

# MEMO

## COUNCIL ASSESSMENT REPORT

Panel Reference	PPSWES-90
DA Number	D21-319
LGA	Dubbo Regional Council
Proposed Development	Emergency Services Facility (Police Training Facility)
Street Address	Lot 2 DP 1267927, 1 Judy Jakins Drive DUBBO
Applicant/Owner	Applicant: NSW Police Property Group Owner: Dubbo Regional Council
Date of DA lodgement	3 June 2021
Total number of Submissions	0
Recommendation	Approval – subject to conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)	<b>4 Crown development over \$5 million</b> Development carried out by or on behalf of the Crown (within the meaning of Division 4.6 of the Act) that has a capital investment value of more than \$5 million. The proposed development has a capital investment value of \$27,773,529.00
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> <li>State Environmental Planning Policy 55 – Remediation of Land</li> <li>State Environmental Planning Policy 64 – Advertising and Signage</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>Dubbo Local Environmental Plan 2011</li> <li>Dubbo Development Control Plan 2013</li> </ul>
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> <li>Proposed Site Analysis Plan, 04/08/21, Revision B</li> <li>Ground Floor Plan, 04/08/21, Revision B</li> <li>Level Floor Plan, 04/08/21, Revision B</li> <li>Site Elevations, 04/08/21, Revision B</li> <li>Landscape Plan, 22/9/21, Revision D</li> <li>Erosion and Sediment Control Plan, 07/05/21, Revision A</li> <li>Hydraulic Services Site Plan, 14/07/2021, Revision P2</li> <li>Statement of Environmental Effects, Urbis, dated 18/05/2021</li> <li>Detailed Site Investigation (Contamination), Douglas Partners, March 2021</li> <li>Existing Stockpile Investigation, Douglas Partners, 3 March 2021</li> <li>Traffic Impact and Parking Assessment, JN Responsive Engineering, 05/05/2021</li> <li>BCA Assessment Report, Steve Watson and Partners, 07/05/2021</li> <li>Waste Management Plan, 10/05/2021</li> </ul>
Clause 4.6 requests	Not applicable
Report prepared by	Shaun Reynolds
Report date	13 September 2021

### Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? Yes

### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? Yes

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? Not applicable

### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? Not applicable

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

### Conditions

Have draft conditions been provided to the applicant for comment? Yes

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's*

## EXECUTIVE SUMMARY

### *Description of Proposal*

Council is in receipt of a Development Application for an emergency services facility (police training facility) at Lot 2 DP 1267927, No. 1 Judy Jakins Drive Dubbo.

The proposed development will involve the construction of a multi-purpose facility, primarily to provide training for police officers. Specialist training would be provided for up to 1,200 police officers per annum. Specific features of the development include:

- Construction of a multi-purpose facility comprising:
  - Office and 'agile learning centre' – 689m<sup>2</sup>;
  - Internal firing range – 1,850m<sup>2</sup>; and
  - Two (2) storey 'active arm offender facility' – 2,200m<sup>2</sup>.
- Outdoor training areas;
- Off-street car parking facilities (36 spaces) with two (2) vehicular access points from Walters Way; and
- Landscaping and ancillary services throughout.

The Application has a Capital Investment Value of over \$5 million (\$27.8 million) and is both Crown Development, and located on Council owned land. Consequently, the development is considered to be regionally significant pursuant to Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011. The Western Regional Planning Panel is therefore the determining authority for this Application.

## SITE CHARACTERISTICS

### *Locality*

The allotment is located on the south-western corner of Judy Jakins Drive and Walters Way, within the Dubbo Regional Airport precinct. The allotment has an area of 1.13 hectares with a frontage of 84 metres to Judy Jakins Drive, and 136 metres to Walters Way. For a locality map of the site see **Figure 1**.

### *Slope*

The general slope of the land is slight north-west.

### *Vegetation*

The site has been previously cleared of native vegetation.

### *Access*

Access to the site is obtained via Judy Jakins Drive and Walters Way, which are internal private roads within the Dubbo Regional Airport precinct. Access to Judy Jakins Drive is obtained via Cooreena Road to the north-west of the development area (see **Figure 1**).



**Figure 1:** Aerial view of 1 Judy Jakins Drive and locality

#### *Drainage*

While the site comprises some stormwater infrastructure, stormwater on the site generally conforms to the natural contours of the land. A drainage swale borders the western side of the development area.

#### *Services*

The site was connected to all utility services as part of the subdivision of the land (SC17-667).

#### *Adjoining uses*

North:	Airport precinct
South:	Rural Fire Service training facility (Development Consent D17-667)
East:	Airport precinct (private hangars)
West:	Rural residential.

#### *Site Inspection*

An inspection of the site was conducted on 22 June 2021, a number of photographs are included on file.

## **SITE HISTORY**

The allotment (Lot 2 DP 1267927) was created through subdivision on 18 December 2020. The subdivision was approved as part of the Development Consent for the Rural Fire Service training facility, approved by WRPP on 14 August 2018 (D17-667). This is the first Development Application pertaining to the land since its registration.

There are no issues from previous development approvals, which require further consideration.

## **RECOMMENDATION**

The proposed development is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality.

The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plan 2013 and Council policies and is therefore recommended for approval subject to the conditions of consent attached.

**Appendix 1** to this report contains the proposed conditions of consent.

### **Recommendation:**

- 1) That having regard to the assessment of the application, DA2021-319 (WRPP Ref PPSWES-90) be granted development consent subject to the conditions set out in Appendix 1 to this report.**

## **ASSESSMENT REPORT**

### **Environmental Planning and Assessment Act 1979**

The Applicant is the NSW Police Property Group. The NSW Police Property Group is a State Government agency and its Commissioner and staff are employed in the service of the Crown. Consequently, such officers represent the Crown. The proposed development is to be undertaken by the Crown which as a consequence, invokes the provisions under Section 4.33(1) of the Environmental Planning & Assessment Act 1979 that prevent Council from imposing conditions on the Development Consent except with the Applicant's or Minister's approval.

The Applicant has provided concurrence to the draft conditions of consent, with exception to deferred commencement condition A and operational condition 17. Both conditions concern contamination. It is anticipated such matters will be discussed at the Panel meeting.

Further, pursuant to Sections 6.28 and 6.7(2)(b) the Crown is not required to obtain a Construction Certificate for any proposed building works, but only have the development certified by it or on its behalf, as complying with the technical provisions of the State's building laws. The technical provisions of the State's Building Laws are the Building Code of Australia (BCA). The responsibility for ensuring that compliance is achieved with the BCA solely rests with the Crown – Council has no statutory role in this regard.

As identified above, the Crown is exempt from having to obtain a Construction Certificate for the proposed building works. Consequently, the classification of the building will be required to be stipulated on the Development Application's determination notice pursuant to clause 100(1)(g) of the EP&A Regulation 2000. This classification is reproduced in the summary to this report, and will be on the Development Consent.

### **PLANNING ASSESSMENT Section 4.15(1)**

As required by the Environmental Planning & Assessment Act, 1979, Section 4.15(1), the following relevant matters are addressed below:

- environmental planning instruments (State Environmental Planning Policies (SEPPs) and Local Environmental Plans (LEPs);
- draft environmental planning instruments;
- development control plans;
- planning agreements;
- regulations;
- environmental (natural and built), social and economic impacts;
- suitability of the site;
- submissions; and

- public interest.

(a)(i) *Environmental Planning instruments*

SEPP 55 – Remediation of Land

The property is listed on Council’s Potentially Contaminated Lands Register as being potentially contaminated through the undertaking of chemical storage, and air transport operations.

The Applicant has provided two (2) reports in relation to contamination – a Detailed Site Investigation (dated March 2021), and a Stockpile Evaluation (dated March 2021). The latter report specifically focussed on stockpiled material on the site and their suitability to remain on site.

The Site Investigation considered contamination at and below the site, undertaking a number of soil samples. The Investigation subsequently drew the following conclusions:

*“Given the results of this DSI, it is considered that the site can be made suitable for the proposed commercial / industrial development subject to implementation of the following recommendations:*

- **Stockpiles** – Previous assessment of the stockpiles by Envirowest classified the soils as ENM under the ENM Order 2014. However, DP has identified inconsistencies and data gaps in the investigations and as such do not agree with the ENM classification on the basis of the Envirowest data alone. Additional investigations are recommended to supplement the Envirowest data to confirm or otherwise the ENM classification for some of the stockpiles. Stockpiles containing asbestos or otherwise not suitable for an ENM classification will require removal from the site under an assigned waste classification to EPA (2014);
- **Further Investigation** – The footprints of the existing stockpiles were not accessible for investigation under this DSI. As such, once the stockpiles are removed (or if possible during the investigation into the stockpiles) the footprints require further soil sampling and testing (fill and surface soils) to confirm consistency or otherwise with the findings reported herein. In addition, the PFOS ecological exceedances in TP2 and TP8 are to be delineated and managed to minimise ecological impacts;
- **Management of Contamination** – The shallow soils in TP2 and TP8, once delineated, can be managed by relocating the soils beneath proposed paved surfaces (within the upper 1 m soil profile). Should the proposed additional testing outlined above identify other remediation / soil management requirements it is recommended that a remediation action plan (RAP) be prepared to instruct such procedures and validation protocols;
- **Unexpected Finds Protocol** – An unexpected finds protocol should be prepared and implemented during site works to address any potentially impacted fill or other soils (e.g., asbestos contamination) not identified through this DSI or subsequent investigations recommended above; and

- **Groundwater** – *Given the potential for groundwater contamination resulting from possible off-site sources (e.g., airport and fire brigade training facility) extraction of groundwater from the site must not be permitted, unless a groundwater investigation is conducted and shows it is suitable for the intended use.*

The subsequent stockpile evaluation was focussed on excavated material placed on the site as part of a surface stormwater drain (culvert) recently constructed to the south-west of the development site. Soil samples were undertaken and analysed for a number of heavy metals and other contaminants. This report drew the following conclusions:

*“Based on the inconsistencies and data gaps identified in the Envirowest reports, it is considered that the stockpiles within the site cannot be stated to comply with the ENM Order on the basis of the data and justifications presented in the Envirowest reports.*

*Furthermore, the identification of a fragment of asbestos containing material (ACM) and other anthropogenics in a location 3 and 4 of the DP stockpile sampling locations, casts further doubt on the ENM classification.*

*It is noted that under the current waste legislation in NSW, soils exported from a site are deemed waste, and cannot be relocated to an unlicensed site unless they meet specific exceptions of the waste regulations (e.g., virgin excavated natural material (VENM), and general recourse recovery orders). As such, in our opinion, the stockpiles on site have not been demonstrated to comply with a VENM classification or a resource recovery order (e.g., ENM Order) and therefore cannot be legally used within the site. Notwithstanding, given the analytical data presented in Envirowest (2018), it is considered likely that most of the stockpiles will comply with the ENM Order, however compliance must be demonstrated through appropriate additional sampling, testing and reporting. Stockpiles containing asbestos are not considered suitable for re-use within the site.”*

Noting this, as well as the previous approval for demolition of buildings on the land, Council’s Environmental Compliance Branch provided the following comments:

*“The applicant provides 2 investigations in regards to contamination. The stockpiles on site originated off site and it is not known where they originated. The report states that some asbestos containing material was found in 2 locations of the stockpiles but was unable to test the ground underneath the stockpiles and recommends that further testing be conducted when the stockpiles are removed. The report further states that:*

*“Based on the inconsistencies and data gaps identified in the Envirowest reports, it is considered that the stockpiles within the site cannot be stated to comply with the ENM Order on the basis of the data and justifications presented in the Envirowest reports.*

*Further testing will be required. Standard condition recommended.”*

The comments provided above are noted. A deferred commencement condition will be imposed requiring testing of the site once stockpiles have been removed. Following clearance of the site, a Site Audit Statement is to be produced providing clearance that the land is suitable for the proposed use. Council can then issue an operational consent.

#### SEPP (Infrastructure) 2007

##### *Development adjacent to electricity transmission*

The application was referred to Essential Energy in accordance with Clause 45 for which they responded in correspondence dated 2 July 2021, raising no objection to the proposed development. The requirements specified by Essential Energy will be included on the development consent as notations, as Council is unable to enforce such requirements.

##### *Emergency service facilities*

Pursuant to Clause 47, development for the purpose of an emergency service facility may be carried out with consent in a prescribed zone by or on behalf of any emergency service organisation. In this regard, it is noted the SP2 zone is a prescribed zone (refer clause 46), and the NSW Police Force is an emergency service organisation.

There are no other considerations under the SEPP for this type of development.

#### SEPP 64 – Advertising and Signage

Building or business identification signage is not proposed. An appropriate condition will be included on the consent that a separate Development Application will be required to be lodged with Council for any signage, unless such signage could be undertaken as exempt development.

#### SEPP (State and Regional Development) 2011

Schedule 7 identifies development that is considered regionally significant. The development proposal meets the criteria as it has a capital investment value of over \$5 million and is both on land owned by Council (clause 3(a)), and is crown development (clause 4). Consequently the determining authority is the Western Regional Planning Panel.

Note: While a number of other SEPPs apply to the land, none are specifically applicable to this development.

#### Dubbo Local Environmental Plan 2011

The following clauses of Dubbo Local Environmental Plan (LEP) 2011 have been assessed as being relevant and matters for consideration in assessment of the Development Application.



#### *Clause 1.2      Aims of Plan*

The proposed development is not contrary to the relevant aims of the Plan.

#### *Clause 1.4      Definitions*

The proposed development is defined under the Dubbo Local Environmental Plan 2011 as an *emergency service facility*, which is defined as:

*“a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.”*

The definition of an *emergency service organisation* includes the NSW Police Force.

The development is for a training facility for the NSW Police Force.

#### *Clause 1.9A      Suspension of covenants, agreements and instruments*

With the exception of an easement for a multi-purpose electrical installation in the south-eastern corner of the allotment, there are no covenants or restrictions pertaining to the land. Development plans demonstrate no development within this restricted area.

#### *Clause 2.2      Zoning of land to which Plan applies*

The land is zoned SP2 Infrastructure (Air Transport and Emergency Service Facilities).

#### *Clause 2.3      Zone objectives and Land Use Table*

The proposed development complies with the relevant objectives of the SP2 zone. The proposed development for an *emergency service facility* is permitted with development consent in the SP2 zone pursuant to SEPP (Infrastructure) 2007 and the Dubbo LEP 2011.

#### *Clause 5.10      Heritage Conservation*

The property is listed in Schedule 5 of the LEP as containing a heritage item, namely the Dubbo City Regional Airport (Item # I80). The site was established during World War II, at a similar time to the RAAF Stores Depot in town and allowed freight to be flown in and out of the depot. There was significant public voluntary involvement to help establish the airstrip to cater for larger military aircraft. There are no physical buildings/structures/objects on the site which contribute to its listing or have a higher level of significance.

The heritage significance is social and historical, rather than physical. Consequently, it is considered the development will not adversely impact on the heritage significance of the site.

#### *Clause 5.14      Siding Spring Observatory – maintaining dark sky*

The proposed development has been assessed as unlikely to adversely affect observing conditions at the Siding Spring Observatory, having regard to subclauses:

- 2(a) - the amount of light to be emitted;
- 2(b) - the cumulative impact of the light emissions with regard to the critical level;
- 2(c) - outside light fittings (shielded light fittings);
- 2(d) - measures taken to minimise dust associated with the development; and
- 2(e) - the Dark Sky Planning Guidelines published by the Secretary under clause 92 of the EP&A Regulation 2000.

Additionally, as per subclause (7) the proposed development is not considered likely to result in the emission of light of 1,000,000 lumens or more. An appropriate condition will be included on the consent that any external lighting associated with the development be shielded and pointed downwards to not emit light into the night sky or adjoining property.

#### *Clause 7.3      Earthworks*

The proposed development will require earthworks to be undertaken upon the site. Erosion and sediment control measures are required before any earthworks commence in which a condition to this effect will be placed on the consent.

#### *Clause 7.5      Groundwater vulnerability*

The land is included on the Natural Resource – Groundwater Vulnerability Map with high groundwater vulnerability. The proposed development is not likely to cause groundwater contamination nor will it likely have an effect on any groundwater dependent ecosystems, noting the site will be predominantly hardstand ensuring infiltration to the groundwater will be minimised at this site. It is also considered not likely to have a cumulative impact on groundwater.

#### *Clause 7.7      Airspace operations*

The subject site is located within the Obstacle Limitation Surface Map at height 325mAH (1998 OLS level). The site for the proposed development has a surface level of 277.5mAH and with the development having a height of 10.67m that equates to an overall height of 288.17mAH, 36.83m below the surface map.

Given the development and its proximity to the runway, windshear needs to be considered. Reference is therefore made to the CASA Guidelines *National Airports Safeguarding Framework – Managing the Risk of Building Generated Windshear and Turbulence at Airports*. This document provides methods of assessing turbulence and windshear associated with a development within close proximity to the runway. Clause 52 of this document provides an

assessment method to calculate impact and whether further assessment is required noting the proposed development is within the trigger area.

*“The distance from the runway centreline to the closest point of the building should be more than 35 times the height (above the runway level) of the building. Thus, a building with a height of 10 metres would be acceptable if it is located more than 350 metres perpendicular from the runway centreline... The 1:35 surface can be applied to rule out buildings that will clearly not pose a risk.”*

In this instance nearest building has a perpendicular distance to the centreline of the runway of 724 metres. The building has a maximum height of 10.67 metres. At a 1:35 ratio this is 373.45 metres. Therefore the building is well outside the threshold for windshear consideration.

As discussed previously in this report, a condition will be included on the consent regarding the shielding of lighting to minimise light spill to the night sky, which will minimise impacts on airport operations.

A condition will also be included regarding highly reflective wall and roofing colours, materials and glazing to not be used to minimise impacts on airport operations.

#### *Clause 7.8          Development in areas subject to aircraft noise*

The development is located within airport land, however outside the mapped Australian Noise Exposure Forecast (ANEF) areas (refer Dubbo DCP 2013). Noting the nature of the site with no sensitive land use components such as residential accommodation, it is considered the airport operations would not have an adverse impact on the development through noise impacts. No further considerations are required with regards to building upgrades to comply with Australian Standard 2021-2015 – *Acoustics-aircraft noise intrusion-building siting and construction*.

#### *(a)(ii) Draft Environmental Planning instruments*

Council has recently exhibited the Draft Dubbo Regional Local Environmental Plan 2021. This Instrument is a merger of the Dubbo Local Environmental Plan 2011 and the Wellington Local Environmental Plan 2012. The draft Instrument is a merger of the two (2) existing Instruments, with no rezonings proposed. As a consequence of this merger, some land uses may become permissible or prohibited in a particular zone, noting current inconsistencies between these Instruments. None of these amendments specifically relate to the subject site. As such, the proposed amendments do not have any material impact upon the proposed development.

*(a)(iii) Development control plans*

Dubbo Development Control Plan 2013

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

It is noted there are no specific development controls relevant to the SP2 zone. Generally speaking it is considered the building suitable in the context of the site and locality from a setback, building design and amenity perspective.

*Utility Servicing*

Following the receipt of further information, the following utility servicing provisions are noted:

- Water – water connection to be provided from the existing main on Walters Way. A hydrant booster will also be required. An appropriate condition will be included on the consent for the provision of a water connection to the property to service the development.
- Sewer – sewer will drain to an Acquatech Pressure Unit in the south-eastern corner of the property. Condition accordingly.
- Stormwater – stormwater from the site will drain east via a 600mm diameter pipe which will connect to an existing 900mm diameter pipe below Walters Way. The site will be graded to that natural surface fall is east towards Walters Way. An appropriate condition will be included on the consent that full hydraulic details be provided to Council for approval prior to works commencing.

*Landscaping*

A Landscape Plan has been submitted with this Application which is considered appropriate in the context of the locality. An appropriate condition will be included on the consent that such landscaping be established prior to occupation of the site.

Chapter 3.1 – Access and Mobility

*Section 3.1.2 Legislative Requirements*

The Application will be assessed against the Premises Standards in the Access Code under the Disability Discrimination Act 1992. The plans themselves are not sufficient to conduct a detailed assessment as to the building's compliance with the Access Code and will be required with the certifiers final assessment, however, a basic assessment can still be made to determine any obvious non-conformities that may be required to be amended prior to development approval.

### *Section 3.1.8 Development Controls*

#### *Design Element 1 – Access Routes and Entrances*

Plans show a proposed continuous path of travel from the property boundary (Walters Way) to the principal pedestrian entrance of each building via concrete footpaths and entrance doorways. The doorways all appear to achieve the 850mm clear opening as required.

#### *Design Element 2 – Access to Internal Facilities*

A brief overview of the proposed floor plans demonstrates that disabled access to all internal components of the administration building will be able to be achieved. This includes to work station areas, offices, most training areas and sanitary facilities. No internal ramps are proposed.

A disabled toilet is proposed in the main administration building. Although it is not possible to make a detailed assessment of their compliance, the dimensions of each room complies with the Premises Standards which is required to be a minimum 2,300mm x 1,900mm. Specific details of the sanitary facility, door widths, rail heights etc will be required as part of the final certification process.

#### *Design Element 3 – Car Parking and Setdown Areas*

Plans show the provision of one (1) disabled car parking space to be provided adjacent to the main entrance to the administration/training building. The dimensions of this space appears to comply with the Premises Standards (i.e. 2.4 metre wide parking space and 2.4 metre wide 'shared zone'). Plans also show a continuous path of travel via concrete footpaths to the principal entrance door to each building.

### *Chapter 3.5 – Parking*

In terms of vehicular access the application proposes two (2) separate driveways off Walters Way. These driveways will be 7 metres wide (dual access) and 4 metres wide (emergency vehicles only). A 33 space car park will be provided. Loading bays, waste storage areas and separate access for emergency service vehicles have also been provided. A service access driveway will also be provided from Judy Jakins Drive.

This chapter of the DCP requires a minimum number of off-street car parking spaces for certain types of development. The predominant use of the site would be the training facility, with the administration aspects ancillary. Given the predominant use of the site is training, it is considered the most appropriate land use within this chapter of the DCP would be a higher education establishment which requires one (1) space per 1.5 staff, plus one (1) space per five (5) students, plus one (1) space per five (5) live-in students. In this regard the Application identifies there will be 9 staff (requiring 6 spaces), and a maximum of 45 persons in training per

day (requiring 9 spaces). Therefore in total 15 spaces would be required. Plans show the provision of 33 spaces. It is considered this is sufficient to serve the facility.

### Chapter 3.6 – Dubbo City Regional Airport Controls

As discussed previously, the development will not breach the Obstacle Limitation Surface Map, nor the windshear threshold and consequently a referral to the Civil Aviation Safety Authority (CASA) is not required.

As discussed previously, it is considered the development will not be adversely impacted upon by aircraft noise. The development site is also outside the limits of the Noise Exposure Forecast Contour Map.

### *Dubbo City Regional Airport Master Plan 2015-2036*

The Dubbo City Regional Master Plan was adopted in December 2015 and concerns the future planning and directions of the airport for the next 20 years. The Master Plan makes no mention of the proposed facility, however it is understood plans for the development were made following adoption of the Master Plan. Despite this, it is noted the Master Plan makes no reference to any development in the proposed area which would conflict with the development proposal.

#### *(a)(iii) planning agreements*

There no existing or proposed planning agreements pertaining to the subject land.

#### *(a)(iv) the regulations*

No matters prescribed in the Regulation impact determination of this Application.

#### *(b) environmental (natural and built), social and economic impacts*

As stated above, there will be minimal removal of any vegetation and as such negligible impact on the natural or built environment. There are only beneficial social and economic impacts resulting from the proposed development.

#### *(c) suitability of the site*

Context, setting and public domain

- *Will the development have an adverse effect on the landscape/scenic quality, views/vistas, access to sunlight in the locality or on adjacent properties?*

The proposed development will not have any adverse effect on the landscape/scenic quality, views/vista, and access to sunlight on adjacent properties or in the locality.

- *Is the external appearance of the development appropriate having regard to character, location, siting, bulk, scale, shape, size, height, density, design and/or external appearance of development in the locality?*

It is considered the external appearance of the proposed development is deemed appropriate in the context of the locality.

- *Is the size and shape of the land to which the Development Application relates suitable for the siting of any proposed building or works?*

It is considered the size and shape of the land is suitable for the proposed development.

- *Will the development proposal have an adverse impact on the existing or likely future amenity of the locality?*

It is considered the proposed development will not have any detrimental impact on the existing or likely future amenity of the locality.

- *Will the development have an adverse effect on the public domain?*

It is considered the proposed development will not have any detrimental impact on the residential public domain.

#### Environmental considerations

- *Is the development likely to adversely impact/harm the environment in terms of air quality, water resources and water cycle, acidity, salinity soils management or microclimatic conditions?*

It is considered that the development will not have an adverse impact on the local environment. There are no activities proposed which may cause adverse air, soil or water pollution. Appropriate conditions on the consent will ensure possible environmental impacts are minimised.

- *Is the development likely to cause noise pollution?*

Noise will be generated through construction through the use of power tools and the like. An appropriate condition will be included on the consent restricting work hours to minimise impacts to neighbouring property.

Rural-residential property is located to the west of the development site. While some noise may be generated by the development through the movement of vehicles and training activities, it is considered the development will not generate any noise above that of other activities at the airport.

#### Access, transport and traffic

- *Has the surrounding road system in the locality the capacity to accommodate the traffic generated by the proposed development?*

The surrounding road network, including the internal airport road network, is considered to have sufficient capacity to cater for additional traffic movements generated by this development.

#### *(d) submissions*

The Development Application was placed on notification for a period ending 28 June 2016, during which time adjoining property owners were notified in writing of the proposed development.

Council received no submissions during the notification period.

#### *(e) public interest*

There are no matters other than those discussed in the assessment of the Development Application above, that would be considered contrary to the public interest.

### **CONTRIBUTIONS Section 64 & Section 7.11**

Review of the Development Consent for D17-667 which created the subject allotment, saw no contributions incurred for Lot 2. Contributions were only levied for the RFS training facility on Lot 3. Therefore no 'credits' from the subdivision apply. Contributions will thus be levied as below:

#### *Sewer Headworks Contribution*

Sewerage supply contributions are calculated on the Type of Land Use or Development to establish an Equivalent Tenement (ET) based on industry standard design figures provided by the Department of Public Works and Services.

However, Council's Contribution Plan does not provide a use type directly applicable to the proposed development. Therefore, in consultation with Council's Manager Water Supply and Sewerage, the 'Day School' (1 ET per 25 pupil) rate has been used.

Contributions to be calculated for 45 students.

$$\begin{aligned} &= 1 \text{ ET per } 25 \text{ per 'pupils' (total 45 pupils)} \\ &= \mathbf{1.8 \text{ ET}} \end{aligned}$$

$$\text{Contribution} = \$\text{rate} \times \text{ET}$$



$$= \$6,024.50 \times 1.8 \text{ ETs}$$

$$= \$10,844.10$$

A contribution of **\$10,844.10** will be conditioned for Sewer Headworks.

#### *Water Headworks Contribution*

Water supply contributions are calculated on the Type of Land Use or Development by the anticipated water usage (litres) to establish an Equivalent Tenement (ET).

However, Council's Contributions Plan does not provide a use type directly applicable to the proposed development. Therefore, in consultation with Council's Manager Water Supply and Sewerage, the 'Schools' (50 litre per pupil) rate has been used.

Contributions to be calculated for 45 students.

$$= 50 \text{ litres per 'pupil' (total 45 pupils)}$$

$$= \mathbf{2,250 \text{ litres}}$$

$$\begin{aligned} \text{Contribution} &= \$\text{rate} \times \text{ET (litres / 5,000L)} \\ &= \$6,024.50 \times \text{ET (2,250/5000)} \\ &= \$6,024.50 \times 0.45 \text{ ETs} \\ &= \$2,711.03 \end{aligned}$$

A contribution of **\$2,711.03** will be conditioned for Water Headworks.

#### *Open Space Recreation Contribution*

Being a commercial type development, open space contributions are not applicable.

#### *Stormwater Contribution*

The property is located within Stormwater Catchment 7.1 – *Airport West*. Such catchment does not incur contributions.

#### *Urban Roads Headworks Contribution*

The Policy does not quantify the development in terms of a suitable land use and traffic generation rate. Despite this, it is noted the Applicant has submitted a Traffic Impact and Parking Assessment. The Assessment noted that based on 54 staff and students, and a 20% contingency, the development would likely generate 130 vehicle trips per day (i.e.  $54 \times 2 + 20\%$ ).

$$\begin{aligned} \text{Contribution} &= \$\text{commercial rate} \times \text{trip generation} \\ &= \$412.90 \times 130 \end{aligned}$$

= \$53,677.00

A contribution of **\$53,677.00** will be conditioned for urban roads.

## **INTERNAL REFERRALS**

### *Building Assessment*

Council's Building Services Team Leader (BSTL) in the report dated 18 June 2021 (copy on file) did not raise any significant issues that require further investigation or that would prevent the Application from being granted consent with conditions. The conditions and notations recommended by the BSTL will be included on the consent.

### *Engineering Assessment*

Following the receipt of further information, Council's Senior Development Engineer (SDE) in the report dated 25 August 2021 (copy on file) did not raise any significant issues that require further investigation or that would prevent the Application from being granted consent with conditions. The conditions and notation recommended by the SDE will be included on the consent.

### *Environment and Health Assessment*

Council's Environment and Health Services Team Leader (EHSTL) in the report dated 16 June 2021 (copy on file) did not raise any significant issues that require further investigation or that would prevent the Application from being granted consent with conditions. The conditions recommended by the EHSTL will be included on the consent.

## **SUMMARY & RECOMMENDATION**

The Applicant has sought development consent for an *emergency services facility* (police training facility) at Lot 2 DP 1267927, No.1 Judy Jakins Drive Dubbo

The proposed development is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality.

The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plan 2013 and Council policies and is therefore recommended for approval subject to the conditions of consent attached.

Approvals under the Local Government Act, 1993 integrated with the Consent: Nil

**BUILDING CODE OF AUSTRALIA BUILDING CLASSIFICATION:**

<b>Applicable Building</b>	<b>Whole/Part</b>	<b>Class</b>
Single-storey steel-framed 'Agile Learning Centre' Building	Whole – Classrooms, offices & amenities	9b
Single-storey Indoor Firing Range Building	Whole – Firing Range, Storage & Amenities	9b
2-storey 'Active Armed Offender' Training Building	Whole - Classrooms	9b
Single-storey Covered Outdoor Leaning Area	Whole – Covered Hardstand	9b
Metal Carport	Whole	7a



*Shaun Reynolds*  
Statutory Planning Services Team Leader  
Date: 13/9/2021



*Darryll Quigley*  
Manager Building and Development Services  
Date: 13 September 2021

## **APPENDIX 1**

### **DEFERRED COMMENCEMENT CONDITION:**

The following deferred commencement condition must be satisfied within 12 months of the determination date of this consent.

- (A) This approval shall not commence to operate until a Site Audit Statement for potential (residue) contamination has been undertaken by an accredited Site Auditor. Testing shall take particular consideration of those areas below soil/waste stockpiles. Upon completion and prior to issue of the Operational Consent, the Site Audit Statement shall be submitted to Council for approval, outlining the results of the investigation and status of the land with a clear statement that the site is suitable for its intended use.

{Reason: Council requirement for protection of the environment}

### **CONDITIONS:**

- (1) The development shall be undertaken generally in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:

Drawing Title: Proposed Site Analysis Plan  
Drawing Number: A-DA-03  
Dated: 04/08/21  
Revision: B

Drawing Title: Ground Floor Plan  
Drawing Number: A-DA-04  
Dated: 04/08/21  
Revision: B

Drawing Title: Level Floor Plan  
Drawing Number: A-DA-05  
Dated: 04/08/21  
Revision: B

Drawing Title: Site Elevations  
Drawing Number: A-DA-10  
Dated: 04/08/21  
Revision: B

{Reason: To ensure that the development is undertaken in accordance with that assessed}

- (2) All building work must be carried out in accordance with the provisions of the Building Code of Australia unless otherwise varied by the Minister pursuant to section 6.28 of the EP&A Act 1979.

{Reason: Prescribed statutory condition under EP&A Act}

- (3) All excavations associated with the erection of the buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property.

{Reason: Council requirement for protection of persons}

- (4) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.

{Reason: Council requirement to prevent pollution of the environment by wind-blown litter}

- (5) The following applicable works shall be inspected and passed by an officer of Council prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for inspection of such works. When requesting an inspection, please quote Council's reference number **D2021-319**.

Advanced notification for an inspection should be made by emailing [de.admin@dubbo.nsw.gov.au](mailto:de.admin@dubbo.nsw.gov.au) or by telephoning Council's Development & Environment Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test.
- Water plumbing including fire services, under hydraulic test.
- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation/use.

{Reason: Statutory provision and Council requirement being the delegated Plumbing Regulator}

- (6) Hot water delivered to the outlets of the disabled hand basin and any shower fixtures shall not exceed a temperature of 45°C, whilst the remainder of the hand basins and any shower fixtures in the buildings shall not exceed 50°C.

Note: Thermostatic mixing valve(s) are required to be installed to achieve the maximum temperature setting of 45°C.

{Reason: Council policy and statutory requirement of the Plumbing Code of Australia}

- (7) The drainage and plumbing installations shall comply with the provisions of the Local Government (General) Regulation, 2005.

{Reason: Statutory and Council requirement}

- (8) Temporary closet accommodation shall be provided onsite before work on the proposed buildings are commenced.

{Reason: Council requirement to preserve public hygiene}

- (9) To facilitate Council's inspection of the sanitary and water plumbing and drainage work associated with the development, a copy of the development's final hydraulic drawing(s) and floor plan(s) shall be submitted to Council's Development & Environment Division prior to such works commencing.

{Reason: Council requirement to permit and facilitate the inspection and accurate plotting and subsequent drafting of the installed and inspected sanitary drainage work}

- (10) Any stockpiled clean soils/material shall be kept in a single designated stockpile area with appropriate sediment control and signage. All materials being stockpiled shall be tracked and kept in a stockpile register which is available for assessment by authorised officers upon request. All materials brought onto and moved around the site shall be documented. Records of the fate of each excavation cell and stockpile shall be kept. Truck movements and weighbridge receipts from transport companies and destination to landfill or a treatment facility and reused of soils onsite shall be verifiable. Photographs of stockpiled materials shall be taken and must have a time/date/location stamp added in order to ensure that the origin of all materials on site can be traced.

{Reason: Council requirement to ensure that the origin of all stockpiles can be verified.}

- (11) Construction work shall only be carried out within the following time:

Monday to Friday: 7:00 am to 6:00 pm

Saturday: 8:00 am to 1:00 pm

Sunday and public holidays: No construction work permitted

{Reason: Council requirement to reduce the likelihood of noise nuisance}

- (12) Suppression and mitigation of dust shall be employed during works on the site to ensure dust is not emitted from the site, including when no activities are taking place on the site.

{Reason: Council requirement to reduce the likelihood of dust nuisance.}

- (13) The approved Erosion and Sedimentation Control Plan (Drawing No. C05 dated May 2021 – Revision A) shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.

{Reason: Implementation of Council policy to reduce sediment pollution}

- (14) A single stabilised vehicular access shall be provided to the construction site in accordance with the design described in the attachment titled 'Stabilised Site Access' to Council's advisory document Fact Sheet No. 6 - Erosion and Sediment Control.

{Reason: Implementation of Council policy to reduce sediment pollution}

- (15) Prior to works commencing the applicant shall prepare and submit to Council for approval a Waste Management Plan. Such Plan shall be approved by Council prior to commencement of the development and shall include but not be limited to, the following:

- (a) Assessment of types of waste;
- (b) Classification of each type of waste;
- (c) Volume of each type of waste;
- (d) Management and storage of waste onsite:
  - Method of waste disposal and disposal sites;
  - Method of waste transport and disposal sites; and
- (e) Record keeping.

{Reason: Council requirement to require compliance with the POEO Act}

- (16) Waste construction materials including soil arising from the development must be disposed of at an appropriately licensed waste facility.

{Reason: To ensure environmentally safe disposal}

- (17) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (e.g. Department of Planning, Industry and Environment (DPIE), WorkCover Authority, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the Environment Protection Authority (EPA) to receive that type of waste.

{Reason: Council requirement to prevent the contamination of the environment}

- (18) In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Department of Planning, Industry and Environment notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the DPIE.

{Reason: Council and statutory requirement to protect Aboriginal heritage}

- (19) A separate application is to be made to Council, with the appropriate fee being paid, for the provision of a new water meter connection to service proposed development.

Note: As Council is the local water supply authority, separate metered connections will be required in respect to the provision of a suitably size domestic water meter and separate fire service meter to the development site.

{Reason: Council policy in respect of commercial developments}

- (20) A separate application is required to be made to Council's Water Supply and Sewerage Client Services Coordinator (Infrastructure Division), for the supply and installation of a 'Pressure Sewerage Unit' to service the proposed development.

Note: The pressure sewer Boundary Kit is to be a Type 4 unit as provided by Aquatech. This is a one-piece stainless steel product. The pressure sewer pump station can be located anywhere within the development, as long as it can be easily accessed for maintenance etc. The pressure sewer pump station is to be an Aquatech branded installation. A minimum duplex pump arrangement is to be installed utilising two Aquatech 415V, three phase OGP pumps. The volume of the pump station is to be sized to suit the development. Council has adopted an emergency storage volume of 12 hours elsewhere within the Dubbo City Regional Airport. PE100, SDR11, PN16 DN50 HDPE pressure pipe with cream stripe is to be routed within the development to the Boundary Kit location, which must be accessible by Council and placed in the road reserve.

In addition to the above cost, the Developer will be required to pay the 'Actual Cost(s)' associated with connecting the pressure sewer pump station into Council's existing pipeline network. The Developer will need to obtain a separate quote from Council's Water Supply and Sewerage Branch regarding this additional 'actual cost'.

The owner of the subject land will be required to meet the on-going power costs associated with the pressure sewer pump station. However, ownership and maintenance of the pressure sewer pump station will reside with Council. A copy of the adopted 'Pressure Sewerage Systems' Policy is available from Council if required.

{Reason: To achieve satisfactory effluent disposal from the development pursuant to Council Policy, plus adoption of Council's Revenue Policy}

- (21) Three (3) commercial standard concrete vehicular access crossovers (main access, emergency access and service vehicle access), constructed in accordance with Council's standard STD 5211 and STD 5235, being provided by and at full cost to the Developer off Walters Way and Judy Jakins Drive to Council's satisfaction.

However, prior to any construction works being undertaken on these access driveways a detailed (fully dimensioned) site plan is to be lodged with and approved by Council.

The main access driveway is to be designed and constructed of sufficient width at the roadway (kerb and gutter alignment) and the property boundary alignment such that a rigid truck 8.8m in length and a car 5.2m in length, one entering the site, with one exiting the site, (utilising the Austroads design templates, and a turning speed of 5-15 km/hr) are able to access/exit the subject land in a forward motion.

Such works shall also include restoration of the road shoulder following construction in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction Standards.

Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standards, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with the abovementioned Council standards will be required to be lodged with Council prior to occupation or use of the proposed development.

{Reason: Council policy in respect of commercial developments}

- (22) Prior to any works within the road reserve commencing, a separate 'Road Opening Application' (Section 138 Application under the Roads Act 1993) will be required to be made to Council's Infrastructure Division, plus payment of appropriate fee/s.

{Reason: Implementation of Council's Policy and Section 138 of the Roads Act}



- (23) Prior to occupation or use of the development, any alteration/damage to the footpath, kerbing and guttering, vehicular entrance/s, road or road shoulder including utility services, shall be repaired/restored at full cost to the developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction Standards.

{Reason: Implementation of Council Policy}

- (24) No vehicles larger than a 'Service Vehicle' 8.8 m in length (utilising the Austroads design templates) are permitted to access the subject land and development proposal.

{Reason: The internal manoeuvrability and access to the subject land and proposed development will only facilitate service vehicle 8.8 m in length or vehicles of lesser dimensions at this location}

- (25) The access gateway(s) of the main entrance associated with any perimeter security fencing are to be "set-back" a minimum of 7 metres in accordance with approved plans.

{Reason: To provide safety for the travelling public utilising the public road system}

- (26) All driveways, hard standards and parking areas shall be drained to Council's satisfaction, noting that development will be required to discharge stormwater from the land in its undisturbed/natural state for the minor storm event (1 in 20 year ARI) to the existing inter-allotment pit located at the north-eastern corner of the subject lot.

The Developer must also make provision for the major event (1 in 100 year ARI) to be safely conveyed to the existing inter-allotment pit without affecting any other properties.

Additionally, prior to the discharge into Council's system, the Developer will be required to install at their own expense 'pollution control device(s)' which will collect all oil, sediment and litter from the development proposal.

In this respect the Developer must have approved by Council, prior to works commencing, full and detailed hydraulic design calculations and drawings of the proposed development's stormwater drainage system.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Design and Construction.

{Reason: To achieve a satisfactory means and method of stormwater drainage disposal from the proposed development}

- (27) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.

{Reason: To provide safety for the travelling public utilising the public roadways}

- (28) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading, or unloading, of goods on the public roadway system be permitted.

{Reason: Requirement of Council so as not to create adverse traffic conditions}

- (29) Prior to occupation or use of the development, entry and exit points to and from the proposed development and off-street car parking shall be delineated and sign-posted to at least the standard outlined in Chapter 3.5, Dubbo Development Control Plan 2013.  
{Reason: Implementation of Dubbo DCP 2013}
- (30) Prior to occupation or use of the development, all hard stand areas, driveways, car parking and loading areas shall be fully paved in accordance with Chapter 3.5 Parking (3.5.7 – Construction Requirements) of the Dubbo Development Control Plan 2013 of a standard suitable to withstand the proposed traffic loadings. The design of all hardstand areas shall be approved by the Project Civil Engineer prior to works commencing.  
{Reason: Implementation of Dubbo DCP 2013}
- (31) The proposed landscaping shown on the approved Landscape Plan (Drawing No. L\_4001 dated 17.05.2021 – Revision D) shall be established and maintained to at least the standard specified on the approved development plans. Such landscaping shall be established prior to occupation or use of the site.  
{Reason: To maintain the aesthetic quality of the development}
- (32) A separate application for any proposed onsite advertising/signage shall be submitted to Council if such signage does not comply with Part 2, Division 2 of State Environmental Planning Policy (Exempt and Complying Development Codes), 2008.  
{Reason: To ensure onsite advertising/signage is appropriate for the site and the locality}
- (33) Any lighting on the site must be installed to emit light in a downward direction and designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity or surrounding area by light overspill. The emission of lighting shall not exceed 1,000,000 lumens and must comply with the Australian Standard AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.  
{Reason: To limit light pollution to neighbouring property and for the preservation of the ‘Dark Skies’ region surrounding the Siding Spring Observatory}
- (34) Highly reflective wall or roofing colours, materials and glazing shall not be used. Materials must be designed so as to not result in glare to minimise impacts on airport operations.  
{Reason: To minimise the visual impact on airport safety operations}
- (35) Prior to occupation or use of the development, the payment by the developer of **\$2,711.03** (0.45 ETs) for water supply headworks contributions, calculated on a land use basis, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council’s adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council’s annual Revenue Policy.

Note 1: Council's adopted 2021/2022 financial year rate is \$6,024.50 per ET.

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (36) Prior to occupation or use of the development, the payment by the developer of **\$10,844.10** (1.8 ETs) for sewerage supply headworks contributions, calculated on a land use basis, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's annual Revenue Policy.

Note 1: Council's adopted 2021/2022 financial year rate is \$6,024.50 per ET.

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (37) Prior to occupation or use of the development, the payment by the developer of **\$53,677.00** (130 trips) for urban roads contribution, calculated on a land use basis, in accordance with Council's adopted amended Section 7.11 Contributions Plan - Roads, Traffic Management and Car Parking, operational 3 March 2016.

Such contribution rate, per trip, is adjusted annually in accordance with Section 6.0 of the Section 7.11 Contributions Plan becoming effective from 1 July each year and as adopted in Council's annual Revenue Policy.

Note 1: Council's adopted 2021/2022 financial year rate is \$412.90 (including administration) per commercial trip.

Note 2: As the above contribution rate is reviewed annually, the current contribution rate is to be confirmed prior to payment.

{Reason: Implementation of Council's Section 7.11 Contributions Plan - Roads, Traffic Management and Car Parking dated 2016}

## NOTES

- (1) Notwithstanding that the Crown is not required to obtain approvals for the installation of the water plumbing, sanitary and sewage management facility work, the work must still

be inspected by Council prior to covering, requiring payment of the appropriate inspection fees.

The absence of the aforementioned approvals does not negate the statutory requirement for the plumbing and drainage licensee to provide to Council as the delegated Plumbing Regulator, the Notice of Work (NoW), Certificate of Compliance (CoC) and Sewerage Service Diagram (SSD) as prescribed under the Plumbing and Drainage Act 2011, for the proposed sanitary drainage/plumbing and domestic water plumbing works.

- (2) It is requested that the Applicant include in the tender documentation for the construction of the proposed development that the successful Principal Contractor (the Builder) will be responsible for the payment of all Council sanitary drainage and water plumbing inspection fees associated with the development. Alternatively, the Principal Contractor is to ensure that plumbing contractors when quoting on such work are informed to include such Council fees in their quotations.
- (3) The fire service required to serve the proposed development must be connected to a separately metered water service. No domestic water services are permitted to be branched off from the fire service pipeline and vice versa. Council Policy requires all new fire services to be connected to a separately dedicated metered water service.

Enquiries concerning specific requirements of the Policy and the provision of a new fire service connection to the subject property, should be referred to Council's Water Supply and Sewerage Branch.

- (4) Should the Geotechnical Site Investigation show a highly or extremely reactive site then, where the sanitary drainage pipework passes through the underside of the building, flexible pipework fittings should be fitted to permit articulation of the pipework equivalent with the expected soil movement. Reference should be made to AS 2870-2011 in this regard.

It is also advised that the Dubbo region has a Thornthwaite Moisture Index (TMI) of -17.6 (being Zone 4:  $\geq -25$  to  $\leq -15$  TMI). Under AS 2870-2011 Dubbo soils would thus have a design depth of suction change (Hs) equal to or greater than 3m. Consequently, site classifications are required to be modified by the addition of '-D' as specified in Clause 2.1.2 to such standard.

- (5) It is recommended the substation be placed to the immediate north of the existing Ring Main Unit (RMU) in the south eastern corner of the property.
- (6) The Council Section 7.11/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)

- (7) The development shall be carried out in accordance with Essential Energy's correspondence dated 2 July 2021 (copy attached).

A handwritten signature in black ink, appearing to read 'Mr S P Reynolds', with a stylized flourish at the end.

*Mr S P Reynolds*  
Statutory Planning Services Team Leader

Date: 13/9/2021