APPENDIX C

Submissions

Hunter Land Pty Ltd
1 Hartley Drive
(PO Box 3042)
Thornton NSW 2322

T: 02 4966 4966
F: 02 4966 3644

www.hunterland.com.au

ABN 54 067 111 737

25th January 2013

General Manager
Dubbo City Council
PO Box 81
DUBBO NSW 2830

Dear Sir,

Re: DUBBO LOCAL ENVIRONMENTAL PLAN 2011
B5 BUSINESS DEVELOPMENT AND B7 BUSINESS PARK ZONE

I refer to the B5 Business Development zone and the B7 Business Park zone pursuant to Dubbo Local Environmental Plan (LEP) 2011 and wish to thank you for the opportunity to make a submission on the landuses permitted in these zones.

Hunter Land Pty Ltd are the developers of land at Blueridge Estate located on the Mitchell Highway Dubbo. The scale and context of this Estate which is becoming more established needs to be taken into account when determining the appropriate land uses for the subject lands. The Estate is becoming an important employment hub with a number of developments now located within the area, including State Water, WHK, Anytime Fitness and a Child Care Centre currently under construction.

Our comments primarily relate to the uses permissible with consent and prohibited in the B5 Business Development zone and the B7 Business Park zone pursuant to Dubbo Local Environmental Plan 2011 with a request that additional uses be permitted within these zones.

Zone B5 Business Development

The objectives of the B5 zone include:

- *To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To identify specific areas for bulky goods retailing.*

It is requested that the following current prohibited uses are permitted with consent in the B5 Business Development zone:

- Caravan parks
- Function centres
- Industrial retail outlets
- Industrial training facilities
- Light industries
- Restricted premises

- Tourist and visitor accommodation

Caravan parks

Caravan parks means *"land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed."*

The B5 zone in the Blueridge Estate is located alongside the Mitchell Highway which is a major traffic route to many areas in the western district of NSW. Many travellers pass by the site on a daily basis, particularly people with caravans in tow travelling around Australia who are looking for short term accommodation.

The Cobbora Coal project is a proposed new open cut coal mine located approximately 5 km south of Cobbora and 60km east of Dubbo. Construction for the mine is to commence mid this year and mine operations will start in the first half of 2015. A mine life of 21 years is proposed.

It is anticipated that there will be short fall of accommodation in the surrounding area as a result of the opening of the mine. Therefore, to provide more choices in accommodation for the travelling public and workers of the mine, it is requested that Council consider allowing with consent caravans in this zone.

Function Centres

Function centre means a *"building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility."*

Blueridge Estate needs the flexibility of having a function centre that allows these types of landuses, for functions, conferences and the like. The Estate offers large flat areas for a large floor plate and parking areas which would suit this type of land use. With a number of office users locating within the Estate, it may be necessary for these users to be able to conduct conferences and other events. Function centres can also hold functions outside normal business hours which will allow the Estate to operate at a higher capacity and with no residents in the Estate, it is ideally suited to this land use.

Industrial retail outlets

Industrial retail outlet means *"a building or place that:*

> *(a) is used in conjunction with an industry or rural industry, and*
> *(b) is situated on the land on which the industry or rural industry is located, and*
> *(c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,*
> *but does not include a warehouse or distribution centre."*

It is requested that Light Industrial uses be permitted in the B5 Zone (see below)

Industrial retail outlets are generally ancillary to the main light industrial use of the land and do not create any additional impacts on the surrounding area. Industrial retail outlets allow small scale retail activity to occur from the site, for example machinery parts.

Clause 5.4(4) of the Dubbo LEP 2012 refers to Industrial Retail Outlets and allows *"5% of the gross floor area of the industry or rural industry located on the same land as the retail outlet."*

The Standard Instrument – Principle Local Environmental Plan requires the industrial retail floor area to not exceed up to 67% of the gross floor area of the industry or rural industry located on the same land as the industrial retail outlet or an area of not more than 400m^2, whichever is the lesser.

It is requested that the retail floor area of the Industrial Retail Outlet be increased to 40% of the GFA of the industry or rural industry located on the same land, to cater for a wider variety of uses. This figure is consistent with the Standard Template issued by the Department of Planning and Infrastructure and other LEPs, such as Maitland LEP 2011. This increased floor area will allow more flexibility and allow more users within the estate.

Industrial training facilities

industrial training facility means *"a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises."*

Business Parks need to have the flexibility to allow industrial training centres to increase employment opportunities for the residents of Dubbo. As an example, in Thornton, the Hunter Councils Training Facility operates for the Councils located in the Lower Hunter. It provides an opportunity for employees to meet outside their normal work environment for training purposes. This facility is privately operated and provides a service to the employees of the Business Park.

Light industries

A light industry is defined *as "a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:*

(a) high technology industry,
(b) home industry."

The objectives of the zone allow a mix of uses including a mix of business and warehouse uses. Light industries will not create a negative impact on the existing or future land users within the Blueridge Estate but will contribute to the mix of uses currently and potentially located there. Some light industries are better suited to be in close proximity to its customer base, such as air conditioning manufacturers. By allowing light industries in this zone, it will increase employment opportunities, services and potential growth of the Estate.

Restricted premises

Restricted premises means *"premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises."*

Restricted premises can be adequately catered for in a B5 Business Development zone. These premises are usually discreet and provide a service to the community and are usually located in business parks and industrial areas.

Tourist and visitor accommodation

Tourist and visitor accommodation means *"a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:*

(a) backpackers' accommodation,
(b) bed and breakfast accommodation,
(c) farm stay accommodation,
(d) hotel or motel accommodation,
(e) serviced apartments,
but does not include:
(f) camping grounds, or
(g) caravan parks, or
(h) eco-tourist facilities."

As mentioned above, the site is located on a major transport route. The site is ideally suited to temporary accommodation and would particularly suit hotel or motel accommodation. These types of landuses require large, flat floor and parking areas which are available in the Blueridge Estate. These types of landuses are ideally suited to these areas with no surrounding residents as customers and vehicular movements can occur 24 hours a day.

The above proposed landuses can be adequately accommodated in the B5 Business Development zone with no impacts on the existing or future land users within this Estate. These additional landuses require large flat floor and parking areas which are available in this area. The proposed landuses meet the objectives of the zone and it is requested that Council allow these uses with consent in the B5 zone.

B7 Business Park

The objectives of the B7 Business Park zone are

- *To provide a range of office and light industrial uses.*
- *To encourage employment opportunities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To facilitate the establishment of innovative high technology uses within close proximity to established transport networks*

It is requested that the following uses become permissible with consent in the B7 zone:

- Caravan parks
- Function centres
- Industrial retail outlets
- Places of public worship
- Recreation facilities (indoor)
- Restricted premises
- Vehicle body repair workshop
- Vehicle repair stations

Caravan parks. Functions centres, Industrial retail outlets and Restricted premises are addressed in the B5 zone above. These uses can also be accommodated in the B7 zone for the same reasons as stated previously in this letter.

These landuses also allow more flexibility in the B7zone and provide employment opportunities. The uses provide facilities to meet the daily needs of workers in the area and are located close to established transport networks being the Mitchell Highway. These uses meet the objectives of the zone.

It is requested that the following land uses also be included in the B7 Business Park zone with the consent of Council.

Places of Public Worship

Places of Public Worship means *"a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training."*

Places of Public Worship also require large tracts of land to cater for large congregations. These congregations also require land for large car parking areas which are available within Blueridge Estate.

Churches now operate much differently to traditional churches. Churches now offer a range of services including providing facilities for social events and training. Churches also operate outside their traditional working hours with many activities occurring during the week, weeknights and weekends. The hours of operation can begin very early in the morning to late at night.

Many residents complain of Places of Public Worship in their neighbourhood due to the hours of operation and traffic generation. By allowing these uses in a Business Park, this will remove any potential conflict with adjoining land uses, particularly as the operating hours for churches are outside normal business hours.

The site also has good transport links to major transport routes which will illiminate any potential traffic problems within the area.

Recreation facilities (indoor)

Recreation facility (indoor) means *"a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club."*

The business park is an ideal place for such a landuse. Recreation facilities (indoor) caters for indoor go cart tracks, bowling alleys and indoor swimming pools and the like. These types of land uses are ideally suited to this zone as they require large floor areas for the building and car parking area.

Vehicle body repair workshop

Vehicle body repair workshop means *"a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration."*

The B7 zone is located at the rear of the estate. Vehicle body repair workshops are ideally suited in the B7 zone as the use can be located within the Estate without affected other land uses and not be visible from the Mitchell Highway. Workers in the area can use this facility on a day to day basis in accordance with the objectives of the zone.

Vehicle repair stations

Vehicle repair station means *"a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises."*

This land use meets the daily needs of workers in the area and encourages employment opportunities. There are no residents located within the Estate and the land use is located away from the closest residents and therefore ideally suited to the B7 zone.

Vehicle repair stations and vehicle body repair stations do not adversely impact on the built or the natural environment and are compatible with uses of adjoining land. These land uses have less impact than a light industrial use which is permissible in the zone.

Vehicle repair stations and vehicle body repair stations contribute to the economic growth and employment opportunities within the area and provide a service appropriate for this location. These uses will not detrimentally affect the role of any business zone.

It is requested that Council amend the permissible landuses in the B5 Business Development zone and B7 Business Park zone to allow the above uses within each zone.

Should you require any further information, please do not hesitate to contact me on the above number.

Yours faithfully,
Hunter Land Pty Ltd

Tanya Gurieff
Executive Town Planner

Dubbo City Council
Parcel.....
Ass. ....HCSS....
29 JAN 2013 R 6
File C....11/64....

File 11/63
TH/MC

11 Mitchell Street
Dubbo 2830
Ph. 68848384

11th January 2013

The General Manager.
P.O. Box 81 Church St Dubbo 2830.

Dubbo Local Environmental Plan (LEP) 2011 - Administrative Review

Dear Sir.

In reply to your letter of the 7th December, 2012, I wish to add the following facts to the Submission made by me, regarding the heritage order on my property, 11 Mitchell Street, Dubbo.

Last year I was offered a unit in a retirement village which I was unable to accept, owing to a shortage of available funds.

This was regrettable because of my age - over eighty years.

After making enquiries in the real estate market, I found it would be very difficult to sell my home because of the heritage order, as well as its age and condition.

I therefore ask that the heritage order on the property should be re-assessed and lifted.

Yours faithfully
Wendy E. Wilson
mrs. W.E. WILSON.

Dubbo City Council
Parcel 6897
Ass. HCSS
15 JAN 2013
File C. 11/63

DRAFT DUBBO LEP 2010
SUBMISSION FORM

DUBBO CITY COUNCIL

NAME Wendy Elizabeth WILSON (mrs) DATE

ADDRESS 11 Mitchell Street Dubbo, N.S.W. 2830

PHONE NUMBER 02) 68848384

SUBMISSION I wish to make a submission for my property, No. 11 Mitchell Street Dubbo to be excluded from the Dubbo City Heritage Inventory.

REASON FOR SUBMISSION the house is in a state of disrepair, and owing to its age, no present-day tradesmen would be able to restore it under heritage conditions. The old building ~~the~~ technology - slab and batten, pit sawn timber etc, is obsolete and would be very unlikely

FURTHER INFORMATION

In accordance with the Personal Information Protection Act 1998, written submissions received by Council containing personal information may be made public when the matter goes before the Council for determination, as it may be included in the Council Business Paper. Persons have the right to remain anonymous if they so choose by refraining from submitting their personal information, however, the submission may be given less weight in the overall assessment and determination of the draft Plan.

to be able to be replicated, if [illegible] possible, without great expense.

The original building has been changed over the years by adding two extra rooms, bathroom and ~~laundry~~ laundry.

A large amount of asbestos cladding has been used both outside and inside, where most of the original timber walls and ceilings have been covered or replaced. The floors and foundations - made of timber stumps - are in poor condition and would require total replacement.

Over years, most of the usage of the area surrounding the house has been greatly altered by newer homes, flats, and the child care centre opposite. Close proximity to the Central Business District makes more changes to the area in future inevitable.

Owing to my age, nearly eighty years, and limited finances, any proper restoration is beyond my capability. My age also limits my continued occupation of the property.

It is therefore highly unlikely that any future buyer could be found for the property if it remains under heritage order.

Wendy E. Wilson.

DRAFT DUBBO LEP 2010 SUBMISSION FORM

DUBBO CITY COUNCIL

NAME HAYDEN & LORRAINE BENNETT. DATE 18/10/10.

ADDRESS 326 MACQUARIE STREET DUBBO

PHONE NUMBER 02 6882 3089.

SUBMISSION WE WISH TO EXPRESS OUR CONCERNS REGARDING THE PROPOSED LISTING OF THE ABOVE PROPERTY AS A HERITAGE ITEM IN SCHEDULE 5 OF THE DRAFT PLAN.

~~REASON FOR~~ SUBMISSION (1) INFORMATION IN THE HERITAGE REVIEW RE. PROPERTIES 322-324-326 MACQUARIE ST IS OUT OF DATE & INACCURATE.

(2) CONCERNED ABOUT EFFECT ON VALUE OF PROPERTY — 1ST-HAND EXPERIENCE WITH A HERITAGE LISTED BUSINESS IN MUDGEE, WHICH RESULTED IN GREAT PERSONAL COST TO OUR HEALTH & FINANCES.

(3) AS 3RD GENERATION OWNERS WE HAVE HAD PRIDE IN OUR HOME, BUT QUESTION THE CHOICE OF THESE THREE & NOT OTHERS IN THE STREET.

FURTHER INFORMATION

In accordance with the Personal Information Protection Act 1998, written submissions received by Council containing personal information may be made public when the matter goes before the Council for determination, as it may be included in the Council Business Paper. Persons have the right to remain anonymous if they so choose by refraining from submitting their personal information, however, the submission may be given less weight in the overall assessment and determination of the draft Plan.

ESP ACCOUNTING
proactive business solutions

ABN: 871 416 647 17

Directors:
Sharon Portelli B Bus.Acc, FCPA
Emmanuel Portelli B Bus.Acc, CPA

PO Box 1184
19A Church Street
Dubbo NSW 2830

Phone: 02 6884 9000
Web: www.espaccounting.com.au

Mr Steve Jennings
Dubbo City Council
Church Street
Dubbo NSW 2830

17 April 2013

Dear Steve

RE: Heritage Listing of South Wilbertree Homestead

I have had a number of discussions and inspections with Graham Hall in regard of the possibility of heritage listing of the above.

I allow the submission of the heritage listing of the above. If there are any further queries please do not hesitate to contact me. Thank you.

Kind Regards

Manny Portelli
Director

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Our Ref: 112210_LEO_001

15 January 2013

The General Manager
Dubbo City Council
PO Box 81
DUBBO NSW 2830

Attention: Melissa Watkins, Director of Environmental Services

Dear Melissa,

SUBMISSION TO THE FIRST REVIEW OF THE DUBBO LOCAL ENVIRONMENTAL PLAN 2011

LOT 302 IN DP 602386, LOT 23 AND 46 IN DP 755114, AND LOT 151 IN DP 755094 AT BONNIE DOON, MITCHELL HIGHWAY, DUBBO.

We refer to the above matter and advise that Geolyse has been commissioned by the applicant (Mr Michael and Mrs Jenny Millner) to undertake a submission to Council for assessment under the first review of the Dubbo Local Environmental Plan 2011. The submission relates to property located at Lot 302 in DP602386, Lot 23 and 46 in DP755114, and Lot 151 in DP755094 at 'Bonnie Doon', Mitchell Highway, Dubbo. Each of the four allotments making up the 'Bonnie Doon' property are owned by the applicants.

We attach the following documents in support of the submission;

(i) Survey Plan identifying the subject allotments (**Attachment 1**); and

(ii) Property Productivity Report prepared by IMAG (**Attachment 2**).

1 SITE AND LOCALITY

The applicants own four allotments (Lot 302 in DP 602386, Lot 23 and 46 in DP 755114, and Lot 151 in DP 755094), three of which are split through the middle by the Mitchell Highway (Lot 302, Lot 23, and Lot 151). Reference is made to the Site Survey Plan (**Attachment 1 –** *Existing Lots*) which identifies the location and arrangement of the subject allotments. Together the four allotments make up 'Bonnie Doon', a property located on the Mitchell Highway approximately 15 kilometres west of the Dubbo Central Business District.

Bonnie Doon has a total site area (excluding the Mitchell Highway) of 157.48 hectares, 49.88 of which are located on the northern side which is bounded by the Talbragar River in the north, and 107.6 of which are located on the southern side.

An existing house and outbuildings are located on the northern side of the Highway. The remainder of the property consists of vacant grassland capable of being used for agricultural purposes. A small number of trees are located in the southern portion of the site and in the northern portion of the site lining the Talbragar River.

2 PROPOSAL AND PLANNING RESTRICTIONS

The applicants intend to sell the Bonnie Doon property. The property was originally put on the market in 2009 and was listed as being 'for sale' until 2011. Although there was a high level of interest in the parcel of land on the southern side of the highway and interest in the parcel on the northern side, due

to a lack of interest in the property as a whole, Bonnie Doon didn't sell and has hence been taken off the market.

In order for the property to be marketable, it is necessary to undertake a boundary realignment in order to split the property into two separate allotments, one on each side of the highway.

Under the current provisions of the *Dubbo Local Environmental Plan 2011*, the parcel of land on the southern side has a different zoning and minimum lot size to the parcel on the northern side, as follows;

- Northern Side – Zone RU4 – Primary Production Small Lots (Land Zoning Map LZN_002) with a minimum lot size of 20 hectares (Lot Size Map LSZ_002); and
- Southern Side – Zone RU1 – Primary Production (Land Zoning Map LZN_002) with a minimum lot size of 800 hectares (Lot Size Map LSZ_002).

The parcel of land on the northern side of the highway would have a lot size of 49.88 hectares and would comply with the required minimum lot size of 20 hectares (identified as Proposed Lot 303 on **Attachment 1** – *Proposed Lots*). The parcel on the southern side, however, would have a lot size of 107.6 hectares, which would be under the minimum lot size of 800 hectares (identified as Proposed Lot 304 on **Attachment 1** – *Proposed Lots*). Under the current arrangement, this parcel would not have a dwelling entitlement.

We therefore submit to the first annual review of the *Dubbo Local Environmental Plan 2011* that Schedule 1 – Additional Permitted Uses of the LEP be amended to permit a dwelling entitlement and the establishment of a lot on the parcel of land on the southern side of the highway despite its size (Proposed Lot 304).

This would enable the boundary realignment to take place and the applicant to sell off this parcel of land. The following Sections discuss why this parcel of land should be permitted a dwelling entitlement and a separate allotment.

3 RURAL AREAS DEVELOPMENT STRATEGY

Dubbo City Council's Rural Areas Development Strategy (RADS) 1995–2015 relates to all properties containing a rural zoning. As the property is zoned both 'Primary Production Small Lots' and 'Primary Production', the provisions contained in the Strategy are relevant to the submission. The Goal of the RADS is to *"fulfil the economic potential of Dubbo's rural area within the principles of ecologically sustainable development".* The RADS contains seven 'development opportunity objectives' and nine 'environmental management objectives'. These objectives are to be taken into account as part of the Submission process.

The development opportunity objectives are as follows; agriculture, transport, tourism, forestry, mining, recreation, and settlement. The most relevant of these objectives to the subject site is 'agriculture'. Due to its zoning as Primary Production, the subject site would most appropriately be used for this purpose, and thus the following objective is given;

"A more secure future for agriculture in Dubbo and expansion of its economic value".

In order to secure a better agricultural future for the subject site, managing the property under two separate lots represents the best solution when considering the safety concerns for livestock and farmers when requiring access across the Highway. For this reason, and due to the existing house and outbuildings being located on the northern side of the highway, the portion of the property on the southern side currently contains a much lower economic value than what it is capable of sustaining.

In order to secure a better future for his land and maximise its economic potential, separating this portion of land from the land on the northern side of the highway represents the most appropriate outcome.

The environmental management objectives are as follows; land, air, water, biodiversity, waste, bushfire management, noise, aboriginal heritage, and non-aboriginal heritage. As the development would involve farming and/or grazing, the 'land' objective is the most relevant objective to the property. This objective states the following;

"To manage land as a resource in accordance with the principles of Ecologically Sustainable Development".

The land would be managed in accordance with the Ecologically Sustainable Development principles. It is intended that the land would provide economic value for the Dubbo region for many years rather than only a small number of years. This would only be achieved through sustainable management of the property and its resources.

4 DEMAND FOR DWELLING

Reference is made to the Property Productivity Report prepared by IMAG which states that the site is suitable for agricultural development in the form of cattle production. Such development would be able to produce a yearly income of approximately $10,000.00 (refer to **Attachment 2** to view the Property Productivity Report). This income would not be able to support a family on its own and such income would need to be supplementary to a primary source of income.

Any production on the site would therefore need to occur out of standard business hours. To maximise the agricultural income potential of the site, an ancillary dwelling would be required to ensure that work is able to be undertaken at such hours and to ensure the security of stock during standard business hours.

A dwelling would also be required to monitor breeding stock, to deter stock theft, and for lucerne management. Refer to the Property Productivity Report for further discussion in relation to these issues.

4 CONCLUSION

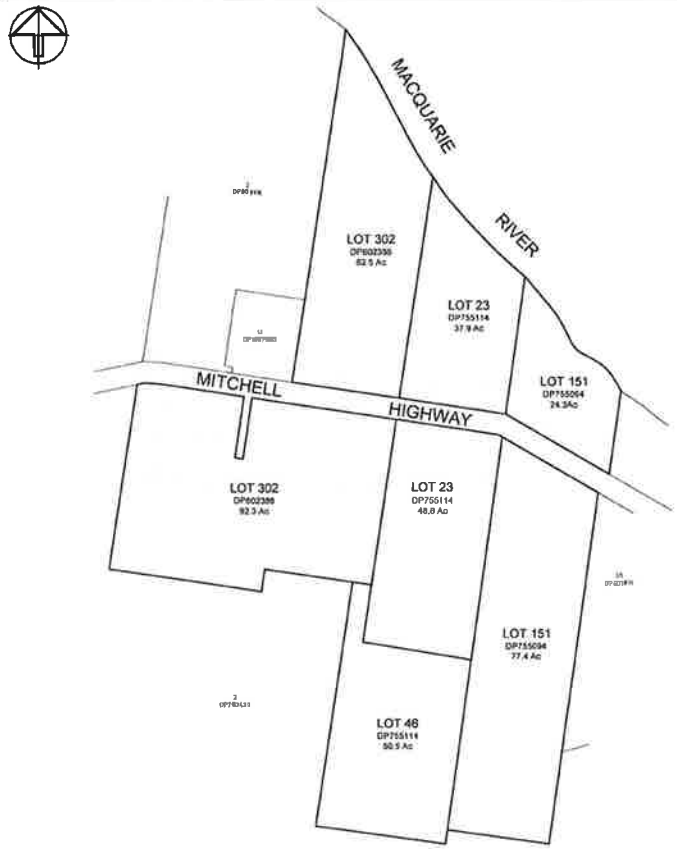
We trust that the information provided is satisfactory for Council's purposes and that you contact our Dubbo office should you require any further information.

Yours faithfully,
Geolyse Pty Ltd

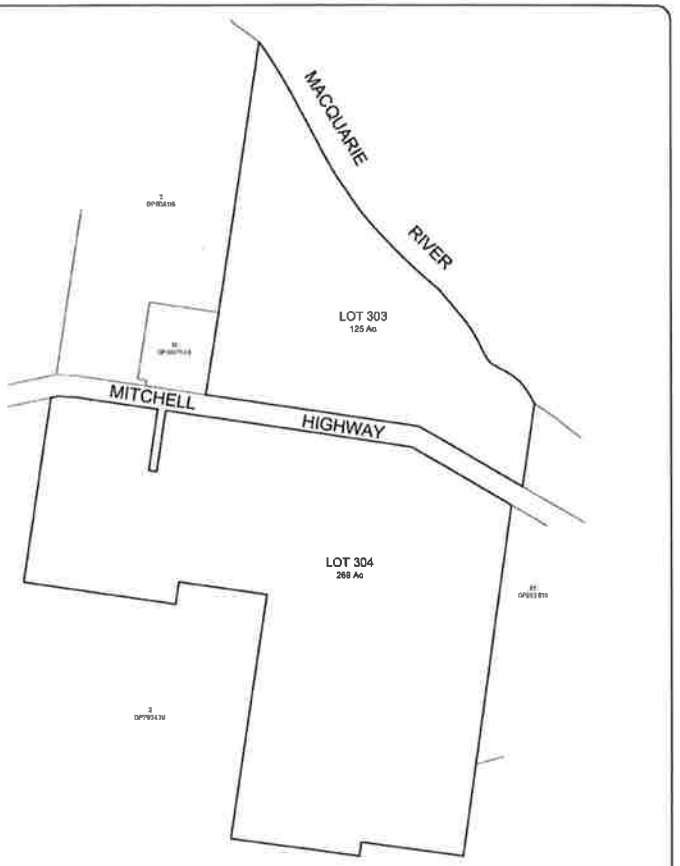
JUSTIN LAMERTON
Town Planner

ATTACHMENT 1

SURVEY PLAN IDENTIFYING THE SUBJECT ALLOTMENTS



EXISTING LOTS
NOT TO SCALE



PROPOSED LOTS
NOT TO SCALE

No.	Date	Drn	Chk	Details
A	15/05/2012	JE	LS	ISSUED TO CLIENT

Designed/Approved	Name	Date
Architect		
Surveyor	KEITH TOMPKINS	15/05/2012
Drafting		
Client Rep		
Client Rep	LS	15/05/2012

APPROVAL AUTHORITY

DUBBO CITY COUNCIL
70 CHURCH STREET
DUBBO
NSW, 2830

CLIENT
MICHAEL & JENNY MILLNER

PROJECT
PROPOSED SUBDIVISION OF LOT 302 DP 602386, LOT 23 DP 755114, LOT 48 DP 755114 & LOT181 DP 755094
NARROMINE ROAD, DUBBO

GEOLYSE
DUBBO
dubbo@geolyse.com
www.geolyse.com

DRAWING
EXISTING & PROPOSED LOTS

Permanent Name		No.	Drawn A.H.C
Project Number 112210	Drawing Sheet 01A_TP01		Scale A1
Building No.	Lot/Section No.		
Status ISSUED	SHEET TP01 OF TP01		Revision A

ATTACHMENT 2

PROPERTY PRODUCTIVITY REPORT
PREPARED BY IMAG

Property Productivity Report

Prepared for:

Geolyse Pty Ltd

in relation to

"Bonnie Doon" (Millner) subdivision
Dubbo NSW 2830

Prepared by:

Glenn Shepherd
IMAG Consulting Pty Ltd
Level 1, 113 Talbragar St
PO Box 1440
Dubbo NSW 2830

Date Prepared: **Wednesday, 2 January 2013**

IMAG consulting

Integrated Management for Agriculture

Level 1, 113 Talbragar St
PO Box 1440
Dubbo NSW 2830
Ph: (02) 6885 2630
Fax: (02) 6885 2640
E-mail: info@imag.net.au

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DISCLAIMER

The contents of this report are based on information supplied by external parties to IMAG Consulting Pty Ltd. Their accuracy, the analyses performed on them, and assumptions used in such analyses are influenced by factors outside the control of IMAG Consulting Pty Ltd. Therefore IMAG Consulting Pty Ltd disclaims any and all liability to persons who rely, in part or whole, on the report or its contents.

1. Executive Summary

The desire to split *Bonnie Doon* into two separate operating properties makes sense from an agricultural perspective. By removing the need to cross the highway, much danger will be removed by avoiding livestock movements across it.

The proposed lot could operate a range of livestock and limited cropping options. However, it is suggested the most suited enterprise (from a soil, production and management perspective) would be a cattle breeding operation, with possible supplementation from a small area of forage crop and/or lucerne.

Under best management practice and average seasonal conditions, it is estimated the proposed lot could carry approximately 400DSE. The production capability of the proposed southern lot is estimated to be approximately $10,000 in gross margin return per year. This could be achieved with a self-replacing beef herd of approximately 18 head.

The erection of a dwelling would be advantageous for a number of reasons. The greater ability to undertake animal husbandry operations given the owners would be working off farm is highly important. This is particularly the case around calving time in a beef herd. Should opportunistic lucerne hay production occur, being on-site is important to ensure correct timing in this time-critical enterprise. Finally, proximity to a major highway means theft is an ever-present problem for absentee owners. A dwelling would provide a major disincentive to potential thieves.

2. Background

Bonnie Doon is a property owned by Michael and Jenny Millner in the Narromine – Dubbo area consisting of a total of four allotments, each of which is intersected by the Mitchell Highway. The owners are seeking to rearrange the property so it would consist of two allotments, one on either side of the highway. Current town planning regulations prevent this from occurring, as the vacant lot on the southern side of the highway (which would consist of a total of 107.6 hectares) would be under the minimum lot size of 800 hectares and would therefore not have a dwelling entitlement.

Discussions have been held with Dubbo City Council regarding the possibility of creating a new lot on the southern side of the highway and permitting a dwelling to be erected. A report is needed to outline the potential primary production capability of the new lot and the need for a dwelling to undertake the proposed agricultural activity. The purpose of this report is to provide such information.

It should be noted that whilst a site inspection was undertaken, objective analysis of the soil resources did not occur. However, all calculations contained within this report are based on sound knowledge of the local area and have been compared to production performance on similar properties.

The calculations provided refer only to enterprise performance, with no allowance being made for overhead, finance or living costs.

3. Production Capacity

3.1 Current use

Bonnie Doon currently runs cattle on an irregular basis depending on the requirements and demands of other properties managed by the owners and the feed availability on *Bonnie Doon*. Because it is not the primary focus of the business, it is not currently run or maintained to an optimum standard. There is significant room for improvement in production and carrying capacity. Therefore it is appropriate to examine the potential returns under a best management practise scenario, rather than the current situation.

3.2 Potential capacity

The property can be broken up into 3 broad production zones (Figure 1). For ease of understanding, these areas are referred to as:

Timbered:	Light to medium timber cover, primarily ironbark and pine on shallow, fragile soil
Shallower soil:	Transition area, with shallow soils and evidence of scalding and erosion from historical overgrazing
Deeper soil:	More productive soil types, with ephemeral water courses and flow lines.

By examining each of these three production zones separately, an indication of overall production can be estimated.

3.2.1 Timbered

This country is on the south and southeastern portions of the proposed lot and covers an area of approximately 23ha. It ranges from moderately dense timber to more scattered, open canopy bushland. The understory is limited to a small range of *Stipa* and *Aristida* species and opportunistic forbs. The soil is very fragile and shallow and requires groundcover to be maintained to avoid further loss of top soil. The area affords excellent shelter for stock from adverse weather and its elevation allows stock to obtain extra warmth in cold conditions. Furthermore, during periods of extended

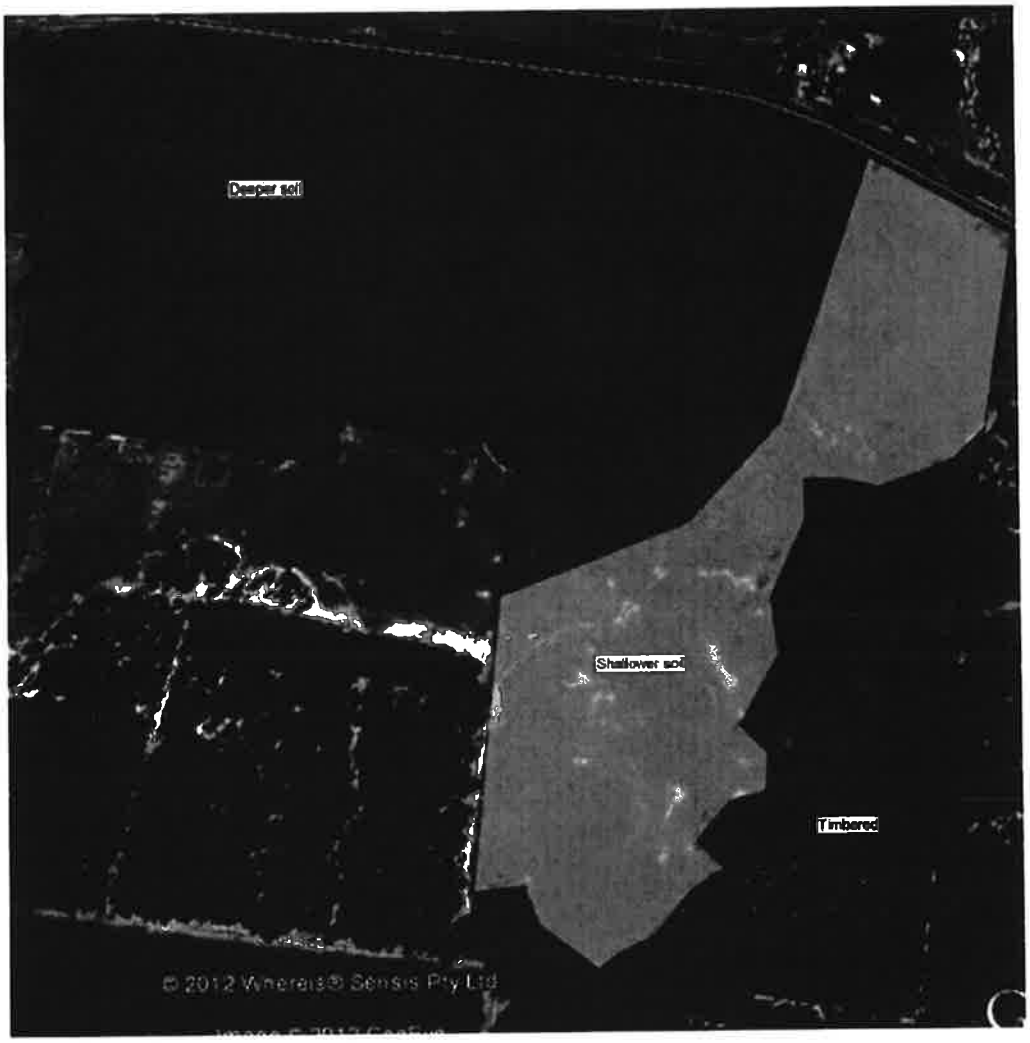

Figure 1: Production zones on proposed lot
Source: Google Earth North ↑ Scale: 1:12,500

wet conditions, this area provides a well-drained location to avoid the problems that can be associated with stock remaining for long periods on wet ground.

The carrying capacity of this zone is constrained by the shallow soils and timber overstorey. It is recommended that this area be carefully managed to prevent land degradation, whilst still providing a valuable complementary zone to the more intensive, open areas. The stocking rate would be limited to approximately 1DSE/ha, contributing approximately 23DSE to the overall carrying capacity.

3.2.2 Shallower soil

This area has some similarities to the timbered area, but has been cleared in the past and has areas of increasing soil depth. It is characterised by scalded and eroded areas caused by historical overgrazing. However, with good management, this zone could provide good grazing opportunities. This could include the introduction of perennial subtropical grass species and the avoidance of overgrazing.

This zone could be expected to carry approximately 3DSE/ha under best management practise. With a total area of 25ha, this represents approximately 75DSE in total capacity.

3.2.3 Deeper soil

This zone provides the greatest flexibility of the production zones located on the proposed lot. Soils tend to be deeper and are intersected by ephemeral water courses and overland flows. The greater percentage of ground cover and wider range of species present indicate a more productive soil type with a greater potential to support a range of desirable pasture species. Slope may provide some moderate limitations in a small number of locations, but these could be readily managed.

There are many options for utilising this zone, which covers an area of approximately 59ha. Limited cropping could occur, and may be useful in raising the quality of available pasture as part of an improvement program. It could also provide value through short term grazing crops (e.g. oats or winter wheat) to manage the winter feed gap. A perennial species such as lucerne would form a valuable component of a pasture mix and the subtropical grasses would also be worth considering. Temperate species such as phalaris could provide useful winter feed supply but swards are likely to be less persistent.

It is expected that this production zone could carry up to 5 DSE/ha, equating to 295DSE in total carrying capacity.

When these three zones are considered together, it is estimated that approximately 390DSE could be carried under average seasonal conditions and with best management practise.

4. Enterprise selection

The proposed lot has a number of mainstream enterprises available to it under a best management practise regime. The returns from such enterprises naturally vary depending on climatic conditions and commodity prices. However, the returns from most likely (common) activities will fall within a relatively narrow range. A brief outline of possible enterprises is described below.

4.1 Cropping

Only the deeper soil zone is suited to any sort of regular cropping, and then it must be conducted using direct drilling and soil conservation techniques. It is suggested that any cropping be of short phase (1-3 years) to assist in weed control prior to perennial pasture establishment and/or winter forage crops to help fill gaps in the feed supply.

Crop types are best limited to oats, triticale and winter wheats that have better tolerance to the soil conditions available. They would primarily be grown for supplementary feed, but could be opportunistically harvested should seasonal conditions permit.

Dryland lucerne hay could also provide a useful supplement to a grazing operation. Whilst it would be primarily grazed, high rainfall periods would produce a surplus of feed that could be cut and baled using contractors, and fed out later during periods of reduced feed availability.

Any cropping should be performed using contractors due to the small scale of any such work.

4.2 Livestock

4.2.1 Sheep

Sheep are not ideally suited to the proposed lot due to the fragile nature of the lighter soil type and timbered area. Sheep tend to graze closer to the ground and are therefore more prone to removing groundcover and contributing to erosion and scalding of sensitive areas. This can be managed with significant investment in infrastructure (primarily fencing) but also requires a higher level of management. It has been agreed with Dubbo City Council that this lot is unlikely to be financially independent and therefore will be supported with off-farm income. This will result in limited labour availability, thereby making management of sheep much more difficult.

Therefore, whilst sheep could be run, it is recommended that an alternative be found.

4.2.2 Cattle

Cattle are best suited to the proposed lot due to their nature of grazing and lower labour requirements. The two most common options are breeding and steer trading, both of which would be suited to the proposed lot being run under best management practise.

Steer trading has the advantage of being able to sell down and buy in based on feed and labour availability. However, fattening steers requires high quality feed for most of the year, which will be difficult to attain, particularly on the shallower soil types and timbered areas.

Breeding cattle are better able to utilise areas of low quality feed as they have periods of lower requirements (post weaning and early post joining). This will allow better utilisation of the timbered areas and shallower soil types. Whilst supplementary feeding can be inconvenient, there are many producers of lucerne hay within a 20km radius.

Furthermore, if at least some lucerne is established on the deeper soil type, there would be opportunities to have lucerne hay produced by contractors. This could then be used in periods of feed deficit.

Breeding cattle also has some advantages of steer trading, in that the progeny can be sold at different times depending upon feed availability. In good seasons, the progeny can be retained for longer, increasing returns, or possibly utilising surplus feed produced in previous periods of excess production.

5. Economic returns

Therefore, whilst a number of enterprises could be operated on the proposed lot, breeding cattle production appears to offer the best holistic approach to the situation. The most appropriate method of looking at returns from beef cattle breeding is on a gross margin basis. This method examines those costs specifically associated with the enterprise (such as animal health costs, freight and feed supplements) and the returns generated by it (sales or surplus stock). It does not consider overheads, finance or personal costs.

A summary of a beef cattle breeding gross margin can be found below. The complete gross margin is found in Appendix 1.

	Gross enterprise income:	$11,910
less	Enterprise costs:	$ 1,954
equals	**Gross margin return:**	**$ 9,956**

Therefore a return of approximately $10,000p.a. would be reasonable based on best management practise and average seasonal conditions.

6. Dwelling

Creation of the proposed lot is a sensible outcome when the entire *Bonnie Doon* landholding is considered. The Mitchell Highway intersects the property and carries a high volume of traffic moving (if legally) at 110km/hr. Attempting to move stock from one side of the property to the other is fraught with danger, even when conducted under best management practice with signage and ample labour. This is due to the high speed of vehicles and the curved and sloped nature of the road in the immediate area. During the site inspection, vehicles were estimated to take less than

5 seconds to move from the point of first visibility to the gates where livestock were being moved. Clearly this is dangerous when the unpredictability of livestock is combined with fast moving vehicles that take significant time to stop (e.g. trucks) and involving drivers unfamiliar with farm animals.

The proposed lot is currently vacant with respect to a dwelling. This has some implications for anticipated land use.

6.1 Breeding stock

Animals that are pregnant require regular inspections to ensure feed and water supply are satisfactory. Failure to do so can cause raid loss of condition and endanger the health of both the female and offspring. This is particularly relevant in periods of extremes, such as summer heat and cold, wet, windy winter days. With the owners needing to maintain income via off-farm activities, it is vital to have a dwelling on the lot so these activities can be carried out after hours.

Furthermore, during the birth process, intervention is sometimes required with very little notice. If the owners do not live on-farm, this monitoring becomes very difficult, particularly if a full time job is already being undertaken.

6.2 Lucerne management

If lucerne hay is to be opportunistically cut, a dwelling would be of great advantage. This is both from a theft perspective (see below) but also in achieving best management practice. Hay is generally cut and baled during non-daylight hours, and constant monitoring is required to ensure these activities occur at the ideal time.

6.3 Stock theft

Rural theft is an ongoing and increasing problem in many areas. The proposed lot is located adjacent to a busy highway, making it an ideal target for those inclined to illegally remove stock and/or equipment. Properties without dwellings are readily identified and are more likely to be targeted by thieves due to the lower likelihood of being caught. Therefore a dwelling on the proposed would significantly reduce this and related issues.

Appendix 1 – Beef Cattle Breeding Gross Margin

INCOME	Insert new sale	Steer Indicator Price: 200 c/Kg (LWT)			Total $	Month
Cattle Sales						
Cows - culls		2 hd @	650 Kg/hd @	130 c/Kg =	1,690	May-13
Weaners - 200 kg		14 hd @	300 Kg/hd @	240 c/Kg =	10,080	May-13
		0 hd @		0 c/Kg =	-	
		0 hd @		0 c/Kg =	-	
Total Cattle Sales		16 head	344 Kg Ave.	214 c/Kg	11,770	
Add Change in Inventory					140	
A - TOTAL INCOME					**11,910**	

VARIABLE COSTS	Insert new purch.			Total $	Month
Cattle Purchases					
Bulls		0.2 hd @	$3,000 per hd =	600	Nov-13
Bulls		0 hd @	$0 per hd =	-	
				-	
Cattle Health	**Insert new health**				
Drench & Lice - Adults		19 hd @	$5.00 per hd =	95	Nov-13
Drench & Lice - Young stock		16 hd @	$2.40 per hd =	38	Nov-13
Preg. Testing		18 hd @	$3.00 per hd =	54	Apr-13
Ear Tags		18 hd @	$2.00 per hd =	36	Nov-13
Veterinary Expenses		1 hd @	$100.00 per hd =	100	Aug-13
			$0.00 per hd =	-	
			$0.00 per hd =	-	
Fodder & Supps (bought)	**Insert new supp.**				
Agistment		0 hd @	$5 /week for 5 weeks	-	
Fodder		0 hd @	$15.00 per hd =	-	
Fodder		0 hd @	$15.00 per hd =	-	
Blocks		18 hd @	$15.00 per hd =	270	Feb-13
Feed on hand	**Insert new feed**				
		0 t @	$0 /tonne	-	
		0 t @	$0 /tonne	-	
Value of Crop Grazed				-	
Selling/Marketing costs	**Insert new sell**				
Transport		16 hd @	$10.00 per hd =	160	
Levies		16 hd @	$2.50 per hd =	40	
Commission, etc		4.00% @	$11,770 =	471	
Other Cattle Costs	**Insert new other**				
NLIS		18 hd @	$5.00 per hd =	90	Nov-13
		0 hd @	$15.00 per hd =	-	
B - TOTAL VARIABLE COSTS				**1,954**	
C - GROSS MARGIN (A - B)				**9,956**	
GROSS MARGIN/DSE				**$26.63 /DSE**	
GROSS MARGIN/HA		**(Area Required:**	**107 ha @**	**3.5 DSE/ha)**	**$93.04 /ha**

Sensitivity Analysis - Return per DSE

Av. Sale Wt. (kg/hd)	Price Received (c/kg)				
	171	193	214	235	257
275	15.28	17.86	20.34	22.81	25.40
309	17.76	20.67	23.45	26.23	29.14
344	20.31	23.54	26.63	29.72	32.96
378	22.81	26.37	29.77	33.17	36.73
413	25.38	29.26	32.98	36.69	40.58

JW Planning Pty. Ltd

Level 1 Suite 13/478 The Esplanade
Warners Bay NSW 2282
email@jwplanning.com.au
Fax: (02) 49 484 366
Ph: (02) 49 484 322

ABN 45 102 808 242

Our Ref: 0320430

Your Ref: SL5.8(11)
DQ:KCB
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15th February 2013

The General Manager
Dubbo City Council
P.O. Box 81
DUBBO N.S.W 2830

Attention: Steven Jennings – Planning Services Supervisor

RE: BEN FURNEY FLOUR MILLS – BRISBANE ST DUBBO - DUBBO LOCAL ENVIRONMENTAL PLAN 2011 – REQUEST TO CORRECT ADMINISTRATIVE ERROR

I refer to our meeting on 23rd March 2012 at the offices of the Department of Planning and Infrastructure (the Department) in Dubbo with Department representatives, Council staff, John and and Sarah Furney, Gary Punch of Herbert Geer and JW Planning concerning the above. At this meeting it was agreed that the administrative error in the processing of the draft Dubbo LEP 2011 that lead to the flour mill not being recognised in the gazetted LEP should be corrected.

I apologise in the delay in writing to council till now. Ben Furney Flour Mills had a number of pressing operational issues that have only now been resolved.

It is understood that council commenced an administrative review of the Dubbo LEP 2011 in late 2012 and that a report will soon be prepared to Council's Strategic Land Use Working Party to formally commence the planning proposal process.

This letter is a formal request to council to rezone the flour mill land from *B6 Enterprise Corridor* to *IN2 Light Industrial* as part of Council's planning proposal to give effect to an administrative review of Dubbo LEP 2011. This outcome will reinstate formal planning recognition of the mill that is one of Dubbo's largest employers and wealth generators and has been operating from the land for more than 100 years.

1. BACKGROUND

In adopting the draft Dubbo LEP in March 2011, Council retained the B6 Enterprise Corridor zone to apply to the mill land (Lots A and B DP 162733, Lot 100 DP 808182, Lot A DP 162468 and SP 19646 – the **'site'** – refer **Figure 1**) and changed the exhibited B6 zone applying to lands adjoining the site to B3 Commercial Core zone (refer **Figure 2**). The adopted LEP also included a clause in Schedule 1 specifically referring to the mill as a permissible use on the site additional to that listed under the B6 zone. Reference Schedule 1 was to provide specific reference and protection to a form of *rural industry* on the site that is prohibited by the B6 zone.

Council adopted the B3 for lands adjoining the mill as council considered that this was the appropriate location to accommodate the future expansion of the Dubbo city centre northward over the rail corridor.

Upon gazettal of the LEP (11th November 2011), the Department advised council on the 9th November 2011 that reference to the mill land in Schedule 1 had been deleted as "*there is sufficient scope under existing use, heritage provisions and development consents to facilitate existing development*".

In general terms, having a specific use listed in Schedule 1 would have stronger weight for consideration of development applications by a consent authority than being listed as a permissible **use under the land use zone table. Therefore, the Department's deletion of what Council had** adopted is serious and leaves the mill exposed over time to land use changes around the site. These changes may curtail operations, place pressure to relocate, create uncertainty on **council's** legal ability to consider and determine future mill related DAs on the site when flour mills – as a *rural industry* are expressly prohibited in the B6 zone under the LEP 2011.

Figure 1. The Site, Ben Furney Flour Mill land – Brisbane Street Dubbo.

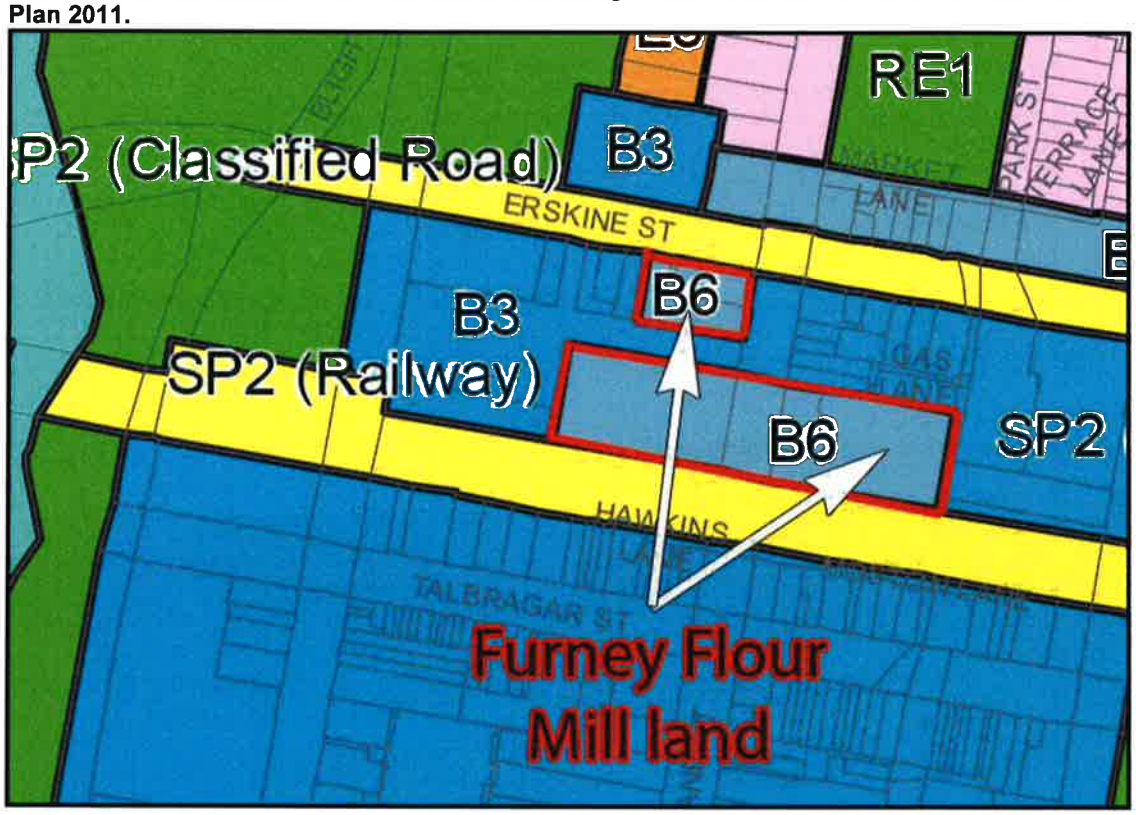
2. SUGGESTED PLANNING SCHEME

a) **Flour mill as a land use – would come under the umbrella term of "*rural industries*"** as **defined under the Dubbo LEP 2011. But "*rural industries*" are only permitted under rural zones** and specifically prohibited under the B6 Enterprise Corridor zone.

Under the umbrella term "*rural industries*" **lies** "*agricultural produce industry*". The LEP dictionary defines ***"agricultural produce industry"*** as follows:

> *a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.*

Figure 2 Current zoning of the site and surrounding lands under Dubbo Local Environmental Plan 2011.



b) **Most appropriate zone** - The only zone that expressly permits with consent an "*agricultural produce industry*" is the IN2 Light Industry Zone. Under the Dubbo LEP 2011, the *Zone IN2 Light Industrial* land use table is as follows:

1 Objectives of zone

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*
- *To recognise the Depot Road and McKenzie Street industrial area as providing start up and transport related development opportunities.*

2 Permitted without consent

Environmental protection works; Roads

3 Permitted with consent

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

4 Prohibited

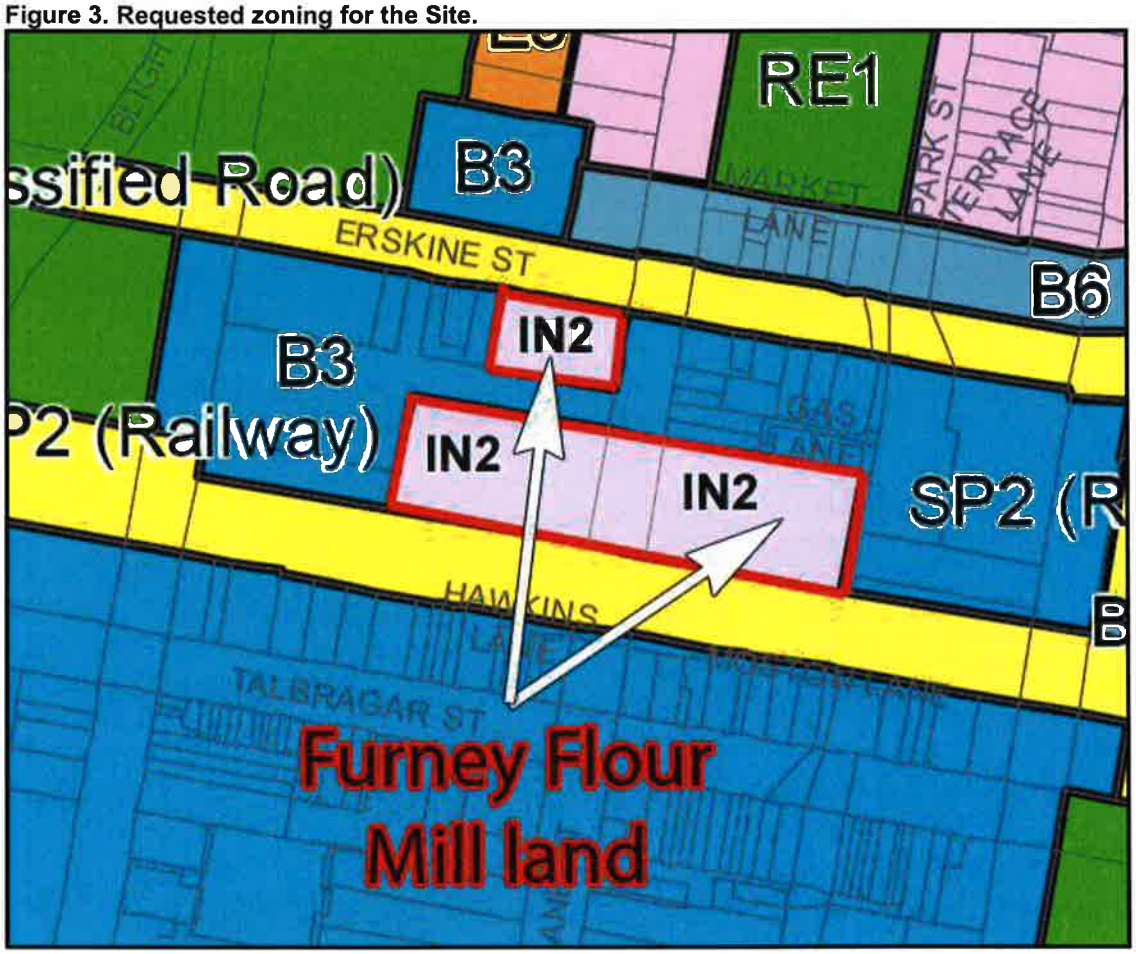
Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care

centres; Commercial premises; Correctional centres; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Flood mitigation works; Forestry; Function centres; Health services facilities; Heavy industrial storage premises; Helipads; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

The zone is an open zone as sub item 3 states that any development not specifically mentioned in 2 or 4 is permissible. This provides much flexibility and diversity of land uses now and in the future for the site.

c) **Area to be zoned** – refer to **Figure 3**.

Figure 3. Requested zoning for the Site.



d) **Relationship to adjoining lands** - the relationship of this proposed zone to land adjacent to the mill is as follows:

- To the south – bordered by the rail line corridor and physically separated from the town centre. Most development backs onto the rail line corridor – no land use conflicts apparent and appropriate development layout;

- To the north along Erskine St – B6 zoned land containing office works, electrical and automotive equipment retailing – compatible land uses;
- To the west is the rear of Mitre 10 Home and Trade hardware supplies – a big box retailer facing onto Macquarie Street – a compatible land use.
- To the east – buildings facing Darling Street include a bakery, PCYC and car parks – compatible land uses

Furthermore, the mill is mostly located at the rear of adjoining properties and therefore the potential for land use conflicts is lessened.

More importantly, the mill has been on the site for over 100 years with development activity locating and changing around the mill. The rezoning request is administrative in intent and outcome with no changes to current operations or approvals. Hence there will be no changes or impacts upon surrounding lands.

3. INFORMATION REQUIREMENTS

This rezoning request is to correct an administrative error. In accordance with the discussion at the March 2012 meeting, it is considered that the information provided in this submission is sufficient for council's consideration and inclusion of the site into a planning proposal as part of its administrative review of the LEP 2011.

I trust that Council will consider this rezoning request favourably and ensure that the Ben Furney Flour Mill is appropriately and adequately recognised in an amended Dubbo LEP 2011.

Should you have any further questions please do not hesitate to contact me on 4948 4322 or 0414 978 608.

Trevor Allen
Senior Urban Planner
JW Planning Pty Ltd
Mob: 0414 978 608

GEOLYSE

Our Ref: 104135_LEO_037.docx

10 November 2010

The General Manager
Dubbo City Council
PO Box 81
DUBBO NSW 2830

Attention: Melissa Watkins, Director of Environmental Services

Dear Melissa

SUBMISSION WITH REGARD TO DRAFT DUBBO LEP 2010 – LOT 2 DP 546509, LOTS 2451& 2452DP 1049405, LOT 270 & 278 DP 754308, LOT 2671 DP 852445, LOTS 1 & 2 DP 358031 YARRANDALE ROAD DUBBO

Geolyse Pty Ltd has been engaged by Fletchers International Exports Pty Ltd, the owner of the above described land to prepare a submission in regard to the draft Dubbo Local Environmental Plan 2010 (the draft LEP) currently on exhibition.

The land the subject of this submission is known as Lot 2 in DP 546509, Lots 2451 & 2452 in DP 1049405, Lots 270 & 278 in DP 754308, Lot 2671 in DP 852445 and Lots 1 & 2 in DP 358031 (see sketch attached with lot and property boundaries defined) located on the eastern side of Yarrandale Road between Purvis Lane and Boothenba road. The land is occupied as follows;

- Lot 2671 in DP 852445, Lots 1 & 2 in DP 358031, and part Lot 2452 in DP 1049405 are partly occupied by the Fletcher International Grain Handling Facility and Inter Model Rail Freight Terminal. These lots are currently zoned Urban Expansion (1e) and are proposed to be zoned Heavy Industrial (IN3) under the draft LEP. This land is also identified as an Urban Release Area under the draft LEP;
- Part Lots 2451 and 2452 in DP 1049405 are used for a combination of irrigated cropping and dryland agricultural activities and are currently zoned General Industrial (4b) and Utilities (5b). They are proposed to be zoned Heavy Industrial (IN3) and Rural Landscape (RU2) under the draft LEP;
- Lots 270 & 278 in DP 754308 are used for a combination of irrigated cropping and dryland agricultural activities and are zoned Urban/ Rural Buffer (1b). They are proposed to be zoned Rural Landscape (RU2) under the draft LEP; and
- Lot 2 in DP 546509 is vacant and used for dryland agricultural purposes. It is currently zoned General Industrial (4b), Light Industrial (4a) and Urban Expansion (1e) and is proposed to be zoned Heavy Industrial (IN3), Light Industrial (IN2) and Environmental Management (E3) under the draft LEP.

ABN 73 492 152 535
POSTAL ADDRESS PO Box 1842, Dubbo NSW 2830
LOCATION 1st Floor, 62 Wingewarra Street, Dubbo NSW 2830
TELEPHONE 02 6884 1525 FACSIMILE 02 6884 1470 EMAIL DUBBO@GEOLYSE.COM WEBSITE WWW.GEOLYSE.COM

GEOLYSE

The purpose of this submission is to remove the proposed Urban Release Area classification from the land and to seek amendments to the proposed zoning of the property.

1. Draft LEP Part 6 – Urban Release Areas

Those parts of Lot 2671 in DP 852445, Lots 1 and 2 in DP 358031 and Lot 2452 in DP 1049405 located to the north of the Dunedoo railway line have been classified as an Urban Release Area under the draft Dubbo LEP 2010.

It is our understanding that the purpose of the Urban Release Area provisions is to ensure that urban land is not developed without the provision for or planning for infrastructure in these areas. Our client requests that this classification be removed from the land for the following reasons:

- The subject land has been developed for the purposes of an inter-modal rail freight terminal with appropriate infrastructure and services extended to the site, including a 1.2 kilometre rail siding, road access and hardstand areas, significant power supply and associated services. With the exception of the Yarrandale intersection, all costs incurred in the development of the land have been at full cost to our client.
- It is noted that Part 6 of the draft LEP only applies to land that is developed intensively for urban purposes. The future expansion of existing or similar uses on the property would be in a manner and intensity consistent with the current uses, with issues of access and servicing being addressed on the merits of those developments at the relevant time.

2. Heavy Industry Zone (IN3) – East of Yarrandale Road

The draft LEP proposes to replace those areas north of the railway and east of Yarandale Road (being Lots 2451 and 2452 in DP 1049405 and Lot 2 in DP 546509) currently zoned 4(a) light industrial and 4(b) general industrial with IN2 light industrial and IN3 general industrial zones respectively.

It is the opinion of our client that the IN3 zone should be extended further to the east to coincide with the existing transmission line and easement running through Lots 2451 and 2452, adopting this physical feature as the zone boundary between the industrial zoned land and the rural land further to the east.

Our client also request's that the IN3 zone extends further to the east along Purvis Lane on Lot 2 in DP 546509, up to the proposed E3 Environmental Management Zone, removing the proposed IN2 zone from this land altogether.

The extension of the IN3 zone as described would still provide a significant buffer to the small acre properties along Mayfield Road and further to the south in Purvis Lane.

The justification for this is provided as follows:

- The majority of land that is vegetated or has steeper gradients not suited to industrial development would be located within the proposed E3 zone and this would provide further natural protection;
- All the land is held in a single ownership and is relatively unencumbered other than the current agricultural activities.
- The extension of the IN3 zone as requested would promote planning for future development to a physical feature boundary rather than restricting development to a strip adjacent to Yarrandale Road;

GEOLYSE

- The extension of the proposed IN2 zone into Lot 2 as depicted on the draft LEP (rather than IN3 as requested) would not serve a significant or obviously better purpose. Development for uses in either of these zones would require a buffer from the nearest residential land uses and sufficient land for buffer purposes has been set aside.

3. Heavy Industry Zone (IN3) – North of Boothenba Road

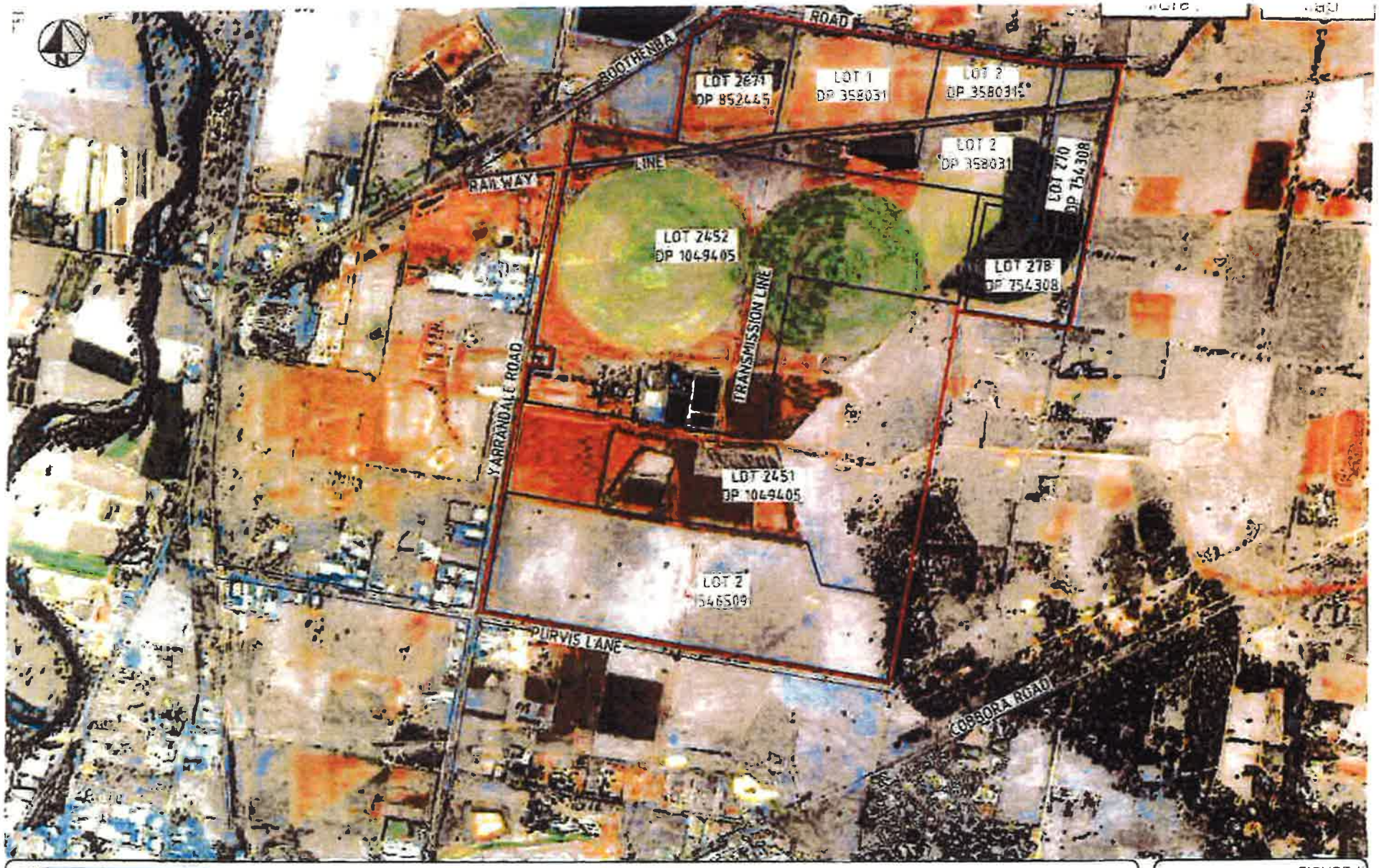
The draft LEP identifies that the IN3 zone north of Boothenba Road ends at Lot 2 DP 358031. Our client requests that the IN3 zone be extended further to the east to incorporate all of his property. This would involve moving the zone boundary to the east for one allotment and is not considered to pose any significant issues. The realignment of the zone boundary to the east would merely mean that the property can function as one and contain the same land use.

There are no built or environmental constraints to this proposal.

We trust that the information provided in this submission is satisfactory and would assist Council in its finalisation of the draft LEP, however should you require any additional information, please do not hesitate to contact our Dubbo office.

Yours faithfully
Geolyse Pty Ltd

GARY BRUCE
Town Planner



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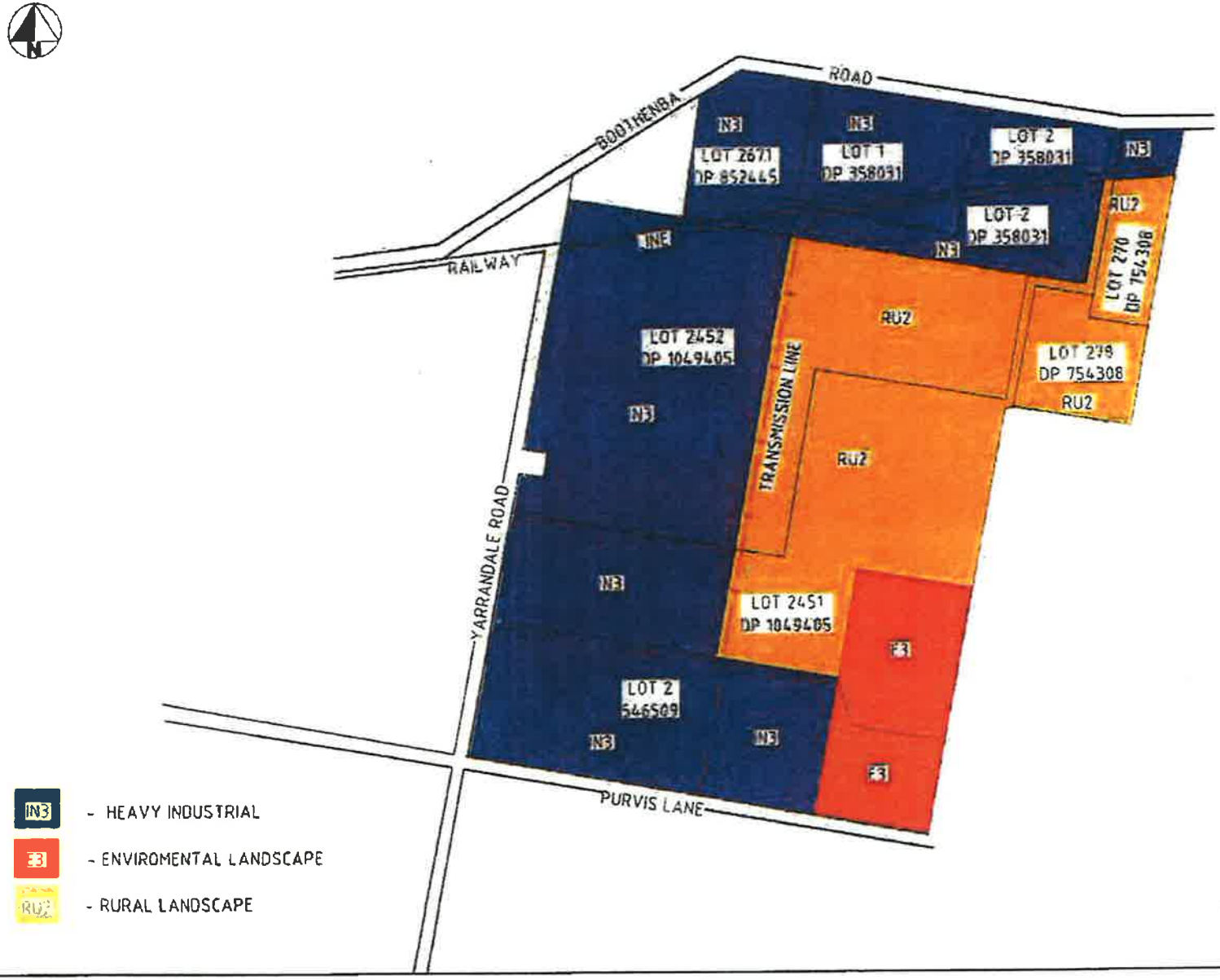
SCALE 1:3000(A3)

SCALE 1:1500(A3)

FIGURE 1
104135
LEP SUBMISSION FOR FLETCHERS INTERNATIONAL EXPORTS



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SCALE 1:6000(A3)

FIGURE 2
104193
LEP SUBMISSION FOR FLETCHERS INTERNATIONAL EXPORTS

Dubbo Office
ABN 43 088 342 425

Unit 1/26 Darling Street
DUBBO NSW 2830

t 1300 138 657
f 02 6884 5857

e admin@barnson.com.au
w www.barnson.com.au

Office Locations - Dubbo - Mudgee - Bathurst - Parkes

barnson

Our Reference: 18604-P04.docx

Wednesday, 21 August 2013

General Manager
Dubbo City Council
Attn: Steve Jennings/Tony Aikins
Church Street
DUBBO NSW 2830

Dear Sir,

Re: Rezoning Proposal – Lot 111 DP 585079

Further to my correspondence dated 15 February 2013 (refer attached) and our recent meeting with Dubbo City Council strategic planning staff we wish to request that Lot 111 DP 585079 in North Street, West Dubbo be considered for rezoning in the upcoming review from R1 General Residential Zone to B6 Enterprise Corridor Zone.

The subject land has for some time (predating several LEP changes) formed part of the Western Plains Automotive (WPA) operation. It contains a shed and parking areas pending sales and servicing of motor vehicles.

WPA is a *'vehicle sales or hire premises'* which is permitted in a B6 Enterprise Corridor zone pursuant to the Dubbo Local Environmental Plan (Plan) 2011. The general objectives of the Plan also support the proposed rezoning of the subject land to match the zoning enjoyed by adjoining lots occupied by WPA, in that, the current operation involves:

- A business along a main road which encourages a mix of compatible uses;
- Provides a range of employment uses (including sales and servicing);
- Maintains orderly economic strength of commercial activity; and
- Facilitates a mix of business and retail development on the Mitchell, Newell and Golden Highways that services the needs of the travelling public.

Based on the site history and complementary zoning attributes Council is encouraged to support the rezoning submission and take the necessary steps to amend the Dubbo Local Environmental Plan 2011 to more appropriately reflect the ongoing use of the site.

If you have any further enquires regarding this matter, please contact the undersigned.

Yours faithfully

BARNSON PTY LTD

Jim Sarantzouklis MPIA CPP
DIRECTOR

Dubbo City Council
MCSS
23 AUG 2013
11/63

Dubbo Office

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Our Reference: 18604-P02

Friday, 15 February 2013

General Manager
Dubbo City Council
Attn: Steve Jennings
Church Street
DUBBO NSW 2830

Dear Sir,

Re: Subdivision Application

Please find enclosed for your assessment and determination information in support of an application to subdivide the rear portion of Lots 3 & 4 DP 216272 and consolidate this area into Lot 1 DP 262901, Victoria Street, Dubbo.

We also recommend that the details be forwarded to Council's strategic planning department to consider rezoning the proposed newly created area and 10 North Street from R1 General Residential Zone to B6 Enterprise Corridor Zone to coincide with the Western Plains Automotive land use activity.

If you have any further enquires regarding this matter, please contact the undersigned.

Yours faithfully

BARNSON PTY LTD

Jim Sarantzouklis MPIA CPP
DIRECTOR

NATA

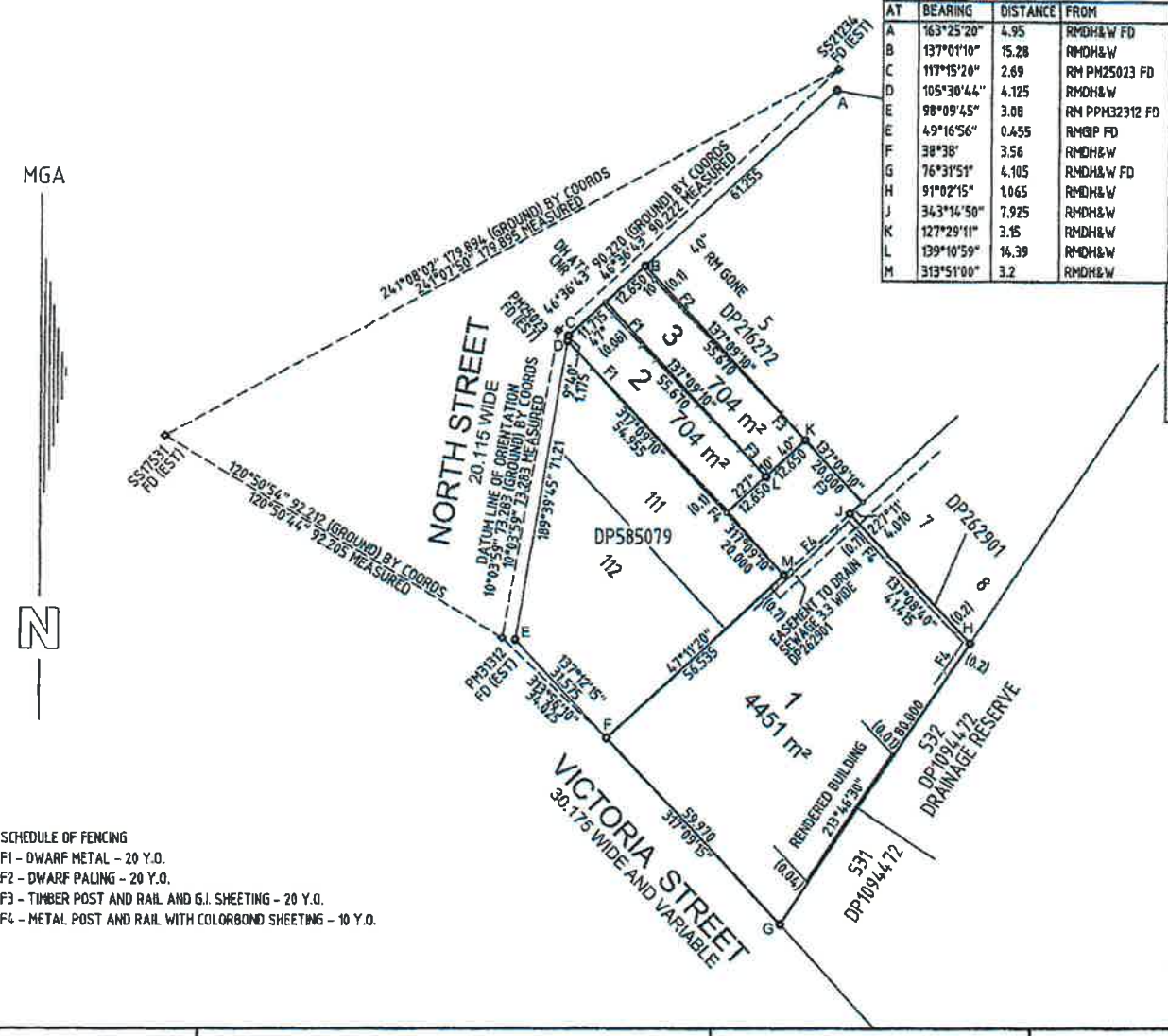
PLAN FORM 1 (A3)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 1 sheets

SCHEDULE OF REFERENCE MARKS				
AT	BEARING	DISTANCE	FROM	REMARKS
A	163°25'20"	4.95	RMDH&W FD	DP262901
B	137°01'10"	15.28	RMDH&W	CNR NOT MARKED - FOOTING
C	117°15'20"	2.69	RM PM25023 FD	DP262901 - DRILL HOLE AND WINGS IN CONC.DRIVE
D	105°30'44"	4.125	RMDH&W	NOT MARKED - FOOTING, RMGIP GONE
E	98°09'45"	3.08	RM PPM32312 FD	DP262901
E	49°16'56"	0.455	RMGIP FD	DP262901
F	38°38'	3.56	RMDH&W	BOTH RMs GONE
G	76°31'51"	4.105	RMDH&W FD	DP1094472 - CNR NOT MARKED - PAVING
H	91°02'15"	1.065	RMDH&W	CNR NOT MARKED - INACCESSABLE
J	343°14'50"	7.925	RMDH&W	CNR NOT MARKED - INACCESSABLE
K	127°29'11"	3.15	RMDH&W	CNR NOT MARKED - INACCESSABLE. PEG SET 120 FROM CNR ON LINE K-L
L	139°10'59"	14.39	RMDH&W	CNR NOT MARKED - INACCESSABLE. PEG SET 120 FROM CNR ON LINE L-K
M	313°51'00"	3.2	RMDH&W	CNR NOT MARKED - INACCESSABLE

SCHEDULE OF MGA COORDINATES					
VIA S.C.I.M.S. 22/4/13 - POINT SCALE FACTOR 0.999830					
MARK	EASTING	NORTHING	Zone	Class	Order
SS 17531	649,623.053	6,431,431.258	55	B	2
PM 25023	649,715.013	6,431,456.126	55	B	2
PM 31312	649,702.206	6,431,383.983	55	B	2
SS 21234	649,780.568	6,431,518.089	55	B	2



SCHEDULE OF FENCING
F1 - DWARF METAL - 20 Y.O.
F2 - DWARF PALING - 20 Y.O.
F3 - TIMBER POST AND RAIL AND G.I. SHEETING - 20 Y.O.
F4 - METAL POST AND RAIL WITH COLORBOND SHEETING - 10 Y.O.

Surveyor: Gregory David Monk Date of Survey: 23rd APRIL 2013 Surveyor's Ref: 18604_L03	PLAN OF SUBDIVISION OF LOTS 3 AND 4 DP216272 AND LOT 1 DP262901	LGA: DUBBO Locality: DUBBO Subdivision No: Lengths are in metres. Reduction Ratio1: 1000		DP

10 20 30 40 50 60 Table of mm 80 100 110 120 130 140