauna or communities were identified on the site from the site walkovers.

Minimal habitat will require removal. The vegetation on the site and along Lewis Ponds Road reserve will not become isolated or fragmented as a result of the development. Vegetation corridors will be retained. No impact from the proposed rezoning is expected on threatened flora and fauna which may occur in the locality.

3.2 On-site effluent assessment

Shallow soils were identified on the site. Topsoils comprised a dark brown to yellowish brown silty loam to sandy clay loam to 300mm. The subsoil was thin to absent with weathered rock encountered from depths of 300mm. Soil dispersability ranged from highly to slightly dispersive.

It is recommended effluent is treated in a secondary treatment tank approved by NSW Health and applied to the soil by surface irrigation. The irrigation area for each site, assuming a four bedroom dwelling using tank water ranges from 444m² to 565m².

Available area on each lot ranges from 1,100m² to 2,500m². The recommended application areas are presented in Figure 1. Area available within each building envelope is dependent on buffer distances to drainage lines and dams. No bores are located within 100m of the site.

A summary of the irrigation area size and area available is provided in Table 1.

Table 1. Size of required irrigation area and area available for each lot

Lot number	Size (ha)	Irrigation area size (m ²)	Recommended application area (m ²)
101	1.65	500	1,100
102	1.13	444	1,800
103	1.30	444	1,100
104	1.54	450	1,200
105	1.49	450	2,500
106	1.74	444	1,300
107	1.87	565	1,500
108	4.48	450	2,500
109	4.43	444	1,700
110	3.43	565	1,800
Lot 1	3.13	Existing system	

3.3 Bushfire assessment

Three building envelopes and the existing dwelling in the proposed subdivision plan are located in mapped bushfire prone areas. The impacted lots are Lots 108 to 110 and Lot 1.

A bushfire hazard exists in all directions from the proposed building envelopes in Lots 108 to 110 and Lot 1. Asset protection zones are required in all directions ranging from 10m to 15m. The bushfire attack level (BAL) for each building envelope ranges from 19 to 29. A summary of the asset protection zones and BAL for each building envelope is provided in Table 2.

Table 2. Asset protection zones and bushfire attack levels for lots in mapped bushfire prone areas

Lot number	Direction	Asset protection zone (m)	Bushfire attack level
Lot 108	North	15	19
	South	15	19
	East	10	19
	West	15	19
Lot 109	North	15	29
	South	15	19
	East	10	29
	West	15	19
Lot 110	North	10	29
	South	15	19
	East	10	19
	West	15	19
Lot 1	North	10	29
	South	15	29
	East	15	29
	West	10	29

The existing dwelling is of brick and iron construction and slab on ground. Asset protection zones of 10m to 15m are required to be maintained around the existing dwelling (Table 2). The BAL has been calculated as 29 for all facades (Table 2). Modifications to the dwelling to comply with a BAL of 29 are considered not practical. Modifications may be required to ensure minimum compliance with BAL 12.5 in AS3959-2009. The practicable measures that can be implemented include:

- Joints in external walls to be maintained to prevent gaps greater than 3mm
- Screening of vents and weepholes.
- Windows and doors should be covered with shutters or screens in accordance with AS3959-2009.
- Gaps and openings in the roof greater than 3mm in the roof should be sealed.
- Gaps and openings greater than 3mm in eaves lining, fascias and gables should be sealed.
- Gutter and valley leaf guards shall be non-combustible.

Modifications to the dwelling or construction of a new dwelling will be required to be undertaken in accordance with AS3959-2009 *Construction of buildings in bushfire-prone areas*.

The access to Lots 109 and 110 are greater than 200m. Alternative accesses are available to the west.

4. Recommendations

A flora and fauna assessment should be completed for the site at the development application stage to assess predicted impacts on threatened flora and fauna from the rezoning is minimal. The flora and fauna assessment should include a description of the vegetation and habitat on the site, threatened flora and fauna predicted to occur in the locality and an assessment of significance for threatened flora and fauna with potential to occur on the site.

On-site effluent management studies should be completed for each individual lot at the development application stage. The on-site effluent management assessment should include a

site and soil assessment and provide recommendations on suitable systems, sizing and location.

Bushfire management plans for Lots 108 to 110 and Lot 1 should be completed at the development application stage. The bushfire management plans should include site assessment details and compliance with the NSW Rural Fire Service acceptable solutions as described in *Planning for Bushfire Protection* (NSW Rural Fire Service 2009).

Please call if you require additional information.

Regards,

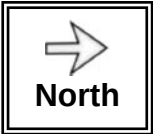
Leah Desborough
Environmental Scientist

Checked by:
Greg Madafiglio
Senior Environmental Scientist

Attachments

Figure 1. Site plan and recommended application area location

Figure 2. Site plan and asset protection zones



Legend

 Recommended application area

Approximate Scale 1: 4,300
0 43 86 172m

Figure 1. Site plan and recommended application area location

Lot 10 DP243046 Lower Lewis Ponds Road, Orange NSW

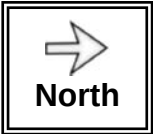


Envirowest Consulting Pty Ltd

Job: R14105

Drawn by: LD

Date: 2/5/2014



Legend

 Asset protection zones

Approximate Scale 1: 4,300

0 43 86 172m

Figure 2. Site plan and asset protection zones

Lot 10 DP243046 Lower Lewis Ponds Road, Orange NSW



Envirowest Consulting Pty Ltd

Job: R14105

Drawn by: LD

Date: 2/5/2014

Appendix E

ABORIGINAL ARCHAEOLOGICAL SITE INVESTIGATION



VIEW TO THE WEST ACROSS THE CENTRAL PORTION OF "TAMBAROORA"

ABORIGINAL ARCHAEOLOGICAL ASSESSMENT

PROPOSED REZONING OF "TAMBAROORA"

CABONNE LOCAL GOVERNMENT AREA

JULY 2014

**Report Prepared by
OzArk Environmental & Heritage Management Pty Ltd
For Fenlor Group Pty Ltd
on behalf of
Landorange Partnership**



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DOCUMENT CONTROLS

Proponent	Landorange Partnership		
Client	Fenlor Group Pty Ltd		
Project No / Purchase Order No			
Document Description	Aboriginal Archaeological Assessment: <i>Proposed Rezoning of "Tambaroora"</i> , CabonneLGA, NSW.		
	Name	Signed	Date
Clients Reviewing Officer			
Clients Representative Managing this Document	OzArk Person(s) Managing this Document		
	Nick Harrop		
Location	OzArk Job No.		
	1037		
Document Status V3.1 FINAL	Date		
Draft V1.1 Author to Editor OzArk 1 st Internal (Series V1._ = OzArk internal edits)	V1.0 NH to BC 27.06.14 V1.1 BC Edit 30/6/14		
Draft V2.0 Report Draft for release to client (Series V2._ = OzArk and Client edits)			
FINAL V3._once latest version of draft approved by client	V3.0 OzArk to Fenlor 15.7.14 V3.1 OzArk to Fenlor 17.7.14		
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Enquiries should be addressed to OzArk Environmental & Heritage Management Pty Ltd.

EXECUTIVE SUMMARY

Landorange Partnership (the Proponent) is proposing to rezone a portion of land approximately 5km to the northeast of Orange, NSW (the Proposal; **Figure 1-1**). The Proponent has engaged Fenlor Group Pty Ltd to manage the proposed development and they, in turn, commissioned OzArk Environmental & Heritage Management (OzArk) to undertake an Aboriginal heritage assessment for the Proposal.

This report applies the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010a) to the Proposal.

A field survey was conducted by an OzArk archaeologist in addition to the desktop assessment and application of the Due Diligence code.

No sites of Aboriginal heritage were identified within the Study Area and no unrecorded sites are anticipated to exist.

Based on this assessment, the following recommendations are made:

1. A desktop assessment of the Study Area, combined with field inspection, has demonstrated that the Study Area has a very low likelihood of containing Aboriginal sites or objects. No further archaeological assessment is required;
2. As it is assessed that there is a low probability of impacting Aboriginal cultural heritage within the Study Area, the Proposal can proceed under the following conditions:
 - a. All land-disturbing activities must be confined within the assessed Study Area. Should project impacts change such that the area to be impacted is altered then additional assessment may be required;
 - b. Any work crews employed in ground disturbing works within the Study Area should be made aware of the legislative protection of Aboriginal sites and objects; and
 - a. In the unlikely event that objects are encountered that are suspected to be of Aboriginal origin (including skeletal material), the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.

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Plate 12: Fractured rhyolite showing core-like negative scarring.	28

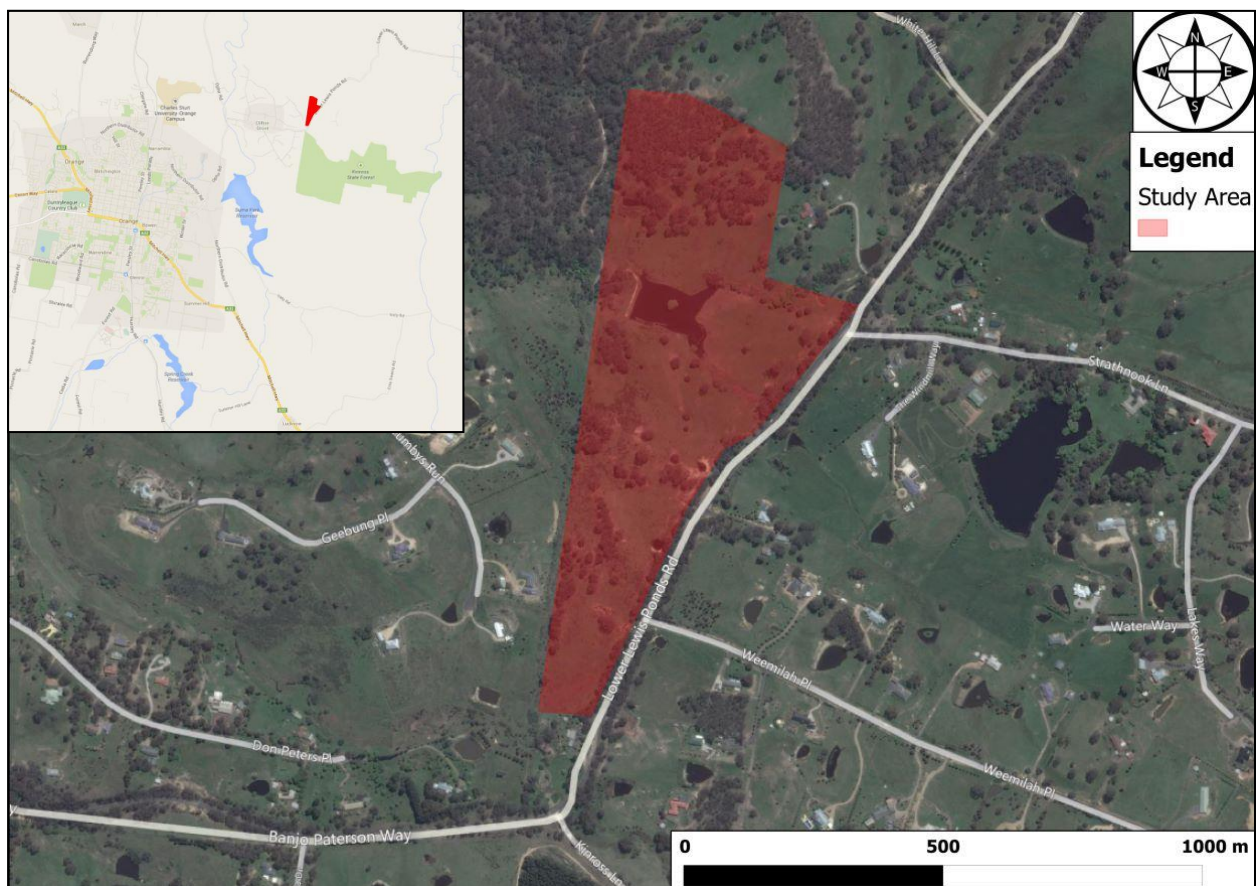
1 INTRODUCTION

1.1 BRIEF DESCRIPTION OF THE PROPOSAL

Landorange Partnership (the Proponent) is proposing to rezone a portion of land approximately 5km to the northeast of Orange, NSW (the Proposal; **Figure 1-1**). The Proponent has engaged Fenlor Group Pty Ltd to manage the proposed development and they, in turn, commissioned OzArk Environmental & Heritage Management (OzArk) to undertake an Aboriginal heritage assessment for the Proposal.

This report applies the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010a) to the Proposal.

Figure 1-1: Location of the Study Area.



1.2 PROPOSED WORKS

The proposed rezoning is for a rural residential development and will subdivide Lot 10 DP243046 into 11 new lots with one of those lots to contain the existing dwelling (**Figure 1-2**). Each new lot will contain a single dwelling. The exact placement of the dwellings is yet to be finalised, but the proposed building envelopes will be close to those indicated in **Figure 1-2**. In addition, there will be driveways, fence-lines, and other infrastructure associated with each dwelling.

3

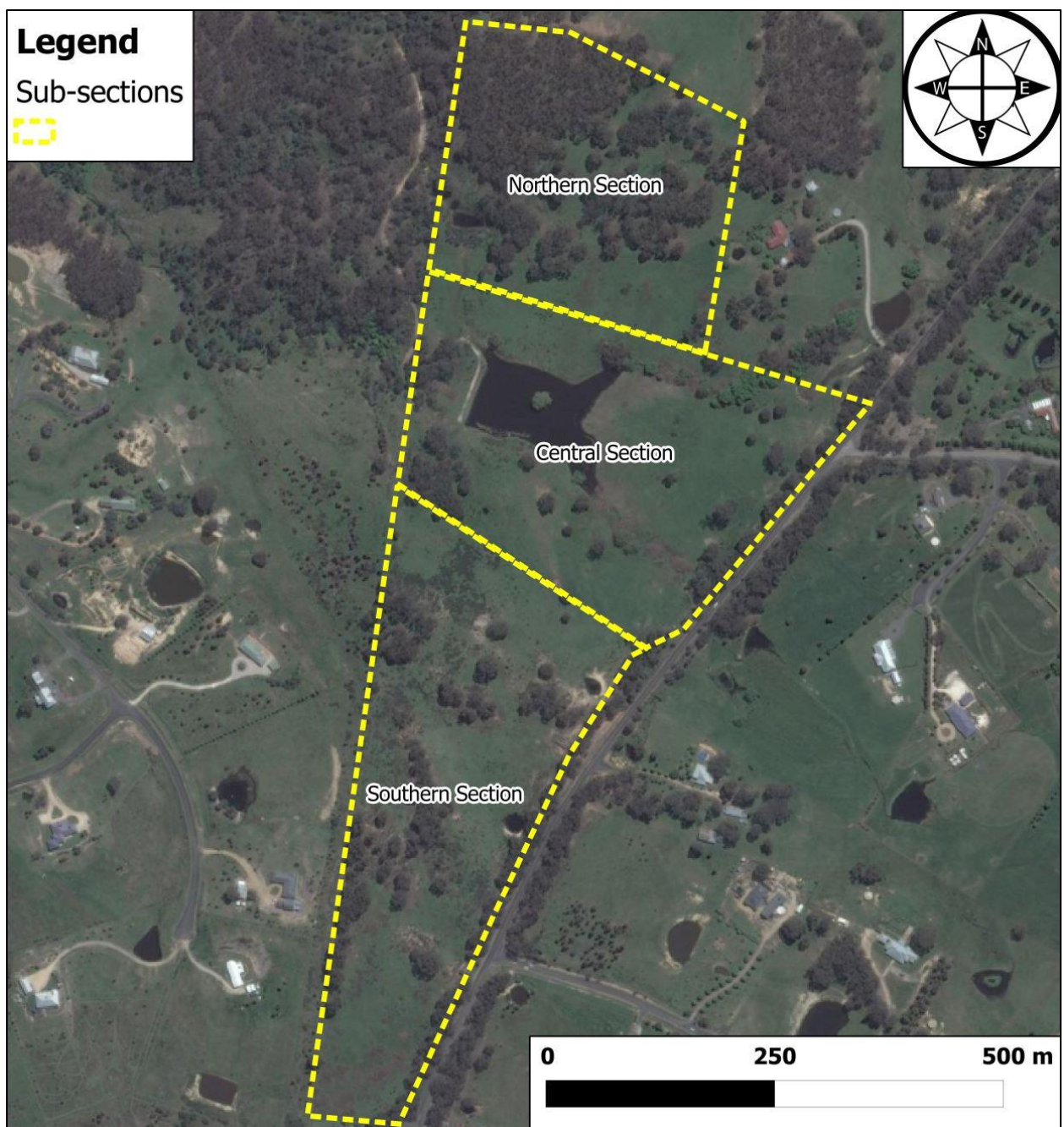


1.3 STUDY AREA

The Study Area includes Lot 10 DP243046 with the exception of the new lot created around the existing dwelling (see Lot 1 in **Figure 1-2**). The Study Area is currently contained within an agricultural property. It is currently divided into several paddocks and used for stock grazing. Some land clearance has taken place but it is uncertain if the Study Area has been used for any purpose other than grazing.

For the purpose of this report, the Study Area is divided into Northern', 'Central' and 'Southern' sections (**Figure 1-3**). Although existing fence lines have been used to demarcate these sections, they each have different topographic and other landscape features.

Figure 1-3: The Study Area showing sub-sections.



1.4 RELEVANT LEGISLATION

Cultural heritage is managed by a number of state and national acts. Baseline principles for the conservation of heritage places and relics can be found in the Burra Charter (Australia ICOMOS 1988). The Burra Charter has become the standard of best practice in the conservation of heritage places in Australia, and heritage organisations and local government authorities have incorporated the inherent principles and logic into guidelines and other conservation planning documents. The Burra Charter generally advocates a cautious approach to changing places of heritage significance. This conservative notion embodies the basic premise behind legislation designed to protect our heritage, which operates primarily at a state level.

A number of acts of parliament provide for the protection of Aboriginal heritage at various levels of government.

1.4.1 State Legislation

Environmental Planning and Assessment Act 1979 (EP&A Act)

This Act established requirements relating to land use and planning. The five areas controlled by the EP&A Act are:

- **Part 3:** Environmental planning instruments, including cultural heritage;
- **Part 4:** Local government development assessments, including heritage. May include schedules of heritage items;
- **Part 4.1:** Approvals process for state significant development;
- **Part 5:** Environmental impact assessment requirements for state-owned heritage items listed on Local Environment Plans; and
- **Part 5.1:** Approvals process for state significant infrastructure.

A Local Environmental Study is not a requirement under the revised Planning Proposal process. The Gateway Determination from NSW Planning outlines the additional information, studies and consultations required.

National Parks and Wildlife Act 1974 (NPW Act)

Amended during 2010, the NPW Act provides for the protection of Aboriginal objects (sites, objects and cultural material) and Aboriginal places. Under the Act (S.5), an Aboriginal object is defined as: any deposit, object or material evidence (not being a handicraft for sale) relating to indigenous and non-European habitation of the area that comprises NSW, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains.

An Aboriginal place is defined under the NPW Act as an area which has been declared by the Minister administering the Act as a place of special significance for Aboriginal culture. It may or may not contain physical Aboriginal objects.

As of 1 October 2010, it is an offence under Section 86 of the NPW Act to 'harm or desecrate an object the person knows is an Aboriginal object'. It is also a strict liability offence to 'harm an Aboriginal object' or to 'harm or desecrate an Aboriginal place', whether knowingly or unknowingly. Section 87 of the Act provides a series of defences against the offences listed in Section 86, viz.:

- The harm was authorised by and conducted in accordance with the requirements of an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the Act;
- The defendant exercised 'due diligence' to determine whether the action would harm an Aboriginal object; or
- The harm to the Aboriginal object occurred during the undertaking of a 'low impact activity' (as defined in the regulations).

Under Section 89A of the Act, it is a requirement to notify the OEH Director-General of the location of an Aboriginal object. Identified Aboriginal items and sites are registered on AHIMS.

1.4.2 Commonwealth Legislation

Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Amendments in 2003 established the National Heritage List and the Commonwealth Heritage List, both administered by the Commonwealth Department of the Environment. Ministerial approval is required under the EPBC Act for proposals involving significant impacts to National/Commonwealth heritage places.

1.4.3 Applicability to the Project Site

This Planning Proposal has been prepared in accordance with Section 55 of the EP&A Act. The Director General has, under Section 55 (3) of the EP&A Act, issued requirements regarding specific matters that must be addressed in the Justification as follows:

- Section A - Need for Planning Proposal.
- Section B - Relationships to strategic planning framework.
- Section C - Environmental, social and economic impact.
- Section D - State and Commonwealth interests.

Any Aboriginal sites or objects identified in this assessment will be afforded protection under the NPW Act.

1.5 ASSESSMENT APPROACH

The current assessment will blend use of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010a) and the *Code of Practice for the Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b).

The current assessment will apply *Due Diligence* (DECCW 2010a) to those portions of the Study Area to which it is determined appropriate, and ensure that those areas which require further investigation as per the *Code of Practice for the Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) are examined as such.

2 THE ARCHAEOLOGICAL ASSESSMENT

2.1 PURPOSE AND OBJECTIVES

The purpose of the current study is to identify and assess Aboriginal heritage constraints relevant to the proposed works.

The objectives of the current study are:

Objective One: To identify portions of the Study Area to be assessed as per the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*(DECCW 2010a);

Objective Two: To survey those portions of the Study Area requiring further assessment as per the *Code of Practice for the Investigation of Aboriginal Objects in New South Wales*(DECCW 2010b);

Objective Three: To assess the significance of any recorded Aboriginal sites, objects or places; and

Objective Four: To assess the likely impacts of the proposed works to any recorded Aboriginal sites, objects or places and provide management recommendations.

2.2 DATE OF ARCHAEOLOGICAL ASSESSMENT

The fieldwork component of this assessment was undertaken by OzArk on 17 June 2014.

2.3 OZARK EHM INVOLVEMENT

2.3.1 Field Assessment

The fieldwork component of the current project was undertaken by:

- Fieldwork Director: Nick Harrop (BA [Hons] University of Sydney).

2.3.2 Reporting

The reporting component of the current project was undertaken by:

- Report Author: Nick Harrop; and
- Reviewer: Ben Churcher (OzArk Senior Archaeologist; BA [Hons], Dip. Ed.).

3 LANDSCAPE CONTEXT

An understanding of the environmental contexts of a Study Area is requisite in any Aboriginal archaeological investigation (DECCW 2010b). It is a particularly important consideration in the development and implementation of survey strategies for the detection of archaeological sites. In addition, natural geomorphic processes of erosion and/or deposition, as well as humanly activated landscape processes, influence the degree to which these material culture remains are retained in the landscape as archaeological sites; and the degree to which they are preserved, revealed and/or conserved in present environmental settings.

The study area lies within the South Western Slopes Bioregion which is an extensive area of foothills and isolated ranges comprising the lower inland slopes of the Great Dividing Range extending from north of Cowra through southern NSW into western Victoria over an area of 8,657,426ha (DEC 2006).

3.1 TOPOGRAPHY

A large proportion of the Study Area is undulating, sometimes with moderate gradients. The Southern Section contains a series of low crests that are all part of the same ridge line and are separated by first-order streams (**Plate 1**). The highest point in the Study Area is at the northern edge of the Northern Section which is part of the slope of a large hill (**Plate 2**). The elevation here is AHD 942m, approximately 60m above the low point just 300m to the south. The Central Section consists of the lower slopes of the Southern and Northern sections which form a localised valley between the two (**Plate 3**).

3.2 GEOLOGY AND SOILS

Where visible, the soil profile consists of a thin (<10cm) layer of topsoil, in parts containing humic material. Below the topsoil is orangish-brown, clayey sand with frequent shale gravels (**Plate 4**). Shale is the predominant stone type in the Study Area with frequent outcroppings. Quartz also appears intermittently, but is poor quality for artefact manufacture.

3.3 HYDROLOGY

There are two second order streams in the Central Section that contained water at the time of the survey (**Plates 2 and 5**). It is not likely that these systems would regularly hold water. The nearest recognised waterway is Summer Hill Creek, which at its nearest, is 2.5km to the southwest. Ephemeral drainage lines are common in the Study Area but these would not hold any water except during rain.

3.4 VEGETATION

Large sections of the Study Area have been subjected to land clearance, although there are stands of Eucalypts remaining, including box trees, particularly in the Northern Section. Elsewhere vegetation is limited to tussocks and a low grass cover. The low variety in vegetation is most likely a result of recent land use practices and is probably only partially representative of what was available prior to agriculture.

3.5 CLIMATE

The Orange area is dominated by summer rainfall with the maximum average temperature occurring in January (26.5°C) and minimum average temperature occurring in July (1.5°C). The average rainfall per year in Orange is 926.2mm (BoM 2014).

3.6 LAND–USE HISTORY AND EXISTING LEVELS OF DISTURBANCE

The Study Area has been predominantly used for agricultural purposes in recent times. Sheep, cattle and possibly horse grazing is evident in the Study Area. It is unclear if any cropping has occurred in the Study Area.

The agricultural history of the Study Area is accompanied by the typical disturbances associated with this usage. Land clearance and stock movement have had the largest impacts, mainly in their contribution to soil loss and soil movement. In association with these impacts, wind erosion has depleted the soil profile on the hill crests and water erosion is evident in the form of gully erosion (**Plate 8**).

Agricultural infrastructure is also present, including vehicle tracks, fence lines, stock yards and dams (**Plates 6 and 7**).

3.7 CONCLUSION

The Study Area represents a marginal landscape in terms of suitability for past Aboriginal occupation. Reliable water is not readily available, although the second order stream in the Central Section would support temporary stays in the area. In terms of raw materials for stone tool manufacture, the Study Area has few resources. Food and plant resources are available in the Study Area. Kangaroos were sighted during the survey and the bark of the box tree can be used for various purposes.

Disturbance levels associated with agricultural practices have had a significant impact on the soil profile and remaining trees. As such, any Aboriginal sites likely to be present within the Study Area probably have been impacted by past land use, if not destroyed.

4 ABORIGINAL ARCHAEOLOGY BACKGROUND

4.1 ETHNO-HISTORIC SOURCES OF REGIONAL ABORIGINAL CULTURE

The Study Area is within the southern boundaries of the territory of the Wiradjuri tribal and linguistic group (Tindale 1974). The Wiradjuri tribal area is situated within the Murray Darling Basin and extends across three general physiographic regions: the highlands or central tablelands in the east, the riverine plains in the west, and the transitional western slopes zone in-between.

The Wiradjuri is one of the largest language groups within New South Wales, extending across the districts of Mudgee, Bathurst, Dubbo, Parkes, West Wyalong, Forbes, Orange, Junee, Cowra, Young, Holbrook, Wagga Wagga, Narrandera, Griffith, and Mossgiel (Tindale 1974). While the area was noted to have a single basic language, various dialects were found throughout the region.

A study undertaken by White (1986) divides Wiradjuri territory into three primary physiographic divisions:

- The riverine plains in the west;
- The transitional western slopes in between; and,
- The highlands or central tablelands in the east.

The current Study Area falls within the eastern division, being the central tablelands.

It is important to recognise the use and meaning of the term 'tribe' and the designation of lines on a map as 'tribal boundaries' as being controversial issues (Bowdler 1983: 22). There is no doubt that there were distinctive groups which can be defined by their linguistic traits, but the designation of lines on a map as boundaries, although useful, must also be accepted as problematic. Unlike Tindale's map, the map (from NSW NPWS) reproduced in Bowdler (1983: 17, Figure 2) shows a more general relationship of the language groups known to exist in NSW.

4.2 REGIONAL ARCHAEOLOGICAL CONTEXT

Within the Wiradjuri region, the presence of Aboriginal people in the Darling Basin has been dated to 40,000 years ago (Hope 1981 as cited in Haglund 1985). A spread east into the mountains is thought to have occurred between 14,000 to 12,000 years ago.

Several research driven studies have, however, been carried out in nearby areas that have similar topographic features to the current study area. Useful as a guide for generalised patterns of prehistoric Aboriginal occupation in the central west are three studies undertaken by Koettig (1985), Balme (1986) and Pearson (1981) in the Dubbo, northern-central rivers and upper Macquarie regions respectively.

In 1979 Pearson undertook a pilot survey targeting two creek valleys north of the Mitchell Hwy between Lucknow and Bathurst – Lewis Ponds and Browns Creeks. Forty-two sites were recorded, with artefacts numbering between one and 92 at each site (Pearson 1979: 8). Analysis was undertaken on 18 sites that had 10 or more artefacts. The results of this study fed into Pearson's subsequent broad regional study.

In 1981, Pearson analysed the patterns of Aboriginal and early European settlement within the Upper Macquarie Region. This study included a small excavation component, which saw three shelters excavated, providing occupation dates of around 7,000 Before Present (BP). Following is a summary of the salient points learned from these studies:

- According to Pearson archaeological sites could be divided into two main categories, occupation sites and non-occupation sites (which included grinding grooves, scarred or carved trees, ceremonial and burial sites etc.).
- An analysis of the location of these sites led him to build a model for site prediction which saw occupation sites occurring in places that had:
 - access to water – site size decreased with distance from water;
 - good drainage and views over watercourses or river flats;
 - level ground;
 - adequate fuel; and,
 - appropriate localised weather patterns for summer or winter occupation.

Such places were most frequently found on low ridge tops, creek banks, gently undulating hills and river flats and usually in open woodland vegetation (Pearson 1981: 101 as quoted in Koettig 1985: 47). The location of non-occupation sites was dependent on various factors relating to site function. For example:

- grinding grooves only occur where there is appropriate outcropping sandstone, but as close to the occupation site as possible;
- scarred trees were variably located with no obvious patterning, other than proximity to watercourses, where camps were more frequently located, hence these provided a focus of human activity;
- burial grounds were as close to occupation sites as geological formations would permit;
- ceremonial sites such as bora rings and stone arrangements were located away from occupation sites.

As a result of collected ethnographic information, Pearson indicates that Aboriginal campsites may not have been used for longer than three consecutive nights and those large sites may be the result of repeated short visits rather than long stays.

Pearson's study was based upon the work of P. Gresser, an amateur archaeologist, ethno-historian and collector of Aboriginal artefacts, who documented his lifetimes' work in the 1960s. His first major recording of sites and oral histories were in the Bathurst – Orange area, and those that relate to the current study area are included below under *Local Context*.

Although a useful study, Koettig (1985: 49-50) considers Pearson's findings as preliminary, mainly due to the unsystematic nature of the recording of most sites used in the analysis. In her view, this would have skewed both site type (obvious manifestations) and location (areas of disturbance), therefore biasing the sample. Further the sample size of both the Wellington and other areas were considered too small to yield significant results.

In general, the more recent development driven studies have conformed to the site prediction model outlined by Pearson for the Orange / Bathurst area, with the more complex site foci close to water supplies, on elevated landforms and either one-off site evidence or specialised sites being found on higher elevations such as ridge tops.

4.3 LOCAL ARCHAEOLOGICAL CONTEXT

4.3.1 Desktop Database Searches Conducted

A desktop search was conducted on the following databases to identify any potential previously-recorded heritage within the Study Area. The results of this search are summarised here in **Table 4-1** and presented in detail in **Appendix 1**.

Table 4-1: Desktop-Database Search Results.

Name of Database Searched	Date of Search	Type of Search	Comment
Commonwealth Heritage Listings http://www.environment.gov.au/topics/heritage	16.06.14	Cabonne LGA	No places listed on either the National or Commonwealth heritage lists are located within the Study Area
National Native Title Claims Search http://www.nntt.gov.au/Applications-And-Determinations/Search-Applications/Pages/Search.aspx	16.06.14	NSW	No Native Title Claims cover the Study Area.
Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS);	16.06.14	Lot 10 DP243046	No sites are within the search area.
Local Environment Plan	16.06.14	Cabonne LEP of 2012	None of the heritage items noted occur within the Study Area.

The search of the heritage databases did not yield any recorded sites of Aboriginal heritage within the Study Area.

The nearest heritage study was undertaken to the east of Lower Lewis Ponds Road by Central West Archaeological and Heritage Services (1998), also for a housing redevelopment. The

study included a field survey component and reasonable ground surface visibility was reported (pp. 14-15). No sites were found in this study. Furthermore, the study concluded that the absence of sites was consistent with predictive modelling based on the archaeological sensitivity of the landforms in the study area and the high levels of disturbance (p. 16). The predictive model for the study anticipated the likelihood of sites to be low and if present, limited in complexity (p. 11).

Approximately 3.5km to the southwest, Bobby Oakley and Associates conducted a heritage assessment for the raising of water levels at Suma Park Reservoir (Oakley 2002). The 2002 investigation recorded eight stone artefact scatters with two associated Potential Archaeological Deposits (PADs). The landscape of the study area is much changed due to the reservoir, however it is likely that these sites had a strong association with Summer Hill Creek.

In 2012 Navin Officer undertook a heritage assessment for a pipeline that linked the Suma Park Reservoir with the Macquarie River to the north (NOHC 2012). The study area traversed similar landscapes to that seen in the current Study Area. Again, proximity to water was linked to the presence of sites. Another distinctive landscape feature was that most sites were located on low hill or ridge crests. The sites were typically small in size, had low artefact densities, and were low in complexity.

4.4 PREDICTIVE MODEL FOR SITE LOCATION

The association of reliable water with the frequency and complexity of Aboriginal sites has been well established and the regional and local archaeological contexts for the current Study Area support this. Based on this and other information in the preceding sections, the following predictions are made of Aboriginal heritage in the Study Area:

- Aboriginal sites are unlikely to occur within the Study Area due to distance from reliable water.
- Sites are likely to be disturbed to some extent due to land use practices and natural erosion. The possible exception to this is the Northern Section of the Study Area which remains largely wooded.
- The Central Section of the Study Area has the most archaeological potential due to its general proximity to semi-permanent water. Within this section, elevated and flat landforms are most likely to contain sites.
- Isolated finds and small, single-use sites are possible anywhere.
- An absence of sandstone excludes grinding grooves as a possible site type.
- Burial sites are unlikely due to unsuitable geomorphic conditions.

5 APPLICATION OF THE DUE DILIGENCE CODE OF PRACTICE

5.1 INTRODUCTION

In late 2010, changes were made to the National Parks and Wildlife Act 1974 (NPW Act 1974) via the Omnibus Bill. As of October 2010, the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010a) was instituted to assist developers to exercise the appropriate level of caution when carrying out activities that could cause harm to Aboriginal heritage.

5.2 DEFENCES UNDER THE NPW REGULATIONS 2009

The first step before application of the Due Diligence process itself is to determine whether the proposed activity is a “low impact activity” for which there is a defence in the NPW regulations 2009. The exemptions are listed in Section 7.5 of the Regulations (DECCW 2010a: 6).

The activities of Cabonne Council do not fall into any of these exemption categories. Therefore the Due Diligence process must be applied.

Relevant to this process is the assessed levels of previous land-use disturbance.

The regulations (DECCW 2010a: 18) define disturbed land as follows:

Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable.

Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.

5.3 APPLICATION OF THE DUE DILIGENCE CODE OF PRACTICE TO THE PROPOSED DEVELOPMENT

To follow the generic Due Diligence process, a series of steps in a question answer flowchart format (DECCW 2010a: 10) are applied to the project impacts and Study Area and the responses documented.

The following paragraphs address this due diligence for the proposed rezoning of “Tambaroora”, Cabonne LGA, NSW.

Step 1: Will the activity disturb the ground surface or any culturally modified trees?

Yes the activity will disturb the ground. Go to Step 2.

Step 2: Are there any:

- a) relevant confirmed site records or other associated landscape feature information on AHIMS? and/or**
- b) any other sources of information of which a person is already aware? and/or**
- c) landscape features that are likely to indicate presence of Aboriginal objects?**

- a) **No.** A search of the AHIMS database revealed no previously recorded sites in the Study Area. The AHIMS Web Service search covered Lot 10 DP243046 (see **Appendix 1**).
- b) **No.** It is noteworthy that Aboriginal community consultation is not a formal requirement of the Due Diligence process (DECCW 2010a Section 5), although it is noted that the Proponent may wish to consider undertaking consultation if it will assist in informing decision making. Due to the moderate levels of disturbance over the Subject Area and low archaeological potential, this is not considered necessary for this project.
- c) Landscape features noted here include (DECCW 2010):
 - within 200m of waters, or
 - located within a sand dune system, or
 - located on a ridge top, ridge line or headland, or
 - located within 200m below or above a cliff face, or
 - within 20m of or in a cave, rock shelter, or a cave mouth

and is on land that is not disturbed land (see Definitions) then you must go to step 3.

No. Although the Study Area for the project is located in some proximity to ephemeral waterways and overlaps some ridge crests, the land has been disturbed via means included in the definitions as noted in **Section 4.2**. Hence resulting in a 'no' answer to this question.

The 'no' answer for Question 2 a-c, removes the project from the Due Diligence Process at this step, moving it through to this outcome (DECCW 2010: 10):

AHIP application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work and notify OEH (Office of Environment and Heritage). If human remains are found, stop work, secure the site and notify NSW Police and OEH.

The Proponent has elected to apply the precautionary principle and proceed to visual inspection of the Subject Area (**Section 6**) in order to ground-truth the findings of the above desktop level assessment.

6 RESULTS OF ABORIGINAL ARCHAEOLOGICAL ASSESSMENT

6.1 METHODOLOGY

The aim of the field inspection is partly to identify any possible sites but is largely to supplement the desktop analysis in determining if further assessment is required. The desktop analysis of the Study Area has indicated that Aboriginal sites are unlikely to occur, and that if they do occur then they will most likely be on level, elevated ground closer to the second-order streams in the Central Section (**Section 4.4**). Therefore, these areas were more intensely surveyed during the field inspection.

The entire Study Area received basic pedestrian coverage during the field inspection, with the most coverage focused on hill and ridge crests in the Southern and Northern sections and on terracing within the Central Section. Within these landform units, areas of ground surface exposure were the focus.

6.1.1 Project Constraints

There were no particular constraints for the desktop analysis or field inspection.

6.2 RESULTS

6.2.1 Effective Survey Coverage

The majority of the Study Area was covered by low grass. While ground surface visibility (GSV) was low where there was grass cover, approximately 5% to 10% of the ground surface could be seen in most places. Exposures were variable and mostly occurred on ridge/hill crests, under tree cover, and in areas of disturbance such as vehicle and stock tracks (**Plates 7 and 9**). Exposures accounted for 15% to 20% of the total Study Area and GSV within exposures was generally between 80% and 90%.

Average GSV across the Study Area was approximately 22.5% (7.5% average off exposure GSV + 15% average GSV from exposures). All sections of the Study Area (Northern, Central and Southern) had roughly equal GSV.

6.2.2 Aboriginal Sites Recorded

No Aboriginal sites were recorded during the site inspection. No location within the Study Area was assessed as likely to contain further, unknown, sites.

6.3 DISCUSSION

The findings of the field inspection are consistent with the predictive model set out in **Section 4.4**. It was not anticipated that sites would be found and this was the case. GSV was not high but was sufficient for any sites of reasonable size or density to have been identified.

There are some micro landforms within the Study Area with some archaeological potential but there is no other sufficient evidence that would support further investigation into these.

Two pieces of rhyolite were noted that exhibited some features that could be interpreted as artefactual but it was decided that these were caused by vehicle and/or stock movement (**Figure 6–1; Plates 10–12**). The rhyolite pieces were noted on the approach to a gate in an internal fenceline. Vehicles and stock (sheep and cattle) would have frequently been moved through this gate and therefore over the rhyolite. Although the stone is rare and there are flake-like features on these pieces, there is not enough evidence to interpret them as Aboriginal artefacts.

Figure 6-1: Location of fractured rhyolite.



6.4 LIKELY IMPACTS TO ABORIGINAL HERITAGE FROM THE PROPOSAL

As no sites of Aboriginal heritage were recorded within the Study Area, and no unrecorded sites are predicted to exist, it is assessed that there will be no impacts to Aboriginal heritage by the Proposal.

7 MANAGEMENT AND MITIGATION

Appropriate management of cultural heritage items is primarily determined on the basis of their assessed significance as well as the likely impacts of the proposed development.

As no sites were recorded and it is not anticipated that the Proposal will impact on any possible undetected Aboriginal objects, the proposed works may proceed with caution.

Should the work crews notice Aboriginal objects being excavated at any of these locations, the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.

8 RECOMMENDATIONS

Based on the review above and application of the NPW Regulations and the *Due Diligence* code, Aboriginal heritage has been determined to pose no constraint to the Proposed Rezoning of “Tambaroora”, NSW.

Recommendations concerning the Study Area are as follows.

1. A desktop assessment of the Study Area, combined with field inspection, has demonstrated that the Study Area has a very low likelihood of containing Aboriginal sites or objects. No further archaeological assessment is required;
2. As it is assessed that there is a low probability of impacting Aboriginal cultural heritage within the Study Area, the Proposal can proceed under the following conditions:
 - a. All land-disturbing activities must be confined within the assessed Study Area. Should project impacts change such that the area to be impacted is altered then additional assessment may be required;
 - b. Any work crews employed in ground disturbing works within the Study Area should be made aware of the legislative protection of Aboriginal sites and objects; and
 - c. In the unlikely event that objects are encountered that are suspected to be of Aboriginal origin (including skeletal material), the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.

REFERENCES

- Balme 1986 J. Balme 1986, *North Central Rivers Archaeological Project*, Volume 1, to the National Parks and Wildlife Service, NSW.
- BOM 2014 Bureau of Meteorology 2003, www.bom.gov.au.
- Bowdler 1983 Bowdler, S. 1983, *Aboriginal sites on the Crown timber lands of NSW*. Report to the Forestry Commission of NSW.
- CWA 1998 Central West Archaeological and Heritage Services. 1998. *An Archaeological Survey for the Proposed Re-zoning of Lot 82 (DP 569030) & Lot 87 (DP 870357) between Lower Lewis Ponds Road, Kinross Lane and Strathnook Lane North of Orange, NSW*. A report to Terra Sciences Pty Ltd.
- DEC 2006 Department of Environment and Conservation 2005, *Bioregion Overviews*
<http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Bioregion+overviews>
- DECCW 2010a DECCW. 2010. *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*. Department of Environment, Climate Change and Water, Sydney.
- DECCW 2010b DECCW. 2010. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. Department of Environment, Climate Change and Water, Sydney.
- Haglund 1985 L. Haglund. *Assessment of Aboriginal Heritage in the Mudgee Shire*. Report for Mudgee Shire Council
- Koettig 1985 M. Koettig 1985, *Assessment of Aboriginal Sites in the Dubbo City Area*, report in conjunction with planning study undertaken by Camron McNamara Pty Ltd
- NOHC 2012 Navin Officer Heritage Consultants 2012. *Macquarie River to Orange Pipeline Project, Cultural Heritage Assessment*. Unpublished report for GHD on behalf of Orange City Council.
- Pearson 1979 M. Pearson 1979. *Aboriginal sites in the Bathurst-Orange development area: A pilot survey*. Report to NPWS.

- Oakley 2002 Bobby Oakley and Associates, 2002, *Indigenous Heritage Assessment, Orange Dams, Water Supply Augmentation, Suma Park & Spring Creek Reservoirs, Orange NSW*. Report to SMEC Australia Pty Ltd.
- Pearson 1981 M. Pearson 1981, *Seen Through Different Eyes: Changing Land Use and Settlement Patterns in the Upper Macquarie River Region of NSW from Prehistoric Times to 1860*, PhD thesis, Australian National University, Canberra.
- Tindale 1974 Tindale, N. 1974. *Tribal Boundaries in Aboriginal Australia*, Tribal boundaries drawn by Winifred Mumford on a base map produced by Division of National Mapping, Department of National Development, Canberra, Australia.
- White 1999 White E. *From artefacts to the actions of people in prehistory: a behavioural study of the W2 stone artefact assemblage, Hunter Valley, NSW*. Master of Philosophy Thesis, University of Sydney.

PLATES

Plate 1: Typical view of the Southern Section of the Study Area, south facing.



Plate 2: Typical view of the Central Section of the Study Area, west facing.



Plate 3: Typical view of the Northern Section of the Study Area, north facing.



Plate 4: Soils of the Study Area.



Plate 5: Northern branch of the second order stream in the Central Section.



Plate 6: View toward the west of the largest of several dams in the Study Area.



Plate 7: View to the south along a vehicle track toward stock yards.



Plate 8: View to the northwest along an eroded gully.



Plate 9: Surface erosion on the crest of a hill in the Study Area.



Plate 10: Fractured rhyolite showing a flake-like ventral side.



Plate 11:Fractured rhyolite showing a flake-like dorsal side.

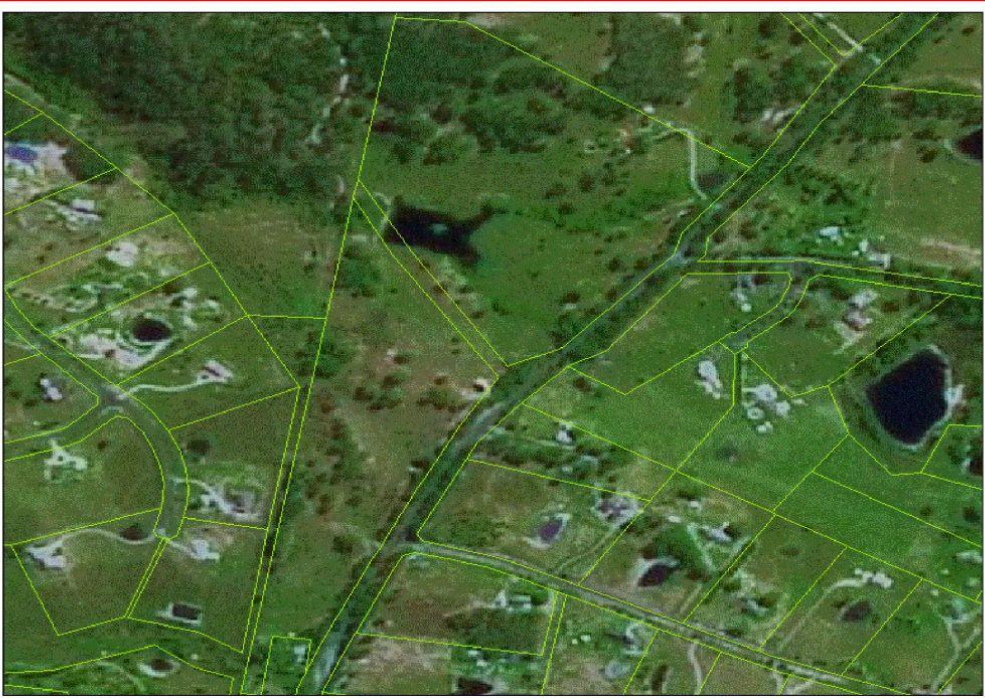


Plate 12:Fractured rhyolite showing core-like negative scarring.



APPENDIX 1: DATABASE SEARCHES

AHIMS Basic search: Lot 10 DP243046

	Office of Environment & Heritage	AHIMS Web Services (AWS) Search Result	Your Ref Number : Clifton Grove Client Service ID : 138077				
OzArk Cultural Heritage Management PO Box 2069 Dubbo New South Wales 2830 Attention: Nicholas Harrop Email: nick@ozarkehm.com.au Dear Sir or Madam:		Date: 16 June 2014					
<u>AHIMS Web Service search for the following area at Lot : 10, DP:DP243046 with a Buffer of 0 meters, conducted by Nicholas Harrop on 16 June 2014.</u> 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: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">0</td> <td>Aboriginal sites are recorded in or near the above location.</td> </tr> <tr> <td style="text-align: center;">0</td> <td>Aboriginal places have been declared in or near the above location. *</td> </tr> </table>				0	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location. *
0	Aboriginal sites are recorded in or near the above location.						
0	Aboriginal places have been declared in or near the above location. *						

APPENDIX 2: UNANTICIPATED FINDS PROTOCOL

An Aboriginal artefact is anything which is the result of past Aboriginal activity. This includes stone (artefacts, rock engravings etc.), plant (culturally scarred trees) and animal (if showing signs of modification; i.e. smoothing, use). Human bone (skeletal) remains may also be uncovered while onsite.

Cultural heritage significance is assessed by the Aboriginal community and is typically based on traditional and contemporary lore, spiritual values, and oral history, and may also take into account scientific and educational value.

Protocol to be followed in the event that previously unrecorded or unanticipated Aboriginal object(s) are encountered:

1. All ground surface disturbance in the area of the finds should cease immediately the finds are uncovered.
 - a) The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be halted; and
 - b) The site supervisor will be informed of the find(s).
2. If there is substantial doubt regarding an Aboriginal origin for the finds, then gain a qualified opinion from an archaeologist as soon as possible. This can circumvent proceeding further along the protocol for items which turn out not to be archaeological. If a quick opinion cannot be gained, or the identification is positive, then proceed to the next step.
3. Immediately notify the following authorities or personnel of the discovery:
 - a) OEH; and
 - b) Relevant Aboriginal Community Representatives.
4. Facilitate, in co-operation with the appropriate authorities and relevant Aboriginal community representatives:
 - a) The recording and assessment of the finds;
 - b) Fulfilling any legal constraints arising from the find(s). This will include complying with OEH directions; and
 - c) The development and conduct of appropriate management strategies. Strategies will depend on consultation with stakeholders and the assessment of the significance of the find(s).
5. Where the find(s) are determined to be Aboriginal Objects, any re-commencement of construction related ground surface disturbance may only resume in the area of the find(s) following compliance with any consequential legal requirements and gaining written approval from OEH (as required).

Appendix F

**SECTION – CONSULTATION – SUB REGIONAL RURAL & INDUSTRIAL
LAND USE STRATEGY, JULY 2008**



2. Consultation

2.1 Project staging

Preparation of the Strategy was undertaken in three distinct stages:

- » Stage 1 – an initial inception and fact finding stage including agency and community consultation for issue identification purposes;
- » Stage 2 – formulation of the draft Strategy, again including agency and community consultation for the purposes of direction, clarification and outcome identification; and
- » Stage 3 – a final consultation and confirmation stage following delivery of the draft Strategy. This will incorporate public display of the draft Strategy, community consultation meetings, receipt of comments and finalisation of the Strategy.

Following finalisation of the Strategy, the three Councils will prepare new Local Environmental Plans for their local government area, having regard to the outcomes of the Strategy.

This Strategy has been prepared at the conclusion of Stage 2.

2.2 Stage 1 activities

During Stage 1, a number of activities were undertaken, as discussed below.

2.2.1 Site visits

Site visit of the Sub-Region were conducted to identify key features and provide a greater understanding of the local and regional issues affecting the study area.

2.2.2 Review of background information

A range of background material was reviewed to assist with familiarisation with the study area and identify key local and regional issues. This material has been summarised in this report, and provides the statutory and strategic context for the Strategy.

2.2.3 Agency consultation

A workshop was held at Cabonne Shire Council Chambers on 30 November 2005 with the key statutory authorities and service providers to seek their input into the Strategy. Representatives of the following agencies and authorities attended the workshop:

- » Department of Planning;
- » Department of Primary Industries (DPI);
- » Department of Environment and Conservation (DEC);
- » NSW Roads and Traffic Authority (RTA);
- » Central West Catchment Management Authority (CMA);
- » Molong Rural Lands Protection Board (RLPB);
- » Central Tablelands Water;



- » Telstra;
- » Bathurst Regional Council; and
- » Forbes Shire Council.

2.2.4 Community consultation

During Stage 1, a Community Information Sheet was prepared, introducing the project to the community, outlining issues that would need to be considered, and providing information on the ways in which the community could be involved in the project. The Information Sheet was distributed throughout the three local government areas, to interested persons and at the community meetings.

16 community meetings were held during Stage 1. A summary of the locality, venue and approximate attendance numbers at the Stage 1 community meetings is set out in Table 2.1.

Table 2.1 Stage 1 community meetings

Locality	Venue	Date	Attendance
Blayney	Blayney Community Centre	31 October 2005	15
Millthorpe	School of Arts	1 November 2005	40
Carcoar	School of Arts	2 November 2005	8
Newbridge	Showground Hall	3 November 2005	6
Orange	Orange City Council Foyer	7 November 2005	50
Nashdale	Nashdale Hall	8 November 2005	65
Lucknow	Lucknow Community Hall	9 November 2005	10
Molong	Cabonne Council Chambers	14 November 2005	20
Canowindra	Moorbel Hall	15 November 2005	20
Cargo	Cargo Hall	16 November 2005	20
Cumnock	Cumnock Hall	21 November 2005	3
Mullion Creek	Mullion Creek Hall	22 November 2005	25
Yeoval	Yeoval Hall	23 November 2005	5
Cudal	Cudal Hall	28 November 2005	12
Eugowra	Eugowra Uniting Church Hall	29 November 2005	13
Manildra	Manildra Hall	30 November 2005	14
TOTAL			326

A PowerPoint presentation was used to provide an overview of the Strategy process and each of the following issues:



- » Agriculture;
- » Industry;
- » Residential and rural subdivision;
- » Natural and scenic environment; and
- » Heritage and culture.

Issues raised were recorded at each meeting, and notes of the meetings are included as appendices to the Issues Paper.

In addition, throughout Stage 1 of the project, comments and submissions were received from the community via mail, telephone and email.

2.3 Stage 2 activities

Following completion of the Local Profile and Issues Paper at the end of Stage 1, these documents were made available for public and agency review. During Stage 2 of the project, a number of consultation activities were undertaken, as discussed below.

2.3.1 Agency consultation

A workshop was held at Cabonne Shire Council Chambers on 27 September 2006 with the key statutory authorities and service providers to seek their input into the Strategy. Representatives of the following agencies and authorities attended the workshop:

- » Department of Planning;
- » Department of Primary Industries (DPI);
- » Department of Environment and Conservation (DEC);
- » Department of Natural Resources (DNR);
- » NSW Roads and Traffic Authority (RTA);
- » Rural Fire Service (RFS);
- » State Emergency Service (SES);
- » Country Energy; and
- » Telstra.

2.3.2 Community consultation

During Stage 2, a Community Information Sheet was prepared, summarising the outcomes of Stage 1 of the project and identifying the issues that would need to be addressed in the Strategy. The Information Sheet was distributed throughout the three local government areas, to interested persons and at the community meetings.

10 community meetings were held during Stage 2. A summary of the locality, venue and approximate attendance numbers at the Stage 2 community meetings is set out in Table 2.2.



Table 2.2 Stage 2 community meetings

Locality	Venue	Date	Attendance
Yeoval	Yeoval Hall	25 September 2006	5
Millthorpe	School of Arts	26 September 2006	18
Molong	Cabonne Council Chambers	27 September 2006	7
Blayney	Blayney Community Centre	28 September 2006	15
Nashdale	Nashdale Hall	3 October 2006	30
Canowindra	Moorbel Hall	4 October 2006	5
Cudal	Cudal Hall	5 October 2006	20
Lyndhurst	Soldiers Community Hall	9 October 2006	3
Orange	Orange City Council Foyer	10 October 2006	30
Eugowra	Eugowra Uniting Church Hall	11 October 2006	5
TOTAL			138

Notes of discussion were recorded at each meeting, and are included as appendices to the Issues Paper.

In addition, throughout Stage 1 of the project, comments and submissions were received from the community via mail, telephone and email.