

Statement of Environment Effects

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Business Premises

Use of Shed – Dry Mechanic Workshop

Lot 1 DP331324

177 Nasmyth Street, Young



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Contents

Introduction and Background	4
The Proposal.....	4
The Site	5
Evaluation	6
environmental planning instrument.....	5
any proposed instrument	7
development control plan	8
likely impacts of that development	8
suitability of the site	11
submissions.....	11
public interest	11
Conclusion	13

Disclaimer

This Statement of Environmental Effects has been prepared for the sole purpose of supporting a development application for the operation of a dry workshop at 177 Nasmyth Street, Young and is reliant upon the information supplied by the applicant. The information has been prepared using electronic resources publicly available provided by the NSW Government. The use of any information contained herein without the expressed written consent of the Author is unauthorised.

Introduction and Background

This Statement of Environmental Effect (SEE) provides an assessment of information to support the Development Application (DA) for the use of a shed at 177 Nasmyth Street, Young for the purposes of a dry mechanic workshop, primarily for vehicle registration checks. The development can be categorised as a business premises in that will not be providing vehicle or body repairs to vehicles.

The Proposal

The proposal is categorised as a business premises and is proposed to be undertaken by the home occupier offering vehicle registration inspections and minor vehicle mechanical repairs. No retailing of parts will be offered at the site. The business will not involve any other employed persons at this stage.

The repairs offered will be minor in nature only and will not involve the draining or replacement of liquids; washing parts or liquid wastes. Repairs offered will be those to support vehicle registration inspections such as replacement globes, minor steering adjustments, and the like. Liquid top up will be offered, but no liquid exchange will occur, accordingly there will be no need for a sediment sump, parts washer, oil separator or liquid trade waste disposal. No oil change, brake fluid exchange, gear box or radiator repairs will be undertaken on the site.

The workshop activities will be undertaken in the new shed at the rear of the property. A hoist will be installed in the shed to facilitate ease of access to steering and suspension components as part of the checking of vehicle suitability for registration. The shed is accessed from Nasmyth Street via an existing construction cross over and driveway. All activities will take place in the shed between the hours of 8:00 am to 5:00 pm Monday to Friday and 9:00 am to 12 noon on Saturday. No mechanical activities on customer vehicles will take place on Sunday or public holidays. As the services offered are minor in nature vehicles will be on site for no more than one day with no more than two customer vehicles on site at any one time.

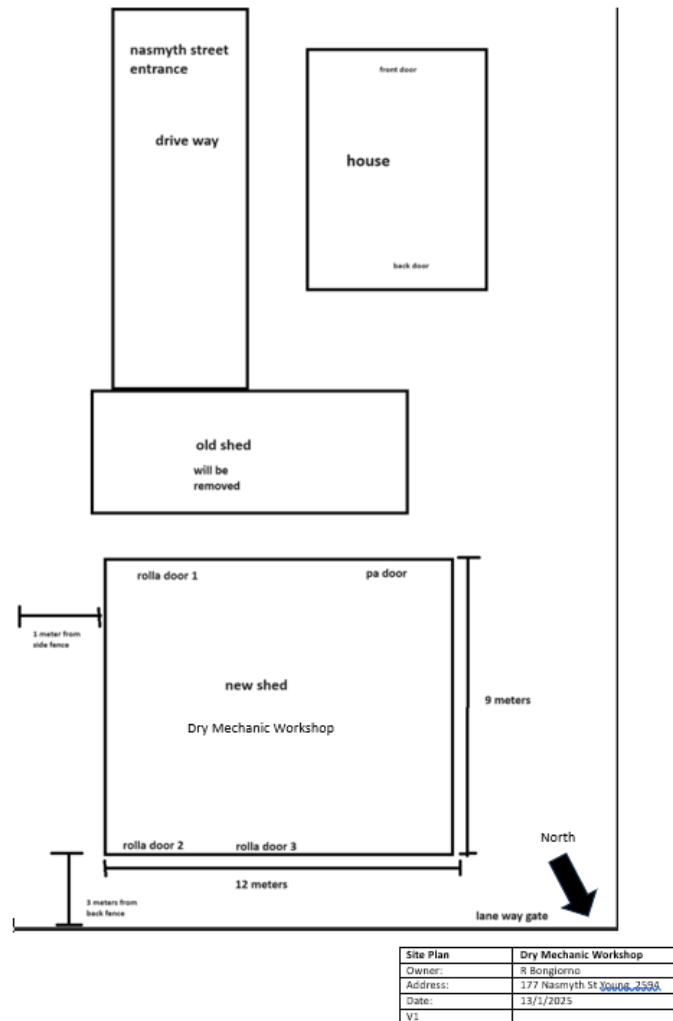


Figure 1 –site plan

The Site

The site is known as 177 Nasmyth Street, Young being Lot 1 DP31324, and is situated on the northern side of Nasmyth Street, some 400m from Young CBD. The site is rectangle in shape with reticulated water and sewer services available. An existing dwelling and small shed currently exist on site with the shed proposed for the workshop recently approved by Hilltops Council.

The site is situated in the MU1 - Mixed Use zone on the cusp of the general residential zone. Land on either side of the site contains older style single dwellings. Similarly land to the south contains dwellings of a similar style, with the land to the south west containing an existing fuel depot and service station, with a gym being situated further to the east of the site. Land further to the south contains industrial and commercial development. Land to the north is residential land and is characterised by predominantly single residential development.

The site is predominantly flat with a slight slope south to Nasmyth Street. The site has direct frontage to Nasmyth Street via a formed layback and driveway. Nasmyth Street is a tar sealed street in reasonable condition with kerb and gutter in front of the site. A bitumen sealed lane at the rear forms the northern boundary of the site and separates the site from the residential land to the north.



Figure 3 – site in context of surrounding environs (source: Six Maps)

Evaluation

Council, as the consent authority, requires consideration of Section 4.15 of the *Environmental Planning and Assessment Act, 1979* relevant to the development application. Within Section 4.15 the items for consideration are:

- (a) (i) any environmental planning instrument, and

The following State Environmental Planning Policies (SEPPs) are applicable to the development:

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of this SEPP applies to the whole of the State and relates specifically to signage and advertising. Of note is the provision that this part of the SEPP applies to all signage and advertising except:

- (a) business identification signs,
- (b) building identification signs,
- (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,
- (d) signage on vehicles.

No signage is proposed as part of this application. Future signage which does not meet the requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* will be the subject of further development applications to Council.

State Environmental Planning Policy (Resilience and Hazards) 2021

Clause 4.6 prescribes 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. The site has a history of residential development with no known contaminating or potentially contaminating activities having previously occurred on site. The operation of a dry mechanic workshop on the site will not give rise to contamination and is, in itself, not a contaminating activity. Should customer requirements evolve such that additional non dry repairs are to be undertaken additional consent will be sought from Council.

Hilltops Local Environmental Plan 2022 (HLEP) is the applicable environmental planning instrument for this proposal. The aims of this plan, as relevant to this proposal, are:

- (d) *to facilitate a strong and diverse economy by providing a range of services and opportunities for residents and investors, including by providing for the following: (iii) economic activity, value adding opportunities and job creation*

The proposed activity seeks to provide alternate opportunities for registration vehicle checks in close proximity to the central business district of Young. It is proposed to operate the activity as a business premises by the resident of the dwelling with no external persons engaged in the activity. The activity provides for minor repairs as a value-added service to the checking of vehicles for registration suitability.

The proposal is not inconsistent with the remaining aims of the Hilltops Local Environmental Plan 2022.

The proposal does not seek the suspension of any covenants, agreements or instruments as prescribed by clause 1.9A.

The site is zoned MU1 Mixed Use under HLEP. The objectives of this zone applicable to this proposal are:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities;*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones;*

The proposal is not inconsistent with any of the objectives of the MU1 Mixed Use Zone. The proposal is for the operation of a small dry mechanic workshop offering predominantly vehicle registration checks and minor vehicle repairs to ensure vehicle suitability for registration. The operation of the proposal during normal business hours and the minimal use of noisy equipment for minor repairs ensures that the enjoyment of the adjoining residents is not negatively impacted by this proposal.

The proposal offers an alternative for customers needing vehicles checked for registration and the minor repairs often associated with such checks. It is a small single operator business which generates minimal vehicle movement, noise or visual impact in the vicinity.

The proposal can be characterised as a business premises offering vehicle registration checks and minor mechanical repairs in a dry workshop. A business premises means *a building or place at or on which—*

(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or

(b) a service is provided directly to members of the public on a regular basis,

and includes funeral homes, goods repair and reuse premises and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Such activities are permissible in the MU1 Mixed Used Zone with development consent.

Clause 2.4 is not applicable to this proposal as it does not involve any matter prescribed by this clause.

Clause 2.5 is not applicable as the application is not seeking any additional permitted uses aside from those permitted within the zone.

Clause 2.6 – 2.9 are not applicable as the matters prescribed therein do not relate to this proposal.

The proposal does not include any matter contained with Parts 3 and 4 of HLEP. Similarly, the matters contained within Clauses 5.1--5.9 are not relevant to this proposal.

Clause 5.10 is not relative as there are no heritage items on site nor nearby.

Clause 5.11 is not applicable as the site is not within an area mapped as being bushfire prone.

Clauses 5.12 – 5.25 are not applicable as the matters contained therein are not relevant to this proposal.

Clauses 6.1 which relates to earthworks is not applicable as the activity will be undertaken within an existing shed.

Clause 6.2 relates to the provision of essential services. The site is connected to electricity, reticulated water and reticulated sewer, none of which will require augmentation or alteration as a result of this activity. A liquid trade waste agreement is not required as not wet works, parts washing, fluid exchange or the like will be undertaken on site. Similarly, the site has an existing access with good sight distance in each direction suitable to the prevailing speed limit of 50kph.

Clauses 6.3 - 6.11 are not applicable to this proposal as none of the matters containing therein are relative to the site or the proposal.

development.

- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

The site or the development is not subject to any notified proposed instruments.

- (iii) any development control plan, and

Young Development Control Plan 2011 applies to the site. The proposal is assessed against the criteria of the DCP below:

Section 2.4 – Commercial, Business and Retail Development

PC1 – is not applicable as the development is not new a structure, rather is to be undertaken in a newly constructed shed.

PC2 – is not applicable as the development is to be undertaken on land where the primary use is a residence, there is no requirement for pedestrian access to or through the site.

PC3 – parking is available for vehicles that are being inspected and/or serviced. There will be a maximum of two vehicles associated with the activity on site at any one time; one in the shed and one in the driveway in front of the shed. A carparking plan has been provided which demonstrates the ability to park two customer vehicles and two household vehicles on site without impacting upon the street or site functionality or manoeuvrability.

PC4 & PC5 are not applicable as there is no shop top housing and the B6 zoning is not applicable to the site.

PC6 – the site is adequately serviced by kerb and gutter, electricity, telecommunication, water and sewer. There is no requirement to augment any of these services to facilitate the development.

Section 2.9 – Industrial Development

PID1 – As indicated above, the development does not involve the construction of a new structure, nor does it involve subdivision.

PID2 – The site has adequate road frontage, with kerb and gutter already provided along with a formed layback and vehicle access. There is no requirement for parking as a maximum of two vehicles will be at the premises at any one time with ample area for turning of vehicles to ensure they enter and leave the site in a forward direction.

PID2 – A concrete layback and driveway currently exists as does kerb and guttering.

PID3 – There is no requirement for onsite parking as the proposal does not involve any sales or activity that requires parking. Vehicles attend the site for the purposes of registration checking and minor associated repairs. There is no retail offered at the site and the activity is undertaken by a sole operator.

PID4 – There is sufficient area on site to ensure that vehicles enter and leave the site in a forward direction. As the occupant of the dwelling is the operator of the activity all people attending site will access the occupant via the dwelling. No drop in business is to be conducted with all operations being undertaken by appointment.

PID5 – The activity is being conducted by a sole operator as a dry mechanical workshop offering vehicle registration checks and associated minor vehicle repairs. There will be no excessive noise, vibration, odour, or overshadowing that has not already been assessed as part of the approval of the shed which will house the proposed activity.

PID5 & PID6 – The proposal does not involve the construction of a new building.

- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

No planning agreement has been entered into, nor is any planning agreement proposed as part of this development.

- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

The provisions Part 4, Division 1 of the *Environmental Planning and Assessment Regulation 2021* are not applicable to this development as there is no demolition, additions that require fire upgrades, nor temporary structures.

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Context and Setting

The proposal is situated in a mixed use area where, although the predominant use is currently residential, there are a number of non-residential uses including fuel depot and service station and gym. The activity is to be undertaken in a newly constructed shed at the rear of the allotment. The predominant use of the allotment will remain residential with the operator of the business residing in the dwelling situated at the front of the allotment.

The mixed use zone allows for a variety of uses that support and complement the core business area. The activity is one that is not suitable for location in the core business district but provides a service to vehicle owners of the community. It does not involve any activity that is likely to give rise to nuisance via noise, vibration, odour, particulates, light shed or visual intrusion.

Access Traffic and Transport

The site has frontage to Nasmyth Street via a vehicle crossover and layback in the existing kerb and gutter with a concrete driveway into the property. The activity is undertaken by a sole operator, being the resident of the dwelling situated upon the allotment. A maximum of two non-resident vehicles will be on site at any one time and for no longer than one day. One vehicle in the shed having work being undertaken and one in the driveway awaiting inspection and/or minor repairs.

There is adequate sight distance to allow vehicles to enter and exit the site safely with the prevailing speed limit being 50kph. The volume of traffic anticipated to be generated by the activity will be a maximum of five vehicle visits per day. This equates to an additional ten vehicle movements in this area of Nasmyth Street, a number which is able to be adequately accommodated by the existing road infrastructure.

Public Domain

The public domain is not relied upon for the operation of the site, nor for the proposal itself. Similarly, the proposal is unlikely to have an impact on the public domain, in that it will not be highly visible from the public domain nor does it rely upon the public domain for its operation or function.

Other Land Resources

The proposal does not involve giving over any productive farm land to the development nor will it sterilise any other land resources. The site is situated in a mixed use zone on land that has been used for residential development for many years.

Soil

The site is not subject to salinity or at high risk of erosion. The proposal will not impact on soil structure, permeability, cropping ability nor erosion of productive farming land. No earthworks are required for the development.

Air and Microclimate

The proposed development will not give rise to any air or microclimatic adverse conditions. The proposal is a vehicle repair station operated as a dry mechanical workshop, there will be no body repairs, nor any fluid exchange. There are no activities on site that will give rise to dust, odour or particulate which would negatively impact air quality in the vicinity. The proposal does not involve the construction of any additional buildings, nor activity that is likely to negatively impact the microclimate of the area.

Flora and Fauna

The site is not known to contain any habitat for faunal species. Furthermore, no vegetation is to be removed from the site or surrounds to facilitate this development.

Noise and Vibration

The development itself will not result in any noise or vibration over that commensurate with vehicle movements. As the activity is to be conducted as a dry mechanic workshop undertaking only minor repairs the revving of vehicle engines is likely to be minimal and no more than that of a motoring enthusiast working on their own vehicles.

Natural and Technical Hazards

There are no known risks to people, property or the environment as a result of this proposal.

Safety, security and crime prevention

The proposal will not increase safety, security or crime on the site or area overall.

Cumulative Impact

The likely cumulative impact associate with this proposal includes a slight increase in traffic in the area, however this is not likely to be such to give rise to nuisance.

(c) the suitability of the site for the development,

The site, being in a mixed use zone and proposed to be used for a vehicle repair station, a permissible use, is suitable for the proposal. There is no site, nor area, constraints that would prohibit the proposed being constructed on the site.

(d) any submissions made in accordance with this Act or the regulations,

In accordance with the provisions of Council's Community Participation Plan the proposal will be required to be notified. Any submissions made in response to this

notification will be considered by the applicant should Council consider it appropriate to do so.

(e) the public interest

There are no public interest matters that would preclude this proposal from receiving development consent.

Conclusion

This Statement of Environmental effects has examined the pertinent matters as outlined in the legislation and has demonstrated that the proposal is suitable for the site. The proposed development is consistent with the aims and objectives of the Hilltops Local Environmental Plan 2022 and Young Development Control Plan 2011 as well as the relevant State Environmental Planning Policies. The proposed development is suitable for the site and does not contravene the public interest. There is no matter that precludes the operation of a vehicle repair station conducted by a single operator as a dry mechanical workshop from being conducted on this site.