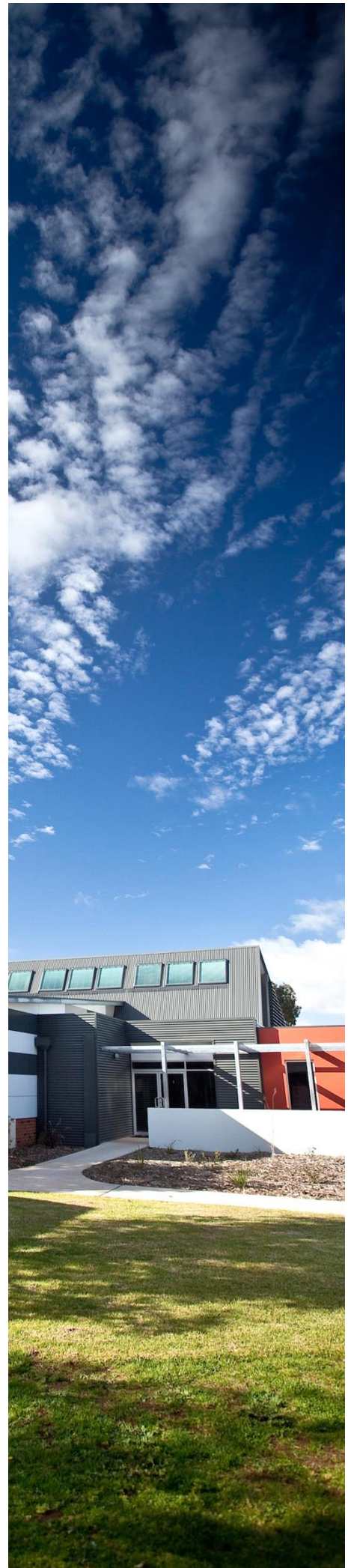




Statement of Environmental Effects

Industrial Development and
Torrens Title Subdivision
50 Burrundulla Road
Burrundulla

(Our Reference: 35299-PR01_A)
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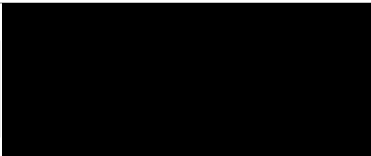



Disclaimer

This report has been prepared solely for Craig Butler (the client) in accordance with the scope provided by the client and for the purpose(s) as outlined throughout this report.

Barnson Pty Ltd accepts no liability or responsibility for or in respect of any use or reliance upon this report and its supporting material by anyone other than the client.

Report Title:	Statement of Environmental Effects
Project Name:	Industrial Development and Torrens Title Subdivision
Client:	Craig Butler
Project No.	35299
Report Reference	35299-PR01_A
Date:	8/11/2021
Revision:	Final

Prepared by:	Reviewed by:
	
Phoebe Wilkinson B Urb Reg Plan (Hons) PIA (Assoc.) Town Planner	Jack Massey B. Urb & Reg. Planning <i>MPIA</i> Senior Town Planner

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1 INTRODUCTION

1.1 Background

Barnson Pty Ltd has been engaged by Craig Butler to prepare information in support of a Development Application (DA) for an industrial development and torrens title subdivision (1 Lot into 2 Lots) at 50 Burrundulla Road, Burrundulla. The subject site is located on the southern and western corner of Burrundulla Road and has an area of 3953m². The site is currently vacant and ready for development.

The project will consist of the erection of two new industrial developments and torrens title subdivision (1 Lot into 2 Lots). The use of each structure shall be subject to future approvals. The subject site is zoned IN1 General Industrial pursuant to the provisions under the *Mid-Western Regional Local Environmental Plan 2012*. The proposed development is defined as 'general industries', which is permissible with consent in the IN1 zone.

This application consists of:

- A completed development application form; and
- One (1) PDF copy of this written statement, including plans and supporting documents.

1.2 Proponent

The proponent for the DA is Craig Butler.

1.3 Consultant

Barnson Pty Ltd

Jack Massey

Unit 4, 108-110 Market St

Mudgee NSW 2850

2 EXISTING ENVIRONMENT

2.1 Location and Title

The subject site for the subdivision is Lot 5 DP 1269918, known as 50 Burrundulla Road, Burrundulla. Details of the land are shown in **Table 1** below and **Appendix A** of this report.

Table 1 – Site Details

Street No.	Lot	Road Frontage	Area	Use of land
		Burrundulla Rd		
50	Lot 5 DP 1269918	Yes	3953m ²	Industrial zoned, vacant land

The site is located on the western side of Burrundulla road, approximately 2.5km southeast of Mudgee as shown in **Figure 1** below.



Source: (NSW Government Spatial Services, 2021)

Figure 1 – Site Location

Lot 5 in DP 1269918 has an overall area of 3970m² (refer to Deposited Plan **Appendix A**). The site has dual access to Burrundulla Road.

Refer to aerial image and site inspection photos provided in **Figure 2** and **Plates 1-3**.



Source: (NSW Government Spatial Services, 2021)

Figure 2 – Site Aerial



Plate 1 – View of the site



Plate 2 – View of kerb and guttering on Burrundulla Road, sealed



Plate 3 – View of site from across the site looking south

2.2 Land Use

The subject site is located in an area characterised by industrial, business and rural activities. The site forms part of a newly established industrial subdivision on the outskirts of Mudgee. The area is predominately vacant land.

2.3 Topography

The site is 462m above sea level with a gentle slope in the southwest corner. The existing soils have historically been utilised for cropping and grazing purposes.

2.4 Flora and Fauna

The site was originally used for cropping purposes so there are small tracts of grasslands located on the site. Currently, the land has been excavated is ready for development.

2.5 Natural Hazards

The site is not bushfire prone or located within a Flood Planning Area pursuant to the *Mid-Western Regional Local Environmental Plan 2012* and ePlanning Spatial Viewer.

2.6 Services

All services including reticulated water supply, sewerage, gas, electricity and telephone are available. Additional service connections will be required to support the subdivision development.

2.7 Access and Traffic

Access to the site is gained off the southern side of Burrundulla Road via the proposed access crossovers/driveways. Burrundulla Road is sealed and connects to the Castlereagh Highway.

2.8 Heritage

The site is not identified in Schedule 5 of the *Mid-Western Regional Local Environmental Plan 2012*. An Aboriginal Heritage Information Management System (AHIMS) Search was undertaken for the site and immediate surrounds. The AHIMS Search revealed that there are no Aboriginal sites recorded within 200m of the subject site. Refer to AHIMS Search in **Appendix B** of this report.

2.9 Terrestrial Biodiversity

The subject site is not part of any Terrestrial Biodiversity area under the *Mid-Western Regional Local Environmental Plan 2012*.

2.10 Groundwater

The subject property is classified under the *Mid-Western Regional Local Environmental Plan 2012* as having groundwater vulnerability. The proposed development will not affect the groundwater as all generated run off from the buildings will be captured in onsite stormwater draining systems.

3 PROPOSED DEVELOPMENT

The proposed development is for erection of two (2) new industrial buildings and Torren’s Title Subdivision (1 lot into 2 lots) on Lot 5 DP 1269918, known as 50 Burrundulla Road, Burrundulla. Refer to **Table 2** below, Subdivision sketch Plan in **Appendix C** and Development Plans in **Appendix D** of this report.

Table 2 – Subdivision Details

Proposed Lot	Road Frontage	Area	Use of land
	Burrundulla Rd		
Lot 1	Yes	1977m ²	Industrial
Lot 2	Yes	1967m ²	Industrial

The permissibility of the industrial buildings and lot sizes are provided in **Section 5** of this report.

The proposed Industrial Building 1 (proposed lot 1) will contain; workshop with tilt up concrete walls, disabled amenities, tea room, showroom on a mezzanine level looking over the workshop, steel awning, pedestrian access door at the northern, eastern and southern entrances, disabled parking, trade waste bins, separate ingress and egress points, colorbond roller doors at the western entrance and firefighting equipment.

The proposed Industrial Building 2 (proposed lot 2) will contain two (2) separate tenancies, disabled washrooms, office space, steel awning, colorbond roller doors on the eastern elevation, pedestrian access on the eastern and western sides and firefighting equipment.

The new industrial buildings will contain the following:

- Connection to services, including; electricity, telecommunications, rainwater tank, onsite effluent system and stormwater management;
- Minimal earthworks are required as the site is relatively flat;
- New landscaping shall be incorporated on the site and will consist of low maintenance drought and frost tolerant species; and
- Erosion and sediment control measures are to be implemented during construction.

Refer to Development Plans in **Appendix D** and Preliminary Civil Design in **Appendix E** of this report.

4 LAND USE ZONING

The subject site is zoned IN1 General Industrial pursuant to the *Mid-Western Regional Local Environmental Plan 2012* (LEP). The proposed development is for 'general industries' and a Torrens Title 'subdivision', which is permissible with consent in the IN1 zone.

It is noted that Clause 4.2A needs to be considered as each proposed Torrens Title Lot will be under the specified minimum lot size, which has been included in **Section 5** of this report.

The permissibility of the proposed development is assessed in terms of the heads of consideration in Section 4.15 of the *Environmental Planning & Assessment Act 1979*, which incorporates consideration of the LEP and the objectives and permissible uses outlined in the IN1 zone, as outlined in **Section 5** of this report.

5 PLANNING CONSIDERATIONS

5.1 Environmental Planning & Assessment Act 1979

5.1.1 Evaluation

Section 4.15 of the EP&A Act (as amended) requires the Council to consider various matters in regard to the determination of the Development Application.

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *The provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (v) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - (v) *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- (b) *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;*
- (c) *The suitability of the site for the development,*
- (d) *Any submissions made in accordance with this act or the regulations,*
- (e) *The public interest.*

The proposed development has been designed with consideration to the following matters, as outlined below.

5.2 Environmental Planning Instruments

5.2.1 State Environmental Planning Policy (Koala Habitat Protection) 2019

Whilst the subject site is located within the Mid-Western Regional LGA, it is not considered to comprise potential koala habitat as defined by *State Environmental Planning Policy (Koala Habitat Protection) 2019*. Therefore this SEPP does not require any further consideration.

5.2.2 SEPP No.55 - Remediation of Land

Clause 7 of *State Environmental Planning Policy No.55 – Remediation of Land* (SEPP 55) requires Council to consider the following before granting consent to a DA:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Comment: The subject site does not appear to have been subject to any of the materials listed in Appendix A of the *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land*. The site has previously been utilised for agricultural cropping and grazing purposes, and more recently subject to subdivision works. There have not been any known contaminating uses carried out on the site and it is considered that a preliminary site investigation is not required in this instance.

5.2.3 Mid-Western Regional Local Environmental Plan 2012

5.2.3.1 Land Use Table

The subject site is zoned IN1 General Industrial pursuant to *the Mid-Western Regional Local Environmental Plan 2012* (LEP). The objectives of the IN1 zone are:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To promote a safe and efficient network for the movement of heavy vehicles and to minimise the intrusion of heavy vehicles into nearby residential areas.*

Comment: The proposed development comprises of two (2) new industrial buildings which are permissible with consent in the IN1 zone. It is considered that the proposed new development is consistent with the relevant zone objectives, as listed above.

5.2.3.2 Clause 4.1 - Minimum subdivision lot size

Clause 4.1 of the LEP provides minimum lot size provisions for new subdivisions on certain land. The minimum lot size as shown on the LEP mapping for the subject site is 2000m². As shown on the Development Plans in **Appendix D**, proposed Lot 1 is to be 1977m² and proposed Lot 2 is to be 1976m² in size, which is below the specified minimum lot size. As such, an exemption to the development standard has been requested, which is discussed in **Section 5.2.3.3** below and in **Appendix F** of this report.

5.2.3.3 Clause 4.6 - Exceptions to development standards

Clause 4.6 of the LEP allows for development consent to be granted for developments that would contravene a development standard imposed by an Environmental Planning Instrument. Specifically, the following is required:

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) *the concurrence of the Secretary has been obtained.*

Comment: The required written argument is provided in **Appendix F** of this report. In summary, it can be seen that:

- Compliance with the development standard is unreasonable or unnecessary in this instance; and
- There are sufficient environmental planning grounds to justify contravening the development standard; and

That the development is:

- Consistent with the objectives of Clause 4.1 of the *Mid-Western Regional Local Environmental Plan 2012*; and
- Consistent with the objectives of the IN1 zone.

Therefore, the variation to the development standard should be supported.

5.2.3.4 Clause 6.1 - Salinity

The subject allotment has undergone extensive land clearing due to previous agricultural uses. The subject site is considered to be a non-saline area and it is considered that the

construction of the proposed development shall not affect any processes of salinisation, nor would it affect any groundwater salinity in the area.

5.2.3.5 Clause 6.3 - Earthworks

Clause 6.3 'Earthworks' applies to the subject application as earthworks are included as part of development works. The site has a gradual slope from east the west. There shall be no disruption or detrimental effect on existing drainage patterns, soil stability or the like. Appropriate erosion and sediment controls will be undertaken on the site during development works to prevent or reduce any soil erosion that would occur on the site.

5.2.3.6 Clause 6.4 - Groundwater vulnerability

Clause 6.4 'Groundwater Vulnerability' applies to the subject application as the land is mapped as vulnerable in the LEP mapping. The proposed development will not affect the function of any groundwater dependent ecosystems, nor would it create any depletion or contamination of vulnerable groundwater resources. The buildings will be connected to the existing sewer services to support the proposed development. Furthermore, there will be no extraction of vulnerable groundwater to service the proposed development.

5.2.3.7 Clause 6.9 - Essential services

Clause 6.9 of the LEP states:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable road access.*

Comment: Water and sewerage will be supplied via Council infrastructure. Electricity infrastructure is afforded to the subject site and will be connected as required. Roof water would be disposed of through onsite stormwater detention. The proposed new access driveway will be constructed using suitable material as per Council's requirements. Refer to Preliminary Civil Design in **Appendix E** of this report.

5.3 Draft Environmental Planning Instruments

No draft Environmental Planning Instruments are applicable to the subject site or development.

5.4 Development Control Plans

The *Mid-Western Development Control Plan 2013* (DCP) applies to the subject application. An assessment of the relevant provisions in the DCP have been provided in **Table 3** below.

Table 3 – DCP Requirements	
Provision	Comment
Section 4.6 Industrial Development	
Building Setbacks	The buildings are setback appropriately from the front, rear and sides. The setbacks allow for visibility for both entering and exiting the property.
Landscaping	Landscaping has been provided within the front setback of each proposed industrial building/Lot. Given the site is located on the corner of the roadway, landscaping has been strategically located to ensure sight distances are still achieved as to not impact any trafficability in the area. The landscaping shall reduce the visual impact/bulk of the site.
Design	The subject site is located in an industrial area, neighbouring rural activity. The proposed structures have utilised glazing and other building treatments to break up the bulk of each building and to create visual interest. Concrete tilt up panels have been used, consistent with the design recommendations under this part. Roof materials shall be colorbond trimdeck sheeting and low reflective colours.
Fencing	New fencing shall be constructed in accordance with the provisions under this part.
Utilities	The site will require the connection of essential services including water, sewerage and telecommunications. Stormwater will be managed through Council's existing infrastructure. Refer to Preliminary Civil Design in Appendix E of this report.
Traffic and Access	Vehicular access is off Burrundulla Road and each proposed industrial building/Lot shall be provided with onsite parking and manoeuvrability areas. It is predicted that minor traffic will be generated for this development. Please refer to the Safe Sight Distance Analysis provided in Appendix G of this report. The entryways, carparks and vehicle movement areas shall be hardstand. All vehicles are capable of entering and existing the site in a forward direction. Loading and unloading areas have been nominated on each proposed site.
Car Parking	The closest carparking provisions applicable to the development under this part would be 'warehouses', which provides the following carparking rate: <i>Warehouse – 1 space per 100m² GFA</i>

	<p>The following calculations are provided:</p> <ul style="list-style-type: none"> Proposed Workshop 1 – GFA 432m² equates to 4.32 spaces or 5 spaces required (432 / 100 = 4.32); Proposed Workshop 2 – GFA 432m² equates to 4.32 spaces or 5 spaces required (432 / 100 = 4.32). <p>Each proposed workshop/Lot has been provided with seven (7) spaces, plus one (1) disabled space, thereby complying with the parking rate provisions under this part.</p> <p>Even if the Manufacturing rate of provision was adopted (1 space per 75m²), the proposed development would still comply.</p> <p>The parking rate provisions shall be subject to review as part of future applications for specific uses of each building.</p>
Signage	<p>One (1) sign has been provided on the fascia of the buildings for each proposed tenancy. Signage will be designed in accordance with section 4.4 of the DCP- Industrial areas. The signs will be no greater than 6m².</p>
Outdoor Lighting and Noise	<p>Any outdoor lighting shall comply with the provisions under <i>AS4282 Control of Obtrusive Effects of Outdoor Lighting</i>. There are no residential areas close by that would be impacted by the proposal.</p>
Subdivision	<p>The proposed development complies with this part in that:</p> <ul style="list-style-type: none"> Each proposed Lot is provided with at least a 30m frontage; B-Doubles can access the site and enter/exit in a forward direction; Each Lot is to be provided with reticulated water and sewer; Stormwater Drainage shall be provided to each Lot, disposing stormwater into the nearest system; Each lot shall be provided with telecommunications and underground electricity infrastructure; and All onsite manoeuvrability and parking areas are to be hardstand.

5.5 Any Planning Agreement entered into

No Planning Agreements entered into are known to exist in relation to the development or site.

5.6 Any Matters Prescribed by the Regulations

For the purposes of Section 4.15(1)(a)(iv) of the EP&A Act, Clause 92 of the *Environmental Planning and Assessment Regulations 2000* (EP&A Regulations) specifies the additional matters a consent authority must take into consideration when determining a DA. None of the provisions relate to the development proposal.

5.7 Any Likely Impacts of the Development

5.7.1 Context & Setting

The subject site is situated in a locality which is characterised by general industries and primary production with some business development. The proposed industrial buildings would be located in an area suitable for its use and to support the existing general industrial area. The development would not adversely impact on the context or setting in the locality.

5.7.2 Access, Transport & Traffic

The subject site is located on the southern and western corner of Burrundulla Road which is a sealed road. The proposed dual access points on both lots will be suitable for all vehicle types as no conflict will arise. The development would generate additional traffic representative of two general industrial buildings. The traffic generated is not expected to result in any adverse impacts in terms of the functioning or safety of the local road network.

5.7.3 Utilities

The proposed development shall be serviced by electricity and telecommunication infrastructure, Council water, sewer and stormwater. Connections to these utilities will be undertaken as part of development works and is considered to be suitable for the locality.

5.7.4 Social & Economic Impacts in the Locality

The proposed development is not expected to result in any social or economic impacts in the locality.

5.7.5 Other

There are no other issues such as flooding, bushfire, heritage that would impact upon the development.

5.8 Suitability of the Site for the Proposed Development

The suitability of the site for the proposed development has been addressed in the above sections of this report. There are no prohibitive constraints posed by adjacent developments. There does not appear to be any zoning, planning or environmental matters that should hinder the proposed development of the site. In this regard, it can be concluded that the proposal fits into the locality and the site attributes are conducive for the development.

5.9 The Public Interest

The proposed development is considered to be in the public interest as it provides for well-designed functional industrial buildings. As outlined throughout this report the development is consistent with the objectives of the zone and is not expected to have any adverse off-site impacts.

6 CONCLUSION

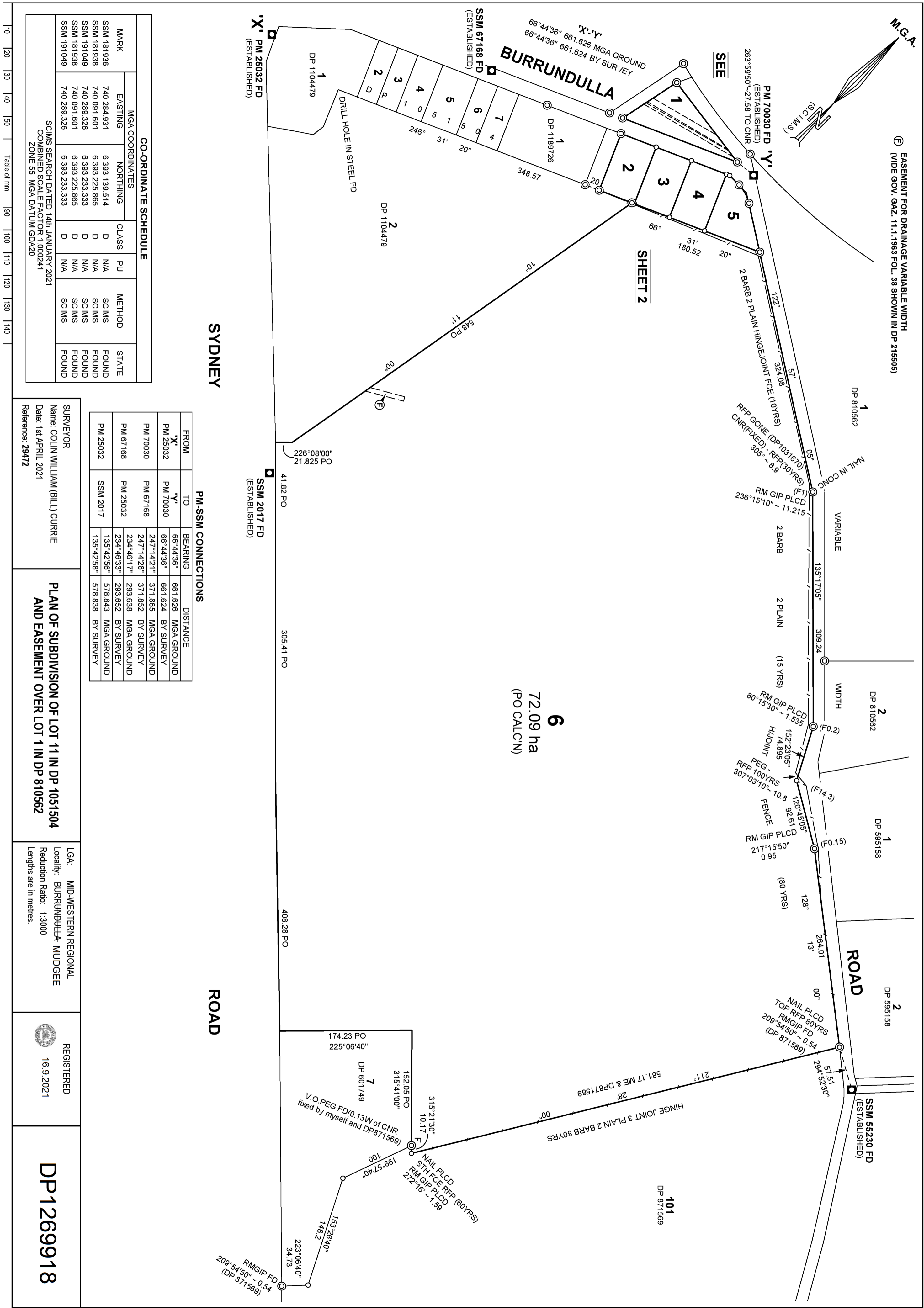
It is recommended that the proposed development of Lot 5 in DP 1269918 at 50 Burrundulla Road, Burrundulla be supported on the following grounds:

- The proposal is considered acceptable in terms of the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*;
- The proposal is permissible with consent and consistent with the relevant development standards and provisions of the *Mid-Western Regional Local Environmental Plan 2012*;
- The proposal complies with the relevant provisions of the *Mid-Western Regional Development Control Plan 2013*;
- The variation to the LEP standard (subdivision) is of minor significance and has been adequately justified throughout this report;
- The proposed development is not anticipated to generate any adverse impacts in the locality; and
- The proposed development is considered suitable for the site and its surrounds.

7 REFERENCES

- Mid-Western Regional Council. (2021, October). Mid-Western Regional Local Environmental Plan 2012. Retrieved from <https://legislation.nsw.gov.au/view/html/inforce/current/epi-2012-0374>
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- NSW Planning & Infrastructure. (2011). *Varying Development Standards" A Guide*. Sydney: NSW P&I.

Appendix A - Deposited Plan



Ⓢ EASEMENT FOR DRAINAGE VARIABLE WIDTH (VIDE GOV. GAZ. 11.1.1963 FOL. 38 SHOWN IN DP 215505)

SEE

SHEET 2

BURRUNDULLA

SYDNEY

72.09 ha (PO CALC(N))

ROAD

ROAD

PM-SSM CONNECTIONS

FROM	TO	BEARING	DISTANCE
PM 25032	PM 70030	66°44'36"	661.626 MGA GROUND BY SURVEY
PM 70030	PM 67168	66°44'36"	661.624 BY SURVEY
PM 67168	PM 25032	247°14'21"	371.865 MGA GROUND BY SURVEY
PM 25032	PM 67168	247°14'28"	371.852 BY SURVEY
PM 67168	PM 25032	234°46'17"	293.638 MGA GROUND BY SURVEY
PM 25032	PM 67168	234°46'33"	293.652 BY SURVEY
PM 25032	SSM 2017	135°42'56"	578.843 MGA GROUND BY SURVEY
PM 25032	SSM 2017	135°42'58"	578.838 BY SURVEY

CO-ORDINATE SCHEDULE

MARK	MGA COORDINATES		CLASS	PU	METHOD	STATE
	EASTING	NORTHING				
SSM 181936	740 284 931	6 393 139 514	D	N/A	SCIMS	FOUND
SSM 181938	740 091 601	6 393 225 865	D	N/A	SCIMS	FOUND
SSM 191049	740 289 326	6 393 233 333	D	N/A	SCIMS	FOUND
SSM 181938	740 091 601	6 393 225 865	D	N/A	SCIMS	FOUND
SSM 191049	740 289 326	6 393 233 333	D	N/A	SCIMS	FOUND

SCIMS SEARCH DATED 14th JANUARY 2021
COMBINED SCALE FACTOR 1.000241
ZONE 55 MGA DATUM GDA20

SURVEYOR
Name: COLIN WILLIAM (BILL) CURRIE
Date: 1st APRIL 2021
Reference: 29472

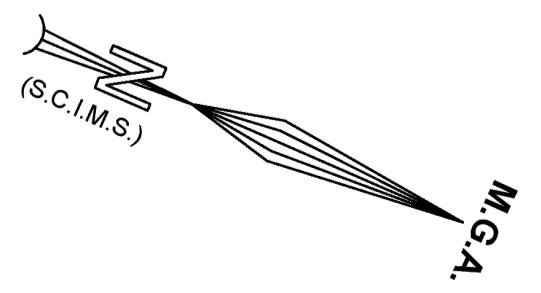
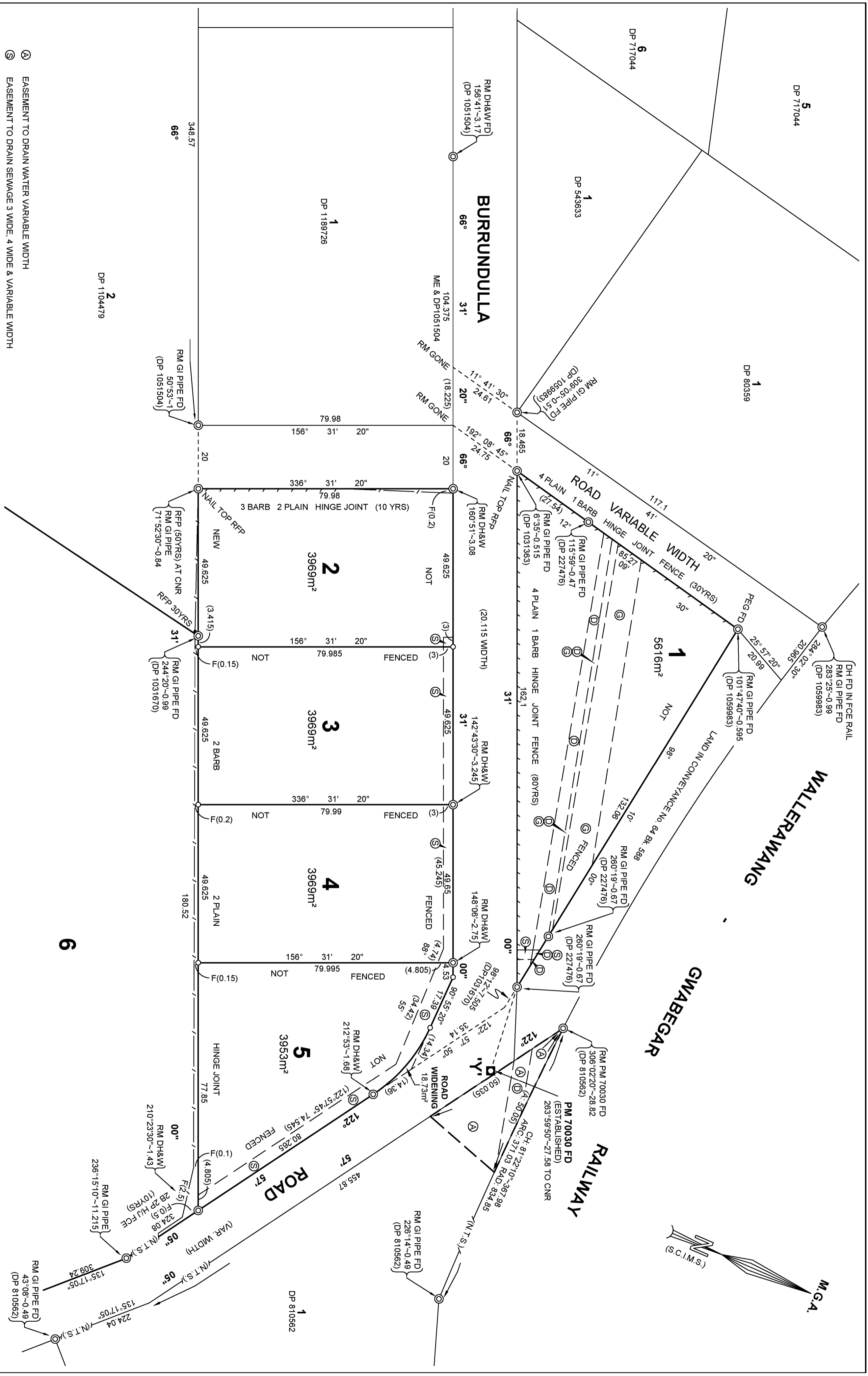
PLAN OF SUBDIVISION OF LOT 11 IN DP 1051504
AND EASEMENT OVER LOT 1 IN DP 810562

LGA: MID-WESTERN REGIONAL
Locality: BURRUNDULLA MUDGEE
Reduction Ratio: 1:3000
Lengths are in metres.

REGISTERED
16.9.2021

DP1269918

10 20 30 40 50 90 100 110 120 130 140
Table of mm



- Ⓐ EASEMENT TO DRAIN WATER VARIABLE WIDTH
- Ⓑ EASEMENT TO DRAIN SEWAGE 3 WIDE, 4 WIDE & VARIABLE WIDTH
- Ⓒ EASEMENT FOR DRAINAGE VARIABLE WIDTH
- Ⓓ EASEMENT FOR PIPELINE 10.08 WIDE (VIDE DP 549901) (BK 3050 No. 161)
- Ⓔ EASEMENT FOR WATER PIPELINE 5 WIDE (VIDE AC 484588)

SURVEYOR
 Name: COLIN WILLIAM (BILL) CURRIE
 Date: 1st APRIL 2021
 Reference: 29472



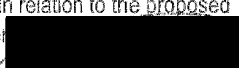

PLAN OF SUBDIVISION OF LOT 11 IN DP 1051504
 AND EASEMENT OVER LOT 1 IN DP 810562

LGA: MID-WESTERN REGIONAL
 Locality: BURRUNDULLA MUDDGEE
 Reduction Ratio: 1:750
 Lengths are in metres.


REGISTERED
 16.9.2021

DP1269918

10	20	30	40	50	60	70	80	90	100	110	120	130	140
Table of mm													

PLAN FORM 6 (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 2 sheet(s)
<p>Registered:  16.9.2021</p> <p>Title System: TORRENS</p>	<p style="text-align: right;">Office Use Only</p> <h1 style="text-align: center;">DP1269918</h1>	
<p>PLAN OF</p> <p style="text-align: center;">SUBDIVISION OF LOT 11 IN DP 1051504 AND EASEMENT OVER LOT 1 IN DP 810562</p>	<p>LGA: MID-WESTERN REGIONAL</p> <p>Locality: MUDGEE</p> <p>Parish: MUDGEE</p> <p>County: WELLINGTON</p>	
<p style="text-align: center;">Survey Certificate</p> <p>I, <u>COLIN WILLIAM (BILL) CURRIE</u> of <u>BARNSON PTY LTD MUDGEE OFFICE</u> a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>^{*(a)} The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, is accurate and the survey was completed on, or</p> <p>^{*(b)} The part of the land shown in the plan (^{*being}/^{*excluding} **) PART OF LOT 6 SHOWN AS PO was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, the part surveyed is accurate and the survey was completed on <u>1st APRIL 2021</u>, the part not surveyed was compiled in accordance with that Regulation, or</p> <p>^{*(c)} The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>.</p> <p>Datum Line: 'X' - 'Y'</p> <p>Type: ^{*Urban}/^{*Rural}</p> <p>The terrain is ^{*Level Undulating}/^{*Steep Mountainous}.</p> <p>Signature:  Dated: <u>13.5.2021</u></p> <p>Surveyor Identification No: <u>7447</u></p> <p>Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i></p> <p>[*] Strike out inappropriate words. ^{**} Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</p>	<p style="text-align: center;">Crown Lands NSW / Western Lands Office Approval</p> <p>I (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p>	
<p>Plans used in the preparation of survey / compilation.</p> <p>DP 1051504, DP 445944, DP 211474, DP 215505, DP 227476 DP 595158, DP 211474, DP 215505, DP 601749 DP 810562, DP 871569, DP 1013363, DP 1059983, DP 1104479, DP 1031670</p>	<p style="text-align: center;">Subdivision Certificate</p> <p>I, <u>LINDSAY DUNSTAN</u> ^{*Authorised Person}/^{*General Manager}/^{*Accredited Certifier}, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out here </p> <p>Signature: </p> <p>Accreditation number:</p> <p>Consent Authority: <u>MID WESTERN REGIONAL COUNCIL</u></p> <p>Date of endorsement: <u>8-7-2021</u></p> <p>Subdivision Certificate number: <u>SC 041/2021</u></p> <p>File number: <u>DA 0032/2019</u></p> <p>[*] Strike through if inapplicable.</p> <p>Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.</p> <p>IT IS INTENDED TO DEDICATE ROAD WIDENING TO THE PUBLIC AS PUBLIC ROAD</p>	
<p>Surveyor's Reference: <u>29472</u></p>	<p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p>	

PLAN FORM 6A (2017) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 2 of 2 sheet(s)

Registered:  16.9.2021 Office Use Only	Office Use Only <h1 style="margin: 0;">DP1269918</h1>
PLAN OF SUBDIVISION OF LOT 11 IN DP 1051504 AND EASEMENT OVER LOT 1 IN DP 810562	This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> • A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> • Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> • Signatures and seals- see 195D <i>Conveyancing Act 1919</i> • Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.
Subdivision Certificate number: SC041/2021 Date of Endorsement: 8.7.2021	

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919 AS AMENDED,

IT IS INTENDED TO CREATE:

1. RESTRICTION ON THE USE OF LAND
2. EASEMENT TO DRAIN WATER VARIABLE WIDTH
3. EASEMENT TO DRAIN SEWAGE 3 WIDE, 4 WIDE & VARIABLE WIDTH

EXECUTED BY BURRUNDULLA PTY LIMITED
 ACN: 000 202 568

by its authorised officers whose signatures appear below pursuant to Section 127 of the Corporations Act 2001



Christopher Henry Cox
 Director



Jeremy James Cox
 Director

LOT	STREET NUMBER	STREET NAME	STREET TYPE	LOCALITY
1	37	BURRUNDULLA	ROAD	BURRUNDULLA
2	32	BURRUNDULLA	ROAD	BURRUNDULLA
3	38	BURRUNDULLA	ROAD	BURRUNDULLA
4	44	BURRUNDULLA	ROAD	BURRUNDULLA
5	50	BURRUNDULLA	ROAD	BURRUNDULLA
6	106	BURRUNDULLA	ROAD	BURRUNDULLA

If space is insufficient use additional annexure sheet

Surveyor's Reference: **29472**

Appendix B - AHIMS Search

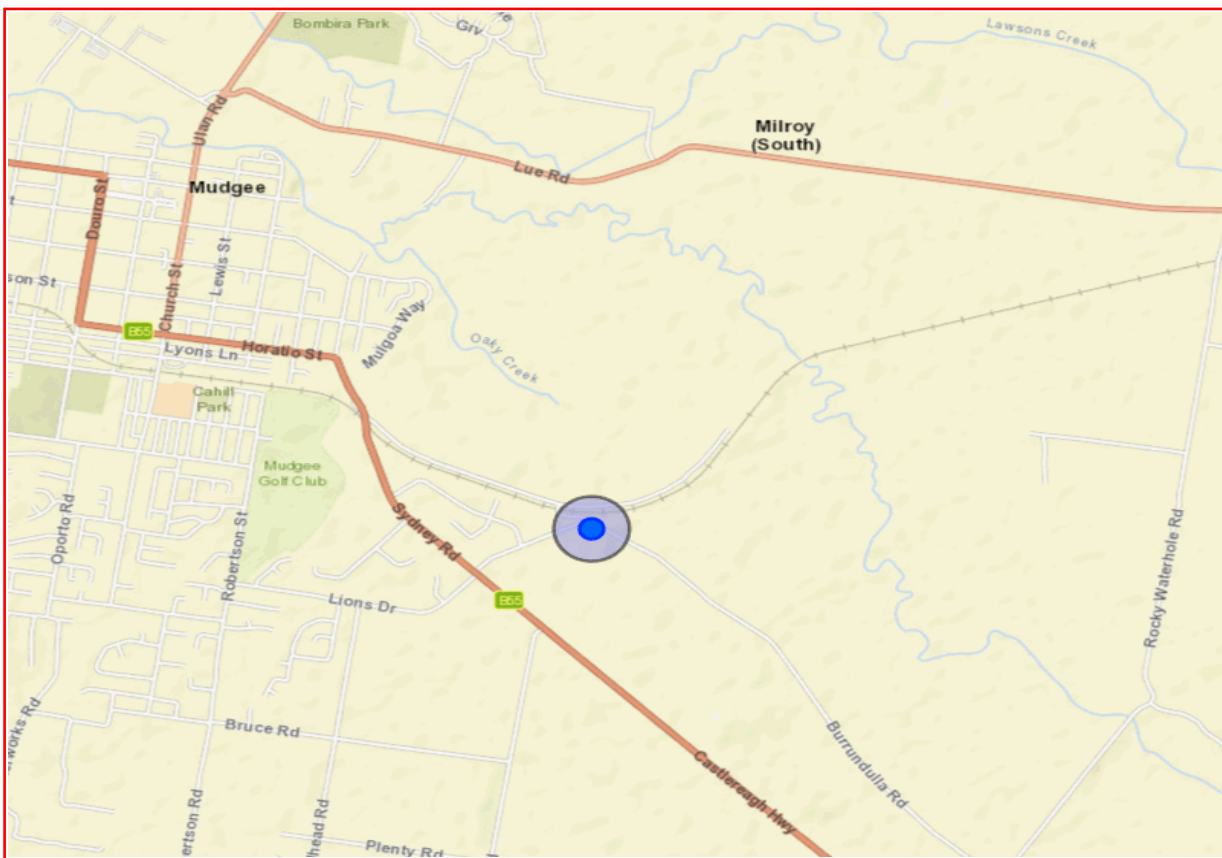
Phoebe Wilkinson
1/36 Darling Street
Dubbo New South Wales 2830
Attention: Phoebe Wilkinson
Email: pwilkinson@barnson.com.au

Date: 28 October 2021

Dear Sir or Madam:

AHIMS Web Service search for the following area at Address : 50 BURRUNDULLA ROAD BURRUNDULLA 2850 with a Buffer of 200 meters, conducted by Phoebe Wilkinson on 28 October 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 Heritage NSW 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. *

If your search shows Aboriginal sites or places what should you do?

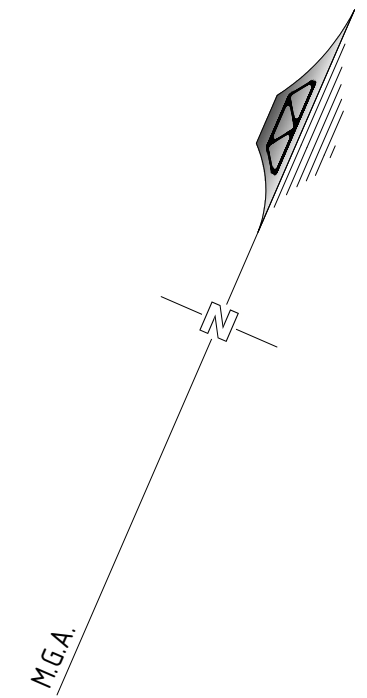
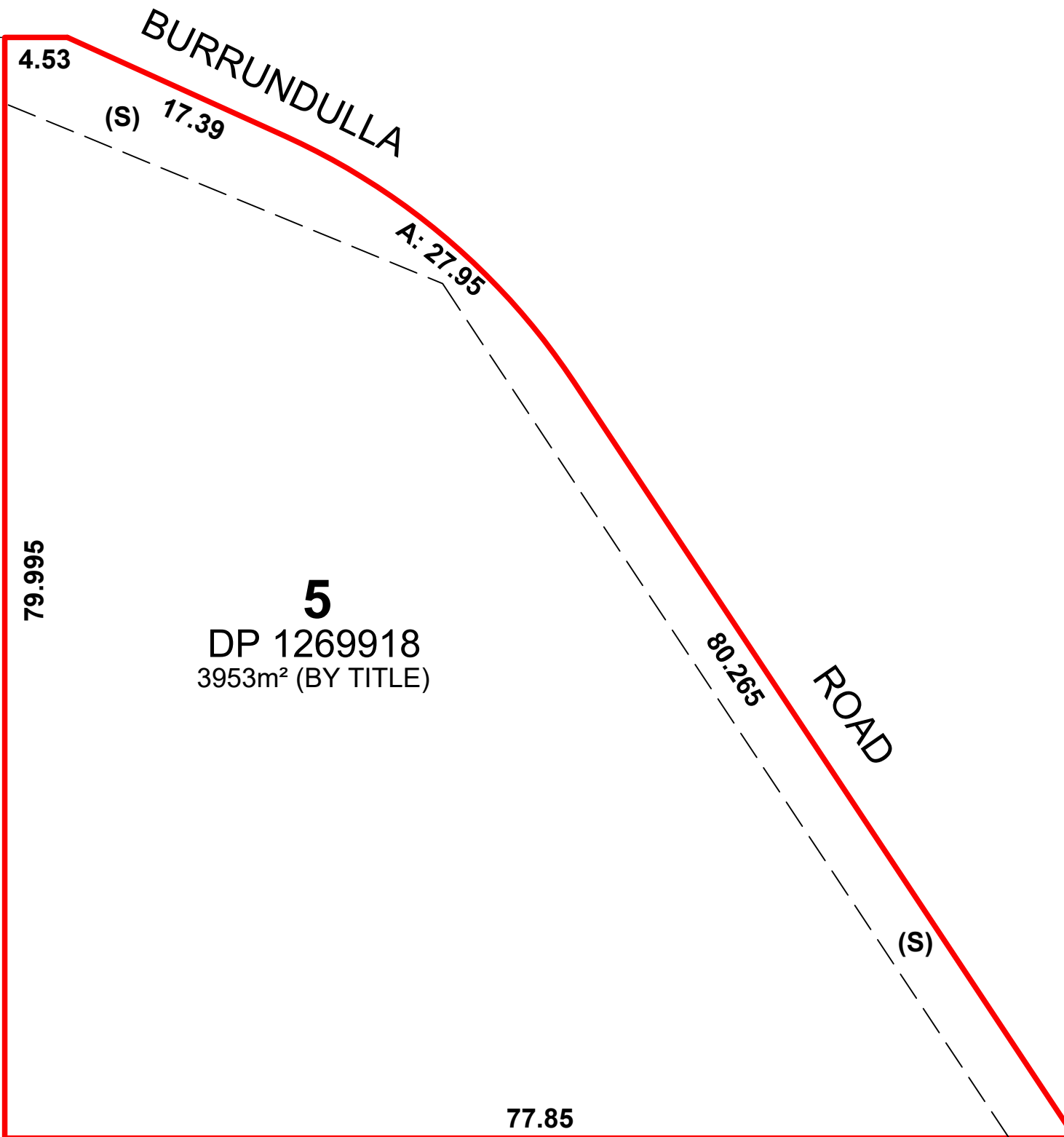
- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(https://www.legislation.nsw.gov.au/gazette\)](https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Appendix C - Subdivision Sketch Plan

LOT 4
DP 1269918



5
DP 1269918
3953m² (BY TITLE)

LOT 6
DP 1269918

(S) EASEMENT TO DRAIN SEWAGE 3 WIDE, 4 WIDE & VARIABLE WIDTH (VIDE DP 1269918)

NOTES:

- THIS PLAN HAS BEEN PREPARED FOR DA PURPOSES ONLY. BARNSON IS NOT LIABLE FOR ANY LOSS OR DAMAGE RESULTING FROM THE USE OF THIS PLAN FOR ANY OTHER PURPOSE.
- DIMENSIONS AND AREAS SHOWN ARE BY TITLE AND ARE SUBJECT TO CHANGE UPON THE COMPLETION OF A FULL CADASTRAL BOUNDARY SURVEY.

SCALE 1:400(A3)



EXISTING SITE PLAN

REDUCTION RATIO 1:400 @ A3

SUBMISSION FOR DA



BARNSON PTY LTD
 † 1300 BARNSON (1300 227 676)
 e generalenquiry@barnson.com.au
 w www.barnson.com.au
 bathurst | coffs harbour | dubbo | mudgee | orange | sydney | tamworth

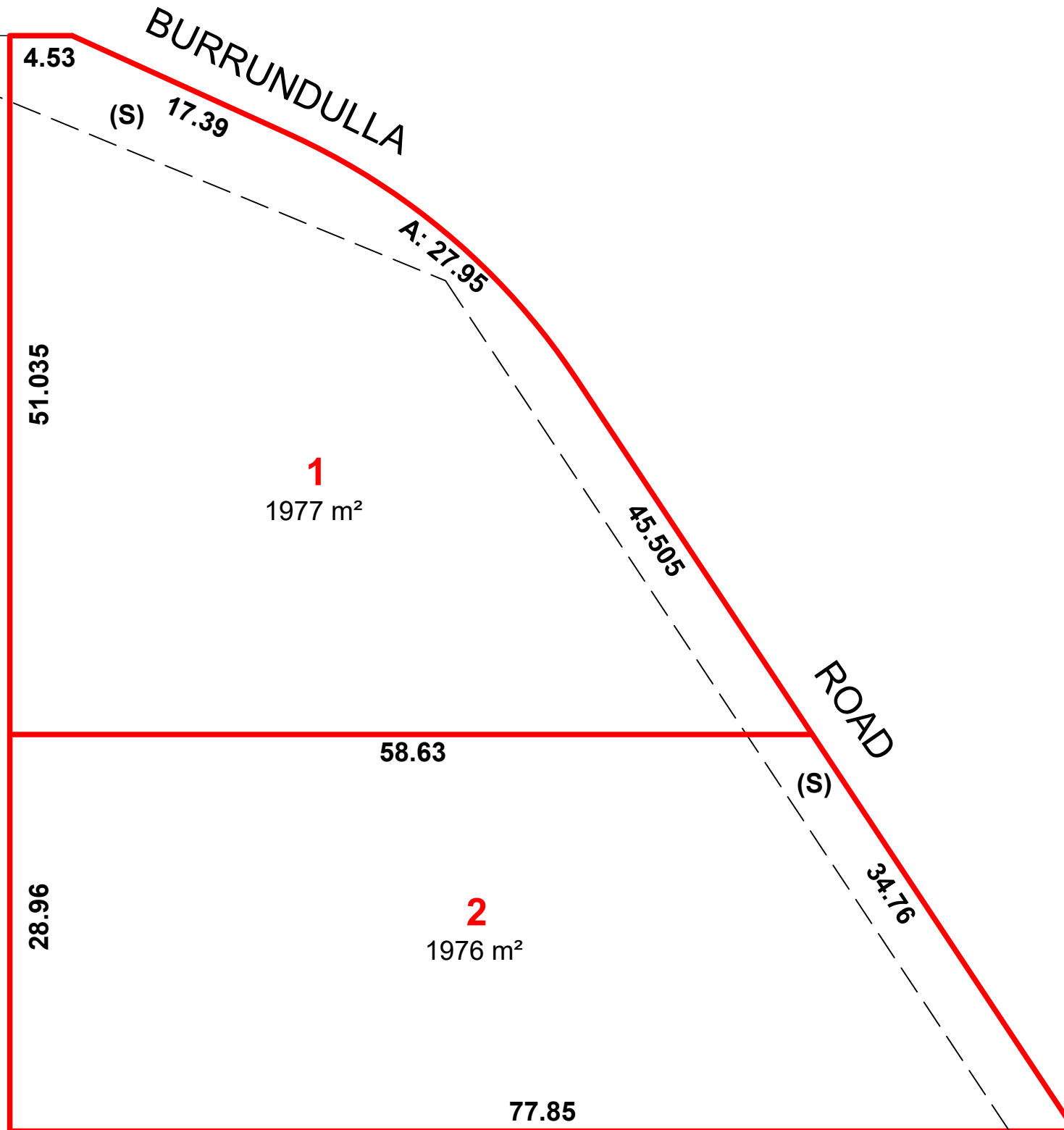
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH GENERAL BUILDING DRAWINGS, SPECIFICATIONS & OTHER CONSULTANTS DRAWINGS APPLICABLE TO THIS PROJECT. ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE. DIMENSIONS TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK. REPORT DISCREPANCIES TO BARNSON PTY LTD. NO PART OF THIS DRAWING MAY BE REPRODUCED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF BARNSON PTY LTD.

Client: CRAIG BUTLER
 Project: PROPOSED SUBDIVISION OF LOT 5 IN DP 1269918
 50 BURRUNDULA ROAD BURRUNDULLA
 Drawing Title: EXISTING SITE PLAN

Rev	Date	Amendment
A	03-11-2021	ISSUED FOR DA APPROVAL

Design	RB	Certification	
Drawn	MK		
Check	RB	Drawing Number	Revision
Original Sheet Size = A3		35299 - P01	A

LOT 4
DP 1269918



(S) EASEMENT TO DRAIN SEWAGE 3 WIDE, 4 WIDE & VARIABLE WIDTH (VIDE DP 1269918)

- NOTES:
- THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY. BARNSON IS NOT LIABLE FOR ANY LOSS OR DAMAGE RESULTING FROM THE USE OF THIS PLAN FOR ANY OTHER PURPOSE.
 - PROPOSED LOTS AS SHOWN HEREON ARE NOT REGISTERED LOTS AND ARE SUBJECT TO REGULATORY APPROVAL AND THE REGISTRATION OF A DEPOSITED PLAN OF SUBDIVISION AT LAND REGISTRY SERVICES N.S.W.
 - DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO CHANGE UPON THE COMPLETION OF A FULL CADASTRAL BOUNDARY SURVEY.

SCALE 1:400(A3)



LOT 6
DP 1269918

PROPOSED SUBDIVISION PLAN

REDUCTION RATIO 1:400 @ A3

SUBMISSION FOR DA



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 † 1300 BARNSON (1300 227 676)
 e generalenquiry@barnson.com.au
 w www.barnson.com.au

bathurst | coffs harbour | dubbo | mudgee | orange | sydney | tamworth

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH GENERAL BUILDING DRAWINGS, SPECIFICATIONS & OTHER CONSULTANTS DRAWINGS APPLICABLE TO THIS PROJECT. ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE. DIMENSIONS TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK. REPORT DISCREPANCIES TO BARNSON PTY LTD. NO PART OF THIS DRAWING MAY BE REPRODUCED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF BARNSON PTY LTD.

Client: CRAIG BUTLER
 Project: PROPOSED SUBDIVISION OF LOT 5 IN DP 1269918
 50 BURRUNDULLA ROAD BURRUNDULLA
 Drawing Title: PROPOSED SUBDIVISION PLAN

Rev	Date	Amendment
A	03-11-2021	ISSUED FOR DA APPROVAL

Design	RB	Certification	
Drawn	MK		
Check	RB	Drawing Number	Revision
Original Sheet Size = A3		35299 - P02	A

Appendix D - Development Plans

BUILDING AREAS

LAND AREA LOT 5 = 3953 m²
 PROPOSED BUILDINGS = 864 m²

GENERAL LANDSCAPING INFORMATION

1. Small Shrubs to 3m High

Bottlebrush	Callistemon Paludosus
Rosemary Grevillea	Grevillea Rosmannifolia
Bird Beak Nettlewood	Hakea Orthonycha
Pink Tea Tree	Leptospermum Squarrosom
Scarlet Honey Myrtle	Melaleuca Fulgens

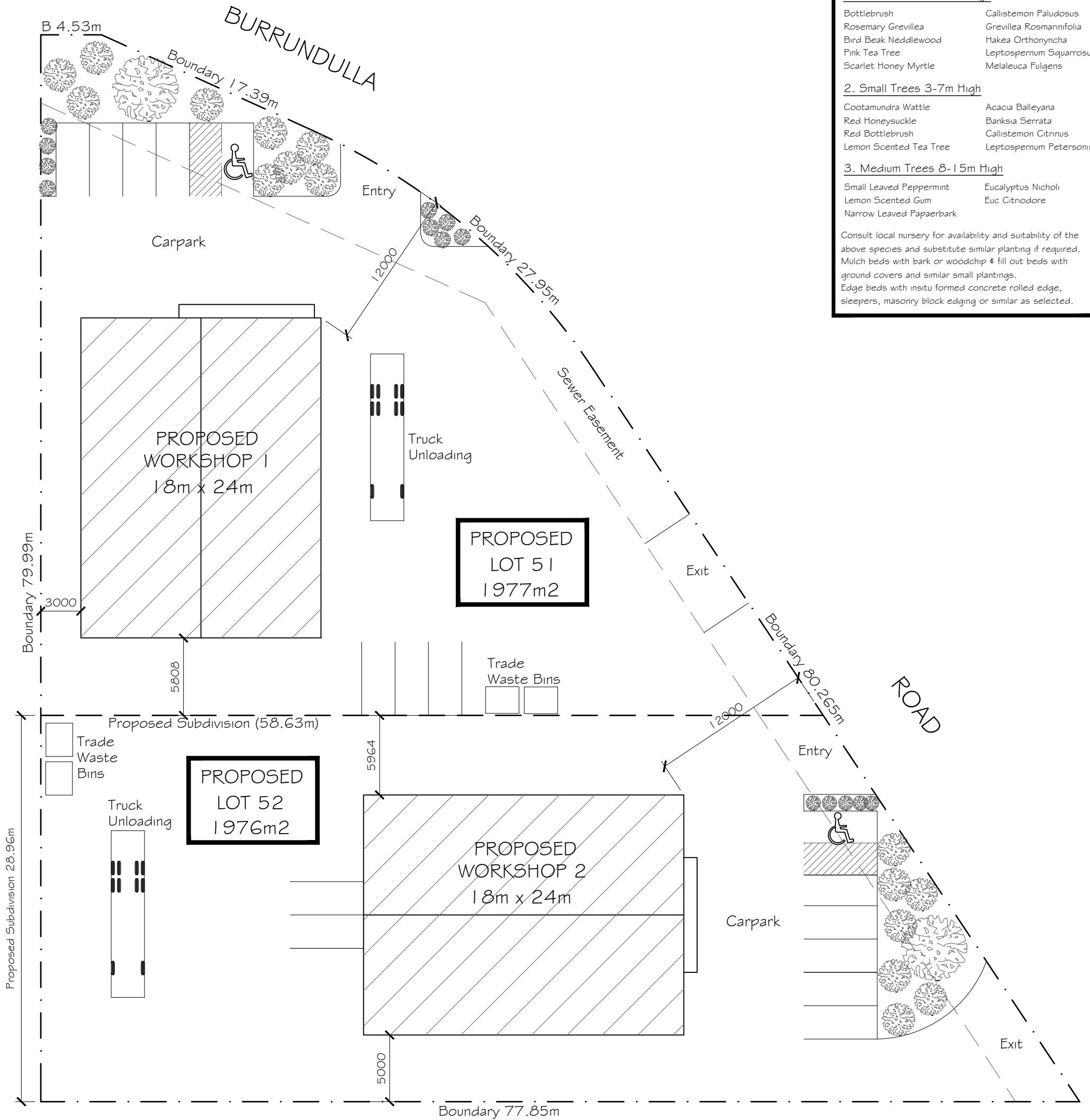
2. Small Trees 3-7m High

Cootamundra Wattle	Acacia Bailejana
Red Moneysuckle	Banksia Serrata
Red Bottlebrush	Callistemon Citrinus
Lemon Scented Tea Tree	Leptospermum Petersonii

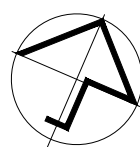
3. Medium Trees 8-15m High

Small Leaved Peppermint	Eucalyptus Nicholii
Lemon Scented Gum	Euc Citnodore
Narrow Leaved Papaerbark	

Consult local nursery for availability and suitability of the above species and substitute similar planting if required. Mulch beds with bark or woodchip & fill out beds with ground covers and similar small plantings. Edge beds with insitu formed concrete rolled edge, sleepers, masonry block edging or similar as selected.



SITE PLAN
 SCALE 1:300



LOT 5
 3953m²
 DP 1269918

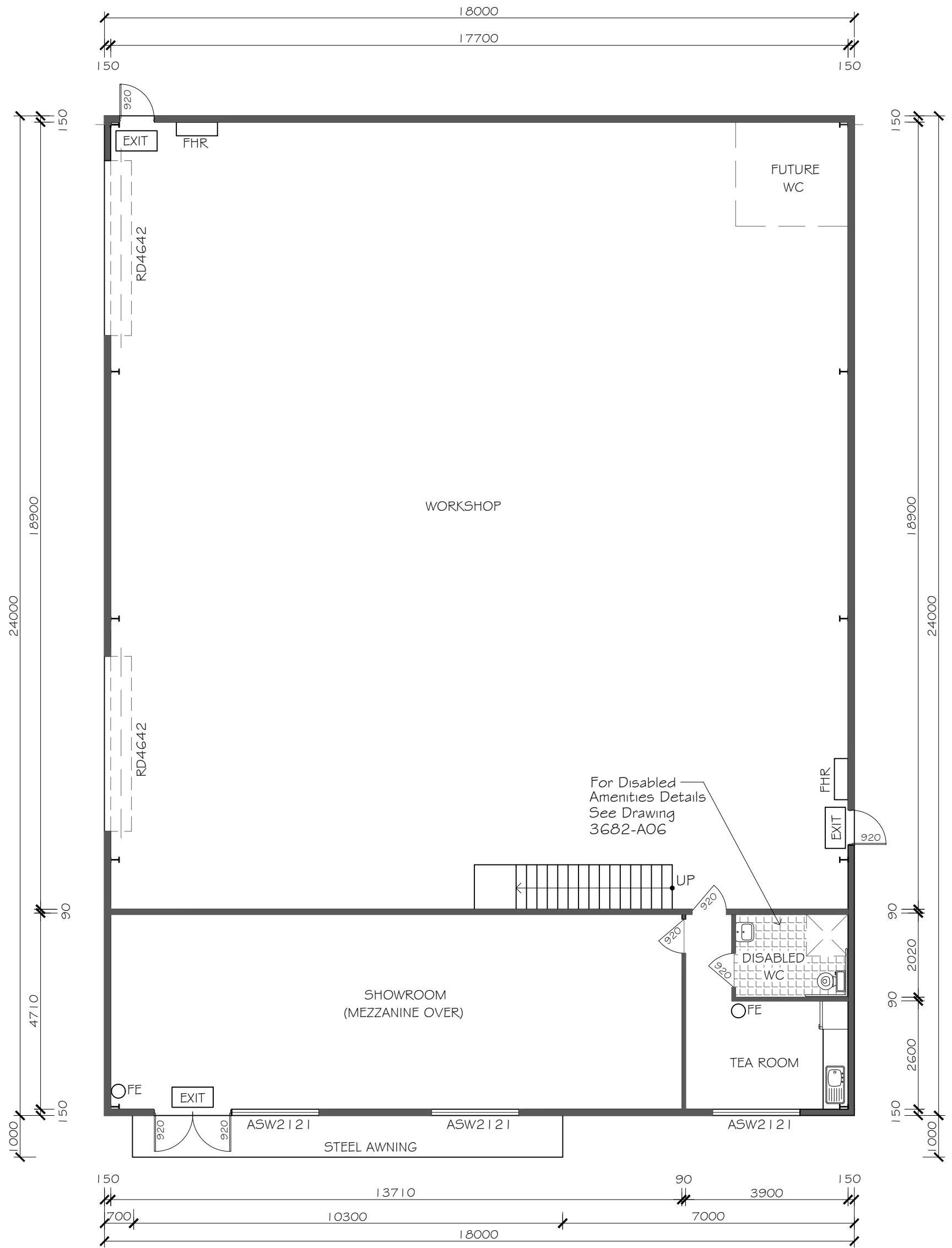
Giselle Denley
 Drafting Services
 giselle.denley@bigpond.com
 0417 688 326
 53 Hill Sixty Drive
 Mudgee NSW 2850

REV	DATE	BY	DESCRIPTION
A	MAY 2021	G.D.	ISSUED FOR APPROVAL

CRAIG BUTLER

**INDUSTRIAL DEVELOPMENT & SUBDIVISION
 LOT 5 BURRUNDULLA ROAD MUDGEE**

SCALE: 1:300	FILE: 3682-A01	DWG No.	REV.
DRAWN: G.D.	DATE: MAY 2021	3682-A01	A
CKD: D.B.	DATE: MAY 2021		



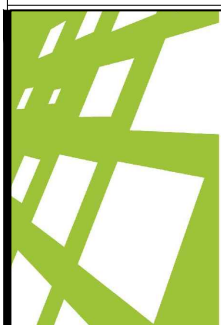
WORKSHOP 1 GROUND FLOOR PLAN
SCALE 1:100

LEGEND

- FHR 36m Fire Hose Reel
- FE Fire Extinguisher
- EXIT Illuminated Exit Sign and Emergency Lighting

NOTE

Slab and Framing Details to Engineers Plans and Specifications.



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 Drafting Services
 giselle.denley@bigpond.com
 0417 688 326
 53 Hill Sixty Drive
 Mudgee NSW 2850

A	OCT 2021	G.D.	ISSUED FOR APPROVAL				
REV	DATE	BY	DESCRIPTION				

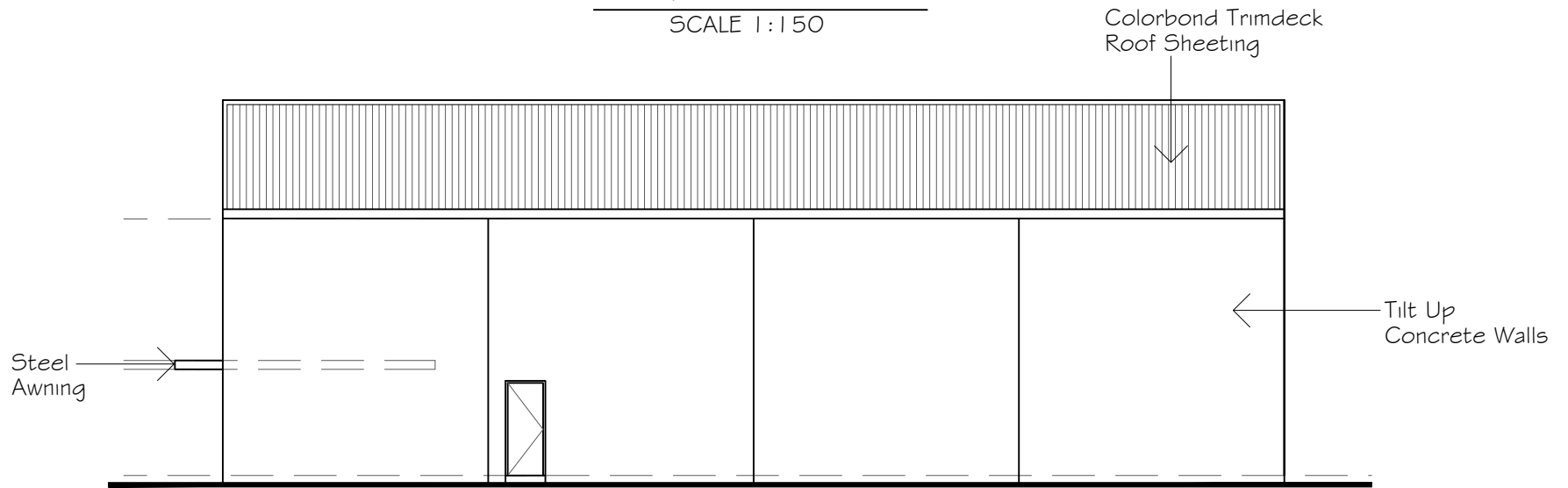
CRAIG BUTLER

**INDUSTRIAL DEVELOPMENT & SUBDIVISION
LOT 5 BURRUNDULLA ROAD MUDGEE**

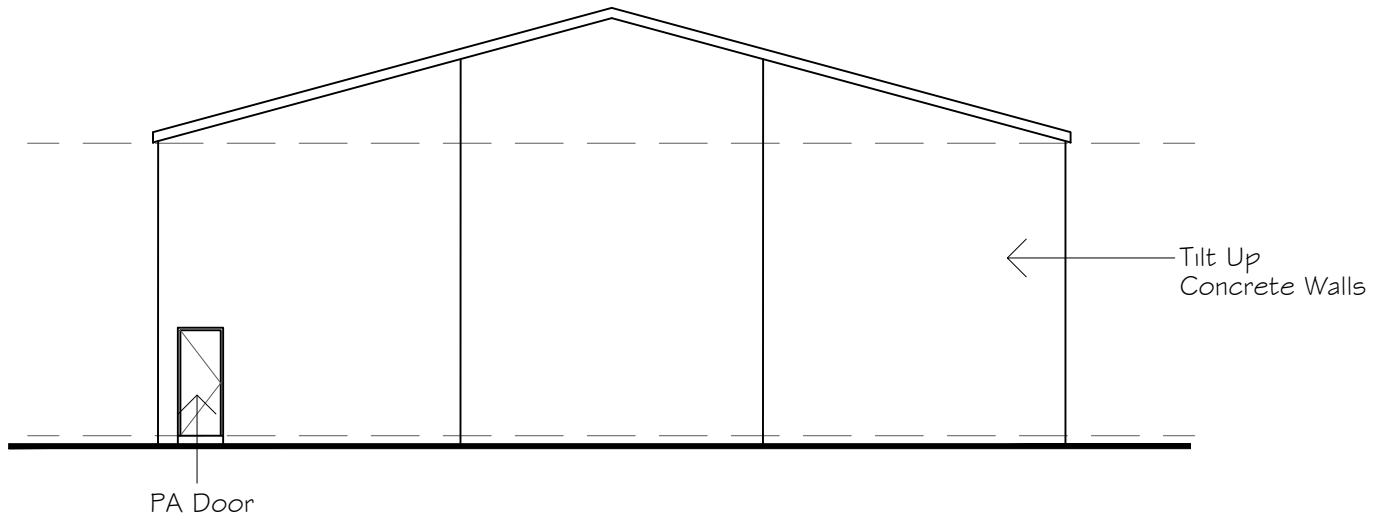
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CKD: D.B.	DATE: OCT 2021		



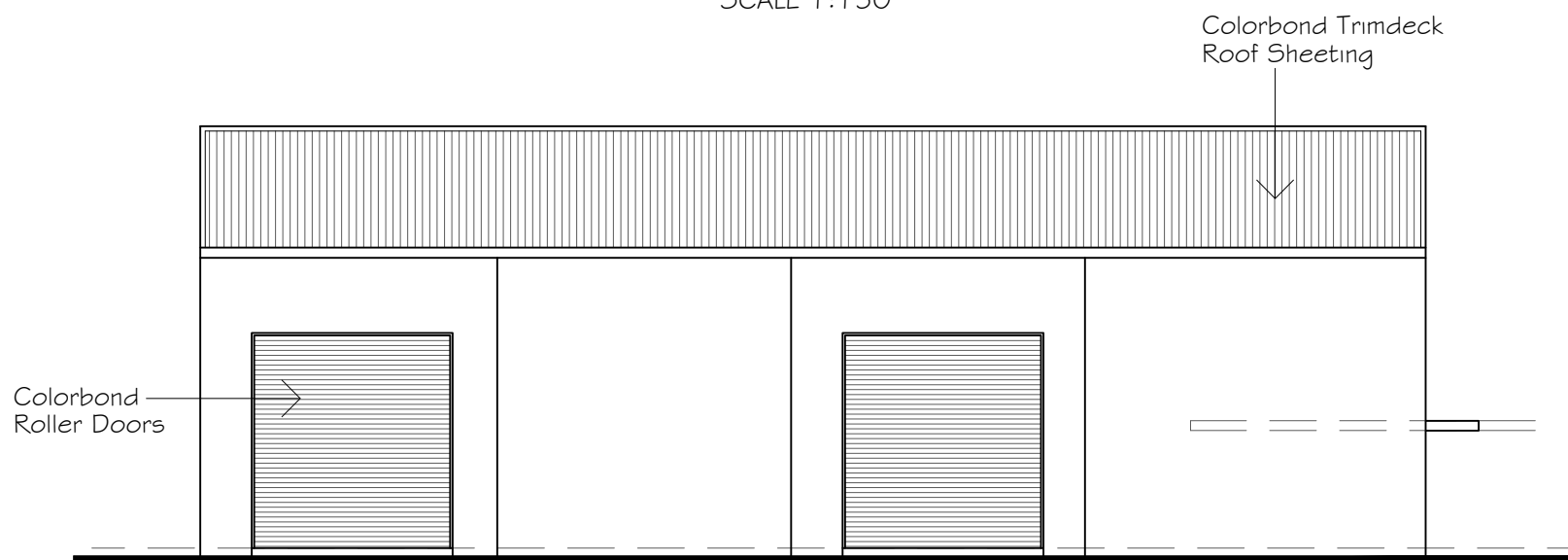
NORTH ELEVATION
SCALE 1:150



EAST ELEVATION
SCALE 1:150

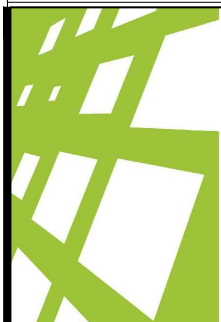


SOUTH ELEVATION
SCALE 1:150



WEST ELEVATION
SCALE 1:150

WORKSHOP 1 ELEVATIONS



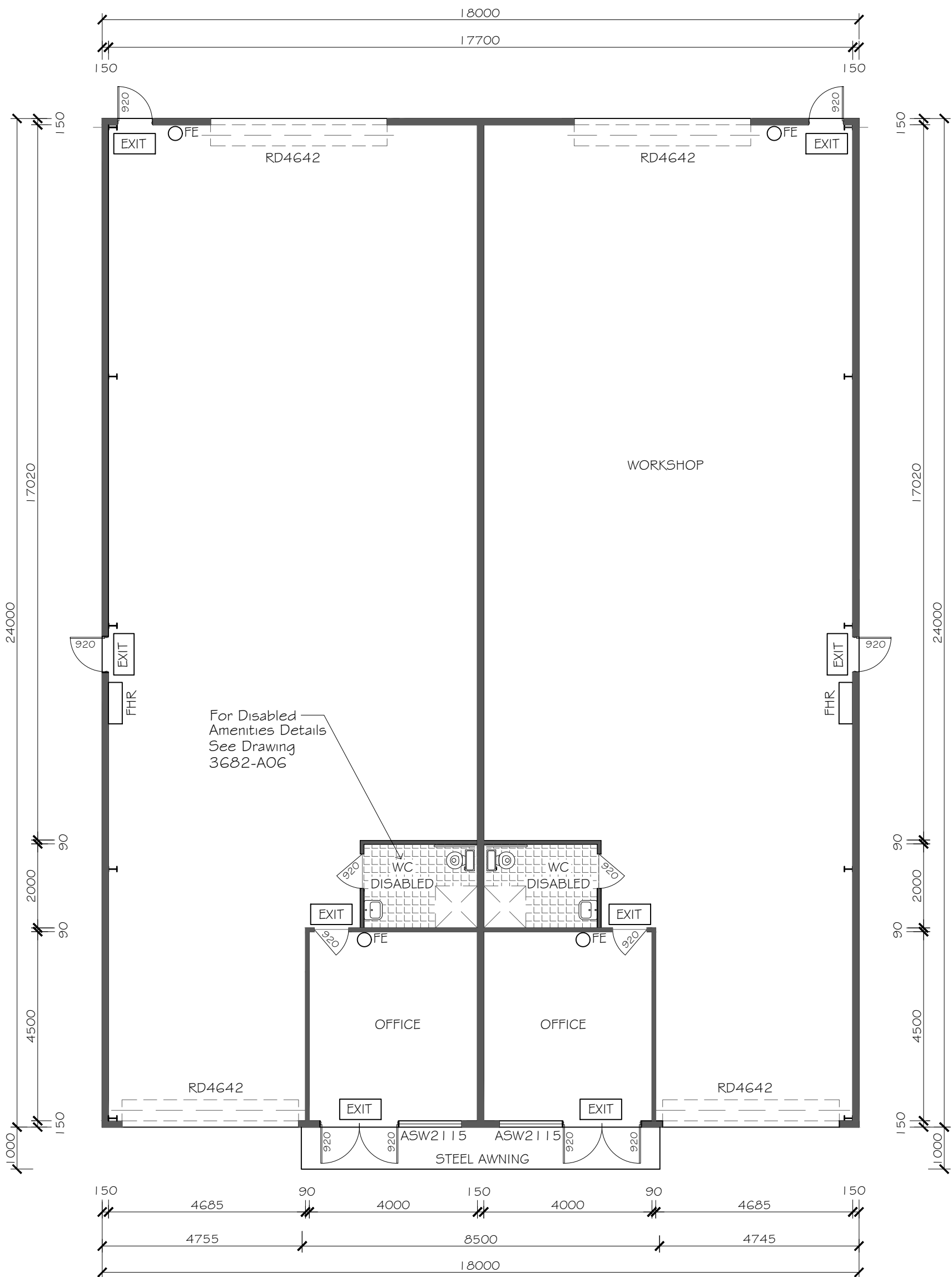
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REV	DATE	BY	DESCRIPTION
A	OCT 2021	G.D.	ISSUED FOR APPROVAL

CRAIG BUTLER

INDUSTRIAL DEVELOPMENT & SUBDIVISION
LOT 5 BURRUNDULLA ROAD MUDGEE

SCALE: 1:150	FILE: 3682-A01	DWG No.	REV.
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CKD: D.B.	DATE: OCT 2021		



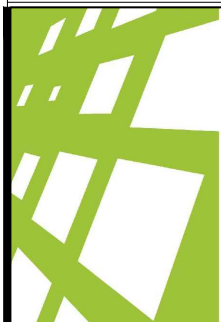
WORKSHOP 2 GROUND FLOOR PLAN
SCALE 1:100

LEGEND

- FHR 36m Fire Hose Reel
- FE Fire Extinguisher
- EXIT Illuminated Exit Sign and Emergency Lighting

NOTE

Slab and Framing Details to Engineers Plans and Specifications.



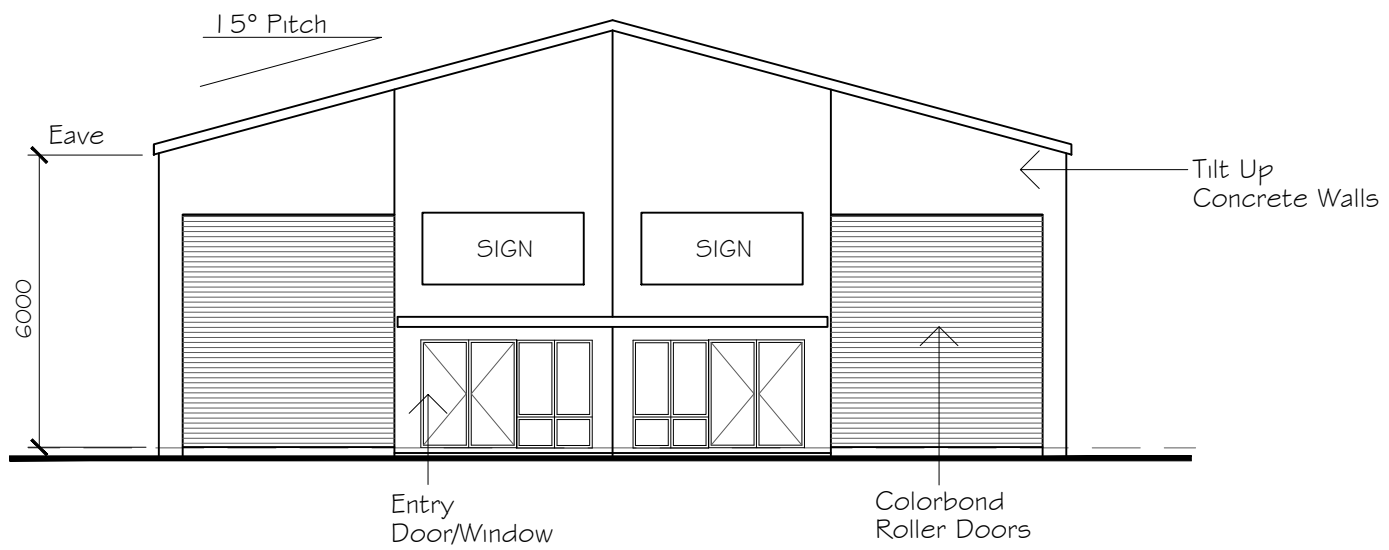
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0417 688 326
53 Hill Sixty Drive
Mudgee NSW 2850

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REV	DATE	BY	DESCRIPTION

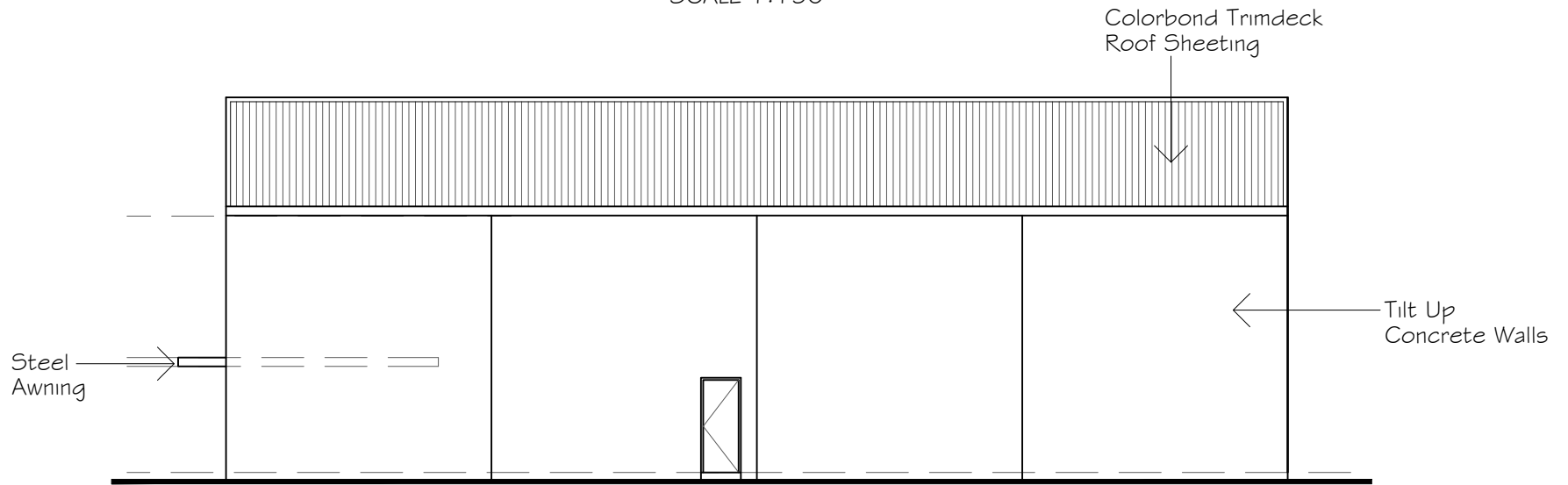
CRAIG BUTLER

INDUSTRIAL DEVELOPMENT & SUBDIVISION
LOT 5 BURRUNDULLA ROAD MUDGEE

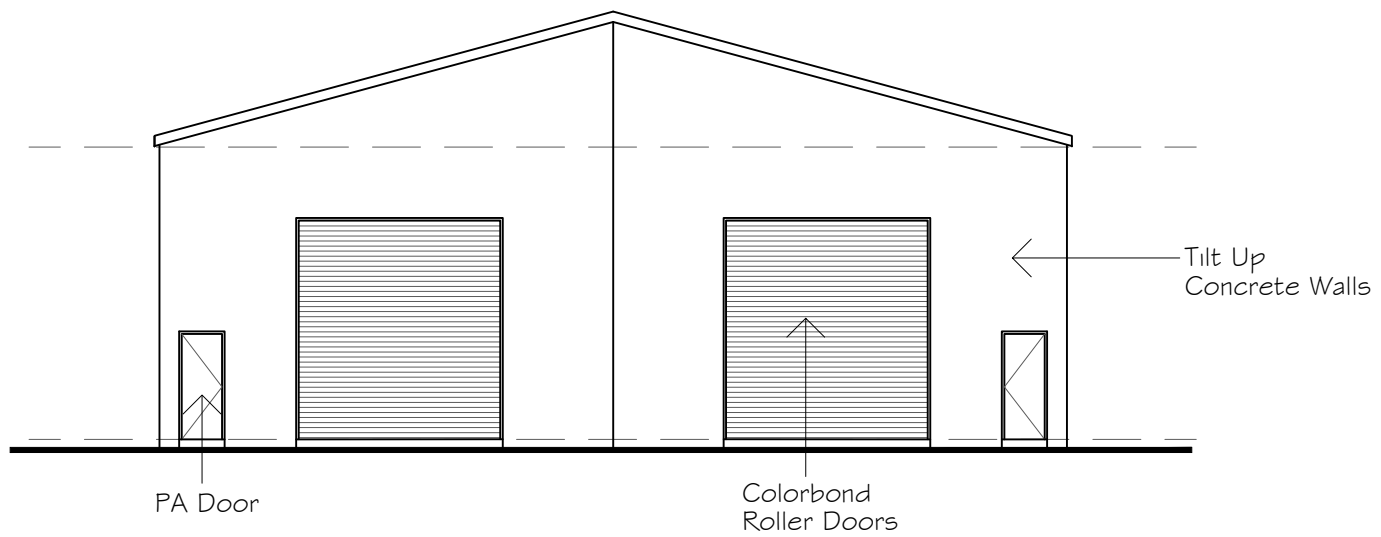
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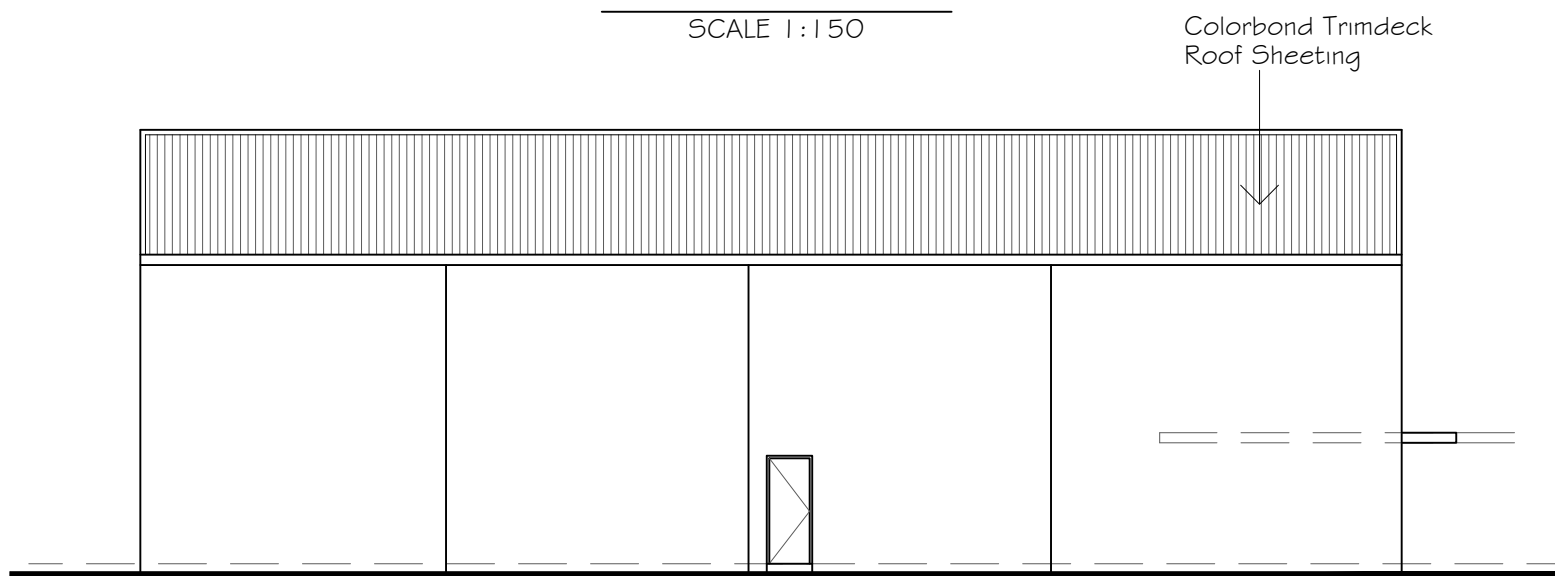
EAST ELEVATION
SCALE 1:150



NORTH ELEVATION
SCALE 1:150

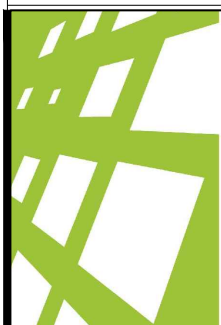


WEST ELEVATION
SCALE 1:150



SOUTH ELEVATION
SCALE 1:150

WORKSHOP 2 ELEVATIONS



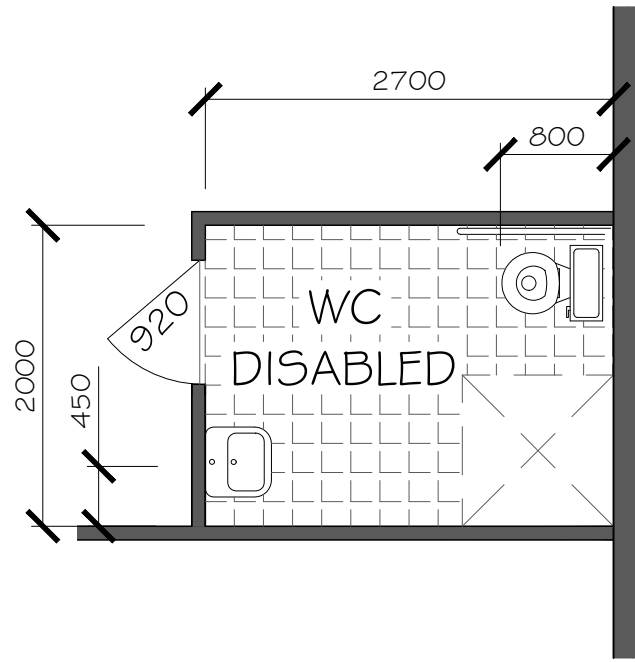
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REV	DATE	BY	DESCRIPTION
A	OCT 2021	G.D.	ISSUED FOR APPROVAL

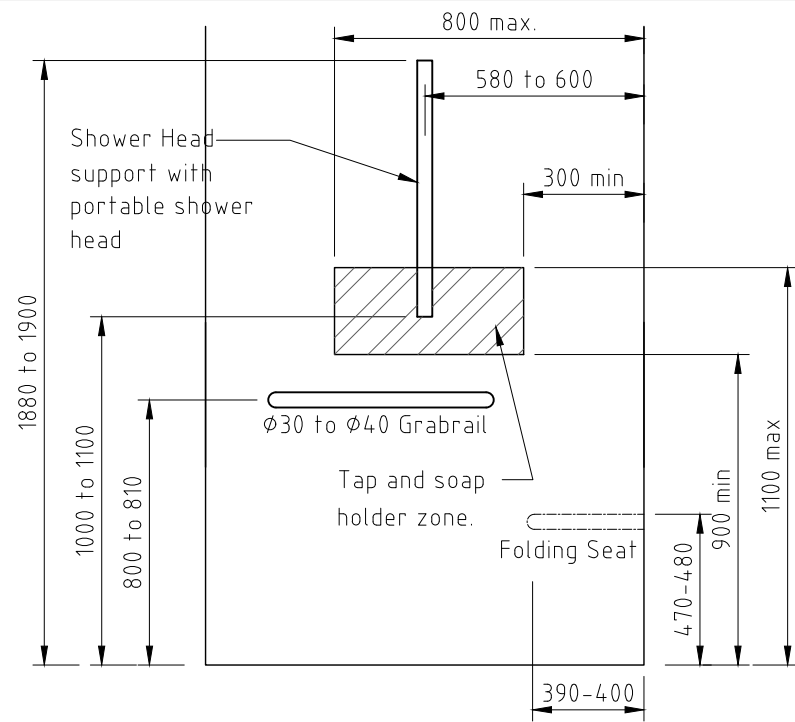
CRAIG BUTLER

INDUSTRIAL DEVELOPMENT & SUBDIVISION
LOT 5 BURRUNDULLA ROAD MUDGEE

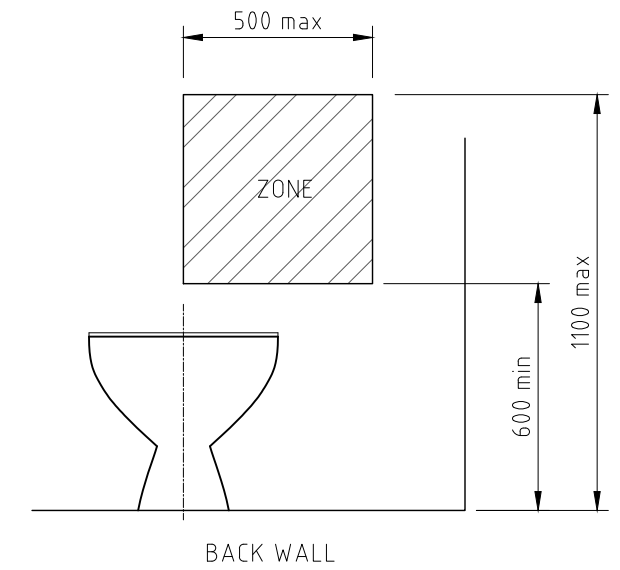
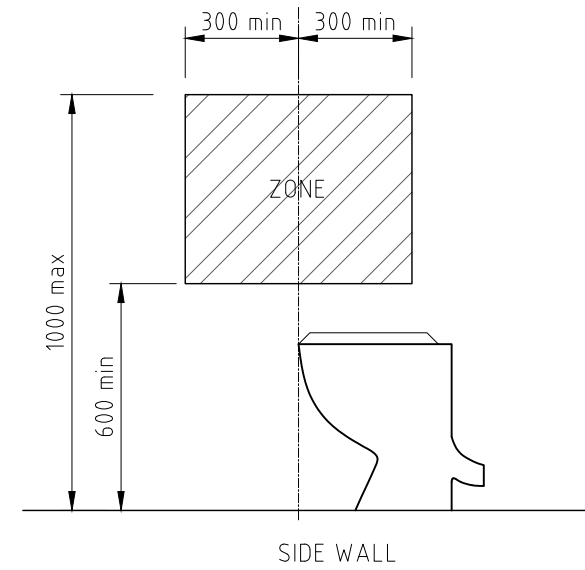
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CKD: D.B.	DATE: OCT 2021		



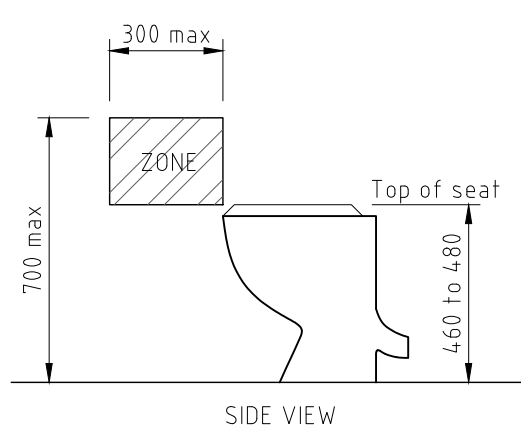
DISABLED AMENITIES FLOOR PLAN
SCALE 1:50



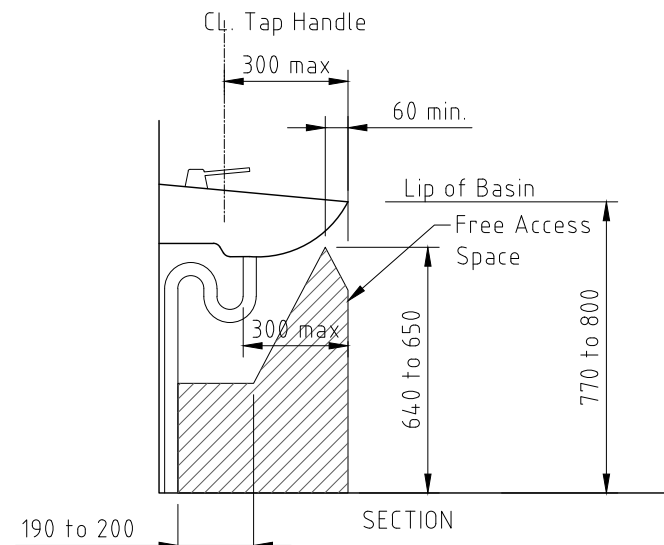
SHOWER RECESS FITTINGS
SCALE 1:20



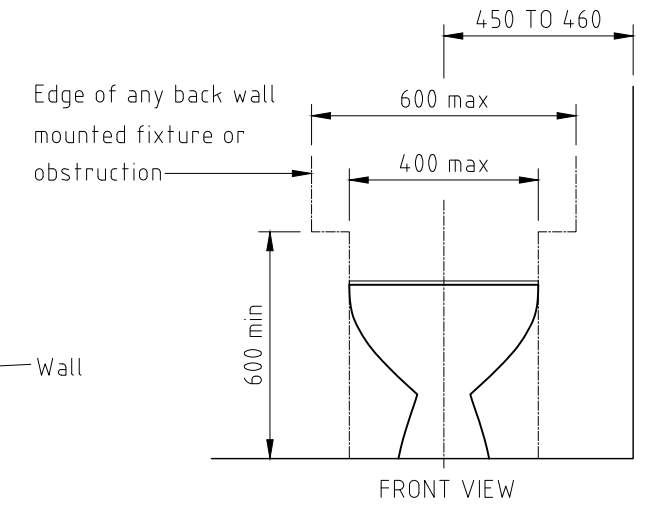
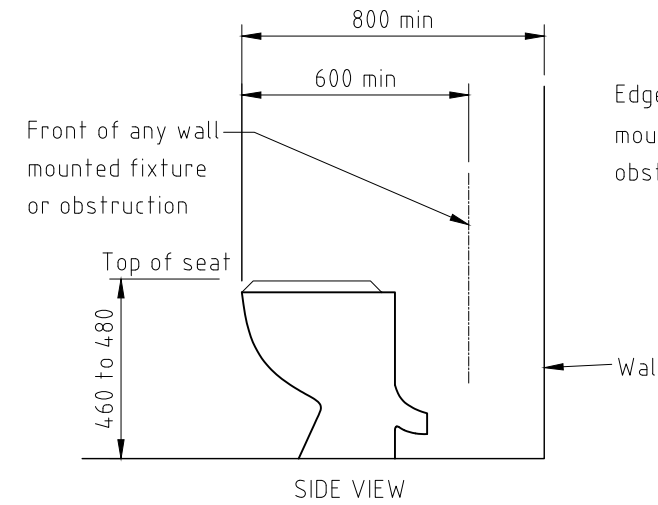
ZONE FOR FLUSHING CONTROL
SCALE 1:20



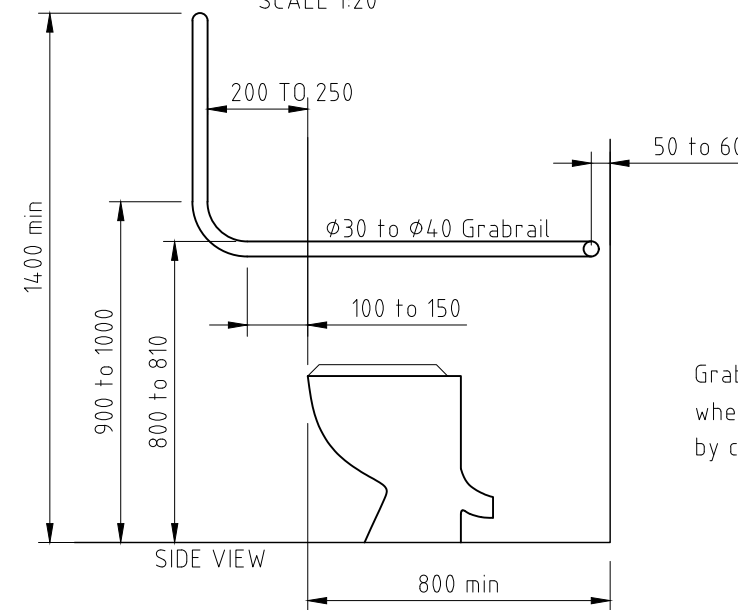
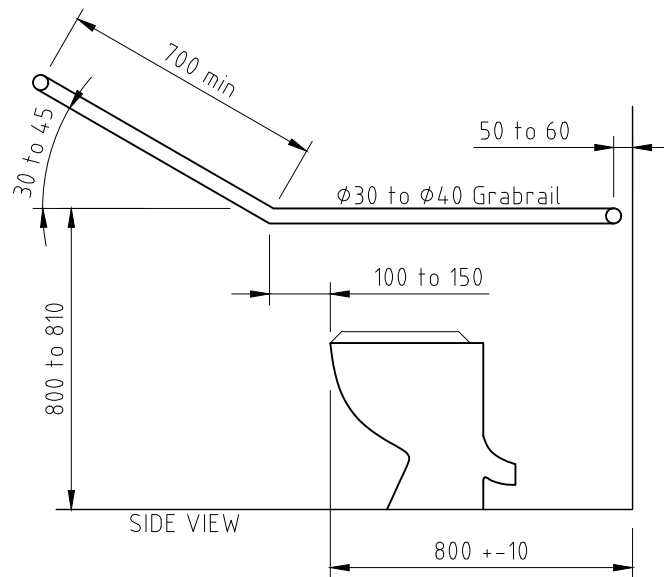
TOILET PAPER OUTLET
SCALE 1:20



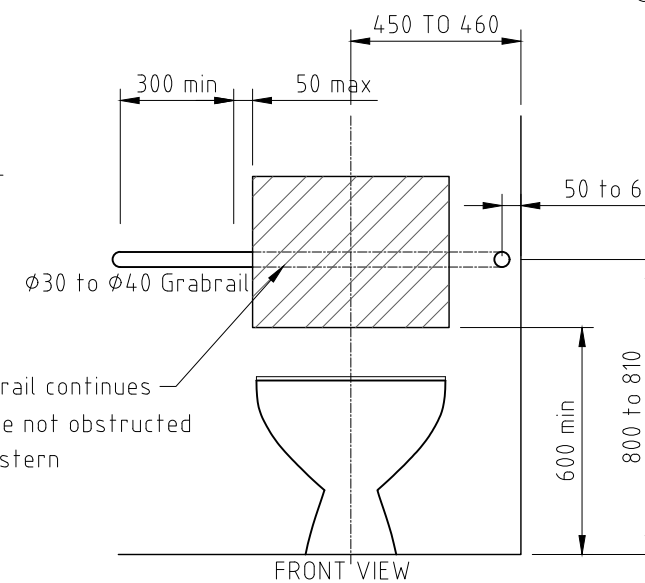
WASHBASIN OBSTRUCTION LIMIT
SCALE 1:20



WATER CLOSET PAN CLEARANCES, SEAT HEIGHT & SEAT WIDTH
SCALE 1:20



POSITIONS OF GRABRAILS IN WATER CLOSETS
SCALE 1:20



A	OCT 2021	G.D.	ISSUED FOR APPROVAL
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REV	DATE	BY	DESCRIPTION
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Giselle Denley
Drafting Services
giselle.denley@bigpond.com
0417 688 326
53 Hill Sixty Drive
Mudgee NSW 2850

CLIENT:
CRAIG BUTLER

TITLE:
**PROPOSED INDUSTRIAL DEVELOPMENT
LOT 5 BURRUNDULLA ROAD MUDGEE**

SCALE: 1:50, 1:20	FILE: 3682-A01	DWG No.	REV.
DRAWN: G.D.	DATE: OCT 2021	3682-A06	A
CKD: C.B.	DATE: OCT 2021		

Appendix E - Preliminary Civil Design

CRAIG BUTLER

**PROPOSED SUBDIVISION AT
LOT 5 IN DP 1269918
50 BURRUNDULLA ROAD BURRUNDULLA**

DRAWING SCHEDULE

35299-C11 COVER SHEET & GENERAL NOTES
35299-C12 EXISTING SITE PLAN
35299-C13 PROPOSED SITE PLAN
35299-C14 PROPOSED PAVEMENT PLAN
35299-C15 PROPOSED SERVICES PLAN

SUBMISSION FOR DA



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Client: CRAIG BUTLER
Project: PROPOSED SUBDIVISION AT
LOT 5 IN DP 1269918
50 BURRUNDULLA ROAD BURRUNDULLA
Drawing Title: COVER PAGE AND DRAWING SCHEDULE

Rev	Date	Amendment
A	03-11-2021	ISSUED FOR DA

Design LM Certification

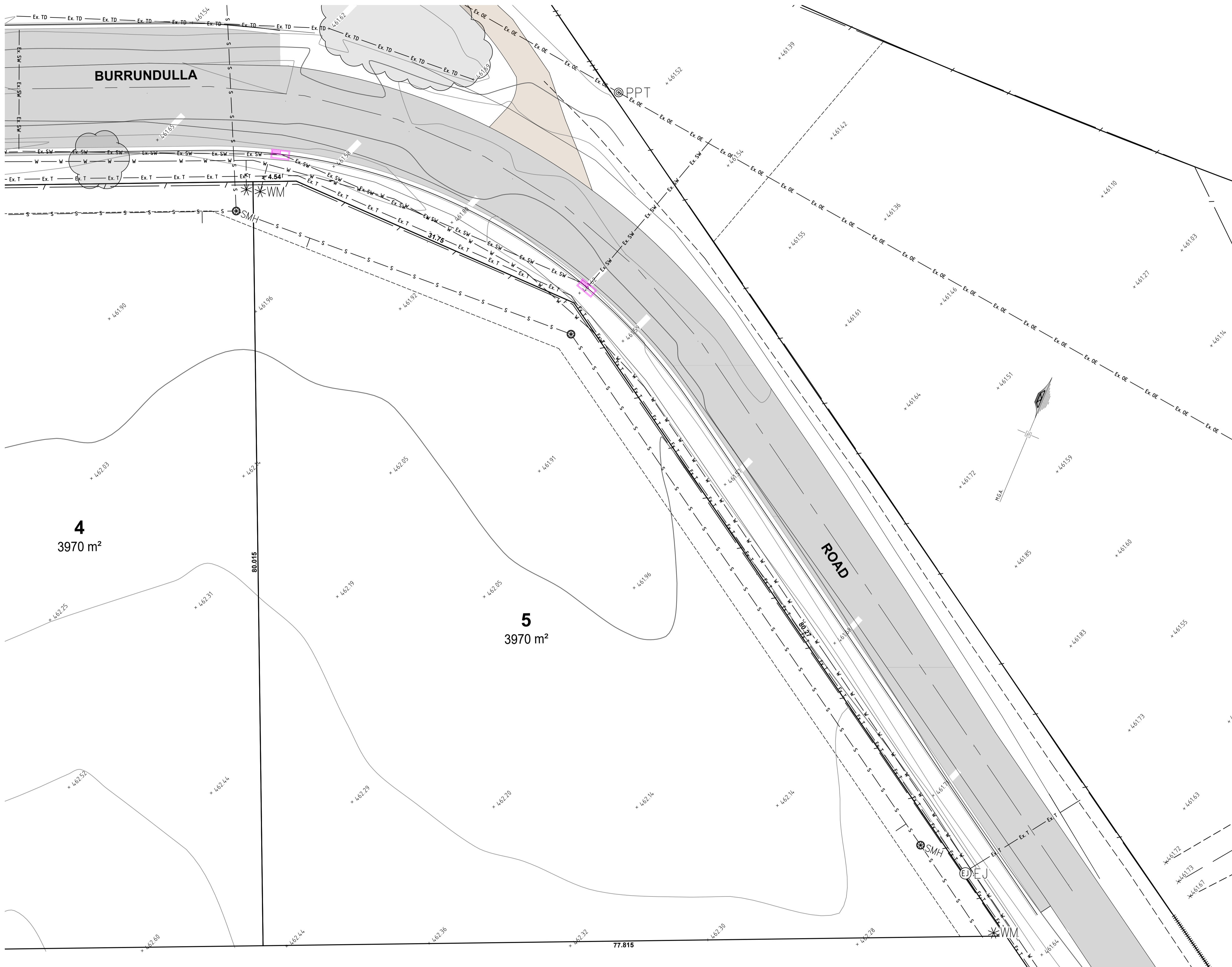
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Check LM Drawing Number

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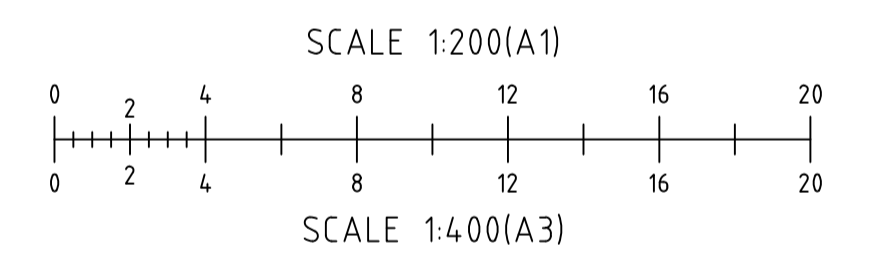
Revision

A



KEY	
	EXISTING SUBJECT CADASTRAL BOUNDARIES
	EXISTING EASEMENT
	EXISTING FENCE LINE
	EXISTING GATE
	TOP/BOTTOM OF BANK
	EXISTING OVERHEAD ELECTRICITY CABLES
	EXISTING POWER POLE
	EXISTING POWER POLE TRANSFORMER
	EXISTING ELECTRICAL STAY WIRE
	EXISTING UNDERGROUND WATER MAIN - APPROX.
	EXISTING WATER METER
	EXISTING WATER STOP VALVE
	EXISTING UNDERGROUND TELECOMMUNICATIONS ASSETS - APPROX.
	EXISTING TELECOMMUNICATIONS PIT
	EXISTING TELECOMMUNICATIONS ELEVATED JOINT
	EXISTING UNDERGROUND SEWER PIPE
	EXISTING SEWER MANHOLE
	EXISTING SEWER INSPECTION OPENING
	EXISTING UNDERGROUND STORMWATER PIPE
	EXISTING TABLE DRAIN

EXISTING SITE PLAN
 REDUCTION RATIO 1:200 @ A1
 1:400 @ A3



SUBMISSION FOR DA



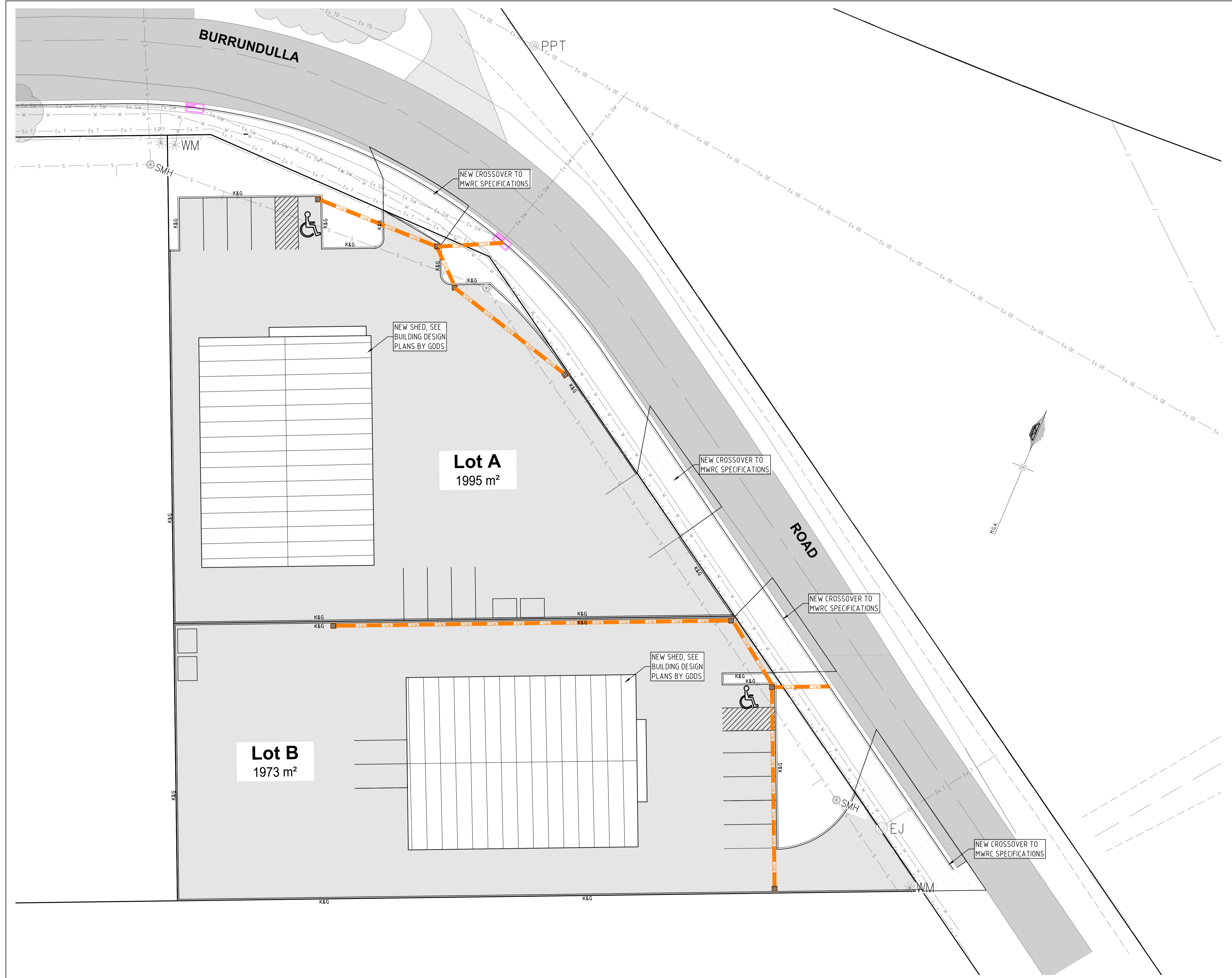
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Client: CRAIG BUTLER
 Project: PROPOSED SUBDIVISION AT LOT 5 IN DP 1269918 50 BURRUNDULLA ROAD BURRUNDULLA
 Drawing Title: EXISTING STE PLAN

Rev	Date	Amendment
A	03-11-2021	ISSUED FOR DA

Design	LM	Certification	
Drawn	MK		
Check	LM	Drawing Number	
Original Sheet Size = A1		35299 - C12	Revision A



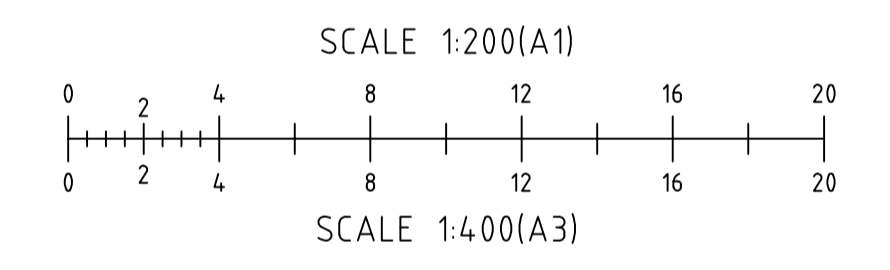
LEGEND - EXISTING

---	EXISTING SUBJECT CADASTRAL BOUNDARIES
- - - - -	EXISTING EASEMENT
— / —	EXISTING FENCE LINE
	EXISTING GATE
- - - - -	TOP/BOTTOM OF BANK
— Ex. OE — Ex. OE —	EXISTING OVERHEAD ELECTRICITY CABLES
⊙ PP	EXISTING POWER POLE
⊙ PPT	EXISTING POWER POLE TRANSFORMER
— STAY	EXISTING ELECTRICAL STAY WIRE
— Ex. W — Ex. W —	EXISTING UNDERGROUND WATER MAIN - APPROX.
⊙ WM	EXISTING WATER METER
⊙ SV	EXISTING WATER STOP VALVE
— Ex. T — Ex. T —	EXISTING UNDERGROUND TELECOMMUNICATIONS ASSETS - APPROX.
⊙ TPIT	EXISTING TELECOMMUNICATIONS PIT
⊙ EJ	EXISTING TELECOMMUNICATIONS ELEVATED JOINT
— Ex. S — Ex. S —	EXISTING UNDERGROUND SEWER PIPE
⊙ SMH	EXISTING SEWER MANHOLE
⊙ IO	EXISTING SEWER INSPECTION OPENING
— Ex. SW — Ex. SW —	EXISTING UNDERGROUND STORMWATER PIPE
— Ex. TD — Ex. TD —	EXISTING TABLE DRAIN

LEGEND (PROPOSED)

---	PROPOSED BOUNDARY
- - - - -	PROPOSED EASEMENT BOUNDARY
— W — W —	PROPOSED U/G WATER MAIN
— S — S —	PROPOSED U/G SEWER MAIN
— SW — SW —	PROPOSED U/G STORMWATER DRAINAGE PIPE
⊙	PROPOSED SEWER MANHOLE
⊙	PROPOSED STORMWATER INLET PIT
⊙	PROPOSED STORMWATER KERB INLET PIT
— K&G —	PROPOSED HARDSTAND PAVEMENT
— K&G —	PROPOSED KERB & GUTTER

PROPOSED SITE PLAN
 REDUCTION RATIO 1:200 @ A1
 1:400 @ A3



SUBMISSION FOR DA



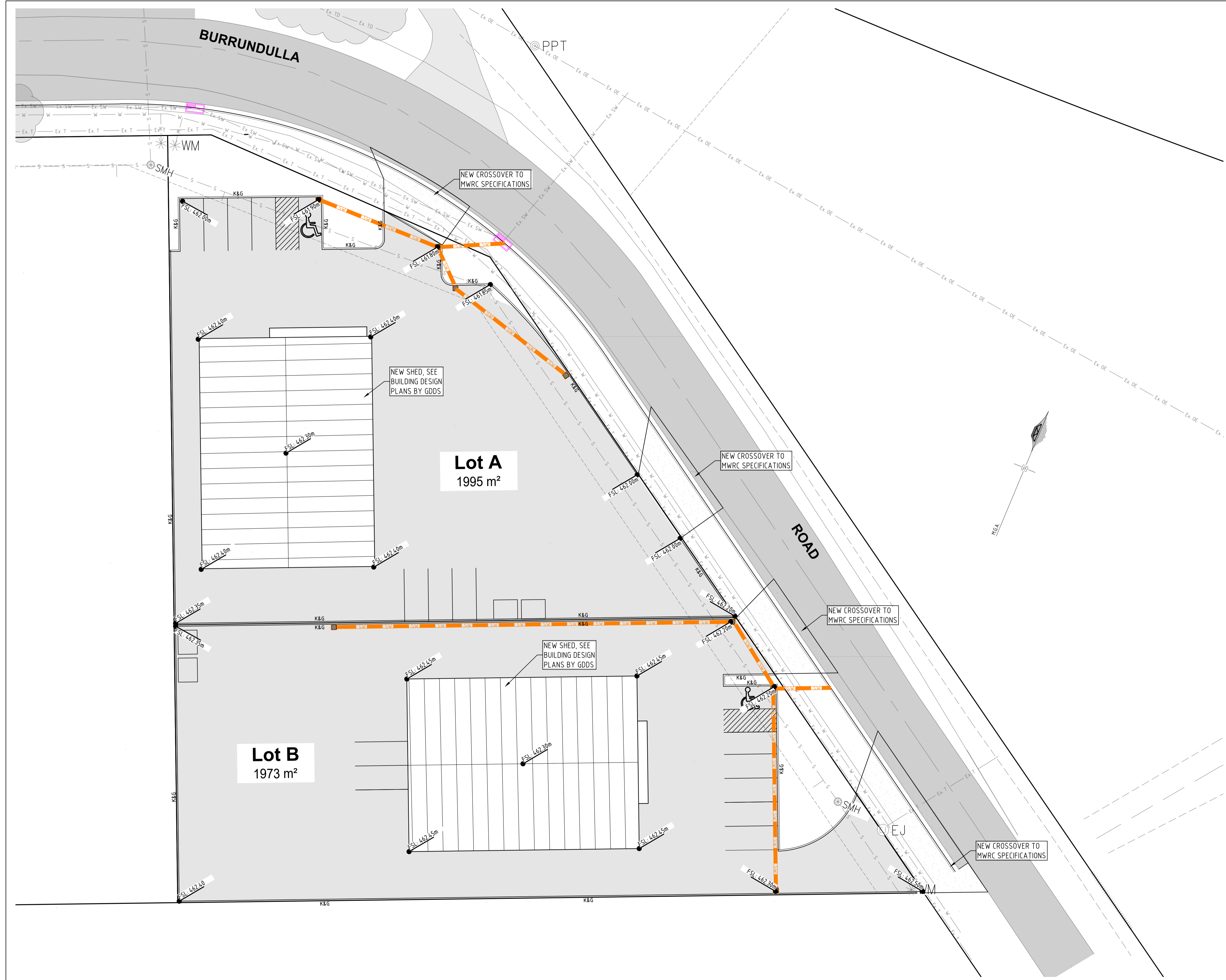
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Client: CRAIG BUTLER
 Project: PROPOSED SUBDIVISION AT LOT 5 IN DP 1269918 50 BURRUNDULLA ROAD BURRUNDULLA
 Drawing Title: PROPOSED SITE PLAN

Rev Date Amendment
 A 03-11-2021 ISSUED FOR DA

Design	LM	Certification	
Drawn	MK		
Check	LM	Drawing Number	
Original Sheet Size = A1		35299 - C13	Revision A



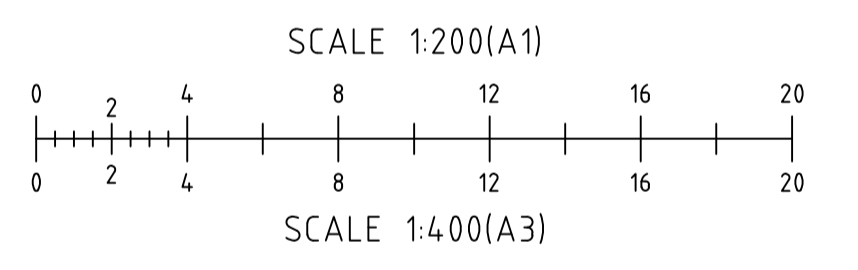
LEGEND - EXISTING

---	EXISTING SUBJECT CADASTRAL BOUNDARIES
- - - - -	EXISTING EASEMENT
— / —	EXISTING FENCE LINE
	EXISTING GATE
- - - - -	TOP/BOTTOM OF BANK
— Ex. OE — Ex. OE —	EXISTING OVERHEAD ELECTRICITY CABLES
● PP	EXISTING POWER POLE
⊙ PPT	EXISTING POWER POLE TRANSFORMER
— STAY	EXISTING ELECTRICAL STAY WIRE
— Ex. W — Ex. W —	EXISTING UNDERGROUND WATER MAIN - APPROX.
⊙ WM	EXISTING WATER METER
⊙ SV	EXISTING WATER STOP VALVE
— Ex. T — Ex. T —	EXISTING UNDERGROUND TELECOMMUNICATIONS ASSETS - APPROX.
⊙ TPIT	EXISTING TELECOMMUNICATIONS PIT
⊙ EJ	EXISTING TELECOMMUNICATIONS ELEVATED JOINT
— Ex. S — Ex. S —	EXISTING UNDERGROUND SEWER PIPE
⊙ SMH	EXISTING SEWER MANHOLE
○ IO	EXISTING SEWER INSPECTION OPENING
— Ex. SW — Ex. SW —	EXISTING UNDERGROUND STORMWATER PIPE
— Ex. TD — Ex. TD —	EXISTING TABLE DRAIN

LEGEND (PROPOSED)

---	PROPOSED BOUNDARY
- - - - -	PROPOSED EASEMENT BOUNDARY
— W — W —	PROPOSED U/G WATER MAIN
— S — S —	PROPOSED U/G SEWER MAIN
— SW — SW —	PROPOSED U/G STORMWATER DRAINAGE PIPE
⊙	PROPOSED SEWER MANHOLE
⊙	PROPOSED STORMWATER INLET PIT
⊙	PROPOSED STORMWATER KERB INLET PIT
— K&G —	PROPOSED HARDSTAND PAVEMENT
— K&G —	PROPOSED KERB & GUTTER

PROPOSED PAVEMENT PLAN
 REDUCTION RATIO 1:400 @ A1
 1:800 @ A3



SUBMISSION FOR DA



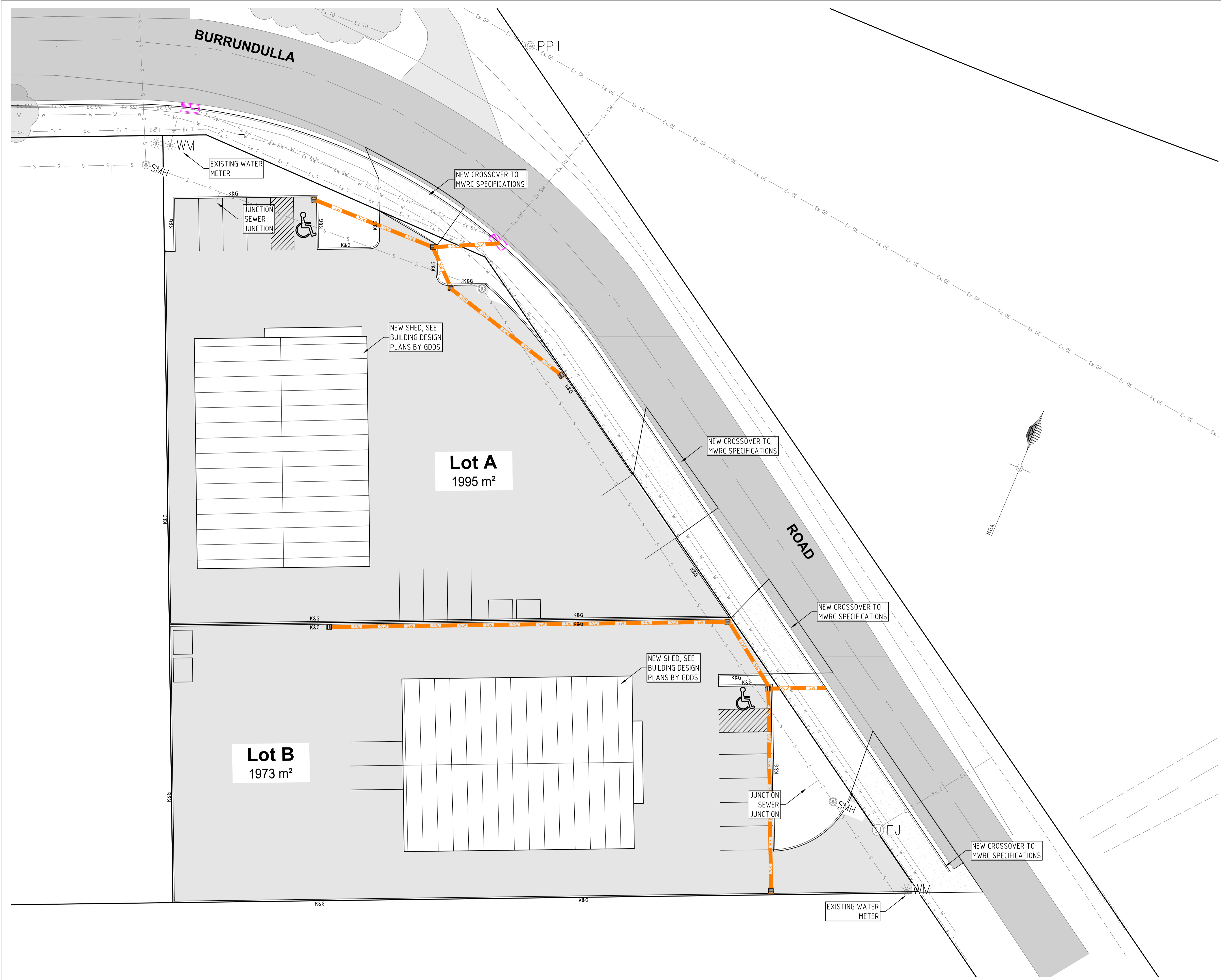
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 Project: PROPOSED SUBDIVISION AT LOT 5 IN DP 1269918 50 BURRUNULLA ROAD BURRUNULLA
 Drawing Title: PROPOSED PAVEMENT PLAN

Rev Date Amendment
 A 03-11-2021 ISSUED FOR DA

Design	LM	Certification	
Drawn	MK		
Check	LM	Drawing Number	
Original Sheet Size = A1		35299 - C14	Revision A



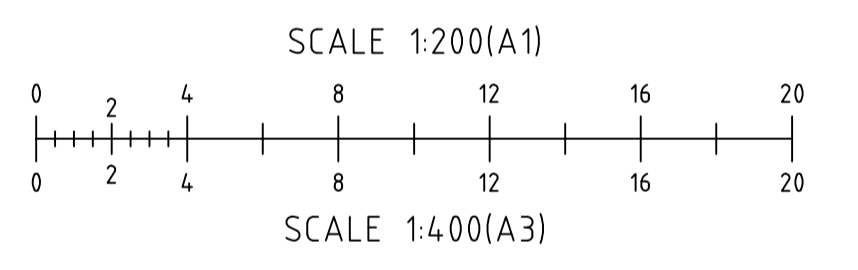
LEGEND - EXISTING

	EXISTING SUBJECT CADASTRAL BOUNDARIES
	EXISTING EASEMENT
	EXISTING FENCE LINE
	EXISTING GATE
	TOP/BOTTOM OF BANK
	EXISTING OVERHEAD ELECTRICITY CABLES
	EXISTING POWER POLE
	EXISTING POWER POLE TRANSFORMER
	EXISTING ELECTRICAL STAY WIRE
	EXISTING UNDERGROUND WATER MAIN - APPROX.
	EXISTING WATER METER
	EXISTING WATER STOP VALVE
	EXISTING UNDERGROUND TELECOMMUNICATIONS ASSETS - APPROX.
	EXISTING TELECOMMUNICATIONS PIT
	EXISTING TELECOMMUNICATIONS ELEVATED JOINT
	EXISTING UNDERGROUND SEWER PIPE
	EXISTING SEWER MANHOLE
	EXISTING SEWER INSPECTION OPENING
	EXISTING UNDERGROUND STORMWATER PIPE
	EXISTING TABLE DRAIN

LEGEND (PROPOSED)

	PROPOSED BOUNDARY
	PROPOSED EASEMENT BOUNDARY
	PROPOSED U/G WATER MAIN
	PROPOSED U/G SEWER MAIN
	PROPOSED U/G STORMWATER DRAINAGE PIPE
	PROPOSED SEWER MANHOLE
	PROPOSED STORMWATER INLET PIT
	PROPOSED STORMWATER KERB INLET PIT
	PROPOSED HARDSTAND PAVEMENT
	PROPOSED KERB & GUTTER

PROPOSED SERVICES PLAN
 REDUCTION RATIO 1:200 @ A1
 1:400 @ A3



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Client: CRAIG BUTLER
 Project: PROPOSED SUBDIVISION AT LOT 5 IN DP 1269918 50 BURRUNULLA ROAD BURRUNULLA
 Drawing Title: PROPOSED SERVICES PLAN

Rev	Date	Amendment
A	03-11-2021	ISSUED FOR DA

Design	LM	Certification	
Drawn	MK		
Check	LM	Drawing Number	
Original Sheet Size = A1		35299 - C15	Revision A

Appendix F - Clause 4.6 Variation letter

Introduction

Clause 4.6 of the *Mid-Western Regional Local Environmental Plan 2012* (LEP) allows for development consent to be granted to developments that would contravene a development standard imposed by an Environmental Planning Instrument. A written request from the applicant is required to accompany a DA that is seeking a variation to a development standard pursuant to Clause 4.6. Specifically, the following is required:

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless—*
 - (a) *the consent authority is satisfied that—*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

This appendix forms the required written request. The proposed development standard to be varied is the minimum lot size for the proposed development.

Development Standard to be Varied

The development standard to be varied is Clause 4.2A(3)(a) of Dubbo LEP which states:

- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*

The subject site is located in the IN1 General Industrial zone under the *Mid-Western Regional Local Environmental Plan 2012*. The Lot Size Map shows the subject site as requiring a minimum lot size of 2000m² and the existing Lot is currently 3953m². However, this development application is for a Torrens Title industrial subdivision. Both proposed lots shall have an area of 1977m² and 1976m² respectively for the erection of two industrial buildings. Therefore, the proposed development does not meet the minimum lot size of 2000m² as required by Clause 4.1 of the LEP.

Justification

The NSW Planning & Infrastructure's *Varying Development Standards: A Guide* provides guidance on the preparation of a written submission required for a Clause 4.6 development standard variation. Specifically, it notes that the matters in clause 4.6(3) and (4) should be addressed along with the "five-part test" established by the NSW Land & Environment Court, as follows.

Five Part Test

1. The objectives of the standard are achieved notwithstanding noncompliance with the standard.

The objectives of the standard are:

- (a) *to protect and enhance the production capacity of rural lands, by maintaining farm sizes and the status of productive lands,*
- (b) *to ensure residential allotments are of a suitable shape and size to provide a building envelope, private open space and suitable building setbacks for acoustic and visual privacy,*
- (c) *to ensure industrial allotments are of a suitable size and shape to allow for separation from adjoining uses and to ensure appropriately sized vehicles can traverse to and from the land,*
- (d) *to ensure commercial allotments are of a suitable size and shape to provide for a range of commercial development without providing for the fragmentation of ownership into smaller lots,*
- (e) *to maximise the economic potential of, and provide for more intensive, small lot agricultural uses in areas able to access commercial quantities of irrigation water.*

The site is zoned IN1 General Industrial, therefore, objectives (a), (b) and (e) are not applicable in this instance.

In relation to (c), the site is of suitable shape and allows for vehicles to traverse to and from the land. **Appendix E** shows the vehicle turning paths and there is adequate room for this to occur.

In relation to (d), the corner Lot allows enough size for potential three different styles of general industrial use to utilise the property. By having the separate entrances and exits it enables larger sized vehicles to adequately traverse the land.

From the above it can be seen that the development, despite not achieving the development standard, would still achieve the objective of the standard as it would provide allotments suitable for general industrial uses.

2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

This matter is not applicable in this instance as the underlying objective and purpose is applicable to the development.

3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.

This matter is not applicable in this instance.

4. The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.

This matter is not applicable in this instance.

5. The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

This matter is not applicable in this instance.

Clause 4.6 Matters

- 4.6(3)(a) Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case**

In this area of the IN1 zone, 2000m² is deemed the acceptable minimum lot size in order to support general industrial businesses. The proposed lot sizes are 23m² and 24m² below the minimum lot size. Therefore, the deficiency of the lot sizes would not be a noticeable difference to those lots that comply with the minimum lot size. There are many lots in this area with existing buildings that were created before the inception of the current LEP that are below the 2000m² minimum lot size. Given that there are properties below this requirement in the locality which attributes similar land and environmental characteristics, it is not considered that there are constraints that would be such to result in adverse impact from the smaller lot size.

In terms of land use, the smaller lot sizes would be capable to accommodate the ongoing general industrial use of the site whilst providing three businesses the opportunity to utilise the area. Therefore the compliance with the development standard is considered to be unreasonable and unnecessary, in the circumstances of the case as the development still achieves the overall intent of the provision.

- 4.6(3)(b) Sufficient environmental planning grounds to justify contravening the development standard**

The primary concerns relating to general industrial development are outlined by the *Central West and Orana Regional Plan 2036* are referred to below.

Goal 1: The most diverse regional economy in NSW, Direction 10: Promote business and industrial activities in employment lands. Refer to below:

Action 10.1- Encourage the sustainable development of industrial and employment land to maximise infrastructure and connect to the existing freight network.

Action 10.3- Encourage the consolidation of isolated, unused and underused pockets of industrial land to create long-term development opportunities

This is reflected in the objectives of the IN1 General Industrial zone, as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To promote a safe and efficient network for the movement of heavy vehicles and to minimise the intrusion of heavy vehicles into nearby residential areas.*

The development is also with the surrounding and predominant land use of the locality and therefore would not be incompatible with this land use. The proposal would not increase the demand for public services, facilities or infrastructure, nor would there be any land use conflict.

Based on the above, it can be seen that the development would not be antipathetic to the zone objectives by virtue of being undersized and that there are sufficient environmental planning grounds to justify contravention of the development standard.

4.6(4)(a)(ii) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out

The proposed development is considered to be consistent with the objectives of Clause 4.1 and the IN1 General Industrial zone of the Mid-Western LEP as outlined above. Therefore, the development is considered to be in the public interest.

Conclusion

The development proposes a minor variation to the minimum lot size development standard. As outlined above, despite being slightly below the minimum lot size, the application would not result in any land use conflict and would still more than easily support the development taking into consideration land use constraints. In this regard, the development would be consistent with both the objectives of the IN1 zone and Clause 4.1 of the LEP. It can therefore be concluded that:

- Compliance with the development standard is unreasonable and unnecessary in this instance as the development would achieve the intent of the relevant objectives and intent of the planning provisions; and
- There are sufficient environmental planning grounds to justify the contravention of the development standard; and
- The development would be in the public interest by virtue of being consistent with the objectives of the development standard and the IN1 zone.

Appendix G - Safe Sight Distance Analysis

date
18.08.2021

reference
35299-CR01_0.docx

receiver
Craig Butler
217 Denison Street,
Mudgee NSW 2850

Dear Craig,

RE: Safe Sight Distance Analysis, Lot 5 in Subdivision of 3B Sydney Road, Mudgee, NSW, 2850

At your request, we have reviewed the traffic sight distances for the proposed subdivision of Lot 5 in Subdivision of 3B Sydney Road, Mudgee. The lot is located on Burrundulla Road on a bend. The proposed site plan is shown attached with turning templates for a medium-rigid vehicle.

The site is in a 50km/hr speed zone; however, it is acknowledged the site is close to an 80km/hr speed zone for vehicles approaching the site from the east. For the purposes of analysis, we shall assume a 50km/hr speed for all vehicles approaching from the west and 80km/hr for vehicles approaching from the east. The existing sight distances are below:

- From the east – 106m (for 50km/hr zone as shown attached).
- From the west – 290m (for 80km/hr zone).

From AUTROADS Guide to Road Design Part 3: Geometric Design, the following parameters are provided:

From Table 5.6 – Truck Stopping Sight Distance

- 69m for 50km/hr (using a reaction time of 2.5s).
- 142m for 80km/hr (using a reaction time of 2.5s).

Therefore, the required stopping distance for a truck approaching the site from the west travelling at 50km/hr is 69m. The available sight distance is 106m.

The required stopping distance for a truck approaching the site from the east is 142m. The available sight distance is 290m.

Both available sight distances are therefore in excess of AUSTRROAD requirements.

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

Yours faithfully,

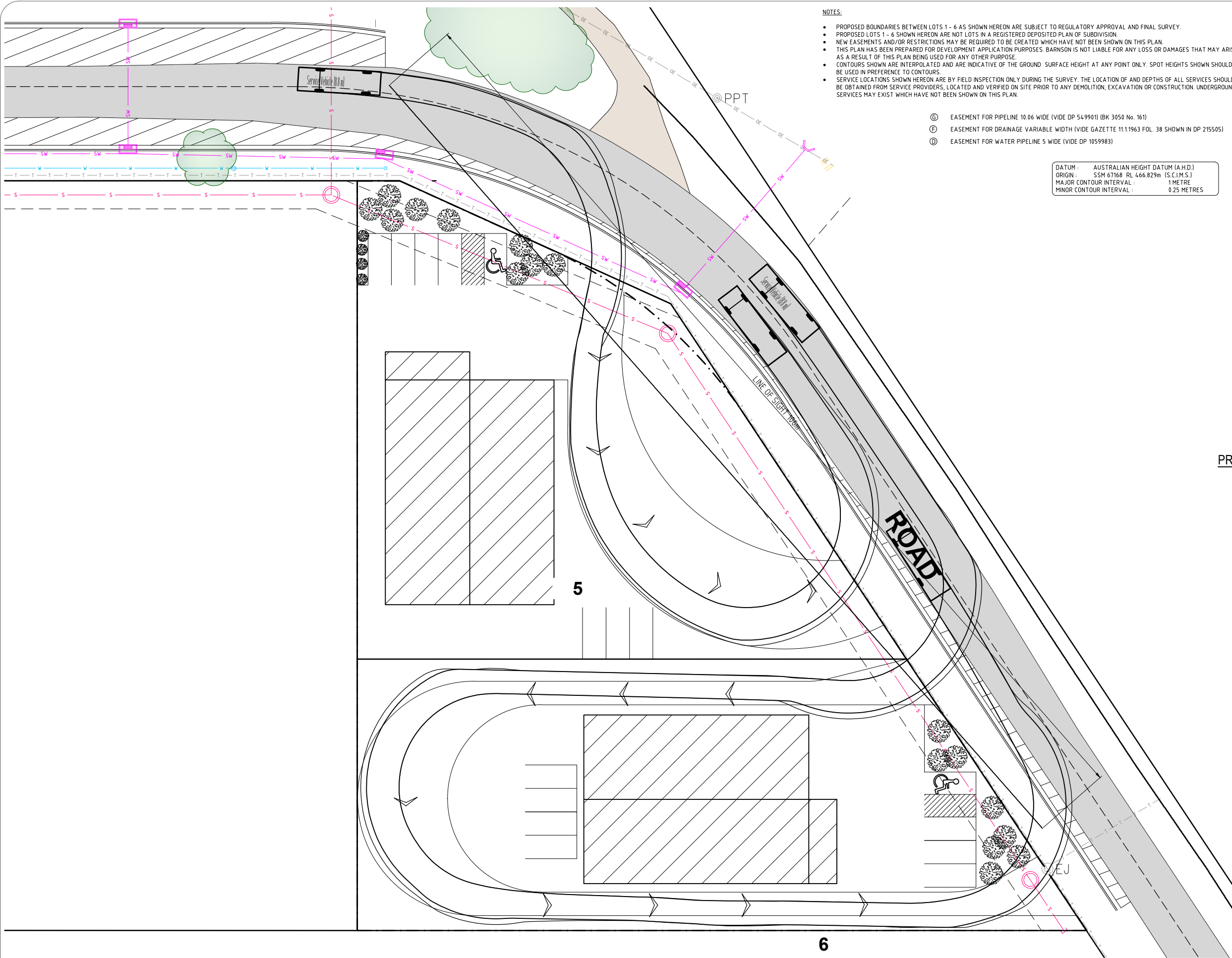
BARNSON PTY LTD



Luke Morris

BE MIEAust CPEng NPER

Director



NOTES:

- PROPOSED BOUNDARIES BETWEEN LOTS 1 - 6 AS SHOWN HEREON ARE SUBJECT TO REGULATORY APPROVAL AND FINAL SURVEY.
- PROPOSED LOTS 1 - 6 SHOWN HEREON ARE NOT LOTS IN A REGISTERED DEPOSITED PLAN OF SUBDIVISION.
- NEW EASEMENTS AND/OR RESTRICTIONS MAY BE REQUIRED TO BE CREATED WHICH HAVE NOT BEEN SHOWN ON THIS PLAN.
- THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES. BARNSON IS NOT LIABLE FOR ANY LOSS OR DAMAGES THAT MAY ARISE AS A RESULT OF THIS PLAN BEING USED FOR ANY OTHER PURPOSE.
- CONTOURS SHOWN ARE INTERPOLATED AND ARE INDICATIVE OF THE GROUND SURFACE HEIGHT AT ANY POINT ONLY. SPOT HEIGHTS SHOWN SHOULD BE USED IN PREFERENCE TO CONTOURS.
- SERVICE LOCATIONS SHOWN HEREON ARE BY FIELD INSPECTION ONLY DURING THE SURVEY. THE LOCATION OF AND DEPTHS OF ALL SERVICES SHOULD BE OBTAINED FROM SERVICE PROVIDERS, LOCATED AND VERIFIED ON SITE PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION. UNDERGROUND SERVICES MAY EXIST WHICH HAVE NOT BEEN SHOWN ON THIS PLAN.

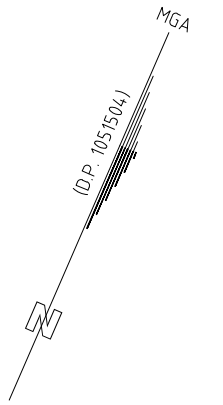
- ⓐ EASEMENT FOR PIPELINE 10.06 WIDE (VIDE DP 549901) (BK 3050 No. 161)
- ⓑ EASEMENT FOR DRAINAGE VARIABLE WIDTH (VIDE GAZETTE 11.1.1963 FOL. 38 SHOWN IN DP 215505)
- ⓓ EASEMENT FOR WATER PIPELINE 5 WIDE (VIDE DP 1059983)

DATUM: AUSTRALIAN HEIGHT DATUM (A.H.D.)
 ORIGIN: SSM 67168 RL 466.829m (S.C.I.M.S.)
 MAJOR CONTOUR INTERVAL: 1 METRE
 MINOR CONTOUR INTERVAL: 0.25 METRES

LEGEND	
	PROPOSED CADASTRAL BOUNDARIES
	EXISTING TOP OF BANK
	EXISTING BOTTOM OF BANK
	EXISTING UNDERGROUND TELECOMM. CABLES APPROX.
	EXISTING TELECOMMUNICATIONS PIT
	EXISTING TELECOMMUNICATIONS ELEVATED JOINT
	EXISTING OVERHEAD ELECTRICITY CABLES
	EXISTING POWER POLE
	EXISTING POWER POLE WITH TRANSFORMER
	EXISTING STAY POLE
	EXISTING SEWER MANHOLE
	EXISTING SEWER INSPECTION OPENING
	EXISTING WATER METER
	EXISTING STOP VALVE
	EXTENT OF EXISTING BITUMEN SEAL
	EXTENT OF EXISTING GRAVEL TRACK
	PROPOSED ROAD CL & CHAINAGE
	PROPOSED ROLL TYPE K&G
	NEW BITUMEN SEAL
	PROPOSED STORMWATER LINE
	PROPOSED STORMWATER PIT
	PROPOSED SEWER LINE
	PROPOSED SEWER MANHOLE
	PROPOSED WATER MAIN
	PROPOSED EASEMENT

PROPOSED TURNING PLAN

REDUCTION RATIO 1:200 @ A1
 1:400 @ A3



SCALE 1:200(A1)
 SCALE 1:400(A3)



Drawing Status:
ISSUED FOR CONSTRUCTION



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 w www.barnson.com.au



Client: **CRAIG BUTLER**

Project:
 PROPOSED SUBDIVISION OF
 LOT 5 IN SUBDIVISION OF
 3B SYDNEY ROAD, BURRUNDULLA, NSW

Drawing Title:
 PROPOSED TURNING PLAN

Design	Drawn	Rev	Date	Amendment
LM	JCLM			
Check	QA			

Drawing Sheet
 A1 - Original size - Scales as noted
 A3 - Minimisation - Not to scale

A 18/08/2021 ISSUED FOR CLIENT REVIEW
This drawing is to be read in conjunction with general building drawings, specifications and other consultant's drawings applicable to this project. All figured dimensions are to be checked prior to the commencement of work. Immediately notify Barnson Pty Ltd of any discrepancies. © Barnson Pty Ltd 2017. Confidential. Subject to the Barnson terms of engagement.

Sheet 1 of 1
 Drawing Number 35299_C01
 Revision A