

Lance Newley

From: Adam Smith
Sent: Wednesday, 17 December 2014 10:44 AM
To: Lance Newley
Subject: FW: service station concept

Follow Up Flag: Follow up
Flag Status: Flagged



Adam Smith
Director

Telephone: 02 6674 5001 | Facsimile: 02 6674 5003 | Mobile: 0419 327 861

Level 2, 11-13 Pearl Street, Kingscliff NSW 2487
PO Box 1623, Kingscliff NSW 2487

Development Consultants for Queensland - New South Wales - Northern Territory

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From: melissa.kahler@dpi.nsw.gov.au [mailto:melissa.kahler@dpi.nsw.gov.au]
Sent: Wednesday, 26 March 2014 3:21 PM
To: Adam Smith
Subject: RE: service station concept

Hi Adam,

A further comment:

- The use of a wallum scrub (on the neighbouring property) as a vegetative buffer is not preferred, a denser vegetation type would be more effective. Particularly since it is the onus of the developer to mitigate any future impact, additional fencing and/or vegetation buffers on the proponents land could be further considered.

Cheers
Melissa

(Working Monday & Wednesday)

Melissa Kahler | Resource Management Officer | Education & Regional Services | Agriculture NSW
NSW Department of Primary Industries
Suite 5 Level 1 76 Harbour Dr | PO Box 530 | Coffs Harbour NSW 2450 |
T: 02 6650 3125 | F: 02 6651 2780 | M: 0437 140 850 | E: melissa.kahler@industry.nsw.gov.au
W: www.dpi.nsw.gov.au/agriculture/resources/lup

From: Adam Smith <AdamS@planitconsulting.com.au>
To: "melissa.kahler@dpi.nsw.gov.au" <melissa.kahler@dpi.nsw.gov.au>
Date: 26/03/2014 09:02 AM
Subject: RE: service station concept

Hello Melissa,

Just checking I on whether you are able to give any feedback at this stage?

Kind regards



Adam Smith
Director

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From: Adam Smith
Sent: Friday, 21 March 2014 1:41 PM
To: 'andrew.scott@dpi.nsw.gov.au'
Cc: melissa.kahler@dpi.nsw.gov.au
Subject: RE: service station concept

Hello Andrew and Melissa

We refer to the emails below and our earlier discussions. I also, by way of a handy reference, have attached a set of the approved plans relating to the site within the original Kings Forest project approval.

The landowner has proceeded along with investigations associated with Precinct 1 (with respect to a proposed future service station). A copy of this plan (conceptually only) is attached. The landowner has also had a detailed LUCRA assessment carried out in respect of the conceptual service station proposal. A copy of this is attached inclusive of recommended buffering. In consultation with the Hazardous Goods expert we have also ensured that the proposal, in conjunction with fencing, suitably protects the adjoining site from unnecessary potential adverse impacts (such as fire and the like).

In the interests of ensuring that we are generally on an agreed right track and to minimise costly and unnecessary paperwork, could you please review and provide your in principle comments as to the plan and documentation attached. We wish to at least gain some feedback prior to lodgement of development applications in this regard.

Please do not hesitate to contact me should you have any queries in this regard.

Kind regards



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From: andrew.scott@dpi.nsw.gov.au [<mailto:andrew.scott@dpi.nsw.gov.au>]

Sent: Wednesday, 10 July 2013 4:42 PM

To: Adam Smith

Cc: Brock Lamont; melissa.kahler@dpi.nsw.gov.au

Subject: RE: service station concept

Hi Adam,
Malissa has now gone on leave.

I can see there may have been some confusion over the term "Tenancy" for building 4. It may have been taken as a residential tenancy and not commercial tenancy, this should have been clarified. I have not had time to review what you are referring to as "buildings that do not represent a special fire protection purpose". Regardless... I can see that whether it is a service station, residential building or an agricultural retailer a 10m buffer from a timber plantation does not show consideration of potential impacts of the, now proposed service station on liabilities, obligations and production of land adjoining land owner/s and the reverse.

The key is genuine consideration. This is taken to mean consultation and brainstorming to obtain what are the impacts likely to be now and in the future and what mitigation measures or alternatives/alterations to the development that can be undertaken to prevent these impacts at the planning and development stage.

For example some thoughts that spring to mind: (Note: not a comprehensive list)

Have you consulted the neighbouring rural land-holder/s? why? why not? what did they say?

What set backs or mitigation measures do you consider appropriate to avoid the risk of a service station fire on the plantation or a plantation fire on the service station? and what are your references supporting your assumptions?

What procedures would be in place to ensure that a customer who is smoking near the plantation doesn't set the plantation on fire and how would this be monitored and enforced?

What if the land use changed from plantation timber to Macadamia nuts, how would distance restrictions for spraying pesticides be met?

What types of pesticides would be used and what are the distance restrictions required for spraying them?

Why is a 150m buffer unreasonable in this case? (Note: from an agricultural perspective not a developers perspective)

The overall reasons/discussions for the sites suitability for a proposed uses. This may prove that it is not the best use of the site at all given surrounding land uses, community concerns, regulations (local/state planning, forestry, chemical, fire), and the available space.

The Kings Forest proposal is imposed on State Significant Farmland and as such it is expected that due diligence is

given to consideration of agricultural impacts. If you are having trouble considering agricultural impacts can I suggest references such as the the Living and working in Rural Areas Handbook and the guidelines and policies on the DPI web site found at <http://www.dpi.nsw.gov.au/agriculture/resources/lup> or a suitably qualified and experienced agricultural consultant .

The above is probably not what you are hopping for but I hope it helps,
Andrew

Andrew Scott | A/Leader Resource Planing and Development
Northwest (Barwon) Region | **Department of Primary Industries NSW**
Tamworth Agricultural Institute | 4 Marsden Park Road | Calala | NSW 2340
T: 02 6763 1142 | F: 02 6763 1222 | M: 0427 245 313 | E: andrew.scott@industry.nsw.gov.au
W: www.industry.nsw.gov.au | www.dpi.nsw.gov.au



Primary Industries land use planning and water resources information and guidelines are available at:
<http://www.dpi.nsw.gov.au/agriculture/resources/lup>
<http://www.dpi.nsw.gov.au/agriculture/resources/water/irrigation>

From: Adam Smith <AdamS@planitconsulting.com.au>
To: "melissa.kahler@dpi.nsw.gov.au" <melissa.kahler@dpi.nsw.gov.au>
Cc: Brock Lamont <Brock@planitconsulting.com.au>, "andrew.scott@dpi.nsw.gov.au" <andrew.scott@dpi.nsw.gov.au>
Date: 10/07/2013 01:52 PM
Subject: RE: service station concept

Hi Melissa,

Thanks you for your letter and appreciate that you do not want any conflict between advices on this parcel to compromise any aspect of the other areas within the Kings Forest proposal.

As you know we are wholly and solely looking at this parcel alone.

I note the comments in respect of the code and have had a review of this myself. Is it fair to say that this Code does **not** specify a buffering requirement for non habitable buildings such as that proposed ? or buildings that do **not** represent a special fire protection purpose ? I just need to make sure that I am interpreting this correctly.

regards

Adam Smith
Director

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From: melissa.kahler@dpi.nsw.gov.au [<mailto:melissa.kahler@dpi.nsw.gov.au>]

Sent: Wednesday, 10 July 2013 12:35 PM

To: Adam Smith

Cc: Brock Lamont; andrew.scott@dpi.nsw.gov.au

Subject: RE: service station concept

Hi Adam,

Please see attached letter

Regards

(Working Monday & Wednesday)

Melissa Kahler | Resource Management Officer | Education & Regional Services | Agriculture NSW
NSW Department of Primary Industries
Suite 5 Level 1 76 Harbour Dr | PO Box 530 | Coffs Harbour NSW 2450 |
T: 02 6650 3125 | F: 02 6651 2780 | M: 0437 140 850 | E: melissa.kahler@industry.nsw.gov.au
W: www.dpi.nsw.gov.au/agriculture/resources/lup

From: Adam Smith <AdamS@planitconsulting.com.au>
To: "melissa.kahler@dpi.nsw.gov.au" <melissa.kahler@dpi.nsw.gov.au>
Date: 09/07/2013 05:06 PM
Subject: RE: service station concept

Hi Melissa,

Just wondering if you were able to give an estimated ETA for email feedback in this regard?

Thanks again for your time.

cheers

Adam Smith
Director

adams@planitconsulting.com.au | www.planitconsulting.com.au



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From: Adam Smith
Sent: Monday, 8 July 2013 10:11 AM
To: 'melissa.kahler@dpi.nsw.gov.au'
Subject: service station concept

Adam Smith
Director

adams@planitconsulting.com.au | www.planitconsulting.com.au



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From: melissa.kahler@dpi.nsw.gov.au [mailto:melissa.kahler@dpi.nsw.gov.au]
Sent: Wednesday, 26 March 2014 9:10 AM
To: Adam Smith
Subject: RE: service station concept

Hi Adam

At this stage my only feedback is the LUCRA needs to assess both perspectives, it is currently only assessing the impacts of Ag on the development. Consideration of any impacts the development may have on the surrounding agricultural lands would be helpful.

I only work 2 days a week, I will send any further comments back by today.

(Working Monday & Wednesday)

Melissa Kahler | Resource Management Officer | Education & Regional Services | Agriculture NSW
NSW Department of Primary Industries
Suite 5 Level 1 76 Harbour Dr | PO Box 530 | Coffs Harbour NSW 2450 |
T: 02 6650 3125 | F: 02 6651 2780 | M: 0437 140 850 | E: melissa.kahler@industry.nsw.gov.au
W: www.dpi.nsw.gov.au/agriculture/resources/lup

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Sent: Friday, 21 March 2014 1:41 PM

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Cc: melissa.kahler@dpi.nsw.gov.au

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Sent: Wednesday, 10 July 2013 4:42 PM

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Cc: Brock Lamont; melissa.kahler@dpi.nsw.gov.au

Subject: RE: service station concept

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Primary Industries land use planning and water resources information and guidelines are available at:
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<http://www.dpi.nsw.gov.au/agriculture/resources/water/irrigation>

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Cc: Brock Lamont <Brock@planitconsulting.com.au>, "andrew.scott@dpi.nsw.gov.au" <andrew.scott@dpi.nsw.gov.au>
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