

# STATEMENT OF ENVIRONMENTAL EFFECTS

## PROPOSED INDUSTRIAL SHED

PROPOSED LOT 10  
20 SYDNEY ROAD MUDGEES NSW 2850 (LOT 2 DP538227)



**CLIENT:** SYDNEY ROAD (MUDGEES) PTY LTD

**DATE:** 20 FEBRUARY 2023

**PREPARED BY:**



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<b>Appendix 5:</b>	AHIMS Search Result



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## 1. INTRODUCTION

### 1.1. PURPOSE

This Statement of Environmental Effects (SEE) has been prepared on behalf of Sydney Road (Mudgee) Pty Ltd (the landowner and proponent) to accompany a development application (DA) for an industrial shed on land known as 20 Sydney Road Mudgee NSW 2850 (Lot 2 DP538227) (the site).

The SEE summarises findings of specialist reports and demonstrates that the proposed development has been formulated having full and proper regard to existing development controls and environmental qualities of the site and its surroundings.

### 1.2. CONSENT AUTHORITY

The proposed development requires consent under Part 4 the *Environmental Planning and Assessment Act 1979* (EP&A Act). The development is 'local development' and Mid-Western Regional Council (Council) is the consent authority for the proposed development.

### 1.3. INTEGRATED DEVELOPMENT PROVISIONS

The proposed development is not integrated development pursuant to the provisions of Section 4.46 of the EP&A Act.

### 1.4. SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS

This SEE accompanies a DA for the proposed development. It has been prepared on behalf of the proponent and includes the matters referred to in Section 4.15 of the EP&A Act and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the proposed development;
- Describe the land to which the DA relates and the character of the surrounding area;
- Assess any environmental impacts and provide mitigation measures where relevant; and
- Define the statutory planning framework within which the DA is to be assessed and determined.

### 1.5. PERMISSIBILITY

Pursuant to the Mid-Western Regional Local Environmental Plan (LEP) 2012, *industries* are permitted with consent within the E3 Productivity Support zone. The proposal has been formulated having regard to the provisions of Mid-Western LEP 2012 and Development Control Plan (DCP) 2013.

### 1.6. BACKGROUND

The site is the subject of an approved staged subdivision, being Stage 1: 6 Lot Community Title Subdivision and Stage 2: 4 Lot Strata Subdivision under DA0024/2021. For ease of reference, the Stage 1 Stamped Plans are provided overleaf in *Figure 1*. We note that this CT Subdivision has not yet been registered at the time of writing, but is progressing through the detailed subdivision works certificate stage.

It should be noted that, upon registration of the Stage 1 plan from DA0024/2021, the proposed development as described in this SEE will exist on Lot 6, the Development Lot. Therefore, Architectural Plans at **Appendix 1** show the proposed development as it relates to the approved subdivision plan on the site, to demonstrate compliance with building separation and setback regulations, noting the future subdivision registration is imminent.

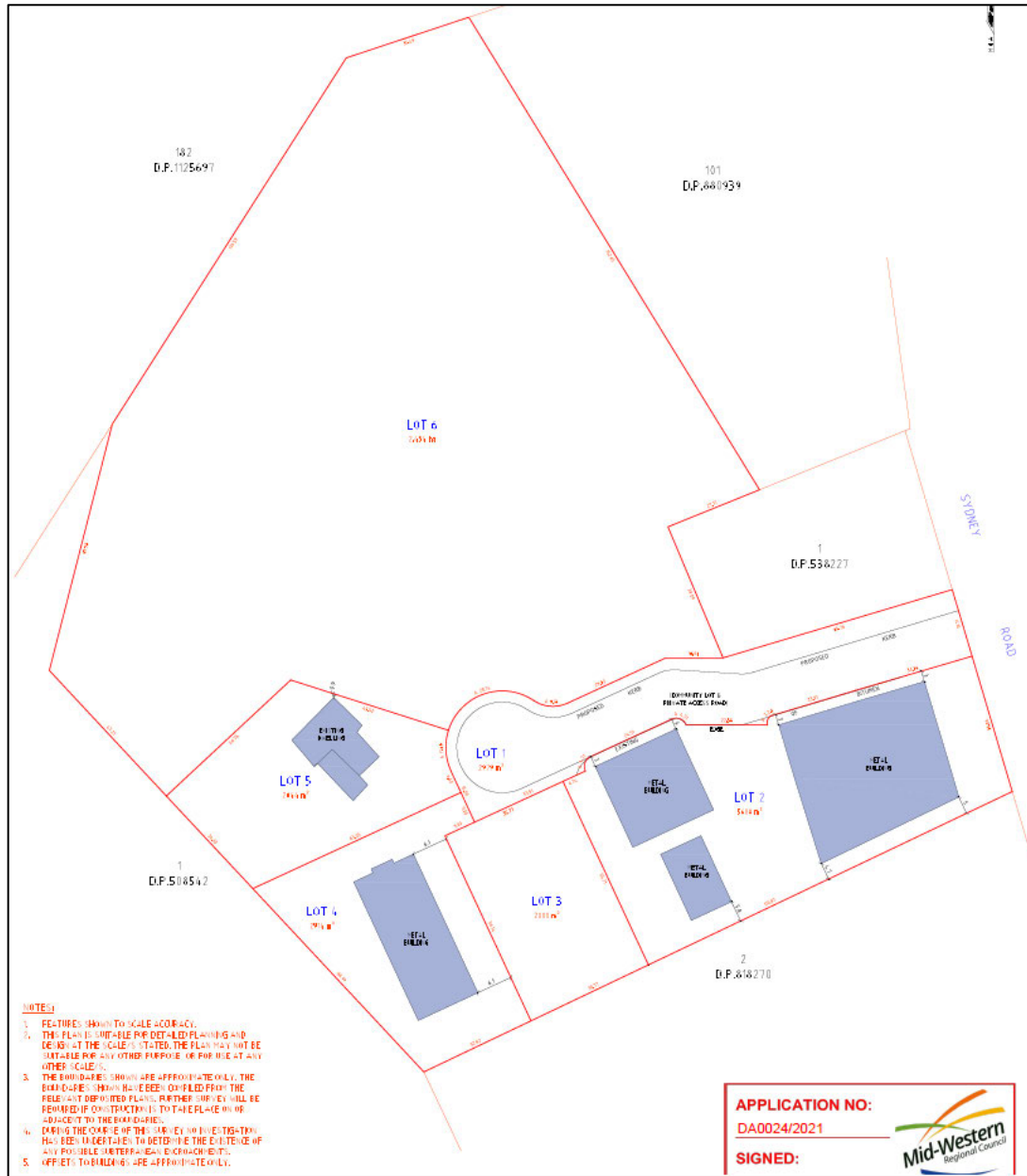


Figure 1: Stamped Approved Stage 1 CT Subdivision Plan for DA0024/2021

## 2. SITE AND SURROUNDING AREA

### 2.1. SITE SUMMARY

<b>Address</b>	20 Sydney Road Mudgee NSW 2850
<b>Lot and DP</b>	Lot 2 DP538227
<b>Zone</b>	E3 Productivity Support
<b>Land Area</b>	2.4ha
<b>Existing Structures</b>	Various structures including infrastructure, industrial buildings and a dwelling house

### 2.2. SITE AND SURROUNDING AREA

The site is located at 20 Sydney Road Mudgee NSW 2850. The site exists inside an existing business and industrial precinct zoned E3 Productivity Support pursuant to Mid-Western Regional LEP 2012 as shown on the zoning map overleaf (*Figure 3*).

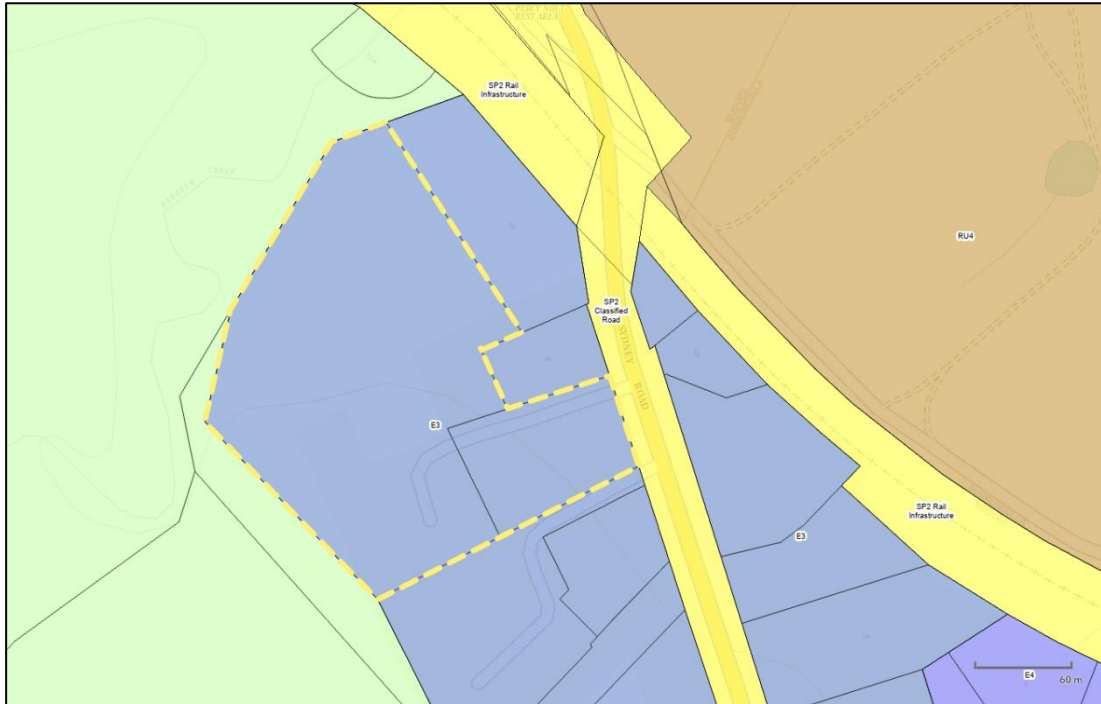
Development on the site is varied but is currently and has historically been used for industrial/business purposes. Existing buildings to the south and southeast are occupied by JR Richards, Elder's Real Estate and Anytime Fitness, as well as other industrial uses, and consist of completely cleared and developed areas. There is also a dwelling house, surrounded by managed gardens and lawns, with some mature largely non-native vegetation to the central-west side of the site. The remainder of the lot, to the north, is cleared paddock and historically disturbed area. Redbank Creek runs parallel to the site's north-western boundary. Adjoining the site beyond this to the west is the Mudgee Golf Club, which is zoned RE2 Private Recreation. The golf club is well landscaped with mature trees adjoining the subject site's boundaries to the north, west, and southwest.

The nature of the existing zoning of the site and greater surrounding area, particularly to the south and south-east, is consistent with an industrial business park.

An aerial photo is provided in *Figure 2* below.



**Figure 2:** Aerial view of site (source: SIX Maps)

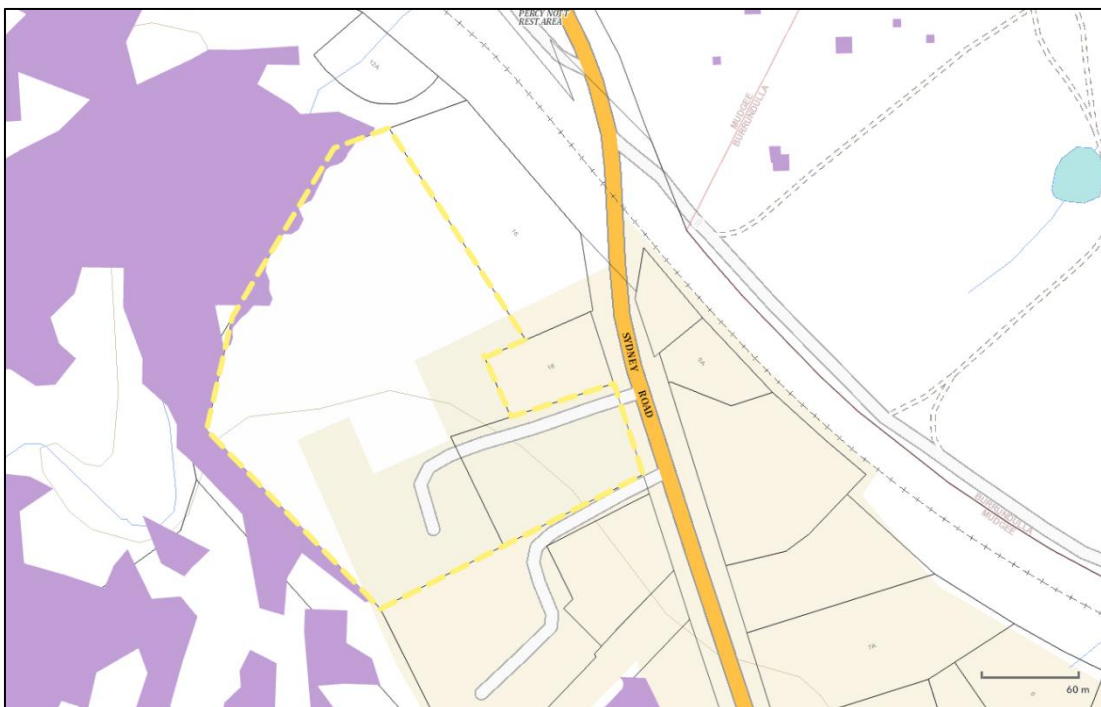


**Figure 3:** Land use zone map (source: NSW Planning Portal Spatial Viewer)

## 2.3. KEY FEATURES

### 2.3.1. Vegetation

Vegetation within the site is varied with scattered vegetation present amongst cleared paddocks, existing structures and infrastructure such as roads. Where the dwelling house is located, there are managed gardens and lawns with primarily non-native vegetation. There is a small part of the north-western boundary that is mapped as containing Biodiversity Values (BV) mapping. The entire works extent is located outside of this area.

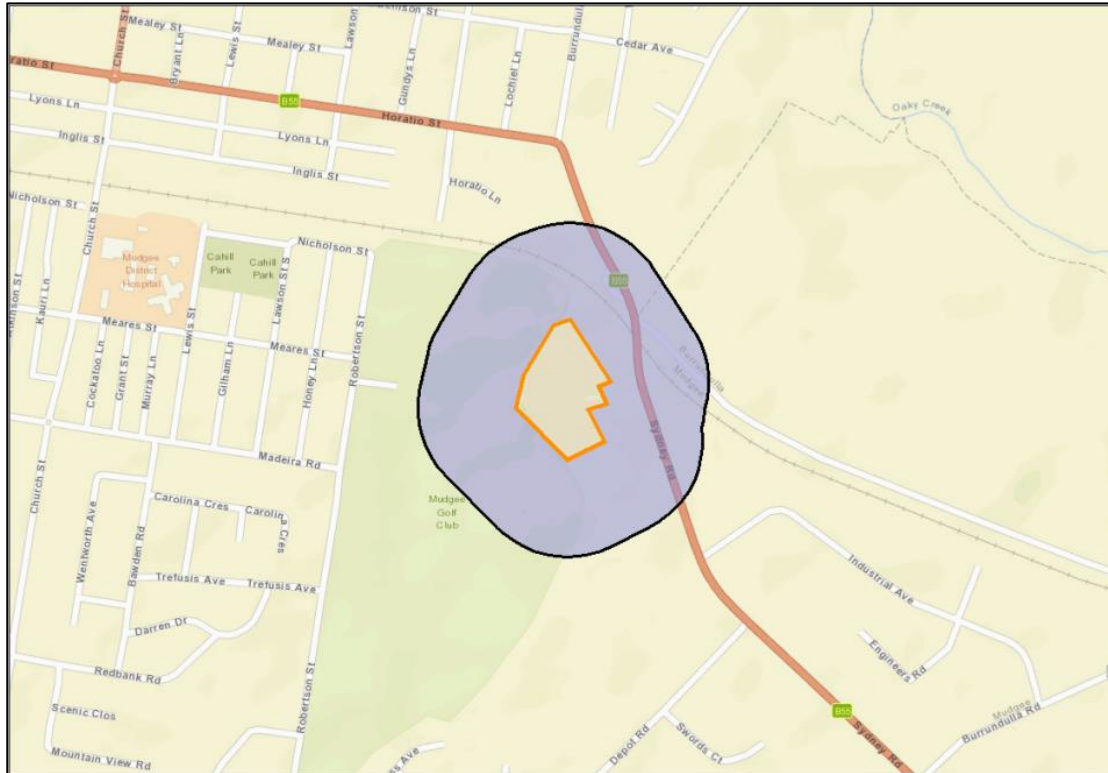


**Figure 4:** Biodiversity Values Map (source: NSW Planning Portal Spatial Viewer)



### 2.3.2. Heritage

The site is located within the Mudgee Local Aboriginal Land Council (LALC) area. A search of the Aboriginal Heritage Information Management System (AHIMS) database on 24/11/2023 concluded that there are no Aboriginal sites or places within 200m of the site (**Appendix 5**) (also *Figure 5* below). The area is also not mapped as Sensitive Aboriginal Landscape pursuant to LEP 2012.



**Figure 5:** AHIMS search result (source: NSW Environment & Heritage)

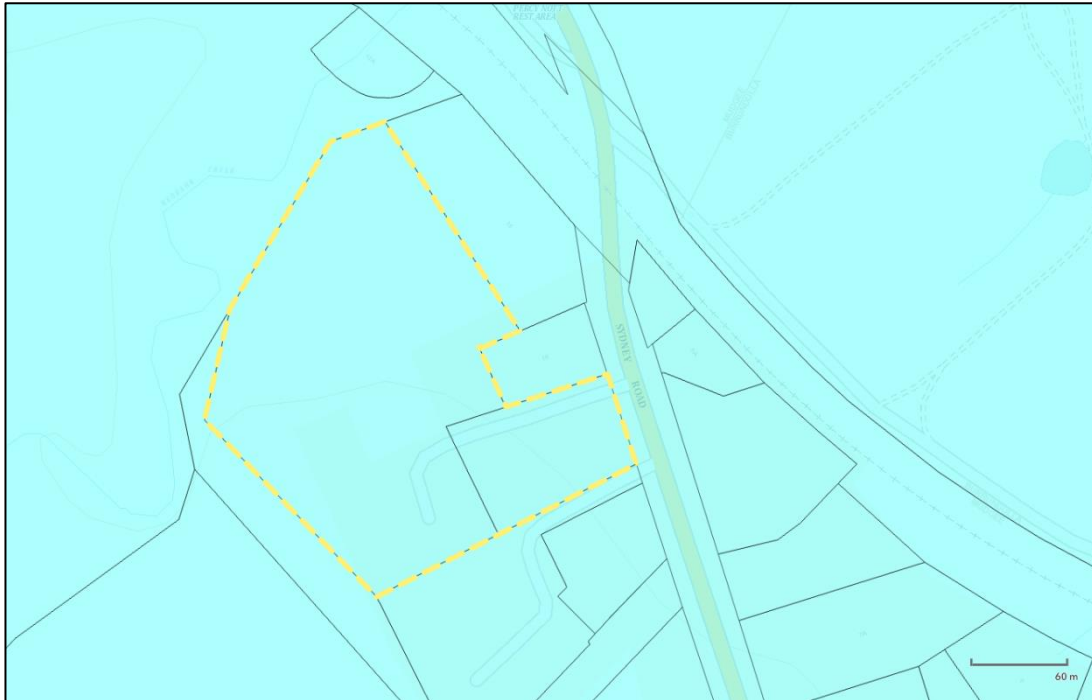
The site does not contain any items of local, State or Aboriginal heritage significance pursuant to LEP 2012.

### 2.3.3. Bushfire

The site is not identified as bushfire prone land.

### 2.3.4. Soils and Geotechnical

The site is not identified as any class of land for acid sulfate soils, per LEP 2012 mapping. The site is not located in a proclaimed mine subsidence district. The site is identified on the Groundwater Vulnerability map, pursuant to LEP 2012 (*Figure 6* below).



**Figure 6:** Groundwater vulnerability map (source: NSW Planning Portal Spatial Viewer)

### 2.3.5. Flooding

The site is not identified as flood prone land. Adjoining land associated with Redbank Creek is mapped as Flood Planning Area pursuant to LEP 2012 (Figure 7 below).



**Figure 7:** Flood planning map (source: NSW Planning Portal Spatial Viewer)

### 2.3.6. Traffic and Access

Primary vehicular access to the larger site is provided from Sydney Road to the east, whilst a formalised internal road provides access to the various uses within the site.

### 2.3.7. Site Photos

The following site photos were obtained by de Witt Consulting during a site visit on 07/04/2020.



**Image 1:** View looking north across the entrance into the site from Sydney Road.



**Image 2:** View from inside site address looking east toward Sydney Road.



**Image 3:** View from rear of site address looking at the existing dwelling.



**Image 4:** View from rear of site looking east toward Sydney Road.



**Image 5:** View from inside the site (middle section) looking north across existing Lot 2.



**Image 6:** View from internal road looking west at Complete Weld at the rear of the site on Lot 2.

### 3. THE PROPOSAL

#### 3.1. SUMMARY OF PROPOSED DEVELOPMENT

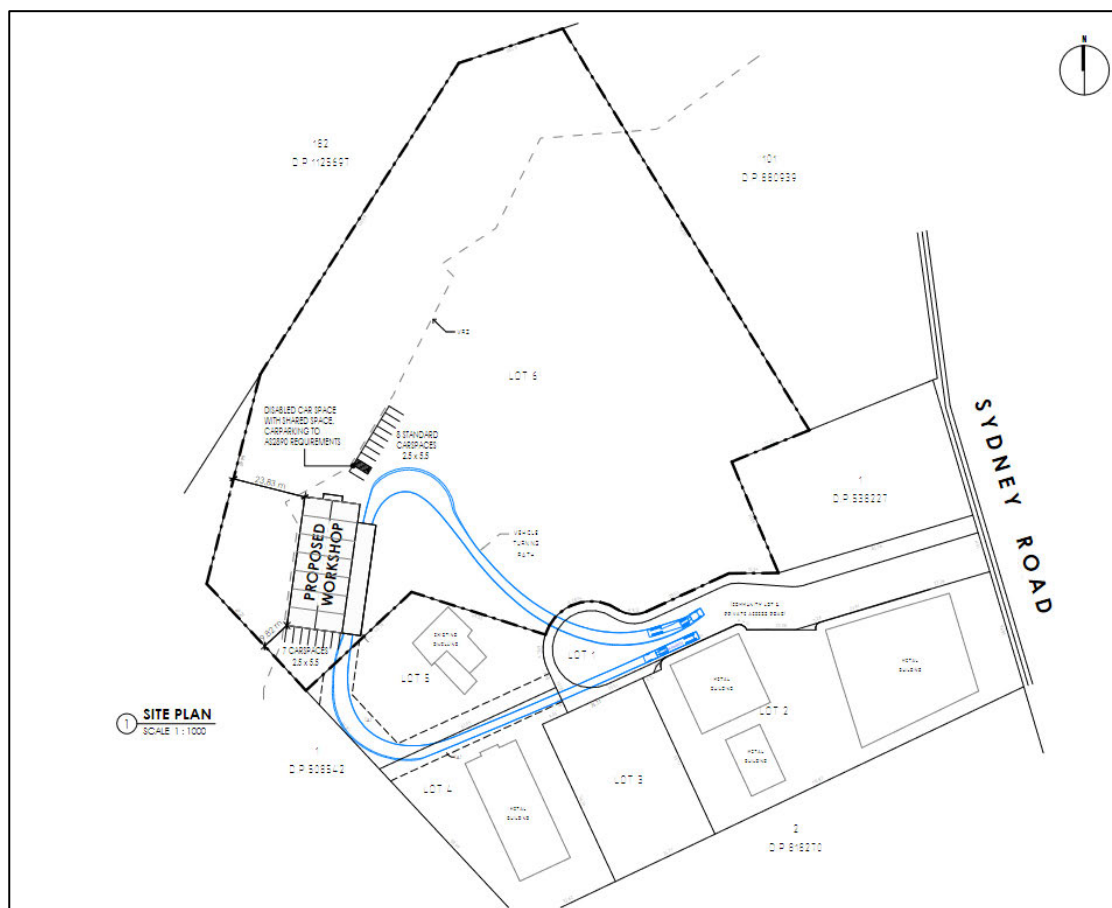
The DA seeks consent for the erection of an industrial shed within the northwestern part of the site, behind the existing dwelling house. The shed is located within Proposed Lot 6 of the approved CT subdivision associated with DA0024/2021. The Site Plan is shown in the extract at *Figure 8* below.

The building will include a lunchroom with a unisex WC, office room, storeroom and entry area. There is also a cantilevered awning along the east side. The shed has a total area of 756m<sup>2</sup>, with a height of 6m to the eaves and 7.8m to the ridgeline. It is setback approximately 9.82m from the west side and 23.83m from the northwest side boundaries.

The external design will include Colorbond wall cladding, Colorbond gutters and fascia treatment, as well as Colorbond roof sheeting. The various north side rooms of the proposed development will include windows, to ensure occupants have access to natural light. In addition to this benefit, they will also increase chances for passive surveillance, as well as breaking up the building bulk from the front elevation. Elevations are included in *Figures 9* and *10* below.

##### 3.1.1. Traffic, Access and Parking

The development will be accessed off the existing internal road, and approved cul-de-sac associated with DA0024/2021. There will be two vehicular access points from this internal road, allowing for one-way vehicle circulation through the site. Specifically, the vehicle ingress point is provided at the western end of the internal road, with the egress point located to the northeast of the existing dwelling, forming a loop. This arrangement allows for vehicles up to and including a 19m articulated vehicle (AV) to enter and exit the site in a forward direction. Swept paths have been included in the Architectural Plans to demonstrate this circulation, extract below in *Figure 8*. The proposed shed will include a dedicated covered loading and unloading area along the east side. The site will contain 15 car parking spaces including 1 accessible space with associated shared space and bollard.



**Figure 8:** Site plan (source: Sunrai Designs)

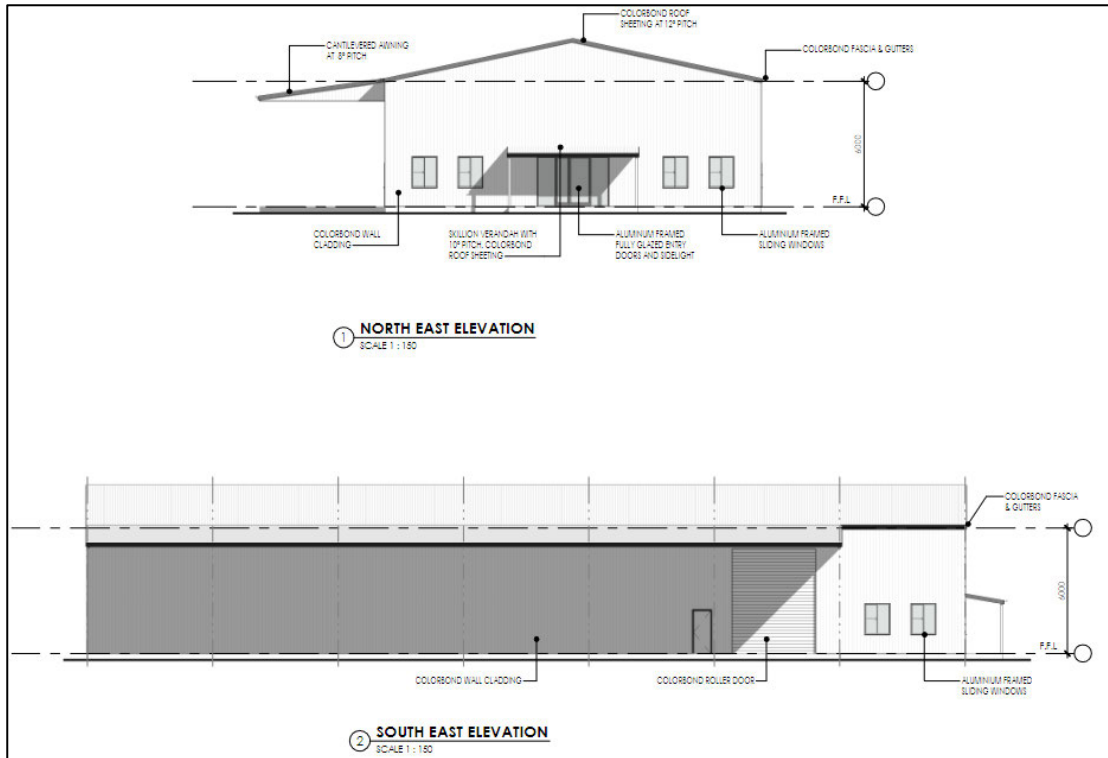


Figure 9: North-east and south-east elevation (source: Sunrai Designs)

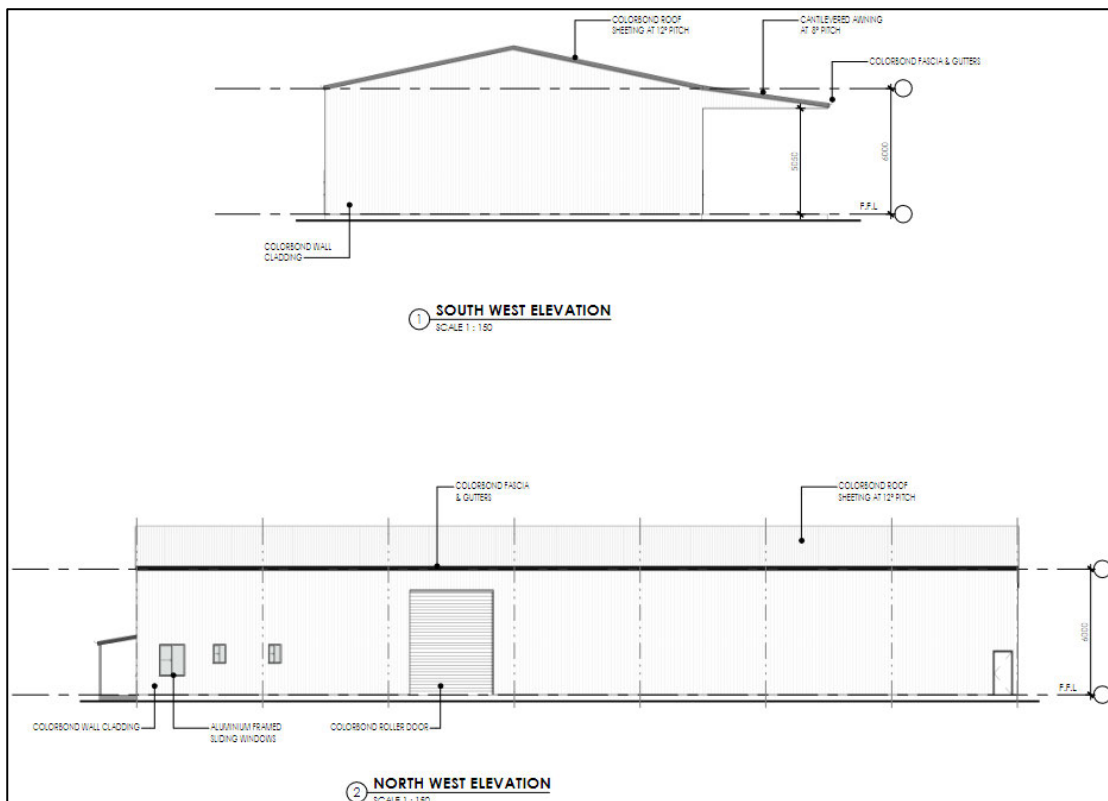


Figure 10: South-west and north-west elevation (source: Sunrai Designs)

## 4. STATUTORY PLANNING CONTROLS

### 4.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS 2021

The proposed development will require consent under the provisions of Part 4 of the EP&A Act. The proposal is not integrated development pursuant to section 4.46 of the EP&A Act. Additionally, the proposed development is **not** considered to be:

- Designated development pursuant to Schedule 3 of the Environmental Planning and Assessment Regulations 2021 (the Regulations) or any other environmental planning instrument;
- State significant development (SSD) or State significant infrastructure (SSI) pursuant to Section 4.36 of the EP&A Act; and
- Regionally significant development pursuant to the State Environmental Planning Policy (SEPP) (Planning Systems) 2021. The development will have a CIV of less than \$5/\$30 million and therefore will not trigger regionally significant development.

Therefore, the proposed development is 'local development' and Council is the relevant consent authority.

### 4.2. WATER MANAGEMENT ACT 2000

Controlled activities carried out in, on or under waterfront land are regulated by the Water Management Act 2000 (WM Act). The Department of Planning and Environment (DPE) administers the WM Act and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out the controlled activity. Waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary for 4<sup>th</sup> order (or greater) streams. Land within 40m of the high bank includes the Vegetated Riparian Zone (VRZ) and forms part of the overall riparian corridor 40m either side of the bank. This means that a controlled activity approval (CAA) must be obtained from the department before commencing the controlled activity within the 40m VRZ.

With respect to the subject site, Redbank Creek is noted as a 4<sup>th</sup> order stream, and as such the relevant VRZ has been determined and mapped to define where waterfront land for the purposes of the WM Act land exists on the site. This VRZ has been shown in the Architectural Plans at **Appendix 1** and demonstrates that no works occur within 40m of the river. Therefore, referral and a CAA under the WM Act is not required as part of this DA.

### 4.3. RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

Table 4.3.1 address the relevant SEPPs in accordance with Section 4.15(1) of the EP&A Act.

**Table 4.3.1:** *Relevant SEPPs*

SEPP	COMPLIANCE
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Remediation of Land	Chapter 4.6 of this SEPP sets out that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out.  The site and its surrounds are not listed on the NSW Environment Protection Agency (EPA) contaminated site register. The future proposed use is industrial, which is consistent with the site history. No historic site contamination has been noted at this stage. No further consideration is required.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 of this SEPP deals with various forms of development that may have an impact on existing transport infrastructure or corridors.  Section 2.119 deals with development with a frontage to a classified road. Castlereagh Highway/Sydney Road being a State road is

Chapter 2 Development in or adjacent to road corridors and road reservations

considered a classified road (HW18). The objectives of this section are to:

*“ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and to prevent or reduce the potential impact of traffic noise and vehicle emissions on development adjacent to classified roads”.*

The proposed development, being an industrial shed, is not of a scale or type that will result in any adverse impact on the existing functioning of Castlereagh Highway, nor will the ongoing function of Castlereagh Highway impact adversely on the proposed development.

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*

*(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*

*(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*

*(i) the design of the vehicular access to the land, or*

*(ii) the emission of smoke or dust from the development, or*

*(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

*(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

It is noted that the site has an existing internal access road off Sydney Road, and that access to the development site will be off this existing access road. This ensures that there is no new direct vehicular access points onto the Castlereagh Highway. The future development of the site (assuming the full development potential of the site as industrial/business as part of the CT subdivision) was assessed as part of a Traffic Impact Assessment (TIA) for DA0024/2021 (2020/21), which considered that the Sydney Road intersection would operate at suitable capacity. As such, no further consideration of traffic impacts should be required with this DA, being historically considered suitable.

*(4) Before determining a development application for development to which this section applies, the consent authority must—*

*(a) give written notice of the application to TfNSW within 7 days after the application is made, and*

*(b) take into consideration—*

*(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and*

*(ii) the accessibility of the site concerned, including—*

*(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*

	<p>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</p> <p>(iii) any potential traffic safety, road congestion or parking implications of the development.</p> <p>(5) The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.</p> <p>Council may notify TfNSW of the application and consider any relevant representation within the specified period. However, it is relevant to note that the future development potential of the site was already considered as part of DA0024/2021 and was considered acceptable according to that TIA (2020/21).</p>
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#### 4.4. MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012

Mid-Western Regional LEP 2012 provides a planning framework to facilitate development in an appropriate manner with due consideration to ecologically sustainable development. Relevant clauses of LEP 2012 are discussed in Table 4.4.1.

**Table 4.4.1: Consistency with relevant clauses of LEP 2012**

CLAUSE	CONSISTENCY
1.2 Aims	The LEP provides for appropriate development within the LGA. The proposal has given due consideration to the site and surrounds and is in keeping with the aims of the LEP.
2.1 Land use zones	<p>The subject site is zoned E3 Productivity Support. Uses permitted with consent in this zone are as follows:</p> <p><i>Agricultural produce industries; Animal boarding or training establishments; Boat building and repair facilities; Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Roadside stalls; Rural supplies; Service stations; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; <b>Any other development not specified in item 2 or 4</b></i></p> <p><b>industry</b> means any of the following—</p> <ul style="list-style-type: none"> <li>(a) <i>general industry,</i></li> <li>(b) <i>heavy industry,</i></li> <li>(c) <i>light industry,</i></li> </ul> <p><i>but does not include—</i></p> <ul style="list-style-type: none"> <li>(d) <i>rural industry, or</i></li> <li>(e) <i>extractive industry, or</i></li> <li>(f) <i>mining.</i></li> </ul> <p>The DA seeks consent for an industrial shed, being a type of development consistent with an industry, which is permitted with consent in the E3 zone. It should be noted that potential land uses listed on the Architectural Plans at <b>Appendix 1</b> are permitted with consent within the E3 zone.</p>



CLAUSE	CONSISTENCY
2.3 Zone objectives	<p>The objectives of the E3 Productivity Support zone are as follows:</p> <ul style="list-style-type: none"> <li>• To provide a range of facilities and services, light industries, warehouses and offices.</li> <li>• To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.</li> <li>• To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.</li> <li>• To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.</li> <li>• To provide opportunities for new and emerging light industries.</li> <li>• To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.</li> <li>• To promote a visually attractive entry point into Mudgee from the south east.</li> <li>• To enable development that does not undermine the primary retail role of the Mudgee commercial core area.</li> </ul> <p>The proposed development can be considered consistent with the objectives of the zone. It provides a facility to undertake industrial work and enables new industrial opportunities. Further, the subject site is located away from the primary transport corridor of Mudgee's south-east, so visual attractiveness is not of a high priority. Notwithstanding, the proposed design is visually consistent with the type of development expected in this area and land use zone. The proposed shed does not create any land use conflict or undermining of the commercial core area of Mudgee.</p>
4.1 Minimum subdivision lot size	The minimum subdivision lot size for this site is 2000m <sup>2</sup> . No subdivision is proposed at this time.
5.10 Heritage Conservation	There are no sites or items of local, State or Aboriginal Significance on the development site. The site is within proximity to the Burrundulla Station local heritage item, however is suitably separated by the Castlereagh Highway. No further consideration is needed.
5.2 Flood planning	<p>The site is not mapped as flood prone land. However, Redbank Creek, which is adjacent to the site, is mapped as flood prone land.</p> <p>As part of the stormwater management design works, Mid-Western Council was consulted to obtain the 1% AEP flood map, noting the proximity to Redbank Creek. The map confirms that the development works area will not be inundated during the 1% AEP event. Notwithstanding, floor levels for the proposed industrial shed will be set at 300mm above the 1% level – specifically, the finished floor level (FFL) for site is to be 471.4m (AHD). An extract of the flood map is provided below for reference, extracted from <b>Appendix 2</b>.</p> 

CLAUSE	CONSISTENCY
6.1 Salinity	The subject lots are not mapped as being affected by salinity, based on a review of the eSPADE database. The Craigmores Soil Landscape has low levels of salinity, whilst the eSPADE mapping notes the area is 'no salting evident'.
6.4 Groundwater vulnerability	The proposed development is in an area of groundwater vulnerability as mapped by LEP 2012. It is not expected that the proposed development will have an adverse impact on the groundwater, including contamination or impacts on groundwater dependent ecosystems. The development has been designed, sited and will be managed to avoid significant adverse environmental impact, including siting away from natural waterways, limiting ground disturbance and implementing appropriate stormwater management measures.

#### 4.5. MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN 2013

Mid-Western Regional DCP 2013 provides guidance to development of land under LEP 2012 and is intended to act as an integrated planning document. The purpose of the DCP 2013 is to supplement LEP 2012 and provide additional information to take into account when preparing a development application. An assessment of the proposed development against applicable DCP requirements is provided in Table 4.5.1 below.

**Table 4.5.1: Consistency with Mid-Western Regional DCP 2013**

CLAUSE / CONTROL	CONSISTENCY
<b>Part 4 Specific Types of Development</b>	
<b>4.6 Industrial Development</b>	
Setbacks	Currently the proposed industrial building will be located on a site with an area of 2.434ha, meaning it currently meets minimum site coverage and setback provisions. It should be noted that the proposed industrial building sits on a future Lot 6, that was approved under DA0024/2021.
Landscaping	It is noted that the site is a substantial distance from Sydney Road. The site has existing vegetation in the form of scattered trees, primarily around property boundaries, and will be well-screened from Sydney Road and the internal access road via the existing dwelling and through spatial separation itself. Additionally, the proposed development will be screened with existing vegetation and other existing development from views on Sydney Road. The proposed visual outcome is considered appropriate in the context of the immediate and surrounding area. As such, we don't consider that additional landscaping should be required for this development.
Design	The proposed development will place the office space and other low scale building elements areas near the entry of the building, at the north side. This ensures that visual presentation at the front is maximised, and the overall visual impact of the industrial development is softened. It should be noted that there are windows proposed for the front sections of the building. These will assist in breaking up the massing on the building through articulation and will also provide a level of passive surveillance out.
Fencing	No new fencing is proposed. The proposed development will broadly use existing fencing arrangements on the site.
Utilities	Existing utilities on the site will be augmented as needed, and will be worked through as part of the detailed design.
Traffic and Access	A TIA was not deemed necessary for this development, given the type and scale of development is of a minor nature. As previously noted, the future development of the site (assuming the full development potential of the site as industrial/business as part of the CT subdivision) was assessed as part of a Traffic Impact Assessment (TIA) for DA0024/2021 (2020/21), which considered that traffic impacts were acceptable. With regards to access, swept paths for a 19m AV has been provided, as shown on the Architectural Plans at <b>Appendix 1</b> . This demonstrates that vehicles up to and including a 19m AV are able to enter and exit the site in a forward direction with 1 ingress and 1 egress point, compliant with this control. Additionally, there is a designated loading and unloading area, under an awning, which is located at the site of the building, also compliant with this control.
Car Parking	<i>5.1 Car Parking</i> provides more information on parking for the proposed development. Notwithstanding, the proposed car parking is located near the entrance. In the case of the proposed accessible car parking, it is located adjacent to the entrance of the building, maximising accessibility and reducing the required path of travel.
Signage	No signage is proposed as part of this development.
Outdoor Lighting and Noise	It is expected that noise impacts would not be substantial, and would be similar to what would be expected from a business/ industrial area, of which the proposed development is situated within. It should be noted that the development is within 400m of residential development (west). However, the

	proposed windows, doors and other openings on the building are directed away from the residential development. Furthermore, there is substantial vegetation screening from the existing golf course and Redbank Creek which will provide mitigation.
<b>Part 5 Development Standards</b>	
<b>5.1 Car Parking</b>	
Car Parking Rates	No specific land use has been prescribed to the shed, being of an industrial nature at this stage. A review of DCP parking rates for various industrial and large format uses concluded that the most appropriate level of parking to provide is 15 car parking spaces, which is approximately 1 space per 50m <sup>2</sup> . This enables a level of flexibility in compliance for any future use of the site and ensures that a suitable level of car parking is provided on site.
<b>5.2 Flooding</b>	
	The site is not mapped as flood prone land. However, Redbank Creek, which is adjacent to the site, is mapped as flood prone land.  As part of the stormwater management design works, Mid-Western Council was consulted to obtain the 1% AEP flood map, noting the proximity to Redbank Creek. The map confirms that the development works area will not be inundated during the 1% AEP event. Notwithstanding, floor levels for the proposed industrial shed will be set at 300mm above the 1% level – specifically, the finished floor level (FFL) for site is to be 471.4m (A.H.D.).
<b>5.3 Stormwater Management</b>	
	A Stormwater Management plan has been provided at <b>Appendix 2 &amp; 3</b> . The proposed development will convey roof water, including tank overflows, to a detention basin located to the east. The remaining hardstand and access are to sheet flow across the lot, generally as per existing. The proposed development will reduce post-developed stormwater flow to below pre-developed rates before it is discharged into Council's stormwater network in a controlled manner.  In summary, the stormwater for the proposed development has been modelled using DRAINS stormwater models. The modelling reflects the requirements of Mid-Western Regional Council DCP.  Results of the modelling indicate that the stormwater as designed on the concept stormwater management plan ( <b>Appendix 2</b> ) will comply with Mid-Western Regional Council requirements for stormwater treatment and detention storage. The site is also out of the 1% AEP flood inundation level.
<b>5.4 Environmental Controls</b>	
Protection of Aboriginal items	As noted in <b>Appendix 5</b> , and Section 2.3.2 of this report, there are no Aboriginal sites or places within 200m of the subject site, based on an AHIMS search. No further consideration is needed at this time.
Bushfire Management	N/A – Site is not bushfire prone land, per NSW Rural Fire Service mapping.
Riparian and Drainage Line Environments	As previously noted, Redbank Creek is noted as a 4th order stream, and as such the relevant VRZ has been determined and mapped to define where waterfront land for the purposes of the WM Act land exists on the site ( <b>Appendix 1</b> ), per this control. This VRZ has been shown on the site plan and demonstrates that no works occur within 40m of the river, with all structures, car parking and works extent outside the zone. Therefore, referral and a CAA under the WM Act is not required as part of this DA.



Pollution and Waste Management	As noted in Section 2.3.4 of this report, the subject site is mapped on the Groundwater Vulnerability map, per LEP 2012. The proposed development is not expected to create any adverse impacts relating to the groundwater, as discussed in Section 4.4 of this report. The development is not classified as integrated development and no environmental protection license is required for this type of development proposed.
Threatened species and vegetation management	Land adjoining the site is mapped as containing BV. This works area itself has been previously determined by Department of Planning and Environment (DPE) to not contain BV as part of a BV Map Review in 2023. The BV mapping surrounding the site is representative of Regent Honeyeater Important Area Mapping as outlined in the BV Map Explanation Report (BVMER) obtained for the property in May 2023. This mapping is focused to treed areas, of which there are none within the works extent. Specifically, the works area extends only over cleared and historically disrobed areas of the site, being cleared paddocks. As such, and considering the proposed development has been sited and designed not to impact the areas mapped on the Biodiversity Values Map or any vegetated areas, no further consideration is required.
Building in Saline Environments	The subject land is not mapped as being affected by salinity, based on a review of the eSPADE database. The Craigmere Soil Landscape has low levels of salinity, whilst the eSPADE mapping notes the area is 'no salting evident'.

## 5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

### 5.1. SECTION 4.15(1)(A) – STATUTORY PLANNING CONSIDERATIONS

In determining the subject DA, Council is required to consider those relevant matters listed in section 4.15(1) of the EP&A Act. Each of the relevant matters is addressed below.

Section 4.15(1)(a) requires the consent authority to take into consideration the provisions of any environmental planning instrument (EPI), draft EPI, DCP, planning agreement that has been entered into under section 7.4 of the EP&A Act or under the EP&A Regulations 2021.

These matters (and others) are addressed in Section 4 of this report, and below.

The proposal is permissible with the consent of Council and is generally consistent with the provisions and objectives of Mid-Western Regional LEP 2012 and DCP 2013.

### 5.2. SECTION 4.15(1)(B) – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The following table provides an overview of the potential impacts of the development on the natural and built environments.

**Table 5.2.1: Assessment of Environmental Effects**

IMPACT	COMMENT
<b>Biodiversity</b>	Due to a review of BV mapping onsite (2023), the BV mapped land has substantially reduced within vicinity of the site. The development works site does not contain any BV mapped land. Additionally, there is no terrestrial biodiversity mapping on the development site. The development site is cleared of vegetation and occurs on historically disturbed land. There are no biodiversity impacts expected for the proposed development.
<b>Bushfire</b>	N/A – site is not bushfire prone land.
<b>Economic</b>	The proposed development is likely to have positive economic benefits from the construction phase onwards, as it will provide construction jobs and ongoing employment for future occupants of the building. There are no negative economic impacts associated with the proposed development.
<b>Flood</b>	While the site is outside the flood planning area, it is adjacent to Redbank Creek, which is a flood planning area. The proposed development is located outside the 1% AEP and no flood impacts (on or off site) are expected. Appropriate FFLs will be adopted by the building as previously described.
<b>Geotechnical</b>	As previously noted, the subject site is identified as groundwater vulnerable, per LEP 2012 mapping. The proposed development is unlikely to cause adverse effects for the groundwater or groundwater dependent ecosystems.
<b>Heritage</b>	There are no heritage sites or items on the development area, or within proximity to the development area.
<b>Social</b>	The proposed development is not expected to have any adverse social impacts.
<b>Stormwater</b>	As previously discussed, the proposed Stormwater Management Plan at <b>Appendix 2 &amp; 3</b> demonstrate that the proposed development will result in stormwater flows that are below pre-developed rates before being discharged into the Council network. This is considered to be a net improvement over the existing state of the site, demonstrating that stormwater impacts have been appropriately managed.
<b>Traffic</b>	A TIA is not required for the proposed development, due to the scale of the development and history of past assessment. Notwithstanding, the development has been designed to cater for appropriate heavy vehicle movements (up to and including a 19m AV), and appropriate car parking commensurate with the industrial nature of the building are provided, along with accessible car parking spaces.
<b>Visual</b>	There are no expected negative visual impacts relating to the proposed development. It will occur in an established large format employment zone, and the resulting development will be of a comparable size, scale and design to existing development on site and within the surrounding area. Notwithstanding, it should be noted that visual considerations have been

IMPACT	COMMENT
	undertaken, such as moving low-scale parts of the development to the front with ample articulation, to assist with the visual presentation.
<b>Water</b>	As shown by the site plans within the Architectural Plans at <b>Appendix 1</b> , the proposed development is located away from the 40m VRZ around Redbank Creek, ensuring that impacts on the water and ecology of the waterway are minimised and impacts have been avoided. No external referrals are required as part of this application.
<b>Waste</b>	A full-scale Waste Management Plan is not deemed necessary for this scale and type of development at the DA stage. The relevant contractors have not yet been appointed for construction purposes nor has the detailed design documentation required to accurately establish waste levels during construction. Construction and operational waste management measures will need to be considered through the detailed design documentation, once a relevant contractor is appointed. Operational waste management would be considered at the time that the building is occupied.

Overall, the proposal is substantially consistent with the objectives and development controls contained within the various environmental planning instruments and development controls that apply to the site (see Section 4). The proposed development will not result in an adverse impact to the environment and is consistent and compatible with existing built form onsite and in the surrounding area. The proposed development comprises orderly economic development of the site for purposes for which it is zoned and currently used. The proposal will not pose any negative social or economic impacts.

### 5.3. SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE

Suitability of the site for the proposed development is dealt with in Section 2. The site is considered to be imminently suitable for the proposed development. The subject site lies in a predominantly industrial, business, warehousing and bulky goods area, which ensures that no conflicting land uses are being proposed. Additionally, the proposed development has been sited such that it avoids natural environmental constraints, such as BV mapped land and the riparian corridor that surrounds Redbank Creek.

### 5.4. SECTION 4.15(1)(D) – SUBMISSIONS

Any relevant representations will need to be considered by the Council in the determination of the development application.

### 5.5. SECTION 4.15(1)(E) – PUBLIC INTEREST

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and substantially in accordance with the prevailing planning controls. The development is a permissible form of development and is therefore considered to be in the public interest.

## 6. CONCLUSION

This SEE has been prepared on behalf of Sydney Road (Mudgee) Pty Ltd to accompany a DA for an industrial shed at 20 Sydney Road, Mudgee NSW 2850.

The proposed development is permitted with consent in the E3 Productivity Support zone, consistent with the zone objectives as well as relevant provisions set out in LEP 2012 and DCP 2013. The proposed development provides additional industrial space in an existing industrial and business corridor.

The proposed development comprises the orderly and economic development of the site for purposes for which it is zoned and is not considered to have any negative social or economic impacts. All potential environmental impacts have been assessed and found to be minimal or acceptable.

The proposed design is high-quality, with substantial space available for future use of the site. In addition, the proposed design and layout is flexible for future uses. This can be seen through the substantial amount of parking provided, and adequate staff facilities. As previously discussed, the proposed development was sited such that it avoided key constraints, such as riparian corridor along Redbank Creek and BV mapped land.

The proposal is reasonable and appropriate when considered under the relevant heads of consideration in Section 4.15(1) of the EP&A Act and is considered to be worthy of favourable determination by Council.





# APPENDICES



# APPENDIX 1

Architectural Plans prepared by SUNRAI Designs



## APPENDIX 2

### Stormwater Management Letter Triaxial Consulting



## APPENDIX 3

Stormwater Management Plan prepared by Triaxial Consulting



# APPENDIX 4

## Cost Estimate Report



## APPENDIX 5

### AHIMS Search Result