
Land Use Conflict Risk Assessment for
Lot 1 DP 1070081 and
part Lot 2 DP 1070081
Oxley Highway, Gilgandra



Prepared for Gilgandra Shire Council
by MikeSvikisPlanning
23 April 2023

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Planning

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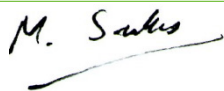
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Images in Plates 1, 4, 5, 6 and 7 were photographed on 14 February 024 and supplied by Gilgandra Shire Council.

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1 Introduction

The aim of this Land Use Conflict Risk Assessment (LUCRA) is to identify and assess the potential for land use conflict issues and risk of occurrence before a proposed change in land use proceeds and disputes arise.

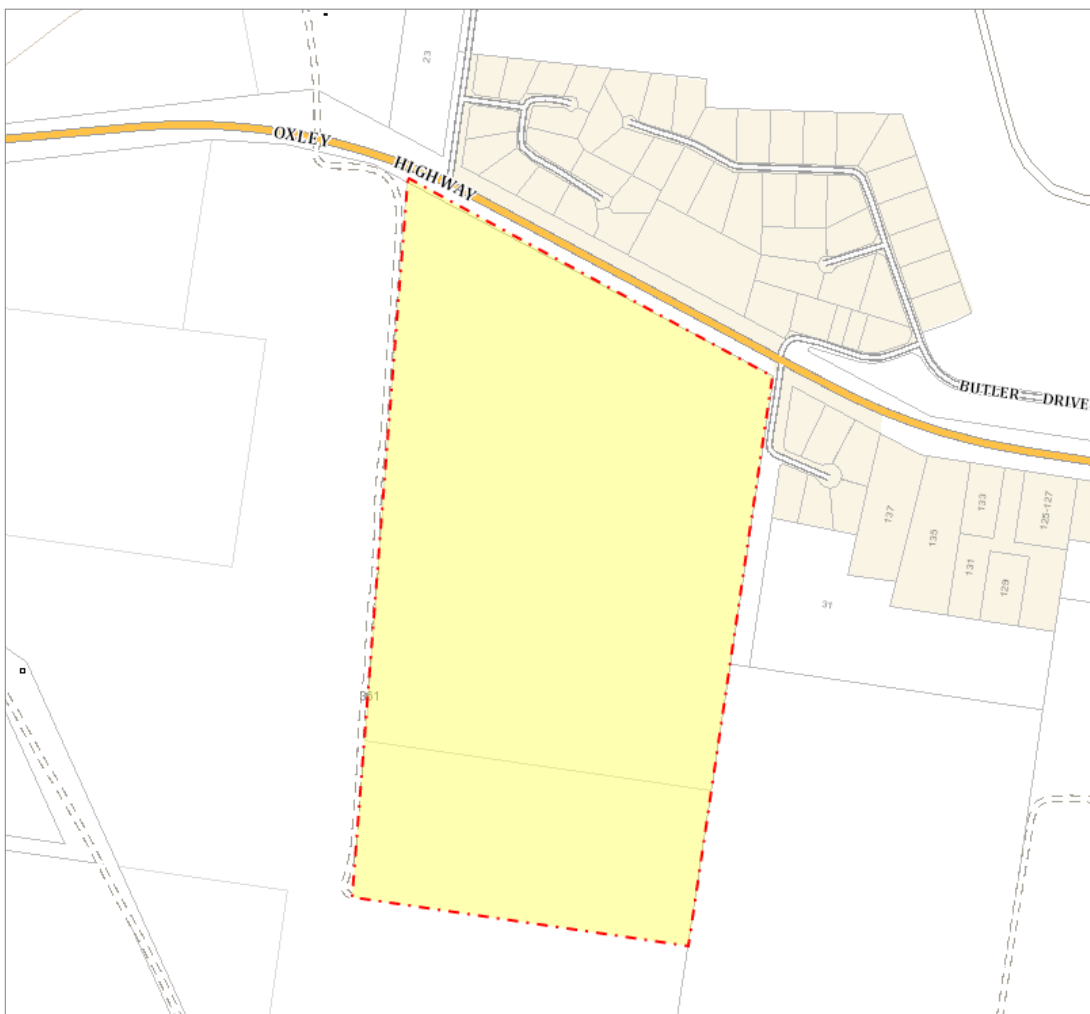
This report documents the nature of the proposed land use change and the nature of the precinct in which the change will occur.

In this case, the proposed change of land use is that Lot 1 DP 1070081 and part Lot 2 DP 1070081, Oxley Highway, Gilgandra is intended to be rezoned from RU1 Primary Production to E4 General Industrial zone under Gilgandra LEP 2011. This will likely result in industrial development and associated infrastructure being located on the subject land.

2 Subject Land

This LUCRA relates to land located at Oxley Highway, Gilgandra, described as Lot 1 DP 1070081 and part Lot 2 DP 1070081 (Figure 1). The subject land is approximately 52 hectares in area. The Oxley Highway site is located on the western edge of the Gilgandra urban area, with approximately 600 metres frontage to the highway. It also has frontage to Aralee Road, but this is a residential access and unsuitable to be shared with industrial traffic.

Figure 1: Subject land – Lot 1 DP 1070081 and part Lot 2 DP 1070081



It is bounded to the south and west by farmland mainly used for grazing or cropping but with some remnant native vegetation. It is bounded to the east by a partly developed residential estate and a heavily vegetated area of rural land. The residential zoned land has the potential to add a further 16 residential lots under its existing approval. To the north, across the Oxley Highway, is the fully developed Pines residential estate and a Council depot. One of the access roads to the Pines estate is Middleton Drive (Figure 2).

Figure 2: Subject land and surrounding land uses



3 Methodology

The approach taken in this LUCRA is based on the NSW DPI *Land Use Conflict Risk Assessment Guide* published in October 2011. The approach is essentially to:

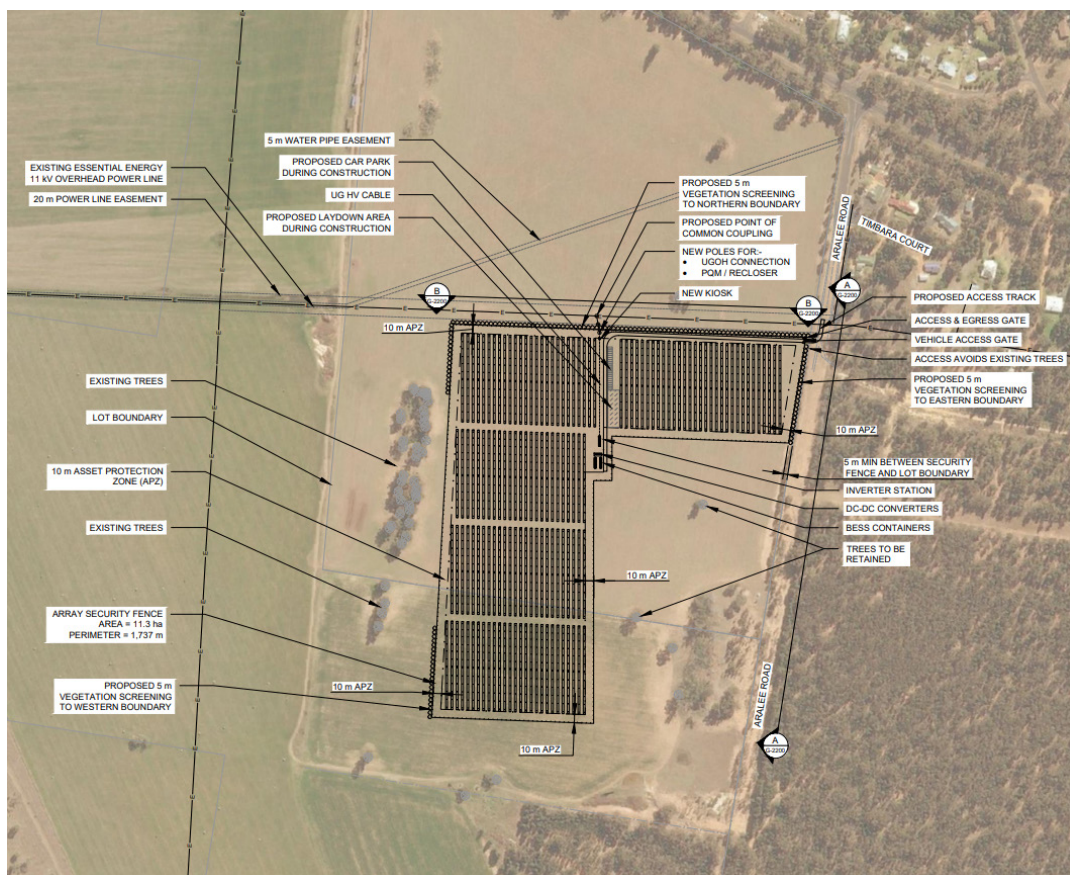
- gather information about the site and locality;
- undertake an inspection;
- undertake consultation with land owners;
- undertake a land use conflict risk assessment; and
- make some recommendations to reduce the risk or consequence of any conflicts.

Details on how a risk assessment is undertaken are included in the DPI Guide. The tables that describe probability, consequence and risk ranking are included in Appendix A of this report.

3.1 Background Information

Rezoning approximately 52 hectares of land to E4 General Industrial will permit a wide range of industrial and employment related uses. Part of the site is subject to a solar farm approved in February 2022 as regionally significant development. It occupies approximately 12 hectares of land on Lots 1 and 2 DP 1070081 as shown in Figure 3. It has yet to commence construction. The solar farm has an estimated life span of 35 years and if it proceeds, it will be a limitation to other industrial uses because of its shape and location. However, if it does not proceed (consent will lapse 9 February 2027) then the current owner wants to pursue employment related land uses.

Figure 3: Approved solar farm at rear of Oxley Highway site



The key part of the site is the northern-most 21 hectares that is to be acquired by Gilgandra Shire Council specifically to establish an industrial estate. A new intersection with the Oxley Highway is proposed for all vehicle access to the subject land (Figure 4). Aralee Road will be retained as an access to adjacent residential land (and the solar farm, if it proceeds).

Figure 4: Location of proposed site access from the Oxley Highway

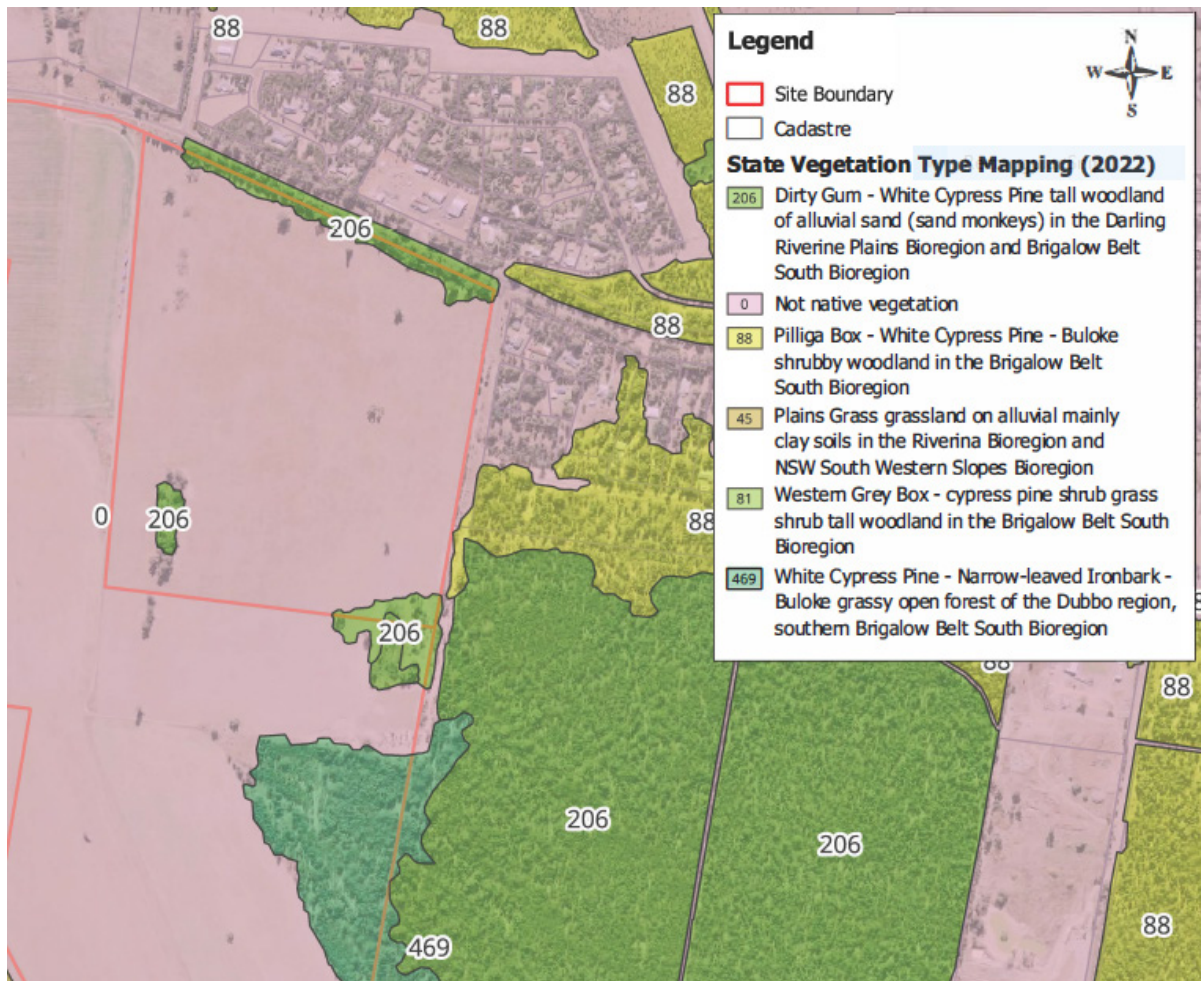


Allowing for 20% of the land area to be used for roads and services then approximately 16.8 hectares of developable land is potentially available from the northern-most 21 hectares. Based on a 0.5-hectare minimum lot size, this area could yield an estimated 33 lots, but Council is estimating a lot yield of 27 given a variety of lot sizes.

3.1.1 Ecology

An ecological assessment was carried out for the subject land by Anderson Environment and Planning (AEP) (December 2023). AEP described it as mainly cleared land, currently used for cattle grazing and cropping. Vegetation is dominated by exotic pasture species and weeds of pasture or cereal crops. Native tree cover is limited to narrow fence line strips of vegetation (plus one small paddock patch) mainly Dirty Gum/White Cypress Tall Woodland (Figure 5). No threatened flora or fauna was present during targeted surveys. No Endangered Ecological Communities are currently present. The probability of threatened fauna species being dependent upon the site in its current condition is low. Koalas are not known to use the site and it does not contain koala habitat.

Figure 5: Vegetation mapping



3.1.2 Hazards

The subject land is not flood affected in a 100-year ARI event or in a PMF event (Figure 6).

Figure 6: 1% flooding does not affect the subject land



A bushfire hazard assessment was carried out for the subject land in December 2023 by Australian Bushfire Protection Planners (ABPP). ABPP found the following:

- The northern and eastern edges of the site contain a narrow width of the buffer zone to Category 1 Bushfire Prone Vegetation. The open grassland is vegetation Category 3, but it will be used mostly for industrial land uses.
- The provision of Asset Protection Zones (Defendable Spaces) to a width of not less than 7 metres to the south and west and 10 metres to the east is recommended, and if implemented, should lower the radiant heat exposure on future buildings to less than 40 kW/m². This reduces the risk to low/moderate.
- The provision of Asset Protection Zones to the external hazards addresses the requirements of Table A1.12.6 of *Planning for Bushfire Protection*, 2019.
- A perimeter fire access road should be provided along the western and southern boundaries.
- Future development of the site should be able to conform with section 8.3.10 of *Planning for Bushfire Protection*, 2019 relating to the provision of:
 - Asset Protection Zones to the future industrial buildings in the estate;
 - The provision of water supplies for fire-fighting operations;
 - Construction standards to the future buildings; and
 - The management of bushfire fuels.

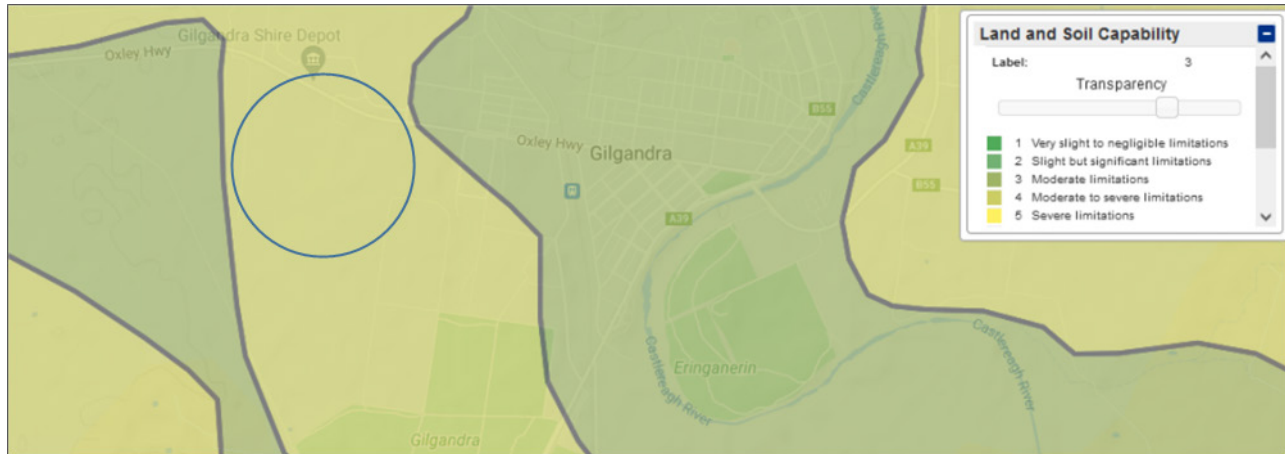
The proposed bushfire buffers can be implemented as part of other setbacks that may be required.

A preliminary land contamination assessment was carried out in November/December 2023 by Envirowest Consulting (EC). EC found no history of the site being used in the past for potentially contaminating land uses. Soil samples were collected and analysed, and no evidence of heavy metal contamination was found. EC considered the site suitable for the proposed employment land use.

3.1.3 Agricultural Land

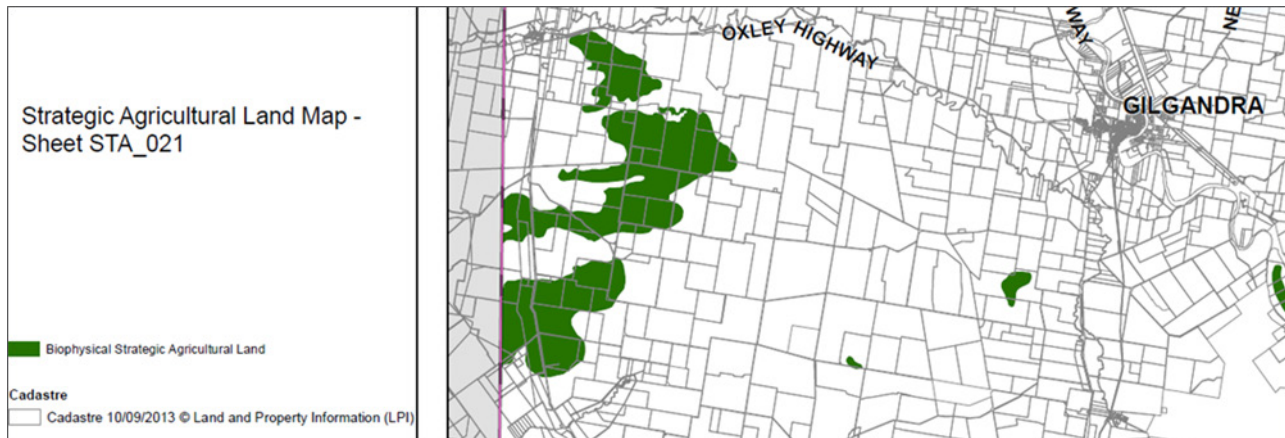
The subject land is class 4 Agricultural land as mapped by the NSW Land Capability mapping (Figure 7).

Figure 7: Land and soil capability mapping



The subject land is not mapped as biophysical strategic agricultural land (BSAL) (Figure 8).

Figure 8: BSAL mapping for land west of Gilgandra



The subject land (and adjoining land to the west and south) has a history of sheep grazing and periodic wheat cropping. It is currently being used as grazing land.

Plate 1: Photograph of the subject land showing current land use, ie grazing



3.2 Site Inspection

Mike Svikis previously viewed the site in May 2021 in relation to a separate and unrelated matter. At that time, it was being used for sheep grazing. The subject land was inspected by Kristy Crosier (Gilgandra Shire Council) on 14 February 2024. At this time, it was vacant farm land. The land is fully fenced with stock fencing. It is currently accessed from a farm gate on the Oxley Highway.

Plate 2: Aralee Road (sealed part) looking north to the Oxley Highway (subject land on left, residential development on right)



Plate 3: Oxley Highway looking east, with the subject land on the right



Plate 4: Likely access point from the Oxley Highway to the subject land



Plate 5: View from Aralee Road west across the subject land



Plate 6: Aralee Road (unsealed part) looking north, with the subject land on the left and residential on the right



Plate 7: An 11 kV power line located in a 20-metre-wide easement crosses the subject land east to west



3.3 Consultation

The farmer that owns the subject land also owns the adjacent rural land and supports the proposed rezoning.

The prospective operators of the solar farm were contacted and are aware of the proposed rezoning but have not supplied any feedback.

Neighbours were contacted through a letter from GSC (Appendix B). One response was received and the following feedback was supplied:

- *The pines subdivision has no water pressure and I am afraid the inclusion of a new industrial subdivision would create even less water pressure to the Pines area.*
- *The lack of water pressure will also impact on fire control measures for the new industrial area.*
- *Could the proposed industrial area access road be aligned with the Middleton Drive access road therefore improving this intersection.*

Some Aralee Road residents made submissions to the proposed solar farm development application in 2022, which involved using Aralee Road for access. At that time, they raised the following concerns in relation to that proposed land use:

- traffic impacts on Aralee Road and its intersection with the Oxley Highway,
- dust from earthworks and traffic,
- vegetation removal, and
- visual impacts and noise impacts.

This provides a reasonable indication of the likely land use conflict concerns of the closest residential neighbours.

4 Land Use Conflict Risk Assessment

4.1 Risk Identification and Risk Controls

The main land use activities that are likely to generate conflict in this situation are industrial development and residential development; industrial development and rural land uses; and industrial development and the approved solar farm. The potential for conflict can, in some cases, occur in both directions.

The E4 General Industrial zone has clear objectives:

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *To ensure that new development and land uses incorporate measures that take account of their spatial context and mitigate potential impacts on neighbourhood amenity and character and on the efficient operation of the local or regional road system.*

The E4 General Industrial zone permits a wide range of land uses including the following:

Bee keeping; Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Heliports; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres.

Gilgandra Shire Development Control Plan 2011, Chapter 10 – Industrial Development includes a range of design controls that can be applied to development at the DA stage as follows:

10.9 Industrial development adjoining a residential development

- The emission of any form of pollutant, including noise and vibration, air, water, dust or odour pollution, is not to affect the amenity of adjoining land/s.*
- Sources of noise, where practicable, should be sited away from adjoining properties and where necessary, be screened by acoustic treatments.*
- The proposed development shall not unreasonably cause overshadowing of adjoining properties.*
- The appearance of the development from adjoining land shall have regard to these areas. It is advised that long blank walls which may adversely affect adjoining land/s will not be favoured.*
- The development is not to incorporate the use of highly reflective building materials such as zincalume, aluminium and galvanised iron.*
- Light sources shall be directed away from adjoining residential properties.*

The activities related to industrial development (generally) that are most likely to create conflict with residential development are outlined in Table 1. Each potential conflict is given a risk ranking based on probability (likelihood) and consequence. The tables that describe probability, consequence and risk ranking are included at Appendix A. Risk rankings greater than 10 are regarded as serious and need to be addressed. Each risk can be reassessed after action is taken to reduce it.

Table 1: Industrial and residential related conflicts

Activity	Potential conflict	Probability level	Consequence level	Risk ranking
Industry	Noise from traffic and machinery, etc	C	3	13
	Odour from industry	C	4	8
	Dust from construction	C	4	8
	Visual impact of industry	C	4	8
	Conflict between industrial and residential traffic	C	3	13

The activities related to industrial development that are most likely to create conflict with rural land uses are outlined in Table 2:

Table 2: Industrial development and rural land use conflicts

Activity	Potential conflict	Probability level	Consequence level	Risk ranking
Industry	Weeds escaping from industrial land onto farms	D	4	5
	Trespass	D	4	5
	Stormwater quality and quantity	B	3	17

The activities related to industrial development that are most likely to create conflict with the approved solar farm are outlined in Table 3:

Table 3: Industrial development and the approved solar farm conflicts

Activity	Potential conflict	Probability level	Consequence level	Risk ranking
Industry	Shadows affecting solar farm	D	3	9

5 Risk Reduction Controls

5.1 Industrial and Residential Development

The traditional approach to conflict is separation of uses. This can be achieved to some extent by fences, buffer distances and screening. Buffers can be vegetated or open. Reducing conflict can also be assisted by signage, education, information, and behavioural change.

A buffer distance is an area of land that separates two different zones or land uses to help each blend more easily with the other. A buffer can be used to reduce noise, air pollution and other negative impacts from an industrial area on a residential area.

Other LGAs have dealt with this issue by establishing buffers. Lismore DCP, for example, identifies a 40-metre buffer preferred between industrial land and residential development. Its DCP prescribes that:

where subdivision of land is proposed for industrial development which adjoins existing residential development (or land zoned for the purposes of residential development), a buffer shall be provided by the subdivider along the boundary with the residential land. The purpose of the buffer is to provide visual screening and assist in the reduction of impacts such as noise or other emissions from future industrial development. Buffers should be mounded (to a minimum height of 1.5 metres) and densely planted in accordance with an approved landscaping plan.

Holroyd Council (now Cumberland Council) identifies a 50-metre buffer on its LEP mapping that covers 25 metres on each side of existing adjoining residential and industrial areas linked to a special provision. Development on the industrial zoned land in that 25-metre strip is required:

- (a) *to maintain an adequate separation between general industrial land uses and residential land uses,*
- (b) *to prevent any likely adverse impacts of outputs of industrial land uses on adjacent residential dwellings, including noise, vibrations, odours, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,*
- (c) *to ensure that neighbouring residents can enjoy a reasonable level of amenity without preventing the operation of general industrial land uses,*
- (d) *to provide visual separation of the primary buildings and structures on industrial land from neighbouring residential dwellings.*

In this case, the key area of conflict generated by industry is likely to be noise, visual impacts and odour. It is possible that dust will be an issue during the earthworks and construction phase.

The Aralee Road frontage is a 30-metre-wide road reserve. An additional 20-metre-wide strip on the eastern edge of Lots 1 and 2 DP 1070081 would provide a total buffer of not less than 50 metres to the nearest dwellings and future dwellings. This 20-metre buffer should include a mound at least 1.5 metres high that can be vegetated to a width of approximately 10 metres, leaving a 10-metre open strip for bushfire access and buffer. The mound will reduce acoustic impacts considerably. The vegetated mound, together with existing vegetation in the road reserve will provide a thick buffer to block visual impact. It will also assist in reducing dust and odour issues. Locating a man-proof fence along this boundary will assist with security for industrial businesses and discourage trespass.

Plate 8: Example of a man-proof fence to limit trespass



The Oxley Highway frontage to the subject land is opposite the Pines residential estate and the Council depot. The dwellings in the Pines estate currently look across the highway at farmland with a corridor of mature native trees in the road reserve. The Oxley Highway is located in a 60-metre-wide road reserve. It is important that the visual impact of the proposed industrial area be minimised by retention of the native vegetation. To facilitate this, an additional 10-metre (minimum) buffer should be imposed to ensure that future development has minimal impact on the root ball of these trees and they are retained to soften the visual impact when the site is viewed from the north.

By not allowing any industrial land uses to access the subject land from Aralee Road, the potential for traffic conflict is reduced significantly. The preferred site access off the Oxley Highway has also been chosen to avoid conflict with residents of the Pines estate to the north.

A submission suggested aligning the new industrial access with the existing Middleton Drive, which accesses both the Pines estate and the Gilgandra aerodrome. Mixing industrial traffic with residential traffic at this location would not improve safety at this intersection. If safety improvements are warranted, they should be addressed separately.

A separate matter raised in submissions notes that this part of Gilgandra has poor water pressure. Although not a land use conflict, this matter can be addressed with improved water infrastructure required to service the new industrial area.

5.2 Industrial and Rural Land Uses

The NSW DPI *Living and Working in Rural Areas* handbook suggests a minimum buffer distance of 50 metres between grazing land and residential development, but industrial development is not as sensitive to rural land uses and vice versa.

The noise, odour and visual impacts generated by industry are not anticipated to be a problem for grazing (or cropping) on the western and southern boundaries. It is possible that weeds could escape from the landscaping of the industrial area to adjacent rural land. Stormwater from hard surfaces in the industrial estate needs to meet quality and quantity standards before discharge.

A 10-metre buffer would be sufficient to separate industry from rural land in combination with a standard stock fence along the boundary. Vegetation and mounding is not required. One way to achieve this would be to put a ring road along the western and southern edge as part of the subdivision design. Fencing will deter stock from entering the industrial estate.

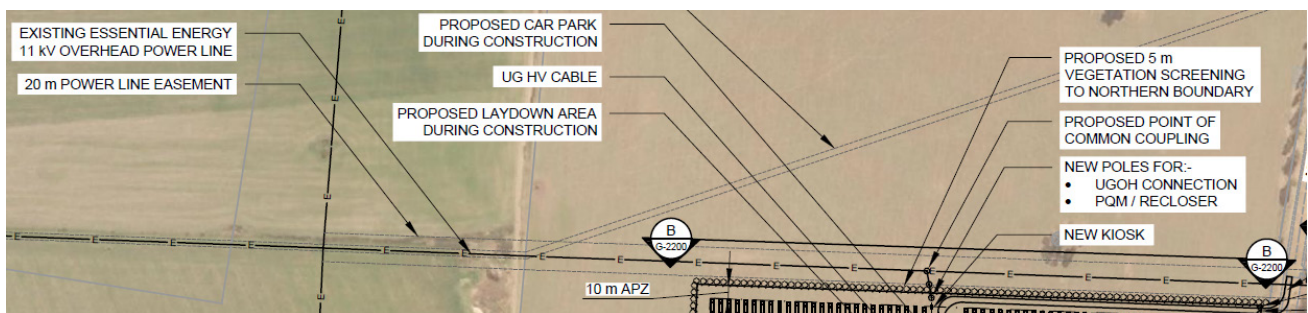
The subdivision design also needs to address stormwater quality and quantity before disposal to ensure that surface water from the industrial estate is not deposited onto adjacent farmland without proper treatment. Water Sensitive Urban Design principles should apply at the DA stage.

5.3 Industrial and Solar Farm

The approved solar farm occupies 12 hectares in the southern half of the subject land. It has yet to commence, but if it does then it is important that it is not subject to shadows from buildings in the proposed industrial area to the north. Shadows are longest in the winter months when the sun is at its most northern angle.

In this case, there is an 11 kV power line located in a 20-metre easement on the northern boundary of the solar farm (Figure 9). A 5-metre-wide vegetation screen and a 10-metre APZ are located to the south of the 11 kV easement. This creates a separation distance of 35 metres. However, it is not appropriate that buildings are located adjacent to the 11 kV easement on the northern side. A 10-metre buffer along this boundary would separate new industrial development from the power line infrastructure by at least 20 metres and from the solar farm by 45 metres. There is minimal chance of overshadowing the solar farm if this buffer is implemented. Fencing should tie in with boundary fencing for the solar farm.

Figure 9: 11 kV power line located in a 20-metre easement on northern boundary of solar farm



6 Conclusion and Recommendations

The subject land has three long boundaries that are potential sources of conflict. One boundary is with grazing/cropping land, one with a solar farm, and one boundary is with an existing and future residential area. However, the subject land is of sufficient size that buffers can be incorporated into any future development design to ameliorate the risk of conflict with these neighbouring land uses. The following measures are recommended:

- A buffer to Aralee Road of 20 metres including an elevated (1.5 metres) vegetated mound is recommended. A 10-metre planting of native vegetation is required and a 10-metre cleared APZ. In combination with Aralee Road reserve, this provides a minimum 50-metre buffer to dwellings and ameliorates visual, acoustic and odour impacts.
- Dust impacts to Aralee Road dwellings will need to be addressed during subdivision and site-based construction works. This can be dealt with in development consent conditions.
- Locating a man-proof fence along the Aralee Road boundary will assist with security for industrial businesses and will discourage trespass.
- A 10-metre buffer is proposed to all grazing and cropping land in combination with stock fencing along the boundary. A ring road could be located in this buffer along the western and southern edge as part of the subdivision design. This will also be a bushfire access trail, as recommended.
- The subdivision design also needs to address stormwater quality and quantity before disposal to ensure that surface water from the industrial estate is not deposited onto adjacent farmland without proper treatment. This can be dealt with in development consent conditions.
- A 10-metre buffer is proposed along the 11 kV power line easement that runs east to west through the subject land. This will separate development from the power line and ensure no overshadowing of solar panels if the solar farm proceeds. Stock-proof fencing should tie in with boundary fencing for the solar farm.

Table 4 demonstrates the impact of various management strategies. Risk rankings need to be 10 or less to be acceptable. This can be achieved by implementing the recommended management strategies on this site.

The management strategies are represented visually in the site diagram at Appendix C.

Table 4: Management strategies and impact on risk ranking

Potential conflict	Management strategy	Revised risk ranking	Performance target
Noise from traffic and machinery, etc	20-metre vegetated buffer with elevated mound. Plus vegetated road reserve.	8	No justified noise complaints to Council
Odour from industry	20-metre vegetated buffer with elevated mound. Plus vegetated road reserve.	4	No justified odour complaints to Council
Dust from construction	20-metre vegetated buffer with elevated mound. Plus vegetated road reserve. Plus dust suppression conditions on all development approvals.	5	No justified dust complaints to Council

Potential conflict	Management strategy	Revised risk ranking	Performance target
Visual impact of industry	20-metre vegetated buffer with elevated mound. Plus vegetated road reserve to Aralee Road. 10-metre open buffer to the Oxley Highway.	1	No visual impact to Aralee Road dwellings Minimal change to view of subject land from Pines estate
Conflict between industrial and residential traffic	No industrial traffic to use Aralee Road. Site access off Oxley Highway located to avoid conflict with residential opposite (Pines estate). Alignment with Middleton Drive is not preferred.	2	Zero industrial traffic on Aralee Road. No justified complaints to Council from neighbours about traffic conflict
Weeds escaping from industrial land onto farms	10-metre buffer with fence.	2	Farmer confirms zero weed dumping incidents
Trespass	Fences on all boundaries.	3	Farmer confirms zero trespass incidents
Stormwater	Water sensitive urban design principles used to achieve quality and quantity standards. Conditions on all development approvals.	5	Compliance with Council consent conditions
Shadows affecting solar farm	10-metre buffer plus 11 kV easement	3	No shadows affecting solar panels

Appendices

Appendix A: Tables describing probability, consequence and risk ranking

Appendix B: Letter from Gilgandra Shire Council to neighbours

Appendix C: Land use conflict reduction strategies for the subject land

APPENDIX A

Tables describing probability, consequence and risk ranking

Probability Table – Likelihood of the consequence occurring

Level	Descriptor	Description
A	Almost certain	Common or repeating occurrence
B	Likely	Known to occur, or “it has happened”
C	Possible	Could occur, or “I’ve heard of it happening”
D	Unlikely	Could occur in some circumstances, but not likely to occur
E	Rare	Practically impossible

Measure of consequence

Level: 1	Descriptor: SEVERE
Description	<ul style="list-style-type: none"> • Severe and or/ permanent damage to the environment • Irreversible • Severe impact on the community • Neighbours are in prolonged dispute and legal action involved
Example/Implication	<ul style="list-style-type: none"> • Harm or death to animals, fish, birds or plants • Long-term damage to soil or water • Odours so offensive, some people are evacuated or leave voluntarily • Many public complaints and serious damage to Council’s reputation • Contravenes Protection of the Environment and Operations Act and the conditions of Council’s licences and permits. Almost certain prosecution under the POEO Act

Level: 2

Descriptor: MAJOR

Description

- Serious and/or long-term impact to the environment
- Long-term management implications
- Serious impact on the community
- Neighbours are in serious dispute

Example/Implication

- Water, soil or air impacted, possibly in the long term
- Harm to animals, fish or birds or plants
- Public complaints. Neighbour disputes occur. Impacts pass quickly
- Contravenes the conditions of Council's licences and permits, and the POEO Act
- Likely prosecution

Level: 3

Descriptor: MODERATE

Description

- Moderate and/or medium-term impact to the environment and community
- Some ongoing management implications
- Neighbour disputes occur

Example/Implication

- Water, soil or air known to be affected, probably in the short term
- No serious harm to animals, fish, birds or plants
- Public largely unaware and few complaints to Council
- May contravene the conditions of Council's licences and the POEO Act
- Unlikely to result in prosecution

Level: 4		Descriptor: MINOR
Description	<ul style="list-style-type: none"> • Minor and/or short-term impact to the environment and community • Can be effectively managed as part of normal operations • Infrequent disputes between neighbours 	
Example/Implication	<ul style="list-style-type: none"> • Theoretically could affect the environment or people but no impacts noticed • No complaints to Council • Does not affect the legal compliance status of Council 	

Level: 5		Descriptor: NEGLIGIBLE
Description	<ul style="list-style-type: none"> • Very minor impact to the environment and community • Can be effectively managed as part of normal operations • Neighbour disputes unlikely 	
Example/Implication	<ul style="list-style-type: none"> • No measurable or identifiable impact on the environment • No measurable impact on the community or impact is generally acceptable 	

Risk Ranking matrix

		PROBABILITY				
		A	B	C	D	E
CONSEQUENCE	1	25	24	22	19	15
	2	23	21	18	14	10
	3	20	17	13	9	6
	4	16	12	8	5	3
	5	11	7	4	2	1

Risk Ranking should be below 11

APPENDIX B

Letter from Gilgandra Shire Council to neighbours



> 15 Warren Road, Gilgandra 2827
> PO Box 23, Gilgandra NSW 2827
> P 02 6817 8800
> council@gilgandra.nsw.gov.au
www.gilgandra.nsw.gov.au

SA:NA

A1735

Contact: Stefanie Alchin

18 March 2024

To Neighbour

Planning Proposal to Rezone Land, Oxley Highway

Gilgandra Shire Council has resolved to commence a Planning Proposal (PP) to rezone land fronting the Oxley Highway from RU1 Primary Production to E4 General Industrial.

As an adjoining landowner to the proposal Council wishes to advise you of this process with required documentation and site studies currently being prepared.

Proposal

The PP will propose to rezone land fronting Oxley Highway, specifically Lot 1, DP 1070081 and part Lot 2 DP 1070081 from RU1 Primary Production to E4 General Industrial. The Oxley Highway site is approximately 52 hectares in size and was identified in the 2009 Western Landuse Strategy as a potential long term industrial growth site.

Council proposes to purchase and develop approximately 21-hectares of this land with frontage to the Oxley Highway as a fully serviced industrial subdivision with access off the Highway through a new intersection. A *preliminary* access point off Oxley Highway has been identified at this early stage of the process for the proposed industrial land as shown in Figure 1. The balance of the land would be retained by the landowner and potential longer term industrial growth land, noting there is a solar farm development approval on this land (not yet constructed).



Figure 1: Subject land, with indicative proposed site access, Oxley Highway

This proposal was considered by Council at the Ordinary Meeting held 21 November 2023, resolving that:

- 1. Staff prepare a planning proposal to Rezone RU1 Primary Production land for employment purposes to E4 General Industrial being Lot 1 DP 1070081 and part Lot 2 DP 1070081, Oxley Highway, Gilgandra.*
- 2. Submit the planning proposal to the NSW Department of Planning and Environment seeking a “Gateway Determination”.*
- 3. Exhibit the planning proposal and undertake government agency consultation based on the Gateway Determination issued by the NSW Department of Planning and Environment. The exhibition will include any required studies or supporting information.*
- 4. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal. This will include any submissions and any recommended changes to the planning proposal.*

Next steps

Upon receipt of a Gateway Determination from the Department of Planning, Housing and Investment, formal public consultation of the PP will be undertaken and will be an opportunity for the community to provide feedback for consideration. Council anticipates this to occur in late May/June 2024.

Please contact Stefanie Alchin, Council's Development and Growth Planner on 6817 8800 if you wish to discuss the proposal or provide any comments by Tuesday, 2 April 2024 for consideration at this early stage of the process.

Yours faithfully

Neil Alchin
Director Growth and Liveability



APPENDIX C

Land use conflict reduction strategies for the subject land

Land Use Conflict Reduction Strategies for the subject land



- ① 20-metre buffer, including elevated vegetation mound (10 metres wide) and 10 metres open land.
- ② Man-proof fence along Aralee Road.
- ③ 30-metre road reserve.
- ④ 10-metre open buffer to all grazing and cropping land.
- ⑤ 10-metre open buffer to 11 kV power line (in addition to 20-metre easement). Stock-proof fence along this boundary to tie in with solar farm fencing.
- ⑥ 10-metre buffer to Oxley Highway road reserve.



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