

STATEMENT OF ENVIRONMENTAL EFFECTS

SPORTS TRAINING AND ACCOMMODATION FACILITY

58 Pitts Lane, Putta Bucca



CLIENT: Mid-Western Regional Council



Navigate Planning

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TABLE OF CONTENTS

1	EXECUTIVE SUMMARY	2
2	INTRODUCTION.....	3
3	BACKGROUND.....	3
4	PROPOSED DEVELOPMENT.....	5
5	SITE ANALYSIS	6
5.1	Glen Willow Regional Sports Complex	6
5.2	The Development Site	7
6	COMPLIANCE WITH RELEVANT FEDERAL LEGISLATION.....	8
6.1	Environmental Protection and Biodiversity Conservation Act 1999	8
6.2	Disability Discrimination Act 1992	8
7	COMPLIANCE WITH RELEVANT STATE LEGISLATION.....	8
7.1	Environmental Planning and Assessment Act 1979	8
7.2	Local Government Act 1993	11
7.3	Biodiversity Conservation Act 2016	11
7.4	National Parks and Wildlife Act 1974	12
7.5	Protection of the Environment Operations Act 1997	12
7.6	Water Management Act 2000	12
8	COMPLIANCE WITH PLANNING CONTROLS	12
8.1	State Environmental Planning Policy (Planning Systems) 2021	12
8.2	State Environmental Planning Policy (Biodiversity and Conservation) 2021	13
8.3	State Environmental Planning Policy (Resilience and Hazards) 2021	13
8.4	State Environmental Planning Policy (Transport and Infrastructure) 2021	13
8.5	Mid-Western Regional Local Environmental Plan 2012	14
8.6	Mid-Western Regional Development Control Plan 2013	22
8.7	Other Matters	27
9	CONCLUSION	32

1 EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) supports a development application for the Glen Willow Sports Training and Accommodation Facility at Lot 2 DP 1252505, 58 Pitts Lane, Putta Bucca. The development application also seeks to consolidate Lot 2 with Lot 1 DP 1252505 that contains the major components of the Glen Willow Regional Sports Complex.

The site of the proposed Sports Training and Accommodation Facility is zoned RE1 Public Recreation.

When the land proposed to be developed for the sports training and accommodation facility is consolidated with Lot 1 DP 1252505, the development is considered to be permissible in the RE1 zone as an ancillary component of the Glen Willow Sports Complex defined as recreation facility (major) and recreation area under the *Mid-Western Regional Local Environmental Plan 2012* (MWRLEP 2012).

The development is “regionally significant development” pursuant to clause 3 in Schedule 6 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). As such, the Joint Regional Planning Panel is the consent authority.

The development is not “state significant development”, “designated development” or “integrated development”.

Approval for the disposal of liquid trade waste under S68 of the *Local Government Act 1993* (LG Act) will also be required (to be addressed separately).

The development is sited, designed and will be managed to avoid adverse environmental impacts. No endangered ecological communities will be affected and the adjoining riparian corridors will be protected. There are no significant contamination issues with the site. Excavations for the development have been approved by Council under a separate development consent.

The development will increase traffic movements to and within the site, though the extent of the increase will not be significant in terms of the impact on the level of service of surrounding roads and intersections. Sufficient parking, including accessible parking spaces and a bus drop off area are to be provided.

Potential noise impacts from the development on nearby residential receivers are minor and can be effectively mitigated through design and management of the facility.

The proposal will have significant social and economic benefits to the community. The development is permissible with consent and is consistent with all relevant legislation and policy. There is no impediment to the granting of development consent subject to conditions.

2 INTRODUCTION

Mid-Western Regional Council (Council) is proposing to develop a Sports Training and Accommodation Facility at 58 Pitts Lane, Putta Bucca. The development will be linked with the Glen Willow Regional Sports Complex, both physically and by the nature of the use.

The development is ancillary to the Glen Willow Regional Sports Complex which is defined as recreation facility (major) and recreation area under the MWRLEP 2012 and is “regionally significant development” pursuant to the SRD SEPP. The proposal is permissible with consent, and the consent authority is the Joint Regional Planning Panel.

As part of this development application, consolidation of the subject land with Lot 1 DP 1252505 is proposed.

This SEE addresses the environmental, social and economic impacts of the proposed development. Supporting this SEE are the following plans, studies and reports:

- Architectural Drawings
- Servicing Plans
- Stormwater Management Plan
- Landscaping Plan
- Acoustic Assessment
- Odour Assessment
- Traffic and Parking Assessment
- Aboriginal Due Diligence Assessment.

3 BACKGROUND

Mid-Western Council is progressively developing the Glen Willow Regional Sports Complex on land at Pitts Lane, Putta Bucca, across the Cudgegong River from the Mudgee town centre. The sports complex hosts a wide number of local and regional sporting events and provides facilities for many different sports and codes.

Council has recently purchased two lots adjoining the Glen Willow Sports Complex to facilitate additional recreation development and public open space, including the land the subject of this development application. Planning proposals to rezone these lands to the RE1 Public Recreation Zone so that the whole of the site is included in the one zone were prepared. The rezoning of the land the subject of this development application has been completed.

New road works have been approved under Part 5 of the Environmental Planning and Assessment Act 1979, including a new road connection across Lawson Creek and through Lot 2 DP 1252505 to connect Glen Willow to Putta Bucca Road. This road is currently under construction. New water and sewer mains are also currently being designed to connect the site to these services.

To further the opportunities for Glen Willow to host regional sports events, the Council has determined that a sports training and recreation facility should be developed to provide fit for purpose accommodation and training facilities for visiting teams. Significant grant funding has been received for this development.

Excavations for the development have already been approved by Council under a separate development consent (DA0233/2022).

4 PROPOSED DEVELOPMENT

The development consists of:

1. The consolidation of 2 lots into one lot.
2. Extension of approved earthworks to include the car parking area.
3. The construction of a Sports Training and Accommodation Facility, including associated access and car parking.
4. Conversion of the existing dwelling to a manager's residence.
5. The connection of the facility to new water and sewer mains, and connection to existing electricity and communication services.
6. The provision of two 120,000L concrete water tanks.
7. The provision of a building identification sign, as shown on the architectural plans.

The proposed Sports Training and Accommodation Facility will contain:

- Accommodation that will sleep up to 96 people in two buildings
- Separate training camp facility that includes;
 - A gym
 - 2 seminar rooms (with retractable doors)
 - Kitchen/dining/lounge area (with retractable doors)
 - Games room
 - Medical room
 - Prayer room
 - Laundry room
 - Office
 - Toilet facilities and
 - Store rooms.
- Outdoor seating/bbq area, fire pit and recovery area.

The location of the development on the site is determined by the approved earthworks currently being undertaken on the site.

The nearest part of the development to the northern side boundary has a 17.063m and the whole of the development is located outside of the 15m transmission easement that runs parallel to the northern boundary.

The development has a setback of approximately 138m to the front boundary, with car parking forward of the building line, and approximately 100m setbacks to the rear boundary and the southern side boundary.

The total development footprint, including car parking is approximately 7,500m², while the total building footprint is 2695m².

In relation to the consolidation of Lots 1 and 2 DP 1252505, it is proposed that the consolidation will be effected prior to the issue of an occupation certificate for the development.

5 SITE ANALYSIS

5.1 Glen Willow Regional Sports Complex

The development application involves the consolidation of the subject land with Lot 1 DP 1252505 that contains the major components of the Glen Willow Regional Sports Complex. An aerial photo of Glen Willow is provided below.



All of the Glen Willow Sports Complex is on flat low-lying land, included within the floodplain of the Cudgegong River and Lawson Creek. Recreation areas and recreation facilities are considered compatible uses with flood prone land. Development of the Glen Willow area has included significant drainage improvements across the site.

The land is mostly cleared of native vegetation having previously been used for agricultural purposes. Native vegetation that remains primarily consists of riparian vegetation along the Cudgegong River and Lawson Creek.

Development on the land includes sports fields, stadiums, netball courts, ancillary development such as a dog park and associated infrastructure such as roads, car parks and walking/cycling paths. A dwelling house is located in the centre of the site on Lot 321 DP 544404. This lot remains the only site that is separately owned and is not part of the Glen Willow complex.

The land is connected to the Mudgee town centre via Pitts Lane and Ulan Road. A new point of access via Putta Bucca Road is currently under construction through the site of the proposed sports training and accommodation facility.

5.2 The Development Site

This section applies specifically to the site of the proposed Sports Training and Accommodation Facility, being Lot 2 DP 1252505 at 58 Pitts Lane, Putta Bucca.

5.2.1 *Topography, Soils and Groundwater*

The site is flat where it is within the floodplain of the Cudgegong River and Lawson Creek and rises gently to the north. The elevation of the land ranges from 446m AHD in the floodplain to 457m AHD at the highest point on the northern boundary, a change in elevation of 11m across the site.

Geo-technical investigation of the site found the following:

- The topsoil consists of sandy silt and loam with no fill material found
- The sub-soil was alluvial, with no uncontrolled fill, structural footprints and potential asbestos containing material encountered at the site
- High strength sedimentary rock was encountered at depths of 0.7m to 2.1m.
- Groundwater was not encountered during the investigations.
- A site classification of M is recommended.
- Excavations will be achievable using conventional earthmoving equipment. Areas where T.C Bit Refusal was encountered onto rock will require the use of ripper tines or hydraulic rock hammer attachments to excavators.

The proposed development is located above the floodplain and on the northern slope. Excavation for the majority of the development has been approved and is currently in progress. Groundwater has not been encountered in the excavations undertaken.

5.2.2 *Flora and Fauna*

The subject land is mostly cleared of vegetation, aside from riparian vegetation along the Cudgegong River and scattered paddock trees. The remainder of the site would consist of a mix of exotic and native grasses. The site where the proposed development is located is currently being excavated under a separate approval and contains no native vegetation. The proposed development will have no significant impact on flora and fauna.

5.2.3 *History, Heritage and Archaeology*

The subject land has been used for the last 47 years for residential purposes, with a single dwelling and a range of outbuildings. The previous owner used the site for storage and repair of trucks and other machinery in addition to residential purposes.

Prior to this use, the land was part of a larger rural property that operated as a dairy. It is understood the site was used for both grazing and milking purposes with milking sheds located on the property. The milking sheds were removed some time ago.

The site does not contain any item of environmental heritage and is unlikely to contain any important archaeological deposits.

An Aboriginal Due Diligence Assessment was undertaken by Apex Archaeology in May 2021 for the proposed road currently being constructed across the subject land. The assessment included further site investigations into an area of the site along Cudgegong River and Lawson Creek that was previously considered to have potential for Aboriginal cultural material. The assessment concluded that Aboriginal cultural material was non-existent and the area was deemed to have been disturbed by past land use practices. No newly identified archaeological material was found.

5.2.4 Services (Water, Sewer, Stormwater, Power)

The proposed development will be connected to reticulated water and sewer services. The site is already connected to power and telecommunications services that will be upgraded as required. Stormwater from the proposed development will be managed on site.

5.2.5 Surrounding Development

The subject land is bordered to the south and east by the Cudgegong River and Lawson Creek. Across the Cudgegong River is farmland and to the east across Lawson Creek is the Glen Willow Regional Sports Complex. A road connecting the site to Glen Willow is currently under construction.

To the north of the site is a rural residential property containing a heritage item, being Putta Bucca House. This site also contains a marquee that has been used for functions.

Adjoining the site to the south-west is the Putta Bucca sewer pumping station and across Putta Bucca Road is a concrete batching plant and the Putta Bucca Wetlands.

6 COMPLIANCE WITH RELEVANT FEDERAL LEGISLATION

6.1 Environmental Protection and Biodiversity Conservation Act 1999

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), a person must not take an action that has, will have or is likely to have a significant impact on any of the matters of national environmental significance without the approval of the Federal Environment Minister. This includes any impacts on threatened species or endangered ecological communities (EEC) listed under the EPBC Act.

The proposed development does not involve the clearing of any vegetation and will not have a significant impact on any matter of national environmental significance.

6.2 Disability Discrimination Act 1992

The *Disability Discrimination Act 1992* (DDA Act) prohibits discrimination against people with a disability in a range of areas, including in relation to access to premises.

The proposed development has been designed to ensure access for all throughout the facility. The development will comply with the DDA Act.

7 COMPLIANCE WITH RELEVANT STATE LEGISLATION

7.1 Environmental Planning and Assessment Act 1979

7.1.1 Section 4.5 – Designation of consent authority

Pursuant to clause 4.5 (b) of the EPA Act, as the development is declared by the SRD SEPP to be regionally significant development, the Joint Regional Planning Panel is the consent authority.

7.1.2 Section 4.10 – Designated development

Clause 4.10 defines designated development as development that is declared by an environmental planning instrument or the regulations as designated development. The development is not declared by any environmental planning instrument as designated development.

7.1.3 Section 4.12 – Application

Section 4.12 (3) of the EPA Act states that:

If the consent authority is a council, a person (other than the Crown or a person acting on behalf of the Crown) may, in the same development application, apply for development consent and approval for anything that requires approval under the following provisions of the Table to section 68 of the Local Government Act 1993, namely:

paragraph 1 of Part A

paragraph 1–6 of Part B

paragraph 1–5 of Part C

paragraph 1 of Part E

paragraph 1–5 or 10 of Part F.

Section 4.12 (6A) states that the reference to a council in sub-section (3) includes a reference to a regional planning panel.

This provision allows for certain LG Act approvals to be addressed within a development consent. The only approval that may be required for the development is for the disposal of liquid trade waste from the kitchen into Council's sewer under paragraph 4 of Part C of the Table to Section 68 of the LG Act. This matter will be addressed separately.

No other approvals under the LG Act are required for the development. Refer to Section 7.2 of this SEE for further information.

7.1.4 Section 4.13 – Consultation and concurrence

Section 4.13 provides for an environmental planning instrument to identify where consultation or concurrence is required before determining a development application. There are no consultation or concurrence requirements for the development under any relevant environmental planning instrument.

7.1.5 Section 4.15 – Evaluation

The following matters are relevant to the proposal under section 4.15 of the EPA Act. Detailed assessment against each of these matters is provided in Section 8 of this SEE.

State Environmental Planning Policies

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

Local Environmental Plans

- *Mid-Western Regional Local Environmental Plan 2012*

Draft Environmental Planning Instruments

Nil

Development Control Plans

Mid-Western Regional Development Control Plan 2013

Planning Agreements

Nil

Environmental Planning and Assessment Regulation

Nil

Impacts on the built environment

The development will have a neutral impact on the built environment as the proposed buildings will not be overly visible from nearby or distant vantage points. A visual impact assessment is provided in Section 8.7.2 of this SEE.

Impacts on the natural environment

The development will have minimal impacts on the natural environment as no native vegetation is required to be removed to facilitate the construction of the development and any potential indirect impacts can be managed on site.

Social and economic impacts

The proposed development will have significant positive social and economic impacts for Mudgee and the wider Mid-Western community. As part of the growing regional sports complex known as Glen Willow, the proposal will increase the opportunities for sporting teams to visit and stay in Mudgee. The ability to continue to attract and host major sporting teams, regional carnivals and other events at the Glen Willow Sports Complex will be a significant boost towards greater participation in sport at a local level.

The use of the facility by high-profile sports teams generates a wide range of economic benefits from increased sports tourism in the region. The facility will allow teams to stay overnight, increasing their spending in the local economy and encourage visitors to stay longer, also increasing their spending in the local economy. While the accommodation component is in direct competition with existing tourist accommodation, the proposal is considered a benefit to existing tourism accommodation providers as it frees up rooms for more visitors, providing an overall benefit to the whole community.

Suitability of the site

The subject land is owned by Council and is currently being physically connected to Glen Willow by a new road and bridge across Lawson Creek. While part of the land is flood prone and some native vegetation is located on the land, the site of the proposed sports training and accommodation facility is flood free and cleared of native vegetation. The proposed development will have minimal impacts on surrounding land and impacts from surrounding development can be adequately managed. The site is therefore considered suitable for the proposed development.

The Public Interest

The proposed development aims to add to the attraction of Glen Willow for touring sports teams and the hosting of regional, state and national sports events. The proposal will therefore provide economic benefits to the Mid-Western community and will also encourage greater participation in sport and healthy lifestyles at a local level. The proposal is therefore considered to be in the public interest.

7.1.6 Section 4.46 – Integrated Development

Section 4.46 of the EPA Act identifies development that requires other approvals and is therefore integrated development.

The development is not integrated development. This Section therefore does not apply to the development.

7.2 Local Government Act 1993

The subject land is operational land owned by Council.

Section 68 Approvals

Section 68 of the LG Act provides for the regulations or a local policy adopted by the Council to allow certain activities to be carried out without an approval under the LG Act.

Part B of the Table to S68 of the LG Act relates to the carrying out of water supply, sewerage and stormwater drainage work. Paragraphs 1 to 4 and 6 do not apply to an activity carried out by a water supply authority. As Council is the water supply authority for Mid-Western Region, no approvals are required.

Part C of the Table refers to the management of waste and paragraph 4 “Dispose of waste into a sewer of the council” is applicable for the development, with respect to the disposal of trade waste from the kitchen facility. This matter will be addressed separately.

No other part of the Table to S68 of the LG Act is relevant to the development.

7.3 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) outlines the processes for biodiversity assessments, approvals and offsets where required. The BC Act also defines biodiversity values, and these are shown as the purple areas on the Biodiversity Values Map (see map below).



Source: *Biodiversity Values Map and Threshold Tool*

Land along the southern boundary of the land, along the Cudgegong River and Lawson Creek is mapped as having biodiversity values. As a result, any clearing of native vegetation within the mapped area is considered to exceed the Biodiversity Offset Scheme threshold. Where development involves clearing that exceeds the threshold, a Biodiversity Development Assessment Report (BDAR) is required.

The development does not result in any clearing within the mapped area on the Biodiversity Values Map and therefore a BDAR is not required.

Notwithstanding the above, consideration must be given to potential direct and indirect impacts on threatened ecological communities as a result of the development. The proposed development will not involve the clearing of any native vegetation, thereby having no direct impacts on threatened ecological communities. Indirect impacts from the proposed development, such as stormwater discharge will be managed on site. The proposal will have no significant impact on biodiversity.

7.4 National Parks and Wildlife Act 1974

Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) states that it is an offence to harm or desecrate an Aboriginal object unless authorised by an Aboriginal heritage impact permit.

An Aboriginal Heritage Due Diligence Assessment was undertaken by Apex Archaeology in May 2021 to inform the planning of a new road connection through the subject site (see Attachment 5). The assessment included further site investigations into an area of the site along Cudgegong River and Lawson Creek that was previously considered to have potential for Aboriginal cultural material. The assessment concluded that Aboriginal cultural material was non-existent and the area was deemed to have been disturbed by past land use practices. No newly identified archaeological material was found.

Excavations for the development are currently underway under a separate approval. Further excavations for the car parking area and for building foundations are unlikely to cause harm to Aboriginal objects. Therefore, no further Aboriginal cultural heritage assessment is considered warranted for the proposed development. It is considered that the proposed development will have no detrimental impact on Aboriginal cultural heritage.

7.5 Protection of the Environment Operations Act 1997

The POEO Act provides for the Environmental Protection Authority to establish policies with respect to environmental matters, including noise, and it provides regulatory authorities with powers to control excessive noise. An Acoustic Report has been prepared for the development in accordance with the relevant noise policies and the findings are summarised in Section 8.7.3 of this report.

7.6 Water Management Act 2000

The *Water Management Act 2000* (WM Act) outlines the approval requirements for works on waterfront land, which is defined as land within 40m of the top of bank of a watercourse. The proposal involves no works within 40m of the Cudgegong River or Lawson Creek.

8 COMPLIANCE WITH PLANNING CONTROLS

8.1 State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies certain State and regionally significant development that requires the approval of either the Independent Planning Commission or the Joint Regional Planning Panel.

The proposed Sports Training and Accommodation Facility is considered to be regionally significant development, meeting the criteria of 'council related development over \$5m' in Schedule 6 of the SRD SEPP, as outlined below:

Council related development over \$5 million

Development that has a capital investment value of more than \$5 million if:

- (a) *a council for the area in which the development is to be carried out is the applicant for development consent, or*
- (b) *the council is the owner of any land on which the development is to be carried out, or*
- (c) *the development is to be carried out by the council, or*
- (d) *the council is a party to any agreement or arrangement relating to the development (other than any agreement or arrangement entered into under the Act or for the purposes of the payment of contributions by a person other than the council).*

This development application will therefore be determined by the Joint Regional Planning Panel.

8.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of this SEPP relates to Vegetation in Non-Rural Areas and outlines the approval requirements for the removal of vegetation in non-rural areas including on land zoned RE1 Public Recreation. The proposed development does not involve the removal of any vegetation and therefore this chapter of the SEPP does not apply.

Chapter 4 of this SEPP relates to koala habitat protection. This chapter applies as the land greater than 1ha in size and is zoned RE1 Public Recreation. There is no approved koala management plan applying to the land. The subject land is not considered to be potential or core koala habitat. As the proposed development does not involve the removal of any native vegetation, it is considered that the development will have no impact on koalas or koala habitat.

8.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of this SEPP relates to the remediation of contaminated land and aims to reduce risk to human health and the environment. The chapter requires consideration of the potential contamination of land and the need for remediation of that land before development consent is granted. To assist in the assessment of potential contamination, the following land is subject to consideration:

- (a) *land that is within an investigation area,*
- (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
 - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

The development site is not in an investigation area. The subject land has been used for the last 47 years for residential purposes, with a single dwelling and a range of outbuildings. The previous owner used the site for storage and repair of trucks and other machinery in addition to residential purposes. The site is being progressively cleared of all machinery and other items. A septic tank exists on the site treating effluent from the dwelling.

Prior to this use, the land was part of a larger rural property that operated as a dairy. It is understood the site was used for both grazing and milking purposes with milking sheds located on the property. The milking sheds were removed some time ago. There is potential for asbestos to be found in the existing dwelling and fragments may be located in the soil from the demolition of previous sheds. All demolition required has been approved and completed under a separated development consent.

There is no evidence of any previous use that is likely to have caused contamination of the site. Geo-technical testing of the site has been undertaken. The boreholes drilled into the site did not uncover any uncontrolled fill, structural footprints or potential asbestos containing material. Excavations of the site are currently underway in accordance with a separate approval.

Based on all of the above, the site is considered suitable for the proposed use.

8.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 of this SEPP provides for certain infrastructure developments to be exempt development, complying development or development that is permitted with consent. Division 12 of Part 2.3 of the SEPP applies to parks and other public reserves.

The SEPP provides for any of the following development to be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

- roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,
- recreation areas and recreation facilities (outdoor), but not including grandstands,
- visitor information centres, information boards and other information facilities,
- lighting, if light spill and artificial sky glow is minimised in accordance with the *Lighting for Roads and Public Spaces Standard*,
- landscaping, including landscape structures or features (such as art work) and irrigation systems,
- amenities for people using the reserve, including toilets and change rooms,
- food preparation and related facilities for people using the reserve,
- maintenance depots,
- environmental management works,
- demolition of buildings so long as the footprint of the building covers an area no greater than 250 square metres.

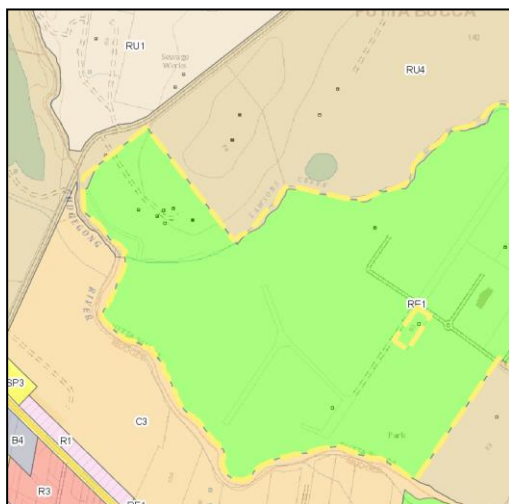
Some of the above developments are included within this development application, such as pathways, parking areas and landscaping. Where not included within this development application, any of the above developments may be undertaken by Council in the future without development consent. In particular, the provision of future information signs, landscaping and public art installations do not require development consent.

The SEPP also identifies certain traffic generating development that requires referral to Transport for NSW. The proposal is not considered to be traffic generating development under clause 2.122 of the SEPP.

8.5 Mid-Western Regional Local Environmental Plan 2012

8.5.1 Zoning and zone objectives

The development is proposed on land zoned RE1 Public Recreation under *Mid-Western Regional Local Environmental Plan 2012* (MWRLEP 2012), as shown on the map below.



Source: NSW eplanning spatial viewer, *Land Zoning Map*

The objectives of the RE1 zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The development is consistent with the objectives of the RE1 zone. The development ensures that the land continues to be used for recreation purposes and compatible land uses. The development avoids detrimental impacts on the adjoining riparian corridors and does not require the removal of any native vegetation. Landscaping of the development site will be undertaken to enhance the natural environment for recreation purposes.

8.5.2 Land Use Permissibility

The proposed development is defined as ancillary to the Glen Willow Regional Sports Complex which is defined as recreation facility (major) and recreation area under the MWRLEP 2012. The relevant definitions are as follows:

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes—

(a) a children's playground, or

(b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

Recreation facility (major) and recreation area are permitted with consent in the RE1 zone.

Justification of Ancillary Nature of Development

The Department of Planning, Industry and Environment Planning Circular PS13-001 *How to characterise development* contains the following guidance with regards to ancillary uses:

“An ancillary use is a use that is subordinate or subservient to the dominant purpose. The concept is important when a development involves multiple components on the same land. To put it simply:

- *if a component serves the dominant purpose, it is ancillary to that dominant purpose;*
- *if a component serves its own purpose, it is not a component of the dominant purpose but an independent use on the same land. It is a dominant use in its own right. In such circumstances, the development could be described as a mixed use development.”*

At the Glen Willow Regional Sports Complex, the dominant purpose is the undertaking of various sporting activities, being defined as recreation facility (major) and recreation area. The Sports Training and Accommodation facility serves this dominant purpose as it provides an opportunity for sports teams to train and stay overnight on the subject land.

The proposed development is solely for the use of sports teams and sports persons who are engaged in sporting activities at Glen Willow. The purpose of the proposed development is therefore recreation facility (major) and recreation area.

The proposed development, if it were not ancillary to the Glen Willow Regional Sports Complex, would best fit the definition of tourist and visitor accommodation. However, the development does not serve this purpose separately from Glen Willow. Its only use is in conjunction with Glen Willow. Therefore, the sports training and accommodation facility does not serve its own purpose.

Planning Circular PS13-001 provides the following considerations for characterising development:

- Is the component going to serve the dominant purpose of the development or is it independent?

Comment – As discussed above, the proposed development serves the dominant purpose of the land and is not an independent use.

- What is the amount of land to be used for a certain component, relative to the amount of land proposed to be used for other purposes? If the amount of land is relatively small, it is more likely to be ancillary.

Comment – The dominant purpose of the land covers approximately 83ha. The Sports Training and Accommodation Facility has a footprint of approximately 7,500m², being 0.9% of the total site area. The relatively small size of the proposed development compared to the size of the dominant purpose supports the contention that the proposed development is ancillary.

- Evidence of a purpose that is inconsistent with the dominant purpose is likely to undermine a claim that a component is ancillary.

Comment – The sole use of the proposed facility by teams and persons engaged in sporting activities at Glen Willow supports the contention that the proposed development is an ancillary activity. The proposed use will not be inconsistent with the dominant purpose.

- If the component is temporary, it is more likely to be ancillary; if it is regular (that is, will constitute an ongoing use for a long period of time), it is likely to be an independent use.

Comment – The proposed development is a permanent development of the subject land but its use will be somewhat temporary or intermittent, as its use is limited to those times that touring sports teams or persons choose to stay overnight in the facility.

- If the component goes beyond what is reasonably required in the circumstances for the development to implement the dominant purpose, it is likely to be an independent use (regardless of whether it has ancillary qualities).

Comment – It cannot be said that the proposed development is a necessary development of the site as there are other opportunities in the local area for sports teams or persons to find training venues and accommodation options should they decide to stay overnight in Mudgee. However, it is considered that a fit for purpose training and accommodation facility on the subject land is a reasonable requirement to support the ongoing use and growth of the Glen Willow Regional Sports Complex.

- Related components of a development are likely to have an ancillary relationship, although this is not necessarily determinative of such a relationship.

Comment – Based on the discussion above, it can be determined that the proposed development is an ancillary activity to the Glen Willow Regional Sports Complex.

- Physical proximity of the component to the rest of the development is likely to be evidence of an ancillary relationship, although again not necessarily determinative.

Comment – The current construction of a road linking the subject land to the Glen Willow Regional Sports Complex and the consolidation of the subject lot with the main Glen Willow lot provides both physical and legal proximity to support the contention that the proposed development is ancillary.

8.5.3 Lot Size

There is no minimum lot size in MWRLEP 2012 for the subject land.

8.5.4 Building height

There is no maximum building height in MWRLEP 2012 for the subject land.

8.5.5 Heritage

Clause 5.10 (5) of MWLEP 2012 requires consideration of the impact of development on the site of a heritage item or land within a conservation area and on heritage items in the vicinity of the development.

The site does not contain a heritage item and is not in a heritage conservation area. The nearest heritage item to the site is the Putta Bucca House at 74 Putta Bucca Road, adjoining the subject land to the north.

Putta Bucca House is oriented to primarily face east away from the subject land. Due to the elevation of Putta Bucca House, the land around the house enjoys views in all directions, including over the subject land towards the hills.

The location of the proposed Sports Training and Accommodation facility is within the view line to the south from Putta Bucca House but will sit low in the view corridor due to the natural slope of the land and excavations to create a level pad for the buildings. The proposed development will not disrupt the visual connection of Putta Bucca House to the hills. Given the extent of excavations, the proposed buildings are unlikely to be visible from Putta Bucca House but where they may be partly visible, they can be easily screened from view by small trees and shrubs that will themselves sit low enough to not block the distant views. The proposed buildings will be approximately 150m from Putta Bucca House. A visual analysis of the proposed development is included in Section 8.7.2 of this SEE.

It is therefore considered that the proposed development will have no detrimental impact on items of environmental heritage.

An Aboriginal Heritage Due Diligence Assessment was undertaken by Apex Archaeology in May 2021 to inform the planning of a new road connection through the subject site. The assessment included further site investigations into an area of the site along Cudgegong River and Lawson Creek that was previously considered to have potential for Aboriginal cultural material. The assessment concluded that Aboriginal cultural material was non-existent and the area was deemed to have been disturbed by past land use practices. No newly identified archaeological material was found.

Excavations for the development are currently underway under a separate approval. Further excavations for the car parking area and for building foundations are unlikely to cause harm to Aboriginal objects. No further Aboriginal cultural heritage assessment is considered warranted for the proposed development. It is considered that the proposed development will have no detrimental impact on Aboriginal cultural heritage.

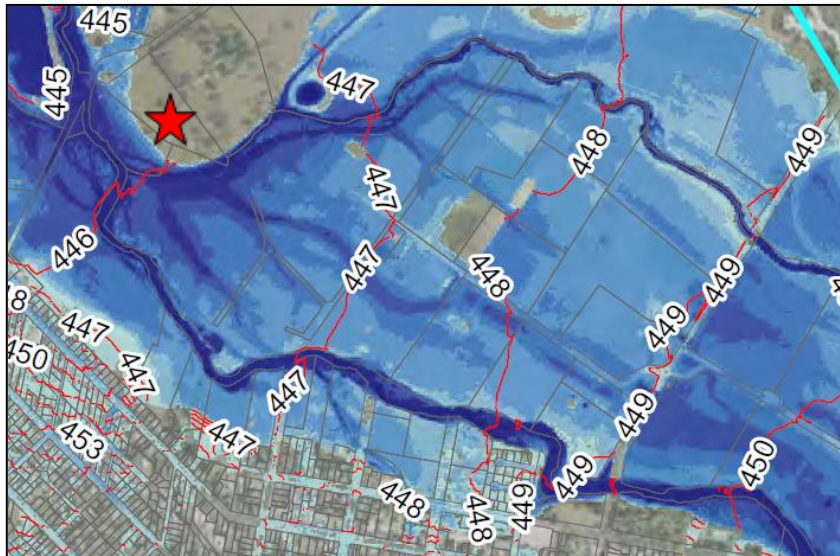
8.5.6 Flood planning

Clause 5.21 (2) of the MWRLEP 2012 states that “*development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied 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 Mudgee Flood Study completed in February 2021 identifies a part of the land within the flood planning area, as shown on the following map.



 Site of proposed Sports Training and Accommodation Facility

Source: *Mudgee Flood Study, February 2021*

Clause 5.21 (3) of the MWRLEP 2012 states that “*in deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*

- (a) *the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) *the intended design and scale of buildings resulting from the development,*
- (c) *whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
- (d) *the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.”*

As indicated by the red star on the above map, the site of the Sports Training and Accommodation Facility is above the 1% AEP flood level. The proposed development will therefore not adversely affect flood behaviour or increase flood affectation on any other land.

The new access road currently under construction will facilitate safe evacuation of people attending the facility in the event of a flood. Stormwater from the proposed development will be managed to not adversely affect the environment.

The proposed development is considered satisfactory having regard to clause 5.21 (2) and (3) of the MWRLEP 2012.

8.5.7 Earthworks

Clause 6.3 of MWLEP 2012 requires separate development consent for earthworks unless the earthworks are ancillary to other development for which development consent has been given.

Earthworks for the bulk of the development have already been approved by Council. Due to a relocation of the proposed access and car parking area, some additional earthworks to match those already approved is required. The scale and impact of the additional earthworks have been considered as part of this development application and therefore a further separate development consent will not be required.

The following considerations in clause 6.3 (3) are relevant:

Before granting development consent for earthworks, the consent authority must consider the following matters:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) the effect of the proposed 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 proposed 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 watercourse, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Earthworks associated with the total development consist of up to 4m in cut and 3m in fill to create a level pad for the proposed buildings. The bulk of this earthworks, including the deepest cut and highest fill have already been approved and is currently underway. The additional earthworks for the realigned access and carparking will match the earthworks approved to existing ground levels.

The additional area of earthworks will not disrupt any existing drainage lines and is located on stable land with rock encountered between 0.7m and 2.1m below natural ground level. Excavation into rock is therefore likely, consistent with the current approved excavations. No groundwater has been encountered in the existing approved earthworks. The additional areas of cut and fill will be supported by an extension of the approved retaining walls.

The proposed cut and fill is required to facilitate the proposed development and ensure accessibility to the buildings for all.

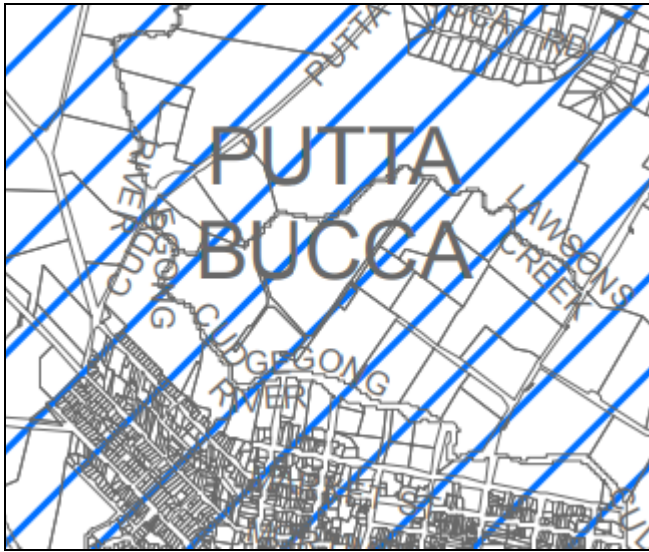
The proposed excavations will ensure the development has a minimal impact on adjoining properties, lowering the buildings so that they will not be overly visible from Putta Bucca House. The development will also not be prominent from distant views. A visual analysis of the proposed development is included in Section 8.7.2 of this SEE.

As the bulk of excavations has already been approved and is underway, there is a very low potential for disturbing sub-surface relics.

Based on the above, it is considered that the development satisfactorily addresses the considerations in clause 6.3 of MWLEP 2012.

8.5.8 Groundwater vulnerability

The whole of the land is mapped as groundwater vulnerable on the Groundwater Vulnerability Map in MWLEP 2012, as shown on the map below.



Source: NSW eplanning spatial viewer, Groundwater Vulnerability Map

Clause 6.4 requires the consent authority to consider:

- (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 proposed development is unlikely to have detrimental impacts on groundwater. Groundwater was not encountered during the geo-technical site investigations of the site, nor during the excavations that are currently underway.

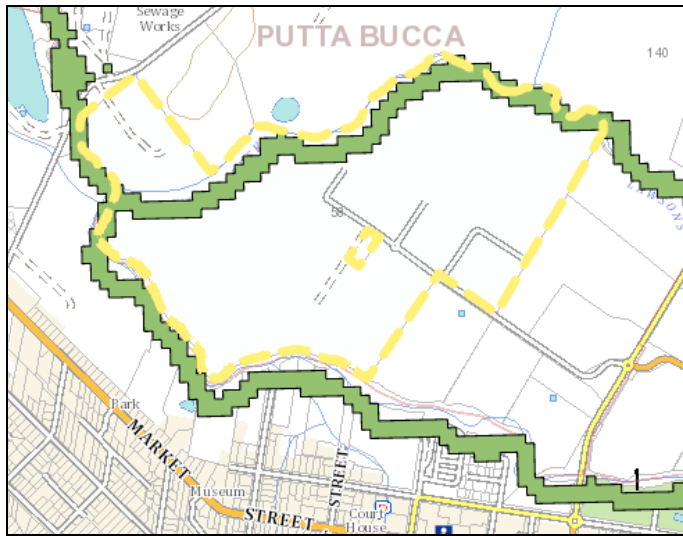
The bulk of earthworks for the proposed development have been approved under a separate development consent and the additional earthworks required for the car parking area are consistent in scale with the approved earthworks.

The proposal will not cause groundwater contamination as effluent and trade waste will be connected to Council's reticulated system. Water supply will also be sourced from Council's reticulated system. Stormwater from the development will be managed on site.

Given the above, the development can be granted consent as it is designed, sited and will be managed to avoid any adverse environmental impact.

8.5.9 Terrestrial Biodiversity

The boundaries of the subject land to the Cudgegong River and Lawson Creek are identified as containing high biodiversity sensitivity on the Sensitive Biodiversity Map in MWRLEP 2012, as shown on the map below.



Source: NSW eplanning spatial viewer, Sensitive Biodiversity Map

Clause 6.5 of ELEP 2012 requires consideration of the impacts of development on biodiversity. The clause requires the consent authority to consider:

- (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.*

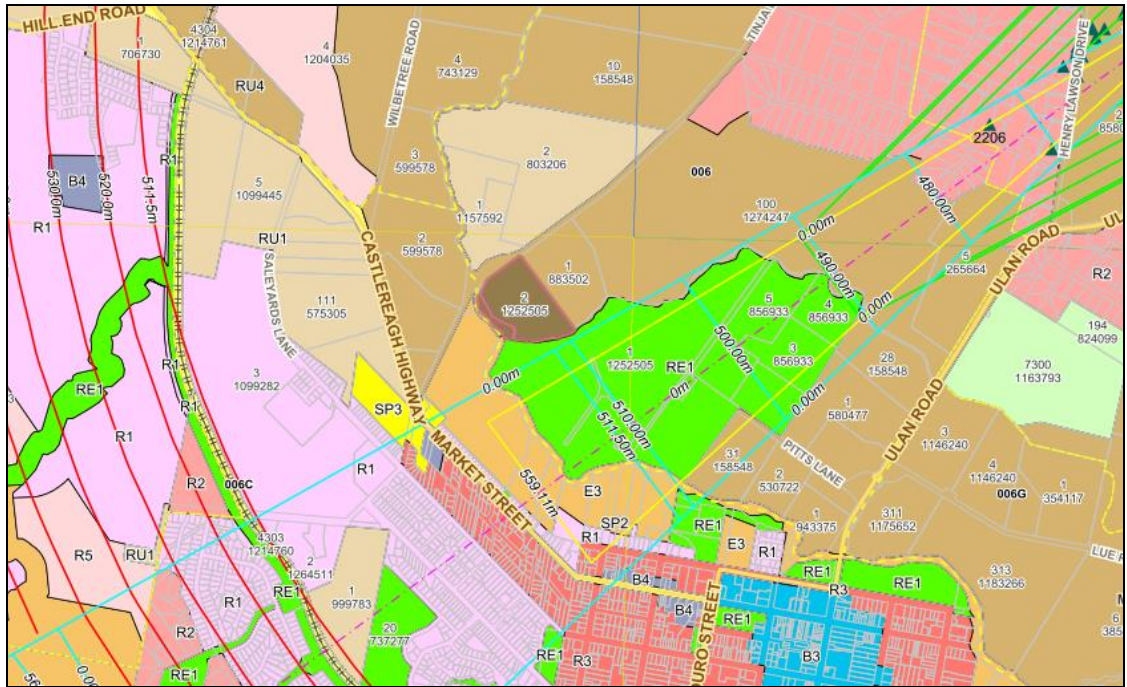
The proposed development will not involve the clearing of any native vegetation. Indirect impacts from the proposed development, such as stormwater discharge will be managed on site. The proposal will have no significant impact on sensitive biodiversity.

Given the above, the development can be granted consent as it is designed, sited and will be managed to avoid any adverse environmental impact.

8.5.10 Airspace Operation – Mudgee Airport

Clause 6.8 of MWRLEP 2012 states that “if a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.”

As shown in the following map, the obstacle surface limitation height for the subject land is 511.5m AHD.



Source: Obstacle Limitation Surface Map

The subject land in the vicinity of the proposed development has ground levels between 450m AHD and 456.5m AHD. Given the extent of excavations, the proposed development will have a roof height of 459.35m AHD and will therefore not exceed the obstacle surface limit.

8.5.11 Essential Services

Clause 6.9 of MWRLEP 2012 states that “*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.”

The proposed development will be connected to reticulated water and sewer services. The site is already connected to power and telecommunications services and these services will be upgraded as required. Stormwater from the proposed development will be managed on site.

8.6 Mid-Western Regional Development Control Plan 2013

8.6.1 Section 5.1 Car Parking

The proposed development is not specifically identified in the car parking requirement table in Section 5.1 of the DCP. The proposed development is being submitted as ancillary to recreation facility (major) and recreation area.

For “other recreation facilities”, the table provides for parking “as determined by Council, but generally a minimum of 20 spaces plus spectator parking”.

The proposal is not a typical form of tourist and visitor accommodation, therefore the parking requirement for this use (1 space per unit) is not considered appropriate.

For “other uses”, the table states that parking “shall be assessed individually having regard to the expected traffic generation”.

The proposed facility will provide accommodation for up to 96 people in 32 rooms. The facility is to provide overnight accommodation for touring sporting teams, who will most likely arrive and travel together in buses or in shared private vehicles.

Thirty-four car parking spaces are proposed to be provided, well in excess of the requirement for “other recreation facilities” and equating to more than one space per room. The Traffic and Parking Assessment prepared for the development application states that this will be quite adequate to provide for the demands of the proposed development.

It is considered that the number of parking spaces proposed is well in excess of the likely demand for parking.

8.6.2 *Section 5.2 Flooding*

The development site is affected by mainstream flooding from the Cudgegong River and Lawson Creek, as shown in the map provided in Section 8.5.6 above.

The site of the Sports Training and Accommodation Facility is above the 1% AEP flood level. The proposed development will therefore not adversely affect flood behaviour or increase flood affectation on any other land.

The new access road currently under construction will facilitate safe evacuation of people attending the facility in the event of a flood. Stormwater from the proposed development will be managed to not adversely affect the environment.

The proposed development is considered satisfactory having regard to Section 5.2 of the DCP.

8.6.3 *Section 5.3 Stormwater Management*

The development increases the amount of roof space and hard stand car parking areas on the site. As a result, the level of stormwater generated from the development will be greater than from existing development on site. Existing stormwater management on site is predominantly via overland flow to the Cudgegong River and Lawson Creek.

Stormwater from the proposed development will be collected in two 120,000L rainwater tanks with overflow directed to the drainage system associated with the new road being constructed on the site.

Existing overland flow from upslope land to the north will be directed around the excavated area to the east towards Lawson Creek with a rock lined outlet to slow the velocity of stormwater as shown in the stormwater management plan.

The proposed management of stormwater will therefore be effectively managed on site and will not cause detrimental downstream impacts.

8.6.4 *Section 5.4 Environmental Controls*

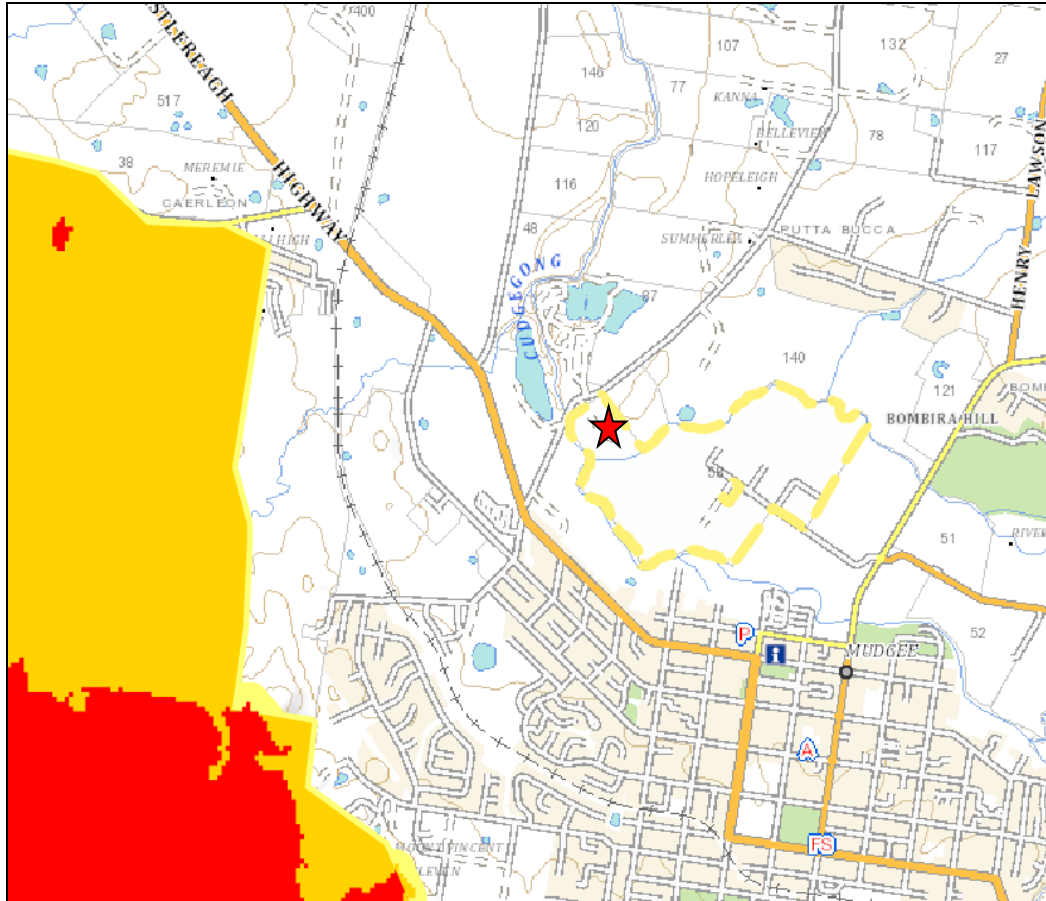
Protection of Aboriginal Archaeological Items

An Aboriginal Heritage Due Diligence Assessment was undertaken by Apex Archaeology in May 2021 to inform the planning of a new road connection through the subject site. The assessment included further site investigations into an area of the site along Cudgegong River and Lawson Creek that was previously considered to have potential for Aboriginal cultural material. The assessment concluded that Aboriginal cultural material was non-existent and the area was deemed to have been disturbed by past land use practices. No newly identified archaeological material was found.

Excavations for the development are currently underway under a separate approval. Further excavations for the car parking area and for building foundations are unlikely to cause harm to Aboriginal objects. No further Aboriginal cultural heritage assessment is considered warranted for the proposed development. It is considered that the proposed development will have no detrimental impact on Aboriginal cultural heritage.

Bushfire Management

The subject land is not mapped as bushfire prone, as shown below.



Source: NSW eplanning spatial viewer, Bush Fire Prone Land Map

The only significant stands of vegetation in close proximity to the site are along the Cudgong River and Lawson Creek, including at the Putta Bucca Wetlands. Other land around the subject site is mostly managed land, such as Putta Bucca House, the Glen Willow Regional Sports Complex, the concrete batching plant and managed farmland. However, there are patches of unmanaged grassland around the site that could present a risk to the proposed development.

If the subject land were mapped as bushfire prone, the proposed development would be considered a special fire protection purpose (SFPP). Planning for Bushfire Protection 2019 (PBP 2019) provides objectives for SFPPs, as follows:

- minimise levels of radiant heat, localised smoke and ember attack through increased APZ, building design and siting;
- provide an appropriate operational environment for emergency service personnel during firefighting and emergency management;
- ensure the capacity of existing infrastructure (such as roads and utilities) can accommodate the increase in demand during emergencies as a result of the development; and

- ensure emergency evacuation procedures and management which provides for the special characteristics and needs of occupants.

PBP 2019 states that the intent and performance criteria within the tables in section 6.8 must be satisfied for SFPP development.

The relevant performance criteria are as follows:

- radiant heat levels of greater than 10kW/ m² (calculated at 1200K) will not be experienced on any part of the building (this can be achieved with adequate asset protection zones (APZ),
- APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.
- APZs are managed and maintained to prevent the spread of fire to the building,
- the APZ is provided in perpetuity,
- landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.
- the proposed building can withstand bush fire attack in the form of wind, embers, radiant heat and flame contact (this can be achieved with a construction level of BAL12.5 under AS 3959 or NASH Standard and section 7.5 of PBP is applied),
- firefighting vehicles are provided with safe, all-weather access to structures and hazard vegetation,
- the capacity of access roads is adequate for firefighting vehicles,
- there is appropriate access to water supply,
- perimeter access roads are designed to allow safe access and egress for firefighting vehicles while occupants are evacuating as well as providing a safe operational environment for emergency service personnel during firefighting and emergency management on the interface,
- non-perimeter access roads are designed to allow safe access and egress for firefighting vehicles while occupants are evacuating,
- an adequate water supply for firefighting purposes is installed and maintained,
- water supplies are located at regular intervals,
- the water supply is accessible and reliable for firefighting operations,
- flows and pressure are appropriate,
- the integrity of the water supply is maintained,
- water supplies are adequate in areas where reticulated water is not available,
- location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings,
- location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings,
- a Bush Fire Emergency Management and Evacuation Plan is prepared,
- appropriate and adequate management arrangements are established for consultation and implementation of the Bush Fire Emergency Management and Evacuation Plan.

The above performance criteria do not apply to the proposed development as the land is not mapped as bushfire prone, however they provide a guide to the appropriate development of the land.

The proposed development can comply with all of the above performance criteria and their associated acceptable solutions with the exception of the APZ to the north. A 36m APZ would be required for SPFF development. The proposal provides a minimum 17m APZ to the common facilities building and a minimum APZ of approximately 28m to the nearest part of the accommodation buildings. Due to the angle of the buildings to the northern boundary, the APZ increases to approximately 42m.

The land to the north is upslope of the proposed development and consists of a 15m wide cleared transmission easement and a mix of managed and unmanaged grassland and scattered trees beyond.

It is noted that the same APZ requirement for residential development (ie. not for a SFPP) on the subject land would be 10m. The proposed APZ for the development is more than double this requirement. To compensate for a lesser APZ than is the usual standard for SFPPs, it is proposed to construct the buildings to a higher BAL rating of 29 (again meeting the standard in PFBP for residential development).

The proposal will comply with the SFPP requirements for access, water supply, services and evacuation.

The proposal is considered satisfactory having regard to the risk of bushfire.

Riparian and Drainage Line Environments

The site of the proposed sports training and accommodation facility is not located within or in close proximity to any riparian lands or drainage lines. The Cudgegong River is approximately 150m from the proposed development site and Lawson Creek is approximately 80m from the development site. The development is therefore not integrated development.

Pollution and Waste Management

The development will generate waste as a result of the following:

- Construction of the development
- Operation of the facility.

Construction waste will be minimised and managed on site and disposed of by way of Council's waste management facilities. Erosion and sediment control measures will be implemented during construction to avoid potential pollution of watercourses.

The development will be connected to reticulated sewer to ensure waste from the operation of the development is appropriately treated off site. Trade waste from the kitchen facility will be the subject of a Section 68 approval.

Waste bins will be provided throughout the facility to encourage recycling and minimise general waste. Council will manage the collection of waste as the operator of the facility.

Threatened Species and Vegetation Management

The proposed sports training and accommodation facility will be located on a part of the site that is mostly cleared of vegetation. The main areas of vegetation on the site predominantly follow the Cudgegong River and Lawson Creek and on the downslope towards Lawson Creek to the east of the existing dwelling. A small number of trees are proposed to be removed. The vegetation is not mapped as threatened species and it is considered that their removal will have no adverse impacts on any threatened species.

Building in Saline Environments

The subject land is not considered to have high levels of salinity. Salinity was not identified as an issue in the geo-technical investigations of the site.

8.6.5 Section 6.4 Tourist and Visitor Accommodation

As noted above, the proposal is not a typical form of tourist and visitor accommodation. The provisions of Section 6.4 of the DCP are therefore not considered relevant to the development.

8.7 Other Matters

8.7.1 Traffic Assessment

A new road connection from the Glen Willow Sports Complex, across Lawson Creek and to Putta Bucca Road is currently under construction. This road connection facilitates direct access for sports teams and sports people from Glen Willow to the subject site without impact on the surrounding road network.

The new intersection with Putta Bucca Road will be a roundabout at the current entrance to the Putta Bucca Wetlands, providing a safe access and exit from the site to the surrounding road network.

The proposed sports training and accommodation facility will not generate significant additional traffic to the road network as touring teams will likely travel together in buses or in shared private vehicles. In any case, the provision of a second access to Glen Willow allows for the spread of traffic flow via either Ulan Road or Putta Bucca Road.

The Traffic and Parking Assessment prepared for the development application states as follows:

“It is assessed that the Training Camp would generate no more than some 10 – 15 vtp/h (96 guests equates to some 3 tow coaches) and whether these arrive/depart via the Castlereagh Highway/Putta Bucca Road or Ulan Road/Pitts Lane/Lue Road there will not be any perceptible adverse traffic impact (capacity or road safety). This will be the case event if these movements are concurrent with peak event movements at the Sports Complex.”

The surrounding road network is considered capable of accommodating the traffic generated by the proposed development.

8.7.2 Visual Impact Assessment

The subject land sits midway on a rise above the Cudgegong River floodplain with a high point up to 457m AHD, being approximately 11m above the floodplain. The proposed development will be cut into the site with a floor level at 453.2m AHD. The proposed buildings are single storey with a height of 6.15m to the roof pitch. As a result of the relatively low level of the site, the excavation to create a level pad, the single storey nature of the development and the riparian vegetation along the Cudgegong River and Lawson Creek, the development will not be visible from nearby vantage points. The development will not be prominent in the landscape from more distant vantage points.

Photos from nearby and distant vantage points are provided below. It is noted that the site is not visible from various high points in South Mudgee such as the lookout on Madiera Road due to vegetation surrounding the lookout and given the distance of the site from these vantage points, being more than 2.5km.



View from corner of Castlereagh Highway and Putta Bucca Road

In the photo above, the sewer pumping station (SPS) is visible (circled in red). The proposed development is behind and to the right of the SPS and will be hidden from view by the riparian vegetation along the Cudgegong River.



View from Dog Park at Glen Willow Regional Sports Complex

In this photo, the marquee at Putta Bucca House is partly visible (circled in red) and the gap in vegetation (marked with a yellow line) represents the location of the road connection currently under construction. The proposed development sits between the marquee and the road and will be hidden from view by the vegetation.



View from corner of Henry Lawson Drive and Putta Bucca Road

In this photo, the marquee at Putta Bucca House is visible (circled in red). The proposed development sits down the hill on the other side of the marquee and will not be visible.



View from park at intersection of Castlereagh Highway and Second Street

In this photo, the existing house on the site is visible (circled in red). The proposed development sits to the left of the house and will be hidden from view by vegetation along the Cudgegong River.



View from Madera Road

In this photo, the vegetation along Cudgegng River is the most prominent landscape feature and no single development stands out. The proposed development will not be visible from this view.

The location of the proposed Sports Training and Accommodation facility is within the view line to the south from Putta Bucca House but will sit low in the view corridor due to the natural slope of the land and excavations to create a level pad for the buildings. The proposed development will not disrupt the visual connection of Putta Bucca House to the hills. The proposed buildings will be only slightly visible from Putta Bucca House but can be easily screened from view by small trees and shrubs that will themselves sit low enough to not block the distant views. The proposed buildings will be approximately 150m from Putta Bucca House. Photos from Putta Bucca house are provided below.



View from Putta Bucca house towards development site

In this photo, the now demolished shed on the subject land is visible. The proposed development is in this location and due to the excavations to create a level pad, the proposed development will sit lower than the previous shed, but due to the height of the buildings, will be similarly visible. Low level landscaping along the boundary of the site will obscure the development from Putta Bucca House without disrupting the distant mountain views.

8.7.3 Acoustic Assessment

The subject land is located in a semi-rural location, surrounded by a mix of rural land, open space and natural areas. The immediately adjoining property to the north contains a residence (Putta Bucca House) and a marquee used for weddings and other functions. The proposed development of a sports training and accommodation facility could therefore have noise impacts on the adjoining residence and also be impacted by noise from the function venue. Other potential noise sources impacting the proposed development are from a concrete batching plant, a sewer pumping station and the Glen Willow Regional Sports Complex.

An acoustic impact of the rezoning and proposed development on surrounding land has been undertaken by Akoustic. The study addressed noise emissions from surrounding developments that could affect the proposed sports training and accommodation facility. As the proposed development is predominantly residential in nature, it was determined to not be likely to generate significant noise levels, aside from noise associated with car parking at the site.

The study found that predicted noise levels at the façade of the accommodation blocks of the proposed development from functions being held at the adjoining Putta Bucca House would exceed the trigger levels for day and evening periods by 11dB and 14dB respectively. These levels will only be exceeded when events are held and the predicted noise levels represent the loudest periods of a typical social event when speeches are being made and applause occurs at other times like during the dinner noise emissions will be at least 10 dB less. A 2m high noise barrier between the proposed development and the adjoining property to the north would reduce noise levels from Putta Bucca House events by up to 11dB.

A noise barrier on the boundary is not considered warranted in this instance as the proposed development will be cut into the subject site with retaining walls up to 4m in height. These retaining walls, along with landscaping along the top of the retaining walls will provide the required noise barrier.

Amplified music noise emissions from live performances at the adjoining function centre should not exceed the general crowd noise levels due to the location of the stage and the solid walls at the southern end of the marquee that act as a sound barrier. Good quality sound reinforcement loudspeakers can also direct sound into the marquee audience and minimise the spill over of the music to residential areas. Noise from vehicles leaving the site does not exceed the noise trigger limits.

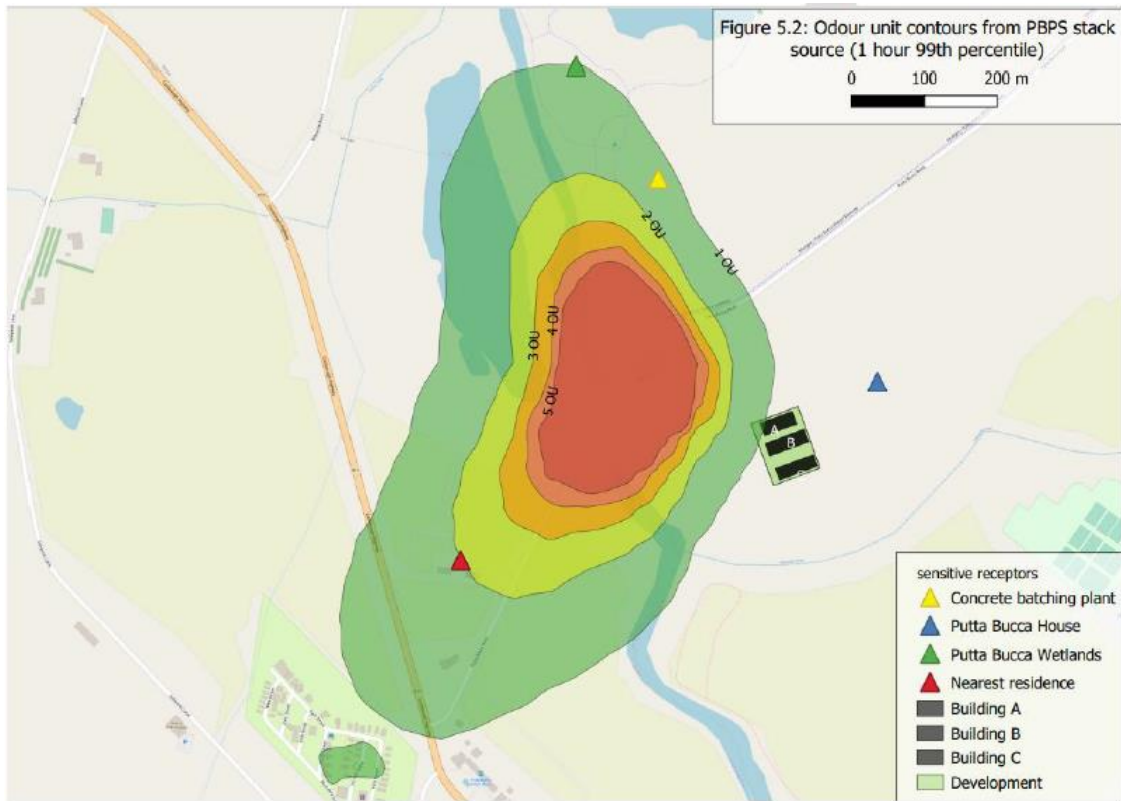
The predicted noise levels close to the proposed development from the nearby concrete batching plans will not exceed the day and morning shoulder trigger levels. The predicted noise levels are only applicable when the plant is batching and at other times noise levels would be considerably less. Noise from the adjoining sewer pumping station is not expected to disturb any guests at the proposed sports training and accommodation facility as the pumps and other noise generating equipment are located inside a building.

In relation to the Glen Willow Regional Sports Complex, the study found that it is unlikely that noise generated by sports activities such as netball would be annoying and due to the distance from the netball courts, noise levels could be audible but not likely to be intrusive nor would the source of the netball noise levels be a persistent annoyance. Larger events held at the Regional Sports Stadium would be planned and managed by organisers that are required to submit a management plan to include control of noise emissions. Considering the connection that guests at the proposed development would have with Glen Willow, any noise from sporting activities would be unlikely to be offensive.

The study found that the adjoining Putta Bucca House would not be adversely affected by noise from the operation of the proposed development assuming that reasonable steps are taken to control noise emissions from mechanical plant servicing the development. Noise from traffic and car parking will not exceed the relevant noise trigger levels.

8.7.4 Odour Assessment

An assessment of the potential odour impact on the proposed development from the adjoining sewer pumping station (SPS) has been undertaken by GHD. The assessment concluded that odour from the SPS will not exceed the relevant impact assessment criteria, as demonstrated in the following diagram.



The proposed development can therefore be undertaken in the proposed location with no significant odour impacts.

9 CONCLUSION

This Statement of Environmental Effects (SEE) supports a development application for the Glen Willow Sports Training and Accommodation Facility at Lot 2 DP 1252505, 58 Pitts Lane, Putta Bucca. The development application also seeks to consolidate the subject lot with Lot 1 DP 1252505 that includes the major components of the Glen Willow Regional Sports Complex.

The site of the proposed Sports Training and Accommodation Facility is zoned RE1 Public Recreation. The proposed development is considered to be permissible as an ancillary development of the Glen Willow Sports Complex defined as recreation facility (major) and recreation area under the Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012).

The development is “regionally significant development” pursuant to clause 3 in Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021. As such, the Joint Regional Planning Panel is the consent authority.

The development is sited, designed and will be managed to avoid adverse environmental impacts. No endangered ecological communities will be affected and the adjoining riparian corridors will be protected. There are no significant contamination issues with the site. Earthworks for the majority of the development have already been approved as part of a separate development consent.

The development will increase traffic movements to and within the site, though the extent of the increase will not be significant in terms of the impact on the level of service of surrounding roads and intersections. Sufficient parking, including accessible parking spaces and bus bays are to be provided.

Potential noise impacts from the development on nearby residential receivers are minor and can be effectively mitigated through management of the facility. The development will not be adversely affected by odour from the adjoining sewer pumping station.

The proposal will have significant social and economic benefits to the community. The development is permissible with consent and is consistent with all relevant legislation and policy. There is no impediment to the granting of development consent subject to conditions.

