



Premise

CIA CAPITAL INVESTMENTS

Statement of Environmental Effects

IN SUPPORT OF A DEVELOPMENT APPLICATION

Report No: 122149/SEE

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23 August 2022

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1. INTRODUCTION

Premise has been commissioned by CIA Capital Investments to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) for a vehicle sales or hire premises and ancillary workshop at Lots 15 and 16 in the industrial subdivision known as 'Meramie Grove', approved under DA0034/2017. As Lots 15 and 16 haven't been registered, **deferred commencement is sought**. The facility will provide reliable heavy equipment rental fleets and high quality assessment management services to mining and civil operations throughout Australia.

The site is located in the Mid-Western Regional Council (MWRC) Local Government Area (LGA). Both Lot 15 and 16 are square in shape and each has an area of 3,008m² for a total site area of 6,016m². The land is zoned IN1 General Industrial under the *Mid-Western Regional Local Environmental Plan 2012* (MWRLEP). Development for the purposes of vehicle sales or hire premises, defined under the MWRLEP as *a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there*, is permitted with consent in the zone.

This SEE has been prepared pursuant to the *Environmental Planning and Assessment Act 1979* (the EP&A Act), and *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation) and is provided in the following format.

- **Section 2** of this report provides a description of the subject site and its locality.
- **Section 3** outlines the proposed development.
- **Section 4** details the planning framework applicable to the subject site and proposed development.
- **Section 5** identifies the impacts of the proposed development.
- **Section 6** provides a conclusion to the SEE.

1.1 Background

Barnson Pty Ltd submitted a Planning Proposal to MWRC in July 2013 seeking to rezone Lot 16 and 17 in DP756897 from RU1 Primary Production to IN1 General Industrial with a commensurate reduction in minimum lot size from 100 hectares to 2,000m². The Planning Proposal was prepared in accordance with the Mid-Western Regional Comprehensive Land Use Strategy (MWRC 2007) which identified the site as a 'future industrial development opportunity'. The amendment was gazetted on 11 April 2014. The only change between the original submission and the April 2014 gazettal was the revision of the minimum lot size up to 3,000m².

On 8 August 2017, Barnson Pty Ltd submitted DA0034/2017 seeking subdivision of 38 Hill End Road, Caerleon into 34 industrial lots and two drainage and sewer lots. This application relates to Lots 15 and 16 in the approved industrial subdivision.

2. THE SITE & ITS LOCALITY

2.1 The Locality

As shown in **Figure 1**, the site is located within an approved industrial subdivision known as Meramie Grove on the northern side of Hill End Road, opposite Mudgee Recycling. Hill End Road connects to Castlereagh Highway which leads to Mudgee approximately five kilometres to the south-east. The Caerleon Estate land release area is located to the south-east. Land to the west, north and east of the industrial estate is used rural, agricultural purposes.

Figure 1 – The Site Locality

Sources: © State of NSW, Department of Customer Service, Spatial Services 2021 © ESW 2022

GDA2020 MGA Zone 55 File: 122149_01.aprx Prepared By: adam.davis Date: 18/03/2022



ASG EQUIPMENT
New Industrial Shed
Meramie Grove Subdivision
Stage 1

Legend

- Site
- Meramie Grove Subdivision Stage 1
- Cadastre
- Road
- Railway
- Watercourse

2.2 The Site

As shown in **Figure 2**, the site comprises approved Lots 15 and 16 in the first release of the Meramie Grove industrial subdivision approved under DA 0034/2017. Both lots are square in shape and have an area of 3,008m² for a total site area of 6,016m². The lots have a depth of 60 metres and a combined total frontage of 100.28 metres to Knott Place.

A three metre-wide easement runs along the rear, northern boundary to drain water and sewage. A second three metre-wide easement to drain water runs along the eastern boundary of the site. The site has been cleared as a result of works in accordance with the approved subdivision of the land and does not contain any built form or significant vegetation other than remnant grass.

As shown in **Figure 3** and **Figure 4**, the approved subdivision is currently under construction.

3. THE DEVELOPMENT

3.1 Development Description

As shown in the Project Drawings attached in **Appendix A**, the development application includes:

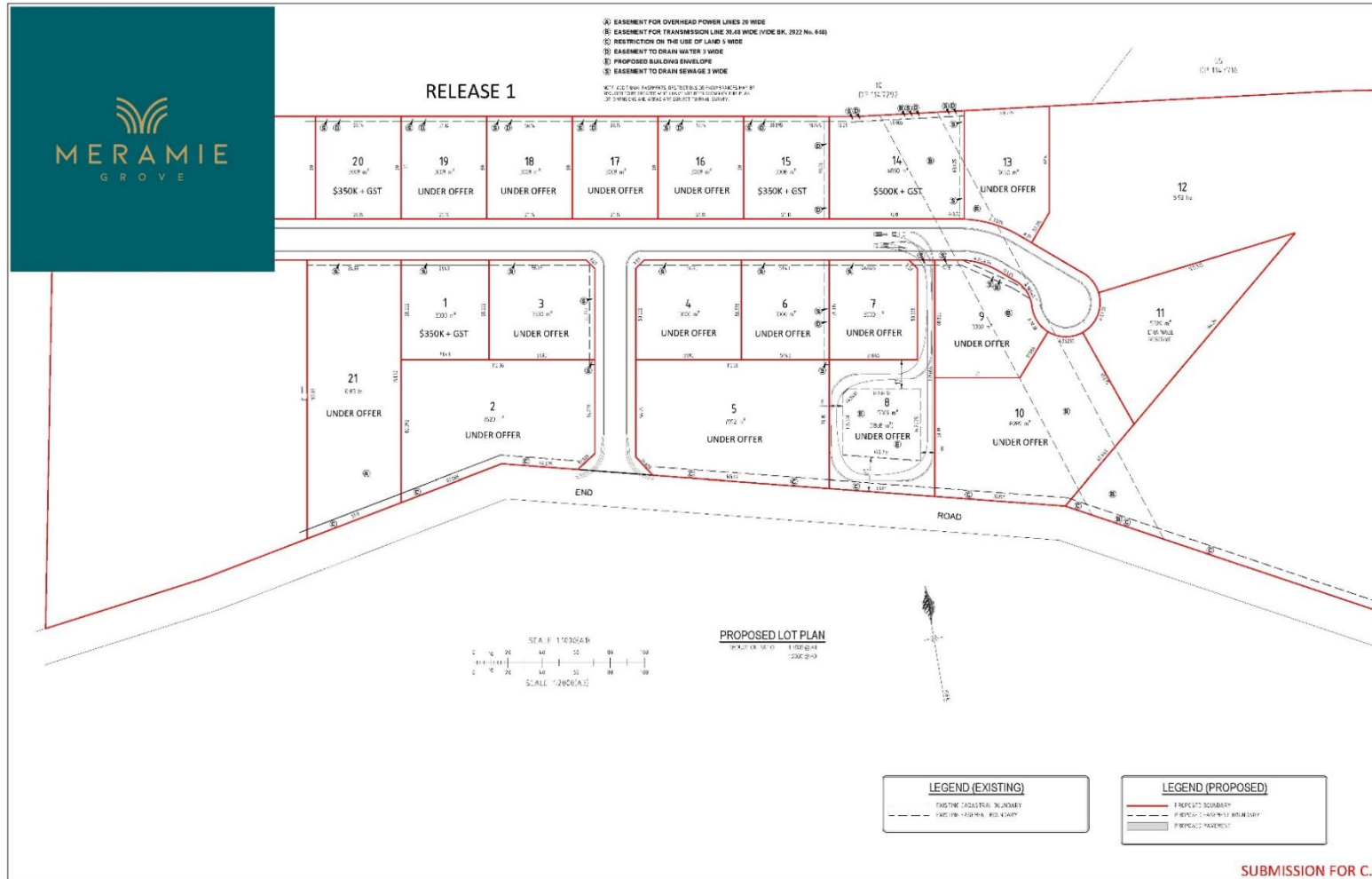
- 50.14 by 60.015 metre concrete apron in the western portion of the site;
- 47.562 by 25.5 metre, two storey shed located centrally within the concrete apron, accommodating:
 - 34 by 25.5 metre workshop;
 - 17 by seven metre bunded concrete washbay
 - Seven by 8.5 metre storage room; and
 - 6.253 by 25.5 metre, two storey office with a total GFA of 347.4m².
- 50.14 by 60.015 metre gravel hardstand area in the eastern portion of the site for the display of vehicles and equipment;
- 2.4 metre-high palisade fencing to the street boundary;
- Parking for 12 vehicles between the shed and western side setback, accessible via a driveway with sliding gate from Knott Place in the south-western corner of the site;
- Further two driveways and sliding gates from Knott Place, one located centrally along the southern boundary and the other in the south-eastern corner of the site;
- Five metre landscape buffer behind the palisade fencing along the street frontage.

3.2 Operation

The facility will provide reliable heavy equipment rental fleets and high quality assessment management services to mining and civil operations throughout Australia. Equipment and vehicles will be displayed in the hardstand gravel area in the eastern portion of the site whilst the workshop will be used for the ancillary maintenance and repair of vehicles which are leased from the premises.

Given the nature of vehicles and equipment to be leased from the premises, business will be predominantly derived from existing contracts with major mining and civil contractors. Contractors generally order vehicles and equipment via email or phone. Accordingly, visitation of the premises by the public is expected to be negligible. Parking in the south-western corner of the site is predominantly for staff.

Figure 2 – The Subject Site (Barnson 2021)



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THIS DRAWING IS TO BE READ IN CONJUNCTION WITH OTHER BUILDING DRAWINGS, SPECIFICATIONS & OTHER CONSULTANTS' DRAWINGS APPLICABLE TO THIS PROJECT. 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: DJ Woods & Co.
 Project: PROPOSED INDUSTRIAL SUBDIVISION LOTS 16 & 17 IN DP 756807 38 HILL END ROAD, CAERLEON NSW 2850
 Drawing Title: PROPOSED LOT PLAN

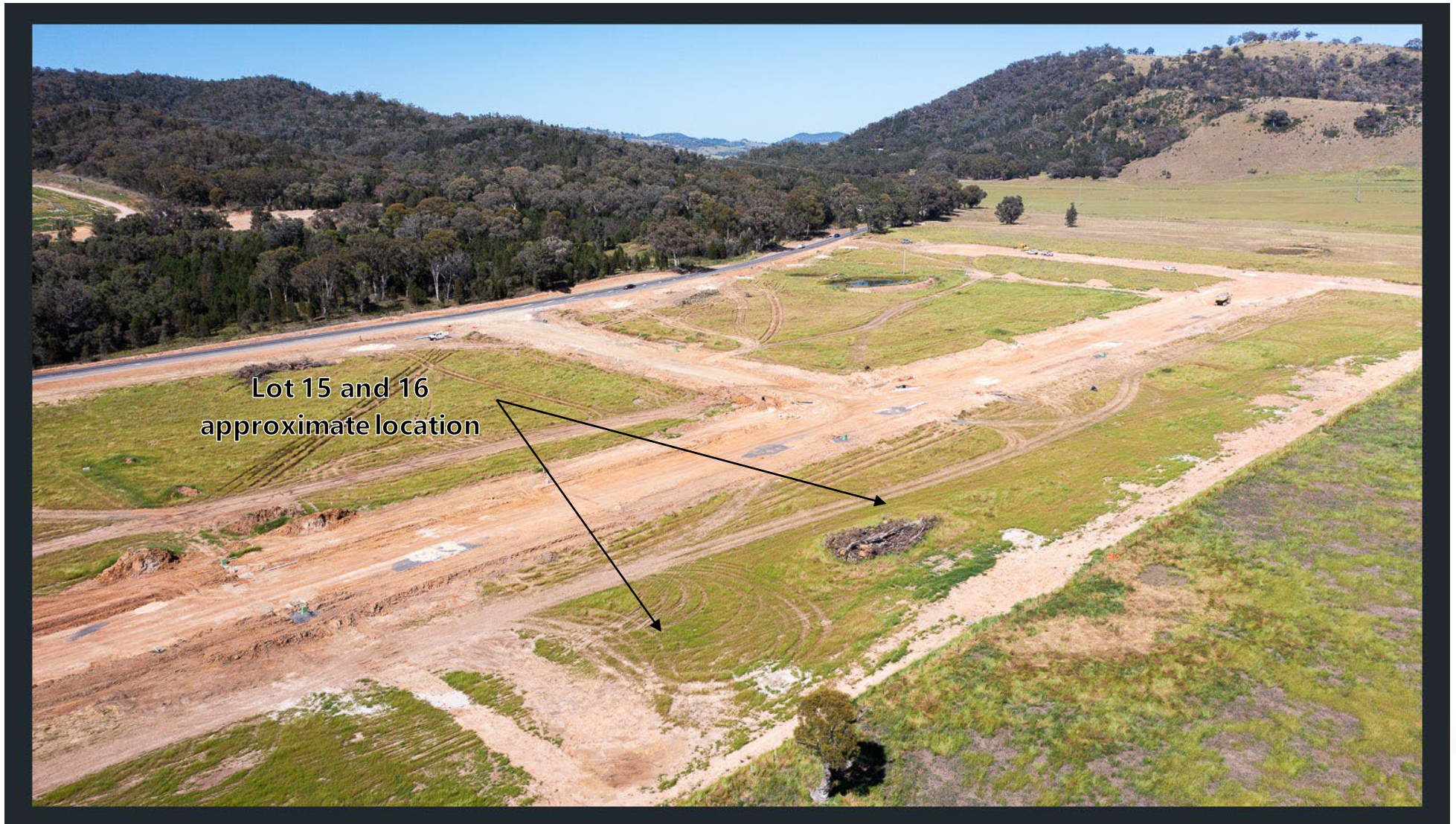
Rev	Date	Amendment
0	20/12/2020	SUBMISSION FOR C.C.
1	19/04/2021	STAGING PLAN - STAGE 1
2	20/04/2021	ALTER LOT NUMBERS, ADD EASEMENTS
3	17/06/2021	ADD BUILT UP AREA, OFF
4	25/09/2021	ADDITIONAL LOTS ADDED

Design	LM	Certification
Drawn	JC	
Check	LM	Drawing Number
Original Designer	LM	19196 - C03
Size = A1		Revision
		4

Figure 3 – View east above Meramie Grove, under construction (realestate.com.au)



Figure 4- View west above Meramie Grove, under construction (realestate.com.au)



4. STATUTORY PLANNING FRAMEWORK

4.1 Section 1.7

Section 1.7 of the EP&A Act provides that the EP&A Act has effect subject to the provisions of Part 7 of the *Biodiversity Conservation Act 2016* (the BC Act) and Part 7A of the *Fisheries Management Act 1994* (the Fisheries Act).

Part 7 of the BC Act relates to biodiversity assessment and approvals under the EP&A Act. Under Section 7.2 of the BC Act, there are three triggers for development or activities to be considered as “likely to significantly affect threatened species”. Under Section 7.7(2) of the BC Act, the development application is required to be accompanied by a biodiversity development assessment report (BDAR) if it meets one or more of conditions for “likely to significantly affect threatened species”.

The proposed development is considered against the three triggers in **Table 1**.

Table 1 – Section 1.7

For the purposes of this Part, development or an activity is <i>likely to significantly affect threatened species</i> if –		Assessment
(a)	it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	The development is unlikely to significantly affect threatened species or ecological communities or their habitats on the grounds that, as shown in Figure 3 and Figure 4 , the site is heavily disturbed following establishment works for the Meramie Grove industrial subdivision. It does not contain any vegetation other than exotic grasslands which are unlikely to provide habitat for vulnerable or endangered native vegetation.
(b)	the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	Section 7.4 of the BC Act provides that development exceeds the biodiversity offsets scheme threshold if it is of an extent or kind that the <i>Biodiversity Conservation Regulation 2017</i> (the BC Regulation) declare to be development that exceeds the threshold. Clause 7.1 of the BC Regulation provides that development exceeds the biodiversity offsets scheme threshold for the purposes of Section 7.4 of the BC Act if is or involves the clearing of native vegetation: <ul style="list-style-type: none"> (a) Of an area declared by clause 7.2 of the BC Regulation as exceeding the threshold; or (b) On land included on the Biodiversity Values Map. Clause 7.2 of the BC Regulations provides the threshold for clearing based on the minimum lot size applying to the land under an environmental planning or, where a minimum lot size does not exist, the actual size of the land. Where the minimum lot size is less than one hectare, the threshold for clearing is 0.25 hectares.

For the purposes of this Part, development or an activity is <i>likely to significantly affect threatened species</i> if –		Assessment
		The development will not result in the removal of more than 0.25 hectares of native vegetation and the site is not within land included on the Biodiversity Values Map. Accordingly, a BDAR is not required.
(c)	it is carried out in a declared area of outstanding biodiversity value.	Section 3.6 of the BC Act provides that the BC Regulations may make provisions for or with respect to the declaration of an area of outstanding biodiversity value. Areas of outstanding biodiversity value are identified under Part of the BC Regulation. The site is not located within an area of outstanding biodiversity value as listed under Part 3 of the BC Regulation. Accordingly, a BDAR is not required.

4.2 Subordinate Legislation

The EP&A Act facilitates the preparation of subordinate legislation, consisting of:

- Environmental Planning Instruments (EPIs) (including State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP), and deemed EPIs; and
- Development Control Plans (DCP).

In relation to the proposed development, the relevant subordinate legislation includes:

- *Mid-Western Regional Local Environmental Plan 2012* (MWRLEP);
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the Biodiversity SEPP)
- *State Environmental Planning Policy (Industry and Employment) 2021* (the Industry SEPP)
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (the Hazards SEPP); and
- *Mid-Western Regional Development Control Plan 2013* (MWRDC).

The requirements of these are discussed in **Section 4.4** of this Statement.

4.3 Integrated Development

Section 4.46 of the EP&A Act states that development requiring consent and another activity approval is defined as Integrated Development. The proposed development is not classified as Integrated Development on the basis that the development does not trigger any of the separate consent or activity approvals under section 4.46 of the EP&A Act. For the avoidance of doubt, the land is not mapped as bushfire prone land and thus an authority pursuant to section 100B certificate of the *Rural Fires Act 1997* is not required.

4.4 Planning Instruments

4.4.1 MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012

The *Mid-Western Regional Local Environmental Plan 2012* (MWRLEP) is the applicable local planning instrument applying to the land. A review mapping via the NSW Planning Portal identifies the following applicable mapped constraints:

Table 2 – MWRLEP applicable mapping

Constraint	Applicability	Section addressed
Land Application Map	Applies	N/A
Land Zoning Map	Zone IN1 General Industrial	Section 4.4.1.1
Lot Size Map	W1 – 3,000m ²	Section 4.4.1.2
Heritage Map	N/A	Section 4.4.1.3
Groundwater Vulnerability	Groundwater Vulnerable	Section 4.4.1.7
Terrestrial Biodiversity	N/A	Section 4.4.1.8
Sewage Treatment Plant Buffer	Sewage Treatment Plant Buffer	Section 4.4.1.9

The above matters, together with other relevant LEP clauses, are discussed in the following sections.

4.4.1.1 Land Use Zoning

The land is zoned IN1 General Industrial under clause 2.3 of the MWRLEP 2012.

The proposal is considered to be most appropriately characterised as a vehicle sales or hire premises, defined under the MWRLEP as a *building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there*. Vehicle sales or hire premises are permitted with consent in the IN1 General Industrial zone. The use of the workshop in the main building is ancillary to the leasing of vehicles and equipment.

4.4.1.2 Minimum Subdivision Lot Size

Clause 4.1(3) of the MWRLEP 2012 provides that the size of any lot resulting from a subdivision of land is not to be less than the minimum lot size shown on the Lot Size Map in relation to that land, being 3,000m². The site combines approved Lots 15 and 16 in DA0034/2017, both of which have an area of 3,004m² for a total of 6,008m². The proposed development does not involve subdivision.

4.4.1.3 Heritage

The site is not mapped as being or adjoining an item of heritage significant under the MWRLEP 2012, nor is it located within a heritage conservation area under the MWRLEP 2012. The site is unlikely to contain Aboriginal sites or places on the grounds that:

- No Aboriginal sites or places were identified in proximity to the site under an AHIMS Basic Search conducted on 11 March 2022, attached in **Appendix B**;
- As shown in **Figure 3** and **Figure 4**, the site is heavily disturbed following establishment works for the Meramie Grove industrial subdivision; and

- The site does not contain any of the natural features in which Aboriginal sites or places are typically found such as in riparian corridors beside watercourses, in stands of remnant native vegetation or in rock outcrops.

4.4.1.4 Flood Planning

Clause 5.21(2) of the MWRLEP 2012 prevents the consent authority from granting development consent within land it considers to be within the flood planning area unless it is satisfied that the development:

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

The site is located outside of but near the study area of the Mudgee Flood Study (WMA Water 2021). Accordingly, it is considered that the site is unlikely to be impacted in the 1% AEP event. However, flooding is expected to impact the Castlereagh Highway between Hill End Road and Mudgee. Accordingly, staff present on-site during a 1% AEP event will need to wait-in-place until flooding recedes before being able to return to Mudgee.

4.4.1.5 Salinity

Clause 6.1(2) of the MWRLEP 2012 prevents the consent authority from granting development consent to development that may affect the process of salinisation or development on land affected by groundwater salinity unless it has considered the following:

- (a) whether the development is likely to have any adverse impact on salinity processes on the land,*
- (b) whether salinity is likely to have an impact on the development,*
- (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Salinity was a mandatory matter for consideration under DA0034/2017 which created the site subject of this development application. The proposed development is unlikely to have an adverse impact on salinity processes on the land or vice versa on the grounds that:

- The site is generally level and requires minimal earthworks; and
- Development involves slab-on-ground construction with minimal excavation.

4.4.1.6 Earthworks

Clause 6.3(3) of the MWRLEP prevents that the consent authority from granting development consent before considering:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,*
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

The proposed development requires minimal earthworks due to the generally level nature of the existing site and proposed slab-on-ground construction.

4.4.1.7 Groundwater Vulnerability

Clause 6.4(3) of the MWRLEP 2012 prevents the consent authority from determining a DA relating to land shown as Groundwater Vulnerable on the Groundwater Vulnerability Map unless it has considered the following:

- (a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),*
- (b) any adverse impacts the development may have on groundwater dependent ecosystems,*
- (c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),*
- (d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

The development is unlikely to impact on groundwater due to:

- Nearby groundwater bores (GW804679 and GW804680) near the sewage treatment plant approximately 900 metres to the south have a standing water level of 13 metres;
- The proposed development requires minimal earthworks due to the generally level nature of the existing site and proposed slab-on-ground construction;
- Groundwater extraction is not proposed; and

- Any material stored on-site is to be stored in accordance with Australian Standards and the manufacturer's specification to prevent spillage.

4.4.1.8 Terrestrial Biodiversity

Clause 6.5(3) of the MWRLEP 2012 prevents the consent authority from granting development consent on land identified as Moderate or High Biodiversity Sensitivity on the Sensitivity Biodiversity Map unless it has considered:

- (a) *whether the development is likely to have—*
- (i) *any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - (ii) *any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - (iii) *any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
 - (iv) *any adverse impact on the habitat elements providing connectivity on the land, and*
- (b) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Approved Lots 15 and 16 in DA0034/2017 are not mapped as Moderate or High Biodiversity Sensitivity on the Sensitivity Biodiversity Map. The development is unlikely to significantly affect threatened species or ecological communities or their habitats on the grounds that, as shown in **Figure 3** and **Figure 4**, the site is heavily disturbed following establishment works for the Meramie Grove industrial subdivision. It does not contain any vegetation other than exotic grasslands which are unlikely to provide habitat for vulnerable or endangered native vegetation.

4.4.1.9 Essential Services

Clause 6.9 of the MWRLEP 2012 prevents the consent authority from granting development consent unless it is satisfied that essential services (the supply of water, electricity, disposal and management of sewage, stormwater drainage or on-site conservation and suitable road access) are available or that adequate arrangements have been made to make them available when required.

Essential services are available to the site by virtue of the development to supply the subdivision of the land. These are available to be augmented to ensure they are sufficient to meet the needs of the development. Conceptually, connection of the proposed development to sewerage and stormwater would involve connection to recently constructed services within the three metre-wide easement to drain stormwater and sewage along the northern boundary of the site and three metre-wide easement to drain stormwater along the eastern boundary of the site. It is anticipated that there is adequate capacity in the surrounding network to accommodate the development on the basis that it is constructed within a recently established industrial precinct, enabled by a recent rezoning of the land.

4.4.1.10 Buffer Area

Clause 6.12(3) of the MWRLEP 2012 prevents the consent authority from granting development consent for development applications relating to land identified as "Sewage Treatment Plant Buffer" on the Sewage Treatment Plant Buffer Map unless it has considered the following:

- (a) if the development is for the purposes of residential accommodation—the impact that any odour, noise and other emissions associated with the operation of the Mudgee sewage treatment plant would have on the development;*
- (b) any proposed measures incorporated into the development that limit the impact of such noise and other emissions associated with the existing plant;*
- (c) whether the development would adversely affect the operational environment of the plant.*

The site is located within the sewage treatment plant buffer. The proposed development does not relate to a residential use. The subject site is zoned and proposed for use for an industrial purpose, which is compatible with the objectives of this clause. The proposal is not antipathetic to the objectives of the clause and would not lead to unreasonable impacts. Any residual impacts associated with noise, odour and other emissions associated with the sewage treatment plant is mitigated through the use of operable windows and air conditioning.

4.4.2 STATE ENVIRONMENTAL PLANNING POLICY

4.4.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

4.4.2.1.1 Chapter 2 Vegetation in non-rural areas

Chapter 2 of the Biodiversity SEPP applies to "non-rural areas of the State", defined in clause 2.3 by reference to all land within certain LGAs and, outside of the specified LGAs, all land within specified zonings. The MWRC LGA is not specified in clause 2.3 however the IN1 General Industrial zone applying to the site under the MWRLEP is specified.

Where the chapter applies, a person must not clear under clause 2.6 of the SEPP:

1. Vegetation to which Part 3 (understood to mean Part 2.3) of the SEPP without the authority conferred by a permit granted by Council under Part 2.3; or
2. Native vegetation that exceeds the biodiversity offsets scheme threshold without the authority conferred by an approval granted by the Native Vegetation Panel under Part 4.

With respect to the first item, Part 3 of the Biodiversity SEPP applies under clause 2.9 to any vegetation in a non-rural area of the State that is declared by a development control plan by reference to the species, size or location of vegetation or the presence of vegetation in an ecological community or in the habitat of a threatened species.

The MWRDCP 2013 does not refer to the Biodiversity SEPP, *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* (the Vegetation SEPP) which preceded it or clause 5.9 of the MWRLEP 2012 which preceded the Biodiversity SEPP. However, it does have a section titled "Tree Preservation Order" which lists the protected trees in Mudgee and Gulgong. The proposed development does not involve the removal of any of the specified vegetation and thus an authority conferred by a permit granted by MWRC is not required.

With respect to the second item, **Section 4.1** of this report demonstrates that the proposed development does not exceed the biodiversity offsets scheme threshold. Accordingly, an approval from the Native Vegetation Panel is not required.

4.4.2.1.2 Chapter 4 Koala habitat protection 2021

Under clause 4.4(1) of the Biodiversity SEPP, the SEPP applies to the LGAs listed in Schedule 2 of the SEPP, unless the site is located within the RU1 Primary Production, RU2 Rural Landscape or RU3 Forestry zone in an LGA that isn't marked with a '*' in Schedule 1. Where the SEPP applies and the land is located within land to which:

- An approved koala plan of management applies, Council's determination of the development application must be consistent with the approved koala plan of management in accordance with clause 4.8(2) of the Biodiversity SEPP; or
- An approved koala plan of management does not apply and the land has an area of at least one hectare, Council must assess whether the development is likely to have any impact on koala or koala habitat before granting development consent under clause 4.9(2) of the Biodiversity SEPP; or
- An approved koala plan of management does not apply, Council is not prevented from granting development consent if it is satisfied that the land to which the development application relates is not core koala habitat.

The site is located within the IN1 General Industrial zone under the MWRLEP 2012 and the Mid-Western Region LGA is not marked with a '*' in Schedule 2. Accordingly, Chapter 4 of the Biodiversity SEPP applies to the development. However, an approved koala plan of management does not apply and the site does not have an area of at least one hectare. Council may be satisfied that the land to which the development application relates is not core koala habitat on the grounds that, as shown in **Figure 3** and **Figure 4**, the site is heavily disturbed following establishment works for the Meramie Grove industrial subdivision. It does not contain any vegetation other than exotic grasslands which are unlikely to provide habitat for vulnerable or endangered native vegetation.

4.4.2.2 State Environmental Planning Policy (Industry and Employment) 2021

Clause 3.6 of the Industry SEPP prevents the consent authority from granting development consent to an application to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of Chapter 3 as set out in clause 3.1(1)(a) and that the signage satisfies the assessment criteria specified in Schedule 5.

The objectives of Chapter 3 of the Industry SEPP, as set out in clause 3.1(1)(a) are *to ensure that signage (including advertising) –*

- (i) is compatible with the desired amenity and visual character of an area, and*
- (ii) provides effective communication in suitable locations, and*
- (iii) is of high quality design and finish, and*

The proposed signage is limited a single 3.62 by 1.33 metre sign on both the southern and western elevations. It's simple, clear design ensures that it is compatible with the visual character of the recently established industrial estate, effectively communicates the use of the site and achieves a high quality design and finish. As demonstrated in **Table 3**, the proposed signs are consistent with the assessment criteria set out in Schedule 5.

Table 3 – Industry SEPP Schedule 5 assessment criteria

Assessment Criteria:	Comment:	
1 Character of the area		
<ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? 	The proposed signage is limited a single 3.62 by 1.33 metre on both the southern and western elevations. It's simple, clear design ensures that it is compatible with the visual character of the recently established industrial estate, effectively communicates the use of the site and achieves a high quality design and finish.	✓
<ul style="list-style-type: none"> Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	There is no particular theme for outdoor advertising in the area or locality.	N/A
2 Special areas		
<ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	The proposed signage is located on the southern and western elevation of the main building of the proposed development, ensuring that it does not detract from environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential area.	N/A
3 Views and vistas		
<ul style="list-style-type: none"> Does the proposal obscure or compromise important views? 	The proposed signage does not obscure or compromise important views.	N/A
<ul style="list-style-type: none"> Does the proposal dominate the skyline and reduce the quality of vistas? 	The proposed signage is located below the eaves of the proposed development, ensuring that it will not dominate the skyline or reduce the quality of vistas.	N/A
<ul style="list-style-type: none"> Does the proposal respect the viewing rights of other advertisers? 	The proposed signage is located on the southern and western elevations of the main building of the proposed development, ensuring that it will not impact the viewing rights of other advertisers.	N/A
4 Streetscape, setting or landscape		
<ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? 	The proposed signage is limited to 3.62 metres in length and 1.33 metres in height, ensuring that it will not impact the streetscape, setting or landscape.	✓
<ul style="list-style-type: none"> Does the proposal contribute to the visual interest of the streetscape, setting or landscape? 	The simple, clear design of the proposed signage ensures that it is compatible with the visual character of the recently established industrial estate, effectively communicates the use of the site and achieves a high quality design and finish.	✓

Assessment Criteria:	Comment:	
<ul style="list-style-type: none"> Does the proposal reduce clutter by rationalising and simplifying existing advertising? 	No existing signage is present.	N/A
<ul style="list-style-type: none"> Does the proposal screen unsightliness? 	The proposed signage does not screen unsightliness.	N/A
<ul style="list-style-type: none"> Does the proposal protrude above buildings, structures or tree canopies in the area or locality? 	The proposed signage is located below the eaves of the main building in the proposed development.	N/A
<ul style="list-style-type: none"> Does the proposal require ongoing vegetation management? 	The proposed signage does not require ongoing vegetation management.	N/A
5 Site and building		
<ul style="list-style-type: none"> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? 	The proposed signage is limited to 3.62 metres in length and 1.33 metres in width in the southern and western elevations of the proposed development, ensuring that it remains compatible with the scale, proportion and other characteristics of the building.	✓
<ul style="list-style-type: none"> Does the proposal respect important features of the site or building, or both? 	The proposed signage does not detract from important features of the site.	✓
<ul style="list-style-type: none"> Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	The proposed signage shows innovation and imagination through its clear, simple design which clearly identifies the use of the site.	✓
6 Associated devices and logos with advertisements and advertising structures		
<ul style="list-style-type: none"> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	Safety devices, platforms, lighting devices or logos are not required.	N/A
7 Illumination		
<ul style="list-style-type: none"> Would illumination result in unacceptable glare? 	Illumination is not proposed.	N/A
<ul style="list-style-type: none"> Would illumination affect safety for pedestrians, vehicles or aircraft? 	Illumination is not proposed.	N/A
<ul style="list-style-type: none"> Would illumination detract from the amenity of any residence or other form of accommodation? 	Illumination is not proposed.	N/A
<ul style="list-style-type: none"> Can the intensity of the illumination be adjusted, if necessary? 	Illumination is not proposed.	N/A
<ul style="list-style-type: none"> Is the illumination subject to a curfew? 	Illumination is not proposed.	N/A
8 Safety		

Assessment Criteria:	Comment:	
<ul style="list-style-type: none"> Would the proposal reduce the safety for any public road? 	The proposed signage will not reduce the safety for any public road.	N/A
<ul style="list-style-type: none"> Would the proposal reduce the safety for pedestrians or bicyclists? 	The proposed signage will not reduce the safety for pedestrians or bicyclists.	N/A
<ul style="list-style-type: none"> Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	The proposed will not reduce the safety for pedestrian by obscuring sightlines from public areas.	N/A

4.4.2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Clause 4.6(1) of the Hazards SEPP precludes Council from granting development consent unless:

- (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.*

The proposed development is unlikely to disturb contaminated soils for the following reasons:

- The nearest site listed under the NSW EPA:
 - Contaminated Land Record of Notices (searched 1 March 2022) is located approximately 5 kilometres to the south-east of the site at 47 Douro Street; and
 - List of Notified Sites (searched 11 March 2022, last updated 8 March 2022) is located approximately 4.4 kilometres to the south-east of the site at the former Mudgee Gasworks.
- Contamination was a mandatory matter for consideration in accordance with SEPP 55 (predecessor to the Hazards SEPP) under the DA0034/2017 which created the site, and the site was found to be suitable for the proposed purpose without the need for remediation.

Based on the above conclusions, the land is suitable for development without the need for remediation, and thus satisfies the requirements of the Hazards SEPP.

4.4.3 MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN 2013

The *Mid-Western Regional Development Control Plan 2013* (MWRDCP) applies to the site. A summary of relevant matters raised via the DCP together with an assessment of project specific compliance is provided in **Appendix C**.

As outlined at **Appendix C**, the development is generally compliant with all relevant provisions of the Development Control Plan, with the exception of controls relating to building setback, materiality, setback of the sliding gates and provision of a traffic impact assessment. The non-compliances are deemed to be acceptable on merit as justified in **Appendix C**.

5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST

Pursuant the NSW Department of Planning and Environment (DPE) publication Application requirements dated March 2022, this section of the report outlines the environmental impacts of the proposed development and any measures required to protect the environment or lessen the harm to the environment.

5.1 Hydrogeology

5.1.1 SOILS

Salinity was a mandatory matter for consideration under DA0034/2017 which created the site subject of this DA. The proposed development is unlikely to have an adverse impact on salinity processes on the land or vice versa on the grounds that:

- The site is generally level and requires minimal earthworks; and
- Development involves slab-on-ground construction with minimal excavation.

The proposed development is unlikely to disturb contaminated soils for the following reasons:

- The nearest site listed under the NSW EPA:
 - Contaminated Land Record of Notices (searched 1 March 2022) is located approximately 5 kilometres to the south-east of the site at 47 Douro Street; and
 - List of Notified Sites (searched 11 March 2022, last updated 8 March 2022) is located approximately 4.4 kilometres to the south-east of the site at the former Mudgee Gasworks.
- Contamination was a mandatory matter for consideration in accordance with SEPP 55 (predecessor to the Hazards SEPP) under the DA0034/2017 which created the site.

5.1.2 GROUNDWATER

The development is unlikely to impact on groundwater due to:

- Nearby groundwater bores (GW804679 and GW804680) near the sewage treatment plant approximately 900 metres to the south have a standing water level of 13 and 18 metres respectively;
- The proposed development requires minimal earthworks due to the generally level nature of the site and proposed slab-on-ground construction;
- Groundwater extraction is not proposed; and
- Any material stored on-site is to be stored in accordance with Australian Standards and the manufacturer's specification to prevent spillage.

5.2 Heritage

The site is not mapped as being or adjoining an item of heritage significant under the MWRLEP, nor is it located within a heritage conservation area under the MWRLEP. The site is unlikely to contain Aboriginal sites or places on the grounds that:

- No Aboriginal sites or places were identified in proximity to the site under an AHIMS Basic Search conducted on 11 March 2022, attached in **Appendix B**;
- As shown in **Figure 3** and **Figure 4**, the site is heavily disturbed following establishment works for the Meramie Grove industrial subdivision; and

- The site does not contain any of the natural features in which Aboriginal sites or places are typically found such as in riparian corridors beside watercourses, in stands of remnant native vegetation or in rock outcrops.

5.3 Flora, Fauna and Bushfire

The development is unlikely to significantly affect threatened species or ecological communities or their habitats on the grounds that, as shown in **Figure 3** and **Figure 4**, the site is heavily disturbed following establishment works for the Meramie Grove industrial subdivision. It does not contain any vegetation other than exotic grasslands which are unlikely to provide habitat for vulnerable or endangered native vegetation.

The site is not mapped under the Biodiversity Values Map, Terrestrial Biodiversity Map under the MWRLEP 2012 or the RFS Bushfire Prone Land Map.

5.4 Context and Setting

The proposed development comprises a large building with cladding finish, a high proportion of glazing in the street elevation with pitched, open gable metal roof, as well as a smaller, metal building with a skillion roof. Together, these building are set within a large, secure property where they will be consistent with the desired future character for a recently established, contemporary industrial estate on the outskirts of Mudgee.

5.5 Servicing

Essential services are available to the site by virtue of the development to supply the subdivision of the land. These are available to be augmented to ensure they are sufficient to meet the needs of the development. Conceptually, connection of the proposed development to sewerage and stormwater would involve connection to recently constructed services within the three metre-wide easement to drain stormwater and sewage along the northern boundary of the site and three metre-wide easement to drain stormwater along the eastern boundary of the site. It is anticipated that there is adequate capacity in the surrounding network to accommodate the development on the basis that it is constructed within a recently established industrial precinct, enabled by a recent rezoning of the land.

5.6 Access, Traffic and Parking

5.6.1 ACCESS

The proposed development includes an eastern access/egress point for heavy vehicles, a western access point for light vehicles and central access/egress for both. The separation between types of traffic contributes to the safety of road users. There is more than adequate space within the site to enable vehicles to enter and exit the site in a forward direction.

5.6.2 TRAFFIC

The proposed development will result in minimal traffic impacts due to the nature of the business which is predominantly derived from existing contracts with major mining and civil contractors. Contractors generally order vehicles and equipment via email or phone. Accordingly, visitation of the premises by the public is expected to be negligible.

Additionally, the road is a cul-de-sac servicing only nine other lots. Therefore, traffic generation and likelihood of queuing will be low. If queuing does occur, its impact on the function of the road will be insignificant and will not lead to downstream effects as would queuing along a through-road.

5.6.3 PARKING

As shown in **Table 4**, the proposed development includes 12 parking spaces. The non-compliance is an acceptable outcome on the grounds that:

- The nature of the business is such that public visitation is expected to be negligible due to business being predominantly derived from existing contracts with major mining and civil contractors who order vehicles and equipment via phone or email; and
- The size of vehicles and equipment to be leased from this facility will be significantly greater than the light vehicles which are typically sold or leased to the public.

Table 4 – Parking provision

	Rule:	Required:	Proposed:
Vehicle sales or hire premises	1 space per 50m ² of display area	2,700m ² ÷ 50 = 54	12
Office and business premises	1 space per 30m ² gross floor area (GFA)	347.4m ² ÷ 30 = 12	

5.7 Stormwater and Flooding

The site is located outside of but near the study area of the Mudgee Flood Study (WMA Water 2021). Accordingly, it is considered that the site is unlikely to be impacted in the 1% AEP event. However, flooding is expected to impact the Castlereagh Highway between Hill End Road and Mudgee. Accordingly, staff present on-site during a 1% AEP event will be able to wait-in-place until flooding recedes before returning to Mudgee.

Conceptually, connection of the proposed development to stormwater would involve connection to recently constructed services within the three metre-wide easement to drain stormwater along the northern and eastern boundary of the site. It is anticipated that there is adequate capacity in the surrounding network to accommodate the development on the basis that it is constructed within a recently established industrial precinct, enabled by a recent rezoning of the land.

5.8 Noise & Vibration

Sources of noise and vibration associated with the proposed development are expected to include movement of heavy vehicles to, from and within the site, as well as ancillary maintenance and repair works. Impacts are expected to be negligible due to the significant separation of the site from the following nearby dwelling houses:

- 517 Castlereagh Highway, Menah: 775 metres to the north-east.
- 537 Castlereagh Highway, Menah: 580 metres to the north-east.
- 545 Castlereagh Highway, Menah: 680 metres to the north-east.
- 38 Hill End Road, Caerleon: 860 metres to the east.
- 205 Hill End Road, Caerleon: 515 metres to the south-east.

5.9 Safety, Security and Crime Prevention

The guidelines prepared by the NSW Department of Urban Affairs and Planning (DUAP 2001) identify four (4) Crime Prevention Through Environmental Design (CPTED) principles to be considered in a Development

Application to ensure developments do not create or exacerbate crime risk. The four key principles of the guidelines include surveillance, access control, territorial reinforcement, and space management.

5.9.1 SURVEILLANCE

The proposed development enables casual surveillance of the street through windows in the southern elevation of the two storey office within the main building. Outside of work hours, continued surveillance would be enabled by security cameras to be detailed at a later stage.

5.9.2 ACCESS CONTROL

The site is to be fenced with 2.4 metre-high palisade fencing along the street frontage and a portion of the side boundaries, transitioning to chainlink fencing along the remainder of the side boundaries and along rear boundary. Access is only available via three gated vehicular access points and a gated pedestrian entry. Only authorised personnel will be able to gain access to the site.

5.9.3 TERRITORIAL REINFORCEMENT

Territorial reinforcement is achieved through the provision of 2.4 metre-high palisade fencing along the street frontage and a portion of the side boundaries, transitioning to chainlink fencing along the remainder of the side boundaries and along rear boundary. The fencing provides a clear delineation between the public domain, the site and neighbouring properties.

5.9.4 SPACE MANAGEMENT

The site will have a well-cared for appearance due to its high quality architectural design, strong delineation of territory, high number of office and workshop staff working around the property and regular maintenance and cleaning of the premises.

5.10 Waste

Adequate space is available within the site to accommodate storage and handling of solid waste. Waste would then be transferred to the kerb for pick-up by Council waste vehicles. Bi-weekly, weekly, fortnightly and monthly commercial waste removal is offered by the Mid-Western Regional Council, subject to completion and acceptance of Council's Business Bulk Waste and Recycling Form.

5.11 Suitability of the Site

The site is suitable for the proposed development on the grounds that:

- Groundwater levels are approximately 13 metres below ground;
- It is unlikely to be contaminated and, if it is contaminated, does not require remediation in order to be made suitable for the proposed use;
- It is unlikely to contain Aboriginal sites or places due to a lack of natural features in which Aboriginal sites or places are typically found, as well as its highly disturbed nature due to past agricultural use and recent subdivision construction works;
- It does not contain any mapped watercourses and is unlikely to be flood prone land;
- It does not contain significant native vegetation, with groundcover expected to be dominated by exotic species which have been disturbed by construction as a result of the implementation of DA0034/2017;
- It is not mapped as bushfire prone land; and

- Has access to all essential services.

5.12 The Public Interest

The proposed development is in the public interest on the grounds that it:

- Is permitted with consent in and consistent with the objectives of the IN1 General Industrial zone, as well as compliant with all other relevant provisions under the MWRLEP 2012; and
- Is compliant with all relevant controls under the MWRDCP 2013, with the exception of those relating to:
 - Materiality, considered an acceptable outcome on the grounds that the proposed materiality results in a lightweight, contemporary appearance;
 - Positioning of the sliding gates, considered an acceptable outcome on the grounds that traffic generation of the development is unlikely to impact the efficiency and safety of the road which in itself will have a limited number of movements due to being a cul-de-sac;
 - Requirement for a traffic impact assessment, considered an acceptable outcome on the grounds that the development is not traffic-generating development in accordance with the Infrastructure SEPP; and
 - Parking provision, considered an acceptable outcome on the grounds that traffic generated by the development will be predominantly by staff due to the nature of the business.
- Results in minimal impacts due to being within a recently established industrial estate, substantially separated from nearby sensitive receivers; and
- Generates increased employment opportunities within the Mid-Western Regional Council LGA.

6. CONCLUSION

This SEE has been prepared by Premise on behalf of CIA Capital Investments to describe and provide an assessment of the proposed development of a vehicle sales or hire premises at Lots 15 and 16 in approved DA0034/2017. As Lots 15 and 16 haven't been registered, **deferred commencement is sought**.

The development includes a two storey main building comprising a workshop and office in the western portion of the site, parking between the main building and western boundary and a gravel, hardstand area in the eastern portion of the site. The gravel, hardstand area will be used for the display of equipment and vehicles for hire whilst the workshop will be used for their ancillary repair and maintenance.

The proposed development is acceptable the grounds that it:

- Is permitted with consent in and consistent with the objectives of the IN1 General Industrial zone, as well as compliant with all relevant provisions under the MWRLEP 2012; and
- Is compliant with all relevant controls under the MWRDCP 2013, with the exception of those relating to:
 - Materiality, considered an acceptable outcome on the grounds that the proposed materiality results in a lightweight, contemporary appearance;
 - Positioning of the sliding gates, considered an acceptable outcome on the grounds that traffic generation of the development is unlikely to impact the efficiency and safety of the road which in itself will have a limited number of movements due to being a cul-de-sac;
 - Requirement for a traffic impact assessment, considered an acceptable outcome on the grounds that the development is not traffic-generating development in accordance with the Infrastructure SEPP; and

- Parking provision, considered an acceptable outcome on the grounds that traffic generated by the development will be predominantly by staff due to the nature of the business.
- Results in minimal impacts due to being within a recently established industrial estate, substantially separated from nearby sensitive receivers;
- Is suitable to the site which is unlikely to be impacted by groundwater or contamination, Aboriginal sites or places, watercourses or flooding, significant vegetation or bushfire and is understood to be capable of being serviced; and
- Is in the public interest for the reasons set out above, as well as on the grounds that it generates increased employment opportunities within the MWRC LGA.

For the reasons set out above, the proposed development is recommended for approval, subject to Council's standard conditions of consent.



APPENDIX A

PROJECT DRAWINGS



APPENDIX B

AHIMS BASIC SEARCH



APPENDIX C

DCP COMPLIANCE TABLE

Table 5 – Development Control Plan Matters and Assessment

Controls:		Comment:	Compliance:
Part 4 Specific Types of Development			
4.4 Signs			
Industrial Areas			
(a)	Non-Illuminated Pole/pylon signs and directory boards shall be limited to a maximum of 6m ² advertising area and a maximum overall height of 5 metres. In general the bottom of a pole or pylon signs should be at least 3 metres above ground level.	Pole or pylon signs are not proposed.	N/A
(b)	Illuminated Pole or pylon signs must have a maximum area of 4m ² .	Refer above.	N/A
(c)	A maximum of one pole or pylon sign can be erected without Council approval if the above requirements are met.	Refer above.	N/A
(d)	A maximum of two (1) pole or pylon signs shall be permitted per site frontage.	Refer above.	N/A
(e)	In the case of an industrial multi unit complex, one (1) directory sign board of up to 8m ² in any area may be permitted with approval. Each industrial unit may have a sign at the entrance of each unit having the maximum dimensions of 2000mm by 600mm without approval.	A multi unit industrial complex is not proposed.	N/A
(f)	One sandwich board sign per site is permitted without approval however must be located inside the property boundaries and weighted and securely fixed so that it will not blow over. A maximum area of 2m ² per side applies.	Sandwich board signs are not proposed.	N/A
(g)	Council will not approve the use of flashing lights, bunting and other devices to attract attention to a business.	Flashing lights, bunting and other devices to attract attention are not proposed.	✓
(h)	Individual directional signage will not be permitted.	Individual directional signage is not proposed.	✓
4.6 Industrial Development			

Controls:					Comment:	Compliance:
Setbacks						
Site Area	Street	Side/Rear	Secondary Frontage for Corner Lots	Site Coverage	<p>The proposed development:</p> <ul style="list-style-type: none"> Is setback: <ul style="list-style-type: none"> Seven metres from the street; and 10.754 metres from the side boundary. Has a site coverage of 3,009m², compliant with the maximum 50% permitted. <p>The reduced front setback is acceptable on the grounds that it will provide greater streetscape activation and opportunities for casual surveillance within the new industrial estate. This is achieved without unacceptable bulk and scale impacts on the basis that, with the exception of the 25.5 metre length of building with a setback of seven metres, the remainder of the site is vacant of built form. The appearance of the development is softened by the provision of a compliant five metre-deep landscape zone along the street frontage.</p>	Acceptable on merit
Less than 2,000m ²	6m	nil	4m	60%		
2,001m ² to 5,000m ²	12m	nil	10m	55%		
Over 5,001m ²	15m	nil	12m	50%		
Landscaping						
(a)	In the front 5 metre where the site adjoins Sydney Road and in the front 3 metres on other sites.				A landscape zone of five metres is provided for the full length of the street boundary, except where vehicular access is provided.	✓
(b)	Landscaping should be provided in front of the building line to increase the visual presentation of the development to the street.				The proposed landscape zone is located along the street boundary.	✓
(c)	In the side and rear setbacks where it provides visual relief from a public street or area.				The side and rear boundaries do not adjoin a public street or area.	N/A
(d)	Landscaping to consist of mature trees and lawn which are low maintenance, drought and frost tolerant in nature.				Council may impose a suitable condition of consent.	✓

Controls:		Comment:	Compliance:
(e)	Landscaping shall be provided in outdoor car parking areas where >10 spaces are required to provide shading and soften the visual impact of large hard stand area.	Landscaping is not required to soften the visual impact of the proposed parking area as it is located within the side setback where it will have minimal visibility from the street.	N/A
Design			
(a)	Low scale building elements such as display area, offices, staff amenities are to be located at the front of the premises and constructed in brick or finished concrete.	Offices located at the front of the building are finished with cladding, an acceptable outcome on the grounds that cladding provides a lightweight, contemporary appearance which aligns with the newly established Meramie Grove industrial estate. This is as compared to brick or finished concrete which results in a heavy, bulky appearance.	Acceptable on merit
(b)	Roof materials are to be non-reflective.	The roof is to be constructed from corrugated sheet metal.	✓
Fencing			
(a)	All security fencing is to be pre-coloured or power coated.	Proposed security fencing is pre-coloured.	✓
(b)	Open work areas or storage areas visible from a public place or street must be fenced by masonry material or pre-coloured metal cladding of minimum 2m height. This fencing is to be only located behind the front setback.	Open work or storage areas are not proposed.	N/A
(c)	Where perimeter fencing is proposed, any access gates are to be setback from the boundary by the length of the largest vehicle accessing the site.	The approximately 2.5 metre setback of the security gates from the front boundary is acceptable on the grounds that the road is a cul-de-sac servicing only nine other lots. Therefore, traffic generation and likelihood of queuing will be low. If queuing does occur, its impact on the function of the road will be insignificant and will not lead to downstream effects as would queuing along a through-road.	Acceptable on merit
Utilities			

Controls:		Comment:	Compliance:
(a)	Statement of servicing to be provided to demonstrate the availability and feasibility of providing water, sewer, and stormwater appropriate for the scale of the development.	The site is located within a newly established industrial subdivision with adequate services to accommodate the proposed development.	✓
(b)	Applications must demonstrate adequate provision for storage and handling of solid waste.	Adequate space is available within the site to accommodate storage and handling of solid waste.	✓
(c)	Liquid Trade Waste Application and facilities are required where liquid wastes (excluding domestic waste from a hand basin, shower, bath or toilet) are to be discharged to Council's sewer system.	A Liquid Trade Waste Application can be made prior to the issue of a CC.	✓
(d)	No building can be located within an easement for the purposes of utility infrastructure.	No building is proposed within the easements applying along the northern and eastern boundaries of the site.	✓
(e)	For water and sewer mains structures are to be located 1500mm for the centre line of the main.	Structures are located 1.5 metres from the sewer main understood to run along the centreline of the three metre-wide easement along the northern boundary of the site.	✓
Traffic and Access			
(a)	A traffic assessment report to be submitted that demonstrates:	A traffic assessment is not required on the basis that: <ul style="list-style-type: none"> The development is not located on or within 90 metres of a classified road and is not traffic-generating development in accordance with Schedule 3 of the Infrastructure SEPP on the grounds that: <ul style="list-style-type: none"> It does not include 200 or more car parking spaces; The site area or gross floor area of the development does not exceed 20,000m²; and The development will not generate 200 or more vehicle movements per hour. The site provides two vehicular access points to separate light (western entry) and heavy (eastern entry) vehicle access; and 	Acceptable on merit
i.	Site Access		
ii.	Loading and unloading facilities (to be contained within the site and to be able to cater for largest design vehicle.		
iii.	Safe on-site manoeuvring area for the largest design vehicle		

Controls:			Comment:	Compliance:
			<ul style="list-style-type: none"> There is more than adequate room within the site to cater for loading, unloading and manoeuvring of the largest type of vehicles to access the site. 	
(b)	Unsealed vehicle movement areas are not acceptable due to environmental impacts.		Unsealed movement areas are not proposed.	✓
(c)	All vehicles must be able to enter and leave in a forward direction.		There is more than adequate room within the site to enable vehicles to enter and leave in a forward direction.	✓
(d)	The number of access points from a site to any one street frontage is limited to 1 ingress and 1 egress.		The proposed development includes three sliding gates which enable both access and egress for light (western and central gate) and heavy (eastern gate) vehicles.	✓
(e)	No vehicular access will be permitted to a Main Road where there is an alternate access point.		The site does not have frontage to a main road.	✓
(f)	Driveways must be provided in accordance with AS2890.1 Parking Facilities.		Council may impose a suitable condition of consent.	✓
(g)	A separate sealed hardstand loading area which is capable of accommodating trucks that service the site.		A concrete apron is provided beside the main building to enable loading and unloading of trucks if required.	✓
(h)	The loading area is to be provided behind the building line at the side or rear of the building.		The concrete apron is provided beside the main building.	✓
Car Parking				
	Refer section 5.1 Car Parking Customer parking should be provided convenient to the public entrance.		Customer parking is provided convenient to the western entry which is to be used by light vehicles.	✓
Signage				
(a)	Refer section 4.4 Signage		Section 4.4 is addressed.	✓
(b)	Single occupant industrial site:			
	i.	one free standing advertisement within the 5m landscaped setback; and	A free-standing advertisement is not proposed.	N/A

Controls:		Comment:	Compliance:
	ii. one advertisement integrated within the facade of the building, but no higher than the building roof line.	A single advertisement is proposed attached to the southern and western façades, below the building roof line.	✓
(c)	Multiple unit industrial site:		
	i. one index board near site entrance or within the 5m landscaped setback; and	A multiple unit industrial site is not proposed.	N/A
	ii. one advertisement integrated within the facade of each unit, but no higher than the building roof line.	Refer above.	N/A
Outdoor lighting and noise			
(a)	Must comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting.	Council may impose a suitable condition of consent.	✓
(b)	Windows, doors and other wall openings shall be arranged to minimise noise impacts on residences where proposed within 400m of a residential zone.	The site is located over 400 metres from the nearest land with residential zoning at Caerleon Estate.	N/A
(c)	External plant (generators, air conditioning plant etc.) shall be enclosed to minimise noise nuisance where adjoining residential area.	The site does not adjoin a residential area.	N/A
Subdivision			
(a)	Minimum 30 metre frontage for lots.	The site has a frontage of 100.28 metres	✓
(b)	Roads to be designed to AusRoads standards for B-Doubles.	New roads are not proposed.	N/A
(c)	Lots are to be provided with reticulated water and sewer.	The site has access to reticulated water and sewer.	✓
(d)	Stormwater drainage and water quality standards are to be implemented – see Section 5.3 – Stormwater Management	A stormwater management plan can be provided prior to the issue of CC.	✓
(e)	All lots are to be provided with services for telecommunications and underground electricity	The site has access to telecommunications and underground electricity.	✓
(f)	Lots are to be designed to be B-double accessible.	The site is accessible to the largest type of vehicle which will access the site.	✓

Controls:		Comment:	Compliance:
(g)	All roads with new subdivisions are to be constructed with bitumen.	New roads are not proposed.	N/A
Part 5 Development Standards			
5.1 Car Parking			
Land Use	Car Parking Requirement	As shown in Table 4 , the proposed development includes 12 parking space. The non-compliance is an acceptable outcome on the grounds that: <ul style="list-style-type: none"> • The nature of the business is such that public visitation is expected to be negligible due to business being predominantly derived from existing contracts with major mining and civil contractors who order vehicles and equipment via phone or email; and • The size of vehicles and equipment to be leased from this facility will be significantly greater than the light vehicles which are typically sold or leased to the public. 	Acceptable on merit
Office and business premises	1 space per 30m ² gross floor area (GFA)		
Vehicle sales or hire premises	1 space per 50m ² of display area		



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