



AGENDA

INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE

14 APRIL 2022

MEMBERSHIP: Councillors J Black, L Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

The meeting is scheduled to commence at 5.30 pm.

	Page
IPEC22/12 LEAVE OF ABSENCE (ID22/648)	
IPEC22/13 CONFLICTS OF INTEREST (ID22/651)	
IPEC22/14 LIQUID TRADE WASTE AND SEWERAGE AND TRADE WASTE DISCHARGE FACTOR POLICIES (ID22/17)	3
The Committee had before it the report dated 6 April 2022 from the Manager Water Supply and Sewerage regarding Liquid Trade Waste and Sewerage and Trade Waste Discharge Factor Policies.	
IPEC22/15 WATER SUPPLY SERVICES POLICY REVIEW (ID22/205)	64
The Committee had before it the report dated 25 March 2022 from the Manager Water Supply and Sewerage regarding Water Supply Services Policy Review.	
IPEC22/16 BUILDING SUMMARY - MARCH 2022 (ID22/515)	91
The Committee had before it the report dated 31 March 2022 from the Director Development and Environment regarding Building Summary - March 2022.	

IPEC22/17	RESULTS OF PUBLIC EXHIBITION - PLANNING PROPOSAL TO AMEND LAND USE ZONE AND MINIMUM LOT SIZE - 9R BELGRAVIA ROAD, DUBBO (ID22/499)	107
	The Committee had before it the report dated 4 April 2022 from the Senior Growth Planner regarding Results of Public Exhibition - Planning Proposal to Amend Land Use Zone and Minimum Lot Size - 9R Belgravia Road, Dubbo.	



REPORT: Liquid Trade Waste and Sewerage and Trade Waste Discharge Factor Policies

DIVISION: Infrastructure
REPORT DATE: 6 April 2022
TRIM REFERENCE: ID22/17

EXECUTIVE SUMMARY

Purpose	Seek endorsement	Adopt a policy
Issue	<ul style="list-style-type: none"> • Public exhibition of draft Council policies: <ul style="list-style-type: none"> ○ Liquid Trade Waste Policy ○ Sewerage and Trade Waste Discharge Factor Policy. 	
Reasoning	<p>Councils are responsible for the provision of water supply and sewerage services in regional NSW and for approving liquid trade waste discharges to their sewerage systems through section 68 of the <i>Local Government Act 1993</i>.</p> <ul style="list-style-type: none"> • Section 68 of the Local Government Act 1993. • Department of Planning, Industry and Environment Trade Waste Management Guidelines 2021. • NSW Government’s Best Practice Management of Water Supply and Sewerage Guidelines 2007. 	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	<ul style="list-style-type: none"> • Liquid Trade Waste Policy • Sewerage and Trade Waste Discharge Factor Policy.
	Impact on Policy	Adoption of Council policies.

STRATEGIC DIRECTION

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principle themes and a number of strategies and outcomes. This report is aligned to:

Theme: 2 Infrastructure

CSP Objective: 2.3 Infrastructure meets the current and future needs of our community

Delivery Program Strategy: 2.3.1 Council’s water and sewer infrastructure and services comply with appropriate regulations to meet the needs of the community and facilitate a future population of 100,000

RECOMMENDATION

- 1. That the Draft Liquid Trade Waste Policy (Appendix 1) and Draft Sewage and Trade Waste Discharge Factor Policy (Appendix 2) be placed on public exhibition for a period of 28 days.**
- 2. That a further report at the conclusion of the exhibition period be provided to Council for adoption of the policies.**

Steven Colliver
Director Infrastructure

SC
Manager Water Supply
and Sewerage

BACKGROUND

Councils are responsible for the provision of water supply and sewerage services in regional NSW and for approving liquid trade waste discharges to their sewerage systems through section 68 of the *Local Government Act 1993*.

Both the former Dubbo City and Wellington councils had in place a Liquid Trade Waste Policy since 2005 and a Sewage and Trade Waste Discharge Factor Policy. The draft policies are now updated in accordance with the latest Trade Waste Regulation Guidelines (2021), which have been prepared by the Water Utilities Branch of the Department of Planning, Industry and Environment.

The policies are consistent with the Department of Planning, Industry and Environment Trade Waste Management Guidelines 2021 and NSW Government's *Best Practice Management of Water Supply and Sewerage Guidelines 2007*.

Sewerage systems are designed to safely collect, transfer and treat wastewater, mostly of domestic origin. However, these systems may also be capable of accepting liquid trade waste provided that the discharges are planned, known and controlled within acceptable limits.

In the absence of suitable controls and pricing, the liquid trade waste may have adverse impacts on the sewerage system, the environment and the health and safety of workers and the public.

It is therefore important that councils implement best-practice in administering, regulating, monitoring and pricing sewerage and liquid trade waste.

REPORT

Council is committed to meeting Best Business Practice Guidelines; the previous Policy dated 24 November 2011 was adopted under the 2009 Liquid Trade Waste Regulation Guidelines published by the then Department of Water and Energy. With the release of the new Trade Waste Management Guidelines 2021, Dubbo Regional Council is now required to update its Liquid Trade Waste Policy (**Appendix 1**) and Sewage and Trade Waste Discharge Factor Policy (**Appendix 2**) to reflect these guidelines.

The NSW framework is driven by the NSW Government's *Best Practice Management of Water Supply and Sewerage Guidelines, 2007*. Sound regulation of sewerage and liquid trade waste is a key element of the 2007 guidelines, and requires each council to implement the following integrated measures:

- Preparation and implementation of a sound liquid trade waste regulation policy (refer to chapter 3), assessment of each liquid trade waste application, and determination of appropriate conditions of approval.
- Full cost recovery with appropriate sewer usage charges and liquid trade waste fees and charges in order to provide the necessary pricing signals to dischargers.

These charges must include non-compliance trade waste usage charges and non-compliance excess mass charges in order to provide the necessary incentives for dischargers to consistently comply with their conditions of approval.

- Monitoring, mentoring and coaching of dischargers in order to achieve cleaner production and assist them to comply with their conditions of approval.
- Enforcement, including appropriate use of penalty notices in the NSW legislation. Orders may also be issued under the *Local Government Act 1993*.
- Disconnection of a liquid trade waste service in the event of persistent failure to comply with Council’s conditions of approval.

The above measures comprise the NSW framework for regulation of sewerage and trade waste. The framework involves a preventive risk management approach, which has been developed to address the use of common pool resources by providing economic incentives for dischargers to minimise their waste and to consistently comply with their conditions of approval.

Consultation

- Consultation was undertaken internally for the Draft Sewage and Trade Waste Discharge Factor Policy with Council’s Rates Branch, subsequently no response were received.
- This policy is in line with the NSW Department of Planning and Environment’s *Trade Waste Management Guidelines 2021*.
- Public Exhibition is proposed for 28 days to allow members of the public to give feedback on the draft policies, in accordance with section 160 of the Local Government Act.

Resourcing Implications

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	390,188	383,345	392,928	402,752	412,820	0
b. Operating expenses	269,770	283,966	294,801	306,865	317,775	0
c. Operating budget impact (a – b)	120,418	99,379	98,127	95,887	94,977	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	120,418	99,379	98,127	95,887	94,977	0
Does the proposal require ongoing funding?	No					
What is the source of this funding?	NA					

Table 1. Ongoing Financial Implications These figures are existing operational cost only.

The Liquid Trade Waste (**Appendix 1**) and Sewage and Trade Waste Discharge Factor (**Appendix 2**) policies are consistent with the *Liquid Trade Waste Management Guidelines 2021* developed by the Water Utilities Branch of the NSW Department of Planning, Industry and Environment.

Planned Communications

This report recommends that the draft policies be placed on public exhibition for a period of 28 days.

Next Steps

A further report will be presented to Council at the conclusion of the exhibition period outlining any submissions received and for the adoption of the policies by Council.

APPENDICES:

- 1↓ Liquid Trade Waste Policy - Draft Council Policy
- 2↓ Sewage and Trade Waste Discharge Factor - Draft Council Policy



COUNCIL POLICY

Liquid Trade Waste Policy

Date	August 2021
Council Resolution Date	
Clause Number	
Responsible Position	Manager Water Supply and Sewerage
Branch	Water and Sewer
Division	Infrastructure
Version	1.0
TRIM Reference Number	
Review Period	Three (3) years
Review Date	August 2021
Consultation	Public exhibition DATE

Document Revision History	
Description	Date
Adopted in draft format for public exhibition	
Notes	

CONTENTS

PURPOSE	4
BACKGROUND AND RELATED LEGISLATION	4
SCOPE	5
DEFINITIONS	5
POLICY	4
What is Liquid Trade Waste?	9
Part 1: Exemptions	10
Part 2: Criteria for Approval to Discharge Liquid Trade Waste Into Council's Sewerage System.....	10
2.1 Factors for Consideration	10
2.2 Discharge Quality	10
2.3 Prohibited or Restricted Substances and Waste	12
2.4 Other substances/discharges either prohibited or restricted	13
Part 3: Matters relating to liquid trade waste approvals	14
3.1 Application procedures and approval process.....	14
3.2 Who can lodge an application.....	14
3.3 Council's process in determination of applications.....	14
3.4 Approval of applications.....	14
3.5 Refusal.....	14
3.6 Change of approval holder	14
3.7 Validity of an existing approval	15
3.8 Modification and revocation of approvals	15
3.9 Concurrence	15
3.10 Tracking and servicing pre-treatment devices.....	15
3.11 Sewerage and liquid trade waste fees and charges.....	16
3.12 Liquid trade waste charging categories	16
3.13 Non-compliance liquid trade waste charges.....	17
3.14 Other applicable liquid trade waste charges.....	17
3.15 Summary of category specific liquid trade waste fees and charges.....	17
3.16 Responsibility for payment of fees and charges.....	18
3.17 The NSW framework for regulation of sewerage and trade waste.....	18
3.18 Enforcement of approvals and agreements.....	18
3.19 Prevention of waste of water	18
3.20 Effluent improvement plans	19
3.21 Due diligence programs and contingency plans	19
Appendix A: Deemed to be Approved Activities	20
Appendix B: Prohibited or restricted substances and waste from discharge to sewer	22
B1 Stormwater from open areas	22
B2 Contaminated groundwater	22
B3 Discharge of landfill leachate.....	22
B4 Discharge from float tanks	22
B5 Discharge from service station forecourts and other refuelling points.....	23

B5.1	New premises	23
B5.2	Existing premises	23
B6	Discharges from liquefaction and/or pulverisation of solid waste by physical or chemical processes	23
B6.1	Discharge from solid food waste processing units (digesters/composters, etc)	24
B7	Use of additives in pre-treatment systems	24
Appendix C: Non-residential sewerage and liquid trade waste fees and charges		25
C1	Non-residential sewerage pricing	25
C2	Liquid trade waste fees and charges	26
C2.1	Description of various trade waste fees and charges	27
C3	Category 1 discharger	28
C3.1	Category 1 discharger - liquid trade waste charges	28
C4	Category 2 discharger	29
C4.1	Category 2 discharger - Liquid Trade Waste Charges	29
C5	Category 2S discharger	30
C5.1	Category 2S discharger - liquid trade waste charges	30
C6	Category 3 discharger	30
C6.1	Category 3 discharger - liquid trade waste charges	31
C6.2	Tankered category 3 waste	32
C7.1	Category 1 discharger - non-compliance charges	33
C7.2	Category 2 discharger – non-compliance charges	33
C7.3	Non-compliance charges for Category 3 discharger	33
C8	Other applicable liquid trade waste charges	34
C8.1	Discharge of stormwater from large open areas or large quantities of groundwater to the sewerage system	34
Appendix D: List of discharges Council may approve		35
D1	Classification A	35
Appendix E: Framework for Regulation of liquid trade waste		37
E1	The NSW framework for regulation of sewerage and trade waste	37
E2	Alignment with the national framework for wastewater source management	37
Appendix F: Legislative provisions		39

PURPOSE

This policy sets out how Dubbo Regional Council will regulate sewerage and trade waste discharges to its sewerage system in accordance with the NSW Framework for Regulation of Sewerage and Trade Waste (Appendix E).

Sewerage systems are generally designed to cater for liquid waste from domestic sources that are essentially of predictable strength and quality. Council **may** accept liquid trade waste into its sewerage system as a **service** to businesses and industry.

Liquid trade wastes may exert much greater demands on sewerage systems than domestic sewage and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment.

This Policy is consistent with the *Liquid Trade Waste Management Guidelines 2021* developed by the Water Utilities Branch of the NSW Department of Planning, Industry and Environment: (https://www.industry.nsw.gov.au/_data/assets/pdf_file/0010/147088/trade-waste-management-guidelines.pdf)

The objectives¹ of this policy are to:

- Protect public and workers health and safety and the environment.
- Protect Council's assets from damage.
- Minimise adverse impacts on the sewage treatment processes.
- Assist Council meeting regulatory and licence compliance.
- Promote water conservation, waste minimisation, cleaner production, effluent recycling and biosolids reuse.
- Provide an environmentally responsible liquid trade waste service to the non-residential sector.
- Ensure commercial provision of services and full cost recovery through appropriate sewerage and liquid trade waste fees and charges.

BACKGROUND AND RELATED LEGISLATION

Council provides sewerage services appropriate to the current and future needs of the local community in accordance with relevant acts, regulations and standards. Some of the relevant acts and regulations are as follows:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Protection of the Environment (Operations) Act 1997 and Regulations
- NSW Best-Practice Management of Water Supply and Sewerage Guidelines 2007
- Australian Sewage Quality Management Guidelines June 2012
- National Framework for Wastewater Source Management 2008
- Liquid Trade Waste Management Guidelines 2021
- Plumbing Code of Australia (2016)
- Australian Standards
- Public Health Act 2010

¹ The above objectives are consistent with the *National Framework for Sewage Quality Management in the Australian Sewage Quality Management Guidelines, June 2012*, Water Services Association of Australia (WSAA).

SCOPE

This Policy has been developed to ensure the proper control of liquid trade waste and hence protection of public health, worker safety, the environment, and Council's sewerage system. The Policy also promotes waste minimisation, water conservation, water recycling and biosolids reuse.

DEFINITIONS

Term	Definition
Assumed Concurrence	Councils with significant experience in liquid trade waste regulation are encouraged to apply to the Secretary, Department of Planning, Industry and Environment seeking to obtain concurrence for Council's approval for Classification B and Classification S discharges. If granted, Council will no longer need to forward such applications to the department for concurrence, provided that Council complies with the conditions outlined in the notice of concurrence.
Automatic Assumed Concurrence	Council has been granted assumed concurrence for approval for Classification A discharges, provided that Council complies with conditions outlined in the notice of concurrence. Such applications may be approved by Council without forwarding the application to the Department for concurrence.
Biochemical Oxygen Demand (BOD ₅)	The amount of oxygen utilised by micro-organisms in the process of decomposition of organic material in wastewater over a period of five days at 20°C. In practical terms, BOD is a measure of biodegradable organic content of the waste.
Bio Solids	Primarily organic solid product produced by sewage processing. Until such solids are suitable for beneficial use, they are defined as wastewater solids or sewage sludge.
Blackwater	Wastewater containing human excrement (ie faeces, urine).
Bunding	Secondary containment provided for storage areas, particularly for materials with the propensity to cause environmental damage.
Chemical Oxygen Demand (COD)	A measure of oxygen required to oxidise organic and inorganic matter in wastewater by a strong chemical oxidant. Wastewaters containing high levels of readily oxidised compounds have a high COD.
Chemical Toilet	Toilet in which wastes are deposited into a holding tank containing a deodorising or other chemicals. Stored wastes must be pumped out periodically.
Commercial Retail Discharge	Commercial discharges can be described as wastes that are discharged from businesses dealing directly with the public.
Commercial Catering	A commercial caterer is typically a stand-alone operation and prepares food for consumption off-site. These types of businesses typically cater to wedding functions, conferences, parties, etc. This definition does not apply to a food processing factory supplying pre-prepared meals to a third party.
Concurrence	Under section 90(1) of the <i>Local Government Act 1993</i> and cl. 28 of the Local Government (General) Regulation 2005, Council must obtain the written concurrence of the Secretary of the Department of Planning Industry and Environment prior to approving the discharge of liquid trade waste to Council's sewerage system. The Department's Water Utilities Branch provides concurrence on behalf of the Secretary.

Term	Definition
Contingency Plan	A set of procedures for responding to an incident that will affect the quality of liquid trade waste discharged to the sewerage system. The Plan also encompasses procedures to protect the environment from accidental and unauthorised discharges of liquid trade waste, leaks and spillages from stored products and chemicals.
Due Diligence Program	A Plan that identifies potential health and safety, environmental or other hazards (eg spills, accidents or leaks) and appropriate corrective actions aimed at minimising or preventing the hazards.
Effluent	The liquid discharged following a wastewater treatment process.
Effluent Improvement Plan (EIP)	The document required to be submitted by a discharger who fails to meet the acceptance limits set down in Council's approval conditions and/or liquid trade waste agreement. The document sets out measures taken by a discharger in order to meet the acceptance limits within the agreed timeframe.
Fast Food Outlet	A food retailing business featuring a very limited menu, precooked or quickly prepared food and take-away operations. Premises of this nature include KFC, McDonalds, Red Rooster, Pizza Hut, Hungry Jack's, Burger King, etc.
Galley Waste	Liquid waste from a kitchen or a food preparation area of a vessel; not including solid wastes.
Grey Water	Wastewater from showers, baths, spas, hand basins, laundry tubs, washing machines, dishwashers or kitchen sinks.
Heavy Metals	Metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain. Examples include mercury, chromium, cadmium, arsenic, nickel, lead and zinc.
Housekeeping	A general term, which covers all waste minimisation activities connected within the premises as part of its operation.
Industrial Discharges	Industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes.
Liquid Trade Waste	Liquid trade waste means all liquid waste other than sewage of a domestic nature.
Mandatory Concurrence	For the liquid waste in Classification C, councils need to obtain concurrence for approval of each discharge. The Water Utilities Branch of the Department of Planning, Industry and Environment provides concurrence on behalf of the Department's Secretary.
Methylene Blue Active Substances (MBAS)	These are anionic surfactants (see surfactants definition) and are called MBAS as their presence and concentration are detected by measuring the colour change in a standard solution of methylene blue dye.
Minimal Pre-treatment	For the purpose of this Policy includes sink strainers, basket arrestors for sink and floor waste, plaster arrestors and fixed or removable screens.
Mixed Business	A general store that sells a variety of goods and may also prepare some food.
Open Area	Any unroofed process, storage, washing or transport area potentially contaminated with rainwater and substances which may adversely affect the sewerage system or the environment.
Pan	For the purpose of this Policy "pan" means any moveable receptacle kept in a closet and used for the reception of human waste.

Term	Definition
PFAS	A group of manufactured chemicals, containing a component with multiple fluorine atoms, with many specialty applications. Examples are perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). They are used in a range of products such as textiles, leather, cosmetics, non-stick coatings in cookware, food packaging, and in some types of fire-fighting foam. These chemicals take a long time to break down in humans and the environment and their persistence and bioaccumulation potential pose concerns for the environment and for human health.
pH	A measure of acidity or alkalinity of an aqueous solution, expressed as the logarithm of the reciprocal of the hydrogen ion (H ⁺) activity in moles per litre at a given temperature; pH 7 is neutral, below 7 is acidic and above 7 is alkaline.
Pit latrines/Long-Drop Toilet/Pit Toilet	A type of toilet that collects faeces and urine directly into a tank or a hole in the ground.
Portable Toilet	Toilet in which wastes are deposited into a holding tank used on construction sites, caravans, motor homes, boats, trains and at outdoor gatherings. If chemicals are used to control odours, it is referred to as a chemical toilet.
Premises	Has the same meaning as defined in the <i>Local Government Act, 1993</i> dictionary and includes any of the following: <ul style="list-style-type: none"> • A building of any description or any part of it and the appurtenances to it. • Land, whether built on or not. • A shed or other structure. • A tent. • A swimming pool. • A ship or vessel of any description (including a houseboat). • A van.
Prescribed Pre-treatment Equipment	Is defined as standard non-complex equipment used for pre-treatment of liquid trade waste, eg a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit (refer to Table 8 of Liquid Trade Waste Regulation Guidelines, 2021).
Regional NSW	The area of the state that are not serviced by Sydney Water Corporation or the Hunter Water Corporation.
Secretary	The Head of the NSW Department of Industry and Environment.
Septage	Material pumped out from a septic tank during desludging; contains partly decomposed scum, sludge and liquid.
Septic Tank	Wastewater treatment device that provides a preliminary form of treatment for wastewater, comprising sedimentation of settle-able solids, flotation of oils and fats, and anaerobic digestion of sludge.
Septic Tank Effluent	The liquid discharged from a septic tank after treatment.
Sewage Management Facility	A human waste storage facility or a waste treatment device intended to process sewage and includes a drain connected to such a facility or device.
Sewage of Domestic Nature	Includes human faecal matter and urine and waste water associated with ordinary kitchen, laundry and ablution activities of a household, but does not include waste in or from a sewage management facility.
Sewerage System	The network of sewage collection, transportation, treatment and by-products (effluent and bio solids) management facilities.

Term	Definition
Ship-to-Shore Pump-out	Liquid waste from a vessel that may be considered for disposal to the sewerage system. This includes on-board toilet wastes, galley wastes and dry dock cleaning waste from maintenance activities.
Sludge	The solids that are removed from waste water by treatment.
Stormwater Run-off	Run-off resulting from rainfall.
Surfactants	The key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants. Anionic surfactants react with a chemical called methylene blue to form a blue-chloroform- soluble complex; the intensity of colour is proportional to concentration.
Suspended Solids (SS)	The insoluble solid matter suspended in wastewater that can be separated by laboratory filtration and is retained on a filter.
Total Dissolved Solids (TDS)	The total amount of dissolved material in the water.
Total Recoverable Hydrocarbons (TRH)	Both biological and petroleum hydrocarbons which have been extracted (recovered) from a sample. TRH are equivalent to the previously reported Total Petroleum Hydrocarbons (TPH). TRH is reported in fractions with Carbon chain (C ₆ – C ₄₀). TRH with carbon chain C ₆ – C ₁₀ are flammable.
Waste Minimisation	Procedures and processes implemented by industry and business to modify, change, alter or substitute work practices and products that will result in a reduction in the volume and/or strength of waste discharged to sewer.

POLICY

This Policy has been developed to ensure the proper control of liquid trade waste and hence protection of public health, worker safety, the environment and Council's sewerage system. The Policy also promotes waste minimisation, water conservation, water recycling and biosolids reuse.

In addition, the approval, monitoring and enforcement processes for liquid trade wastes discharged to Council's sewerage system and the levying of commercial sewerage and liquid trade waste fees and charges are described in this document. The procedure for liquid trade waste approval is governed by Chapter 7 of the Local Government Act.

Under section 68 of the *Local Government Act 1993* (Act), a person wishing to discharge liquid trade waste to the sewerage system must obtain prior approval from Council. Discharge of liquid waste other than domestic sewage without prior approval is an offence under section 626 of the Act.

What is Liquid Trade Waste?

Liquid trade waste is defined in the Local Government (General) Regulation 2005 as below:

Liquid trade waste means all liquid waste other than sewage of a domestic nature.

Liquid trade waste discharges to the sewerage system include liquid wastes from:

- Industrial premises.
- Business/commercial premises (eg beautician, florist, hairdresser, hotel, motel, restaurant, butcher, supermarket, etc).
- Community/public premises (including clubs, school, college, university, hospital and nursing home).
- Any commercial activities carried out at a residential premises.
- Saleyards, racecourses and stables and kennels that are not associated with domestic households.
- Tankered human waste, ship-to-shore waste from marina pump-out facilities, portable toilet waste and established sites for the discharge of pan contents from mobile homes/caravans.
- Any other waste tankered to the sewerage facilities, eg commercial or industrial waste from un-sewered areas.

Liquid trade waste excludes:

- Toilet, hand wash basin (used for personal hygiene only), shower and bath wastes derived from all the premises and activities mentioned above.
- Wastewater from residential toilets, kitchens, bathrooms or laundries (i.e. domestic sewage).
- Wastewater from common laundry facilities in caravan parks (Note: That discharges from common kitchen facilities in caravan parks are liquid trade waste).
- Residential pool backwash.

This Policy comprises three parts:

- Part 1
Specifies the circumstances in which a person is exempt from the necessity to apply for an approval to discharge liquid trade waste to Council's sewerage system.
- Part 2
Specifies the criteria which Council will take into consideration in determining whether to give or refuse a liquid trade waste approval.

- Part 3
Specifies the application procedure and approval process, liquid trade waste discharge categories and applicable fees and charges, the NSW Framework for Regulation of Sewerage and Trade Waste, alignment with the *National Framework for Wastewater Source Management* and other relevant information.

Part 1: Exemptions

The list of discharges exempt from obtaining Council's approval is provided in Appendix B. These discharges are known as 'Deemed to be Approved'. Each such discharger must meet the standard requirements specified in Appendix A.

Part 2: Criteria for Approval to Discharge Liquid Trade Waste Into Council's Sewerage System

2.1 Factors for Consideration

Council's decision to accept liquid waste into its sewerage system will be based on the discharger satisfying Council's requirements. Therefore, when determining an application to discharge liquid waste to the sewerage system, Council will consider the following factors:

- The potential impacts of the proposed discharge on Council's ability to meet the objectives outlined in this document.
- The adequacy of the pre-treatment process(es) to treat the liquid trade waste to a level acceptable for discharge to the sewerage system, including proposed contingency measures in an event of the pre-treatment system failure.
- The capability of the sewerage system (reticulation and treatment components) to accept the quantity and quality of the proposed liquid waste.
- The adequacy of chemical storage and handling facilities, and the proposed safeguards for prevention of spills and leaks entering to the sewerage system.
- The adequacy of the proposed due diligence program and contingency plan, where required.
- Proposed management of prohibited substances and other liquid waste not planned to be discharged to the sewerage system and safeguards to avoid any accidental discharge.
- The potential for stormwater entering the sewerage system and adequacy of proposed stormwater controls.
- The potential for growth of the community.

2.2 Discharge Quality

Council's acceptance limits for liquid trade waste discharges are set out in Table 1. These limits are consistent with the acceptance limits specified in the *Liquid Trade Waste Management Guidelines, 2021* by the Department of Planning, Industry and Environment.

Table 1: Acceptance limits for liquid trade waste into the sewerage system

Parameter	Limits
Flow Rate	The maximum daily and instantaneous rate of discharge (kL/h or L/s) is determined based on the available capacity of the sewer. Large discharges are required to provide a balancing tank to even out the load on the sewage treatment works.
BOD ₅	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
Suspended Solids	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
COD	Normally, not to exceed BOD ₅ by more than three times. This ratio is given as a guide only to prevent the discharge of non-biodegradable waste.
Total Dissolved Solids	Up to 4000 mg/L may be accepted. The acceptance limit may be reduced depending on available effluent disposal options and may be subjected to a mass load limit.
Temperature	Less than 38°C.
pH	Within the range 7.0 to 9.0.
Oil and Grease	100 mg/L if the volume of the discharge does not exceed 10% of the design capacity of the treatment works and 50 mg/L if the volume is greater than 10%.
Detergents	All detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes discharges.
Colour	Colour should be biodegradable. No visible colour when diluted to the equivalent dilution afforded by domestic sewage flow. Specific limits may be imposed on industrial discharges where colour has a potential to interfere with sewage treatment processes and the effluent management.
Radioactive Substances	If expected to be present (eg Iodine131 from ablation), acceptance requirements will be set on a case by case assessment.

Acceptance limits for inorganic and organic compounds		Maximum concentration (mg/L)
Inorganic compounds	Ammonia (as N)	50
	Boron	5
	Bromine	5
	Chlorine	10
	Cyanide	1
	Fluoride	30
	Nitrogen (total Kjeldahl)	100
	Phosphorus (total)	20
	Sulphate (as SO ₄)	500
Organic compounds	Sulphide (as S)	1
	Benzene	< 0.001
	Toluene	0.5
	Ethylbenzene	1
	Xylene	1
	Formaldehyde	30
Phenolic compounds non-halogenated	1	

Acceptance limits for inorganic and organic compounds		Maximum concentration (mg/L)
	Petroleum Hydrocarbons ²	
	C ₆ -C ₉ (flammable)	5
	Total Recoverable Hydrocarbons (TRH)	30
	Pesticides general (except organochlorine and organophosphorus)	0.1
	Polynuclear Aromatic Hydrocarbons (PAH)	5

Acceptance limits for metals	Maximum concentration (mg/L)	Allowed daily mass limit (g/d)
Aluminium	100	
Arsenic	0.5	2
Cadmium	1	5
Chromium ³	3	10
Cobalt	5	15
Copper	5	15
Iron	100	
Lead	1	5
Manganese	10	30
Mercury	0.01	0.05
Molybdenum	5	15
Nickel	1	5
Selenium	1	5
Silver	2	5
Tin	5	15
Zinc	1	5
Total heavy metals excluding aluminium, iron and manganese	Less than 30 mg/L and subject to total mass loading requirements	

Notes:

- Acceptance limits for substances not listed in above Tables will be determined on a case by case basis.
- The quality of liquid trade waste from some low risk commercial activities in Classification A and B will exceed acceptance limits listed in above Table. As a higher level of pre-treatment is not cost-effective, such waste is acceptable if the discharger installs, maintains and properly operates the required onsite pre-treatment. Similarly, septic and pan waste may exceed some acceptance limits.
- The analytical testing methods for the above parameters should be in accordance with the Australian Sewage Quality Management Guidelines, June 2012, WSAA and Council's requirements.

2.3 Prohibited or Restricted Substances and Waste

Substances prohibited from being discharged into the sewerage system unless they are specifically approved under section 68 of the Act are listed in Table 2. Refer to Appendix B for detailed description of substances and discharges either prohibited or restricted.

² Always ask a laboratory to carry out a silica gel clean up, if other than petroleum products are expected to be present in a liquid trade waste sample, e.g. animal fats, plant oil, soil, etc.

³ Where hexavalent chromium (Cr⁶⁺) is present in the process water, pre-treatment will be required to reduce it to the trivalent state (Cr³⁺), prior to discharge into the sewer

Table 2: Waste prohibited from discharge to the sewerage system

- Organochlorine weedicides, fungicides, pesticides, herbicides and substances of a similar nature and/or wastes arising from the preparation of these substances.
- Organophosphorus pesticides and/or waste arising from the preparation of these substances.
- Per- and poly-fluoroalkyl substances (PFAS).
- Any substances liable to produce noxious or poisonous vapours in the sewerage system
- Organic solvents and mineral oil[#].
- Any flammable or explosive substance[#].
- Discharges from 'Bulk Fuel Depots'.
- Discharges from chemicals and/or oil storage areas.
- Natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions.
- Roof, rain, surface, seepage or ground water, unless specifically permitted (clause 137A of the Local Government (General) Regulation 2005).
- Solid matter[#].
- Disposable products including wet wipes, cleaning wipes, colostomy bags, cat litter and other products marketed as flushable.
- Any substance assessed as not suitable to be discharged into the sewerage system.
- Liquid waste that contains pollutants at concentrations which inhibit the sewage treatment process – refer to Australian Sewage Quality Management Guidelines, June 2012, WSAA.
- Any other substances listed in a relevant regulation.

[#] In excess of the approved limit

2.4 Other substances/discharges either prohibited or restricted

- Stormwater from open areas.
- Contaminated groundwater.
- Discharge from float tanks.
- Discharge from new service station forecourts and other refuelling points.
- Discharge of liquid waste arising from liquefaction and/or pulverisation of solid waste by physical or chemical processes (eg macerators, alkaline hydrolysis).
- Discharge from solid food waste processing units (digesters/composters, etc).
- Use of additives in pre-treatment systems.

For further details on limitations and restrictions applicable to above discharges, refer to Appendix B of this Policy, Chapter 3 of the *NSW Liquid Trade Waste Management Guidelines, 2021*.

Part 3: Matters relating to liquid trade waste approvals

3.1 Application procedures and approval process

Council's written approval is required prior to commence discharging liquid trade waste to its sewerage system, under section 68 of the Local Government Act 1993. Application forms are available from Council.

The applicant must lodge a trade waste application providing all requested information. A trade waste application is not required to discharge liquid trade waste from 'Deemed to be Approved' activities listed in Appendix A.

3.2 Who can lodge an application

The applicant must be either the owner or the occupier of the premises. If the applicant is not the owner of the premises, the owner's consent to the application is required.

3.3 Council's process in determination of applications

Council may request an applicant to provide further information to enable it to determine the application.

3.4 Approval of applications

Where an application is approved, Council will notify the applicant including any conditions of the approval and reasons for such conditions. The duration of the approval will be as stated in the approval.

An applicant may make a minor amendment or withdraw an application before it is approved by Council. An applicant may also apply to Council to renew or extend an approval, in accordance with section 107 of the Local Government Act.

3.5 Refusal

If an application is refused, Council will notify the applicant of the grounds for refusal.

Under section 100 of the Act the applicant may request a review of Council's determination. Under section 176 of the Act, the applicant dissatisfied with Council's determination may appeal to the Land and Environment Court within 12 months.

3.6 Change of approval holder

An approval to discharge liquid trade waste to Council's sewerage system is not transferable. A new application must be lodged, and a new approval must be obtained if there is a change of the approval holder. Council must be notified of change of ownership and/or occupier in all cases, whether a new approval is required or not, to allow updating of records.

3.7 Validity of an existing approval

A new approval is required where there is a change of:

- Approval holder (either owner or occupier can be an approval holder).
- Activity generating the waste.
- The quantity or the nature of liquid trade waste.
- Approval conditions.

3.8 Modification and revocation of approvals

Council reserves the right to modify or revoke an approval to discharge liquid trade waste to the sewerage system under the circumstances described in section 108 of the *Local Government Act 1993*:

3.9 Concurrence

If Council supports an application and has a notice stating that concurrence of the Secretary, NSW Department of Planning, Industry and Environment can be assumed for the liquid trade waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence to its approval.

For concurrence purposes, liquid trade waste discharges are divided into four classifications:

1. Concurrence Classification A – liquid trade waste for which Council has been authorised to assume concurrence to the approval subject to certain requirements.
2. Concurrence Classification B – liquid trade waste for which Council may apply for authorisation to assume concurrence to the approval subject to certain requirements.
3. Concurrence Classification S – the acceptance of septic tank, pan waste and ship-to-shore pump-out etc. Council may apply for authorisation to assume concurrence to the approval subject to certain conditions.
4. Concurrence Classification C – all other liquid trade waste that do not fall within Concurrence Classification A, B or S, and therefore require Council to forward the application for concurrence.

Refer to Appendix D which lists type of discharges that Council have assumed concurrence (ie that Council can approve without seeking concurrence from the Department).

3.10 Tracking and servicing pre-treatment devices

The Liquid Trade Waste Approval specifies the pre-treatment device to be installed and the minimum service frequency of such devices approved by Council. Council will inspect pre-treatment devices to ensure compliance within the Liquid Trade Waste Approval.

Council will install a barcode at each device to enable tracking of pre-treatment servicing. Waste transport companies will scan the barcode and this information will be automatically updated to Council's database.

Council will receive the following information for tracking each pre-treatment device:

- Barcode number.
- Date it was serviced.
- Waste transport company that serviced it.

- Any faults identified with the service (faulty lid, broken baffles, debris, etc).

By managing this data, Council will know when the next service is due or if there is any faults identified. Council will send correspondence in regards to any servicing and/or faults identified.

3.11 Sewerage and liquid trade waste fees and charges

Council provides sewerage and liquid trade waste services on a commercial basis, with full cost recovery through sewerage and liquid trade waste fees and charges. Council implements best practice pricing for non-residential sewerage and liquid trade waste services to ensure that dischargers bear a fair share of the cost of providing sewerage services and to facilitate appropriate pre-treatment, waste minimisation and water conservation.

The current sewerage and liquid trade waste fees and charges are provided on Council's website: council@dubbo.nsw.gov.au

Council's liquid trade waste fees and charges may include:

- General fees and charges (application fee, annual liquid trade waste fee, inspection and/or re-inspection fees and renewal fee).
- Category specific charges (trade waste usage charges for Charging Category 2 discharges, excess mass charges for Charging Category 3 discharges, charges for Charging Category 2S discharges and non-compliance charges).
- Other charges related to the nature of waste (charges for the discharge of stormwater from large areas, food waste disposal charges, etc).

A detailed description of the liquid trade waste fees and charges and the methodology of calculating them are provided in Appendix C.

3.12 Liquid trade waste charging categories

For charging purposes there are four liquid trade waste charging categories:

1. Category 1: Discharges requiring minimal pre-treatment, or prescribed pre-treatment but low impact on the sewerage system. These dischargers will only pay an annual fee. If pre-treatment equipment is not provided or maintained, non-compliance charges will be applied.
2. Category 2: Discharges with prescribed pre-treatment⁴ and other activities listed under this charging category in Appendix C. These dischargers will pay trade waste usage charge and annual trade waste fee. If pre-treatment equipment is not provided or not maintained, then such dischargers will be required to pay non-compliance usage charge.
3. Category 2S: Transporters who tanker human waste to Council's STWs, facility owners/operators of ship-to-shore pump out facilities and owners/operators of 'dump points' directly connected to sewer.
4. Category 3: Large (>20 kL/d) and industrial discharges (excluding shopping centres and institutions). Such dischargers will pay excess mass charges. If the discharge fails to comply with Council's acceptance limits, dischargers will be required to pay non-compliance excess mass charges and pH charges.

Note: That these charging categories are different to four classifications of that have been established for concurrence purposes (ie Classification A, B, C and S). The relationship between Concurrence Classifications and Charging Categories are shown in Figure 1 in Appendix C.

⁴ Excludes activities in Category 1.

3.13 Non-compliance liquid trade waste charges

In order to encourage compliance, Council may apply non-compliance trade waste charges. Refer to Appendix C for further details of non-compliance charges for different charging categories.

Council will continue applying non-compliance charges until the discharge meets Council's approved quality (or the Liquid Trade Waste Policy) limits, within the timeframe determined by Council for remedying the problem. If the discharger fails to rectify the problem within an agreed timeframe, the discharger may be required to cease discharging liquid trade waste into Council's sewerage system. Council may also consider issuing penalty infringement notice to a non-compliant discharger, or may prosecute the discharger.

3.14 Other applicable liquid trade waste charges

Additional fees and charges may be levied by Council if wastewater is discharged to Council's sewerage system from the following equipment and or processes, with Council's approval:

- Discharge of stormwater to the sewerage system from large open areas or large quantities of groundwater.

Refer to Appendix C for further details.

3.15 Summary of category specific liquid trade waste fees and charges

The summary of fees and charges are indicated in Table 3 below:

Table 3: Summary of liquid trade waste fees and charges

Fee/Charge	Category 1	Category 2	Category 3	Category 2S
Application fee	Yes ⁵	Yes	Yes	Yes
Annual non-residential sewerage bill with appropriate sewer usage charge/kL	Yes	Yes	Yes	No
Annual liquid trade waste fee	Yes ⁶	Yes	Yes	Variable ⁷
Re-inspection fee (when required)	Yes	Yes	Yes	Optional ⁸
Trade waste usage charge/kL	No	Yes	No	No
Human waste disposal charge/kL	No	No	No	Yes
Excess mass charges/kg	No	No	Yes	No
Non-compliance trade waste usage charge/kL	Yes ⁹	Yes ¹⁰	No	No
Non-compliance excess mass/kg and pH charges/kL (if required)	No	No	Yes	No

Note: **Other applicable charges** are not included in this Table. Refer to Appendix C.

⁵ Not applicable for discharges listed as Deemed to be Approved

⁶ May not be applicable for discharges listed as 'Deemed to be Approved'.

⁷ Refer to Appendix C for guidance on applying annual fees to Category 2S discharges.

⁸ Applicable if re-inspection of facilities is required, e.g. ship-to-shore pump-out facility.

⁹ Non-compliance trade waste usage charge, if the discharger fails to install or properly maintain appropriate pre-treatment equipment. Refer to Council's Revenue Policy

3.16 Responsibility for payment of fees and charges

Property/land owners are responsible for the payment of fees and charges for water supply, sewerage and liquid trade waste services. This includes property owners of marinas, caravan parks, etc.

Where another party (lessee) leases premises, any reimbursement of the lessor (property owner) for such fees and charges is a matter for the lessor and the lessee.

In relation to tankered human waste, transporters who collect and discharge waste at the STW are responsible for the payment. A waste transporter who tankers liquid trade waste to the STW may pay only the liquid trade waste fees and charges as non-residential sewerage fees are not applicable.

Note: That a liquid trade waste discharger (except for tankered waste) pays both the non-residential sewerage charges and liquid trade waste fees and charges.

3.17 The NSW framework for regulation of sewerage and trade waste

The NSW framework for regulation of sewerage and trade waste and the alignment with the national framework for wastewater source management are listed in Appendix E.

3.18 Enforcement of approvals and agreements

If the discharge is not approved or fails to comply with the approval conditions, the discharger is subject to prosecution and imposition of fines under the *Local Government Act 1993* (under section 626 and section 627).

The above offences are also prescribed as penalty notice offences under the Act and Council may issue a penalty infringement notice (ie on the spot fine) to such discharger (refer to Schedule 12 of the *Local Government (General) Regulation 2005*).

In addition to fines, Council may recover costs of damages and fines incurred by Council as a result of an illegal liquid waste discharge. Temporally suspension or cease the discharge may also be required.

Note: That sections 628 and 634 to 639 also list other offences related to water, sewerage and stormwater drainage.

Polluting of any waters by a discharger of liquid trade waste who does not have Council approval, or who fails to comply with the conditions of the approval is also an offence under section 120 (1) of the *Protection of the Environment Operations Act 1997*. In addition, under section 222 of this Act, Council may issue a penalty infringement notice to such a discharger.

3.19 Prevention of waste of water

Water must be used efficiently and must be recycled where practicable. It is an offence under section 637 of the *Local Government Act 1993* and its Regulation (refer to Appendix F) to waste or misuse water.

Dilution of liquid trade waste with water from any non-process source including Council's water supply, bore water, groundwater, stormwater as a means of reducing pollutant concentration is therefore strictly prohibited.

3.20 Effluent improvement plans

Where the quality of liquid trade waste discharged does not meet Council's requirements, the applicant may be required to submit an Effluent Improvement Plan setting out how Council's requirements will be met. The proposed plan must detail the methods/actions proposed to achieve the discharge limits and a timetable for implementation of the proposed actions. Such actions may include more intensive monitoring, improvements to work practices and/or pre-treatment facilities to improve the effluent quality and reliability.

3.21 Due diligence programs and contingency plans

A discharger may be required to submit a due diligence program and a contingency plan for some liquid trade waste discharges (generally in Concurrence Classification C, Charging Category 3) where it is considered that the discharge may pose a potential threat to the sewerage system. If required, a due diligence program and contingency plan must be submitted to Council within the time specified in the liquid trade waste approval.

RESPONSIBILITIES

The Manager of Water Supply and Sewerage is the responsible officer.

Appendix A: Deemed to be Approved Activities

The list of discharges exempt from obtaining of Council's approval (ie considered as 'Deemed to be Approved') is shown in Table A1. Each such discharger must meet standard requirements specified in this Table.

Table A1: Discharges deemed to be approved

Activity generating waste	Requirements
Beautician	Solvents not to be discharged to sewer.
Bed and breakfast (not more than 10 persons including proprietor)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Cooling tower <500L/h	No chromium-based products to be discharged to the sewer.
Crafts ceramic, pottery, etc (including hobby clubs) Flows <200 L/d Flows 200-1,000 L/d	Nil.
	Plaster arrestor required.
Day care centre (no hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4). Nappies, wet wipes are not to be flushed into the toilet.
Delicatessen (no hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Dental technician	Plaster arrestor required.
Dental mobile (no amalgam waste)	Nil.
Dog/cat grooming/animal wash only	Dry basket arrestor for floor waste outlets and sink strainer required (see Note 3). Animal litter and any disposable waste products must not be discharged to sewer. Organophosphorus pesticides are prohibited to be discharged to sewer.
Florist	Dry basket arrestor for floor waste outlet and sink strainer required. Herbicides/pesticides are not permitted to be discharged to sewer.
Fruit and vegetable – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3).
Hairdressing	Dry basket arrestor for floor waste outlet and sink strainer, hair trap.
Jewellery shop Miniplater Ultrasonic washing Precious stone cutting	Miniplater vessel to contain no more than 1.5 L of precious metal solution.
	Nil.
	If : < 1000 L/d plaster arrestor required. > 1000 L/d general purpose pit required.
*Medical centre/doctor surgery/physiotherapy *(only if plaster cast are made onsite)	Plaster arrestor required, if plaster of paris casts are used.
Mixed business (minimal hot food)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3). Housekeeping practices (see Note 4).

Activity generating waste	Requirements
Mobile cleaning units Carpet cleaning Garbage bin washing	20 micron filtration system fitted to a mobile unit. Dry basket arrestor for floor waste outlet required. Discharge via grease arrestor (if available).
Motel (no hot food prepared and no laundry facility)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3). Housekeeping practices (see Note 4).
Nut shop	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3).
Optical service - retail	Solids settlement tank/pit required.
Pet shop – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 2). Animal litter and any disposable waste products must not be discharged to sewer. Organophosphorus pesticides are prohibited to be discharged to sewer.
Pizza reheating for home delivery	Housekeeping practices (see Note 4).
Venetian blind cleaning	Nil (see Note 2).

Notes:

1. Where 'required' is used, it means as required by Council.
2. If activity is conducted outdoors, the work area is to be roofed and bunded to prevent stormwater ingress into the sewerage system.
3. Dry basket arrestors must be provided for all floor waste outlets.
4. Food preparation activities need to comply with sound housekeeping practices including:
 - a. Floor must be dry swept before washing.
 - b. Pre-wiping of all utensils, plates, bowls etc to the scrap bin before washing up.
5. Use of a food waste disposal unit (garbage grinder) and/or a food waste processing units (food waste digester, composter etc) is not permitted.

Appendix B: Prohibited or restricted substances and waste from discharge to sewer

This Appendix provides additional information in regard to substances and waste either prohibited or restricted from being discharged to sewer (as indicated in Table 2 of this Policy).

B1 Stormwater from open areas

The ingress of stormwater into the sewerage system can cause operational problems and result in sewer overflows, as the sewerage system does not have the capacity for such flows. Under clause 137A of the Regulation, the discharge of roof, rain, surface, seepage or groundwater to a sewerage system is prohibited unless specifically approved.

However, it may not be practical or feasible to totally prevent stormwater contamination and ingress into a sewerage system from some non-residential premises.

The discharge of limited quantities of stormwater (generally, 10 mm of rain) from sealed areas can be considered when roofing cannot be provided due to safety or other important considerations. In such instances, the applicant should take measures to minimise the contamination of stormwater and the volume of stormwater entering the sewerage system (eg first flush systems, flow separation, bunding, onsite detention, etc). The discharge from unsealed areas is not permitted.

Refer to Trade Waste Management Guidelines 2021 for further information.

B2 Contaminated groundwater

Similar to stormwater, discharge of groundwater or seepage water to a sewerage system is prohibited under clause 137A of the Regulation. Accordingly, groundwater extracted during construction activities (eg building/road construction activities, vacuum excavation, mining/exploration works, etc) is not permitted to be discharged to Council's sewerage system directly or indirectly.

However, groundwater previously contaminated by human activities (eg service station remediation sites) may be considered for discharge to the sewerage system. Limited quantities of groundwater from remediation projects may be accepted under controlled conditions after appropriate pre-treatment for a limited period.

B3 Discharge of landfill leachate

The discharge of leachate from municipal waste landfills to the sewerage system may be considered under controlled conditions, if there is no other viable option of managing this waste and the discharge is within the Council's acceptance limits.

B4 Discharge from float tanks

Float tanks, often referred to as floatation pods, iso-pods (isolation tank), sensory deprivation systems, or REST tanks (Restricted Environmental Stimulation Therapy Tanks) are typically small, enclosed pods containing about 1,000 litres of water. This water usually contains large quantities of Epsom salts (300 - 700 kg of magnesium sulphate), resulting in total dissolved solids concentration up to 700,000 mg/L.

Discharge of such water to sewer is not permitted due to potential adverse impacts associated with the high salt content on the sewer infrastructure and treatment processes. It is also not appropriate to dispose of such waste to septic tanks or onsite soak wells.

If wastewater is proposed to be transported away for off-site management, the operator of such facilities must provide details of liquid waste transporters and written verification from the receiving facilities acknowledging and agreeing to receive such wastewater.

B5 Discharge from service station forecourts and other refuelling points

B5.1 New premises

The discharge of wastewater from service station forecourts and other refuelling points (eg at bus depot, etc) is not permitted.

Refer to NSW EPA Practice Note, titled *Managing Run-off from Service Station Forecourts*, June 2019, for options for managing such wastewater.

B5.2 Existing premises

The discharge from existing service stations and other refuelling areas may be permitted, provided appropriate pre-treatment and discharge control requirements are adhered to. Further information is provided in Chapter 3 and Appendix F of the Liquid Trade Waste Management Guidelines 2021.

If a refuelling area is refurbished, then the discharge from this area must be disconnected from the sewerage system.

B6 Discharges from liquefaction and/or pulverisation of solid waste by physical or chemical processes

The wastewater arising from liquefaction or pulverisation of solid waste by physical (eg pulping, macerating) or chemical means (eg dissolving solid waste in highly acidic or alkaline solutions) is not permitted to be discharged to the sewerage system.

Accordingly, discharges from the following devices/processes are not permitted:

- **Macerators** or similar devices that pulverise solid waste. Solid waste includes, but is not limited to sanitary napkin, placenta, surgical waste, disposable nappy, mache bedpan/urine containers, food waste, disposable products and animal waste (dog/cat faeces, cat litter).
- **Food waste disposal units**, also known as in-sink food waste disposers or garbage grinders in commercial premises. Discharges from existing installations in hospitals and nursing homes may be permitted, provided that wastewater is discharged through an adequately sized grease arrestor (additional charges will be applied). If the kitchen is refurbished, the food waste disposal unit must be removed.
- **Alkaline hydrolysis waste**, process where a human or animal tissue is broken down using alkaline solutions at elevated temperatures and pH. The process may be used in animal care facilities, veterinary premises, animal research laboratories, funeral parlours etc. The generated wastewater is of a high strength and may exhibit high loadings on the sewerage system. Accordingly, the wastewater generated by this process is **not** permitted to be discharged to the sewerage system.

B6.1 Discharge from solid food waste processing units (digesters/composters, etc)

Discharge from solid food waste processing equipment (composters/digesters, etc) is prohibited, unless specifically approved by Council with the Department's concurrence.

Discharge from a solid food waste processing unit (digesters/composters, etc) to Council's sewerage system is a Concurrence Classification C discharge (ie Charging Category 3), hence Council needs to obtain concurrence to its approval from the Department for individual applications.

The quality of wastewater from this equipment depends on the type of solid waste fed into it and the effectiveness of the onsite pre-treatment, hence frequent sampling will be required for monitoring and charging purposes. Sampling needs to be undertaken by either a Council officer or an independent party acceptable to Council.

Appropriate onsite pre-treatment needs to be provided prior to combining with any other liquid waste stream that discharges to the Council's sewerage system.

Each application will be assessed on a case by case basis.

B7 Use of additives in pre-treatment systems

The use of bacterial, enzyme and/or odour controlling agents in pre-treatment equipment (eg in grease arrestors) is prohibited unless specifically approved by Council with the Department's concurrence.

B8 Disposal of solid products

Disposal of solid products including those marketed as 'flushable' (eg wet wipes, cleaning wipes, cat litter, etc) is not permitted to the sewerage system.

Contrary to manufacturers' claims, flushable wet wipes do not breakdown in the sewerage system similarly to a toilet paper and may cause blockages within the premises or in the Council's sewerage system and may cause raw sewage overflow to the environment.

Appendix C: Non-residential sewerage and liquid trade waste fees and charges

This Appendix provides information on Council's charging criteria for liquid trade waste customers. Some guidance is also provided on the applicable non-residential sewerage charges.

The best practice pricing for non-residential sewerage and liquid trade waste services are to ensure that liquid trade waste dischargers pay a fair share of the cost of sewerage services provided by Council. Appropriate pricing is essential to provide relevant pricing signals to non-residential and liquid trade waste customers to use water and sewerage system efficiently.

C1 Non-residential sewerage pricing¹⁰

A non-residential sewerage bill is based on a cost-reflective two-part tariff with an annual access charge and a uniform sewer usage charge per kL. The total discharged volume to the sewerage system can be either measured (by a flow meter) or estimated using the customer's total water consumption multiplied by a sewer discharge factor.

The sewerage bill for a non-residential customer is calculated as follows:

$$B = SDF \times (AC + C \times UC)$$

Where: B = Annual non-residential sewerage bill (\$)
 C = Customer's water annual consumption (kL)
 AC = Annual non-residential sewerage access charge as shown below (\$)
 SDF = Sewer discharge factor
 UC = Sewer usage charge (\$/kL)

Access charge

The sewerage access charge is proportional to the square of the size of the water supply service connection. $\left(AC_{20} \times \frac{D^2}{400} \right)$

AC =

Where: AC₂₀ = Annual non-residential sewerage access charge for 20 mm water service connection (\$)

D = Water supply service connection size (mm)

Sewer usage charge

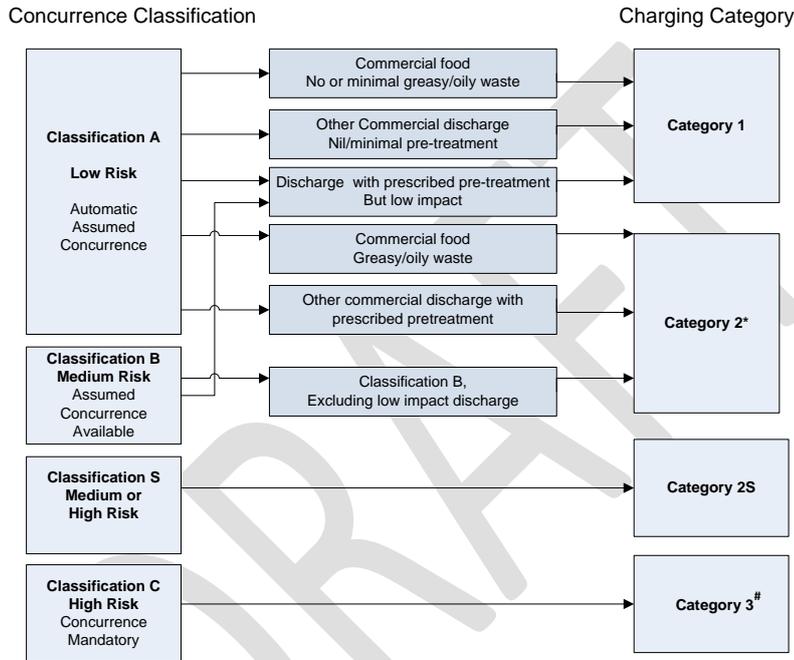
The sewer usage charge (\$/kL) is applied for the total volume of wastewater discharged to the sewerage system.

¹⁰ Detailed guidance for calculation of non-residential sewerage prices are provided in the Department's Water Supply, Sewerage and Trade Waste Pricing Guidelines, 2002, Department of Land and Water Conservation

C2 Liquid trade waste fees and charges

This section describes various fees and charges associated with liquid trade waste and fees and charges applicable to charging categories. Figure 1 shows the relationship between concurrence classifications and charging categories.

FIGURE 1 CHARGING CATEGORIES FOR LIQUID TRADE WASTE



*Includes discharges from a fish shop (fresh fish for retail).

#Except shopping complexes and institutions (hospital, educational facilities, etc. which will be charged as Category 2 in accordance with activities carried out on the premises.

In summary, Classification A discharges fall into Charging Category 1 or Category 2. Classification B discharges fall into Charging Category 2, except for a few discharges with low impact on the sewerage system which fall into Category 1. Classification S discharges fall into Charging Category 2S and Classification C discharges fall into Charging Category 3.

C2.1 Description of various trade waste fees and charges

Followings sections describe various trade waste fees and charges and the methodology of calculating them.

C2.1.1 Application fee

The application fee recovers the costs of administration and technical services provided by Council in processing a liquid trade waste application. This fee varies for different charging categories to reflect the complexity of processing the application.

C2.1.2 Annual trade waste fee

The purpose of this fee is to recover the costs incurred by Council for ongoing administration and scheduled inspections, in order to ensure that the discharge complies with the approval conditions. As part of an inspection, Council may undertake monitoring which may include, but is not limited to, flow measurement and the sampling. In general, the cost of one inspection is included in the annual fee, in particular for Category 1 and 2 discharges.

The annual liquid trade waste fee varies for different charging categories in order to reflect the complexity of their inspection and administration requirements. In particular, for Category 3 discharges, Council may opt to set the annual fee on a case by case basis to reflect the complexity of monitoring requirements and the extent of inspection.

Council may require a discharger to pay for monitoring (quantity and quality) on the basis of full cost recovery.

C2.1.3 Inspection fee/re-inspection fee

The cost of one inspection is usually included in annual liquid trade waste fee for charging categories 1 and 2.

However, it may be required to conduct unplanned inspections or reinspections of a premise (eg non-compliance with approved conditions, investigating an accident, etc). Also, more frequent inspections may be necessary for large and industrial discharges.

Where more than one inspection is undertaken in a financial year and/or the cost of inspections is not included in the annual fee, the cost may be recovered from the discharger as the reinspection fee.

Council may recover the cost of sample analysis from the discharger, in addition to the reinspection fee.

C2.1.4 Renewal fee

Council will apply a renewal fee if an existing approval needs to be renewed in accordance with Council's Revenue Policy.

C2.1.5 Category specific charges

The following sections describe the charging categories and fees and charges applicable to each charging category. If a discharge is not listed, Council will determine (with the consultation of the Department) the relevant charging category, based on the quality and the quantity of discharge.

The following sections describe the charging categories and fees and charges applicable to each charging category. Liquid trade waste discharges that fall into each category are listed under each charging category. If not listed, Council will place the discharger in an appropriate charging category based on the quality and quantity of discharge.

C3 Category 1 discharger

This charging category includes:

- Classification A discharges (both commercial retail non-oily/greasy food preparation and other commercial discharges, listed below) .
- Classifications B discharges identified as low risk.

Some of the above discharges may require prescribed pre-treatment to be installed however, the treated effluent is considered to have a low impact on the sewerage system.

Classification A discharges – commercial retail food preparation activities that do not generate or generate minimal oily/greasy waste: bakery (only bread baked onsite), bistro (sandwiches, coffee only), boarding/hostel < 10 persons, café/coffee shop/coffee lounge, canteen/cafeteria, community hall/civic centre (minimal food), day care centre (minimal hot food), delicatessen (minimal or no hot food), fruit and vegetable shop, hotel/motel (minimal hot food), ice cream parlour (take away only), juice bar, mobile food van (no hot food), mixed business (minimal hot food), nightclub (no hot food), nut shop, pie shop (re-heating only), pizza no cooking/reheating (pizza heated and sold for consumption off-site), potato peeling (small operation), sandwich shop/salad bar/snack bar (no hot food) and take away food outlet (no hot food).

Classification A discharges from other commercial activities: animal wash, beautician/hairdressing, crafts < 1,000 L/d, dental surgery/dental technician (plaster casts), dry cleaning, florist, funeral parlour, jewellery shop, medical centre/physiotherapy (plaster casts), mobile cleaning units, morgue, optical service, pet shop, plants retail (no nursery), non-residential swimming pool/hydrotherapy, veterinary.

Classification A or B discharges with prescribed pre-treatment and low impact on the sewerage system: boiler blowdown, cooling tower, industrial boilers, laboratory (analytical/pathology/tertiary institution), laundry, primary and secondary school¹¹, vehicle washing/detailing (excluding truck washing).

C3.1 Category 1 discharger - liquid trade waste charges

C3.1.1 'Deemed to be Approved' discharges

For a discharger in 'Deemed to be Approved' discharge charges may not apply.

³ If significant hot food preparation is carried out, Category 2 charges may be levied by council.

C3.1.2 Category 1 discharger, other than 'Deemed to be Approved'

A Category 1 discharger who installs recommended appropriate pre-treatment equipment and maintains them regularly will be required to pay **only** the annual fee nominated for Category 1.

Liquid trade waste bill for Category 1 discharger (TW_1)

$$TW_1 = A_1$$

A_1 = Annual liquid trade waste fee (\$) for Category 1

C4 Category 2 discharger

Category 2 liquid trade waste dischargers are those discharging waste generated by an activity listed below:

Classification A discharges – commercial retail food preparation/serving activities that generate oily/greasy waste: bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen (exceeding 10 persons), butcher, café/coffee shop, cafeteria, canteen, chicken/poultry shop –fresh/roast, retail BBQ/charcoal chicken, day care centre with hot food, club, civic centre/community hall¹², commercial kitchen/caterer, delicatessen with hot food, fast food outlet, fish shop (retail and cooking onsite), function centre, hotel, ice cream parlour, mixed business (hot food), mobile food van (base), motel, nightclub, nursing home, patisserie, pizza cooking, restaurant, sandwich shop/salad bar/snack bar (with hot food), supermarket and take away food outlet.

Classification A discharges – other commercial discharges: car detailing, craft activities > 1000 L/d, lawnmower repairs, mechanical workshop, stone working and surfboard manufacture (wet process only).

Classification B discharges: auto dismantler, bus/coach depot, bakery (wholesale), butcher (wholesale) construction equipment maintenance and cleaning, boutique or artisan foods, engine reconditioning, equipment hire, maintenance and cleaning, fish co-op, graphic arts, hospital, micro-brewery, oyster processing – shucking, panel beating, radiator repairer, screen printing, service station forecourt, shopping complex, truck washing (platforms/flat beds) and truck washing (external).

C4.1 Category 2 discharger - Liquid Trade Waste Charges

A Category 2 discharger who installs appropriate pre-treatment equipment and maintains them will pay annual fee nominated for Category 2 plus the trade waste usage charge.

Liquid trade waste bill for Category 2 discharger (TW_2),

$$TW_2 = A_2 + Q_{TW} \times C_2$$

A_2 = Annual liquid trade waste fee (\$) for Category 2

Q_{TW} = Total liquid trade waste discharge volume (kL)

C_2 = Trade waste usage charge (\$/kL)

The liquid trade waste discharge volume is generally estimated by applying a Trade Waste Discharge Factor (TWDF) to the total water consumption unless a discharge meter is installed.

¹² If the type and size of kitchen fixtures installed enable catering for large functions.

C5 Category 2S discharger

Category 2S dischargers include:

- **Transporters who tanker human waste** to Council's STWs - septic tank waste (effluent and septage), ablution block waste (blackwater and greywater), portable toilet waste, sludge from onsite aerated wastewater treatment systems (AWTS) for **single households**, waste from pit toilets, night soil.
- **Ship-to-shore pump out facility owners/operators** - toilet waste and/or grey water.
- **Owners/operators of 'dump points'** directly connected to the sewer for disposal toilet waste and/or grey water from a bus or a recreation vehicle (RV), eg caravan, motor home.

C5.1 Category 2S discharger - liquid trade waste charges**C5.1.1 Transported human waste**

The transporters of human waste will be required to pay waste disposal charge (\$/kL).

Liquid trade waste bill for Category 2S waste transporter (TW_{TW}),

$$TW_{TW} = A_{TW} + Q_{TW} \times C_{TW}$$

A_{TW} = Annual fee (\$) for transported waste

Q_{TW} = Transported human waste volume (kL)

C_{TW} = Charging rate (\$/kL) for the transported waste (may vary based on the type of waste transported)

C5.1.2 Waste dump points

Dump points are often located in public places (roadside), hence the monitoring of discharge volumes is not practical. Accordingly, only an annual fee is applied for stand-alone dump points.

Liquid trade waste bill for dump point operator (TW_{DP}) (if applicable),

$$TW_{DP} = A_{DP}$$

A_{DP} = Annual fee for dump point (\$)

C6 Category 3 discharger

Category 3 liquid trade waste dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds the limits shown below becomes a Category 3 discharger (excluding shopping centres and institutions):

- Classification A discharge > 20 kL/d
- Classification B discharge – as shown in Chapter 5 of the Guidelines.

Classification C discharges include: abattoir, acid pickling, adhesive/latex manufacture, agricultural and veterinary drugs, anodising, bitumen and tar, bottle washing, brewery, cardboard and carton manufacture, carpet manufacture, caustic degreasing, chemicals manufacture and repackaging, contaminated site treatment, cooling towers, cosmetics/perfumes manufacture, cyanide hardening, dairy processing* (milk/cheese/yoghurt/ice cream, etc), detergent/soaps manufacture, drum washing, egg processing, electroplating, extrusion and moulding (plastic/ metal), feather washing,

fellmonger, felt manufacture, fertilisers manufacture, fibreglass manufacture, filter cleaning, foundry, food processing* (cereals/cannery/condiments/confectionary/edible oils/fats/essence/flavours/fish/fruit juice/gelatine/honey/meat/pickles/smallgoods/tea and coffee/vinegar/yeast manufacture, etc), fruit and vegetable processing, flour milling, galvanising, glass manufacture, glue manufacturer, ink manufacture, laboratories (excluding those in Category 1 and 2), liquid wastewater treatment facility (grease trap receipt depot and other pump-out waste depot), metal finishing, metal processing (refining/rumbling/non-cyanide heat treatment/phosphating/photo engraving/printed circuit etching/sheet metal fabrication etc), mirrors manufacture, oil recycling (petrochemical) and refinery, paint stripping, paint manufacture, paper manufacture, pet food processing, plants nursery (open areas), pharmaceuticals manufacture, plaster manufacture, powder coating, potato processing, poultry processing, printing (newspaper, lithographic), saleyards, sandblasting, seafood processing, slipway, soft drink/cordial manufacture, starch manufacture, sugar refinery, tanker washing, tannery, timber processing (joinery and furniture/plywood/hardwood), textile manufacture (wool dyeing/spinning/scouring), tip leachate, transport depot/terminal, truck washing (internal), waxes and polishes, water treatment backwash, wholesale meat processing, winery, wine/spirit bottling.

* Excluding small boutique, craft or artisan food industries not exceeding the discharge volume shown in Liquid Trade Waste Management Guidelines, 2021.

C6.1 Category 3 discharger - liquid trade waste charges

C6.1.1 Excess mass charges

A Category 3 discharger will be required to pay the annual liquid trade waste fee plus excess mass charges.

Liquid trade waste bill for Category 3 discharger (TW_3),

$$TW_3 = A_3 + EMC$$

A_3 = Annual liquid trade waste fee (\$)

EMC = Excess mass charges (\$)

How excess mass charges are calculated

Excess mass charges will be applicable for substances discharged in excess of the 'Deemed Concentrations' in domestic sewage. For the purpose of excess mass charge calculation, the deemed concentrations of substances in domestic sewage are listed in Table D1.

Table C1: Deemed concentration of substances in domestic sewage

Substance	Concentration (mg/L)
Biochemical Oxygen Demand (BOD ₅)	300
Suspended Solids	300
Total Oil and Grease	50
Ammonia (as Nitrogen)	35
Total Kjeldahl Nitrogen	50
Total Phosphorus	10
Total Dissolved Solids	1000
Sulphate (SO ₄)	50 [#]

[#] The concentration in the potable water supply to be used if it is higher than 50 mg/L.

NB. Substances not listed above are deemed not to be present in domestic sewage.

For excess mass charge calculation, equation (1) below will be applied for all parameters including for BOD₅ up to 600 mg/L (but excluding COD and pH).

$$EMC (\$) = \frac{(S - D) \times Q_{TW} \times U}{1,000}$$

Where: S = Concentration (mg/L) of substance in sample.
 D = Concentration (mg/L) of substance deemed to be present in domestic sewage.
 Q_{TW} = Volume (kL) of liquid trade waste discharged to the sewerage system.
 U = Unit charging rate (\$/kg) for the substance (note that this rate varies from substance to substance. Refer to council's annual Management Plan for charging rates for various substances).

C6.1.2 Excess mass charges For BOD

BOD up to 600 mg/L

Equation (1) applies for BOD₅ up to 600 mg/L. Note that there are no excess mass charges if the BOD does not exceed 300 mg/L (deemed concentration of BOD in domestic sewage).

Excess mass charges for BOD exceeding 600mg/L

If Council approves the acceptance limits for BOD₅ higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate U_e (\$/kg) as shown in equation (2). This provides a strong incentive for dischargers to reduce the strength of waste. Note that equation (5) will be used where the discharger has failed to meet their approved BOD limit on more than two instances in a financial year.

U_e is the excess mass charging rate U_e (\$/kg) for BOD is calculated as:

$$U_e = 2C \times \frac{(\text{Actual BOD} - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - 600\text{mg/L})}{600\text{mg/L}}}$$

Where: C = Charging rate (\$/kg) for BOD₅ 600mg/L
 Actual BOD = Concentration of BOD₅ as measured in a sample

C6.2 Tankered category 3 waste

In some instances, liquid waste that falls into Charging Category 3 is transported to the STW. Examples of such waste may include tankered landfill leachate or dairy waste from un-sewered areas. In such instances, Council will determine the appropriate approval holder (waste generator or the transporter) and invoice accordingly. These charges may include:

- Volume based charges

Alternatively, should Council wish to simplify the charging method, council may negotiate a charging rate taking into consideration the expected pollutant load and apply this charge to the volume of waste.

C7 Non-compliance liquid trade waste charges

Non-compliance charges for Category 1 and 2 dischargers

If the discharger has not installed or maintained appropriate pre-treatment equipment, the following non-compliance trade waste usage charges will be applied for the relevant billing period:

C7.1 Category 1 discharger - non-compliance charges

The trade waste usage charge (\$/kL) as per Council's Revenue Policy will be applied.

C7.2 Category 2 discharger – non-compliance charges

For Category 2 discharger, a non-compliance charge as outlined in the Council's Revenue Policy.

Dischargers who have an undersized grease arrestor and improved the effluent quality by other means (eg increased pump-outs, installing additional pre-treatment equipment, etc) will pay a trade waste usage charges in accordance with a Category 2 discharger.

Dischargers who cannot install a grease arrestor or those who have an arrestor with capacity significantly less than the required size and are unable to improve the effluent quality by means described above will have to pay non-compliance trade waste usage charges, as outlined in the Council's Revenue Policy.

C7.3 Non-compliance charges for Category 3 discharger

If a discharger in charging Category 3 fails to comply with the acceptance limits specified in Council's approval conditions, following non-compliance charges will be applicable.

C7.3.1 Non-compliance pH charge

If the pH of the waste discharge by Category 3 discharger is outside the approved range, equation (3) is used for the calculation of non-compliance pH charges. This equation provides an incentive for dischargers to install and properly maintain a pH correction system, so their waste remains within the approved pH limits.

Charging rate for pH, if outside the approved range =
 $K \times |\text{actual pH} - \text{approved pH}|^{\#} \times 2^{|\text{actual pH} - \text{approved pH}|^{\#}}$
 # Absolute value to be used.
 K = pH coefficient in \$

Example 4:

Council has approved the pH range 7.0 to 9.0 for a large discharger. pH coefficient (K) listed in Council's Revenue Policy is \$0.45.

Case 1: pH measured 6.0

Charging rate for pH (\$/kL) = $0.45 \times |6 - 7|^{\#} \times 2^{|6-7|^{\#}} = \$0.90/kL$

Case 2: pH measured 11.0

Charging rate for pH (\$/kL) = $0.45 \times |11 - 9|^{\#} \times 2^{|11-9|^{\#}} = \$3.60/kL$

Absolute value to be used.

C7.3.2 Non-compliance excess mass charges

Equation (4) shall apply for non-compliance excess mass charges for various substances, except for BOD₅ where equation (5) shall apply to calculate the charging rate.

$$\text{Non-compliance Excess Mass Charges (\$)} = \frac{(S-A) \times Q \times 2U}{1000} + \frac{(S-D) \times Q \times U}{1000}$$

Where: S = Concentration (mg/L) of a substance in sample.

A = Approved maximum concentration (mg/L) of pollutant as specified in Council's approval (or liquid trade waste policy).

Q = Volume (kL) of liquid trade waste discharged for the period of non-compliance.

U = Excess mass charging rate (\$/kg) for the substance, as shown in Council's annual Management Plan.

D = Concentration (mg/L) of the substance deemed to be present in domestic sewage.

C7.3.3 Non-compliance excess mass charges for BOD

The non-compliance excess mass charging rate (U_n) for BOD₅ is calculated by using equation (5): U_n is the BOD₅ non-compliance excess mass charging rate in (\$/kL).

$$U_n = 2C \times \frac{(A - 300\text{mg/L})}{600\text{mg/L}} \times 1.05 \frac{(A - 600\text{mg/L})}{600\text{mg/L}} + 4C \times \frac{(\text{Actual BOD} - A)}{600\text{mg/L}} \times 1.05 \frac{(\text{Actual BOD} - A)}{600\text{mg/L}}$$

C8 Other applicable liquid trade waste charges

C8.1 Discharge of stormwater from large open areas or large quantities of groundwater to the sewerage system

The discharge of roof, rain, surface, seepage or ground water to the sewerage system is prohibited under clause 137A of the Local Government (General) Regulation 2005 and this Policy. Consideration will be given to the acceptance of limited quantities of contaminated stormwater (first flush stormwater) based on a case by case assessment.

If stormwater run-off from a large areas or groundwater is approved for discharge to sewer for a Category 3 discharger (eg saleyards), a volume based charge similar to the non-compliance usage charging rate (\$/kL) for Category 2 may be applied charging rate listed in Council's Revenue Policy. Excess mass charges may be also applied to such discharges.

Appendix D: List of discharges Council may approve

D1 Classification A

Discharges from activities that Council can process without seeking Department concurrence, subject to complying with certain requirements.

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other activities generating liquid waste, up to 5 kL/day
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash)
Bed and Breakfast (<10 persons)	Beautician
Bistro	Boiler blowdown
Boarding house/hostel kitchen	Car detailing
Butcher (retail)	Cooling towers
Café/coffee shop/coffee lounge	Craft activities (pottery, ceramics, cutting and polishing of gemstones or making of jewellery)
Canteen	Dental surgery
Cafeteria	Dental technician
Chicken/poultry shop (fresh chicken/game, retail, barbeque/roast chicken)	Dry-cleaning (separator water, boiler)
Club (kitchen waste)	Florist
Commercial kitchen/caterer	Funeral parlour/morgue
Community hall/civic centre/function centre (kitchen waste)	Hairdressing
Day care centre	Jewellery shop
Delicatessen	Laboratory (pathology/analytical)
Doughnut shops	Laundry or laundromat (coin operated)
Fast food outlets (McDonalds, KFC, Burger King, Hungry Jack, Pizza Hut, Red Rooster, etc)	Mechanical repairs/workshop
Fish shop (retail—fresh and/or cooked)	Medical centre/doctor surgery/physiotherapy—plaster of paris casts, laboratory
Fruit and vegetable shop (retail)	Mobile cleaning units
Hotel	Nursing home (other than food-related activities)
Ice-cream parlour	Optical services
Juice bar	Per shop (retail)
Mixed business	Photographic tray work/manual development
Motel	Plants retail (no nursery or open space)
Nightclub	School (other than kitchen waste)
Nursing home kitchen	Stone working
Nut shop	Surfboard manufacturing (wet process only)
Patisserie	Swimming pools/spas/hydrotherapy pools
Pie shop	Vehicle (car) washing (by hand/wand, automatic car wash/bus wash/external truck wash or underbody/engine degrease only)
Pizza shop	Venetian blind cleaning

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other activities generating liquid waste, up to 5 kL/day
Restaurant	Veterinary surgery
Salad bar	
Sandwich shop	
School – canteen, home science	
Snack bar	
Supermarket (butcher/bakery/ delicatessen/ seafood/bakery Seafood/ roast chicken)	
Take away food shop	

DRAFT

Appendix E: Framework for Regulation of liquid trade waste

E1 The NSW framework for regulation of sewerage and trade waste

The NSW framework is driven by the NSW Government's *Best Practice Management of Water Supply and Sewerage Guidelines, 2007*. Sound regulation of sewerage and liquid trade waste is a key element of the 2007 guidelines, and requires each council to implement all the following integrated measures:

1. Preparation and implementation of a sound trade waste regulation policy, assessment of each trade waste application and determination of appropriate conditions of approval. The conditions must be consistent with the LWU's *Integrated Water Cycle Management Strategy* and demand management plan. In addition, execution of a liquid trade waste services agreement is required for large dischargers to assure compliance.
2. Preparation and implementation of a sound *Development Servicing Plan*, with commercial sewerage developer charges to ensure new development pays a fair share of the cost of the required infrastructure.
3. Full cost recovery with appropriate sewer usage charges and trade waste fees and charges in order to provide the necessary pricing signals to dischargers. These charges must include non-compliance trade waste usage charges and non-compliance excess mass charges in order to provide the necessary incentives for dischargers to consistently comply with their conditions of approval.
4. Monitoring, mentoring and coaching of dischargers in order to achieve cleaner production and assist them to comply with their conditions of approval.
5. Enforcement, including appropriate use of penalty notices in the NSW legislation. Orders may also be issued under the *Local Government Act 1993*.
6. Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval.

Together, the above six measures comprise the NSW framework for regulation of sewerage and trade waste. The framework involves a preventive risk management approach, which has been developed to address the use of common pool resources by providing economic incentives for dischargers to minimise their waste and to consistently comply with their conditions of approval.

E2 Alignment with the national framework for wastewater source management

The NSW framework for regulation of sewerage and trade waste is outlined in this Policy. The NSW framework is driven by the NSW Government's *Best-Practice Management of Water Supply of Sewerage Guidelines, 2007* and is consistent with that in the *National Framework for Wastewater Source Management*.¹³

¹³ The following 12 elements of the *National Framework for Sewage Quality Management* are set out on page 18 of the *Australian Sewage Quality Management Guidelines, June 2012, WSAA*:

COMMITMENT

1. Commitment to Wastewater Source Management

SYSTEM ANALYSIS and MANAGEMENT

2. Assessment of the Wastewater System
3. Preventive Measures for Wastewater Input Quality Management
4. Operational Procedures and Process Control
5. Verification of Wastewater Inputs Quality
6. Management of Incidents/Complaints and Emergencies

In particular, under the *Best-Practice Management Guidelines* each LWU is required to achieve the following outcomes:

- Prepare and implement a 30-year Integrated Water Cycle Management Strategy, demand management plan, pay-for-use water supply pricing and community and customer involvement (Elements 1, 6 and 8).
- Annual performance monitoring, including an annual triple bottom line (TBL) Performance Report and Action Plan to identify and address any areas of under-performance (Elements 5, 6, 9, 10, 11 and 12).
- Achieve full cost recovery for water supply, sewerage and trade waste services and apply an appropriate non-residential sewer usage charge (Elements 3 and 8).
- Prepare and implement a sound trade waste regulation policy and issue an appropriate approval to each trade waste discharger, including waste minimisation and cleaner production (Elements 1, 2, 3, 4, 7 and 8).
- Appropriate trade waste fees and charges (including incentives to comply with LWU's approval conditions through non-compliance trade waste usage charges and non-compliance excess mass charges) (Elements 3 and 8).
- Trade waste services agreement for large dischargers to assure compliance (Elements 3 and 8).
- Appropriate training of LWU staff and monitoring, mentoring and coaching of trade waste dischargers (Elements 1, 4, 5, 7 and 8).
- Enforcement, including appropriate use of penalty notices or orders (Elements 3 and 8).
- Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval (Element 8).

SUPPORTING REQUIREMENTS

- 7. Employee Awareness and Training
- 8. Customer and stakeholder involvement and awareness
- 9. System Validation and Research and Development
- 10. Documentation and Reporting

REVIEW

- 11. Evaluation and Audit
- 12. Review and Continual Improvement

Appendix F: Legislative provisions

Provisions in the Local Government (General) Regulation 2005 in regard to acceptance of liquid trade waste into the sewerage system.

Clause 25 Matters to accompany applications relating to discharge into sewers

An application for approval to discharge trade waste into a sewer under the control of a Council or that connects with such a sewer must be accompanied by the information required by Table 1 to the Liquid Trade Waste Management Guidelines[#].

Clause 28 Approval to discharge waste into sewers: concurrence required

A council must not grant an approval under [section 68](#) of [the Act](#) to discharge trade waste (whether treated or not) into a sewer of the council unless the Director-General* of the Department of Trade and Investment, Regional Infrastructure and Services (or that Director-General's nominee) has concurred with the approval.

Note: [Section 90](#) (2) of [the Act](#) permits any person or authority whose concurrence is required before an approval may be granted to give the council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

Clause 32 Disposal of trade waste

- (1) An approval to dispose of trade waste into a sewer of the council is subject to such conditions (if any) as the council specifies in the approval.
- (2) In imposing any such conditions, the council is to have regard to the matter set out in Table 5 to the Liquid Trade Waste Management Guidelines[#].

Clause 159 Prevention of waste and misuse of water

The owner, occupier or manager of premises to which water is supplied by the council must:

- (a) Prevent waste of water by taking prompt action to repair leaking taps, pipes or fittings located on the premises.
- (b) Take any other action that is reasonable to prevent waste and misuse of water.

137A Substances prohibited from being discharged into public sewers

- (1) For the purposes of [section 638](#) of [the Act](#) (Discharge of prohibited matter into sewer or drain), roof, rain, surface, seepage or ground water is prescribed as prohibited matter.
- (2) This clause does not apply in relation to:
 - (a) A discharge that is specifically approved under [section 68](#) of [the Act](#), or
 - (b) A discharge into a public drain or a gutter of a council, or
 - (c) A discharge in an area of operations within the meaning of the [Sydney Water Act 1994](#) or the [Hunter Water Act 1991](#).

* In accordance with the *Government Sector Employment Act 2013*, this is the Secretary of the NSW Department of Industry.

143 Inspection of pipes and drains and measurement of water and sewage

- (1) The council may, at any reasonable time:
 - (a) Inspect any service pipe connected to a water main, and
 - (b) Inspect any drain connected to a sewer main, and
 - (c) Install meters or other devices for measuring the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (d) Measure the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (e) Inspect any pre-treatment devices connected to the council's sewerage system.
- (2) The occupier of the relevant premises must provide to the council such information as it requires to enable it to estimate the quantity of water actually supplied to, or the quality and quantity of sewage actually discharged from, the premises.
- (3) In this clause, "**pre-treatment device**" means any device used to reduce or eliminate contaminants in trade waste, or to alter the waste's nature, before it is discharged into a sewer.

SCHEDULE 12: Penalty notice offences

Column 1	Column 2
Offence under Local Government Act 1993	Penalty
Section 626 (3)-carry out without prior approval of council an activity specified in item 4 of Part C (Management of waste) of the Table to section 68	\$330
Section 627 (3)-having obtained the council's approval to the carrying out of an activity specified in item 4 of Part C (Management of waste) of the Table to section 68 , carry out the activity otherwise than in accordance with the terms of that approval	\$330

"Liquid Trade Waste Management Guidelines" means the Guidelines of that name produced by the Department of Energy, Utilities and Sustainability in March 2005, as in force from time to time. The 2005 Guidelines have now been superseded by *Liquid Trade Waste Management Guidelines, 2021*.



COUNCIL POLICY

Sewage and Trade Waste Discharge Factor

Date

Council Resolution Date 2021

Clause Number

Responsible Position

Manager Water Supply and Sewerage

Branch

Water Supply and Sewerage

Division

Infrastructure

Version

TRIM Reference Number

ED19/

Review Period

Review Date

e.g. Not applicable / Executive Staff Committee dd mmm
YYYY

Consultation

Public consultation (from/to dates), Consultative
Committee dd mmm yyyy)

Document Revision History	
Description	Date
Notes	

TABLE OF CONTENTS

PURPOSE3

BACKGROUND AND RELATED LEGISLATION3

SCOPE.....3

DEFINITIONS.....3

POLICY4

1. Discharge Factors.....4

2. Review of Discharge Factors6

3. Effluent Flow Meters6

4. Application of Charges.....7

5. Water Meters.....7

6. Meter Failure7

7. Disputes7

8. Non-residential Sewerage and Liquid Trade Waste Fees and Charges7

9. Sewer Discharge Factor8

10. Trade Waste Discharge Factor.....8

RESPONSIBILITIES.....16

APPENDICES16

PURPOSE

The aim of this Policy is to provide a method for calculating the quantity of sewage and of trade waste discharged to the sewerage system from residential and non-residential customers where the quantities of sewage cannot be directly measured. Quantities derived using this method will be used to calculate sewerage and trade waste charges for residential and for non-residential customers in accordance with Council’s pricing policies.

BACKGROUND AND RELATED LEGISLATION

Liquid Trade Waste Management Guidelines 2021
Best-Practice Management of Water Supply and Sewerage Guidelines 2007

SCOPE

This Policy shall be read in conjunction with the Liquid Trade Waste Policy.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Discharger	The owner of the property, from which liquid waste is discharged to the sewage system.
Sewage	A liquid water produced by human society which typically contains washing water, laundry waste, faeces, urine and other liquid or semi-liquid wastes.
Sewerage	The system of sewers that convey sewage to a treatment plant. The term includes all pumps, pipelines, valves and associated infrastructure.
Sewers	Pipes that convey sewage under gravity.
Trade waste	Liquid trade waste, factory waste, chemical or other impurities from any business, trade or manufacturing premises other than domestic sewage, stormwater or unpolluted water.

POLICY

Dubbo Regional Council (Council) provides water and sewerage services to residential and non-residential property owners.

The sewerage charging structure is based on the 'Water Supply, Sewerage and Trade Waste' pricing guidelines, NSW Department of Planning, Industry and Environment. These guidelines incorporate principles of user pays.

In accordance with the user pays principles, the charges for sewerage services should be based on the quantity of sewage discharged to the sewerage system. While modern water meters provide a cheap and accurate way of measuring fresh water supplied to a property, there is no practical way of actually measuring sewage leaving a property.

The NSW Government has recommended that sewage should be estimated by means of a percentage of the fresh water supplied to the property.

The Sewage Discharge Factor (SDF) is the name given to the percentage of fresh water supplied to a property deemed to be the quantity of sewage discharged from that property.

The NSW Government pricing guidelines recommends that all domestic properties receive a common charge. Council has adopted a SDF for residential properties in its determination of the standard residential sewerage charge.

The NSW Government pricing guidelines also recommends that non-residential properties are likely to exhibit significant variation, therefore a standard charge is inappropriate. The charges are based on a SDF assigned initially on the basis of the industry type.

In the case of properties that have both residential and non-residential features, such as a corner shop with residence, Council staff will deem the property to be either residential or non-residential based on the dominant use of the property.

'Trade Waste' is the name given to liquid wastes discharged to the sewer and containing trade or factory wastes or chemicals, or other impurities from any business, trade or manufacturing premises other than domestic sewage, stormwater or unpolluted water.

The trade waste charging structure is as defined in Council's Liquid Trade Waste Policy.

Both sewage and trade waste charges are levied on the property owner. All agreements and transactions are between Council and the affected property owner.

1. Discharge Factors

For many properties, it would be cost prohibitive, or impractical, to install a meter to measure the actual volume of sewage discharged to the sewerage system. For these customers, Council will estimate the volume of sewage and trade waste discharged to the sewerage system by applying a default discharge factor to the volume of potable water supplied to the property and measured at the water meter.

The Sewage Discharge Factor (SDF) is the percentage of the water consumption of the property, as measured by the water meter, which is discharged to the sewerage system. The SDF includes all domestic, commercial and trade waste that enters the sewerage system from a property. Discharge factors may range from 0 to 100%, and in exceptional circumstances may even be greater than 100% if additional material is added to the waste stream as part of the production process.

The Trade Waste Discharge Factor (TWDF) is a percentage of the total water consumption of the property, as registered on the water meter supplying the property that is considered to be trade waste, and is discharged with the general sewage flow from the property. Normally the TWDF for a property is less than the SDF for the same property.

With respect to residential properties, Council's policy is to adopt a standard SDF for all residential properties as recommended by the NSW Government Pricing Guidelines. Council has adopted a SDF for all residential properties of 60%. This SDF will apply to all residential properties, including single standalone houses, duplex houses, block of flats and strata title units.

With respect to non-residential properties, a review of Council's flow monitoring data, industry standards and information supplied by other water authorities was used to develop default SDF and TWDFs for each of the business types that discharge into the sewerage system.

Council will adopt the default SDF or TWDF and use it for charges. Either Council, or the discharger, can initiate a review into the actual SDF and TWDFs applicable for the individual property. Council may change the discharge factors after advising the property owner. The discharger may apply to vary the factors applicable to the property. The discharger will be required to undertake a review of the factors and submit the review to Council. If Council accepts the review results, then the factor applicable to the property may be varied. In addition, the default may be varied and used for future dischargers. Any change in the factors leading to a reduction in the amounts charged will only apply in future, there will be no retrospective refund of previous amounts charged.

When reviewing a discharge factor, all water usage within the property will be considered. Examples of water supplied to a property and not returned to sewer include:

- Landscape and garden watering.
- Evaporation loss through air conditioning or boiler use.
- Dust suppression.
- Water added to products.
- Waste water that is removed off-site to a specialised receival facility (eg by tanker) that is deemed unsuitable for discharge to sewer.

When calculating a SDF it may be necessary to include other sources of water which enter the sewerage system. These include storm diversion and waste product, the same is true of TWDFs, where stormwater, bore water or other sources are used in the process or activity.

While all non-residential properties will have a SDF only those properties generating trade waste will have a TWDF. Council's policy with respect to TWDF is to assign a default TWDF for each property in accordance with this Policy. If as a result of specific investigation Council is satisfied that the TWDF should be changed from the default value then Council will change the TWDF and use the new TWDF for future charging.

In summary, Council’s method of determining SDF and TWDFs is shown in the table below:

DETERMINATION OF:	SDF	TWDF
Residential	All to be 60%	N/A
Non-residential	Default SDF	Default TWDF

2. Review of Discharge Factors

Either Council, or the property owner, may initiate a review of the SDF or the TWDF applied to a property if either party considers that the default factor is not appropriate for an individual property.

The property owner can initiate a review by completing the attached Discharge Factor Variation Application Form (Appendix 3). Information that supports the application should be submitted with the application. However, additional information that Council considers necessary to assess the application may be requested. This information must be supplied at the applicant’s cost. An example of the type of information that may be requested is additional flow monitoring data so as to verify the data supplied in the Water Usage Section of the application.

Council can also initiate a review. Council will give the property owner written advice that a review is to be conducted. Council will be responsible for costs associated with reviews it initiates.

Where Council believes, as a result of a review, that the current SDF or the current TWDF is not appropriate for a property, then the property will be assigned a new individual SDF or a new individual TWDF.

Where a discharge factor is varied from the default SDF or TWDF included with the policy, or a previous discharge factor, the property owner will be advised in writing of the variation. The variation will be effective from the next charging period and will not be applied retrospectively.

If Council considers that the information does not justify a variation to the discharge factor, the applicant will be advised in writing. This advice will also outline the reasons for the decision.

3. Effluent Flow Meters

New customers proposing to discharge greater than 5000 litres per day will be required to install an effluent flow meter. Customers who discharge a high strength waste, or wastewater volume greater than the volume of water supplied to the property, may also be required to install an effluent flow meter in accordance with Council’s Liquid Trade Waste Policy.

Effluent flow meters must be maintained as per the manufacturer’s recommendations and calibrated by a suitably qualified person as often as required to ensure the device records accurately. Maintenance and calibration records must be kept for at least five years and made available to Council’s authorised officers on request.

4. Application of Charges

Under Council's Revenue Policy an increase in water consumption will increase the water charge, and will also increase the sewerage charge and the trade waste charge. This is a consequence of the sewerage charge and the trade waste charge being determined as a percentage of the water consumption. This provides additional incentive to reduce water consumption in the first place.

If there is a major water leak on the property then Council will require the water charge to be paid, but may reduce the sewerage charge and the trade waste charge to amounts that the property owner would have received in the absence of the water leak. This will only occur upon the written application from the property owner and with the approval of the Manager Water Supply and Sewerage.

5. Water Meters

The size of the water meter installed at a property is also used to calculate the applicable sewerage charges. Applications to reduce the size of the water meter must be made in writing and accompanied by a hydraulic consultant's report detailing water demand parameters, including maximum pressure and flow rate required in accordance with all legislative requirements.

6. Meter Failure

Should the water meter fail, readings from the previous four billing periods will be averaged and used to calculate the sewerage charge. If the failure occurs before four periods have elapsed, available data will be used.

In the event of the effluent flow meter failing, the effluent and water meter readings from the previous four billing periods will be used to estimate a discharge factor. This discharge factor will be used in conjunction with the water meter readings from the current billing period to calculate the sewerage charge. If the failure occurs before four billing periods have elapsed, available data will be used.

7. Disputes

The property owner may request a review of any Council decision on SDFs or TWDFs. This request must be made in writing to the Chief Executive Officer at Dubbo Regional Council.

Council may request additional information from the property owner. Council will complete the review and advise the applicant within 10 working days of receipt of the request, and the result of all additional requested information.

8. Non-residential Sewerage and Liquid Trade Waste Fees and Charges

A discharge factor represents the percentage of the metered water consumption, which is discharged to the sewerage system from a non-residential property. There are two types of discharge factors:

- Sewer (SDF); and
- Liquid Trade Waste (TWDF).

9. Sewer Discharge Factor

The sewer discharge factor is the ratio of all wastewater discharged from a premises to the sewerage system to the total water consumption expressed as a percentage.

$$SDF = \left(\frac{\text{Domestic} + \text{Trade Waste}}{\text{Total Water Consumption}} \right) \times 100$$

10. Trade Waste Discharge Factor

The TWDF is the ratio of the volume of liquid trade waste discharged into the sewerage system to the total water consumption expressed as a percentage.

$$TWDF = \left(\frac{\text{Liquid Trade Waste}}{\text{Total Water Consumption}} \right) \times 100$$

DRAFT

Appendix 1: Sewage and Trade Waste Discharge Factors for Non-residential Premises

<i>Discharger</i>	<i>Discharge Factor</i>	
	<i>Sewer</i>	<i>Trade Waste</i>
Bakery	95	25
with a residence attached ¹	70	18
Bed and Breakfast/Guesthouse (max. 10 persons)	75	N/A ²
Boarding House	90	20
Butcher	95	90
with a residence attached ¹	70	65
Cakes/Patisserie	95	50
Car Detailing	95	90
Car Wash	75	70 ⁵
Caravan Park (with commercial kitchen)	75	15
Caravan Park (no commercial kitchen)	75	N/A ²
Chicken/poultry shop (retail fresh, no cooking)	95	90
Charcoal Chicken	95	80
Club	95	30
Cold store	7	N/A ²
Community hall (minimal food only)	95	N/A ²
Correctional Centre	90	Note 6
Craft/Stonemason	95	80
Day Care Centre	95	N/A ²
Delicatessen, mixed business (no hot food)	95	N/A ²
with a residence attached ¹	70	
Dental Surgery with X-ray	95	80
with a residence attached ¹	70	60
Fresh Fish Outlet	95	90
Hairdresser	95	N/A ²
High School	95	25 ⁵
Hospital	95	30
Hostel	90	20
Hotel	100	25
Joinery	95	10
KFC, Red Rooster	95	80
Laundry	95	92 ⁵

<i>Discharger</i>	<i>Discharge Factor</i>	
	<i>Sewer</i>	<i>Trade Waste</i>
Marina	90	70
McDonalds Restaurant, Burger King, Pizza Hut	95	62
Mechanical Workshop ³	95	70
Mechanical workshop with car yard	85	70
Medical Centre	95	25 ⁵
Motels small (breakfast only, no hot food)	90	N/A ²
Motel (hot food prepared)	90	20
Nursing Home	90	30
Office Building	95	N/A
Optical Service	95	N/A ²
Panel Beating/Spray Painting	95	70
Primary School	95	10 ⁵
Printer	95	85
Restaurant ⁴	95	50
Self Storage	90	N/A
Service Station	90	70
Shopping Centre	85	30
Supermarket	95	70
Swimming Pool (commercial)	85	N/A ²
Take Away Food	95	50
Technical College or University	95	Note 6
Vehicle Wash: Robo, Clean and Go, Gerni Type	95	90 ⁵
Veterinary (no X-ray), Kennels, Animal wash	80	N/A ²

Notes:

¹ If a residence is attached, that has garden watering, the residential SDF should be applied.

² A trade waste usage charge is not applicable for this activity.

³ Includes lawn mower repairer, equipment hire, hydraulics, radiator and transmission repair, etc.

⁴ Includes café, canteen, bistro, etc.

⁵ A trade waste usage charge applies if appropriate pre-treatment equipment has not been installed or has not been properly operated or maintained.

⁶ A discharge factor to be applied on the basis of the relevant activity, eg food preparation/service, mechanical workshop, optical services, etc.

Appendix 2: Categorisation of Water Consumers

At present Council categorises all existing water consumers into one of the following categories:

- Domestic
- Commercial
- Industrial
- Public Use
- Fire Service
- DCC Commercial
- DCC Public Use
- DCC Sporting Field
- DCC Parks
- DCC Trees

DRAFT

Appendix 3: Application of Variation of Sewage or Trade Waste Discharge Factor



Please complete this form to Infrastructure with Dubbo Regional Council.

APPLICANT DETAILS	
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other - Please specify:
Name/s	
Date of Birth <i>Optional</i>	
Residential Address <i>Include City, State & Postcode</i>	
Postal Address <i>Include City, State & Postcode</i>	
Contact Number	
Email Address	

BUSINESS DETAILS	
Your Name	
Company Name	
ABN	
Company Address <i>Include City, State & Postcode</i>	
Postal Address <i>Include City, State & Postcode</i>	
Contact Number	
Email	

PROPERTY DETAILS					
Lot No		DP/SP No		House Number	
Street/Road					
Town		State		Postcode	

Submit to: council@dubbo.nsw.gov.au Page 1 of 4
 Deliver to: Customer Experience Centre
 Cnr Church and Darling St | Dubbo or Cnr Nanima Cres and Warne St | Wellington

TRADE WASTE DISCHARGE FACTOR VARIATION



PROPERTY OWNER INFORMATION	
Are you the property owner?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, relationship to owner	<input type="checkbox"/> Tenant/Business Owner <input type="checkbox"/> Other
If other, please specify	
Property Owner/s Name	
Property Owner/s Address	
Property Owner/s Contact Number	
Property Owner/s Email	

OWNER CONSENT	
The owner's authorisation to make this application must be obtained. This is a mandatory requirement of section 78 of the Local Government Act 1993.	
<i>As owner of the above property, I consent to the making of this application and to the entry onto such land by authorised officers of Council for the purpose of determining this application, and any associated inspections</i>	
Signature	
Print Name	
Date	

PROPERTY/BUSINESS DETAILS				
Business Type	<input type="checkbox"/> Factory	<input type="checkbox"/> Workshop	<input type="checkbox"/> Restaurant	<input type="checkbox"/> Other
Business Activity <i>Please Specify</i>				
Is this Business Seasonal	<input type="checkbox"/> No <input type="checkbox"/> Yes			
If yes, please specify				
Days of Operation				
Hours of Operation				
Number of Water Meters Servicing the Property		Serial Number/s		
Number of Toilets		Number of Urinals		
Number of Showers				
Evaporative Cooling	<input type="checkbox"/> No <input type="checkbox"/> Yes (please specify type)		<input type="checkbox"/> Domestic <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial	
Swimming Pool Onsite	<input type="checkbox"/> No <input type="checkbox"/> Yes			
Current Trade Waste Discharge Factor		% Trade Waste Discharge Factor Sought		%

Submit to: council@dubbo.nsw.gov.au
 Deliver to: Customer Experience Centre
 Cnr Church and Darling St | Dubbo or Cnr Nanima Cres and Warne St | Wellington

Page 2 of 4

TRADE WASTE DISCHARGE FACTOR VARIATION



DUBBO REGIONAL
COUNCIL

APPLICANT SIGNATURE	
Signature	
Print Name	
Date	

NOTE TO APPLICANT
Variations cannot be performed for previous watering billing periods. If a variation is approved it will be applied to the next water billing quarter.

PRIVACY NOTE:

Council is bound by the provisions of the Privacy and Personal Information Act 1998, in the collection, storage and utilisation of personal information provided in this form. Accordingly, the personal information will only be utilised for the purposes for which it has been obtained. For further information, please refer to Council's Privacy Management Plan Policy located on Council's website www.dubbo.nsw.gov.au

Submit to: council@dubbo.nsw.gov.au Page 3 of 4
Deliver to: Customer Experience Centre
Cnr Church and Darling St | Dubbo or Cnr Nanima Cres and Warne St | Wellington

TRADE WASTE DISCHARGE FACTOR VARIATION



WATER USAGE/WASTE WATER GENERATION			
1. Annual (average) water supplied to property (refer to Rates Notice)			kL
2. Garden/Landscape Use	kL	Metered	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated
If estimated, basis for estimation			
3. Used in Product (Allowance)	kL	Metered	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated
If estimated, basis for estimation			
4. Cooling Towers (Allowance)	kL	Metered	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated
If estimated, basis for estimation			
5. Evaporation Loss	kL	Metered	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated
Facility			
If estimated, basis for estimation			
6. Other (Allowance)	kL	Metered	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated
Details			
If estimated, basis for estimation			
Total Allowance:	2 + 3 + 4 + 5 + 6 =		(7)

Your estimation of the discharge factor:			
[1]		-	(7)
Average water supplied to property – Allowance x 100			
Average water supplied to property	=	%	[1]

Please attach any supporting evidence such as meter readings, technical information, production records or areas of gardens/landscape to support this application.

RESPONSIBILITIES

The Council officer responsible for the updating, implementation and interpretation of this Policy document is the Director Infrastructure (DI).

APPENDICES

Appendix 1: Sewage and Trade Waste Discharge Factors for Non-residential Premises

Appendix 2: Categorisation of Water Consumers

Appendix 3: Application of Variation of Sewage or Trade Waste Discharge Factor

DRAFT



DUBBO REGIONAL
COUNCIL

REPORT: Water Supply Services Policy Review

DIVISION: Infrastructure
REPORT DATE: 25 March 2022
TRIM REFERENCE: ID22/205

EXECUTIVE SUMMARY

Purpose	Adopt a policy	
Issue	Adoption of the Draft Water Supply Services Policy.	
Reasoning	This new policy will streamline and update Council's policies in the area of water supply services within the Dubbo Regional Council Local Government Area.	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	Water Supply Services Policy.
	Impact on Policy	Adoption of Council Policy.

STRATEGIC DIRECTION

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principle themes and a number of strategies and outcomes. This report is aligned to:

Theme:	2 Infrastructure
CSP Objective:	2.3 Infrastructure meets the current and future needs of our community
Delivery Program Strategy:	2.3.1 Council's water and sewer infrastructure and services comply with appropriate regulations to meet the needs of the community and facilitate a future population of 100,000

RECOMMENDATION

That the Draft Water Supply Services Policy be adopted, noting that it replaces the following existing policies:

- **Drawing Water from Fire Hydrants**
- **Drinking Water Quality**
- **Rural Water Supply**
- **Water Pipeline Easement**
- **Water Reticulation Gravity Pipeline materials**
- **Water Trunk Pipeline materials**
- **Work on live water mains**
- **Water Connection, Backflow Prevention and Pricing Policy**

Steven Colliver
Director Infrastructure

SC
Manager Water Supply
and Sewerage

BACKGROUND

Council provides water services appropriate to the current and future needs of the local community in accordance with relevant acts, regulations and standards. Some of the relevant Acts and regulations are as follows:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Water Management Act 2000
- NSW Best-Practice Management of Water Supply and Sewerage Guidelines, August 2007
- National Water Initiative
- Plumbing Code of Australia (2019)
- Australian Standards
- Water Services Association of Australian Standards
- Australian Drinking Water Guidelines (2011)
- Public Health Act 2010

The Water Supply Services Policy is made under the Local Government Act 1993 and Water Management Act 2000.

This Policy intends to aid Council in complying with this legislation, as well as the requirements of licences, approvals and reporting in relation to public health, work, health and safety, environmental management and performance reporting.

REPORT

The NSW Government encourages best practice by all NSW Local Water Utilities (LWUs). The purpose of best practice management is to:

- Encourage the effective and efficient delivery of water supply and sewerage services.
- Promote sustainable water conservation practices and water demand management throughout NSW.

Dubbo Regional Council is the Water Supply Authority for the Dubbo Local Government Area, under the supervision of State government regulators. This power is under the Local Government Act 1993, in particular Sections 56 to 66.

The main objectives of this Policy are to outline:

- Council's regulatory powers and limits of responsibilities.
- Council's approach to dealing with aspect of its water supply business.
- General advice for the community on the water supply services provided by Council.

Council has a range of standalone policies relating to water supply connections, services and charging. The draft Water Supply Services Policy now incorporates all of the below existing standalone policies into one easy to read policy.

- Drawing Water from Fire Hydrants
- Drinking Water Quality
- Rural Water Supply
- Water Pipeline Easement
- Water Reticulation Gravity Pipeline materials
- Water Trunk Pipeline materials
- Work on live water mains
- Water Connection, Backflow Prevention and Pricing Policy

Council's current Water Connection, Backflow Prevention and Pricing Policy exempts dedicated fire services from water access charges if they comply with the Plumbing Code of Australia and Council's policy. Services that do not comply are subject to water access charges.

Under this Policy, Council requires owners of dedicated fire services to arrange an inspection by a licensed plumber certifying it is a dedicated fire service. The Policy requires these inspections be undertaken between March and May each year.

It is the property owner's responsibility to ensure the resulting Fire Service Certificate is submitted to Council before 31 May annually. Council will then recognise it as a dedicated fire service for the following financial year and so exempt it from water access charges.

Under the proposed Water Supply Services Policy, Council will extend the certification period from annually, to once every five years. It is proposed to commence the certification period from the 2024/2025 financial year period, and every five years thereafter.

Consultation

- No external consultation has been undertaken.
- Internal consultation was undertaken with Council's Rates Branch and no concerns or further comments were raised.

Resourcing Implications

- Not applicable.

Planned Communications

That property owners of existing fire services be advised that Council will extend the certification period from annually, to once every five years.

APPENDICES:

- 1 [Draft Water Supply Services Policy](#)



DUBBO
REGIONAL
COUNCIL

COUNCIL POLICY

WATER SUPPLY SERVICES POLICY

Date

Council Resolution Date

Clause Number

Responsible Position Manager Water Supply and Sewerage

Branch Water Supply and Sewerage

Division Infrastructure

Version

TRIM Reference Number ED22/

Review Period

Review Date

e.g. Not applicable / Executive Staff Committee dd mmm
YYYY

Consultation

Public consultation (from/to dates), Consultative
Committee dd mmm yyyy)

Document Revision History	
Description	Date
Notes	

POLICY

PURPOSE

This Policy aids Council and its customers in the development and management of the Dubbo Regional Council Local Government Area (LGA) Water Supply Schemes.

This Policy deals with water connections from Council's water reticulation network supplying drinking water onto the property of Council's water supply customer and technical, administration and pricing matters associated with these connections.

The Policy provides general information and does not take precedence over design and construction specifications, Australian Standards, development conditions, or any other superior legislation or regulations.

The Water Supply Services Policy is made under the Local Government Act 1993 and Water Management Act 2000.

The main objectives of this policy are to outline:

- Council's regulatory powers and limits of responsibilities
- Council's approach to dealing with aspect of its water supply business
- General advice for the community on the water supply services provided by Council.

BACKGROUND AND RELATED LEGISLATION

Council provides water services appropriate to the current and future needs of the local community in accordance with relevant Acts, Regulations and standards. Some of the relevant Acts and Regulations are as follows:

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Water Management Act 2000
- NSW Best-Practice Management of Water Supply and Sewerage Guidelines, August 2007
- National Water Initiative
- Plumbing Code of Australia (2016)
- Australian Standards
- Water Services Association of Australian Standards
- Australian Drinking Water Guidelines (2011)
- Public Health Act 2010.

SCOPE

This Policy applies to all Council activities as well as the activities of Council's customers and ratepayers in relation to water supply within the Dubbo Regional Council's Water Supply areas.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Backflow prevention device	An arrangement of device(s) designed to prevent backflow from a property's internal plumbing back to into Council's water supply main.
Containment protection	Containment protection provided at the property boundary to protect the network utility operator's water supply
Developer charges	Charges made under a Development Servicing Plan, plus any other charges levied under Council's revenue associated with the connection of properties to the Dubbo Water Supply Scheme.
Development Servicing Plan	A document, which outlines the basis and amount of contributions payable when property development occurs. At the time of writing Council's Development Servicing Plan is titled <i>s64 Water and Sewerage Contributions Policy</i> .
Dubbo Water Supply Scheme	Dubbo Regional Council's system of water treatment equipment, storages and water mains used to treat water and deliver it to properties in the Water Supply Service Area.
Easement	An area of land, or part of a lot reserved by law for a specific purpose such as the containment of water assets.
Fire service	A fire service is a water service dedicated only to service fire hydrants, fire hose reels, fire service fitting, including water storages, installed and used solely for firefighting in and around a building or property and testing. Under certain conditions, part of a fire sprinkler system may be included. A fire service that can be used for other purposes is deemed a water service.
Fire Service Certificate	A certificate prepared by a licensed plumber confirming that a fire service meets the Plumbing Code of Australia requirements for a fire service.
Hydrant standpipe	A device permitting connection to a hydrant point on a water main permitting the extraction of water.
Meter reader	A person appointed by Council to read water meters on its behalf.
Plumbing	All water pipes and fixtures downstream of the water meter. The plumbing is owned and maintained by the property owner.
Potable water	Water intended primarily for human consumption.

Term	Definition
Property connection	The pipeline and associated equipment joining the water main to boundary point for a property (the downstream end of the water meter). The property connection is owned and maintained by the Water Supply Authority.
Reticulation	Water mains that distribute water directly to properties via property connections.
Rising main	Water mains that operate under variable pressure and flow rates, typically used to transfer water from low elevation sources to higher level treatment plants and storages.
Smart water meter/device	A smart water meter or device is an automatic meter reading system that automatically records water use, has the ability to electronically report water usage information at regular intervals and provides instant access to data.
Trunk main	Larger water mains that are used to transport water between major parts of a water supply system.
Water filling station	A station to enable rural customers and water carters to access bulk drinking water into portable tanker.
Water meter	A water meter is an apparatus, or appliance, for measuring and recording the volume of water passing the meter location.
Water service	A water service is that part of the cold potable water supply pipeline from the water main to, and including, the water meter isolation tap.
Water Access Charge	An annual charge applicable to a water service, as set by Council in its annual Revenue Policy.
Water Usage Charge	A charge applicable to water used by a property, as set out by Council, in its annual Revenue Policy.

Contents

1. Policy overview and general provisions	8
1.1 Legislative basis	8
1.2 General provisions	8
1.2.1 Enforcement	8
1.2.2 Procedures.....	8
2. Network extensions	8
2.1 Water Supply Service Area	8
2.1.1 Water Supply Service Area Map.....	8
2.1.2 Rural water supplies.....	9
2.2 Engineering standards	9
2.2.1 Engineering standards for water supply pipelines.....	9
2.2.2 Council provided assets and developer provided assets	9
2.2.3 Construction of mains and water service connections	9
2.2.4 Technical schedules.....	10
2.2.5 Water trunk pipeline materials	10
2.2.6 Water reticulation pipeline materials	10
2.2.7 Water pipeline easements	11
3. New services	11
3.1 Connection to the Dubbo Water Supply Scheme.....	11
3.1.1 Requirement to connect	11
3.1.2 Type of property connection.....	11
3.1.3 Location and number of connection points	11
3.1.4 Size of property connection	11
3.1.5 Metering of property connections	12
3.1.6 Fire services	12
3.1.7 Combination Meters	13
3.1.8 Disconnection of water service	13
3.1.9 Connection charges	13
3.2 Work on live water mains.....	13
3.3 Protection of water assets.....	14
3.3.1 Pipelines and easements.....	14
3.3.2 Pumping stations and reservoirs.....	14

3.4	Building over or adjacent to Council's water mains	14
3.4.1	Introduction	14
3.4.2	General position.....	14
3.4.3	Diversion of water mains	14
3.5	Developer charges	14
3.6	Plumbing requirements for properties connected to the Dubbo Water Supply Scheme.....	15
3.6.1	General standards	15
3.6.2	Backflow prevention and maintenance	15
4.	Maintenance and operations.....	17
4.1	Prohibited uses of the water supply system	17
4.1.1	Extraction of water using hydrant standpipes	17
4.1.2	Water filling stations	17
4.2	Council maintenance responsibilities.....	17
4.2.1	Meter replacement	17
4.2.2	Drinking water quality management	17
4.3	Property owner maintenance responsibilities	18
4.3.1	General maintenance requirements.....	18
4.4	Measurement of water consumption	18
4.4.1	Reading of water meters	18
4.4.2	Power of entry.....	18
4.4.3	Customer notification cards	18
4.4.4	Meter tampering and unmetered water use	19
4.4.5	Water meter testing	19
4.5	Water supply pricing.....	19
4.5.1	Charge rates for water services.....	19
4.5.2	Serviced strata title, community title and neighbourhood properties.....	20
4.5.3	Vacant properties	20
4.5.4	Billing arrangements	20
4.5.5	Concessions	21
5.	APPENDICES	22
	Appendix 1: Fire Service Tag.....	22
	Appendix 2: Water service connection details.....	23

POLICY

1. Policy overview and general provisions

1.1 Legislative basis

Dubbo Regional Council is the Water Supply Authority for the Dubbo LGA, under the supervision of State Government regulators. This power is under the Local Government Act 1993, in particular Sections 56 to 66.

This Policy intends to aid Council in complying with this legislation, as well as the requirements of licences, approvals and reporting in relation to public health, work, health and safety, environmental management and performance reporting.

1.2 General provisions

1.2.1 Enforcement

Council may enforce compliance with the Policy by exercising any, or all, of the following:

- a. Impose a penalty, fee or charge under the *Local Government Act 1993*;
- b. Issue an order under the *Local Government Act 1993*;
- c. Carry out the work and charge the customer;
- d. Disconnect the property from Council's potable water supply if the property owner does not comply with the provision of Council's Policy;
- e. Install a water restrictor on the water connection in the case on non-payment of water accounts. The restrictor will be removed upon payment of all accounts; and
- f. Deny supply to a new or existing customer in cases where, in the opinion of the Director Infrastructure there is a risk of contamination of the water supply, the risk of harming the health of a person or risk of damage to property.

1.2.2 Procedures

Council may develop procedures to guide staff in the implementation of this Policy.

2. Network extensions

2.1 Water Supply Service Area

2.1.1 Water Supply Service Area Map

Council's Water Supply Service Area is defined as those lands shown on the Water Supply Service Area maps. These maps are updated by the Director Infrastructure as required.

Council may deny any request if connection will not meet suitable customer service standards.

2.1.2 Rural water supplies

Council shall not actively pursue the provision of further rural water supplies.

Council may deny any request if connection will not meet suitable customer service standards.

Where an owner or owners of rural properties approach Council for provision of a domestic water supply, they shall be advised that Council may only consider provision of supply where an approach is made by 85% of all property owners whose properties could be served by the proposed water supply scheme and on the following basis:

- a. A scheme shall only proceed providing the capital works can be undertaken at no cost to Council, and the total cost of the scheme proposed is prepaid to Council prior to Council carrying out the work.
- b. All new connections are to pay Water Headwork's contributions in accordance with Council policy to cover augmentation of major capital items such as treatment works, reservoirs, pumps and rising mains relatively remote from the scheme area.
- c. That all internal plumbing be carried out by a licensed plumber in accordance with the provisions of the Local Government (Water Sewer and Drainage) Regulation, 1993 and that all such works be inspected and tested by officers of Council prior to the covering of the works.

The design and construction of any water main to service rural properties shall comply with this Policy.

2.2 Engineering standards**2.2.1 Engineering standards for water supply pipelines**

All water supply pipelines are to be designed and constructed in accordance with the Water Services Association of Australia's WSA 03-2011 Water Supply Code of Australia, and Council's addendum to the Code.

2.2.2 Council provided assets and developer provided assets

In general, areas proposed for connection to the Dubbo Regional Council Water Supply Scheme will be serviced using water treatment, storage and trunk transport infrastructure provided by Council. Council will provide a concept design for subdivision reticulation.

Developers are expected to connect their subdivision to the Council provided infrastructure using developer provided infrastructure, in accordance with Council's concept design, at the developer's cost.

Council's proposed new trunk assets are documented at concept design stage within its Development Servicing Plan for Water Supply, which also identifies some of the key developer provided assets required for connection to the future Council provided system.

2.2.3 Construction of mains and water service connections

Property developers may construct reticulation mains in accordance with Council's engineering standards.

Any work must be completed by persons approved by Council and is to be inspected by Council before being connected to the Dubbo Water Supply Scheme. The inspection will include the witnessing of disinfection and pressure testing of the water mains and any property connections using chlorinated water.

Property developers must use licensed plumbers to construct property connections, provided that the relevant water main has not yet been connected to the Dubbo Water Supply Scheme.

In the case of developers developing residential or industrial estates in 'greenfield' sites, the developer may elect to construct the water reticulation mains directly or have Council construct the mains. Similarly, the developer may elect to have the water service connections supplying water to the individual lots in the estate, constructed directly by himself/herself by using licenced plumbers for this work, or the developer may elect to have Council construct water service connections.

The developer shall pressure test and disinfect the water main and service connections with chlorinated water. Testing shall be witnessed by an authorised Council officer. After the disinfection is completed, the water is to be dechlorinated and discharged to grass verges or, failing that, to stormwater. However, water service connections may only be constructed by developers if the mains have not been charged with water and put into service. Once the mains have been charged, commissioned and inspected, the water service connections must be constructed by Council under Section 3.2 Works on Live Water Mains.

In either case, the developer must pay all appropriate fees and charges as determined by Council from time to time.

2.2.4 Technical schedules

Council has developed a range of technical schedules for construction, water operation and maintenance and sewer operation and maintenance.

2.2.5 Water trunk pipeline materials

Materials and construction of water supply trunk mains, or rising mains, for potable water supply within the LGA shall be installed and constructed in accordance Technical Schedule DRC-W103. If the pipelines are metal, the pipes shall be fitted with polythene sleeving.

2.2.6 Water reticulation pipeline materials

This applies to the construction of potable water reticulation mains up to and including DN 300 mm after being designed in accordance with the principal's design standards and specifications.

All new reticulation mains for potable water supply within the LGA shall be installed using either new polythene sleeved Tyton joint PN35XL cement lined ductile iron pipes, or PN16 PVC-O pipes and PE100 PN16 HDPE pipes, all laid with sand bedding and surround, designed in accordance with DRC-W102, Water Reticulation, and constructed in accordance with DRC-W102 Water Reticulation.

Council's water reticulation pipes may be repaired with the use of short sections of PN16 PVC-O pipes joined using approved couplings or gibbaults.

In special circumstances, the Director Infrastructure may allow for different pipe material to be used in construction.

2.2.7 Water pipeline easements

Under the Local Government Act 1993, Council has the power to access water mains on private property for maintenance reasons. However, Council requires that new water mains are also provided with easements to make Council's access rights clearer and reduce the risk of structures being built over, or near, the water main.

If water pipelines are to be constructed through private property, an easement for water supply shall be taken out to give Council the legal right to locate its pipeline. Easements shall be registered in Council's name.

If the water pipeline is to be constructed by developers, then the developer shall arrange for the creation of these easements in Council's name at no cost to Council.

The minimum width of a water easement shall be 4 metres, and unless there are compelling reasons to the contrary, the pipeline shall be located centrally within the easement.

3. New services

3.1 Connection to the Dubbo Water Supply Scheme

3.1.1 Requirement to connect

All properties that are in the Water Supply Service Area will be connected to the Dubbo Water Supply Scheme. Council may deny any request if connection will not meet suitable customer service standards.

3.1.2 Type of property connection

Water connections to properties are to be either a water service or a dedicated fire service. The customer is to be made aware that combined water connections for fire service and water service, are not preferred and he/she must specifically require a water service or a dedicated fire service. In the absence of specific advice from the customer, new water connections will be deemed to be water services.

3.1.3 Location and number of connection points

Water is to be supplied through a property connection, which normally terminates inside the lot boundary. The termination point is defined as the downstream end of the water meter.

Council generally will provide one water service and one fire service (where needed) per lot.

Residential property connections are to generally conform to drawing STD 5882 (see Appendix 3).

3.1.4 Size of property connection

The size of fire services and water services, expressed in millimetres diameter, are to be determined entirely by the customer. However, the size selected by the customer must be a readily available size. The Director Infrastructure may, from time to time, declare that a certain size is not preferred, even if permitted by Australian Standards. In such cases, Council will install the next larger preferred size, in lieu of the non-preferred size sought by the customer.

3.1.5 Metering of property connections

All services, whether a fire service or water service, will be metered.

The size of the water meter will be the same as the water connection pipe, for all new connections.

Council will entirely determine the type, make and model of the water meter and assembly to be installed. Council has adopted automated meter reading technology for its fleet of meters.

Council requires access to its water meters at all times for meter reading and maintenance purposes.

Council will charge the customer for the initial installation of the service connection and water meter assembly. Council will also install and charge the customer for the installation of an appropriate backflow prevention device, if the customer elects to have this installed by Council.

Water meter assemblies shall be constructed above ground if possible. Multiple water meters servicing flats and strata units should also be grouped together.

Details of 20 mm water service connections to domestic properties should conform to drawing STD 5882 (Appendix 2).

Only Council can install new fire or water services. The physical water or fire services remain the property of Council up to the boundary of the premises, and including the meter assembly. Council will replace any part of the fire or water service assemblies, such as the water meter, when they wear out, at no additional charge to the customer.

The property owner is responsible for their internal property connection from the outlet of the water meter.

3.1.6 Fire services

Water connections to properties are to be either a water service or a dedicated fire service. The customer is to be made aware that combined water connections, for fire service and water service, are not preferred and he/she must specifically require a water service or a dedicated fire service. In the absence of specific advice from the customer, new water connections will be deemed to be water services.

If a connection supplies fire-fighting appliances and non-fire appliances it is deemed a water service.

Dedicated fire services can only be used for firefighting. For Council to recognise them as a dedicated fire service, and exempt from water access charges, the property owner must submit an Annual Fire Service Certificate from a licensed plumber, or other approved persons, indicating the fire service is in fact a fire service in strict compliance with the National Plumbing Code of Australia.

The type of fire service certificate, and the qualifications of the person issuing the certificate, are to be determined from time to time by the Director Infrastructure.

The fire service certificate must be lodged with Council, commencing from the 2024/2025 financial year period, and every five years thereafter.

The fire service certificate must be submitted during the months of March, April or May (prior to the five year financial year period commencement date), in order to obtain recognition from Council of the fire service for the following five financial year periods.

If the fire service certificate is not lodged with Council by the end of May, prior to the five yearly certification period, the service will be deemed to be a water service and charged Water Access and Non-residential Sewer Service Charge according to Council's Revenue Policy.

If, despite the fire service certificate, registration of high consumption on the fire service may indicate that it is being used for other than genuine fire-fighting, system checking or fire drills, then Council may, after notifying the customer, request certification of the fire service. Failure to supply the certification may result in the fire service being deemed a water service and be subject to the appropriate Water Service Access Charge, Water Usage and Non-residential Sewerage Service charges.

Fire services may be tagged in the field by Council to indicate they are fire services (Appendix 1 shows such a tag).

A water connection should be physically located on the allotment of the customer. Council prefers only one water service and fire service, if appropriate to a single allotment, however will consider additional connections if warranted by circumstances.

3.1.7 Combination Meters

The use of combination water meters is not preferred. A combination water meter shall be considered as a single meter of the larger diameter for administrative purposes, including calculation of the appropriate Access Charges. The Usage Charge shall be based on the sum of the registration of the two internal meters, within the combination meter unit.

A combination water meter will be recognised by Council as a water service and will attract a Water Access Charge unless annual fire certificates are submitted establishing it is entirely a fire service.

When Council replaces an existing combination water meter under its Meter Replacement Policy, it will replace the meter with a single water meter, if possible to do so.

3.1.8 Disconnection of water service

If a water service is no longer required, Council will disconnect the water service at the main and the meter will be removed.

An application form to disconnect a water service is available from Council's Customer Experience Centre, or can be downloaded from Council's website. In accordance with Council's Revenue Policy, there is no charge to the customer for water service disconnections.

Water meters can only be removed by authorised Council staff.

Once disconnected, Council may reconnect a property to the water supply. The cost of reconnection shall be borne by the property owner.

3.1.9 Connection charges

Council will charge for connection services as per its Revenue Policy.

3.2 Work on live water mains

No work shall be carried out on a live water main by contractors or plumbers, including the construction of property connections, unless the work is carried out on behalf of, and under the direct supervision of Council officers.

3.3 Protection of water assets**3.3.1 Pipelines and easements**

The location and protection of water supply infrastructure remains the responsibility of the person and/or organisation undertaking any excavation or associated works in the vicinity of these assets. Information regarding Council's water assets can be found on 'Dial Before You Dig' plans that are to be obtained prior to any excavation.

3.3.2 Pumping stations and reservoirs

Public access to water supply sites and infrastructure including pumping stations, water treatment plants and reservoirs is restricted and strictly controlled at all times. Council maintains an extensive network of surveillance and telemetry equipment to operate the water supply system. Installation of third party equipment on Council telemetry installations and reservoirs is no longer permitted.

3.4 Building over or adjacent to Council's water mains**3.4.1 Introduction**

Water mains deliver water under pressure, and often are laid at minimum depth. Water main failures under or near structures can lead to those structures being extensively damaged, and may lead to people being injured. Water main failures can also lead to the contamination of the water supply.

3.4.2 General position

No structures are permitted over an easement for water supply.

3.4.3 Diversion of water mains

Council may approve the diversion of a water main to allow for a building to be constructed, subject to the following:

- a. The new water main conforming to the development standards in section 2.2.1 of this Policy;
- b. The hydraulic capacity of the new water main is to be at least the same as the water main being replaced;
- c. The new water main is to be at least 2.5 metres horizontal distance from any existing or proposed structure;
- d. An easement is to be created for the new water main as per section 2.2.7 of this Policy; and
- e. The decommissioned water main being excavated or capped.

3.5 Developer charges

Developer charges contribute towards the cost of existing and future assets in the water supply system, where the development benefits from those assets.

Council will levy developer charges using its Development Servicing Plan (DSP) for water supply and sewerage, before issuing a certificate of compliance under section 64 of the Local Government Act 1993. Developer charges apply to all development within the DSP service areas and any other proposals to connect a property to the Dubbo Water Supply Scheme. Developer charges are levied in addition to any other costs to connect to the water supply system.

3.6 Plumbing requirements for properties connected to the Dubbo Water Supply Scheme

3.6.1 General standards

All water plumbing work is to meet the installation, inspection and certification requirements of the Plumbing Code of Australia.

3.6.2 Backflow prevention and maintenance

Council will safeguard their Water Supply Scheme by ensuring that property owners take responsibility and ensure that backflow conditions are prevented, by reducing the risk of contamination by backflow from direct connections to the water supply system.

The property owner is responsible for installation of the appropriate backflow prevention device on their property in accordance with AS 3500:1. This is defined in accordance with the level of backflow hazard of the activities being carried out on the property.

The property owner is responsible for the ongoing maintenance of the backflow prevention devices, and its upgrading, if the activities being carried out on the property change and represent a higher hazard.

Council will operate a system of compliance to ensure that customers comply with this Policy.

In the absence of any site specification information Council will assign a default level of hazard to the property, based on Council's assessment of the primary activities being undertaken onsite. Council may update the defaults from time to time.

Australian Standard AS3500 defines three degrees of hazard;

- a. High hazard - Any conditions, device or practice which in connection with the water supply system has potential to cause death.
- b. Medium hazard - Any condition, device or practice which in connection with the water supply system could endanger health
- c. Low hazard - Any condition, device or practice which in connection with the water supply system would constitute a nuisance but not endanger health.

If the customer has more site specification information, and requests a review of the hazard, Council may review the hazard rating. Council may require that this certification be carried out from time to time by qualified personnel, such as licensed plumbers, who have completed additional training.

In the absence of such certification, Council may inspect the property to determine the applicable hazard rating for the next time period. Council may also charge the customer an inspection charge.

A backflow prevention device that is suitable for low hazard activities is incorporated in the 20 mm and 25 mm water meters. Connections greater than 25 mm with a low high hazard, a separate backflow prevention device downstream of the meter is required to be installed.

All water connections 25 mm or higher, or with a medium or high hazard rating, a separate backflow prevention device downstream of the meter is required to be installed.

The backflow prevention device is considered part of the internal plumbing. The backflow prevention device is to be installed as containment protection, as close to the point of connection to Council's water supply. Council may quote for this work when connecting the fire or water service. However, the property owner may elect to have the backflow prevention device installed by his/her own licensed plumber.

The property owner is responsible for installation, annual testing, repairs or replacement of backflow prevention devices as required, in accordance with AS 2845.3 Water Supply - Backflow Prevention Part 3 Field Testing and Maintenance. Council may require property owners to submit certification from qualified personnel certifying that the device has been installed, repaired or replaced, or that the testable device has been tested annually.

If property owners do not submit satisfactory certification indicating the device has been installed, repaired or replaced, or the testable unit has been tested satisfactorily, then Council may arrange for this work to be carried out by others. Council will charge the customers a service charge for this work in accordance with its Revenue Policy.

Once the backflow prevention device is installed, whether by Council or the property owner, the device will remain the property of the property owner. The property owner is responsible for ongoing operation, routine testing and eventual replacement of the backflow prevention device.

The water connection assembly including the water meter will remain the property of Council. Council may replace the water connection pipeline and the water meter, from time to time, at no additional charge to the customer.

Where boundary/containment backflow prevention devices are fitted to a property's water plumbing, owners are required to:

- a. Maintain the device in accordance with manufacturer's requirements;
- b. For testable devices, test the device as required under Australian Standard AS 2845.3 - Water Supply - Backflow Prevention at intervals not exceeding 12 months;
- c. Replace the device if faulty or otherwise unsuitable for ongoing use; and
- d. Provide certification to Council as required to demonstrate these requirements have been met.

Property owners are to regularly review the hazard rating of the property and maintain a record of that review so that adequate boundary backflow prevention is assured. Property owners are required to provide notice to Council when there is a change in business activity.

4. Maintenance and operations

4.1 Prohibited uses of the water supply system

4.1.1 Extraction of water using hydrant standpipes

The use of privately owned or hired standpipes to draw water from Council's drinking water reticulation is prohibited.

The drawing of water by using metered standpipes fitted with approved backflow prevention devices inserted in fire hydrants may only be permitted by:

- a. Suitably trained Council employees.
- b. Contractors working directly for Council, with Council approval.
- c. Emergency services personnel.

4.1.2 Water filling stations

Council has established a number of water filling stations throughout Dubbo Regional Council's LGA for water carters and rural customers outside of Council's water supply service areas to access bulk drinking water. Bulk water charges apply in accordance with Council's Revenue Policy.

4.2 Council maintenance responsibilities

Council is the owner of the property connection and water meter, and will maintain and replace these items as necessary to provide service to the property, in accordance with Standard Drawing STD 882.

4.2.1 Meter replacement

In order to ensure the ongoing accuracy of Council's water meter fleet, water meters may be replaced after they have reached their useful life, damaged, faulty, or as deemed by the Director Infrastructure.

4.2.2 Drinking water quality management

Dubbo Regional Council is committed to managing its water supply effectively to provide a safe, high quality drinking water that consistently meets the National Health and Medical Research Council (NHMRC)/Natural Resource Management Ministerial Council (NRMMC) and Australian Drinking Water Guidelines (2011) and consumer and other regulatory requirements.

To achieve this, in partnerships with stakeholders and relevant agencies, Council will:

- a. Manage water quality at all points along the delivery chain from source water to the consumer.
- b. Use a risk-based approach in which potential threats to water quality are identified and balanced.
- c. Integrate the needs and expectations of our consumers, stakeholders, regulators, and employees into our planning.

- d. Establish regular monitoring of the quality of drinking water and effective reporting mechanisms to provide relevant and timely information, and promote confidence in the water supply and its management.
- e. Develop appropriate contingency planning and incident response capability.
- f. Participate in appropriate research and development activities to ensure continued understanding of drinking water quality issues and performance.
- g. Contribute to the debate on setting industry regulations and guidelines, and other standards relevant to public health and the water cycle.
- h. Continually improve our practices by assessing performance against corporate commitments and stakeholder expectations.

Dubbo Regional Council maintains a drinking water quality management system consistent with the Australian Drinking Water Guidelines (2011) to effectively manage the risks to drinking water quality.

All managers and employees involved in the supply of drinking water are responsible for understanding, implementing, maintaining and continuously improving the drinking water quality management system.

4.3 Property owner maintenance responsibilities

4.3.1 General maintenance requirements

Property owners are responsible for maintaining their water supply plumbing to ensure their water supply meets Plumbing Code of Australia requirements.

4.4 Measurement of water consumption

4.4.1 Reading of water meters

Council has adopted smart automated water meter reading technology. Council may, from time to time, manually read a water meter. Access to Council's water meters is required at all times, under the Local Government Act 1993.

4.4.2 Power of entry

Council's staff and contract meter readers are legally entitled to enter all premises for the recording of consumption under Section 191 and 191A of the Local Government Act 1993 and Section 118A of the Environmental Planning and Assessment Act 1979.

4.4.3 Customer notification cards

Council has a number of customer service cards which may be left at a property to inform the customer of work undertaken (including boil water notices, access to meters, meter replacement, water supply disruption).

4.4.4 Meter tampering and unmetered water use

Water meter tampering and water theft is illegal. Water meter tampering is the term used to describe unauthorised actions to prevent a water meter registering correctly, or to stop it registering at all.

These activities also greatly increase the risk of contaminating the public water supply, and pose serious health and safety hazards, not just to those who modify the meter, but also to the rest of the community.

It is illegal to connect to Council's water services through an unauthorised connection, or to divert or otherwise interfere with a water meter. Council may prosecute for water theft.

4.4.5 Water meter testing

Water meters accurately record water consumption for charging purposes. If a customer believes their water meter is not accurately recording water consumption they may apply to Council for the water meter to be tested by a NATA accredited laboratory.

In accordance with Council's Revenue Policy, charges apply for testing of water meters.

If the meter is shown at least +/- 4% in error, Council may provide an adjustment of water usage charges and reimburse the testing fee.

4.5 Water supply pricing

Water supply charges are used to fund the following activities:

- a. The treatment and delivery of water;
- b. Ongoing maintenance of the water supply system and treatment plants; and
- c. Reserves allocated towards major system development work such as treatment plant upgrades.

Water supply charges cannot be used to fund Council's general expenditure nor can general rates fund expenditure on the water supply system.

4.5.1 Charge rates for water services

Council's charging regime for water consists of Water Access charges and Water Usage charges.

The Water Service Access charge is an annual charge, which is dependent on the size of the water meter and is billed annually. Water Service Access charges and Non-residential Sewer charges are levied in respect to water services, but not fire services.

The owner of each individual assessment, for rating purposes, not currently serviced by Council's potable water reticulation network, but able to be serviced, as described in the Local Government Act 1993, shall be charged the Water Service Access charge for a single 20 mm water service, as described in Council's Revenue Policy.

Water usage charges are calculated based on quarterly meter readings for each meter connected to the property. The water usage charge is a charge for all water supplied to the property, in accordance with Council's Revenue Policy.

Council may charge its water customers for water registered on the water meter in accordance with the water usage charge contained in Council's Revenue Policy. In the absence of a meter, or if the meter has broken down, Council's Revenue Branch may make a reasonable estimate of water consumed and charge this estimated quantity. In estimating the water usage, Council may take into consideration previous consumption patterns, and any other factors that Council considers relevant.

Council may set different usage charges for different classes of customers, such as residential and non-residential or other classes, as Council may determine from time to time.

The classification of customers will be made entirely by Council. Council will publish its definition on its website and will consider any request for revision of the customer's classification.

Council will charge water customers for water used for genuine fire-fighting, or for fire system testing. However, customers may submit an application for full refund of the amount charged for genuine fire-fighting, whether the water was supplied by a water service or a fire service, if sufficient evidence is provided.

Council may set minimum requirements for such claims to be considered from time to time. If Council accepts the claim it will refund the full cost of water used for genuine fire-fighting.

4.5.2 Serviced strata title, community title and neighbourhood properties

Each rateable parcel of land created under a Strata or Community Title plan shall be treated as a single residential rate assessment with a 20 mm water connection. Each Lot will be charged a Water Service Access charge described in Council's Revenue Policy for a 20 mm diameter water service in respect of the water service to the property.

Each unit owner in the Title property shall be charged the Water Supply Usage charge described in Council's Revenue Policy for the registrations recorded on Council's supplied and authorised water meter/s based on the Schedule of Unit Entitlement detailed in the Strata Deed.

Where each lot is separately metered by a Council authorised, installed and maintained meter, each lot will be charged for consumption recorded on the Council water meter. Where each unit is not separately metered the consumption registered on the meter is charged to each unit based on their Schedule of Unit Entitlement.

Each Strata Title unit should be treated as a residential assessment for sewerage charges.

A Community Title and neighbourhood property should be treated as a single non-residential assessment for sewerage charges.

4.5.3 Vacant properties

The owner of each individual assessment, for rating purposes, not currently serviced by Council's potable water reticulation network, but able to be serviced being within 225 m of a water main as described in the Local Government Act 1993, shall be charged the Water Service Access charge for a single 20 mm water service, as described in Council's Revenue Policy.

4.5.4 Billing arrangements

Council's Financial Accounting Services raises water charges based on the meter reading data. The data is uploaded to Council's financial system and water billing accounts are calculated from the data.

Water accounts are sent to customers as part of the quarterly Rates Notice accounts, after the quarterly meter reads in June, September, December and March.

4.5.5 Concessions

Council may consider adjusting bills in the following circumstances and in accordance with Council's Debt Recovery and Financial Hardship Policy, subject to the property owner providing enough information and justification for Council to consider the case:

- a. Water used to fight fires (usage charges only - excludes training, testing and drills); or
- b. Council may consider requests for remission of water usage, and other linked charges as a result of leakage within the customer's property that was not able to be detected. Requests for remission should comprehensively make the case for remission.
- c. Council may consider requests for remission of water charges, and other linked charges, if the customer alleges that payment may cause hardship. Requests for remission should comprehensively make the case for remission.

RESPONSIBILITIES

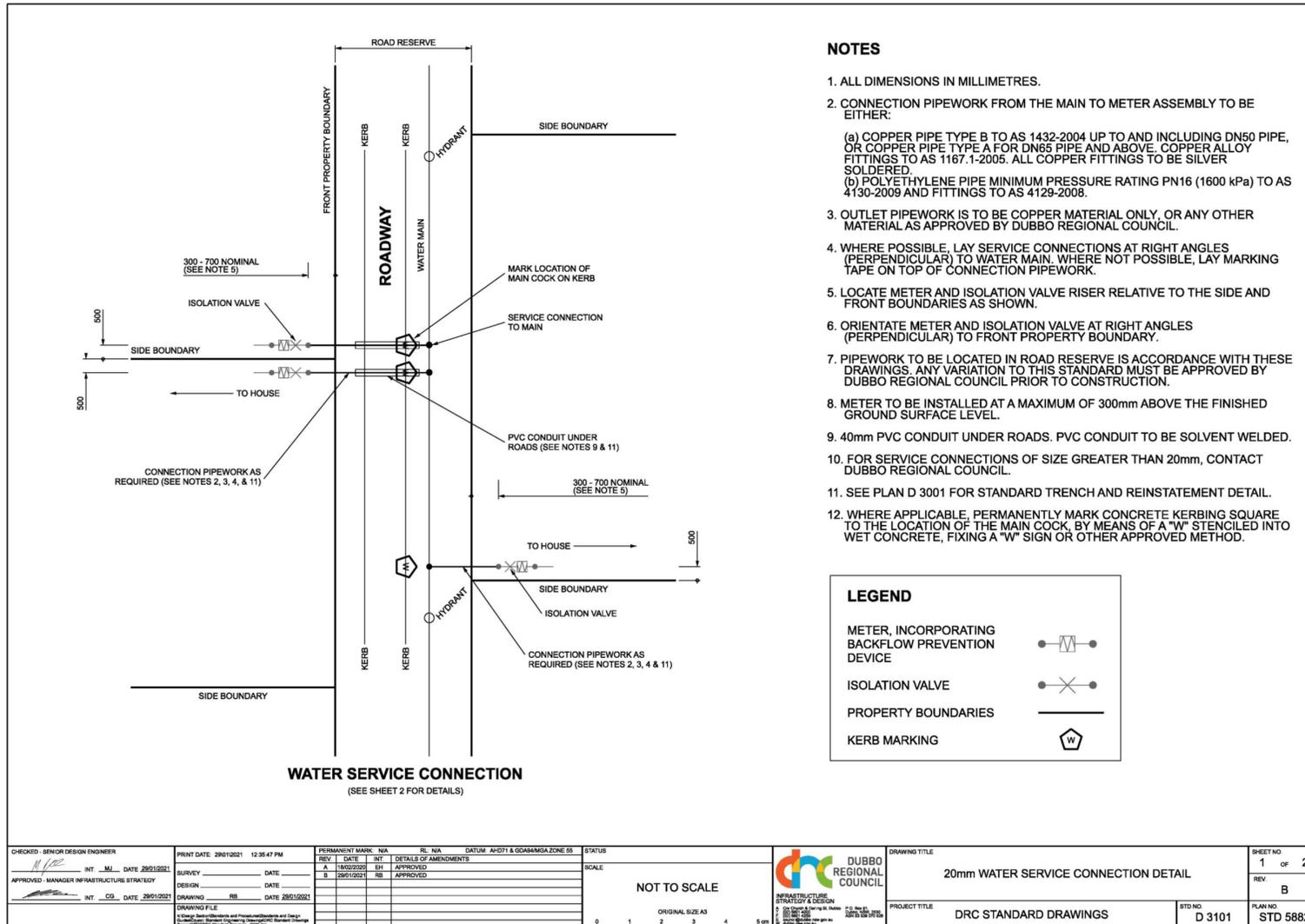
The Manager of Water Supply and Sewerage is the responsible officer.

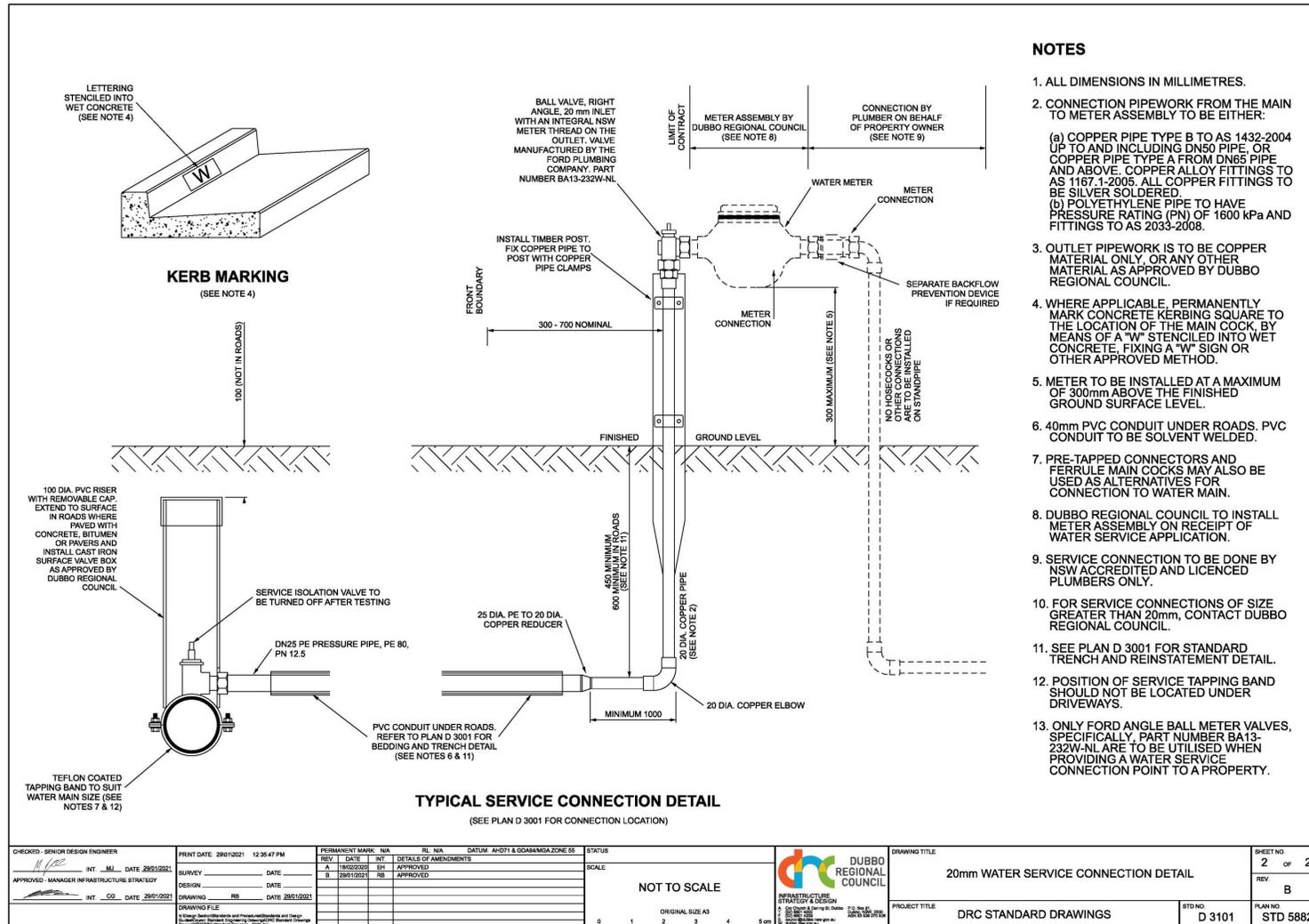
5. APPENDICES

Appendix 1: Fire Service Tag



Appendix 2: Water service connection details





NOTES

1. ALL DIMENSIONS IN MILLIMETRES.
2. CONNECTION PIPEWORK FROM THE MAIN TO METER ASSEMBLY TO BE EITHER:
 - (a) COPPER PIPE TYPE B TO AS 1432-2004 UP TO AND INCLUDING DN50 PIPE, OR COPPER PIPE TYPE A FROM DN65 PIPE AND ABOVE. COPPER ALLOY FITTINGS TO AS 1167-1-2005. ALL COPPER FITTINGS TO BE SILVER SOLDERED.
 - (b) POLYETHYLENE PIPE TO HAVE PRESSURE RATING (PN) OF 1600 kPa AND FITTINGS TO AS 2033-2008.
3. OUTLET PIPEWORK IS TO BE COPPER MATERIAL ONLY, OR ANY OTHER MATERIAL AS APPROVED BY DUBBO REGIONAL COUNCIL.
4. WHERE APPLICABLE, PERMANENTLY MARK CONCRETE KERBING SQUARE TO THE LOCATION OF THE MAIN COCK, BY MEANS OF A "W" STENCILLED INTO WET CONCRETE, FIXING A "W" SIGN OR OTHER APPROVED METHOD.
5. METER TO BE INSTALLED AT A MAXIMUM OF 300mm ABOVE THE FINISHED GROUND SURFACE LEVEL.
6. 40mm PVC CONDUIT UNDER ROADS. PVC CONDUIT TO BE SOLVENT WELDED.
7. PRE-TAPPED CONNECTORS AND FERRULE MAIN COCKS MAY ALSO BE USED AS ALTERNATIVES FOR CONNECTION TO WATER MAIN.
8. DUBBO REGIONAL COUNCIL TO INSTALL METER ASSEMBLY ON RECEIPT OF WATER SERVICE APPLICATION.
9. SERVICE CONNECTION TO BE DONE BY NSW ACCREDITED AND LICENCED PLUMBERS ONLY.
10. FOR SERVICE CONNECTIONS OF SIZE GREATER THAN 20mm, CONTACT DUBBO REGIONAL COUNCIL.
11. SEE PLAN D 3001 FOR STANDARD TRENCH AND REINSTATEMENT DETAIL.
12. POSITION OF SERVICE TAPPING BAND SHOULD NOT BE LOCATED UNDER DRIVEWAYS.
13. ONLY FORD ANGLE BALL METER VALVES, SPECIFICALLY, PART NUMBER BA13-232W-NL ARE TO BE UTILISED WHEN PROVIDING A WATER SERVICE CONNECTION POINT TO A PROPERTY.

CHECKED - SENIOR DESIGN ENGINEER <i>[Signature]</i>	PRINT DATE 29/01/2021 12:35:47 PM	PERMANENT MARK N/A	BL N/A	DATUM AH-D71 & GD&B&M&A&Z&O&E	STATUS	DRAWING TITLE 20mm WATER SERVICE CONNECTION DETAIL	SHEET NO 2 OF 2
APPROVED - MANAGER INFRASTRUCTURE STRATEGY <i>[Signature]</i>	NT_MJ DATE 29/01/2021	REV 1 DATE 11/01/2021 DETAILS OF AMENDMENTS	A 18/02/2020 EH APPROVED	B 29/01/2021 RB APPROVED	SCALE NOT TO SCALE	DUBBO REGIONAL COUNCIL INFRASTRUCTURE STRATEGY & DESIGN 1. 2020-2025 2. 2020-2025 3. 2020-2025 4. 2020-2025	REV B
	DESIGN DATE				ORIGINAL SIZE A3	PROJECT TITLE DRC STANDARD DRAWINGS	STNO D 3101
	DRAWING DATE 29/01/2021				0 1 2 3 4 5 cm		PLANNING STD 5882



REPORT: Building Summary - March 2022

DIVISION: Development and Environment
REPORT DATE: 31 March 2022
TRIM REFERENCE: ID22/515

EXECUTIVE SUMMARY

Purpose	Provide review and update.	
Issue	<ul style="list-style-type: none"> Statistical overview of the number and type of development approvals for the Dubbo Regional Local Government Area (LGA). 	
Reasoning	<ul style="list-style-type: none"> Provide data relating to approved Development Applications. Provide specific statistics of the number of dwellings and other residential development approved. Provide comparative data for corresponding period. 	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	There are no policy implications arising from this report.

STRATEGIC DIRECTION

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principle themes and a number of strategies and outcomes. This report is aligned to:

- Theme: 1 Housing
- CSP Objective: 1.1 Residential housing opportunity meets the current and projected needs of our community
- Delivery Program Strategy: 1.1.1 A variety of residential housing types is located close to appropriate services and facilities
-
- Theme: 3 Economy
- CSP Objective: 3.7 A strategic framework is in place to maximise the realisation of economic development opportunities for the region
- Delivery Program Strategy: 3.7.3 Planning controls ensure adequate and suitable land is available for new development opportunities

RECOMMENDATION

That the report of the Director Development and Environment, dated 31 March 2022, be noted.

Stephen Wallace
Director Development and Environment

SW
Director Development and
Environment

REPORT

Consultation

DRC's Statutory Planning and Building and Development Certification staff assess Development Applications in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and consult in accordance with Council's adopted Community Participation Plan.

Resourcing Implications

Council employ staff to receipt, lodge, assess, determine and monitor compliance of the determinations referred to in this report.

Building Summary

Provided, for information, are the latest statistics (as at the time of production of this report) for development and complying development approvals for Dubbo Regional Council.

1. Residential Building Summary

Dwellings and other residential developments approved during March 2022 were as follows:

March

Single dwellings	22
Other residential development	4
(No. of units)	6

For consistency with land use definitions included in the Local Environmental Plan (LEP), residential development has been separated into 'Single Dwellings' (defined in the LEP as 'dwelling house') and 'Other residential development' (comprising 'dual occupancies', 'secondary dwellings', 'multi dwelling housing', 'seniors housing', 'shop top housing' and 'residential flat buildings').

These figures include development applications approved by private certifying authorities (in the form of Complying Development Certificates).

A summary of residential approvals for the former Dubbo City Council area since 2011-2012 is included in **Appendix 1**. However, it should be noted that the figures from July 2017 onwards include the approvals within the former Wellington Local Government Area as a consequence of the commencement of the merged application system.

2. Approved Development Applications

The total number of approved Development Applications (including Complying Development Certificates) for March 2022, a comparison with figures 12 months prior and the total for the respective financial years to date, are as follows:

Date	1 March 2022 – 31 March 2022	1 March 2021 – 31 March 2021
No of applications	66	88
Value	\$23,404,369	\$17,381,461
Date	1 July 2021 – 31 March 2022	1 July 2020 – 31 March 2021
No of applications	587	715
Value	\$225,614,130	\$151,524,465

A summary breakdown of the figures is included in **Appendices 2-5**.

3. Online Application Tracking

All development applications, construction certificates and complying development certificates are tracked online and can be accessed at any time. A link is available on Councillor iPads for assistance (<https://planning.dubbo.nsw.gov.au/Home/Disclaimer>).

What information is available?

- All development applications, construction certificates and complying development certificates submitted from 1 November 2015 will provide access to submitted plans and supporting documents as well as tracking details of the progress of the application.
- More limited information is provided for applications submitted from 1 January 2001 to 31 October 2015.
- Occupation certificates (where issued) are provided from 2010.

What information is not available?

- Application forms.
- Documentation associated with privately certified applications.
- Internal assessment reports.

Councillors are welcome to contact me should they require further information in respect of outstanding Development Applications emanating from the online tracking system.

The information included in this report is provided for notation.

APPENDICES:

- 1 [↓](#) Building Summary - March 2022
- 2 [↓](#) Approved Applications - 1 March 2022 to 31 March 2022
- 3 [↓](#) Approved Applications - 1 March 2021 to 31 March 2021
- 4 [↓](#) Approved Applications - 1 July 2021 to 31 March 2022
- 5 [↓](#) Approved Applications - 1 July 2020 to 31 March 2021

STATISTICAL INFORMATION ON *SINGLE DWELLINGS AND **OTHER RESIDENTIAL DEVELOPMENTS

		JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
	2011/2012													
DCC	Single Dwellings	6	12	10	6	7	16	4	16	12	8	12	9	118
	Other Residential Developments	1	1	-	1	2	2	-	-	-	-	-	1	8
	(No of units)	(14)	(2)	(-)	(1)	(4)	(3)	(-)	(-)	(-)	(-)	(-)	(16)	(40)
	2012/2013													
DCC	Single Dwellings	3	7	14	13	9	3	9	9	13	13	15	13	121
	Other Residential Developments	4	6	-	-	1	9	-	-	1	-	2	-	23
	(No of units)	(8)	(6)	(-)	(-)	(2)	(11)	(-)	(-)	(2)	(-)	(39)	(-)	(68)
	2013/2014***													
DCC	Single Dwellings	23	17	25	20	14	15	19	10	18	14	19	14	208
	Other Residential Developments	-	1	1	-	-	1	4	2	1	2	-	3	15
	(No of units)	(-)	(2)	(2)	(-)	(-)	(2)	(46)	(1)	(2)	(4)	(-)	(6)	(65)
	2014/2015***													
DCC	Single Dwellings	19	34	19	21	13	16	14	12	20	19	15	20	222
	Other Residential Developments	3	1	6	5	6	12	-	4	2	1	9	5	54
	(No of units)	(6)	(2)	(31)	(50)	(6)	(21)	(-)	(87)	(4)	(1)	(25)	(10)	(243)
	2015/2016***													
DCC	Single Dwellings	27	20	26	19	21	26	19	14	16	17	17	22	244
	Other Residential Developments	6	8	8	4	1	3	3	3	3	5	3	8	55
	(No of units)	(50)	(98)	(12)	(7)	(2)	(5)	(18)	(4)	(5)	(14)	(6)	(23)	(244)
	2016/2017***													
DCC	Single Dwellings	24	13	17	18	12	21	16	18	18	14	18	36	225
	Other Residential Developments	8	5	7	4	6	5	3	2	1	5	4	7	57
	(No of units)	(10)	(10)	(13)	(7)	(10)	(16)	(6)	(75)	(2)	(8)	(13)	(14)	(184)
	2017/2018***													
DRC	Single Dwellings	26	21	13	12	16	19	4	22	16	21	22	16	208
	Other Residential Developments	6	9	2	1	9	1	5	5	11	1	3	5	58
	(No of units)	(11)	(16)	(3)	(2)	(16)	(2)	(8)	(5)	(23)	(2)	(3)	(9)	(100)
	2018/2019***													
DRC	Single Dwellings	15	26	13	7	17	8	19	5	8	11	19	6	154
	Other Residential Developments	3	4	3	-	6	2	2	1	5	7	9	5	47
	(No of units)	(4)	(7)	(5)	(-)	(11)	(29)	(4)	(1)	(12)	(25)	(15)	(10)	(123)

		JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
	2019/2020***													
DRC	Single Dwellings	16	11	8	18	27	14	4	5	10	8	8	8	137
	Other Residential Developments	4	4	3	4	11	6	1	4	2	1	1	1	42
	(No of units)	(8)	(7)	(6)	(7)	(19)	(10)	(2)	(7)	(2)	(2)	(2)	(1)	(73)
	2020/2021***													
DRC	Single Dwellings	7	17	21	12	20	46	18	25	30	27	17	20	260
	Other Residential Developments	5	2	5	6	3	15	2	6	5	5	7	9	70
	(No of units)	(7)	(4)	(11)	(10)	(4)	(35)	(5)	(10)	(8)	(9)	(47)	(14)	(164)
	2021/2022***													
DRC	Single Dwellings	28	15	15	13	16	39	5	17	22				170
	Other Residential Developments	8	6	2	4	5	7	7	8	4				51
	(No of units)	(12)	(28)	(3)	(6)	(13)	(11)	(9)	(15)	(6)				(103)

* Single Dwellings = Single 'Dwelling House'

** Other Residential Developments = Dual occupancies, secondary dwellings, multi dwelling housing, seniors housing, shop top housing and residential flat buildings

*** Includes private certifiers



Civic Administration Building
 P.O. Box 81 Dubbo NSW 2830
 T (02) 6801 4000
 F (02) 6801 4259
 ABN 53 539 070 928

Print Date: 31/03/2022

Print Time: 5:39:53PM

**Approved Development & Complying Development Applications
 by Dubbo Regional Council and Private Certifiers-Period 1/03/2022 - 31/03/2022**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Tourism Development	1	230,000			1	230,000		
Alterations and additions to commercial	3	1,890,000			3	1,890,000		
Alterations and additions to industrial	1	129,558			1	129,558		
Alterations and additions to residential	5	875,240			5	875,240		
Balconies, decks patios terraces or ve	1	13,621	1	13,621				
Dual occupancy	2	1,074,000	2	1,074,000			4	
Dwelling	22	9,297,358	22	9,297,358			22	
Earthworks / change in levels	1	34,320	1	34,320				
Garages carports and car parking spaces	6	220,807	6	220,807				
Industrial development	1	2,942,830	1	2,942,830				
Other	1	150,000	1	150,000				
Pools / decks / fencing	16	692,635	16	692,635				
Recreational uses	1	3,911,000	1	3,911,000				
Secondary dwelling	2	113,000	2	113,000			2	
Shed	4	245,000	4	245,000				
Signage	2	30,000	2	30,000				
Subdivision of land	4	1,525,000	4	1,525,000				205
Retail Premises	1	30,000	1	30,000				

20

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/03/2022 - 31/03/2022**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Totals for Development Types	74	23,404,369						

Total Number of Applications for this period: 66

*** Note: There may be more than one Development Type per Development Application
Statistics include applications by Private Certifiers

----- End of Report -----



Civic Administration Building
 P.O. Box 81 Dubbo NSW 2830
 T (02) 6801 4000
 F (02) 6801 4259
 ABN 53 539 070 928

Print Date: 31/03/2022

Print Time: 5:42:49PM

**Approved Development & Complying Development Applications
 by Dubbo Regional Council and Private Certifiers-Period 1/03/2021 - 31/03/2021**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	34	11,061,172	30	10,444,406	4	616,766	30	
Dwelling- Transportable/Relocatable	1	213,023	1	213,023			1	
Dwelling - Secondary/Dual Occ Dwelling	4	1,803,000	4	1,803,000			6	
Dwelling - Dual Occupancy, one storey	1	540,000	1	540,000			2	
Garage/Carport/Roofed Outbuildings	29	803,946	26	745,996	3	57,950		
Fences/Unroofed Structures	1	2,000	1	2,000				
Swimming Pool	7	249,820	7	249,820				
Office Building	1	275,000	1	275,000				
Retail Building	3	176,500			3	176,500		
Office & Retail Building	1	230,000			1	230,000		
Factory/Production Building	1	831,000	1	831,000				
Warehouse/storage	1	600,000	1	600,000				
Home Business	1	1,000			1	1,000		
Subdivision - Residential	3	10,000						6
Subdivision - Industrial	1	0						2
Subdivision - Rural	2	35,000						6
Miscellaneous	1	550,000	1	550,000				
Totals for Development Types	92	17,381,461						

Total Number of Applications for this period: 88

*** Note: There may be more than one Development Type per Development Application
 Statistics include applications by Private Certifiers

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/03/2021 - 31/03/2021**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
------------------	------------------------	---------	------------------	---------	---------------------------	---------	---------------	----------

----- End of Report -----



Civic Administration Building
P.O. Box 81 Dubbo NSW 2830
T (02) 6801 4000
F (02) 6801 4259
ABN 53 539 070 928

Print Date: 31/03/2022

Print Time: 5:55:13PM

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/07/2021 - 31/03/2022**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	20	5,224,595	13	4,177,193	7	1,047,402	13	
Dwelling- Transportable/Relocatable	2	615,398	2	615,398			2	
Dwelling - Secondary/Dual Occ Dwelling	4	725,127	4	725,127			4	
Dwelling - Dual Occupancy, one storey	6	2,706,000	6	2,706,000			12	
Medium Density Res - one/two storeys	2	12,502,410	2	12,502,410			57	
Garage/Carport/Roofed Outbuildings	12	248,792	12	248,792				
Fences/Unroofed Structures	1	13,000	1	13,000				
Swimming Pool	4	127,500	4	127,500				
Office Building	3	511,000	2	498,000	1	13,000		
Retail Building	1	348,700			1	348,700		
Retail & Residential Building	1	28,000,000	1	28,000,000				
Factory/Production Building	1	1,000,000	1	1,000,000				
Warehouse/storage	4	1,378,800	4	1,378,800				
Health Care Facility - Other	2	710,000	1	710,000	1			
Educational Building	2	32,573,529	2	32,573,529				
Entertainment/Recreational Building	1	60,000			1	60,000		
Signs/Advertising Structure	1	12,000	1	12,000				
Home Business	1	2,000			1	2,000		
Change of Use - Commercial	3	23,000			2	3,000		13
Tourism Development	2	3,830,000	1	3,600,000	1	230,000		
Subdivision - Residential	11	2,577,000						37
Subdivision - Industrial	1	60,000						3

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/07/2021 - 31/03/2022**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Subdivision - Rural	3	21,500	1	5,000				2
Alterations and additions to commercial	16	5,651,023			16	5,651,023		
Alterations and additions to industrial	2	2,529,558			2	2,529,558		
Alterations and additions to residential	34	4,744,774			34	4,744,774		
Attached dwelling	1	75,000			1	75,000		
Balconies, decks patios terraces or ve	22	386,089	22	386,089				
Boarding house	2	1,616,015	2	1,616,015			3	2
Demolition	15	366,000	15	366,000				
Dual occupancy	20	10,385,091	20	10,385,091			37	8
Dwelling	166	61,597,983	166	61,597,983			166	
Earthworks / change in levels	2	84,320	2	84,320				
Educational establishment	2	30,000	1	30,000	1			
Farm buildings	1	45,000	1	45,000				
Garages carports and car parking spaces	24	562,031	24	562,031			1	
Group homes	2	2,400,000	2	2,400,000			2	
Health services facilities	1	340,000	1	340,000				
Home business	2	5,500	2	5,500				
Industrial development	15	13,929,330	14	13,829,330	1	100,000		
Multi-dwelling housing	2	2,080,000	2	2,080,000			11	
Other	10	8,839,398	10	8,839,398				
Pools / decks / fencing	84	3,195,955	84	3,195,955			1	
Recreational uses	2	4,611,000	2	4,611,000				
Restaurant or cafe	1	109,000			1	109,000		
Retaining walls, protection of trees"	1	0	1					
Secondary dwelling	18	2,532,665	18	2,532,665			18	
Shed	62	1,733,071	62	1,733,071			1	
Signage	14	665,705	14	665,705				
Subdivision of land	25	2,052,000	18	1,975,000				234

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/07/2021 - 31/03/2022**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Take-away food and drink premises	3	429,700			3	429,700		
Telecommunications and communication fac	1	300,000	1	300,000				
Business Premises	1	250,000	1	250,000				
Retail Premises	6	429,500	4	205,500	2	224,000		
Change of Use	8	303,000	6	48,000	2	255,000		
Artisanal Food and Drink	1	22,500	1	22,500				
Carport or garage	3	42,571	3	42,571				
Totals for Development Types	657	225,614,130						

Total Number of Applications for this period: 587

*** Note: There may be more than one Development Type per Development Application
Statistics include applications by Private Certifiers

----- End of Report -----



Civic Administration Building
P.O. Box 81 Dubbo NSW 2830
T (02) 6801 4000
F (02) 6801 4259
ABN 53 539 070 928

Print Date: 31/03/2022

Print Time: 5:44:40PM

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/07/2020 - 31/03/2021**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	287	87,169,208	227	77,711,508	60	9,457,700	227	1
Dwelling- Transportable/Relocatable	4	814,800	4	814,800			4	
Dwelling - Secondary/Dual Occ Dwelling	37	11,754,795	37	11,754,795			60	
Dwelling - Dual Occupancy, one storey	13	5,421,200	13	5,421,200			24	
Dwelling - Dual Occupancy, >one storey	1	570,000	1	570,000			3	
Medium Density Res - one/two storeys	2	2,000,000	2	2,000,000			7	
Medium Density Res - Seniors Living SEPP	1	2,400,000	1	2,400,000			10	
Garage/Carport/Roofed Outbuildings	192	4,982,321	185	4,851,290	7	131,031		
Fences/Unroofed Structures	5	60,750	4	41,500	1	19,250		
Swimming Pool	83	2,277,857	83	2,277,857				
Office Building	9	1,891,773	1	275,000	8	1,616,773		
Retail Building	13	5,285,556	1	4,000,000	12	1,285,556		
Hotels	1	460,000			1	460,000		
Office & Retail Building	5	1,649,500	2	1,360,000	3	289,500		
Factory/Production Building	7	3,777,247	3	1,325,000	4	2,452,247		
Warehouse/storage	8	3,827,000	7	3,770,000	1	57,000		
Infrastructure - Transport, Utilities	3	3,280,000	3	3,280,000				
Educational Building	2	1,924,500	1	1,900,000	1	24,500		
Place of Worship	1	1,000,000			1	1,000,000		
Community/Public Building	1	80,000			1	80,000		
Signs/Advertising Structure	11	370,015	8	309,815	3	60,200		
Demolition	6	58,000	1	2,000	5	56,000		

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/07/2020 - 31/03/2021**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Home Business	1	1,000			1	1,000		
Change of Use - Commercial	9	330,000	3	70,000	6	260,000		
Change of Use - Industrial	2	0			2			
Agricultural Development	2	300,000	2	300,000				
Parks/Reserves	1	72,000	1	72,000				
Subdivision - Residential	28	3,211,000	1					2
Subdivision - Commercial	1	27,000						2
Subdivision - Industrial	4	828,000						10
Subdivision - Rural	5	45,000						10
Miscellaneous	8	4,310,000	6	4,266,000	2	44,000		
Alterations and additions to commercial	2	189,293			2	189,293		
Dwelling	4	1,051,650	4	1,051,650			4	
Secondary dwelling	1	105,000	1	105,000			1	
Totals for Development Types	760	151,524,465						

Total Number of Applications for this period: 715

*** Note: There may be more than one Development Type per Development Application
Statistics include applications by Private Certifiers

----- End of Report -----



REPORT: Results of Public Exhibition - Planning Proposal to Amend Land Use Zone and Minimum Lot Size - 9R Belgravia Road, Dubbo

DIVISION: Development and Environment
REPORT DATE: 4 April 2022
TRIM REFERENCE: ID22/499

EXECUTIVE SUMMARY

Purpose	Seek endorsement	Fulfil legislated requirement
Issue	<ul style="list-style-type: none"> Council, at its meeting on 12 July 2021, considered a Planning Proposal (Appendix 1) to rezone 9R Belgravia Road, Dubbo (Lot 5 DP817149) from RU1 Primary Production to R5 Large Lot Residential, and amend the Minimum Lot Size from 800 hectares to eight hectares under the provisions of the former Dubbo Local Environmental Plan 2011 (now superseded by the Dubbo Regional Local Environmental Plan 2022). The Planning Proposal was publicly exhibited from 8 December 2021 to 28 January 2022. This report provides the results of the public exhibition for further consideration of the Planning Proposal. If the Planning Proposal is adopted, it is recommended that the Minimum Lot Size be amended to 10 hectares instead of eight hectares If the Planning Proposal is adopted, the subject site is likely to result in future subdivision of the land into four lots. However, it should be noted that any subdivision proposal will be subject to Council's consideration and assessment of a development application in accordance with the provisions of the Environmental Planning and Assessment Act, 1979. 	
Reasoning	<ul style="list-style-type: none"> The Planning Proposal is considered to have strategic merit. The Planning Proposal process has been undertaken in accordance with the requirements of the Environmental Planning and Assessment Act 1979. 	
Financial Implications	Budget Area	There are no financial implications arising from this report. This report relates to LEP amendments only, and no works are proposed.
Policy Implications	Impact on Policy	This report would amend the Dubbo Regional Local Environmental Plan 2022.

STRATEGIC DIRECTION

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principle themes and a number of strategies and outcomes. This report is aligned to:

Theme: 1 Housing
CSP Objective: 1.1 Residential housing opportunity meets the current and projected needs of our community
Delivery Program Strategy: 1.1.1 A variety of residential housing types is located close to appropriate services and facilities

Theme: 1 Housing
CSP Objective: 1.4 An adequate supply of land is maintained close to established community services and facilities
Delivery Program Strategy: 1.4.1 There is adequate land suitably zoned to meet a variety of residential development opportunity

Theme: 1 Housing
CSP Objective: 1.4 An adequate supply of land is maintained close to established community services and facilities
Delivery Program Strategy: 1.4.4 Residential development does not impact the agricultural production potential of rural land

RECOMMENDATION

1. That the Planning Proposal (attached as Appendix 1), to rezone 9R Belgravia Road, Dubbo (Lot 5 DP817149) from RU1 Primary Production to R5 Large Lot Residential, and amend the Minimum Lot Size from 800 hectares to 10 hectares under the provisions of Dubbo Regional Local Environmental Plan 2022, be adopted by Council.
2. That Council request the NSW Parliamentary Counsel's Office to prepare the draft amendment to the Dubbo Regional Local Environmental Plan 2022 and provide Council with an Opinion that the Plan be made.
3. That Council request gazettal of the Plan following receipt of the Opinion from Parliamentary Counsel's Office.
4. That those who made a submission are sent an acknowledgement and advised of Council's determination in this matter.

Stephen Wallace
Director Development and Environment

SI
Senior Growth Planner

BACKGROUND

Previous Resolutions of Council

12 July 2021 (in part)	<ol style="list-style-type: none">2. That Council endorse the Planning Proposal to amend the Dubbo Local Environmental Plan 2011 by rezoning Lot 5 DP817149 from RU1 Primary Production to R5 Large Lot Residential and amendment to the applicable Minimum Lot Size from 800 hectares to 8 hectares.3. That Council forward the Planning Proposal to the NSW Department of Planning, Industry and Environment to request a Gateway Determination.4. That Council support a minimum 28 day public exhibition period for the Planning Proposal.5. That following the completion of the public exhibition period, a further report be provided to Council for consideration, detailing the results of the public exhibition period.
---------------------------	--

A copy of the subject Planning Proposal is provided here in **Appendix 1**.

It should also be noted that the Dubbo Regional Local Environmental Plan 2022 was gazetted on Friday, 25 March 2022, which supersedes the Dubbo Local Environmental Plan 2011. If Council resolves to support the Planning Proposal, this item will form an amendment to the new Dubbo Regional Local Environmental Plan 2022.

REPORT

1. Consultation and results of public exhibition

The Planning Proposal and supporting documentation were placed on public exhibition from 8 December 2021 to 28 January 2022.

The Planning Proposal was notified on Council's website, in the Daily Liberal, and notification letters were sent to adjoining neighbours. The exhibition package was made available online and at Council's Customer Experience Centre (Dubbo) and the Macquarie Regional Library (Dubbo Branch).

Council received 10 submissions from the community, including one petition and one late submission (**Appendix 2**).

In addition, Council also received correspondence from the following State Government Agencies (**Appendix 3**):

- Department of Planning and Environment - Biodiversity, Conservation and Science Directorate (BCS)
- NSW Rural Fire Service
- Department of Planning and Environment - Groundwater Management and Science Review

- NSW Crown Lands (as an adjoining land owner)

2. Summary of submissions

A summary of the submissions and Council's responses are provided below.

(a) State Agency submissions

NSW Rural Fire Service	Council Response
<ul style="list-style-type: none"> • The NSW Rural Fire Service has no objection to the Planning Proposal. • Future development applications may need to address the requirements of <i>Planning for Bush Fire Protection 2019</i>. 	<p>Noted.</p>
Department of Planning and Environment - Biodiversity, Conservation and Science	Council Response
<ul style="list-style-type: none"> • Planning Proposals should be based on the most up-to-date and available data. • Conclusions regarding the absence of areas of high environmental value (HEV) on the subject site should be adequately justified. • Suggestions that threatened species are unlikely to occur should be adequately justified. • In the absence of adequate information demonstrating that areas of HEV are not present on the site, Council should consider a larger Minimum Lot Size for the portion of the subject land flagged as potential HEV. • The development of only three lots would lessen impacts on areas of HEV. • Council should take into account the Biodiversity Offset Scheme when considering the Minimum Lot Size to be applied to the subject site. 	<p>Noted.</p> <p>The most up to date and available data from the Office of Environment and Heritage was provided. Additional data and detailed environmental assessment would be required for any future development application for subdivision of the land.</p> <p>Any future development would need to adequately assess potential impacts to species and plant communities, and the Biodiversity Offset Scheme.</p> <p>The proponent provided an indicative Subdivision Concept Plan with aerial imagery with the Planning Proposal. This Concept Plan shows that the land could reasonably yield a total of four allotments (i.e. three additional dwellings). This includes two lots fronting Belgravia Road and two lots fronting Belmont Road.</p> <p>Access to future lots fronting Belmont Road would require further assessment at the development application stage to avoid and minimise any impacts on</p>

	<p>vegetation.</p> <p>It is considered that the size of any future lot would allow sufficient space to avoid any significant vegetation impacts on the land.</p> <p>It is also considered appropriate for the Planning Proposal to be suitably amended to ensure the land could only yield a total of four allotments. This issue will be further discussed in the report.</p>
Department of Planning and Environment - Groundwater Management and Science review	Council Response
<ul style="list-style-type: none"> The proposed rezoning of the site poses minimal harm to the Upper Macquarie Alluvial Groundwater Source. Water Management Act, 2000 approval information should be passed on to the applicant, and salinity assessments should form part of any future development applications. 	<p>Noted.</p> <p>Noted.</p>
Department of Planning Industry & Environment - Crown Lands	Council Response
<ul style="list-style-type: none"> Crown Lands is an adjoining landowner and has no objections to the proposal. Future development of will require transfer of Belgravia Road to Council. 	<p>Noted. Council's Property and Land Development section has been notified.</p>

(b) Public submissions

Precedent for future development and loss of local area character	Council Response
<ul style="list-style-type: none"> Residents live in Belgravia Estate because of the peaceful and quiet lifestyle. The surrounding rural zonings provided certainty that the rural character would remain. The rezoning would encourage other adjoining rural lots (currently prime agricultural land) to be rezoned and set a precedent for future residential development. 	<p>The subject site adjoins existing land zoned R5 Large Lot Residential, and this Planning Proposal is considered a logical extension.</p> <p>Council's Local Strategic Planning Statement and State Government Policy, including Biophysical Strategic Agricultural Land mapping, have mechanisms in place to manage the primacy of agricultural land and to ensure any impacts are minimised. The subject site is not identified as Biophysical Strategic Agricultural Land</p>

	<p>(BSAL). BSAL identifies as land with high quality soil and water resources capable of sustaining high levels of productivity.</p> <p>Given the characteristics of the subject land, it is considered that subdivision and development of the land is likely to be suitable for four lots (i.e. three additional dwelling houses on the land). It is considered that this density of development on the land is unlikely to provide any significant amenity or other impacts to surrounding development. As previously discussed in the report, this will be the subject of further assessment and consideration by Council at the development application stage.</p>
<p>It is unclear how many lots will be created, which could create disparity amongst the established estate.</p>	<p>The total number of proposed lots will be confirmed at the Development Application stage.</p> <p>However, it is considered that the land is not likely to be suitable to yield any further than four allotments. This issue is further discussed in the report.</p>
<p>Groundcover exists as this land is currently under minimal usage and grazing. Future development will potentially contribute to topsoil loss and result in increased runoff.</p>	<p>The Dubbo Regional Local Environmental Plan 2022 identifies development that is permitted with consent and prohibited. The use of the land by current landowners is not reflective of all uses permissible under the current zoning of the site.</p>
<p>Water Supply and Capacity</p>	<p>Council Response</p>
<ul style="list-style-type: none"> The proposed lots are not connected to town water and do not have access or capacity to join the existing Belgravia Heights Water Scheme. They will be dependent on alternate water sources. Dams have proved to be inadequate in drier years. Future owners will need to cart water or have water delivered - increasing road use, traffic noise and the expense of water purchases for potential owners. Construction of dams also impact the hydrological cycle and run offs. 	<p>Large lot dwellings often rely on rainwater tanks and alternative water storage sources for their potable water supply. Water storage requirements can be appropriately addressed at the Development Application stage when specific details of the proposed development will be known.</p> <p>Council's Development Control Plan stipulates that in the absence of an alternative water supply, large lot</p>

<ul style="list-style-type: none"> Denial to be added to the scheme could expose the Belgravia Heights Water Users Inc. members to threats, harassment and vandalism. How will Council compensate the scheme and its committee members if this happens? 	<p>dwellingings are required to provide a minimum rainwater storage of 45 kL for potable purposes.</p> <p>Any construction of dams would be regulated by Natural Resources Access Regulator (NRAR).</p> <p>The Belgravia Heights Water Scheme is not relevant to the Planning Proposal or Council's services as it is a private scheme. It is also considered that any water carting operations in the future are unlikely to result in any unreasonable level of traffic increase in the locality, which would impact amenity of surrounding residents.</p>
<p>Septic Run Off</p>	<p>Council Response</p>
<p>Additional future housing will require septic infrastructure. There is no compliance monitoring, meaning there is potential for septic runoff to the Macquarie River and small watercourses.</p>	<p>Onsite sewage management systems can be appropriately addressed at the Development Application stage when specific details of the proposed development will be known.</p> <p>The size of any future lot would still allow sufficient area for effluent disposal.</p>
<p>Salinity, Contamination and Water Quality</p>	<p>Council Response</p>
<ul style="list-style-type: none"> The proposal identifies that salinity can be addressed as part of any future application for a dwelling. This is a short sighted consideration of what constitutes a major environmental concern. The existing Council Urban Salinity Monitoring Network does not extend to here, and no data exists to base a sound decision on. The proposed area is mapped as very high salinity hazard class, and further development poses a significant risk for salinity problems and saline run-off to the Macquarie River. 	<p>Salinity impacts can be appropriately addressed at the Development Application stage when specific details of the proposed development will be known.</p> <p>Salinity monitoring bores are currently focused on the Dubbo urban area and areas of planned future urban density growth.</p>
<p>Future development will likely result in the increased use of domestic pesticides and herbicides, which poses a risk for additional chemical run-off into the Macquarie River.</p>	<p>Domestic pesticides and herbicides can already be used on the land. The Planning Proposal is unlikely to cause increased chemical run-off.</p>

Threat to Flora and Fauna	Council Response
<ul style="list-style-type: none"> • The risks to remnant flora and fauna have not been adequately considered. How does Council propose to mitigate damage or compensate landholders for any loss of biodiversity and amenity from the destruction of areas of high conservation value? • Belmont Road may need to be widened and sealed, which would affect the bird life with the removal of vegetation and increased traffic noise. • The table of flora and fauna listed in the Planning Proposal is from 1983 and 1997. The validity of this resource is questionable. • Some birdlife in the area is listed as vulnerable under the Threatened Species Conservation Act. • Submitters have asked for a more current assessment to be provided for this proposal. 	<p>A detailed biodiversity assessment will be required at the Development Application stage when the overall impacts of the proposed development can be assessed.</p> <p>Belgravia Road and Belmont Road are largely not identified on Council's LEP Biodiversity mapping as being of either moderate or high biodiversity value.</p> <p>It is considered that any potential impacts to Belmont Road could be avoided through appropriate subdivision design.</p> <p>The subject site is largely cleared of vegetation. Given the current disincentives for native vegetation clearing, it is anticipated that any further clearing would be minimal and would be managed at the Development Application stage through the Biodiversity Conservation Act (2016).</p>
<ul style="list-style-type: none"> • The potential for the water course to be filled in, redirected or dams built on it will have detrimental effects on the flora and fauna. • Any alteration to the natural creek flow would potentially expose landholders and Council to litigation under the Threatened Species Conservation Act. 	<p>Council would only be involved in stream impacts via road crossings which would be assessed at the Development Application stage.</p> <p>Any construction of dams would be regulated by Natural Resources Access Regulator (NRAR). It is considered that NRAR would be unlikely to approve any new dams or works. If NRAR approve works in the future, applicants would be required to minimise changes to stream and natural regime flows.</p> <p>The Biodiversity Conservation Act supersedes the Threatened Species Act. Alterations to the natural creek flow can be appropriately addressed at the Development Application stage.</p>
Noise and Loss of Amenity	Council Response
<ul style="list-style-type: none"> • The rezoning will increase the traffic and associated noise, which will interfere with 	<p>It is considered that future development on the land is unlikely to provide any</p>

<p>and reduce our amenity. How does council plan to compensate us for the increased traffic noise pollution?</p> <ul style="list-style-type: none"> Increased traffic will cause more noise and dust pollution for residents, as well as negatively impact animal welfare. 	<p>significant traffic and amenity impacts for existing residents.</p>
<p>Traffic concerns</p> <ul style="list-style-type: none"> Belgravia Road is narrow and originally designed as the feeder road. Additional traffic would increase potholes and require more maintenance The Belmont and Belgravia Roads intersection has poor visibility due to heavy vegetation, road orientation and loose gravel. A wider turning lane will need to be installed when entering Belmont Road from Obley Road. This is a busy intersection with trucks, farm machinery and the existing school bus service using it. Additional traffic will pose risks to the school children and bus shelter at the Obley Road, Cumboogle Road and Belmont Road intersection. Belmont road is not wide enough to accommodate two vehicles passing. Belmont road is slippery/boggy in wet weather, and drivers pass through a deep causeway with a creek on either side. 	<p>Council Response</p> <p>It is considered that future development on the land is unlikely to provide any significant traffic and amenity impacts for existing residents.</p> <p>The Planning Proposal has been assessed by Council’s Infrastructure Division. No significant concerns have been raised in this assessment, which would impact progression of the proposal.</p> <p>It should also be noted that Belmont Road will be required to be sealed if two new lots are proposed to have frontage to it.</p>
<p>Potential Flooding</p> <p>The unnamed water course on Belmont Road has potential for minor flash flooding in periods of rain. Additional infrastructure in the subject area will contribute to this, and it will happen more frequently.</p>	<p>Council Response</p> <p>Flooding impacts will be required to be addressed at the Development Application stage when specific details of the proposed development will be known.</p> <p>The subject site is not identified on Council’s LEP Flood map.</p>
<p>Other Matters</p> <p>When the Planning Proposal was reported to Council in 2021, (previous) Councillor Parker declared a pecuniary, significant interest in the matter before the Committee. It does not indicate whether there is a belief that the pecuniary interest might positively or negatively affect them should it proceed.</p>	<p>Council Response</p> <p>This is not a matter for consideration in the Planning Proposal process.</p>

There may not be sufficient power to support new development.	At the future development application stage, Council will require evidence that electricity supply has been provided to each new lot prior to release of any Subdivision Certificate or Occupation Certificate.
Extra police patrols will be required due to the added amount of people.	This is not a reasonable matter for consideration. The subject site adjoins existing land zoned R5 Large Lot Residential, and this Planning Proposal will not significantly increase population in the immediate area. Residents are able to notify the Police of any concerns relating to crime.

Late Submission – received 23 February 2022	Council Response
No objection to the proposal. The subject land would have the same zoning and minimum lot size to other properties in Belgravia Road.	Noted.

It is considered that a number of matters raised in the submissions can be assessed at the future Development Application stage where the applicant will be required to provide further details of any development on the land.

3. Recommended change to the proposed LEP amendment following consultation

Following further consideration of the Planning Proposal and the submissions provided to Council, it is considered that the Planning Proposal should be amended to a Minimum Lot Size of 10 hectares instead of the initially proposed 8 hectares.

A Minimum Lot Size of 10 hectares would provide additional buffer areas for all future lots, and also better mitigate any future development impacts to neighbouring lands. It is also noted that the adjoining R5 zoned land to the east of the subject land has been predominately subdivided into allotments with an area of approximately 10 hectares, despite having a Minimum Lot Size of 8 hectares under the Dubbo Regional Local Environmental Plan 2022.

The Department of Planning and Environment's Biodiversity, Conservation and Science Directorate (BCS) has also indicated that the larger lots would likely reduce any potential impacts on vegetation on the land.

The proposed amendment to the zoning of the subject land from RU1 Primary Production to R5 Large Lot Residential will remain the same.

4. Legal Drafting of the Local Environmental Plan

Subject to endorsement of the Planning Proposal, Council will submit documentation and amended maps to the NSW Parliamentary Counsel's Office to draft the LEP and seek an Opinion that the draft Plan can be made. A copy of the request will also be forwarded to the NSW DPE Western Region.

Following receipt of the Opinion, the LEP amendment will be gazetted and notified on the legislation website.

5. Resourcing Implications

The Planning Proposal only relates to amendments to the Dubbo Regional Local Environmental Plan 2022. Accordingly, there are no further resourcing implications.

6. Next Steps

Subject to endorsement by Council, staff will liaise with the NSW Parliamentary Counsel's Office and the Department of Planning and Environment to finalise the Planning Proposal.

Those persons who have made a submission will also be advised of Council's determination in respect of the Planning Proposal.

APPENDICES:

- 1** [↓](#) Planning Proposal Submitted by Proponent
- 2** [↓](#) Public Submissions
- 3** [↓](#) Submissions from NSW State Agencies

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Site: Lot 5 DP817149
9R Belgravia Road (also Belmont Rd)
(CUMBOOGLE) DUBBO NSW

iPLAN PROJECTS
Planning & Development Solutions
andrew@iplanprojects.com.au
www.iplanprojects.com.au
Ph. 0410 519 469

PLANNING PROPOSAL

Land Use Zone & Minimum Lot Size for Large Lot Residential Subdivision



Figure 1: Aerial photo showing Site affected by the Proposal (Source: SIX Maps NSW Government).

Applicant: David & Carmen Isbester

c/- **iPLAN PROJECTS**

91 Heifer Station Ln, BORENORE NSW 2800

To be lodged with: Dubbo Regional Council

10 March 2021

Version B: FINAL for Lodgement with Council

iPLAN PROJECTS
Planning & Development Solutions

Document Control

Date / Version	Document	Provided To
8 March 2021 – Version A	Draft for Internal Review ONLY	David & Carmen Isbester
10 March 2021 – Version B	Final for Lodgement with Council	Client/ Dubbo Regional Council

Figures

Figure 1: Aerial photo showing Site affected by the Proposal (Source: SIX Maps NSW Government)i

Figure 2: Location of Subject Lot (yellow line) in relation to Dubbo urban area (Zoning Map - NSW Planning Portal).....5

Figure 3: Location of the Site (red line/yellow fill) (NSW Government Six Maps 2012 Aerial Photo)6

Figure 4: Site photos.6

Figure 5: Topographic map with marked watercourses/dams on Site (yellow boundary) (Source: NSW Planning Portal)...8

Figure 6: Groundwater / Water Map overlay (DLEP2011) showing Site is part in high or moderately high groundwater sensitivity area)8

Figure 7: Aerial photo with overlay of Terrestrial Biodiversity (DLEP2011) & Bushfire Prone Land on Site (yellow boundary) (Source: NSW Planning Portal)9

Figure 8: Heritage Map HER_008 Excerpt (DLEP2011).14

Figure 9: AHIMS Basic Search for Site (www.environment.nsw.gov.au).15

Figure 10: Salinity/hydro-geological mapping of the area showing the Site (green circle) (eSPADE: www.environment.nsw.gov.au).....16

Figure 11: Excerpts from (top) Land Zoning Map LZN_008 & (bottom) Lot Size Map LSZ_008 for Site (DLEP2011).17

Figure 12: Recommendations from Council Report (June 2020) for LSPS & Site.....18

Figure 13: Mining SEPP Strategic Agricultural Land Map Sheet STA_022.19

Figure 14: Macquarie District Strategy (1995) Land Use Map20

Figure 15: Land & Soil Capability – Site Class 3 within green circle (eSPADE mapping www.environment.nsw.gov.au)20

Figure 16: Macquarie District Strategy – Environmental Constraints Map.27

Figure 17: Existing & Proposed Land Zoning & Lot Size extended to Site (red boundary).30

Table of Contents

1	EXECUTIVE SUMMARY	3
1.1	SUMMARY OF PLANNING PROPOSAL	3
1.2	SUPPORTING INFORMATION	3
1.3	PROCESS OVERVIEW	4
2	EXISTING SITE ANALYSIS & KEY CONTROLS	5
2.1	SITE LOCATION	5
2.2	LARGE LOT RESIDENTIAL CONTEXT.....	5
2.3	SITE DESCRIPTION	5
2.4	SITE PHOTOS.....	6
2.5	TOPOGRAPHY, WATERCOURSE(S) & FLOOD POTENTIAL.....	7
2.6	GROUNDWATER.....	8
2.7	VEGETATION & BUSHFIRE	9
2.8	FLORA & FAUNA	9
2.9	NON-INDIGENOUS HERITAGE, CHARACTER & SCENIC PROTECTION	14
2.10	ABORIGINAL HERITAGE & ARCHAEOLOGY.....	14
2.11	SALINITY.....	15
2.12	SITE HISTORY & CONTAMINATION	16
2.13	ACCESS/UTILITIES.....	16
3	PLANNING PROPOSAL – JUSTIFICATION OVERVIEW	17
3.1	PROPOSAL	17
3.2	COUNCIL SUPPORT FOR REZONING	18
3.3	PROXIMITY TO DUBBO/DEMAND FOR LIFESTYLE LOTS	19
3.4	SITE OPPORTUNITIES & CONSTRAINTS.....	19
3.5	INTERFACE WITH AGRICULTURE	19
3.6	MINERAL POTENTIAL	21
4	PLANNING PROPOSAL	22
4.1	PART 1: OBJECTIVES OR INTENDED OUTCOMES.....	22
4.2	PART 2: EXPLANATION OF PROVISIONS.....	22
4.3	PART 3: JUSTIFICATION OF PROPOSED LEP AMENDMENTS.....	22
4.4	PART 4: MAPPING.....	30
4.5	PART 5: COMMUNITY CONSULTATION.....	31
4.6	PART 6: PROJECT TIMELINE	31

1 EXECUTIVE SUMMARY

1.1 Summary of Planning Proposal

The following table summarises the key aspects of this Planning Proposal:

Planning Proposal/ Site Description	This Planning Proposal seeks to amend the Land Zoning (LZN) & Lot Size (LSZ) for 9R Belgravia Rd/ Lot 5 DP817149 ('Subject Site' or 'Site') to enable it to be developed/ subdivided for large lot residential purposes under <i>Dubbo Local Environmental Plan 2011</i> (DLEP2011) as shown on attached plans and in Section 3.1 Relevant Site Maps & Part 4: Mapping of this Report. The preferred outcome is: a) Change the Land Zoning from Zone RU1 Primary Production to Zone R5 Large Lot Residential ; b) Reduce the Minimum Lot Size (MLS) from 800ha (AH) to 8ha (AA3) .
Applicant/ Owner	David & Carmen Isbester 9R Belgravia Rd
Local Gov.	Dubbo Regional Council ('Council')
Summary of Justification	The Site is suitable for the proposed Land Zoning / Lot Size because: <ol style="list-style-type: none"> It has been approved for consideration by Dubbo Regional Council on the adoption of the Draft Local Strategic Planning Statement (LSPS) in June 2020 (see details in this report below); It is in close proximity to the City of Dubbo (~6-7km to urban edge & ~10-11km to the CBD) and as such is likely to be highly desirable as rural 'lifestyle' housing in close proximity to services, employment etc.; It is immediately adjacent to an existing Zone R5 Large Lot Residential (LLR) Area with a Lot Size of 8ha (Belgravia Rd/Belgravia Heights Rd). This LLR area is getting close to full take-up of existing lots for LLR purposes suggesting strong demand for the 8ha lot size this close to the City of Dubbo; The Site has frontages to Belgravia Rd (sealed) and Belmont Rd (unsealed) with excellent access and existing safe access to Obley Road (not a classified road); There is existing LLR land to the west of Belgravia Rd (Lots 11 & 12 DP259643) so Belgravia Rd is NOT an existing buffer to agricultural land; The Site has an area of ~40.68ha so it has limited agricultural potential and is currently used as a semi-lifestyle lot with limited grazing and cultivation. Its rezoning will not increase fragmentation of high-quality agricultural land; It does not significantly increase the perimeter of LLR land that would interface with agricultural land so it does not significantly increase potential land use conflict; The land is relatively free of environmental sensitivity & constraints and/or a Minimum Lot Size (MLS) of 4-8ha is likely to ensure minimal impacts in terms of tree removal, suitable dwelling & on-site effluent management envelopes setback from watercourses, etc.

1.2 Supporting Information

The Planning Proposal is supported by the following plans/reports:

Field	Report / Plans	Reference	Name
Site Analysis	Deposited Plan 817149 showing Site	A101 March 2021	iPLAN PROJECTS
	Site (Google Aerial)	A103 March 2021	
	Site Analysis – Key Constraints (Planning Portal)	A201 March 2021	
Subdivision Concept	Subdivision Concept (Indicative 3-4 lots)	A301 March 2021	iPLAN PROJECTS
Planning Proposal	Planning Control – Proposed Change(s)	A401 March 2021	iPLAN PROJECTS

This Proposal has been extensively discussed with Council and it has been agreed that no further studies are required at the time of lodging this Planning Proposal for consideration.

1.3 Process Overview

The Planning Proposal has been prepared in accordance with *Divisions 3.4 – Environmental Planning Instruments (LEPs)* of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') and the NSW Government Guideline (Dec 2018) '*A guide to preparing planning proposals*'.

Section 1.3 of the Guideline states that a Planning Proposal should provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan making process including identifying relevant environmental, social, economic and other site-specific considerations.

However, this Proposal is not a development application, so it is NOT required to consider specific detailed matters that would likely form part of any future application. The proposed indicative subdivision layout is provided only to inform an understanding of possible outcomes.

A gateway determination under the EP&A Act is requested from the NSW Department of Planning, Industry & Environment ('DPIE') to allow this planning proposal to be placed on public exhibition. The regional office of DPIE has delegations to make Gateway Determinations unless the proposal is not supported or is contentious because it is not consistent with strategic planning for the area (in which case the Executive may consider the application). Planning Circular PS 18-013 (14 December 2018) updates delegation of plan making decisions under the EP&A Act (and replaces PS16-005 & PS12-006).

Section 3.34(2)(g) of the EP&A Act provides that if the planning proposal authority is a council, the Gateway Determination may authorise the council to make the proposed instrument and set out any conditions the council is required to comply with before the instrument is made and, as a result, the council becomes the local plan-making authority. The Applicant requests, on behalf of Council, that this matter is delegated to Council to become the plan making authority.

The Gateway Determination may provide details of further studies/consultation required by Council to enable the public exhibition and finalisation of the LEP amendments but we believe that the attached studies should be sufficient to support this Planning Proposal.

Please see **Section 4.6: Part 6: Project Timeline** of this Report for an indicative timetable of steps to achieve the outcomes in this Proposal.

2 EXISTING SITE ANALYSIS & KEY CONTROLS

2.1 Site Location

The Subject Site is located adjacent to an existing Large Lot Residential (LLR) zoned area known as 'Belgravia' or 'Belgravia Heights' with frontage to Belgravia Rd and Belmont Rd ~6-7km to the south of the urban area of the City of Dubbo (see zoning map in Figure.2 below). The Site is located ~3-4km west of the Macquarie River and 2-3km south of the Dubbo (Western Plains) Zoo. Belmont Rd connects to Obley Rd that connects to the Newell Highway just north of the Zoo. It is in the parish area of Cumboogle that is part of the Toongi District.

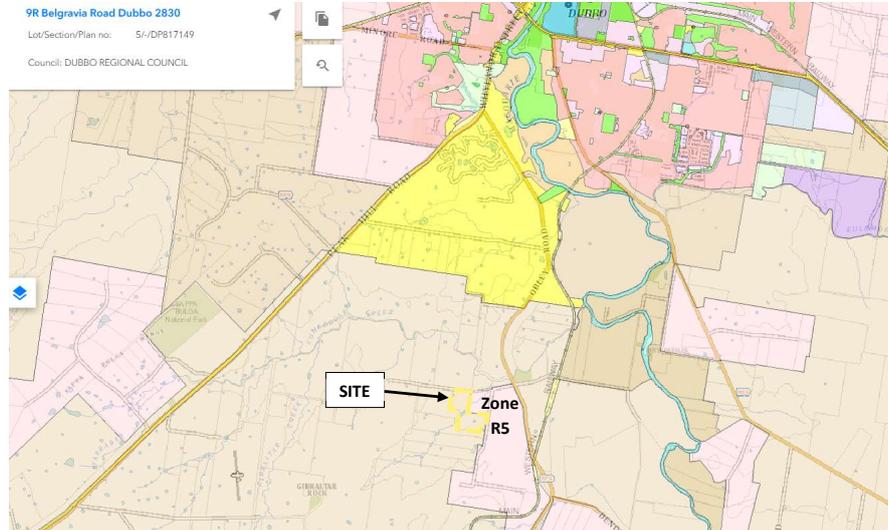


Figure 2: Location of Subject Lot (yellow line) in relation to Dubbo urban area (Zoning Map - NSW Planning Portal).

2.2 Large Lot Residential Context

The Site sits at the north-western end of an existing Belgravia or Belgravia Heights Large Lot Residential (LLR) area. Under the *Dubbo Rural Areas Development Strategy 1995-2015* (Nov 2003) the Site is in the Macquarie District (Land Use) Strategy but this is significantly out-of-date. Whilst Council is endeavouring to prepare an updated Large Lot Residential Strategy in 2021 – no timeframe has been given.

As noted in **Section 3.2** below, in the June 2020 LSPS Council Report the Site was noted as having initial planning merit for rezoning. Therefore, the Applicant has elected to proceed with an independent Planning Proposal (in accordance with Council's support & options for the way forward).

2.3 Site Description

The Site is a single lot (Lot 5 DP817149) that is a rough 'L' shape and fronts both Belgravia Rd to the east and Belmont Rd to the north, wrapping around existing Zone R5 Large Lot Residential lands at the intersection of these two roads.

The Lot is ~40.68ha in area (by Deposited Plan). It contains a single dwelling house located in the south-eastern corner with access from Belgravia Rd. Belgravia Rd connects to Belmont Rd then Obley Rd north to Dubbo or south to Yeoval. The Site is currently used as grazing land but has limited agricultural potential due to its area. In reality it is already more of a 'lifestyle' lot and has historically required off-farm income to be sustained.

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

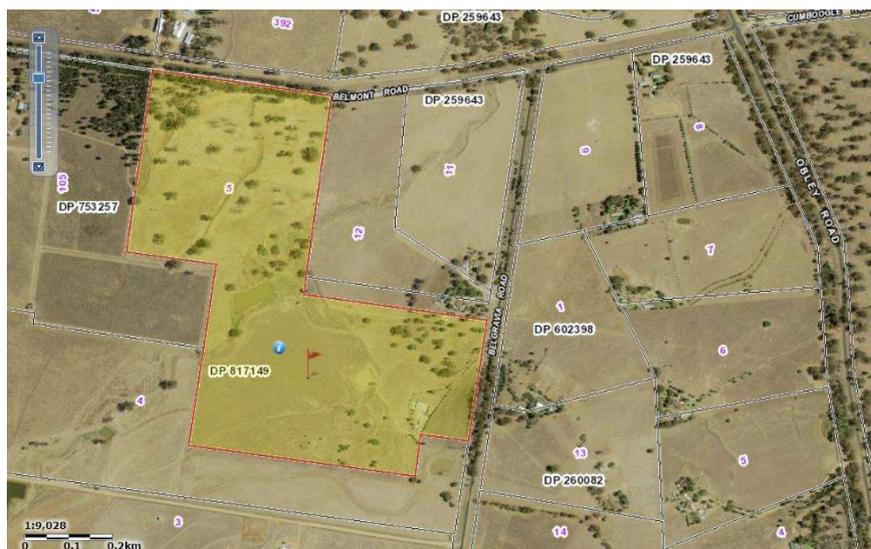


Figure 3: Location of the Site (red line/yellow fill) (NSW Government Six Maps 2012 Aerial Photo).

2.4 Site Photos

Figure 4: Site photos.



Photos of (left) intersection Belmont & Belgravia Roads; (right) Belmont Road watercourse crossing.

10 March 2021 – Version B
FINAL for Lodgement with Council

iPLAN PROJECTS
Planning & Development Solutions

Page | 6

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Photos of (left) entrance to Site; (right) view to dwelling/sheds on Site from Belgravia Road.



Photo looking west from house yard on Site across flat land.



Photo of the existing dwelling & shed(s) in the house yard (looking east).



Photo of the Site from Belmont Rd (near north-west corner).

2.5 Topography, Watercourse(s) & Flood Potential

As the Figure below shows, the land has a gentle slope falling from the west (along Belmont Rd) and south (along Belgravia Rd) towards the north-east.

There is an unnamed watercourse that extends up towards Gibraltar Rock (3km south-west of the Site) and drains north-east to Cumboogle Creek (just north of Belmont Road). It cuts across the Site through its mid-point, effectively separating the land fronting Belmont Rd from the land fronting Belgravia Rd. It is likely a 2nd or 3rd order watercourse but it is only intermittent and flows during heavy rains. The watercourse is not mapped as a Riparian Watercourse in DLEP2011 and there is limited vegetation on or near this watercourse.

There is a small watercourse (first order) extending from the dam on the land immediately south of the lot (adjacent to Belgravia Road) down to the unnamed watercourse above. This also has no visible riparian functions and is only a drainage overflow for the dams.

10 March 2021 – Version B
FINAL for Lodgement with Council

iPLAN PROJECTS
Planning & Development Solutions

Page | 7

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

There is no Flood Map in DLEP2011 that applies to the land as there is unlikely to be a flood study of the area. The Macquarie River is >3km to the north-east/east of the Site and the land sits at a higher elevation. The Macquarie District Strategy has a map showing flood liable lands (1 in 100 year approx.) and only identified lands along the Macquarie River & Cumboogle Creek (north of Belmont Rd) but not including/affecting the Site. Intermittent overland flows may occur close to the unnamed watercourse but would not be expected to affect a significant area of the Site or preclude it from Large Lot Residential (LLR) use.

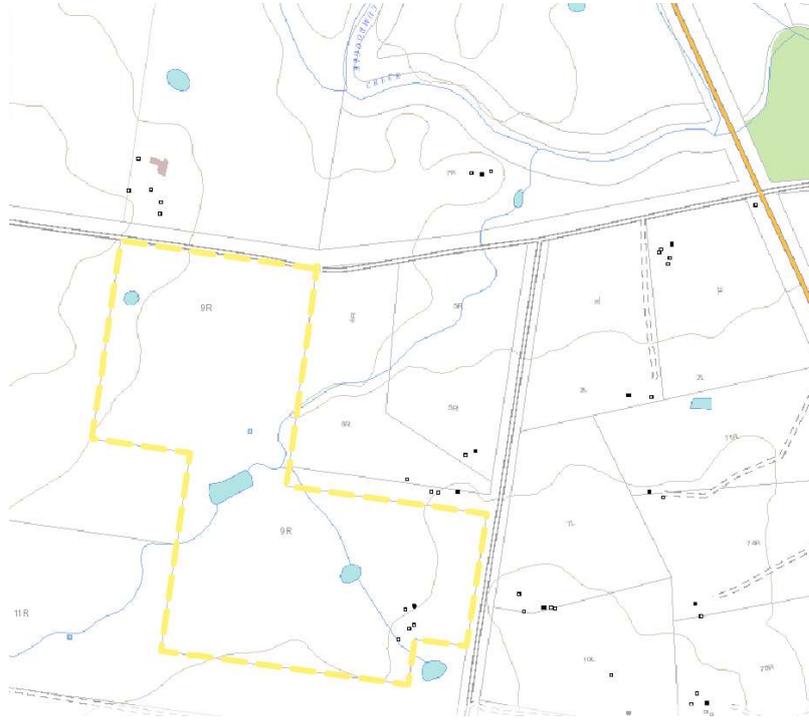


Figure 5: Topographic map with marked watercourses/dams on Site (yellow boundary) (Source: NSW Planning Portal).

2.6 Groundwater

The Site is in an area of moderately high to high groundwater sensitivity (that roughly follows the drainage corridor and lower lying lands). This also affects a range of other existing large lot residential land in the area. A larger lot size of 8ha would minimise the number of additional bores on this aquifer and large lot residential does not pose a substantial risk of contaminating this aquifer if there is appropriate on-site effluent management (to be determined at the subdivision stage).

Figure 6: Groundwater / Water Map overlay (DLEP2011) showing Site is part in high or moderately high groundwater sensitivity area).



10 March 2021 – Version B
FINAL for Lodgement with Council

2.7 Vegetation & Bushfire

The aerial photo below shows that there is limited vegetation scattered across the Site with most of the Site cleared historically for extensive agriculture. The densest pocket of existing vegetation is in the north-western corner and along the Belmont Rd reserve adjacent.

Whilst the vegetation in the north-western half of the Site is scattered, it is mapped in DLEP2011 as *Terrestrial Biodiversity* (see green overlay below) but doesn't extend to vegetation in the southern half of the Site. Vegetation is not strongly connected through ecological corridors to other vegetation, except perhaps along Belmont Road and to the north of the Site.

Denser vegetation further up Belmont Rd on the hill-top is mapped as bushfire prone land (red overlay below) with the buffer (yellow overlay) extending slightly across the north-western corner of the Site.

Any future subdivision is likely to be 'integrated development' under the EP&A Act as it would require a bush fire safety authority under Section 100B of the *Rural Fires Act 1997* and would be referred to the Rural Fire Service (RFS). The indicative Subdivision Concept Plan (attached) suggests that dwelling envelopes can occur outside of the bushfire prone land and may be able to achieve the requirements of *Planning for Bush Fire Protection 2019* (PBP2019).



Figure 7: Aerial photo with overlay of Terrestrial Biodiversity (DLEP2011) & Bushfire Prone Land on Site (yellow boundary) (Source: NSW Planning Portal).

2.8 Flora & Fauna

Barnson (March 2001) *Statement of Environmental Effects* was prepared to support the approval of the existing dwelling on the Site. At Section 3.6 of that Report, it included a Flora and Fauna review including an assessment against the 'threatened species' test. It provided the following table of threatened flora and fauna and the likelihood of its impact. It is recognised that this document is now dated and only applied to the proposed dwelling site and immediate surround. However, it does provide a reasonable consideration of the likelihood of most threatened species in the area.

As a result, the Barnson (2001) Report concluded '*[b]ased on the consideration of all bioclimatically predicted and previously recorded species for the Dubbo area, no species were found to be likely to occur within the area of concern, being the 360m², proposed residential development site.*' Whilst it is an extrapolation, most of the comments above could be extended to the remainder of the Site as it has a similar extent of significant tree coverage and has been equally disturbed by historic agriculture.

A review of the Bionet Atlas (www.environment.nsw.gov.au) suggests that there have been no threatened species sightings on the Site. The nearest sightings are a *Eolophus roseicapilla* (Galah) near the intersection of Belmont &

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Belgravia Roads and a Striped Wattle further down Belgravia Road – neither of which are classified as sensitive or threatened.

MAMMALS

Common Name	Species Name	Distribution	TSC Act Status	Notes:	Reference
Spotted-tailed Quoll	<i>Dasyurus maculatus</i>	Bioclimatic Prediction	Vulnerable	Site habitat is not suitable for nesting. The species is not expected as foraging sites are usually near nesting sites.	Edgar in Strahan 1983; Ayers et al 1997.
Eastern Quoll	<i>Dasyurus viverrinus</i>	Bioclimatic Prediction	Endangered	Utilisation of site habitat is not expected by this species.	Godsell in Strahan 1983. Ayers et al 1997.
Brush-tailed Phascogale	<i>Phascogale tapoatafa</i>	Bioclimatic Prediction	Vulnerable	Site habitat does not include forest areas on ridges, and therefore their presence is not likely	Cuttle in Strahan 1983. Ayers et al 1997.
Stripe-faced Dunnart	<i>Sminthopsis macroura</i>	Bioclimatic Prediction	Vulnerable	No suitable habitat for shelter etc. This species seeks shelter during the day and is active at night	Ayers et al 1997.
Bilby	<i>Macrotis lagotis</i>	Recorded Sighting	Presumed Extinct	Associated habitat is not found at the site.	Johnson in Strahan 1983. Ayers et al 1997.
Koala	<i>Phascogale cinereus</i>	Recorded Sighting	Vulnerable	Not expected due to lack of habitat tree species. Site is not treed.	Martin in Strahan 1983. Ayers et al 1997.
Squirrel Glider	<i>Petaurus norfolcensis</i>	Bioclimatic Prediction	Vulnerable	Lack of suitable habitat at site- not expected.	Suckling in Strahan 1983. Ayers et al 1997.
Rufous Bettong	<i>Aepyprymnus rufescens</i>	Bioclimatic Prediction	Vulnerable	Lives in well grassed open forest. This species is not expected due to the lack of habitat suitable for nest construction, food etc	Johnson in Strahan 1983. Ayers et al 1997.
Burrowing Bettong	<i>Bettongia lesueur</i>	Bioclimatic Prediction	Presumed Extinct	Not expected to occur due to lack of suitable habitat. The species burrows in limestone or similar type rock, loamy soils, which is not available at the site	Burbidge in Strahan 1983. Ayers et al 1997.
Brush-tailed Rock-wallaby	<i>Petrogale penicillata</i>	Bioclimatic Prediction	Vulnerable	No suitable habitat occurs for this species. They inhabit rocky areas in forests, using windblown caves etc for shelter.	Meynes and Sharman in Strahan 1983. Ayers et al 1997.

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Yellow-bellied Shearwater	<i>Saccolaimus flaviventris</i>	Bioclimatic Prediction	Vulnerable	The bat roosts in tree hollows within eucalypt forests – not expected.	Richards in Strahan 1983. Ayers et al 1997.
Little Pied Bat	<i>Chalinolobus plicatus</i>	Bioclimatic Prediction	Vulnerable	These species roosts in dry caves or mine shafts. Therefore this species is not expected to occur	Richards in Strahan 1983. Ayers et al 1997.
Greater Long-eared Bat	<i>Nyctophilus timorensis</i>	Bioclimatic Prediction	Vulnerable	No suitable habitat exists to support the presence of this species. They are associated with river red gums that line watercourses.	Richards in Strahan 1983. Ayers et al 1997.

REPTILES

Common Name	Species Name	Distribution	TSC Act Status	Notes	Reference
Western-blue tongued Lizard	<i>Tiliqua occipitalis</i>	Bioclimatic prediction	Vulnerable	This lizard is often in close association with mallee communities, and therefore is not expected at the site.	Cogger 1983. Ayers et al 1997.
Pale-headed Snake	<i>Hoplocephalus bitorquatus</i>	Bioclimatic prediction	Vulnerable	These snakes are not known to occur in disturbed environments such as at the site.	Cogger 1983. Ayers et al 1997.

BIRDS

Common Name	Species Name	Distribution	TSC Act Status	Notes	Reference
Red-tailed Tropicbird	<i>Paethon rubricauda</i>	Bioclimatic prediction	Vulnerable	No suitable habitat for nesting.	Cayley 1980. Ayers et al 1997.
Australasian Bittern	<i>Botaurus poiciloptilus</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. wetlands.	Cayley 1980. Ayers et al 1997.
Black-necked Stork	<i>Xenorhynchus asiaticus</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. wetlands.	Cayley 1980. Ayers et al 1997.
Magpie Goose	<i>Anseranas semipalmata</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. wetlands.	Cayley 1980. Ayers et al 1997.
Freckled Duck	<i>Stictonetta naevosa</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. wetlands.	Cayley 1980. Ayers et al 1997.
Blue-billed Duck	<i>Oxyura australis</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. water body.	Cayley 1980. Ayers et al 1997.
Osprey	<i>Pandion haliaetus</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. water body.	Cayley 1980. Ayers et al 1997.
Square-tailed Kite	<i>Lophoictinia isura</i>	Recorded Sighting	Vulnerable	Found in patches of eucalypt forest.	Cayley 1980.
					Ayers et al. 1997.
Black-breasted Buzzard	<i>Hamirostra melanosternon</i>	Bioclimatic prediction	Vulnerable	This species is not expected, as it does not tolerate disturbance by human activity.	Cayley 1980. Ayers et al 1997.

10 March 2021 – Version B
FINAL for Lodgement with Council



Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Gray Falcon	<i>Falco hypoleucos</i>	Bioclimatic prediction	Vulnerable	Site does not include disturbance of habitat potentially utilised by this species.	Cayley 1980. Ayers et al 1997.
Malleefowl	<i>Leipca ocellata</i>	Recorded Sighting	Endangered	No suitable habitat, and lack of litter etc.	Cayley 1980. Ayers et al 1997.
Brolga	<i>Grus rubicundus</i>	Bioclimatic prediction	Vulnerable	No suitable habitat for roosting, nesting or feeding.	Cayley 1980. Ayers et al 1997.
Australian Bustard	<i>Ardeotis australis</i>	Bioclimatic prediction	Endangered	Available habitat is not suitable for this species.	Cayley 1980. Ayers et al 1997.
Plains-wanderer	<i>Pedionomus torquatus</i>	Bioclimatic prediction	Endangered	No suitable habitat, due to agricultural use.	Cayley 1980. Ayers et al 1997.
Bush Thick-knee (Curlew)	<i>Burhinus magnirostris</i>	Recorded Sighting	Endangered	Habitat associated with this species is not found within the proposed development area.	Cayley 1980. Ayers et al 1997.
Painted Snipe	<i>Rostratula benghalensis</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. marshes, swamp area.	Cayley 1980. Ayers et al 1997.
Black-tailed Godwit	<i>Limosa limosa</i>	Bioclimatic prediction	Vulnerable	No suitable habitat i.e. mud flats, marshes etc.	Cayley 1980. Ayers et al 1997.
Red-tailed Black-cockatoo	<i>Calyptorhynchus magnificus</i>	Bioclimatic prediction	Vulnerable	Suitable habitat: not present.	Cayley 1980. Ayers et al 1997.
Glossy Black-cockatoo	<i>Calyptorhynchus lathami</i>	Recorded Sighting	Vulnerable	No suitable feeding sites nearby, therefore this species is not expected to occur since this species forage only on one tree species.	Cayley 1980. Ayers et al 1997.
Superb Parrot	<i>Polytelis swainsonii</i>	Bioclimatic prediction	Vulnerable	Woodland is not associated with the proposal.	Cayley 1980. Ayers et al 1997.
Swift Parrot	<i>Lathamus discolor</i>	Bioclimatic prediction	Vulnerable	Not expected to occur due to the lack of suitable trees.	Cayley 1980. Ayers et al 1997.
Turquoise Parrot	<i>Neophema pulchella</i>	Recorded Sighting	Vulnerable	Lives on edge of woodland. Land surrounding proposed site is sparsely treed.	Cayley 1980. Ayers et al 1997.
Powerful Owl	<i>Ninox strenua</i>	Bioclimatic prediction	Vulnerable	Not expected, as it inhabits mountainous forests and scrubs.	Cayley 1980. Ayers et al 1997.
Masked Owl	<i>Tyto novaehollandiae</i>	Bioclimatic prediction	Vulnerable	Requires a variety of habitats including eucalypt forest. Not associated with site.	Cayley 1980. Ayers et al 1997.
Pink Robin	<i>Petroica rodinogaster</i>	Bioclimatic prediction	Vulnerable	No suitable breeding or nesting habitat exists within the proposed development area.	Cayley 1980. Ayers et al 1997.

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Gilbert's whistler	<i>Pachycephala inornata</i>	Recorded Sighting	Vulnerable	No suitable shrubby understorey occurs for this species presence to be likely.	Cayley 1980. Ayers et al 1997.
Calamanthus	<i>Sericornis fuliginosus</i>	Bioclimatic prediction	Vulnerable	Vegetation and landscape do not support the likelihood of the presence of this species.	Cayley 1980. Ayers et al 1997.
Regent Honeyeater	<i>Xanthomyza phrygia</i>	Recorded Sighting	Endangered	Found in box-ironbark woodlands. Lack of trees on subject area, not expected.	Cayley 1980. Ayers et al 1997.
Painted Honeyeater	<i>Garniella picta</i>	Bioclimatic prediction	Vulnerable	No suitable habitat (i.e. no mistletoe found in site) since this species forages only on one species.	Cayley 1980. Ayers et al 1997.
Pied Honeyeater	<i>Certhionyx variegatus</i>	Bioclimatic prediction	Vulnerable	Not expected as no flowering shrubs occur in the site.	Cayley 1980. Ayers et al 1997.

PLANTS

Common Name	Species Name	Distribution	TSC Act Status	Notes	Reference
Peppercress	<i>Lepidium hyssopifolium</i>	Bioclimatic prediction	Endangered	Not expected due to grazing intolerance.	Ayers et al 1997. Cropper 1993.
	<i>Indigofera efoliata</i>	Sole recorded Habitat.	Endangered	Not expected due to the disturbed nature of the area, and it has previously been found on stony ground (known sites occur between Dubbo and Geurie).	Ayers et al 1997.
	<i>Swainsona recta</i>	Bioclimatic prediction	Endangered	Is found in open woodland. Not associated with the site.	Cropper 1993. Ayers et al 1997.
	<i>Homoranthus darwiniioides</i>	Recorded Habitat	Vulnerable	Found in woodlands usually on sandstone outcrops.	Ayers et al 1997.
	<i>Dichoanthium setosum</i>	Bioclimatic prediction	Vulnerable	Suitable soil does not occur within the area, also associated species are not found in area, therefore this species is not expected to be present or be affected by the proposal.	Ayers et al 1997.
	<i>Ericostemon ericifolius</i>	Recorded Habitat	Vulnerable	This species is moisture loving, therefore it is not expected at this site (as it is not a drainage area or near a watercourse).	Ayers et al 1997.
	<i>Zieria ingramii</i>	Sole Recorded Habitat	Endangered	Not expected due to lack of associated soil types.	Ayers et al 1997.
	<i>Rulingia procumbens</i>	Recorded Habitat	Vulnerable	Found in sandy sites. Associated habitat is not found within the study area.	Ayers et al 1997.

10 March 2021 – Version B
FINAL for Lodgement with Council



2.9 Non-Indigenous Heritage, Character & Scenic Protection

The Site is not a listed heritage item or in a heritage conservation area (HCA).

As the Figure opposite show, the nearest heritage item is Item No.14 – Woolshed & Shearer's Hut – Benolong Rd (Lot 90 DP253576) more than 1.5km to the east of the Site (east of Obley Rd & the railway line). Consistent with large lot residential subdivision in the area, this is unlikely to have any significant impact on this heritage item. The Site is not visible from Obley Road as it is nearly 1km to the west along Belmont & Belgravia Roads. There are no known scenic or landscape protection requirements in this area. Development of this area is consistent with other large lot subdivision along Belgravia Road and immediately adjacent to the Site.

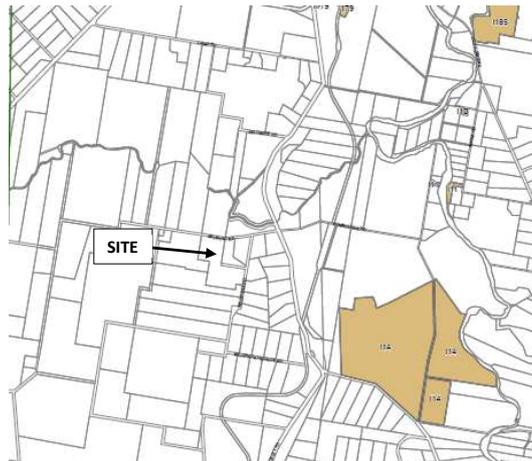


Figure 8: Heritage Map HER_008 Excerpt (DLEP2011).

2.10 Aboriginal Heritage & Archaeology

The lack of any permanent watercourses or major ridgelines on the Site (and its distance from the Macquarie River) suggests a lower probability of Aboriginal artefacts and cultural items. More detailed heritage assessments may be required where there are, amongst others:

- Aboriginal Sites identified in or near the development area;
- Significant impact is likely to areas of bushland or undisturbed ground;
- Significant sandstone outcrops, rock shelters, old growth trees, sand bodies, or ground adjacent to permanent creeks/rivers/lakes/swamps; or
- Areas of importance to the Aboriginal community.

As the Site has been used for extensive agriculture and cultivated for some time, this is likely to have reduced the chance of finding significant artefacts. Most of the land is cleared or only included sparse vegetation. There is no need for extensive clearing of significant vegetation to support the development. There are no rock shelters, overhangs, old growth trees, or sand bodies. The unnamed creek through the Site is intermittent and more of a drainage channel.

An AHIMS Basic Search conducted on 8/03/2021 (see below) shows that for Lot 5 DP817149 (+200m buffer) there are NO Aboriginal sites recorded or places that have been declared in or near the above location.

In the Barson (2001) Report noted above, it was stated (*Section 3.12 – Archaeological Artefacts*) that Mr Lloyd Nolan, representative of Dubbo Aboriginal Land Council, was consulted regarding the occurrence of areas important to the Aboriginal community. No sites of known importance (e.g., story places, buildings, missions, etc) are within or adjacent to the proposed site of redevelopment. The nearest known location of artefacts/sites are near land surveyed off Camp Road, at least 3.5km from the Site. Future development applications can be conditioned to have 'stop work' orders in case of finding any artefacts.

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Figure 9: AHIMS Basic Search for Site (www.environment.nsw.gov.au).



AHIMS Web Services (AWS)
Search Result

Purchase Order/Reference : 9R Belgravia Rd
Client Service ID : 574345

iPLAN PROJECTS
91 Heifer Station Ln
Borenore New South Wales 2800
Attention: Andrew Napier
Email: andrew@iplanprojects.com.au

Date: 08 March 2021

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 5, DP:DP817149 with a Buffer of 200 meters, conducted by Andrew Napier on 08 March 2021.

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



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

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

2.11 Salinity

The Site is mapped as having a very high salinity hazard class. This risk is likely based on a complex range of variables but is at a regional scale and does not account for local variability. Salinity is unlikely to prevent the use and subdivision of this land for Large Lot Residential (LLR) purposes that will have limited impact on hydro-geological conditions. Salinity can be addressed as part of any future application for a dwelling (to condition dwelling construction), any future bore water applications, and future landscape.

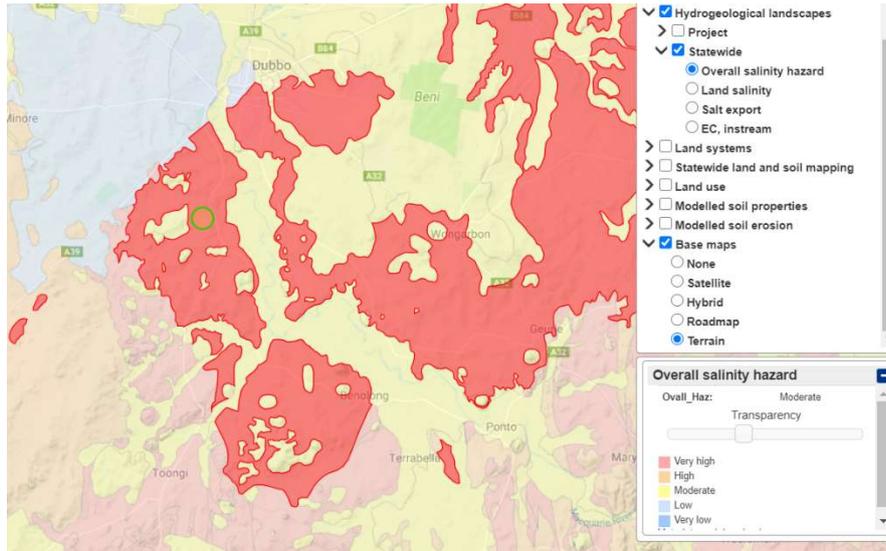
10 March 2021 – Version B
FINAL for Lodgement with Council



Page | 15

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Figure 10: Salinity/hydro-geological mapping of the area showing the Site (green circle) (eSPADE: www.environment.nsw.gov.au).



2.12 Site History & Contamination

To the best of our awareness, the land has historically only been used for extensive agriculture. It is not part of the intensive agriculture along the Macquarie River flood-plains. There is no evidence of any significant rural industrial buildings or infrastructure such as shearing sheds, yards, sheep dips etc. It appears to have only been used for grazing and occasional cropping and as a lifestyle lot with a dwelling. There are no other visible uses that would be considered potentially contaminating uses. We suggest this is sufficient as a *Preliminary Contamination Investigation* and that the Gateway Determination should not require any more detailed contamination investigations at this time. Please see the review of *State Environmental Planning Policies* below.

2.13 Access/Utilities

Belgravia Road is sealed along the entire frontage so lots with frontage to Belgravia Road would not have substantial cost for access. Belgravia Road is not a classified road but would provide safe access to Obley Road (via Belmont Road). The road primarily services large lot residential lots (it is not a through road) and provides good sight-lines for access and safety. Belmont Road is not sealed beyond the Belgravia Road intersection after which it is a gravel rural road across the frontage of the lot. However, for a low-density subdivision pattern an extension of the seal may not be required and it is in close proximity to the existing seal.

The Site is serviced with electricity and Telstra telecommunication copper cables and it would be possible to extend these at limited cost from road frontages. The Site is not in close proximity to reticulated sewer or potable water so it is likely to be reliant on on-site sewage management, rainwater capture, and bore water for non-potable use which is consistent with rural/rural-residential qualities.

A minimum lot size above 2-4 hectares is likely to provide more than sufficient area to allow for on-site effluent management without compromising the drainage corridor, significant trees, or the ability to source bore water for non-potable uses.

3 PLANNING PROPOSAL – JUSTIFICATION OVERVIEW

3.1 Proposal

The Proposal seeks for the Site to be rezoned from Zone RU1 Primary Production to Zone R5 Large Lot Residential with a suggested MLS of 8ha (the same as the adjacent land to the east of the Site as shown on the Figures below).

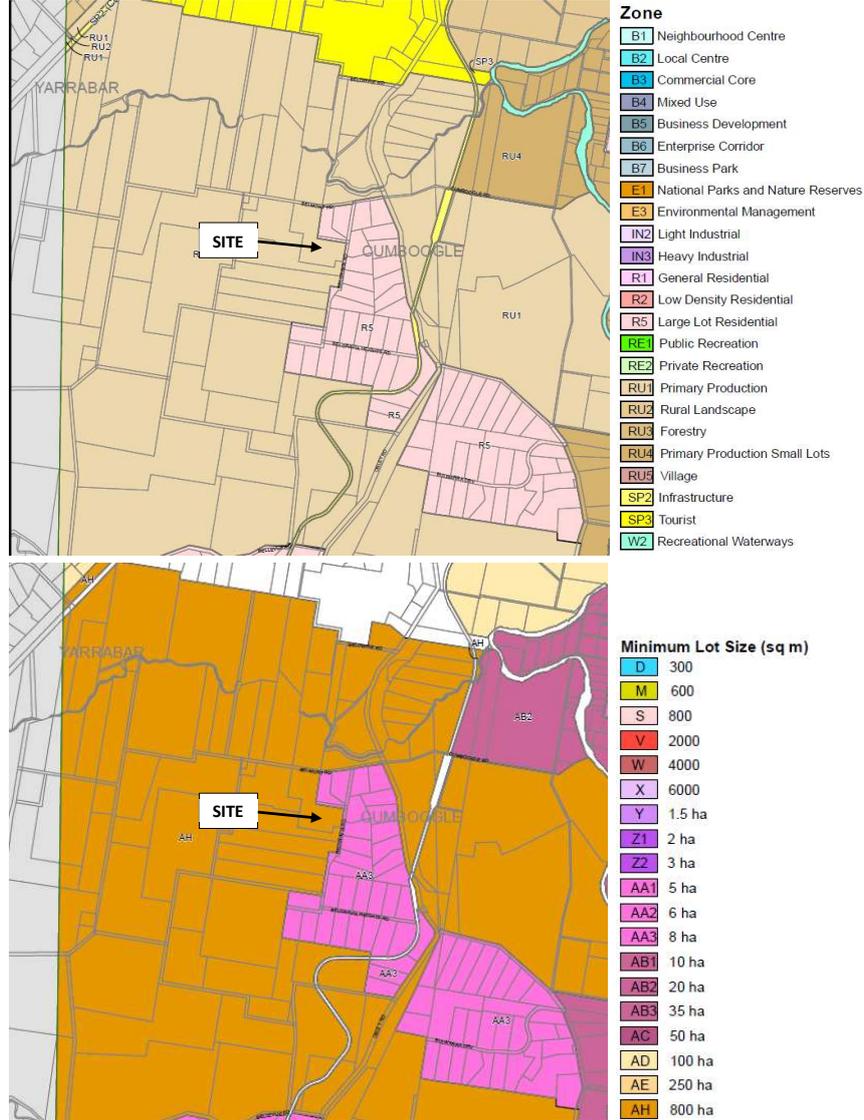


Figure 11: Excerpts from (top) Land Zoning Map LZN_008 & (bottom) Lot Size Map LSZ_008 for Site (DLEP2011).

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

The 40.68ha property would be capable of producing between 4-5 lots. However, with the shape of the lot and constraints we suggest that either a three (3) or four (4) lot subdivision is more likely. See the **Subdivision Concept (Indicative)** attached.

This would most likely result in two (2) lots fronting Belgravia Road (sealed) and 1-2 lots fronting Belmont Rd (unsealed) depending on whether road upgrades are required. These would be four roughly regular shaped lots each with a significant road frontage.

This would allow the existing primary unnamed watercourse to run at the rear of two (2) proposed lots where it poses the least constraint and is less likely to be affected by development closer to the road frontages.

Each lot would have sufficient area for a dwelling envelope and on-site effluent disposal area of several hectares. Dwellings are likely to be located closer to the road frontages to minimise driveway & electricity costs and provide an increased buffer to agriculture to the west and south. The existing dwelling will remain on one (1) of the lots.

The Site is suitable for the proposed Land Zoning / Lot Size based on the following justification(s):

3.2 Council Support for Rezoning

Council has already conducted a preliminary review of the Site and determined that it has 'initial planning merit' to support its rezoning. This occurred during Council's review and adoption of the Draft *Local Strategic Planning Statement* (LSPS) in June 2020 (see details in this report below).

The Applicants first made a submission to the Review of the *Dubbo Local Environmental Plan 2011* (DLEP2011) in November 2017 seeking consideration for rezoning of the Site. It was not actioned at that time. Subsequently, Council sought submissions on the *Local Strategic Planning Statement* (LSPS) in early 2020 when it was on public exhibition and the Applicant made their submission again to that process (noted as **Submission 16** attached to Council Report).

Whilst the LSPS was at too high a level to specifically map or address the merits of the Applicant's rezoning submission. However, Council's staff response (table) stated:

'Initial planning merit identified given the site's access and location adjoining existing R5 zoned land. Subject site is zoned RU1 Primary Production. To be considered in a review of R5 Residential Large Lot Zoned land. The landowner may lodge a planning proposal if they would seek a shorter timeframe.'

As a result, Council made several recommendations at the June 2020 Council meeting that related to the Site (**Submission 16**) as set out below:

ORDINARY COUNCIL MEETING
22 JUNE 2020

CCL20/97

RECOMMENDATION

1. That the Local Strategic Planning Statement (attached as Appendix 1 to the report of the Senior Growth Planner dated 5 June 2020), in accordance with the provisions of the Environmental Planning and Assessment Act, 1979, be adopted.
2. That the submissions and responses attached to the report of the Senior Growth Planner dated 5 June 2020, be noted.
3. That the proposed amendments and their role in the Local Strategic Planning Statement, be noted.
4. That, in respect of submission Numbers 13, 15 and 16, initial planning merit be identified and these submissions be considered in the review of the R5 Residential Large Lot zoned land and/or Stage 2 of the preparation of the comprehensive Local Environmental Plan.
5. That those persons who provided a submission be advised of Council's deliberations in respect of the item.
6. That a Workshop be held with Councillors in the new Financial Year to discuss the methodology, key steps, resources and other issues associated with completion of the review of R5 Large Lot Residential land as a component of the review of the Dubbo Rural Strategy and preparation of a Rural Strategy for land in the former Wellington Local Government Area.

Figure 12: Recommendations from Council Report (June 2020) for LSPS & Site.

10 March 2021 – Version B
FINAL for Lodgement with Council

iPLAN PROJECTS
Planning & Development Solutions

Page | 18

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Since June 2020, the Applicant has been in regular contact with Council's Strategic Staff to confirm the deadline for the Large Lot Residential Study and/or Comprehensive LEP Review. However, they have been advised of delays in this process and recommended that the Applicant lodge a Planning Proposal to accelerate the process.

3.3 Proximity to Dubbo/Demand for Lifestyle Lots

As stated above, the Site is in reasonable proximity to the City of Dubbo (~6-7km to urban edge & ~10-11km to the CBD) and as such is likely to be highly desirable as rural 'lifestyle' housing in close proximity to services, employment etc. The Site is only 10-12 minutes' drive from the city centre (via Obley Rd & Newell Highway).

This is supported by the take up of Large Lot Residential (Zone R5) land immediately adjacent to the Site along Belgravia Rd & Belgravia Heights Rd. These lots are also 8ha in size. Most of these lots have now been developed and there is little vacant land supply or additional subdivision potential.

The Site forms a natural extension of this existing LLR area and suggests the adoption of the same zoning and lot size requirements in DLEP2011.

The Elton (2019) *Draft (Rural) Issues Paper* stated in *Section 3.1 Large Lot Residential Development* - that 'there appears to be a strong demand for the development of additional lifestyle lots in the LGA, particularly in close proximity to the city of Dubbo.'

3.4 Site Opportunities & Constraints

The Site has a number of physical and environmental opportunities that make it suitable for Large Lot Residential growth including, but not limited to:

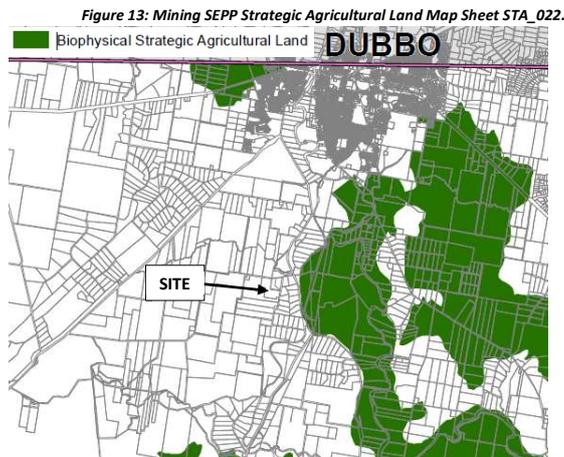
1. The Site has frontages to Belgravia Rd (sealed) and Belmont Rd (unsealed) with excellent access and existing safe access to Obley Road (not a classified road) and limited need to upgrade roads for access;
2. Existing electricity & telecommunication infrastructure along Belgravia Road;
3. At a proposed Minimum Lot Size (MLS) of ~8ha, there will be sufficient creation of new lots to justify the Planning Proposal/LEP amendment;
4. Limited environmental constraints that would affect LLR lots at >4ha in size. This lot size is likely to avoid or minimise the need for any significant tree removal to achieve a suitable dwelling (& on-site effluent management) envelope well-setback from watercourses and any bushfire risk;
5. Likely to be outside any significant mainstream flooding areas along Macquarie River or Cumboogle Creek;
6. No significant heritage or scenic/landscape impacts on the southern gateway to Dubbo;

3.5 Interface with Agriculture

It is recognised that this Proposal involves the rezoning of existing rural/agricultural land for large lot residential purposes and that this requires an analysis of the impacts on agriculture and the 'Right to Farm' on adjacent land.

The Macquarie District Strategy (Rural Land Use Strategy) agricultural mapping (next page) & the Biophysical Strategic Agricultural Land (BSAL) mapping (see opposite) suggest that the higher- quality agricultural lands for intensive agriculture are located along the Macquarie River flood-plains to the east of the Site and do not generally extend west of Obley Rd. The Site is noted in the Macquarie District Strategy as 'dryland/ extensive

10 March 2021 – Version B
FINAL for Lodgement with Council



iPLAN PROJECTS
Planning & Development Solutions

Page | 19

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

agriculture'. This doesn't mean it does NOT have agricultural value – but that its productivity is not as high as other land. On the Land & Soil Capability Mapping the Site is within Class 3 soils (Moderate limitations) on red brown earths (RBE) soil groups (see below). The soil fertility is moderate.

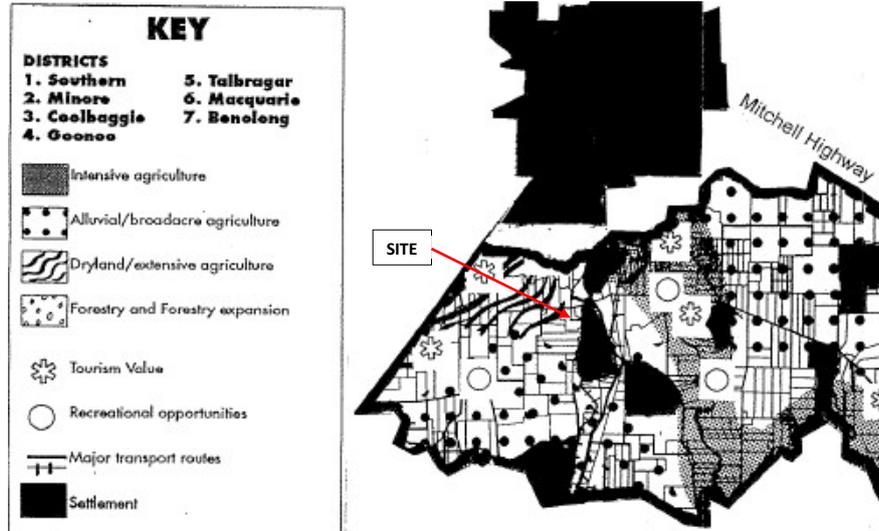


Figure 14: Macquarie District Strategy (1995) Land Use Map.

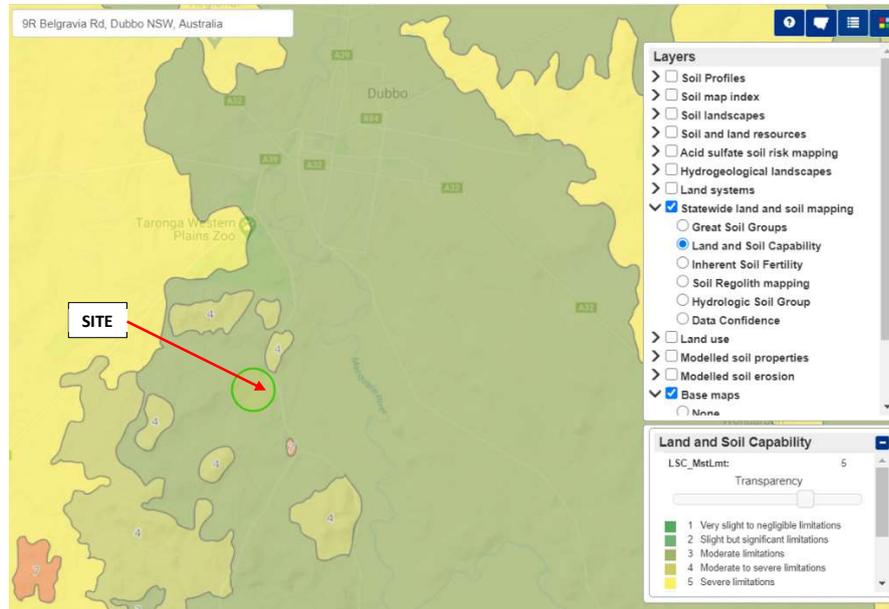


Figure 15: Land & Soil Capability – Site Class 3 within green circle (eSPADE mapping www.environment.nsw.gov.au).

10 March 2021 – Version B
FINAL for Lodgement with Council

iPLAN PROJECTS
Planning & Development Solutions

Page | 20

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

A general principle would be to use roads or natural features as a buffer between LLR uses and agriculture. However, there is existing LLR land to the west of Belgravia Rd (Lots 11 & 12 DP259643) so Belgravia Rd is NOT an existing buffer to agricultural land. The Site forms a natural and logical extension of an existing LLR area.

The Site has an area of ~40.68ha (compared to a Minimum Lot Size (MLS) of 800ha) so it has limited agricultural potential and is currently used as a semi-lifestyle lot with limited grazing and cultivation. Its rezoning will not significantly increase fragmentation of high-quality agricultural land (addressed above).

It does not significantly increase the perimeter of LLR land that would interface with agricultural land so it does not significantly increase potential land use conflict. There are quasi-lifestyle lots on the rural land to the south of the Site so it is consistent with the character and expectations of land on the western side of Belgravia Rd.

A lot size of ~8ha will create lots of sufficient area & depth to enable dwelling (to most likely) be sited close to the existing roads and away from the agricultural interface to the west. It is expected there will be minimum buffers of 50-100m between proposed dwelling envelopes and adjacent agriculture with most houses >250m from the rural interface. This should substantially reduce the potential for land use conflict (see **Subdivision Concept** attached).

3.6 Mineral Potential

The Site is not currently (March 2021) covered by any existing exploration licence or title for minerals or existing mine or resource. There are licences / titles / existing pits closer to the Newell Highway. The Hyandra Creek Sand Pit and the Toongi rare earth deposit are further south along Obley Rd. Therefore, it is assumed the chance of mineral potential is low on or near the Site. See the *Dubbo Mining Areas Development Land Use Strategy (2015)* for details. There is no coal seam gas mining likely in this area.

4 PLANNING PROPOSAL

The guidelines require the Planning Proposal to address six (6) parts, including:

- Part 1 - A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 - An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 - The justification for those objectives, outcomes and provisions and the process for their implementation;
- Part 4 - Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies;
- Part 5 - Details of the community consultation that is to be undertaken on the planning proposal. Part 5 would be confirmed following a gateway determination by the Department of Planning; and,
- Part 6 - Project Timeline to detail the anticipated timeline for the plan making process.

4.1 Part 1: Objectives or Intended Outcomes

Part 1 of the planning proposal should be a short, concise statement setting out the objectives or intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved. It should be written in such a way that it can be easily understood by the general community.

The objective(s) of this Proposal are to permit Large Lot Residential (LLR) subdivision (lot sizes) and dwelling permissibility on the Site consistent with the adjacent Zone R5 Large Lot Residential land to the east.

4.2 Part 2: Explanation of Provisions

Part 2 of the planning proposal provides a more detailed statement of how the objectives or intended outcomes are to be achieved by means of amending an existing local environmental plan.

The objective or intended outcome is to be achieved by amending the mapping associated with *Dubbo Local Environmental Plan 2011* ('DLEP2011') as follows:

- a) To modify Land Zoning Map LZN_008 to change the Site from Zone RU1 Primary Production to **Zone R5 Large Lot Residential** (or similar) to permit dwellings on each resulting lot; and
- b) To modify Lot Size Map LSZ_008 to change the Site from a Minimum Lot Size (MLS) of 800ha (AH) to **8ha (AA3)** (or similar) to allow subdivision of the Site for suitably sized Large Lot Residential lots consistent with the adjacent land to the east.

See **Section 3.1 – Proposal** (existing DLEP2011 Maps) and compare to proposed mapping in **Part 4: Mapping** of this Proposal.

4.3 Part 3: Justification of Proposed LEP Amendments

Part 3 of the planning proposal provides a justification that sets out the case for the making of the proposed LEP. The overarching principles that guide the preparation of planning proposals are:

- The level of justification should be proportionate to the impact the planning proposal will have;
- It is not necessary to address the question if it is not considered relevant to the planning proposal (as long as a reason is provided why it is not relevant);
- The level of justification should be sufficient to allow a Gateway determination to be made with the confidence that the instrument can be finalised within the time-frame proposed.

As a minimum a planning proposal must identify any environmental, social and economic impacts associated with the proposal. Generally, detailed technical studies are not required prior to the Gateway determination. It must also demonstrate how the proposed amendment will give effect to the local strategic planning statement of the area.

In accordance with DPIE Guideline, the questions to consider when demonstrating the justification are:

- Section A: Need for the planning proposal
- Section B: Relationship to strategic planning framework
- Section C: Environmental, social and economic impact
- Section D: State and Commonwealth interests.

4.3.1 Section A – Need for the Planning Proposal**1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?**

Yes. Please see **Section 3.2 – Council Support for Rezoning** (above) for details. In summary, during the review of the LSPS Council has considered the Applicant's submission for rezoning of this Site and provided a recommendation to Council as follows:

'Initial planning merit identified given the site's access and location adjoining existing R5 zoned land. Subject site is zoned RU1 Primary Production. To be considered in a review of R5 Residential Large Lot Zoned land. The landowner may lodge a planning proposal if they would seek a shorter timeframe.'

Council at its meeting of June 2020 recommended that the Site has initial planning merit and could be considered for rezoning. Since June 2020, the Applicant has been in regular contact with Council's Strategic Staff to confirm the deadline for the Large Lot Residential Study and/or Comprehensive LEP Review. However, they have been advised of delays in this process and recommended that the Applicant lodge a Planning Proposal to accelerate the process

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

The Planning Proposal (and the associated amendment to the Land Zoning & Lot Size Map(s) in DLEP2011 is the best way to permit a site-specific change in permissible land use(s) and reduction in Minimum Lot Size (MLS) to 8ha consistent with the Zone R5 Large Lot Residential land to the east. This creates a transparent connection between the land use controls and the intended development outcomes and aligns with the controls on adjacent lands so there are no inconsistencies.

Land Zoning Map & Lot Size Map amendments allow for a site-specific approach to lot size for subdivision rather than applying a blanket-control for a specific zone or land use. This ensures a more targeted approach to amendments with clearer outcomes and assessment of impacts. Lot size amendments are not generally achieved by any changes to the schedules (additional permitted uses).

The proposed amendment is not of a scale to be considered 'State or Regionally Significant' such that amendments to a State Environmental Planning Policy ('SEPP') would be appropriate to sit above and amend DLEP2011.

4.3.2 Section B – Relationship to Strategic Planning Framework**3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?**

Regional plans have been prepared for all parts of NSW including the *Central West and Orana Regional Plan 2036* (July 2017 – *CWORP*) noting there is no District Plan in the Central West & Orana Region. The *CWORP* includes directions, planning priorities and specific actions for a range of different matters relevant to Dubbo Regional LGA, as follows. Many of these are addressed in more detail above.

DIRECTION	Actions	RESPONSE
Goal 1: The most diverse regional economy in NSW		
Direction 1: Protect the region's diverse & productive agricultural land.	1.2 Protect important agricultural land from land use conflict and fragmentation, and manage the interface between important agricultural lands and other land uses.	The Site is not identified as BSAL land and is not likely to be used for intensive (irrigated) horticulture but it still has importance for dryland agriculture. The logical extension of an existing Zone R5 LLR area will minimise impacts on agricultural land.
Direction 8: Sustainably manage mineral resources.	8.1 Consult with the Division of Resources and Geosciences when assessing applications for land use changes (strategic land use planning, rezoning and planning proposals) and new development or expansions.	As stated above, there are no known existing or likely future conflicts with minerals or energy resources in this location. Consultation can occur during public exhibition.

DIRECTION	ACTIONS	RESPONSE
Direction 12: Plan for greater land use compatibility.	12.2 Identify and protect important agricultural land in local plans. 12.3 Create local strategies to limit urban & rural housing development in agricultural & extractive resource areas, industrial areas, & transport corridors. 12.4 Amend planning controls to deliver greater certainty of land use.	This is a logical extension of an existing Zone R5 LLR area into lower quality agricultural land. It is not strategic ag. land & has no impact on resources, employment lands, or transport corridors. Land use conflict can be managed with appropriate buffers to adjacent agricultural land.
Goal 2: A stronger, healthier environment & diverse heritage		
Direction 13: Protect & manage env. assets	13.1 Protect high environmental value assets through local environmental plans.	There are no high environmental value assets on the property. It is modified agricultural/lifestyle land.
Direction 14: Manage & conserve water resources for the env.	14.2 Locate, design, construct & manage new developments to minimise impacts on water catchments, including downstream areas & groundwater resources.	The land has only an intermittent drainage corridor & dwellings can provide a suitable buffer. Up to four (4) additional lots is unlikely to place significant pressure on groundwater.
Direction 15: Increase resilience to natural hazards & climate change	15.1 Locate developments, including new urban release areas, away from areas of known high biodiversity value; areas with high risk of bushfire or flooding; contaminated land; & designated waterways.	Area has some mapped biodiversity value but this doesn't correspond to significant vegetation. Dwelling setbacks can avoid significant vegetation & bushfire potential. There is no significant flood potential.
Direction 16: Respect & protect Aboriginal heritage assets	16.1 Protect, manage and respect Aboriginal objects and places in accordance with legislative requirements. 16.3 Consult with Aboriginal people and the broader community during strategic planning to identify and protect heritage values; minimise the impact of urban growth and development; and recognise their contribution to the character and landscape of the region.	See the Section on Aboriginal Heritage above. There are no known Aboriginal sites or places on or near the Site (see AHIMS search). There has been previous consultation with the Local Aboriginal Land Council to confirm this. There is a low likelihood of Aboriginal archaeology or places of significance on the Site.
Direction 17: Conserve & adaptively re-use heritage assets	17.2 Prepare, review & update heritage studies in consultation with the wider community to recognise & conserve heritage assets & items, & include appropriate local planning controls.	There are no known non-Aboriginal heritage items on or near the Site that would be affected by the Proposal.
Goal 3: Quality freight, transport & infrastructure networks		
Direction 18: Improve freight connections to markets and global gateways.	18.3 Enhance the efficiency of national transport corridors and protect them from inappropriate surrounding land uses.	The development would access local roads and whilst Obley Rd is a significant connector it is unlikely to be affected by the Proposal.
Direction 21: Coordinate utility infrastructure investment.	21.3 Monitor development and ensure that infrastructure is responsive to investment opportunities.	Only minor extensions of electricity & telecommunication infrastructure are required for this development with little additional capacity required. Road upgrades can be agreed with Council.
Goal 4: Dynamic, vibrant and healthy communities.		
Direction 25: Increase housing diversity & choice.	25.2 Increase housing choice in regional cities & strategic centres at locations near or accessible to services & jobs. 25.3 Align infrastructure planning with new land release areas to provide adequate & timely infrastructure.	The Site is within 10-12 minutes' drive of Dubbo's CBD with good access to services & employment. LLR housing is one part of the housing diversity & choice. Infrastructure is addressed above.

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

DIRECTION	ACTIONS	RESPONSE
Direction 28: Manage rural residential development	<p>28.1 Locate new rural residential areas:</p> <ul style="list-style-type: none"> close to existing urban settlements to maximise the efficient use of existing infrastructure and services, including roads, water, sewer and waste services, and social and community infrastructure; to avoid and minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and to avoid areas of high environmental, cultural or heritage significance, regionally important agricultural land or areas affected by natural hazards. <p>28.2 Enable new rural residential development only where it has been identified in a local housing strategy prepared by Council and approved by the Department of Planning and Environment.</p> <p>28.3 Manage land use conflict that can result from cumulative impacts of successive development decisions.</p>	<p>Location & utilities are addressed above & the Site forms a logical extension to an existing Zone R5 Large Lot Residential (LLR) area.</p> <p>Whilst the land has not been identified in a land use strategy, it has been reviewed indirectly as part of Council <i>Local Strategic Planning Statement</i> (LSPS) (see below) and there is a Council resolution to consider it for rezoning as a result of previous submission(s) & assessment. Council has delayed its updated of the Rural & LLR (land use) Strategy & has suggested the Applicant submit a Planning Proposal in the meantime.</p> <p>Potential for conflict with agriculture is addressed in more detail above but with appropriate lot sizes and buffers to dwelling envelopes, conflict can be minimised or mitigated. The additional perimeter to agricultural land is minimal.</p>
Local Government Narratives - Dubbo		
<p>Meet housing needs by ensuring the availability of affordable housing and a variety of housing types and formats, including housing for seniors and people with a disability.</p> <p>Continue to protect agricultural land from encroachment from residential development.</p>		<p>This Proposal will support the delivery of Large Lot Residential (LLR) homes in reasonable proximity to the City of Dubbo as one part of the housing market of the LGA. Impacts on agricultural land are addressed above.</p>

4. Will the planning proposal give effect to a council's endorsed local strategic planning statement or another endorsed local strategy or strategic plan?

Local Strategic Planning Statement (LSPS)

Council have prepared the Dubbo Regional Council (June 2020) *Local Strategic Planning Statement* (LSPS) to guide future land use decisions in the area. The LSPS does not specifically refer to the Subject Site OR suggest the outcomes in this Planning Proposal but the Site was considered during the LSPS process and there is a Council resolution to consider it for rezoning. In addition, the Proposal is consistent with the Planning Priorities identified in that Statement, particularly the following that are relevant to the Site/Proposal:

Priority Areas

- **Priority 1 – Plan for the delivery of infrastructure to support growth**
 - 1.6. Review the LEPs to ensure key road, rail and air transport facilities are protected from encroachment of incompatible development.
- **Priority 5 – Protect and enhance our agricultural industries and agribusiness.**
 - 5.1. Support the growth and development of the agricultural sector through the LEP, by implementing Actions 1.2, 1.3 and 1.4 of the CWORP 2036 – especially protecting from impact from unrelated and incompatible development.
- **Priority 9 – Provide diversity and housing choice to cater for the needs of the community.**
- **Priority 10 – Improve the affordability of housing.**
- **Priority 13 – Manage R5 zoned land.**
 - 13.1. Review the LEPs zone boundaries, land use tables and subdivision minima to ensure rural lifestyle development is contained within existing zoned areas or highlights areas contained in the Rural Issues Paper 2019 and does not have the potential to adversely impact on the primary production potential of rural land.

- 13.2. In the preparation of a review of the Dubbo Residential Areas Strategy, assess the supply of land zoned large lot development and status in terms of servicing and potential for rural land use conflict.
- 13.3 The review of the Dubbo Rural Areas Development Strategy is undertaken every five years and is aligned to the rural issues paper and the investigation areas for large lot living contained within.
- **Priority 15** – Protect areas of high environmental value and significance.
- **Priority 16** – Recognise, protect and celebrate our heritage.
- **Priority 17** – Acknowledge and embrace Aboriginal culture.

Whilst Council is yet to prepare a new Large Lot Residential/Rural Strategy or complete the Comprehensive LEP Review – Council has already reviewed the potential of the Site for Large Lot Residential and the full Council has accepted it can be considered on its merits for rezoning. Council has also considered it in light of the Elton Consulting (2019) *Rural Lands Draft Issues Review*.

It is a natural/logical small extension of the existing Zone R5 Large Lot Residential area. This Planning Proposal demonstrates that it will minimise impacts on infrastructure, the natural environment and adjacent agriculture. See Sections above for more details.

Relevant Land Use Strategies

We note that there the Dubbo Rural Areas Development Strategy (RADS) 1995-2015 (2003) is the most relevant land use strategy for the area. It is supported by the Macquarie District Strategy (1995) for specific suggestions for the Site and surrounds. Council acknowledges these strategies are considerably out-of-date and have commenced work on a review (see the Elton (2019) Issues Review) and LSPS Action 13.3 above. These Strategies DO NOT provide any recommendations for the Site and surrounds for any Large Lot Residential (LLR) growth as they are more high-level. However, the broad principles of protection of agricultural lands from fragmentation and land use conflict still apply.

The RADS objectives/statements include:

- The top priority of the Strategy is that all land development must be within the bounds of what is environmentally sustainable.
- The second priority is to provide long term security for the local agricultural industry.
- The third priority is to ensure safe and efficient transport routes.
- The fourth priority is to facilitate forestry, tourism and mining. Any such proposal must not compromise environmental management, agriculture or transport.
- The fifth priority is for rural recreation. It is essentially an adjunct to tourism as it can add other interesting activities. Again, it must be subject to careful environmental management and compatibility with the objectives already listed.
- Settlement of the rural area is the lowest priority as it has the least long-term economic input for Dubbo. As it generally conflicts with most of the above uses, it is to be directed to specific areas where conflicts with other uses can be avoided or minimised.

Again, this Proposal addresses the potential impacts that the rezoning may have on adjacent agriculture and natural environment. It acknowledges the 'Right to Farm' on adjacent land and shows that dwelling envelopes can accommodate significant buffers to agricultural land to minimise the potential for future land use conflict. This can be further managed through education of future owners.

The Macquarie District Strategy has **Section – Settlement** with an objective of '*Direct rural settlement pressures into the rural villages and selected areas of existing fragmentation.*' It recognises that there will be some infill in the lifestyle/hobby farm areas where agricultural conflicts would not be increased.

It also has **Section – Clusters** (clusters of five or more 10-40ha hobby farmlets) including Belgravia. As yet structure plans and policies for these clusters have not been prepared. However, the Proposed Rezoning is consistent with the following principles:

1. Ensure surrounding agricultural enterprises and transport networks are not made inefficient by unrealistic amenity expectations from hobby farms;
2. Clearly define the boundary of each cluster and administer it strictly and consistently;
3. Contain and manage the environmental impacts of the clusters of small hobby farms;
4. Services to be of a standard appropriate and that is typical of surrounding farming area.

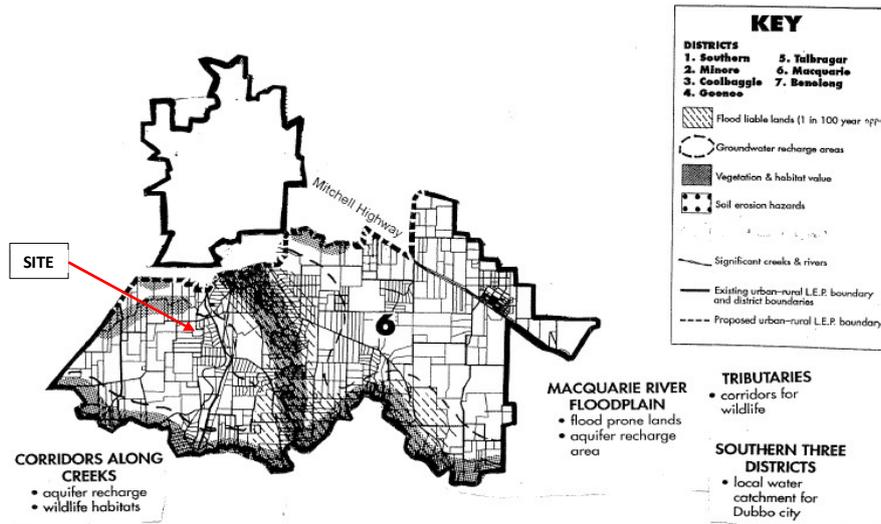


Figure 16: Macquarie District Strategy – Environmental Constraints Map.

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

The Proposal is consistent with the relevant *State Environmental Planning Policies* (SEPPs) as shown in the table below.

<p>SEPP (Infrastructure) 2007: This SEPP is concerned with appropriate opportunities for infrastructure development throughout the State and protecting that infrastructure from incompatible development. There is no state-level infrastructure on or near the Site that would be significantly impacted by the proposal. The traffic generation from a 3-4 lot subdivision is unlikely to affect the local roads adjacent or the connection to Obley Rd.</p>
<p>SEPP (Mining, Petroleum Production and Extractive Industries) 2007: According to the Common Ground website there are no known mineral or extractive resources or exploration licences in or near the Subject Site that would be affected by the proposal. See more detailed review above.</p>
<p>SEPP No 55 – Remediation of Land: SEPP55 seeks to promote remediation of contaminated land and reduce the risk of harm to human health – to be considered when rezoning land or consenting to development on land. In particular, Clause 7 states that a planning authority must not consent to any development on land unless it has considered whether the land is contaminated and, if so, it has been suitably remediated or will be suitable for the proposed use. See Section 2.12 Site History & Contamination that provides a <i>Preliminary Contamination Investigations</i> and suggests that the Site is suitable for residential use.</p>
<p>SEPP (Vegetation in Non-Rural Areas) 2017: This SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas and preserve the amenity of those areas. It replaces the previous controls relating to vegetation protection in the LEP and includes additional biodiversity reforms. Whilst it does not apply to the current Zone RU1 Primary Production, it would apply to the proposed Zone R5 Large Lot Residential. Clearing of vegetation requires a permit or approval by Council and will form part a future DA. The Site is NOT identified on the Biodiversity Values Map or Native Vegetation Map produced by the NSW Government. The proposed Minimum Lot Size is between 1ha to 40ha so the threshold for clearing is 0.5ha or more. There is a low probability that the clearing threshold would be exceeded if the dwelling envelopes are located outside of most significant trees and/or significant trees are retained around the proposed dwelling/outbuildings. It is not likely that the threshold will be exceeded to require a <i>Biodiversity Development Assessment Report</i> (BDAR) for the future subdivision.</p>
<p>SEPP (Building Sustainability Index: BASIX) 2004: This is a Planning Proposal only so any future dwellings will form part of later application(s), at which time a BASIX is likely to be required. Indicative lots are largely oriented (or have sufficient dimension) to maximise passive solar design & minimise energy consumption.</p>

6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

In response to all of the relevant S.9.1 Directions – this Proposal seeks a site-specific amendment to the Land Zoning (LZN) and Lot Size (LSZ) for the Site that is broadly consistent with the Ministerial Directions (latest September 2020) except as addressed below, as follows:

Section 9.1 Directions	Applicable to Planning Proposal	Date
1. Employment and Resources		
1.1	Business and Industrial Zones	No.
1.2	Rural Zones	Yes. This Proposal seeks to rezone land in a rural zone to a residential zone. A Proposal may only be inconsistent with this Direction if it is justified by a strategy or is of minor significance. We suggest that whilst Council has not prepared an updated Rural Lands Strategy, they have considered the Site and found it suitable to be considered on its merits as part of a Planning Proposal OR the minor extension of the existing Zone R5 area is of minor significance. The impacts on agriculture are unlikely to be significant and are addressed above.
1.5	Rural Lands	28/02/19
1.3	Mining, Petroleum Production and Extractive Industries	Yes, but Site is not near any known mineral or energy resource or existing mine so unlikely to impact or restrict mining. See <i>Question 5 SEPP</i> review above.
1.4	Oyster Aquaculture	No.
2. Environment and Heritage		
2.1	Environment Protection Zones	Yes. There are no LEP mapped environmentally sensitive areas on the Site except for groundwater and terrestrial biodiversity. The protections are not weakened by this Proposal if there is a suitable lot size with low residential density & suitable on-site effluent management.
2.2	Coastal Management	No.
2.3	Heritage Conservation	Yes. No significant impact on nearby Aboriginal or non-Aboriginal heritage items, places or archaeology. See detailed review above.
2.4	Recreation Vehicle Areas	No.
2.5	E2 / E3 Zones & Environmental Overlays Far North Coast	No.
2.6	Remediation of Contaminated Land	Yes. Please see response to <i>SEPP 55 (Remediation of Land) & Section 2.12 Site History & Contamination</i> above suggesting the land is suitable for the proposed future use.
3. Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes (once land is rezoned). The increased lot yield will increase the variety and choice of housing types and is a logical extension of the existing Zone R5 LLR area.
3.2	Caravan Parks and Manufactured Home Estates	No.
3.3	Home Occupations	Yes. Supported in (future) Zone R5 LLR.
3.4	Integrating Land Use and Transport	Yes. Whilst Zone R5 is technically a 'residential' zone, it is not generally located in an urban area. Regardless, the Site is in reasonable proximity to the City of Dubbo.
3.5	Development Near Licensed Aerodromes	No.
3.6	Shooting Ranges	No.
3.7	Reduction in non-hosted short term rental accommodation period	No. Byron Shire Council only.

Planning Proposal, Lot 5 DP817149 - 9R Belgravia Road, DUBBO NSW

Section 9.1 Directions		Applicable to Planning Proposal	Date
4. Hazard & Risk			
4.1	Acid Sulfate Soils	No. Land not mapped as acid sulfate prone land.	01/07/09
4.2	Mine Subsidence and Unstable Soil	No. Land not within a mine subsidence district or unstable land.	14/04/16
4.3	Flood Prone Land	No. Land is NOT mapped as flood prone land.	01/07/09
4.4	Planning for Bushfire Protection	Yes. Land is partly mapped as bushfire prone land on Planning Portal/RFS website. Indicative dwelling envelopes can achieve Asset Protection Zones. Consultation with the RFS can occur at the Gateway stage. With appropriate subdivision design a bushfire report can be provided at the subdivision stage.	19/02/20
5. Regional Planning			
5.10	Implementation of Regional Plans	Yes. The <i>Central West & Orana Regional Plan</i> is addressed in more detail in <i>Question 3</i> of this section above. The Proposal is broadly consistent with the Regional Plan.	14/04/16
5.11	Development of Aboriginal Land Council Land	No. Applies to Central Coast only.	06/02/19
6. Local Plan Making			
6.1	Approval & Referral Requirements	No change in referrals proposed.	01/07/09
6.2	Reserving Land for Public Purposes	No land reserved for public purpose affected.	01/07/09
6.3	Site Specific Provisions	No restrictive site-specific planning controls proposed. The attached Subdivision Concept is indicative only and should not form part of any Gateway Determination.	01/07/09
7. Metropolitan Planning – NOT APPLICABLE (Sydney only)9			

4.3.3 Section C – Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The land has been heavily modified by historic agriculture and clearing. The land is immediately adjacent to existing Zone R5 Large Lot Residential (LLR) land to the north-east and east with arguable life-style lots also to the south. The proposed Minimum Lot Sizes of ~8ha per lot would avoid or minimise the need for significant vegetation removal to support a dwelling, access and on-site effluent management for a 3-4 lot subdivision. Dwelling envelopes can be setback from existing watercourses or larger pockets of vegetation. There has been some review of threatened species & biodiversity in **Sections 2.7 & 2.8** of this Report above and this suggests that the likelihood of impact on threatened or endangered species or ecological communities is low for this Proposal.

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

There are unlikely to be any other significant environmental effects from the proposed rezoning of ~40ha of land and the proposed reduction of lot size to support 3-4 residential lots on the Site. The proposed dwelling envelopes will address natural hazards such as bushfire prone land and overland flow paths. There is a low likelihood of impacting any heritage items or archaeology. The slope of the Site is low so earthworks can be minimised.

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

This is a logical extension of an existing Large Lot Residential (LLR) area onto existing fragmented agricultural land. The impacts on agriculture have been addressed above and are likely to be limited. These lots are within 10-12 minutes' drive of the Dubbo CBD so they have good access to services and employment. Therefore, any other social and economic effects are likely to be limited.

4.3.4 Section D – State and Commonwealth Interests

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

Yes. The Site has access to all required utilities in adjacent existing/proposed roads or through on-site management. It also has good access to sealed public roads (except for Belmont Rd frontage) and the additional traffic has safe access to Obley Road (not a Classified Road) and should not impact on its safety/functioning. 3-4 lots are unlikely to produce significant traffic generation or demand on existing infrastructure.

11. What are the views of state and commonwealth public authorities consulted in accordance with the gateway determination?

There are unlikely to be any significant state or commonwealth issues with a small extension to an existing Large Lot Residential area with the Site's existing attributes and low chance of impact on any environmentally sensitive areas. The Gateway Determination can set out any further agencies that require consultation (see also Consultation opportunities in Part 5: Community Consultation below).

4.4 Part 4: Mapping

Maps of the Site showing the existing/proposed amended planning controls are set out below and in the attached Supporting Plan(s). See Section 3.1 of this Report for additional supporting mapping (existing DLEP2011 Maps). Standard instrument mapping can be prepared once the Planning Proposal receives a positive Gateway Determination.

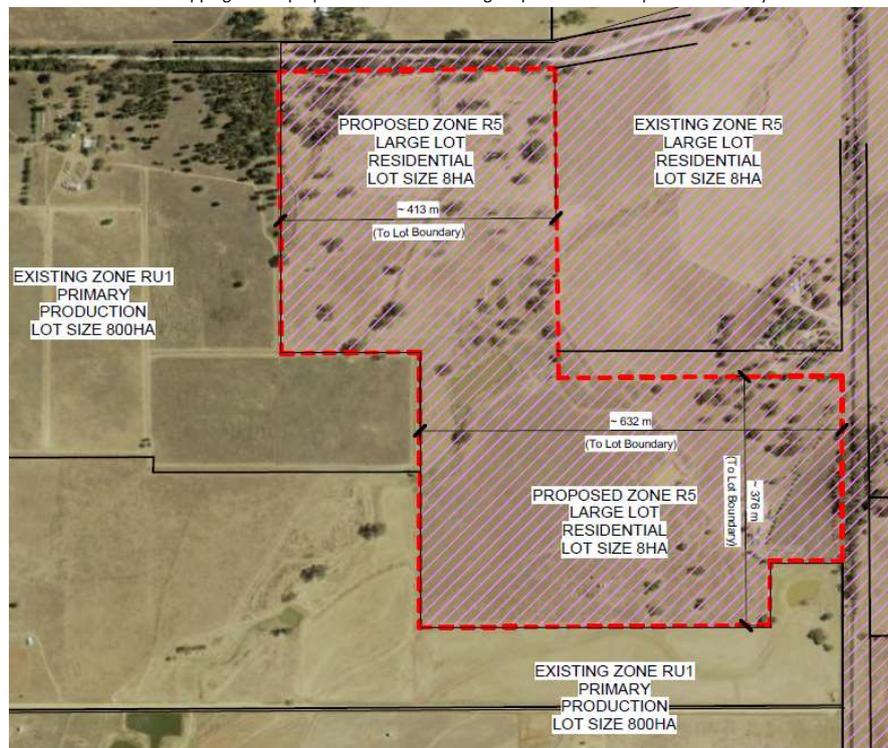


Figure 17: Existing & Proposed Land Zoning & Lot Size extended to Site (red boundary).

4.5 Part 5: Community Consultation

The planning proposal community consultation is to be undertaken in accordance with the requirements set out in 'A guide to preparing planning proposals' (2016) and any requirements set out in the Gateway Determination.

Neighbouring land owners can be notified. As there are minimal impacts, we suggest that Community Consultation can be set at the minimum requirements.

The planning proposal would be notified for a period of 28 days. The notification period is expected to be outside the Christmas / New Year period (see timeline below). The notification would be placed on Council's website and advertised in the local newspaper and possibly also on Council's website and/or social media.

The notification would provide:

- A description of the objectives or intended outcomes of the planning proposal;
- The land affected by the planning proposal;
- Advise when and where the planning proposal can be inspected;
- Give the name and address of the Council for the receipt of submissions; and
- Indicate the last date for public submissions.

During the exhibition period, the following material will be made available for inspection at Council's offices in Dubbo:

- The planning proposal, in the form approved for community consultation by the NSW Government;
- The gateway determination.

Additional consultation is also expected with key government agencies and stakeholders during the public exhibition period – possibly through a letter or notification.

4.6 Part 6: Project Timeline

The following provides an anticipated / estimated project timeline for completion (subject to Gateway / Council requirements and extent of submissions/amendments). It demonstrates that from the date of the Gateway Determination it is expected the amendments can be made / commence in less than 12 months:

Table 1 - Project Timeline Task	Anticipated timeframe
Planning Proposal to Council Staff for assessment/consideration	March 2021
Planning Proposal to Council for approval to send to DPIE	May 2021
Forward Proposal to DPIE / consideration	May 2021
Commencement date (Gateway determination)	June 2021
Timeframe for the completion of required technical information	(none expected)
Government agency consultation (pre- and post-exhibition as required by Gateway determination)	July 2021
Commencement and completion for public exhibition period	Commence: July 2021 Completed: August 2021
Dates for public hearing (if required)	August 2021 (if required)
Consideration of submissions	September 2021
Consideration of a proposal post exhibition	September 2021 (if required)
Date of submission to the Department to finalise LEP	September/October 2021
Anticipated date RPA will make the plan (if delegated)	October/November 2021
Anticipated date RPA will forward to the Department for notification	November/December 2021
Potential for amendments to commence	Early 2022 (i.e., within 12 months of Gateway Determination)

The Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830
27 January 2022

Bernette (Dawn) and Stephen Hassall
Belgravia Heights Road
DUBBO NSW 2830

Dear Sir

RE: **Reference AU21/303 – PROPOSED AMENDEMENT TO THE DUBBO LOCAL
ENVIRONMENT PLAN 2011, 9R BELGRAVIA ROAD**

With reference to the above, we wish to make a submission against the proposal for the following reasons:

SALINITY

The proposed area falls into an area that is mapped as very high salinity hazard class and further development along the unnamed water course referred to in the Proposal poses a significant risk for salinity problems and future saline run-off to the Macquarie River. The Dubbo Regional Council Urban Salinity Monitoring Network does not extend to this side of town so there is no existing capacity for the monitoring of salinity in the area, and there appears to be no existing data that can be used to base a sound decision on.

In addition to environmental concerns associated with increased salinity in the area, there are the concerns that will need to be considered by future home owners, associated with home maintenance, garden viability etc.

The proposal identifies that *“Salinity can be addressed as part of any future application for a dwelling (to condition dwelling construction), any future bore water applications, and future landscape.”*

This appears to be a short sighted consideration of what constitutes a major environmental concern in our region – Dubbo’s salinity problems are well documented. Additional concerns with regards to salinity include:

- Having lived in the area for over 30 years, we have good knowledge of the runoff that results from major (and even not so major) rain events. The unnamed water course that extends through the subject land has an extensive catchment and fills extremely rapidly, flowing directly to the Macquarie River some 3-4km east. This creek does flow through agricultural land around Dundullimal and to the north of Cumboogle Road. It is well documented that

installation of infrastructure (new dwelling, driveways, sheds etc) affects the hydrological cycle, increasing recharge rates and affecting salt mobilisation and ultimately affecting the water quality of the Macquarie.

- Council currently lacks the resources to effectively monitor septic run-off in the area, thus there is no surety of effective management of domestic effluent which will constitute future housing developments.

WATER RUN OFF and EROSION

- As stated above, the unnamed water course fills rapidly and regularly flows over the causeway on the gravel portion of Belmont Road. Additional infrastructure in the subject area will increase this problem, contributing to worsening erosion on the Northern side of Belmont Road, increasing sediment flow to the Macquarie River.
- During rain events, the drains at the intersection of Belgravia and Belmont Roads regularly back up, resulting in water over the road. Additional infrastructure in the subject area will contribute to this, meaning that it will happen more frequently.
- Additional future housing development will mean additional septic infrastructure. Although Council requires approval for installation and mandates regular maintenance of onsite waste management systems, there is no compliance monitoring, meaning that there is the potential for septic runoff, which would reach the Macquarie River in addition to small watercourses on the way.

POTENTIAL LOSS OF TOPSOIL

As this land is currently under minimal usage and grazing – groundcover has been maintained. Future housing development, intensive grazing and livestock that can be part of large lot residential, will potentially contribute to topsoil loss, resulting again in increased runoff.

NOISE AND LOSS OF AMENITY

Concerns re the purchase of blocks by motorbike owners, increased traffic and threat of future further subdivisions on the western side of Belgravia Road. This is currently a very quiet and pleasant place to live and one of the aspects that was so attractive to us, and many of our neighbours, was the zoning opposite us, meaning that there would not be development.

LACK OF WATER

The subject blocks are not connected to town water and do not have access to the existing Belgravia Heights Water Scheme. They will be dependent on either bores, rainwater catchment or the construction of dams. In the event of extended dry period, domestic water will need to be trucked into the properties, placing additional pressure on existing roads.

Construction of dams again contributes to changes in the hydrological cycle, run off and potential erosion.

INCREASED USE OF DOMESTIC PESTICIDES/CHEMICALS

The construction of homes on the subject land will likely result in the increased use of domestic pesticides and herbicides for garden use, household pests etc. The orientation of the blocks means that there is a risk for additional chemical run-off into the water course through the land, and hence into the Macquarie River.

TRAFFIC AND RISKS OF ADDITIONAL VEHICLES

The intersection of Belmont and Belgravia Roads is poor, with limited visibility due to road orientation, vegetation and lots of loose gravel. Additional traffic is likely to pose an increased accident risk. Belgravia Road is very narrow between the development site and Belmont Road. Again, increased traffic flow on this road will have a negative impact on current residents.

The intersection of Obley Road and Belmont Road is also less than ideal due to poor visibility from vegetation and the location of school bus stop. Currently, traffic on Obley Road, travels at very high speeds and additional traffic on this intersection is also likely to pose an increased risk with the proximity of the bus stop a concern for children.

Conclusion

One of our main concerns is that if rezoning of 9R Belgravia Road occurs it is setting a precedent for the subdivision of the adjoining 4 X 100 acre blocks. These extra blocks, although not considered of agricultural significance and of no contamination risk at present, they all slope down to the waterway that flows into Cumboogle Creek that flows quickly and directly into the Macquarie River just approximately 4 km from these blocks.

9R Belgravia Road along with these extra blocks, all front narrow Belgravia Road. This road was originally designed as the feeder road for the Belgravia Heights subdivision. Extra traffic could be significant and hazardous and this fact was probably not considered in the original design.

From an environmental perspective, this rezoning poses significant risks, the effects of which have not been adequately considered.

Other concerns are associated with amenity and lifestyle and the rights of existing residents that their current quiet enjoyment not be put at risk. Home owners would have been attracted to and purchased out here under the impression and information that the existing number of dwellings, blocks and rural aspect would remain as is. If this proposed amendment to the Dubbo Local Environment Plan 2011 9R Belgravia Road goes ahead this will be far from what was indicated to them.

Sincerely,

Bernette Hassall

Stephen Hassall

The CEO, Dubbo Regional Council
PO Box 81

Ruby Davies
Belgravia Heights Rd
Dubbo, 2830
27.01.22

Dear Sir/ madam,

Reference AU21/303 Proposed amendment to the Dubbo Local Env Plan 2011 at 9R Belgravia Rd, Dubbo.

I would like to make a submission AGAINST the above proposed amendment to the Dubbo Local Environmental Plan 2011.

The majority of families who purchased 10.1 hectare / 25 acre land and houses in the Belgravia Estate have as a priority the peaceful enjoyment of land and environment here in this thoughtfully considered subdivision to the south of Dubbo. The placement of each block has been carried out such that houses make most of views and neighbours are within view but not overly close.

The proposed division of the 40.68ha land at 9R Belgravia Rd into smaller 8ha blocks will bring numerous disadvantages to the existing properties in the adjacent Belgravia Estate. These possible disruptions could include.

1. Extra vehicle traffic on an existing quite narrow road. This will increase the possibility of accidents on Belmont and Belgravia Roads; There will be increased disruptions from extra traffic noise. Birds and native animals will be subject to increased traffic fatalities.
2. The Belgravia estate has been thoughtfully designed with generous verges encouraging quiet walking, jogging and the riding of horses along Belgravia, and Belgravia Heights Roads. Increased traffic will be to the detriment of these amenities and negate the reasons why many of us purchased in this quiet area.
3. There is no watering system for the increased land divisions except the building of a dam on each block. Dams have proved to be inadequate in drier years in other subdivisions around Dubbo and it will be similar here. The potential owners will then need to cart water or have water delivered. This will obviously increase road use, traffic noise and the expense of water purchases for potential owners.
4. The applicants argue that the existing land at 9R is unsuitable for agriculture. While the 100 acre blocks to the west of Belgravia Rd are not big enough to be the sole income for a family they are big enough to run small number of both sheep and cattle on what is fertile land. Mr [REDACTED] has been successfully grazing sheep and cattle here for a number of years.

5. The effect of granting permission for this subdivision has the potential for the same to be enabled in the three other 100 acre properties with frontages on Belgravia Road. This would amount to a further thirty 8 x acre properties each with houses, roads and driveways and increased noise, traffic, and the loss of the peaceful enjoyment of existing residence to the east of the proposed land.
6. A further thirty families will also add to water runoff, soil erosion and general degradation of land and landscapes in this area. In addition to this sewage, electricity, rubbish removal and other amenities will have to be provided. It seems that the potential for environmental degradation has not been well addressed by the council.

Thanking you for the opportunity to submit a response to this proposal.

Sincerely,
Ruby Davies

The Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Members of the Belgravia Heights Water Users Inc
(Listed individually at the end of this submission)
c/- PO Box 6171
DUBBO NSW 2830

Dear Sir

**RE: Reference AU21/303 – PROPOSED AMENDEMENT TO THE DUBBO LOCAL
ENVIRONMENT PLAN 2011, 9R BELGRAVIA ROAD**

The Belgravia Heights Water Users Inc is an Association of residents of Belgravia/Belgravia Heights Estate. The executive of the Committee can be contacted on belgraviawater@outlook.com or PO Box 6171 Dubbo.

With reference to the above, a number (not all) of the members wish to make a submission against this proposal as outlined below. The names and full contact details of the members attached to this submission are listed at the end.

Environmental Concerns

1. SALINITY

The proposed area falls into an area that is mapped as very high salinity hazard class and further development along the unnamed water course referred to in the Proposal poses a significant risk for salinity problems and future saline run-off to the Macquarie River. The Dubbo Regional Council Urban Salinity Monitoring Network does not extend to this side of town so there is no existing capacity for the monitoring of salinity in the area, and there appears to be no existing data that can be used to base a sound decision on.

In addition to environmental concerns associated with increased salinity in the area, there are the concerns that will need to be considered by future homeowners, associated with home maintenance, garden viability etc.

The proposal identifies that “Salinity can be addressed as part of any future application for a dwelling (to condition dwelling construction), any future bore water applications, and future landscape.”

This appears to be a short sighted consideration of what constitutes a major environmental concern in our region – Dubbo’s salinity problems are well documented. Additional concerns with regards to salinity include:

- Many of us have lived in the area for a long time and have a very sound knowledge of water flow during rain events. The “unnamed water course” referred to in the Application (that extends through the subject land) has an extensive catchment and fills extremely rapidly, flowing directly to the Macquarie River some 3-4km East of this site. This creek does flow through agricultural (cropping and grazing) land around Dundullimal and to the north of Cumboogle Road. It is well documented that installation of infrastructure (new dwelling, driveways, sheds etc) affects the hydrological cycle, increasing recharge rates and affecting salt mobilisation and ultimately affecting the water quality of the Macquarie.
- Council currently lacks the resources to effectively monitor septic run-off in the area, thus there is no surety of effective management of domestic effluent which will constitute future housing developments and is known to contribute to salinity problems.

2. WATER RUN OFF and EROSION

As stated above, the unnamed water course fills rapidly and regularly flows over the causeway on the gravel portion of Belmont Road. Additional infrastructure in the subject area will increase this problem, contributing to worsening erosion on the Northern side of Belmont Road, increasing sediment flow to the Macquarie River.

During rain events, the drains at the intersection of Belgravia and Belmont Roads regularly back up, resulting in water over the road. Additional infrastructure in the subject area will contribute to this, meaning that it will happen more frequently.

Additional future housing development will mean additional septic infrastructure. Although Council requires approval for installation and mandates regular maintenance of onsite waste management systems, there is no compliance monitoring, meaning that there is the potential for septic runoff, which would reach the Macquarie River in addition to small watercourses on the way.

3. POTENTIAL LOSS OF TOPSOIL and DUST PROBLEMS

As this land is currently under minimal usage and grazing – groundcover has been maintained. Future housing development, intensive grazing and livestock that can be part of large lot residential, will potentially contribute to topsoil loss, resulting again in increased runoff and increased sediment flow, again directly to Cumboogle Creek and the Macquarie River.

The soil in this location breaks down rapidly under traffic, resulting in significant dust. The unsealed road, Belmont Road, is already a dust nuisance for some residents and this will be exacerbated by increased traffic and during any construction.

4. THREATENED SPECIES AND AREAS OF HIGH CONSERVATION VALUE

The Planning Proposal refers to a *Statement of Environment Effects* prepared in 2001 and lists a Flora and Fauna review including an assessment against the 'threatened species' test. The table of mammals, reptiles, birds and plants listed is referenced to publications from 1983 and 1997 – now

39 and 25 years old respectively. The validity of this resource is questionable, and we would request that a more recent Statement of Environmental Effects be prepared.

A number of residents in the community here are avid birdwatchers, and have identified a range of different birdlife, some of which are listed such as vulnerable under the Threatened Species Conservation Act on Schedule 2 of the Act., these being:

- Diamond firetail (*Stagonopleura guttata*) - visiting and nesting
- Grey-crowned babbler (*Pomatostomus temporalis temporalis*) regular visitor
- Red tailed Black Cockatoos (*Calyptorhynchus banksia*) visiting, pairs sighted
- Australian King parrots (*Alisterus scapularis*) – Not vulnerable but listed as decreasing in population – pairs, regular visitors

In Feb 2021, the Central West Local Land Services wrote to residents on the corner of Obley and Belmont Roads, advising that the roadside vegetation located adjacent to the property is determined to be of high conservation value. The "[Preserving Grey Box Grassy Woodlands in Central West New South Wales project](#)" offered private landholders assistance to improve condition of the Grassy Box Woodland on their properties. Their property was eligible to receive funding to enhance the existing remnant woodland area.

The subject land backs onto Belmont Road which has similar roadside vegetation and may also be considered Grey Box Grassy Woodlands and thus be of high conservation value. The concern of residents is that this proposal is approved, it may include upgrades to Belmont Road, and to the intersection of Belmont, Cumboogle and Obley Roads, resulting in land clearing and the destruction of these remnant woodlands.

Thus, the proposed planning amendment to the subject land is at risk of damaging these areas of high conservation.

How does Council proposed to mitigate damage or compensate landholders any loss of biodiversity and amenity from the destruction of areas of high conservation value?

5. INCREASED USE OF DOMESTIC PESTICIDES/CHEMICALS

The construction of homes on the subject land will likely result in the increased use of domestic pesticides and herbicides for garden use, household pests etc. The orientation and elevation of the proposed blocks means that there is a risk for additional chemical run-off into the water course through the land, and hence into the Macquarie River.

Roads, Traffic and risks caused by additional vehicles

- The intersection of Belmont and Belgravia Roads is poor, with limited visibility due to road orientation, vegetation and a risk posed by loose gravel. Additional traffic is likely to pose an increased accident risk.
- Belgravia Road is very narrow between the development site and Belmont Road, with encroaching vegetation limiting visibility. Increased traffic flow on this road will have a negative impact on current residents with respect to noise and wear and tear on the existing road surface.
- The intersection of Obley Road and Belmont Road is also unsatisfactory for increased traffic volume, due to poor visibility from vegetation and the location of school bus stop.

Currently, traffic on Obley Road, travels at very high speeds and additional traffic on this intersection is also likely to pose an increased risk with the proximity of the bus stop a concern for children.

- Belmont Road is unsealed and already causes dust and accessibility issues for residents. It does not take a lot of rain for the causeway to fill, and it remains muddy and slippery for some time after rains. Increased traffic will exacerbate this problem.

Noise and loss of amenity

- There are significant concerns amongst our community that motorbike owners may purchase one of the rezoned blocks, a common problem in large lot residential areas. This is currently a very quiet and pleasant place to live and the increased number of large lot residential blocks does open us up to this happening. Intensive use of motorbikes causes significant noise pollution and can also result in dust, erosion and sediment run-off.
- Increased traffic – additional homes result in increased traffic flow on roads, resulting in increased noise for the existing residents, a decrease in safety of our children. Many residents also ride horses and are concerned about increased traffic.
- The reason that many residents bought into this estate, is that the zoning west of Belgravia Road, and west along Belmont Road, meant that there was no possibility of further small acreage developments. Should this re-zoning be approved, it increases the likelihood that it will be followed by similar applications, resulting in a potential large number of additional blocks in our peaceful and safe community which is very likely to diminish the 'quiet enjoyment' to which we purchased into.

Lack of Water

The subject blocks are not connected to town water and do not have access to the existing Belgravia Heights Water Scheme. They will be dependent on either bores, rainwater catchment or the construction of dams. In the event of extended dry period, domestic water will need to be trucked into the properties, placing additional pressure on existing roads.

Construction of dams again contributes to changes in the hydrological cycle, run off and potential erosion.

There are also valid concerns amongst the members of the Belgravia Heights Water Scheme re access to water. One of the attractive aspects of our properties, is the connection to the Water Scheme, meaning permanent water. Currently the scheme is at its capacity and has not added any new lots in last past 20 years because of this reason. The recent drought is etched into our minds here and we are keen to protect our water assets.

Andrew Martin 0_122803_28Jan2022160111_Submission-[9R BelgraviaRd-AU21303] 28/01/2022

Submission re. Planning Proposal for 9R Belgravia Rd. Dubbo
Reference: AU21/303

Andrew Martin
[REDACTED] Obley Rd. Dubbo
NSW 2830
[REDACTED]

Thank you for the opportunity to comment on the Planning Proposal for 9R Belgravia Road, Dubbo.

Having read and considered the proposal and subsequent outcomes of the process, I wish to draw attention to some issues of concern. These specifically relate to the following:

1. The rezoning of the land from RU1 Primary Production, to R5 Large Lot Residential, and amend the minimum lot size from 800 hectares to eight (8) hectares.
2. Future rezoning and subdivision proposals resulting from this approval and development.
3. Considerations of traffic volumes and road maintenance [Obley Rd. Belmont Rd. and Belgravia Rd.]

From the outset of this submission, I want it to be known that I am not hostile to this proposal, and that I do not consider having any gainful pecuniary interests in the success or otherwise of this rezoning and development proposal.

Having now resided for eight years with my family within the Belgravia Estate, we have enjoyed the peaceful nature of the rural environment, the freedom of moving about within our own ten-hectare [25 acre] allotment, and the friendly social connections with our neighbours. Furthermore, these social connections extend to the bonded relationships of the 35 properties within the estate, through the provision and maintenance of the water supply system, which is self-managed by volunteers elected to service roles as committee members of the Belgravia Heights Water Users Association Inc. [BHWUA].

Belgravia Estate was first developed in the late 70's and has remained relatively unchanged since then. Over the past 40+ years many families have come to enjoy these properties as they raised their families, engaged in hobbies, and conducted some varied business ventures. What

Andrew Martin 0_122803_28Jan2022160111_Submission-[9R BelgraviaRd-AU21303] 28/01/2022

Item 1.

As previously stated, I am not opposed to this development proposal, however I do have concerns about the potentials of this sub-division and subsequent divisions once precedence has been established.

The proposal is to rezone a described parcel of land that is a portion of land currently zoned as RU1 [Primary Production] to R5 [Large Lot Residential]. Furthermore, the intent is to amend the minimum lot size from 800 hectares to eight (8) hectares [or approximately 20 acres].

Except for a few larger lots, the majority of the 35 lots within the Belgravia Estate are at 10 hectares [or approximately 25 acres], or slightly exceed this. To maintain some consistency and equitable division of land, then **any amendment to the minimum lot size should be set to 10 hectares.**

Questions arise concerning the intentions of the developer where there appears to be some variation of figures and plans within some of the planning documents to what is being proposed. The following points and references detail this:

- Throughout the documents [including the iPLAN PROJECTS developed 'Planning Proposal'], there is reference and indications of sub-division of the ~40.68ha of land to between 3-4 Lots. The proposed amendment is to set the minimum lot size to 8ha. Therefore, there is no consistency or commitment in the proposal to a set number and set size of properties. Given this scope there could be allotments and sizes e.g., 4 x 10ha or 5 x 8ha or variances of these. This allows for the potential of significant disparity amongst this established estate.

Item 2.

The land in question for rezoning adjoins other parcels of agricultural land which to varying degrees is used for Primary Production. If this proposal is given approval, then it may be the stimulus for further development proposals and more land being rezoned. As before, once the precedence is established it is very difficult to deny others of the same opportunities.

I note that in consideration of the proposal [re. Council Meeting Minutes – Development and Environment Committee – 12 July 2021]:

Councillor K Parker declared a pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor K Parker's properties located on Belgravia Road and Belmont Road adjoin the applicant's property.

It is admirable that councillor Parker abstained from this vote, however it does not indicate whether there is a belief that the pecuniary interest might positively or negatively affect them should it proceed. To this, if any other owners of RU1 zoned land within this area can satisfactorily convince the council that it is unproductive land and/or superfluous to their needs, then they might stand to profit significantly by dividing it into LLR.

Andrew Martin 0_122803_28Jan2022160111_Submission-[9R BelgraviaRd-AU21303] 28/01/2022

Item 3.

In the eight years of residing along the Obley road, we have witnessed a significant increase in traffic volumes and diversity of vehicle types. The development of the Toongi mines area has significantly contributed to this, but there is also a greater frequency of Tipper, Livestock and General transport trucks using this roadway, as well as slow and obstructive farm machinery and implements. There are now a serious number of 'B-Doubles' regularly using this route as well.

The significance of this is the mixing of these vastly different vehicles and the intents and motivations of the operators. It is sometimes quite perilous to enter and exit our driveways along this stretch of road. The crossroad intersection of the Obley road, Cumboogle and Belmont has a school bus shelter. This is a very busy intersection in the mornings and afternoons.

Council should give greater consideration to this and future developments based on the increasing risks and hazards from roads with poor alignments and surfaces.

Thank you for the opportunity to comment on this proposal.

Drew Martin 28-01-22

The Chief Executive Officer
 Dubbo Regional Council
 PO Box 81
 DUBBO NSW 2830
 Your Ref: ED21/2324848 – SJ-JAF

28 January 2022

Mr C Arms and S P Pye
 Belmont Road
 DUBBO NSW 2830

Dear Sir

RE: Planning Proposal – Amendment to the Dubbo Local Environmental Plan 2011 regarding 9R Belgravia Road. Reference AU21/303

I am writing in relation to the above proposal received 12 December 2021 to rezone 9R Belgravia Road Dubbo (Lot 5 DP817149) from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size from 800 hectares to eight (8) hectares under the provision of Dubbo Local Environmental Plan 2011 by proponents David and Carmen Isbester c/- iPLAN PROJECTS.

This submission is against the proposed amendment to the subject land as outlined below:

Threatened Species and Areas of High Conservation Value

As avid birdwatchers, our property has a lot of birdlife some of which are listed such as vulnerable under the Threatened Species Conservation Act on Schedule 2 of the Act., these being:

- Diamond Firetail (*Stagonopleura guttata*) - visiting and nesting in our garden.
- Grey-crowned Babbler (*Pomatostomus temporalis temporalis*) regular visitor

In Feb 2021, the Central West Local Land Services wrote to us advising that the roadside vegetation located next to our property is determined to be of high conservation value. The "Preserving Grey Box Grassy Woodlands in Central West New South Wales project" offered private landholders assistance to improve condition of the Grassy Box Woodland on their properties. Our property was eligible to receive funding to enhance the existing remnant woodland area.

The subject land backs onto Belmont Road which has similar roadside vegetation and may also be considered Grey Box Grassy Woodlands and thus be of high conservation value.

The proposed planning amendment to the subject land is at risk of damaging these areas of high conservation should the proposed planning amendment proceed. How does Council proposed to mitigate damage or compensate landholders any loss of biodiversity and amenity from the destruction of areas of high conservation value?

Salinity Risks

The proposed subject land falls into an area that is mapped as very high salinity hazard class and further development along the unnamed water course referred to in the proposal poses a significant risk for salinity problems and future saline run-off to the Macquarie River. The Dubbo Regional Council Urban Salinity Monitoring Network does not extend to this side of town so there is no existing capacity for the monitoring of salinity in the area, and there appears to be no existing data that can be used to base a sound decision on.

In addition to environmental concerns associated with increased salinity in the area, there are the concerns that will need to be considered by future home-owners, associated with home maintenance, garden viability etc.

The proposal identifies that “*Salinity can be addressed as part of any future application for a dwelling (to condition dwelling construction), any future bore water applications, and future landscape.*”

This appears to be a short sighted consideration of what constitutes a major environmental concern in our region. Dubbo’s salinity problems are well documented. Additional concerns with regards to salinity include:

- As a resident here for 12 years, our knowledge of the runoff resulting from medium to major rain events is sound. The unnamed water course that extends through the subject land has an extensive catchment and fills extremely rapidly, flowing directly to the Macquarie River via Cumboogle Creek approximately 3-4km west. This creek flow through agricultural land around Dundullimal and to the north of Cumboogle Road. It is well documented that installation of infrastructure (new dwelling, driveways, sheds, etc) affects the hydrological cycle, increasing recharge rates and affecting salt mobilisation. Add to that house and garden pesticides, insecticides and lawn fertilisers. Both ultimately affecting the water quality of the Macquarie River.
- Council currently lacks the resources to effectively monitor septic run-off in the area, thus there is no surety of effective management of domestic effluent which will constitute future housing developments.

Water Runoff and Erosion

- The subject land has an unnamed water course that fills rapidly and regularly flows over the causeway on the gravel portion of Belmont Road into Cumboogle Creek. Additional infrastructure in the subject area will increase this problem, contributing to worsening erosion on the northern side of Belmont Road, increasing sediment flow to the Macquarie River.
- During rain events, the drains at the intersection of Belgravia and Belmont Roads regularly back up, resulting in water over the road. Additional infrastructure in the subject land will contribute an increased amount of water over the road causing more damage.
- Additional future housing development will mean additional septic infrastructure. Although Council requires approval for installation and mandates regular maintenance of onsite waste management systems, there is no compliance monitoring, thus increased risk for potential for septic failure and runoff into Cumboogle Creek and the Macquarie River.

Any alteration to the natural flow of the unnamed creek from potential development would threaten the flow into Cumboogle Creek and ultimately into the Macquarie River and would potentially expose landholders and DRG to litigation under Schedule 3 of the Threatened Species Conservation Act.

Potential Loss of Topsoil

This land is currently has had a small number of grazing stock and thus the groundcover has been maintained. Future housing development, intensive grazing, motorbike dirt tracks and large dirt mounds built up to be jumps for motorbikes will contribute to topsoil loss, resulting again in increased runoff and have negative impacts to the biodiversity and environment.

Noise and Loss of Amenity

The rezoning raises concerns that the proposed rezoning into 8ha blocks will be purchase by motorbike owners who build motorbike tracks with large dirt mounds used as jumps. The noise pollution impact emitted from motorcycles would negatively impact the amenity of our property is noticed but necessary – having one on a property all day would be offensive. They are the most noise polluting devices in a semi-rural residential setting.

The rezoning raises concerns that the proposed rezoning into 8ha blocks will increased the traffic past our property, with the potentially that it will be home to a someone who’s job is a truck driver with heavy vehicles such as semi-trailer, B double or stock (cattle/sheep) trucks driving past our property. These heavy vehicles emit noise pollution just by their engine noise. Add to that noise

emitted from compression of brakes, stock onboard would again our property would be further affected by loss of amenity and does not fit in with the established Belgravia Estate community.

The subject land is not connected to town water. They will be dependent on rainwater catchment and/or the construction of dams. In the event of extended dry period, domestic water will need to be trucked into the properties which would add to the loss of amenity on our property.

We purchased our lot because Belgravia Estate was a quite are, picturesque and good country with many lots utilised for equestrian disciplines (dressage, show jumping, hacking) by both professionals and amateurs alike. The rezoning the subject land will increase traffic and associated noise in front of our property and negatively impact my performance horses sleep, welfare and safety in the paddock.

One of the aspects so attractive to us was the zoning west of Belgravia Road and further up Belmont road prevented any possibility of further small acreage developments and thus the threat of noise pollution from increase of traffic past our property or from motorcycles burning around homemade speedways was void.

Should this development proceed how does council plan to compensates us for the increased traffic noise pollution and possible noise from residents installing motorcycle tracks or having a trucking business given our proximity to Belmont Road and the fact that the amenity of our property would be severely impacted. Will DRG pay for the purchase and installation of double glazed windows throughout the house? Force tree planting to screen the new development? These are just some of the many other compensation considerations DRC needs to consider and articulate to existing landholders affected should the proposal proceed.

Risk of Affray and Vandalism

The subject land is not connected to town water nor is it connected to the Belgravia Heights river scheme. The rezoning in 8ha blocks could mean that the potential new landholders put pressure the Belgravia Heights Water Users Association (BHWUA) committee to be added to the scheme. Currently the scheme is at its capacity and has not added any new lots in last past 20 years because of this reason. Denial to be added to the scheme could expose the BHWUA committee members to threats, harassment and vandalism of their property and/or vandalism to the scheme infrastructure.

How does DRG propose to manage and mitigate these threats to BHWU committee and the scheme infrastructure and how will DRG compensate the scheme and its committee members in the event of vandalism and/or criminal activity?

Lack of Water

The subject land is not connected to town water. They will be dependent on rainwater catchment and/or the construction of dams. In the event of extended dry period, domestic water will need to be trucked into the properties, placing additional pressure on existing roads. Construction of dams again contributes to changes in the hydrological cycle, run off and potential erosion and contamination into Cumboogle Creek and Macquarie River.

Increased use of Domestic Pesticides and Chemicals

The construction of homes on the subject land will likely result in the increased use of domestic pesticides and herbicides for garden use, household pests etc. The orientation of the blocks means that there is a risk for additional chemical run-off into the water course through the land, down the unnamed creek into Cumboogle Creek and hence into the Macquarie River negatively affecting the biodiversity and environment.

Increased Traffic and Associated Risks

The intersection of Belmont and Belgravia Roads is poor, with limited visibility due to road orientation, vegetation and lots of loose gravel. Additional traffic is likely to pose an increased accident risk. Belmont Road and Belgravia Road are both narrow between the development site

and Obley Road. As mentioned previously, increased traffic flow and created noise pollution on this road will have a negative impact us and other current residents. It would also put a lot of pressure on the small narrow road in terms of increased potholes and breaking edges.

There is currently no speed limit signage along Belmont Road, Belgravia Road and Belgravia heights roads and as such vehicles have been witnessed travelling a high speed posing a risk to residents and children.

Conclusion

Although the proposal outlines the demand for this type of housing in Dubbo, 4-5 blocks are not going to solve Dubbo's current housing crisis. The subject land is not of agricultural significance, its proximity to a watercourse that flows quickly and directly to the Macquarie River does pose a concern.

I am unclear if a current/recent assessment been conducted on the biodiversity and conservation of the subject land and associated roadside vegetation in terms of threatened species? If so, please could you provide me with a copy.

From a biodiversity, conservation and environmental perspective, this rezoning poses significant risks, the effects of which have not been adequately considered. Other concerns are associated with areas of high conservation value, biodiversity and conservation, amenity and lifestyle, noise pollution animal welfare and the valid concerns raised by existing landholders next to and in the surrounding area of the residents.

Yours sincerely



Simone Pye and Craig Arms

The Chief Executive Officer,
Dubbo Regional Council,
PO Box 81,
DUBBO, NSW, 2830

17/01/2022

REFERENCE AU21/303:

RE; PUBLIC EXHIBITION OF PLANNING PROPOSAL – PROPOSED AMENDMENT TO THE DUBBO LOCAL ENVIRONMENTAL PLAN 2011

To The Chief Executive Officer,

We are writing this letter to object to Councils plan of rezoning land from RU1 Primary Production to R5 Large Lot Residential, and amend the Minimum Lot Size from 800 hectares to 8 hectares at 9R Belgravia Road (Lot 5 DP817149).

Please see below the reasons why we object to this rezoning plan:

- Vegetation is very thick from the Belmont road watercourse crossing to the entrance to Belmont Property.
- As it is used for extensive agriculture and cultivated land, it would spoil the aesthetic of the area. Which is why people have chosen to live in this area because it is not over developed.
- This is not about growth, it is about serenity and sustaining Dubbo's rural lifestyle.
- Belmont road from the intersection of Belgravia Road, is as suggested, unsealed, but in wet weather it is slippery/boggy and you must pass through a deep causeway, which has a creek on either side. This road does not have the width for 2 cars or 2 larger vehicles to pass each other safely. Heavy vehicles find it difficult to access Belmont Road due to the heavy amount of vegetation either side. If there was an increase in traffic, the road would need to be widened and sealed, to RMS specifications. It would also affect the bird life with the removal of the vegetation.
- The 4 entrances suggested on Belmont road, would create a minimum of 4 extra car movements per lot, per day, would create more dust, which is not ideal from where my home is situated and would disturb my livestock.
- There would need to be a wider turning lane installed entering Belmont Road from Obeley Road, as vision is impaired due to vegetation, and it is unsafe at the 100km speed limit to hold up traffic when exiting/entering Belmont Road.
- Your proposal states, that, 'The logical extension of an existing Zone R5 LLR area will minimise impacts on agricultural land', but it should not exist, there shouldn't be an option.
- The RADS objectives/statements included that:

Settlement of the rural area is the lowest priority as it has the least long-term economic input for Dubbo. As it generally conflicts with most of the above uses, it is to be directed to specific areas where conflicts with other uses can be avoided or minimised.

I strongly disagree with this.

Dubbo saleyards are one of Dubbo's biggest assets as it has weekly sales, which bring livestock from surrounding areas for sales.

If Dubbo didn't input into their own saleyards, it would cease surrounding areas coming here, as they don't have the option to buy fat sheep/cattle that are raised here, and they would more than likely start going to other places like Griffith.

People from surrounding western areas often look for small farms in the Dubbo area to retire, including myself, as it offers the rural lifestyle as well as small metro. We do not wish to see this opportunity taken from Dubbo LGA.

- We do not object to entries on Belgravia Road, but we strongly object to Belmont Road entries.

We also bring up the following questions, if this was to happen:

- Is the current power sufficient enough to support 80 new homes? Our power currently has fluctuating surges, and I do not believe it can handle the extra infrastructure.
- With the added amount of people, will the police begin to patrol this area? As there is the potential for more theft and crime, where currently it is a quiet, calm place to live. We don't want it to become known as a bad area of Dubbo, when it should be left as Dubbo's Rural Retreat lifestyle Area.

We look forward to a response from Dubbo Regional Council.

Regards,

Julie & Robert Urquhart

Belmont Road,
DUBBO, NSW, 2830



The Chief Executive Officer,
Dubbo Regional Council,
PO Box 81,
DUBBO, NSW, 2830

17/01/2022

REFERENCE AU21/303:

RE; PUBLIC EXHIBITION OF PLANNING PROPOSAL – PROPOSED AMENDMENT TO THE DUBBO LOCAL ENVIRONMENTAL PLAN 2011

To The Chief Executive Officer,

We are writing this letter to object to Councils plan of rezoning land from RU1 Primary Production to R5 Large Lot Residential, and amend the Minimum Lot Size from 800 hectares to 8 hectares at 9R Belgravia Road (Lot 5 DP817149).

Please see below the reasons why we object to this rezoning plan:

- Vegetation is very thick from the Belmont road watercourse crossing to the entrance to Belmont Property.
- As it is used for extensive agriculture and cultivated land, it would spoil the aesthetic of the area. Which is why people have chosen to live in this area because it is not over developed.
- This is not about growth, it is about serenity and sustaining Dubbo's rural lifestyle.
- Belmont road from the intersection of Belgravia Road, is as suggested, unsealed, but in wet weather it is slippery/boggy and you must pass through a deep causeway, which has a creek on either side. This road does not have the width for 2 cars or 2 larger vehicles to pass each other safely. Heavy vehicles find it difficult to access Belmont Road due to the heavy amount of vegetation either side. If there was an increase in traffic, the road would need to be widened and sealed, to RMS specifications. It would also affect the bird life with the removal of the vegetation.
- The 4 entrances suggested on Belmont road, would create a minimum of 4 extra car movements per lot, per day, would create more dust, which is not ideal from where my home is situated and would disturb my livestock.
- There would need to be a wider turning lane installed entering Belmont Road from Obeley Road, as vision is impaired due to vegetation, and it is unsafe at the 100km speed limit to hold up traffic when exiting/entering Belmont Road.
- Your proposal states, that, 'The logical extension of an existing Zone R5 LLR area will minimise impacts on agricultural land', but it should not exist, there shouldn't be an option.
- The RADS objectives/statements included that:

Settlement of the rural area is the lowest priority as it has the least long-term economic input for Dubbo. As it generally conflicts with most of the above uses, it is to be directed to specific areas where conflicts with other uses can be avoided or minimised.

I strongly disagree with this.

Dubbo saleyards are one of Dubbo's biggest assets as it has weekly sales, which bring livestock from surrounding areas for sales.

If Dubbo didn't input into their own saleyards, it would cease surrounding areas coming here, as they don't have the option to buy fat sheep/cattle that are raised here, and they would more than likely start going to other places like Griffith.

People from surrounding western areas often look for small farms in the Dubbo area to retire, including myself, as it offers the rural lifestyle as well as small metro. We do not wish to see this opportunity taken from Dubbo LGA.

- We do not object to entries on Belgravia Road, but we strongly object to Belmont Road entries.

We also bring up the following questions, if this was to happen:

- Is the current power sufficient enough to support 80 new homes? Our power currently has fluctuating surges, and I do not believe it can handle the extra infrastructure.
- With the added amount of people, will the police begin to patrol this area? As there is the potential for more theft and crime, where currently it is a quiet, calm place to live. We don't want it to become known as a bad area of Dubbo, when it should be left as Dubbo's Rural Retreat lifestyle Area.

We look forward to a response from Dubbo Regional Council.

Regards,

Whacko Water Trucks Pty Ltd
[REDACTED] Belmont Road,
CUMBOOGLE, NSW, 2830

The Chief Executive Officer
Dubbo Regional Council
PO BOX 81
DUBBO NSW 2830

Angela Sinclair
Belmont Road
DUBBO NSW 2830



Dear Sir,

RE: Reference AU/21/303 - Proposed Amendment to the Dubbo Local Environment Plan 2011, 9R Belgravia Road.

With reference to the above, I wish to make a submission against the proposal for the following reasons:

- A number of residents in and surrounding Belgravia Estate are birdwatchers and have identified a range of different birdlife, some of which are listed as vulnerable under the Threatened Species Conservation Act on Schedule 2 of the Act. Examples are Diamond firetail, grey-crowned babbler and red tailed black cockatoos.
- In early 2021 I received correspondence from Central West Local Land Services advising that the roadside vegetation in the area was determined to be of high conservation value and offered assistance to myself as well as other landholders in the area to improve conditions of the Grassy Box Woodland. The subject land, being in close proximity, has similar vegetation and may also be considered to be of high conservation value. Any approval in favour of the change of zoning may include upgrades to roads which could include land clearing and destruction of existing vegetation.
- Un-named water course runs through the subject land. Any development on this area could affect the naturally occurring water course which feeds into Cumboogle Creek which ends up running into the Macquarie river. The potential for the water course to be filled in, redirected or dams built on it will have detrimental effects on the flora and fauna that currently flourish in the aforementioned area.
- The un-named water course has the potential for flash minor flooding in periods of rain. As the water course runs across an unsealed causeway it has rendered the land holders West of the water crossing to be flooded in. After this flash flooding and even during smaller periods of rain fall this road gets very boggy and slippery – THIS with the small amount of users currently accessing this road. If the proposed amendment is passed this will increase the number of persons living in the estate, therefore increasing the number of cars accessing this road causing even more damage to the roads that will then need more maintenance to keep it in a useable condition for the current ratepayers.
- The intersection of Obley Road and Belmont Road is hard enough to access due to the amount of traffic, especially in the busy morning and afternoon travels, without the added increase of vehicles to the estate. The vegetation is quite high along these roads lowering visibility when turning onto Obley Road from Belmont Road and due to there being a straight stretch, traffic is usually travelling at quite some speed. Increased turning traffic in this area is also cause for concern as there is a school bus stop posing the potential for harm to the school children waiting at pick up and drop off times.

- Belgravia Road is quite narrow in some parts, including the area of the development site and the increased traffic will have a negative effect on the current residents.
- Belmont Road is an unsealed road and quite a bit of dust is caused by local traffic. The increased traffic on this unsealed road will cause more dust which could have a detrimental effect on the current land holders health – although it is my understanding that if there were to be two more lots using access from Belmont Road this road would then need to be sealed. If the road was to be sealed I would imagine that one section of the road (the causeway) would need to be raised so that it was not continually washed away during the times when the water course was flooding.
- As town water is not available in the estate and the subject blocks do not have access to the existing Belgravia Height Water Scheme there is a large question of where water will be sourced from. Bores have been sunk in the area but as far as I am aware they are not potable meaning the subject blocks would be dependent on rainwater. In times of dry periods water will need to be trucked in placing additional pressure on the existing roads. This could also lead to dams needing to be built changing the natural course of water run off.
- As there is a natural slope to the landscape where the proposed zoning change is any disruptions to the soil can cause and/or increase erosion. Any spills, chemical and/or septic run off in the areas from the new builds will naturally run the course of the slope, into the water way, contaminating this and any existing dams along the way. This all in turn runs into the Macquarie River therefore contaminating this body of water also.

On a personal note, I have lived out in the estate for over 15 years. My children and I have thoroughly enjoyed the rural lifestyle, quietness and serenity of living out here. Reducing the lot sizes will mean an increase in traffic, noise and dust not to mention the disruption and loss of habitat to the local wildlife. At present we are talking about a possible 4-5 extra lots in the estate however by approving the reduction in lot sizes in the proposed area it is setting a precedent. We could potentially be talking about a further sixteen or more lots from the existing larger lots on the western side of Belgravia Road and further along Belmont Road. This is the greater concern for not only myself and my family but including the existing land holders of Belgravia Estate who also live out here for the lifestyle that it currently provides.

Sincerely

Angela Sinclair

The Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Scott and Melinda Barton
Belgravia Road
DUBBO NSW 2830

Dear Sir

RE: **Reference AU21/303** – PROPOSED AMENDEMENT TO THE DUBBO LOCAL
ENVIRONMENT PLAN 2011, 9R BELGRAVIA ROAD

With reference to the above, we wish to make a submission against the proposal for the following reasons:

SALINITY

The proposed area falls into an area that is mapped as very high salinity hazard class and further development along the unnamed water course referred to in the Proposal poses a significant risk for salinity problems and future saline run-off to the Macquarie River. The Dubbo Regional Council Urban Salinity Monitoring Network does not extend to this side of town so there is no existing capacity for the monitoring of salinity in the area, and there appears to be no existing data that can be used to base a sound decision on.

In addition to environmental concerns associated with increased salinity in the area, there are the concerns that will need to be considered by future home owners, associated with home maintenance, garden viability etc.

The proposal identifies that *“Salinity can be addressed as part of any future application for a dwelling (to condition dwelling construction), any future bore water applications, and future landscape.”*

This appears to be a short sighted consideration of what constitutes a major environmental concern in our region – Dubbo’s salinity problems are well documented. Additional concerns with regards to salinity include:

- Having lived in the area for 8 years, we have good knowledge of the runoff that results from major (and even not so major) rain events. The unnamed water course that extends through the subject land has an extensive catchment and fills extremely rapidly, flowing directly to the Macquarie River some 3-4km west. This creek does flow through agricultural land around Dundullimal and to the north of Cumboogle Road. It is well documented that installation of infrastructure (new dwelling, driveways, sheds etc) affects the hydrological cycle, increasing recharge rates and affecting salt mobilisation and ultimately affecting the water quality of the Macquarie.

- Council currently lacks the resources to effectively monitor septic run-off in the area, thus there is no surety of effective management of domestic effluent which will constitute future housing developments.

WATER RUN OFF and EROSION

- As stated above, the unnamed water course fills rapidly and regularly flows over the causeway on the gravel portion of Belmont Road. Additional infrastructure in the subject area will increase this problem, contributing to worsening erosion on the Northern side of Belmont Road, increasing sediment flow to the Macquarie River.
- During rain events, the drains at the intersection of Belgravia and Belmont Roads regularly back up, resulting in water over the road. Additional infrastructure in the subject area will contribute to this, meaning that it will happen more frequently.
- Additional future housing development will mean additional septic infrastructure. Although Council requires approval for installation and mandates regular maintenance of onsite waste management systems, there is no compliance monitoring, meaning that there is the potential for septic runoff, which would reach the Macquarie River in addition to small watercourses on the way.

POTENTIAL LOSS OF TOPSOIL

As this land is currently under minimal usage and grazing – groundcover has been maintained. Future housing development, intensive grazing and livestock that can be part of large lot residential, will potentially contribute to topsoil loss, resulting again in increased runoff.

NOISE AND LOSS OF AMENITY

Concerns re the purchase of blocks by motorbike owners, increased traffic and threat of future further subdivisions on the western side of Belgravia Road. This is currently a very quiet and pleasant place to live and one of the aspects that was so attractive to us, and many of our neighbours, was the zoning opposite us, meaning that there would not be development.

LACK OF WATER

The subject blocks are not connected to town water and do not have access to the existing Belgravia Heights Water Scheme. They will be dependent on either bores, rainwater catchment or the construction of dams. In the event of extended dry period, domestic water will need to be trucked into the properties, placing additional pressure on existing roads.

Construction of dams again contributes to changes in the hydrological cycle, run off and potential erosion.

INCREASED USE OF DOMESTIC PESTICIDES/CHEMICALS

The construction of homes on the subject land will likely result in the increased use of domestic pesticides and herbicides for garden use, household pests etc. The orientation of the blocks means that there is a risk for additional chemical run-off into the water course through the land, and hence into the Macquarie River.

TRAFFIC AND RISKS OF ADDITIONAL VEHICLES

The intersection of Belmont and Belgravia Roads is poor, with limited visibility due to road orientation, vegetation and lots of loose gravel. Additional traffic is likely to pose an increased accident risk. Belgravia Road is very narrow between the development site and Belmont Road. Again, increased traffic flow on this road will have a negative impact on current residents.

The intersection of Obley Road and Belmont Road is also less than ideal due to poor visibility from vegetation and the location of school bus stop. Currently, traffic on Obley Road, travels at very high speeds and additional traffic on this intersection is also likely to pose an increased risk with the proximity of the bus stop a concern for children.

Conclusion

Although the proposal outlines the demand for this type of housing in Dubbo, 4 -5 blocks are not going to solve Dubbo's current housing crisis. Although the land is not of agricultural significance and there are currently no contamination risks, its proximity to a watercourse that flows quickly and directly to the Macquarie River does pose a concern. From an environmental perspective, this rezoning poses significant risks, the effects of which have not been adequately considered. Other concerns are associated with amenity and lifestyle, and the rights of existing residents that their current quiet enjoyment not be put at risk.

Sincerely,

Melinda Barton

Scott Barton

Archived: Monday, 4 April 2022 2:52:52 PM
From: [Kevin Parker](#)
Mail received time: Wed, 23 Feb 2022 04:25:23
Sent: Wed, 23 Feb 2022 04:25:05
To: [Dubbo Regional Council](#)
Subject: PUBLIC EXHIBITION REFERENCE AU 21/303
Importance: Normal
Sensitivity: None

[EXTERNAL Message: Be cautious of clicking on links or opening attachments.]

The Chief Executive Officer
Dubbo Regional Council

Dear Sir
SUBJECT - 9R Belgravia Rd Dubbo - Rezone Proposal.

Thank you for your letters advising of the proposal, our two properties being 16L Belmont Road and 11R Belgravia Road adjoin the boundary of the proponents property. ie Western Boundary of both properties and Eastern side of Belgravia Road property.
The proposal will allow for 2 additional neighbours to our properties.

The subject land is one of 5 existing 100 acre properties, the remaining properties in the Belgravia Subdivision approx. 35 are of a smaller size approx. 25- 40 acres.

If the proposal is successful and allows for future development and 2 new parcels of land are sub divided with an area of say 30 acres then the resultant subdivision would not be out of place to the already established properties. We understand there will be 3 allotments . The current zoning RU Primary Production large lot Residential Zone is not really Primary Production as such earning a living from a property of this size is not feasible . As it now stands serves the purpose of a large hobby farm.

We do not have any objections to the proposal.

Regards
Kevin Parker and J Millgate

"NOTICE (You must not remove this notice from this email)

This email and any attachments are confidential and may contain the confidential information of the Bank of Queensland Limited or its related bodies corporate. This email may also contain legally privileged information or confidential information of other parties. Receipt of this email by anyone other than the intended recipient is not intended to, and does not, waive legal professional privilege. This email is for authorised recipients only. You should not transmit or distribute this email unless you are authorised to do so. If you are not an authorised recipient, you should contact us immediately by return e-mail. You should not use, send, store or print this email or any attachments to it. You should immediately delete the email and any attachments to it from your database and destroy all copies of it.

You should not rely on the contents of this email or any attachments to it. No warranty is made that this email or any attachment is free from viruses or other defect or error."



NSW RURAL FIRE SERVICE

Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Your reference: (PP-2021-4617) REF-1079
Our reference: SPI20211212000218

ATTENTION: Shoilee Iqbal

Date: Tuesday 22 February 2022

Dear Sir/Madam,

**Strategic Planning Instrument
Rezoning - Planning Proposal
Planning Proposal to amend the Dubbo Local Environmental Plan 2011 - 9R Belgravia Road, Dubbo**

I refer to your correspondence dated 09/12/2021 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The NSW RFS has no objection to the Planning Proposal to rezone the subject property to R5 Large Lot Residential and reduce the Minimum Lot Size to 8 hectares.

Future development applications lodged on the subject property may need to address the requirements of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely,

Alastair Patton
**Supervisor Development Assessment & Plan
Built & Natural Environment**

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au





Planning,
Industry &
Environment

CM9 Ref: DOC21/261698
File: 21/08680
Your Ref: AU21/303

The Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Email: council@dubbo.nsw.gov.au

Dear Sir/Madam

Proposed Development: Proposed Amendment to the Dubbo Local Environmental Plan 2011 – rezone land from RU1 Primary Production to R5 Large Lot Residential

Applicant: David & Carmen Isbester c/- iPLAN PROJECTS
Location: 9R Belgravia Road, Dubbo (Lot 5 DP 817149)

I refer to Council's letter dated 10 December 2021 requesting comments for the above planning proposal.

The Department of Planning Industry & Environment - Crown Lands (the department), as adjoining landowner has reviewed the development application in accordance with the principles of Crown land management (s.1.4 *Crown Lands Management Act 2016*), and offers no objections to the proposed rezoning.

I note that Belgravia Road is a Crown managed public road that appears to be maintained by Council and forms part of the public road network. Future development of this property, ie subdivision will require transfer of the road.

In line with our Administration of Crown Roads Policy this road is suitable to be transferred to Council management. Please provide Council agreement and the Crown road will be transferred to Council by order in the Government Gazette under the provisions of s152I of the *Roads Act 1993*.

Should you require any further information, please do not hesitate to contact Karen Hocking at the Dubbo Crown Lands Office by email karen.hocking@crowmland.nsw.gov.au or phone on 02 6883 3332

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jacky Wiblin'.

Jacky Wiblin
Group Leader, Dubbo Land & Asset Management
Department of Planning Industry & Environment - Crown Lands

Date: 21 December 2021



Department of Planning and Environment

Shoilee Iqbal
Senior Growth Planner
Dubbo Regional Council
shoilee.iqbal@dubbo.nsw.gov.au

Our ref: DOC22/49112
Your ref: PP-2021-4617
File: SF22/7151

27 January 2022

Dear Shoilee

Planning Proposal – 9R Belgravia Road (PP-2021-4617)

Thank you for your invitation dated 8 December 2021 to the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Planning and Environment to comment on the proposed rezoning of land from RU1 Primary Production to R5 Large Lot Residential at 9R Belgravia Road.

BCS understands the proposal also seeks to reduce the existing minimum lot size (MLS) of the subject land from 800ha to 8 hectares, making it possible to subdivide Lot 5 DP817149 (approximately 40.68ha) into the proposed four lots (one with an existing dwelling).

BCS has the following primary areas of interest relating to strategic land use planning proposals:

1. The impacts of development and settlement intensification on biodiversity
2. Adequate investigation of the environmental constraints of affected land
3. Avoiding intensification of land use and settlement in environmentally sensitive areas (ESAs)
4. Ensuring that development within a floodplain is consistent with the NSW Government's Flood Prone Land Policy, the principles set out in the Floodplain Development Manual, and applicable urban and rural floodplain risk management plans.

We also understand that planning proposals must comply with current statutory matters such as the Local Planning Directions issued under s.9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

We generally support strategic planning proposals which:

- Avoid rural settlement intensification in areas of biodiversity value and other environmentally sensitive areas;
- Include objectives, such as 'no net loss of native vegetation'; and
- Minimise flood risk to human life, property and the local environment while maintaining floodplain connectivity for environmental benefit.

Some specific comments on the proposed rezoning and MLS changes are provided in **Attachment A**. The BCS generic recommendations for planning proposals are provided in **Attachment B**.

If you require any further information regarding this matter, please contact Erica Baigent, Conservation Planning Officer, via erica.baigent@environment.nsw.gov.au or (02) 6883 5311.

Yours sincerely



Samantha Wynn
Senior Team Leader Planning North West
Biodiversity, Conservation and Science Directorate

27 January 2022

ATTACHMENT A

Planning Proposal – 9R Belgravia Road (PP-2021-4617)

BCS Advice

1. Conclusions that the subject land does not contain areas of high environmental value are not adequately justified.

The planning proposal does not identify the plant community type(s) within the subject site. However both the terrestrial biodiversity overlay in the Dubbo LEP and the regional scale Central West Orana HEV map flags potential HEV areas on the site, including potential presence of the Fuzzy Box Woodland Endangered Ecological Community (EEC) and White Box-Yellow Box-Blakely's Red Gum Woodland Critically Endangered Ecological Community (CEEC).

Contrary to the HEV mapping, the planning proposal states that there are no HEV assets on the property. However, no supporting evidence is provided to indicate on-ground assessment of the native vegetation on the site by a suitably qualified person to exclude the presence of these threatened ecological communities.

Similarly, the planning proposal has not adequately justified suggestions that threatened species are unlikely to occur on the site.

In section 2.8, the planning proposal considers a Statement of Environmental Effects (SoEE) prepared by Barnson in 2001 (not currently available to BCS) to provide 'a reasonable consideration of the likelihood of most threatened species in the area'.

The Barnson report applied to a specific 360m² area associated with the current dwelling, the nature of which at the time of the 2001 assessment is unknown to BCS. Barnson concluded that no species were found to be likely to occur within that portion of the subject site. The planning proposal provides minimal description of the habitat resources assessed by Barnson compared with those across the remainder of the site and does not adequately justify the extrapolation of the Barnson conclusions.

The table of potential fauna and flora species presented on page 10 of the planning proposal is also drawn from the 20-year old SoEE and does not consider whether the site currently contains potential habitat for additional threatened species listed and/or recorded locally since 2001. The Planning Proposal states that the nearest fauna sightings to the site are of two non-threatened bird species.

To illustrate the deficiency in the planning proposal conclusions regarding threatened species, a quick search of threatened flora and fauna species records indicates that the species listed below have been recorded within approximately 5km of the subject site in the last 12 years. Eleven of these species (*) were not previously considered in the 2001 Barnson SoEE. Additional threatened flora and fauna species may also be predicted to occur within the plant community type(s) on the site. BCS advocates targeted assessment of biodiversity values to support the planning proposal (See section 3, Attachment B).

Species	Note
Spotted harrier* (<i>Circus assimilus</i>)	Species records from 2020 are within 1km of the subject site.
Superb parrot (<i>Polytelis swainsonii</i>)	
Grey-crowned babbler* (<i>Pomatostomus temporalis</i>)	

Speckled warbler* (<i>Pyrrholaemus sagittatus</i>)	Species record from 2018 is within 1km of the subject site.
Glossy black cockatoo (<i>Calyptorhynchus lathamii</i>)	Species record from 2010 is within 1km of the subject site.
Black falcon* (<i>Falco subniger</i>)	Species record from 2013 is within 4km of the subject site.
Square-tailed kite (<i>Lophoictinia isura</i>)	Species record from 2014 is within 5km of the subject site.
Varied sitella* (<i>Daphoenositta chrysoptera</i>)	Species records from 2010 are within 2km of the subject site.
Hooded robin* (<i>Melanodryas cucullata</i>)	
Little eagle* (<i>Hieraaetus morphnoides</i>)	Species record from 2014 is within 5km of the subject site.
Brown tree creeper* (<i>Climacteric picumnus victoriae</i>)	Species records from 2010 is within 5km of the subject site.
Dusky woodswallow* (<i>Artamus cyanopterus</i>)	Species record from 2010 is within 5km of the subject site.
Squirrel glider (<i>Petaurus norfolcensis</i>)	Species records from 2018 within 3 km of the subject site.
Yellow-bellied sheath-tail bat (<i>Saccolaimus flaviventris</i>)	
Eastern false pipistrelle* (<i>Falsistrellus tasmaniensis</i>)	
Pine Donkey Orchid* (<i>Diuris tricolor</i>)	Species record from 2013 approximately 5km from the subject site.

Recommendations

- 1.1 Planning proposals should be based on the most up to date available data.
- 1.2 Conclusions regarding the absence of areas of high environmental value on the subject site should be adequately justified. Otherwise, Council should recognise the areas of potential EEC and CEEC flagged for the site and assume that future subdivision and development of the site may impact EEC and CEEC.
- 1.3 Suggestions that threatened species are unlikely to occur should be adequately justified. Otherwise Council should acknowledge that the likelihood of threatened species being present on the site has not been adequately assessed and assume that future subdivision and development of the site has the potential to impact on threatened species habitat.

2. The proposed MLS and final subdivision plan could be revised to improve consistency with regional and local strategies

Local planning direction 1.5 'Rural Lands' requires the planning proposal to:

- identify and protect environmental values, including but not limited to maintaining biodiversity and the protection of native vegetation
- be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement

unless the planning authority satisfies the Department that the inconsistencies with the Direction are justified by an appropriate strategy approved by the Department or are of minor significance.

The Central West and Orana Regional Plan 2036 includes the following:

- Action 13.1 - protect high environmental value (HEV) assets through local environmental plans.
- Action 13.2 - minimise potential impacts arising from development in areas of HEV and consider offsets or other mitigation mechanisms for unavoidable impacts.

The draft Central West and Orana Regional Plan 2041 advocates:

- the validation of regional scale HEV mapping via site specific investigations during strategic and local planning, and development proposals.
- Avoidance of areas with identified HEV and focusing development on areas with lower biodiversity values.

Protecting areas of HEV and significance is also identified as a planning priority in the current Dubbo Local Strategic Planning Strategy:

- Action 15.3 indicates Council will seek to consider biodiversity assets and protect sensitive environments in updates to the Local Environmental Plan (LEP) and Development Control Plan (DCP).
- Action 16.4 - Council will ensure that development is minimised in areas containing high biodiversity values.

As noted under Issue 1 above, the planning proposal has not adequately justified the conclusion that no assets of HEV are present on the subject land.

Whilst the rezoning, reduced MLS and future subdivision/development of the subject site would place additional pressures on the native vegetation and any habitat resources present, there does appear to be scope to accommodate dwelling envelopes such that direct impacts to woody habitat from dwelling construction and asset protection zones could be minimised.

BCS notes that the subdivision concept plan showing indicative lots and dwelling envelopes (provided by Dubbo Regional Council via email on 15 December 2021) is not being considered by Council as part of the planning proposal as it is potentially subject to change.

The Council report to the Development and Environment Committee (dated 25 June 2021) flags the requirement for the Belmont Road frontage to be sealed if the future subdivision includes two lots on Belmont Road. The report states that if only three lots are proposed (with only one lot fronting Belmont Road) then road sealing may not be required. BCS notes that development of only three lots would also lessen future impacts on the site associated with the establishment of dwellings, particularly in the case of the section of the site along Belmont Road where the vegetation is mapped as HEV.

Recommendation

- 2.1 In the absence of adequate information demonstrating that areas of HEV are not present on the site, Council should consider a larger MLS for the portion of the subject land flagged as potential HEV in the Central West Orana Regional Plan 2036 (i.e. to retain that portion of the subject site within a single lot).

3. Biodiversity Offset Scheme is likely to apply to future subdivision of the site

The *Biodiversity Conservation Act 2016* (BC Act) and *Biodiversity Conservation Regulation 2017* (BC Reg) section 7.1 apply to subdivisions. When assessing subdivisions, the consent authority must consider the clearing of native vegetation required, or likely to be required, for the purpose for which the land is to be subdivided.

Native vegetation includes trees, understorey plants, groundcover and plants occurring in a wetland that are native to New South Wales (including planted native vegetation), not just trees.

If the subdivision will impact native vegetation and the clearing exceeds the biodiversity offsets scheme (BOS) thresholds (Part 7, BC Reg), the biodiversity assessment method (BAM) must be applied and a biodiversity development assessment report (BDAR) prepared to assess and calculate the biodiversity offset credit requirement.

Biodiversity offsets are calculated and secured in accordance with the *Biodiversity Conservation Act 2016* for the subdivision. Once this is done, no further offsets are required for subsequent development of the land that is within the approved subdivision.

The BAM requires proponents to demonstrate that biodiversity impacts have been avoided and minimised as far as possible, with residual impacts offset. Both the complexity of assessments, and the costs to the proponent associated with complying with the BOS, are lower where impacts on biodiversity are avoided and/or concentrated in areas of lower vegetation integrity.

The proposed MLS for the subject land is 8ha, therefore the area clearing threshold for this site is 0.5ha. Based on the information provided it is likely that the impacts of the future subdivision of the subject site will trigger entry into the BOS.

As noted above, regional scale mapping indicates the potential presence of Fuzzy Box Woodland EEC and White Box-Yellow Box-Blakely's Red Gum Woodland CEEC on the subject site. Both of these communities are considered at risk of serious and irreversible impacts (SAIL) within the meaning of clause 6.7 of the *Biodiversity Conservation Regulation 2017*. Entities at risk of SAIL have additional assessment requirements under the BAM.

Recommendation

- 3.1 That Council take into account the above information when considering the MLS to be applied to the subject site.

ATTACHMENT B

Biodiversity, Conservation and Science Directorate (North West Branch) generic advice for planning proposals

Rural settlement intensification can have significant impacts on biodiversity. Development will have short and long-term negative impacts on biodiversity due to:

- the clearing of house and building sites;
- the disturbance caused by infrastructure (such as new roads, fence lines, dams, access to utilities and changed hydrology); and
- the construction of asset protection zones for statutory fire protection
- ancillary buildings, landscaping, property maintenance activities and domestic animals.

The cumulative effect of multiple subdivisions may magnify impacts on biodiversity.

Climate change also intensifies threats to biodiversity. Reducing threats including habitat loss, pest and weeds will help species adapt to climate change.

Council has the responsibility to control the location and, to a degree, development standards of settlement and other land use intensification. Local Environmental Plans (LEPs) can be used to avoid settlement and development in Environmentally Sensitive Areas (ESAs) including areas of remnant native vegetation.

The s.9.1 Directions in the *Environmental Planning and Assessment Act 1979* (EP&A Act) require that Councils in preparing or amending an LEP must include provisions that facilitate the protection and conservation of ESAs. As a minimum, these provisions must aim to maintain the existing level of protection for ESAs within the local government area (LGA), as afforded by the current LEP.

As a matter of priority BCS recommends six actions be taken by Councils when considering planning proposals. These will address the s.9.1 Directions, and protect biodiversity from the impacts of development:

1. Avoid development in remnant native vegetation;
2. Establish large minimum lot sizes;
3. Conduct comprehensive environmental studies if land use intensification in environmentally sensitive areas cannot be avoided; and
4. Define biodiversity protection and management measures in Development Control Plans (DCPs).

1. Avoid development in remnant native vegetation

Council, through land use strategies and LEP's, can protect biodiversity by avoiding land use intensification in areas of remnant native vegetation.

Development should be directed to areas that have already been cleared, unless such areas have been identified as having environmental importance.

Excluding remnant native vegetation from development pressure on private land could be largely achieved by retaining such areas on relatively large holdings, within RU1 and RU2 zones for example.

Similarly, higher density settlement in 'fire prone' locations should be avoided in the first instance. Where residential areas about native vegetation there is pressure for the required Asset Protection Zones and other hazard management measures to encroach on that vegetation.

Avoiding settlement in remnant native vegetation is also likely to avoid bushfire prone lands.

Settlement should also be avoided in locations that are likely to be targeted for biodiversity investment. Landholders in such areas may receive incentive funding for protection and enhancement of native vegetation or revegetation of cleared areas.

BCS can direct Councils to the best available mapping of remnant native vegetation for their LGA to help Council identify areas where further settlement intensification should be avoided.

For the Dubbo LGA:

- The Dubbo LEP incorporates a terrestrial biodiversity layer based on regional scale mapping of ESA's supplied by the Department during preparation of the 2011 LEP.
- The Central West Orana Regional Plan 2036 incorporates mapping of potential areas of high environmental value (HEV). This dataset can be accessed via the NSW Government SEED Portal: <https://datasets.seed.nsw.gov.au/dataset/high-environmental-value-for-central-west-orana-regional-growth-planning-area-detailed7053e>

At the broad strategic level, these maps can be used to identify areas that are most likely to be free from significant biodiversity constraints, therefore more suited to development.

2. Establish large minimum lot size limits

Minimum lot size limits should be large in RU1 and RU2 zones as well as environmentally sensitive areas. This will reduce development pressure on biodiversity in rural lands.

Minimum lot size limits can be used to reduce the pressures of development and settlement on biodiversity. The LEP should define realistically large minimum lot size limits with associated dwelling provisions to control the intensity of development and settlement.

In particular, Council needs to ensure that minimum lot sizes in environmentally sensitive areas are of an appropriately large size to control the cumulative impact of any development and settlement intensification permitted in those areas by the LEP.

The selected lot sizes should be designed to meet expectations of rural living while minimising the adverse environmental impacts of any settlement that may occur with the subdivision.

If Council is strongly of the opinion that lot sizes need to be reduced then this should not be applied uniformly. Environmentally sensitive areas should be excluded from lot size reductions.

3. Conduct targeted environmental studies

Where development in areas of native vegetation or environmentally sensitive areas cannot be avoided, a targeted environmental study should be conducted. This should focus on how a "maintain or improve" outcome could be achieved for biodiversity.

Where Council is unable to avoid applying zonings or minimum lot sizes which permit essential development intensification in remnant native vegetation, a targeted study should be conducted to investigate the biodiversity values of the area. Any study should determine and demonstrate how potential biodiversity impacts can be avoided and mitigated on the subject land. Under the *Biodiversity Conservation Act 2016* biodiversity offsets may be required for future subdivisions.

This study and any resulting objectives, zonings and lot sizes should aim to ensure a 'maintain or improve' outcome. This is a vital step in the strategic planning process and in effectively addressing the s.9.1 Directions.

4. Define biodiversity protection and management measures in Development Control Plans

Biodiversity protection and management measures should be defined in DCPs for all areas zoned for rural small holdings, residential and other development intensifications.

BCS view DCPs as a secondary mechanism to provide biodiversity protection and management measures. It is vital that biodiversity values are first considered strategically in zoning decisions and development assessment provisions. We do not consider it acceptable to completely defer consideration of these matters to the DCP stage.

It is also important to consider the threats to remnant native vegetation posed by adjoining land uses.

For example, threats to biodiversity associated with nearby growth and intensification of residential land use include (but are not limited to):

- clearing;
- domestic animals;
- invasive plants;
- effluent and waste dispersion;
- changes in hydrology and hydraulics;
- increasing access due to fire trails and other tracks; and
- firewood collection.

Particular attention should be paid to relevant Key Threatening Processes identified and listed under the *Biodiversity Conservation Act 2016*. Mechanisms to abate threats to ESAs (such as implementing codes of practice, best management practice, alternative designs and operations, control technology and buffers between remnant vegetation and small holdings) should be considered.

Council should recognise that buffers may be necessary between environmentally sensitive areas and other land uses. The size of the buffer will vary depending on the nature or activity being undertaken and the level of management control required to prevent or minimise adverse impacts. Provisions should be made to rigorously assess any developments within environmentally sensitive areas and adjoining buffers to prohibit land uses and activities that threaten the ecological integrity, values and function of the area.

Some forms of development adjacent to national parks and reserves can impact on their values and should be avoided or restricted. Council should consider how these areas could be buffered from incompatible development and activities so that potential conflicts can be minimised.

The Departments Guidelines for Developments adjacent to NPWS Estateⁱ have been designed to assist Councils when they are assessing development on lands adjoining NPWS estate. However, the issues identified in these guidelines are also relevant when considering buffers for protection of environmentally sensitive areas.

ⁱ Guidelines for consent and planning authorities for Developments adjacent to National Parks and Wildlife Service Land (NPWS, 2020):
<http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm>

WAMS Request Number: 12597



Planning &
Environment

Memorandum

Groundwater Management and Science review

Project	9R Belgravia Road, Dubbo (Lot 5 DP817149)
Category	Advice request
Due date	Overdue
Context	Report Review
Officer	Shoilee Iqbal

Overview

The Planning Proposal seeks to amend the Land Zoning & Lot Size for 9R Belgravia Rd/ Lot 5 DP817149 to enable it to be developed/ subdivided for large lot residential purposes under Dubbo Local Environmental Plan 2011 (DLEP2011). The preferred outcome is:

- a) Change the Land Zoning from Zone RU1 Primary Production to Zone R5 Large Lot Residential;
- b) Reduce the Minimum Lot Size (MLS) from 800ha (AH) to 8ha (AA3).

The proposed subdivision sits atop the Upper Macquarie Alluvial Groundwater Source within the Water Sharing Plan for the Macquarie-Castlereagh Alluvial Groundwater Sources 2020. The proposal will align the zoning to the area directly east of the proposal site.

Water Sharing Plan(s) & Groundwater Source(s)

- Water Sharing Plan for the *Water Sharing Plan for the Macquarie-Castlereagh Alluvial Groundwater Sources 2020*
 - *Upper Macquarie Alluvial Groundwater Source*

Conclusion

The Planning Proposal seeks to amend the Land Zoning & Lot Size for 9R Belgravia Rd/ Lot 5 DP817149 to Zone R5 Large Lot Residential. The proposed rezoning of the site poses minimal harm to the Upper Macquarie Alluvial Groundwater Source and the Department of Planning and Environment is in agreement with Council that no further studies are required.

The following should be noted to the applicant as relevant to any future application for the take and use of groundwater.

- 1 Any application for a basic landholder right bore will be assessed against the rules of the Water Sharing Plan for the Macquarie-Castlereagh Alluvial Groundwater Sources 2020 at the time of application. This may include specific grouting conditions and setbacks including but not limited to septic or effluent systems, including those of neighbours. The proposed lot sizing should be sufficient to allow basic landholder right access without interference by surrounding lots.

page 1 of 2

WAMS Request Number: 12597

- 2 Should any other groundwater use than basic landholder right be required, an application for a water supply works and use approval will have to be made via WaterNSW and would be assessed at the time of application.
- 3 The proposed subdivision is within an area of mapped very high salinity hazard class. It is noted within the Planning Proposal (iPLAN Projects, 2021) that the impacts of salinity on the structure and the development can be addressed through future applications. Department of Planning and Environment would like to note the following;
- a. Development within areas of high salinity may require alternate construction to protect the integrity of a development. This should be considered at the time of any future applications for a development.
 - b. A visual inspection should be undertaken for the presence of saline soils prior to ground disturbance. Areas of known or suspected salinity will be subject to further testing as required prior to future applications for a development. For areas of confirmed salinity, excavated soils will be managed in accordance with Book 4 Dryland Salinity: Productive use of Saline Land and Water (NSW DECC 2008) and the Salinity Training Manual (DPI, 2004) to manage salinity impacts
 - c. Consideration for landscaping and appropriate plantings for high salinity areas should be made at the time of any future applications for a development.

DPE has no further comment but recommends the information on Water Management Act 2000 approvals are passed on to the applicant and that salinity assessments form part of any future applications for dwellings or land use.

Approvals

Position	Date
Reviewer: Luke Mclver, Senior Hydrogeologist, 0434370048	8/03/2022
Peer reviewer: Madhwan Keshwan, Senior Hydrogeologist, 0412723635	8/03/2022