

26 September 2022

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Mid-Western Regional Council
86 Market St,
Mudgee NSW 2850

Dear Sir/Madam

Development Application for proposed pole mount single LCD screen at the proposed St George and Westpac Bank Branch located at 4/34 Church Street Mudgee NSW 2850

1 Introduction

SLR Consulting Australia Pty Ltd (SLR) acts on behalf of its client the St George Bank (St George) in preparing this Statement of Environmental Effects (SEE) in support of a Development Application to the Mid-Western Regional Council (Council) for a proposed Pole Mount LCD screen at the proposed co-branded St George and Westpac Bank branch located at 4/34 Church Street Mudgee NSW 2850.

This Report, including attachments, provides overall comment on the proposal. It describes the site, its environs, the proposed development and provides an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

It should be noted that all other works, including internal fitout works, relating to the proposed St George and Westpac Bank branch are exempt or complying works under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or are subject to a heritage exemption, which has been separately sought.

It is also noted that a Clause 5.10 heritage exemption has been granted by Mid-Western Regional Council for the signage replacement work associated with the co-location of St George and Westpac.

2 The Site & Surrounds

The site is located within the Mid-Western Local Government Area. It is legally described as Lot B of Deposited Plan (DP) 396161 and generally known as 4/34 Church Street Mudgee. It is situated on the western side of Church Street (refer to **Figure 1** and **Figure 2**).

The site currently supports a St George Bank with existing signage on the façade of the premises. The signage includes hamper signage, an under-awning sign, wall sign and ATM signage. The site also contains a hair salon adjoining the St George tenancy and a confectionary shop.

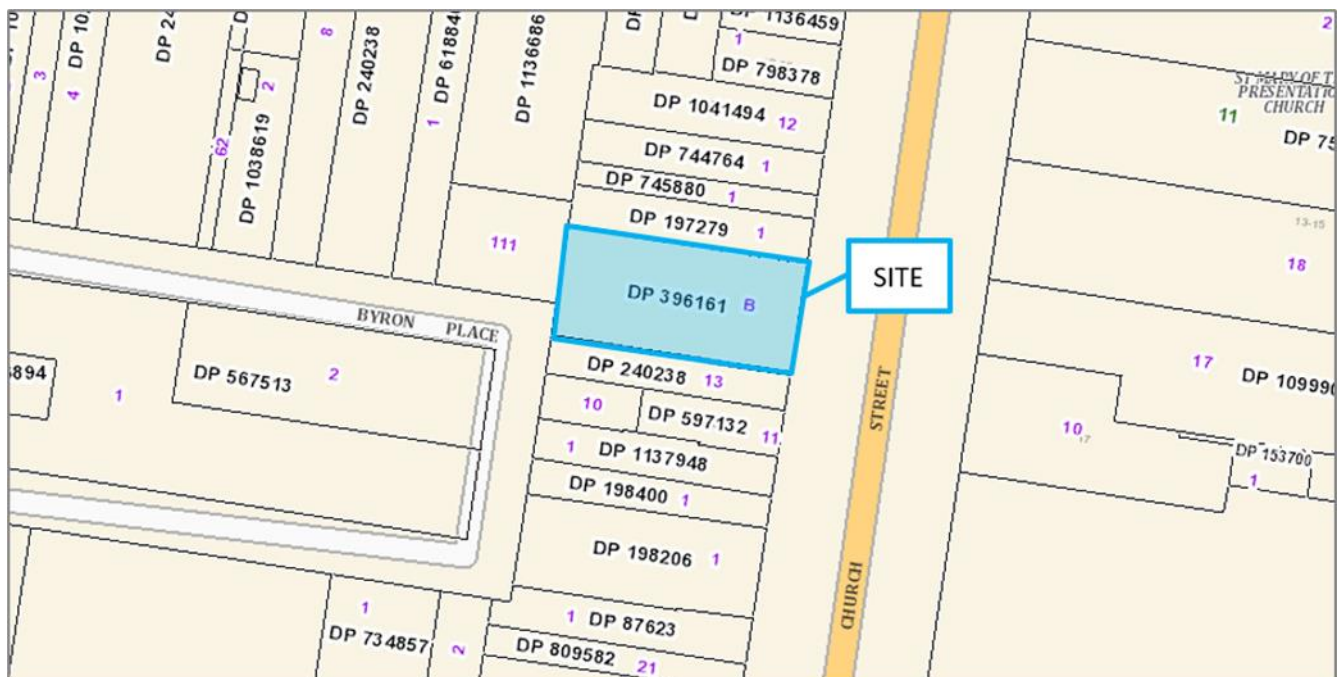
The surrounding area is characterised by double and single storey commercial tenancies, predominantly retail spaces and food and drink premises.

Refer to **Figure 1** and **Figure 2** for the site and its surrounds.

Figure 1 Site Aerial (Source: Six Maps)



Figure 2 Cadastral Plan (Source: Six Maps)

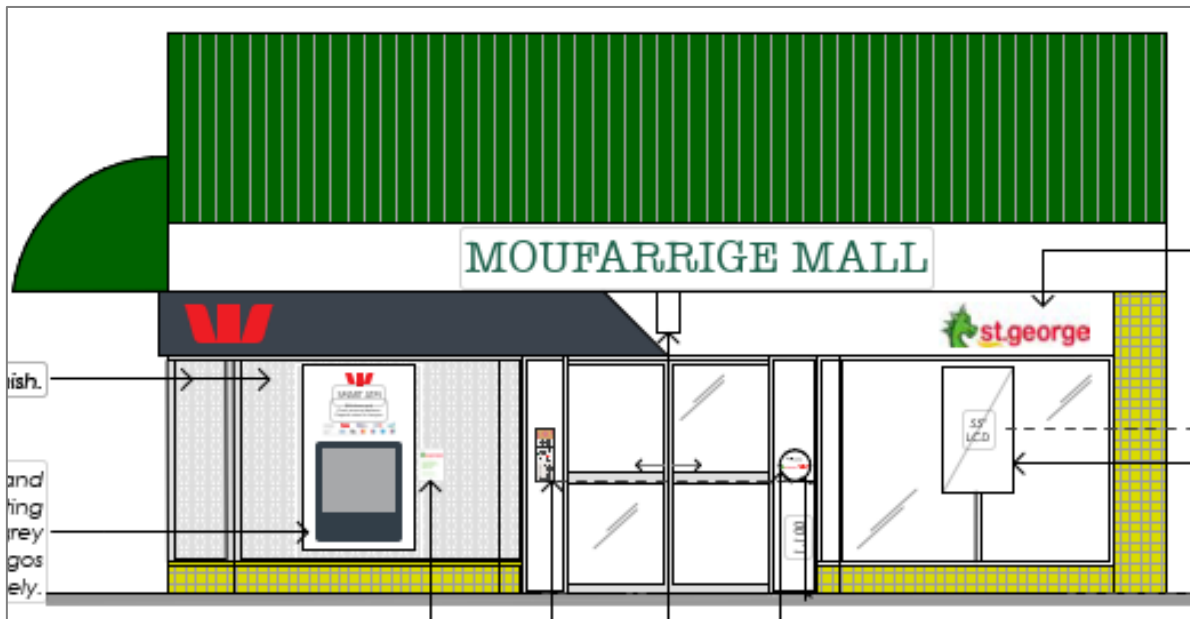


3 Proposal

The proposed development is for a proposed pole mount LCD screen to display in the window sign of the co-brand St George and Westpac Bank Branch.

All other proposed works shown on the Architectural Plans are subject to a heritage exemption, which has been approved by Mid-Western Regional Council. Proposed shopfront elevation drawings are shown below in **Figure 3**.

Figure 3 Proposed Shopfront Elevation



4 Legislation & Planning Controls

The following legislation, Environmental Planning Instrument (EPI) and Development Control Plan (DCP) are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy (Industry and Employment) 2021;
- Mid-Western Regional Local Environmental Plan 2012 (LEP); and,
- Mid-Western Regional Development Control Plan 2013 (DCP).

4.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 4.15 of the EP&A Act provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15 (1), is provided within this SEE.

4.2 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 Advertising and signage

This proposal involves the erection of an illuminated LCD sign at the shopfront window. Pursuant to the SEPP (Industry and Employment), the consent authority is to consider if the proposed signage is consistent with the objectives of this Chapter and the application satisfies the assessment criteria specified in Schedule 5. The proposed sign has been assessed in **Appendix B – Compliance Tables**.

4.3 Mid-Western Regional Local Environmental Plan 2012 (LEP)

Under the provisions of this plan, the site is located within the B3 Commercial Core land zone (refer to **Figure 4**).

Figure 4 Mid-Western Regional LEP Zoning Map Extract (LZN_006G)



Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To promote the central business district of Mudgee as the major focus for retail and commercial activity in Mid-Western Regional.
- To consolidate business development in the Mudgee town centre and avoid unnecessary or inappropriate expansion of business-related land uses into surrounding residential neighbourhoods.
- To ensure that new development is compatible with the historic architectural character and streetscapes of the Mudgee commercial core area.
- To ensure that the form and layout of new development is designed to encourage free pedestrian movement and connectivity within the commercial core.

2 Permitted without consent

Roads; Water reticulation systems

3 Permitted with consent

*Boarding houses; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4*

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Service stations; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water storage facilities; Water treatment facilities; Wholesale supplies

The existing land use of the site is classified as a Commercial Premises. A Commercial Premises is permitted with consent within the B3 zone.

Clause 4.3 Height of Buildings

The prescribed maximum height for the site is 8.5m under Mid-Western Regional Local Environment Plan (LEP) 2012. The proposed works will not alter the existing height of the building, therefore the site remains compliant.

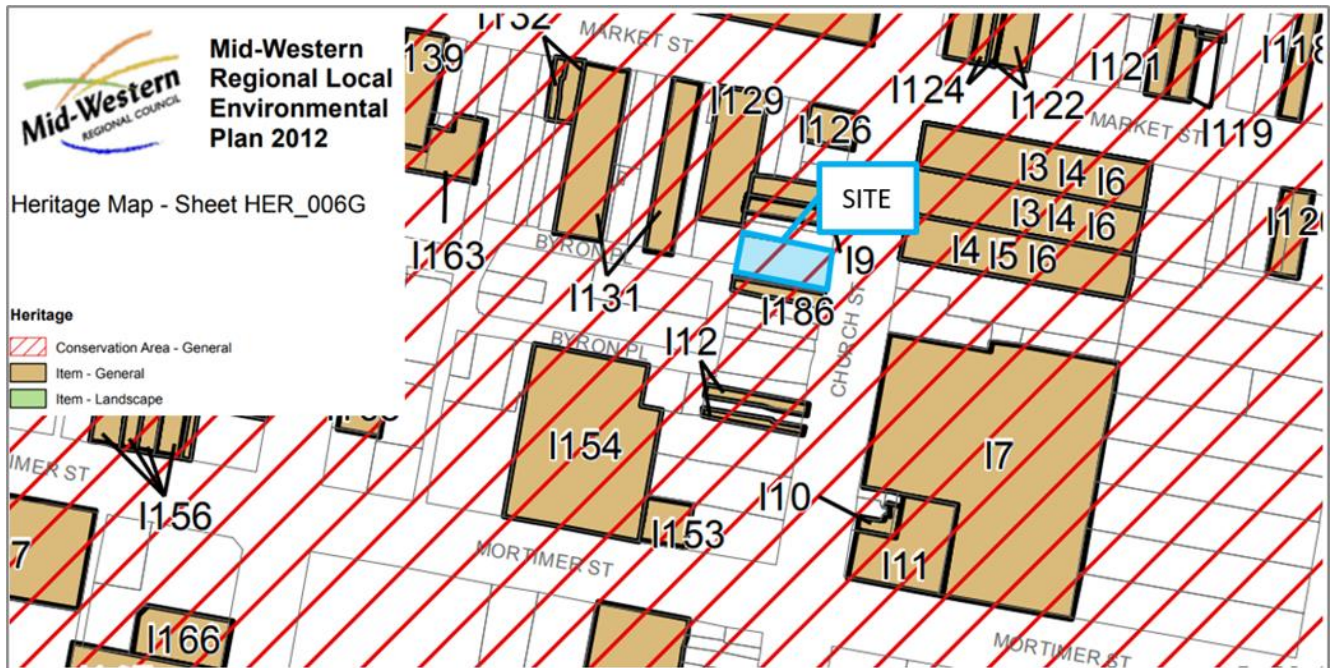
Clause 4.4 Floor Space Ratio

There is no prescribed floor space ratio for the site under Mid-Western Regional LEP.

5.10 Heritage Conservation

The tenancy forms part of a local heritage conservation area *Mudgee Heritage Conservation Area* under the Mid-Western Regional LEP 2012. Refer to **Figure 5**. However, the site is not included in the NSW Heritage Register.

Figure 5 Heritage Map Extract (HER_006G)



It is noted that none of the surrounding façade's historical importance or heritage significance will be impacted as part of the proposed works. The site's façade appears to have minimal heritage significance, being a more recent addition to the area.

Clause 6.4 Groundwater vulnerability

The whole site is identified as "Groundwater vulnerable".

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider 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 proposal pertains to the sign only and will not have any adverse impacts on the cumulative groundwater, water supply or water storage at the site.

4.4 Mid-Western Regional Development Control Plan 2013 (DCP)

The Mid-Western Regional Development Control Plan 2013 (DCP) supports all planning instruments applying to the Mid-Western Regional LGA.

Relevant DCP requirements have been discussed within the DCP Compliance Table at **Appendix B**.

5 Assessment of Planning Issues & Likely Impacts of the Development

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 4.15 (1) of the EP&A Act which are relevant to the proposal.

5.1 Visual Impact

Whilst it is noted the signage on the Development Plans have been granted consent via a Clause 5.10 exemption, the proposed façade alterations, including signage, will make a positive contribution to the visual amenity of the site and surrounding area. The proposed works are consistent with surrounding uses at the site.

It is noted that the LCD screen is illuminated, however it is reiterated that the surrounding area is zoned commercial core and this illumination will not impact on the amenity of any residential land uses.

Overall, the proposed works are not expected to result in any significant adverse visual or amenity impacts.

5.2 Noise Impact

The proposed use of the site will not result in unreasonable noise generation. It is expected that the noise generated due the proposed façade alterations will not adversely affect nearby businesses. Use of equipment during construction will be managed in accordance with the relevant NSW Construction Noise Guidelines.

5.3 Waste

The proposal will generate waste through construction. A Waste Management Plan (WMP) has been prepared and included as **Appendix C**.

6 Conclusion

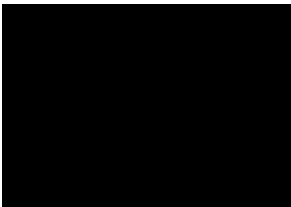
The façade alterations at the proposed co-branded St George and Westpac Bank Branch as proposed under this DA is considered to make a positive contribution to the site without compromising the visual amenity of the premises or surrounding areas.

Overall, the proposal is considered to be minor in nature, comprising minimal social and environmental impact on the site and surrounding areas. The proposal is consistent with the relevant legislation and controls under the Mid-Western Regional LEP and Mid-Western Regional DCP. Through the proposal's merits and absence of any significant adverse environmental impacts, the DA is considered to be in the public interest and recommended for Council's support subject to standard conditions of consent.

We thank you for the opportunity to lodge this application and look forward to timely development consent.

If you have any queries with any of the above, please do not hesitate to contact SLR on (02) 4940 0442.

Yours sincerely,



MELANIE DOW
Project Consultant - Planning

Checked/
Authorised by: HJ

Appendices

- Appendix A – Architectural Plans
- Appendix B – Compliance Tables
- Appendix C – Waste Management Plan

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – COMPLIANCE TABLES

Mid-Western Regional DCP 2013 Compliance Table

Control	Requirement	Comment	Compliance
4.4 Signs			
General Requirements	Full details of sign type, size, lettering, location, colours etc. must be provided with a development application.	The proposed LCD signage details are demonstrated in the provided Architectural Plans at Appendix A.	Y
	All advertising must relate to the lawful uses or activities carried out on the same land on which the advertising sign is to be erected.	The signage pertains to the existing bank at the site.	Y
Signs in Towns and Villages			
Heritage Conservation Areas	(a) The streetscapes in the business areas of Mudgee, Gulgong, Rylstone and Hargraves are within a heritage conservation and particular attention is paid to the preservation and enhancement of the character and appearance of these areas.	a) It is noted that the site is located within the Mudgee Conservation area. The proposed sign does not cause adverse impacts or proliferation of signage at the premises. As such, the signage is to cause minimal adverse impacts on the character of the area.	Y
	(b) Corporate identification should be carefully selected and amended where necessary to retain the character of individual buildings and the surrounding locality.	b) This is noted.	Y
	(c) Generally signs on individual buildings or within areas of special significance should be discreet and should complement the building or area. An important element of Council's planning policies involves the careful control of all advertisements, and external building colours in the main business areas.	c) The proposed sign is discreet and will have minimal impacts on the heritage significance on the building and surrounding area.	Y
Business Areas	(a) Generally a maximum signage area per commercial building (regardless on number of tenancies) of 25% of the frontage is permitted per building.	a) The existing window glazing (on Church Street elevation) is proposed to be removed (approximately 5.87m ²). The proposed LCD sign is 0.75m ² . Therefore, there is a reduction in signage area at the site and it will be within the permitted area.	Y

Control	Requirement	Comment	Compliance
	<p>(b) Under-awning/verandah signs must have a minimum height of 2.6 metres distance from the pavement to the bottom of the sign and protrude no further than a maximum length of 3.5 metres as measured from the front wall of the commercial building and will not protrude beyond the line of the awning/verandah.</p> <p>(c) Additional pylon signs, projecting wall signs, above awning signs, illuminated wall signs located above the verandah or awning and roof signs are not permitted in both Mudgee and Gulgong business areas.</p> <p>(d) Wall signs should be either painted directly onto the building or constructed of painted wood, or coated at point of manufacture or powdercoated flat metal sheets. Wall signs utilising plastic or modern metal materials are not favoured. Specific consideration should be given to buildings that are Heritage Items or within a Heritage Conservation Area. In those instances it is recommended that you discuss your proposal with the Town Planning Section or Heritage Advisor prior to finalising the design.</p>	<p>b) The existing sign structure for the replacement under-awning sign will be utilised, which has been awarded a heritage exemption on 23/9/2022. It does not form part of this application.</p> <p>c) The proposed pole sign is not located above the verandah, awning or roof.</p> <p>d) The proposed sign is not a wall sign, it is small pole sign located behind the window shopfront.</p>	<p>N/A</p> <p>Y</p> <p>N/A</p>
<p>Maintenance and Illegal Signs</p>	<p>(a) Signage is a reflection on the community as a whole. Council will not tolerate amateurish and poor quality signage.</p> <p>(b) A person intending to erect a sign should refer to a qualified sign writer for advice in relation to size, colour, location and design.</p> <p>(c) Unprofessional signs will be resisted. In circumstances where, in the opinion of Council, signs become unsightly or unsafe, Council will require the removal, repair or replacement as appropriate under the particular circumstances.</p>	<p>a) Signage proposed is of high quality, aligning with the corporate decision to collaborate the Westpac and St George Banks.</p> <p>b) The sign has been designed by a qualified Architect.</p> <p>c) It is noted that the signage is to be maintained and replaced under the appropriate circumstances.</p>	<p>Y</p> <p>Y</p> <p>Y</p>

Control	Requirement	Comment	Compliance
	<p>(d) In circumstances where signs have been erected without prior approval of Council, a notice will be issued requesting the landowner to remove the subject sign. After a reasonable period, Council may pursue legal action where such a request has been ignored.</p> <p>(e) Signs that have been erected or placed on public land or within a road reserve without the approval of Council will be impounded without notice and administrative fees levied for their release. After 3 months signs may be sold to offset Council's costs.</p>	<p>d) This is noted.</p> <p>e) No signs are proposed to be erected on public land or within a road reserve.</p>	<p>Y</p> <p>N/A</p>

SEPP (Industry and Employment) Schedule 5 Assessment Criteria

Assessment Criteria		Comment	Compliance
1) Character of the area	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 sign is compatible with the scale of the existing building and also consistent with the character of the area.	Y
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No. There is no apparent advertising theme in the area.	N/A
2) Special areas	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 sign is located within the heritage conservation area, however the site is not identified as a heritage item. The proposed sign is replacing a larger glazing area and does not detract from the heritage significance of the area. The surrounding area is composed of commercial land uses and it will have minimal adverse impacts on the area.	Y
3) Views and vistas	Does the proposal obscure or compromise important views?	The proposed sign is located behind the shopfront window of the existing building and does not obscure or compromise important views.	Y
	Does the proposal dominate the skyline and reduce the quality of vistas?	As above. The signage will not dominate the skyline or reduce the quality of vistas.	Y
	Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any advertising.	Y
4) Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale of the new sign is proportionate to the building and existing on-site signage. It is appropriate for the commercial character of the locality.	Y
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the site in context of its commercial setting.	Y
	Does the proposal reduce clutter by rationalizing and simplifying existing advertising?	The proposed signage will not cause proliferation or clutter, as it has been designed to be located in a compatible manner that integrates into the existing building.	Y
	Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	Y
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No, proposed sign is located on the internal façade. It does not extend beyond the built form.	Y
	Does the proposal require ongoing vegetation management?	No.	N/A

Assessment Criteria		Comment	Compliance
5) Site and building	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 sign has been designed to be compatible with the existing built form and site characteristics.	Y
	Does the proposal respect important features of the site or building, or both?	The proposed sign does not detract in any way from important features of the building or site.	Y
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed business identification signage is of a modern high quality design.	Y
6) Associated devices and logos with advertisements and advertising structures	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?	The proposed signage is affixed to the building. All fixtures have been designed to be compatible with the proposed signage.	Y
7) Illumination	Would illumination result in unacceptable glare?	No, the proposed signage will not result in excessive glare.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	As above. The signage does not raise safety concern relating to excessive illumination or light spill.	Y
	Would illumination detract from the amenity of any residence or other form of accommodation?	No, the proposed signage will not detract from amenity of any residence or form of accommodation.	Y
	Can the intensity of the illumination be adjusted, if necessary?	The brightness level of illuminated signage can be adjusted if necessary.	Y
	Is the illumination subject to a curfew?	The signs will be illuminated between operating hours only.	Y
8) Safety	Would the proposal reduce the safety for any public road?	The signage will not affect road safety on any public road.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	No, the signage will not affect the safety of pedestrians or cyclists.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No, sightlines are not affected by the proposal as signage is affixed to building and at an appropriate scale.	Y

APPENDIX C – WASTE MANAGEMENT PLAN