



# **Statement of Environmental Effects**

**Proposed Resource Recovery  
Learning Centre ancillary to  
existing Waste Facility**

Lot 1 DP1018193  
120 Flatrock Road  
Mundamia, NSW, 2540

December 2023  
Reference: L104083 V2

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## Table of Contents

<b>1</b>	<b>INTRODUCTION .....</b>	<b>4</b>
<b>1.1</b>	<b>General.....</b>	<b>4</b>
<b>2</b>	<b>SITE ANALYSIS AND CONTEXT .....</b>	<b>4</b>
<b>2.1</b>	<b>The Site.....</b>	<b>4</b>
<b>2.2</b>	<b>Site Context .....</b>	<b>2</b>
<b>2.3</b>	<b>Existing Environment .....</b>	<b>3</b>
2.3.1	Bushfire.....	3
2.3.2	Biodiversity Values .....	3
2.3.3	Riparian Land and Watercourses .....	4
2.3.4	Heritage .....	4
2.3.5	Scenic Protection.....	4
2.3.6	Traffic & Transport .....	5
2.3.7	Stormwater Drainage & Infrastructure .....	5
<b>3</b>	<b>THE PROPOSAL .....</b>	<b>6</b>
<b>3.1</b>	<b>Description .....</b>	<b>6</b>
<b>4</b>	<b>MATTERS FOR CONSIDERATION .....</b>	<b>9</b>
<b>4.1</b>	<b>Relevant Legislation .....</b>	<b>10</b>
4.1.1	Environmental Planning & Assessment Act 1979 .....	10
4.1.2	Rural Fires Act.....	10
4.1.3	Biodiversity Conservation Act 2016 .....	12
4.1.4	National Parks and Wildlife Act 1974.....	12
<b>4.2</b>	<b>State Environmental Planning Policies.....</b>	<b>13</b>
4.2.1	SEPP Resilience and Hazards .....	13
4.2.2	SEPP – Biodiversity and Conservation 2021 .....	13
4.2.3	SEPP – Planning Systems 2021 .....	14
<b>4.3</b>	<b>Local Environmental Plans.....</b>	<b>15</b>
4.3.1	Shoalhaven Local Environmental Plan 2014 .....	15
<b>4.4</b>	<b>Shoalhaven Development Control Plan (2014).....</b>	<b>17</b>
<b>5</b>	<b>THE LIKELY IMPACTS OF THE DEVELOPMENT .....</b>	<b>19</b>
<b>5.1</b>	<b>Context and Setting .....</b>	<b>19</b>
<b>5.2</b>	<b>Access and Traffic .....</b>	<b>19</b>
<b>5.3</b>	<b>Solar Access .....</b>	<b>20</b>
<b>5.4</b>	<b>Public Domain.....</b>	<b>20</b>
<b>5.5</b>	<b>Utilities .....</b>	<b>20</b>
<b>5.6</b>	<b>Air and Microclimate.....</b>	<b>20</b>
<b>5.7</b>	<b>Flora and Fauna .....</b>	<b>20</b>
<b>5.8</b>	<b>Waste .....</b>	<b>21</b>
<b>5.9</b>	<b>Noise and Vibration .....</b>	<b>21</b>
<b>5.10</b>	<b>Heritage.....</b>	<b>21</b>
<b>5.11</b>	<b>Water .....</b>	<b>21</b>
<b>5.12</b>	<b>Natural Hazards .....</b>	<b>21</b>
<b>5.13</b>	<b>Safety, Security and Crime Prevention.....</b>	<b>23</b>
<b>5.14</b>	<b>Social Impact in the Locality .....</b>	<b>23</b>
<b>5.15</b>	<b>Economic Impact on Locality .....</b>	<b>23</b>

5.16	Cumulative Impacts .....	23
6	SUITABILITY OF THE PROPOSAL FOR THE ENVIRONMENT .....	24
6.1	Does the Proposal Fit in the Locality.....	24
6.2	Are the Site Attributes Conducive to the Development? .....	24
7	PUBLIC INTEREST .....	24

## Figures

<b>Figure 1</b>	Location map showing the subject lot marked in red and waste facility in blue (SIXMaps).....	4
<b>Figure 2</b>	Aerial photograph showing the waste facility and proposed location pinned (Nearmap).....	2
<b>Figure 9</b>	Bushfire Prone Land map showing the subject site outlined in yellow (SCC).....	3
<b>Figure 10</b>	Extract of SLEP 2014 Biodiversity mapping showing site highlighted .....	4
<b>Figure 11</b>	Extract of Biodiversity Values Map showing site highlighted in yellow (ESpatial NSW).....	4
<b>Figure 12</b>	Extract of SLEP 2014 Riparian Land and Watercourses .....	4
<b>Figure 13</b>	Extract of SLEP 2014 Scenic Protection map with Lot and development site highlighted in yellow. ....	<b>Error! Bookmark not defined.</b>
<b>Figure 14</b>	Extract of the Shoalhaven GIS mapping showing the subject site.....	5
<b>Figure 15</b>	Extract of artist impression of Resource Recovery Learning Centre .....	6
<b>Figure 16</b>	Extract of the Site Plan prepared by Terroir. ....	7
<b>Figure 17</b>	Elevation Plans of proposed learning centre prepared by <i>Terroir</i> .....	8
<b>Figure 18</b>	Extract of Landscape Plan prepared by <i>Realm Studio</i> .....	9
<b>Figure 19</b>	Extract of Shoalhaven LEP 2014 Zoning map showing the subject site outlined in blue.....	15
<b>Figure 20</b>	Shoalhaven LEP 2014 Acid Sulfate Map showing the site outlined in yellow....	16

## Tables

<b>Table 1:</b>	Applicable sections of Shoalhaven DCP 2014 .....	17
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## Attachments

**Attachment 1** – BMAT Report

**Attachment 2** – AHIMS Report

## Supporting Documents

Document	Ref. No.	Dated	Prepared By
Plans	22204	07/06/2023	Terrior
On site Wastewater Report	L103890	September 2023	Broadcrest Consulting Pty Ltd
Site Analysis Plan	22204	07/06/2023	Terrior
Bushfire Assessment Report	L104083	01/07/2023	SET Consultants Pty Ltd

Civil Engineering Plans	7672000	14/07/2023	Warren Smith Consulting Engineers
Geotechnical Investigation	355556L Trpt	27/02/2023	JKGeotechnics
Flora and Fauna Surveys and Biodiversity Impact Assessment		28/08/2023	ACS Environmental Pty Ltd

### 1.1 General

The purpose of this Statement is to address the planning issues associated with the proposal. Specifically, the Statement is to assess the likely impacts of the development on the environment in accordance with the requirements of the *Environmental Planning & Assessment (EP&A) Act, 1979*.

## 2.1 The Site

The map shows the Mundamia area in Queensland, Australia. A yellow rectangular area is highlighted in the center, labeled 'Bubba's Drip'. To the left is the 'BAMARANG Nature Reserve'. To the right is the 'FLAT ROCK CREEK DAM'. The map also shows 'LONGREACH' and 'WEST NOWRA'.

**Figure 1** Location map showing the subject lot marked in red and waste facility in blue (SIXMaps).



## Statement of Environmental Effects

Lot 1 DP1018193, No. 120 Flatrock Road, Mundamia

The site accommodates part of the broader Shoalhaven City Councils West Nowra Waste Facility, the facility has been in operation since 1969 with uses as a waste facility and quarry are evident. The site has limited pockets of vegetation and gently slopes to the north-west. Figure 2 shows an image of the waste facility and proposed location pinned.



**Figure 2** Aerial photograph showing the waste facility and proposed location pinned (Nearmap).

## 2.2 Site Context

The subject site is located within the locality of Mundamia, which is located south of the Shoalhaven River and west of Nowra CBD (6km). The waste facility is located out of town with limited development surrounding the site. The waste facility is surrounded by C zoned land and vegetation, with some residential development at the corner of Flatrock Road and Mundamia Road. The site is located in gently sloping topography, the land sloping to the north west of the site. The development site which is on the eastern edge of the West Nowra Recycling and Waste depot near to the entrance of the facility. The site primary comprises areas of grass with shrubs and medium to large size trees centrally located on the proposed site, there is a gravel driveway that extends from the western car park to Flatrock road through the site.

To the north of the site there is a 4.5m high grassed embankment which slopes to the north, with a number of small trees and shrubs on the embankment. South of the site is a single storey demountable building and a number of concrete block buildings along with carparking beyond these building further south is vacant land cleared of vegetation.

## 2.3 Existing Environment

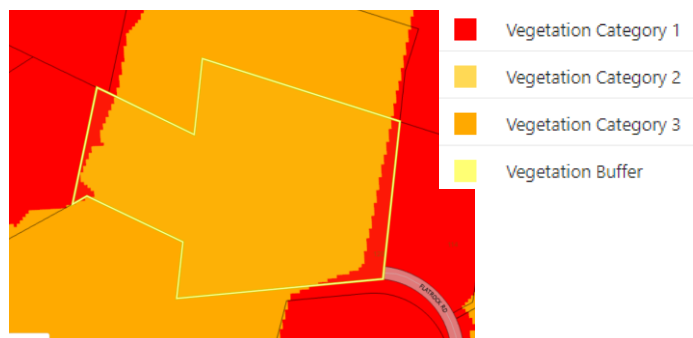
Baseline information in relation to the site's environmental conditions has been drawn from the following sources:

- Site inspection;
- Provided information;
- Review of Shoalhaven City Councils planning documentation;
- Review of existing services to the site and adjoining land.

A Site Analysis Plan has been prepared by *Terroir* and has been submitted with this application. The subject site is mapped as being affected by bushfire prone land, scenic protection, riparian lands and watercourse, biodiversity, land near high pressure pipelines but is not mapped as being flood affected land, or heritage.

### 2.3.1 Bushfire

The subject site is mapped as bushfire prone land. Figure 3 shows an extract of the Bushfire Prone Land map with the subject site outlined in blue. A Bushfire Assessment Report prepared by *SET Consultants* and has been submitted with the application.



**Figure 3** Bushfire Prone Land map showing the subject site outlined in yellow (SCC)

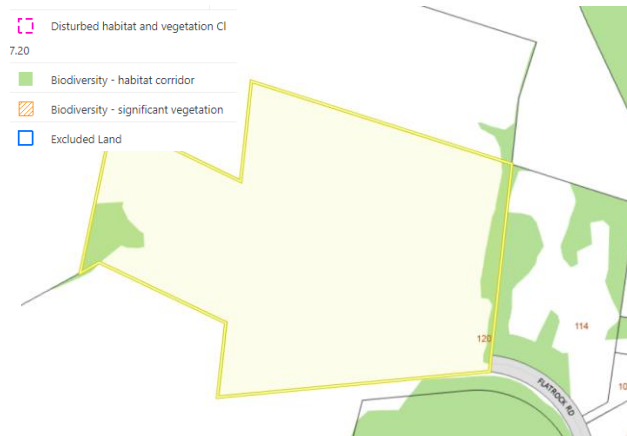
### 2.3.2 Biodiversity Values

The subject site is partially mapped under the SLEP 2014 Biodiversity mapping as containing vegetation mapped as being part of the Biodiversity habitat corridor, see Figure 4 and 5 below. The site is also mapped under the Biodiversity Values Map and Threshold Tool as containing biodiversity valuable vegetation, see Figure 10 below. A BMAT Report has been submitted with this application. Council are in the process of having this reassessed to see if the mapping can be removed from the site due to the clearing and use of the site as a waste facility. A Flora and Fauna Survey and Biodiversity Impact Assessment has been undertaken by *ACS Environmental Pty Ltd* and submitted with this application.



## Statement of Environmental Effects

Lot 1 DP1018193, No. 120 Flatrock Road, Mundamia



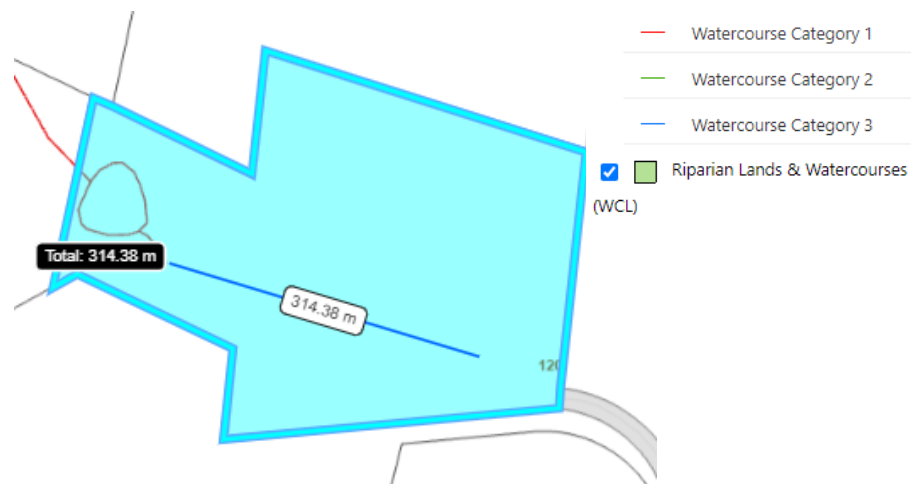
**Figure 4** Extract of SLEP 2014 Biodiversity mapping showing site highlighted



**Figure 5** Extract of Biodiversity Values Map showing site highlighted in yellow (ESpatial NSW)

### 2.3.3 Riparian Land and Watercourses

The subject site is mapped under the SLEP 2014 Riparian Land mapping as containing Category 1 watercourse to the west of the site. Figure 6 shows an extract of the SLEP 2014 Riparian Lands Mapping, with the subject site outlined in blue and development site in yellow, showing a generous distance to the watercourse.



**Figure 6** Extract of SLEP 2014 Riparian Land and Watercourses

### 2.3.4 Heritage

The subject site is not mapped under the SLEP 2014 as containing or being located in the immediate vicinity of a Heritage Item. An AHIMS Report did not identify any known Aboriginal sites or places within a 200m buffer around the site.

### 2.3.5 Scenic Protection

A portion of the Lot is mapped as Scenic Protection, however the development site is not mapped. Refer to Figure 7

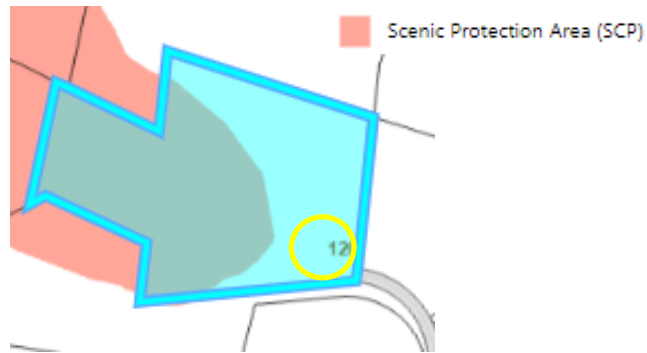


Figure 7: Extract of SLEP 2014 Scenic Protection map with Lot and development site highlighted in yellow.

### **2.3.6 Traffic & Transport**

The subject site has vehicle access from Flat Rock Road to the east. There is an existing driveway located at the eastern boundary which provides access to the site. Waste vehicles utilise the site being a waste facility. Private vehicle is the predominant form of transport.

### **2.3.7 Stormwater Drainage & Infrastructure**

Telecommunications, water and electricity are available to the subject site. The site naturally drains towards the north west. Figure 8 shows an extract of the Shoalhaven GIS mapping showing the existing water infrastructure surrounding the site.

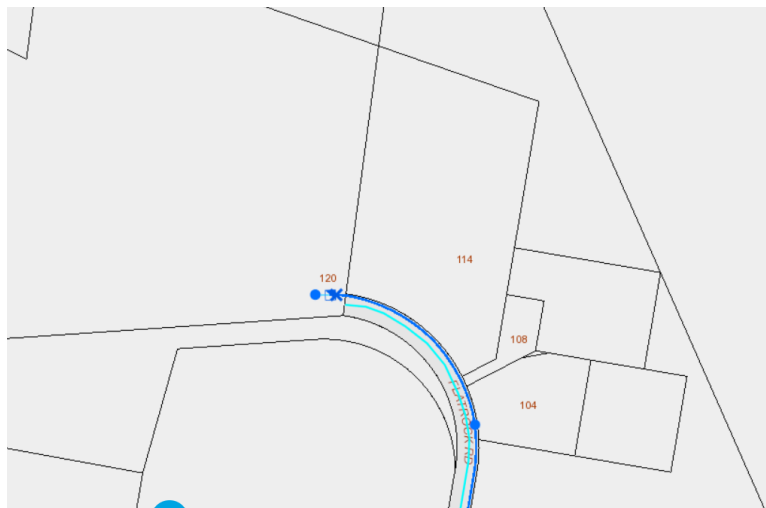


Figure 8 Extract of the Shoalhaven GIS mapping showing the subject site.

## **3 THE PROPOSAL**

### **3.1 Description**

The development is for a Resource Recovery Learning Centre located within the existing Shoalhaven City Council Waste Facility at West Nowra. The Learning Centre will comprise three detached single storey buildings set around a suspended deck to be used as an outdoor learning area. There are two existing buildings on site to be relocated as noted on the demolition Plan prepared by *Terroir*. The proposed floor level of the buildings and outdoor learning area are generally indicated to be at or above existing surface levels. Around the eastern and southern sides of the buildings some gabion feature walls are proposed. To the south, a new carpark is proposed to service the learning centre with accessible parking, bus drop off and pathways and associated landscaping. An artist impression is provided at Figure 11 below, with an extract of the Site Plan is provided at Figure 9 and 10 below.



**Figure 9** Extract of artist impression of Resource Recovery Learning Centre

## Statement of Environmental Effects

Lot 1 DP1018193, No. 120 Flatrock Road, Mundamia

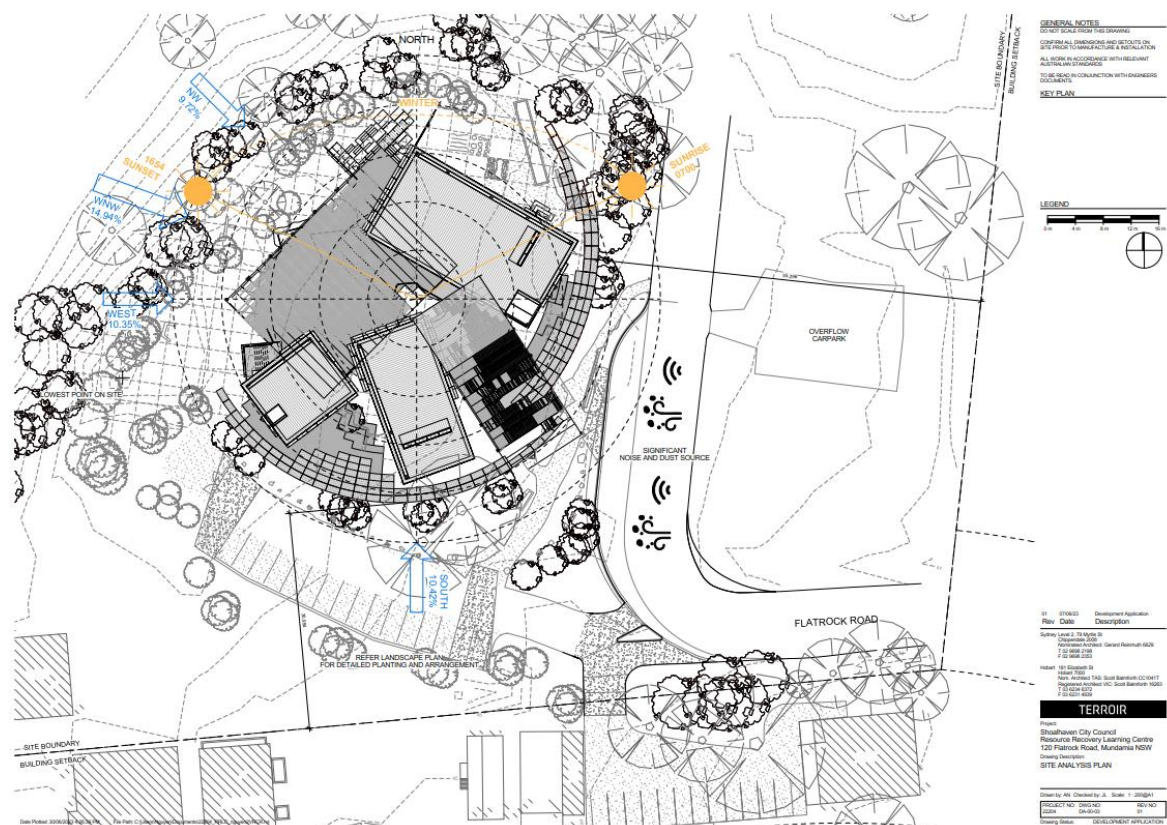


Figure 10 Extract of the Site Plan prepared by Terroir.

The proposal utilises pier construction. Further details of each aspect of the development are provided as follows:

### Building One (west)

The building is single storey square to the south west of the development and will house an office, meeting room, break out space, store room, kitchenette and two toilets. Figure 9 shows an extract of the Elevation Plans prepared by *Terroir*. A full set of architectural plans have been submitted with this application.

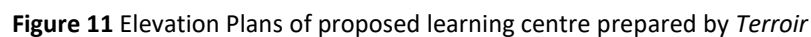
### Building Two (central)

Building two the central building is single storey and rectangular in shape will house front of house building of 144.8m<sup>2</sup> with lockers and bathroom facilities to the rear of the building Female facilities with three toilets and wash basins, Male facilities with urinals and toilet and washbasins: and an accessible toilet with one pan and washbasin and a cleaners storeroom

### Building three (east)

This is a single storey building to the north of the development site and the largest of three buildings with a multipurpose room of 255.1m<sup>2</sup> a storeroom 18m<sup>2</sup>, change room 13.3m<sup>2</sup>, mini MRF 35.8m<sup>2</sup> and Kitchen 39.2m<sup>2</sup>.

Lot 1 DP1018193, No. 120 Flatrock Road, Mundamia



Materials have been included in the submitted Architectural Plans including metal roof sheeting, polycarbonate sheeting, concrete blocks, polycarbonate glazing, timber, gabion wall, timber, concrete and carpet flooring, steel grating

## 8



## Statement of Environmental Effects

Lot 1 DP1018193, No. 120 Flatrock Road, Mundamia

Physical works associated with the proposal includes cut and fill to prepare the site for the Learning Centre, carpark, vegetation removal and landscaping works. Annotations are included on the Architectural Plans which indicate the areas of cut and fill onsite. The gabion wall is approximately the same height as the proposed ceiling height.

The site has car parking spaces for 26 cars and a bus parking area along with a bus bay (drop off zone and a loading and bay and vehicle shed with a overflow carpark to the west of the building.

A proposed Landscape Plan is submitted with the application as prepared by *Realm Studios*, and extracted below at Figure 18.



Figure 12 Extract of Landscape Plan prepared by *Realm Studio*

A Stormwater Concept Plan has been submitted with this application, with an OSD basin indicated to collect stormwater via pits and downpipes.

The installation of the onsite effluent disposal system is required. The Onsite Wastewater Report prepared by *Broadcrest Consulting Pty Ltd* has been submitted with this application. The assessment demonstrates that onsite wastewater disposal is achievable. The report provides the following summary of recommendations for the site:

- The maximum anticipated wastewater loading rates generated by the Waste Management Education Facility is calculated to be **1,290 L/day**.
- It is proposed to primary treat all wastewater generated on-site via an NSW Health Accredited 5.0KL septic tank system.



- *De-sludging of the septic tank is to occur at min 5yr frequency.*
- *Treated wastewater is to be stored in a collection well, with required well storage capacity and corresponding per Table 3.5.*
- *Collection well pump-out is to be arranged via a cartage contractor for the corresponding tank and interval selected from Table 3.5.*

## 4 MATTERS FOR CONSIDERATION

In accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) the relevant matters for consideration are addressed as follows:

### 4.1 Relevant Legislation

#### 4.1.1 Environmental Planning & Assessment Act 1979

Shoalhaven City Council's Bushfire Prone Land Map indicates that the subject site is bushfire prone. A Bushfire Assessment Report has been prepared by SET Consultants Pty Ltd and has been submitted with this application demonstrating the development conforms with the specifications and requirements of Planning for Bush Fire Protection as required under s4.14(1(a)) of the Act.

#### 4.1.2 Rural Fires Act

Section 100B of the *Rural Fires Act 1997* requires that the Commissioner of the NSW Rural Fire Service (NSW RFS) issue a Bush Fire Safety Authority (BFSA) for special fire protection purpose developments on bush fire prone land.

Shoalhaven City Council's Bushfire Prone Land Map indicates that the subject site is bushfire prone. The proposed development is considered a "special fire protection purpose" development in accordance with PBP 2019. Under Section 4.46 of the Environmental Planning and Assessment (EP&A) Act 1979 the proposal is classified as integrated development and requires a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997.

This Bushfire Assessment Report has been prepared by SET Consultants Pty Ltd and has been submitted with this application. The following has been extracted from the Bushfire Assessment Reports Conclusion and Recommendations section:

*The following combination of mitigation measures are recommended to provide an appropriate level of safety for occupants of the building and a level consistent with that required by PBP 2019:*

#### **Asset Protection Zone**

1. *A minimum 34m Asset Protection Zone (APZ) shall be maintained around the proposed development. The APZ shall be managed as an Inner Protection Area – IPA (Figure 7) for the life of the development and comply with section 3.2 and Appendix 5 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document 'Standards for asset protection zones'.*

### **Landscaping**

2. Any future landscaping shall be designed and maintained in accordance with Table 6.8a of Planning for Bushfire Protection 2019 as outlined below:
  - a. maintaining a clear area of low cut lawn or pavement adjacent to the house;
  - b. keeping areas under fences, fence posts and gates and trees raked and cleared of fuel;
  - c. utilising non-combustible fencing and retaining walls;
  - d. breaking up the canopy of trees and shrubs with defined garden beds;
  - e. organic mulch should not be used in bushfire prone areas and non-flammable material should be used as ground cover, e.g. Scoria, pebbles, recycled crushed bricks.
  - f. planting trees and shrubs such that:
    - the branches will not overhang the roof; and
    - the tree canopy is not continuous.

### **Construction Standards**

The NCC does not provide for any bush fire specific performance requirements for Class 9 building identified as not being SFPP. As such AS 3959 and the NASH Standard are not considered as a set of Deemed to Satisfy provisions and thus **the building has no specific bushfire construction requirements**. However, it is recognised that the proposed development has the potential to be used as an assembly building for occupants on-site. Therefore, to provide a better bushfire outcome, the following construction standard is recommended:

3. The Resource Recovery Learning Centre (RRLC) shall be designed and constructed to comply with Section 3 and Section 5 (BAL 12.5) Australian Standard AS3959-2018 'Construction of buildings in bush fire-prone areas' and the relevant sections of sections 7.4 and 7.5 of 'Planning for Bush Fire Protection 2019' OR the NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas-2014' as appropriate.
4. Fences and gates shall be constructed to comply with Section 7.6 of Planning for Bushfire Protection 2019.
5. The provision of electricity and gas shall comply with section 6.8c of 'Planning for Bush Fire Protection 2019'.

### **Access**

6. Access shall be upgraded where and if required to comply with the following:
  - Minimum 4m carriageway width;
  - A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
  - Property access must provide a suitable turning area in accordance with Appendix 3;
  - Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
  - The minimum distance between inner and outer curves is 6m;
  - The crossfall is not more than 10 degrees; and

- *Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.*

### **Emergency Management**

7. *An emergency/evacuation plan should be prepared prior to occupation. The Bush Fire Emergency Management Plan should be consistent with the RFS Guidelines for Emergency/Evacuation.*

#### **4.1.3 Biodiversity Conservation Act 2016**

The purpose of the Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development (described in section 6(2) of the Protection of the Environment Administration Act 1991).

The proposal will require the removal seven (7) trees. The development site is mapped as containing Biodiversity Values. Council are in the process of having this reassessed to see if the mapping can be removed from the site due to the clearing and use of the site as a waste facility. A flora and fauna and BDAR Assessment has been developed by ACS Environmental Pty Ltd and submitted with this application and noting the following:-

*The small patch of woodland that is proposed to be removed contains a small number of canopy species such as Narrow-leaved Scribbly Gum, Grey Gum and Red Bloodwood that are common to surrounding areas of Shoalhaven Lowland Bloodwood Shrub Forest. Local patches of woodland surveyed within the wider subject area contained these species as well as other canopy species such as Spotted Gum, Blackbutt, Yellow Bloodwood and Brown Barrel (Table 1). As such, the removal of some individuals of trees in an area where these species are common in the immediate and extended locality, would not be considered to substantially alter the floristics, structure or functionality of the local ecological community of Shoalhaven Lowland Bloodwood Shrub Forest. It is, however, recommended to replace these species to be planted in suitable sections of the subject land.*

*No individuals of threatened flora or fauna were recorded at the subject site.*

*With appropriate management of potential environmental constraints, the retention of a fauna habitat tree and the undertaking of effective mitigation measures as outlined in this report, the proposed development is considered to comply with the desired criteria in relation to Shoalhaven City Council DCP (2014).*

#### **4.1.4 National Parks and Wildlife Act 1974**

The NPW Act establishes the legal protection and management of places and objects within New South Wales that are of Aboriginal significance. The Act makes it an offence to willingly and knowingly destroy damage or deface any Aboriginal relic without a permit. Specifically, sections 86, 87 and 90 require consent from Office of Environment and Heritage (OEH) for the destruction

or damage of Indigenous objects. The NPW Act also incorporates provisions for the protection and conservation of items or places with high cultural significance.

An AHIMS search was undertaken where it was identified that there are known Aboriginal sites of places within the vicinity (200m buffer) of the subject site.

The proposed learning centre is located within the existing waste recovery site which has been highly disturbed over the years. If any unexpected archaeological items or items of Indigenous heritage significance sites are found or disturbed during any of the proposed works, then all work must cease immediately. Permission must be sought from the National Parks and Wildlife Service and consultation with Traditional Landowner Groups before work can continue.

## **4.2 State Environmental Planning Policies**

### **4.2.1 SEPP Resilience and Hazards**

The *State Environmental Planning Policy (Resilience and Hazards) 2021* commenced on 1 March 2022. The SEPP incorporates a number of SEPPs that have since been repealed.

#### **Chapter 4 Remediation of Land**

The Chapter introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

#### *Response*

A Detailed Site Investigation Report prepared by *JK Environments* was commissioned to identify what containments may be present onsite, and what management procedures would be required. The following section has been extracted from the Conclusion and Recommendation section of the Executive summary:

*“A detailed site investigation will be required to further assess the remediation extent and approach, notwithstanding, we consider the site could be made suitable for the proposed development.”*

### **4.2.2 SEPP – Biodiversity and Conservation 2021**

The *State Environmental Planning Policy (Biodiversity and Conservation) 2021* commenced on 1 March 2022. The SEPP incorporates a number of SEPPs that have since been repealed.

#### **Chapter 2 Vegetation in Non-Rural Areas**

The aim of this Chapter is to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

*Response*

The site is largely cleared, the proposal will require the remail of seven (7) trees a Flora and Fauna survey and Biodiversity Impact Assessment has been undertaken by ACS Environmental Pty Ltd which noted .

*No threatened species of flora or fauna or ecological community will be impacted by the development proposal. No threatened ecological community would be impacted by the development proposal. As such, it is considered that no significant impacts would occur to the extent of or viability of any threatened species or ecological community either at the subject land or in the locality.*

**Chapter 4 Koala Habitat Protection 2021**

The chapter aims to encourage the conservation and proper management of areas of natural vegetation that provide habitat for koalas, to ensure permanent, free-living populations over their present range and to reverse the current trend of population decline. The Koala SEPP 2021 applies to land over one hectare in the local government areas (predominantly the state) listed in Schedule 1 of the policy.

As identified in the Flora and Fauna survey and Biodiversity Impact Assessment undertaken by ACS Environmental Pty Ltd it is highly unlikely for Koala habitat trees in the area.

**4.2.3 SEPP – Planning Systems 2021**

The proposal is declared to be regionally significant development under Part 2.4 of the SEPP, where the proposal is declared under Schedule 6. Schedule 7(3) reads:

*3 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).*

The subject site is under the ownership of Shoalhaven City Council, and the proposal has a capital investment value of more than \$5million.

As regional development, the consent authority for the application is the regional planning panel under section 4.5 of Division 4.2 of Part 4 of the *Environmental Planning & Assessment (EP&A) Act, 1979*.

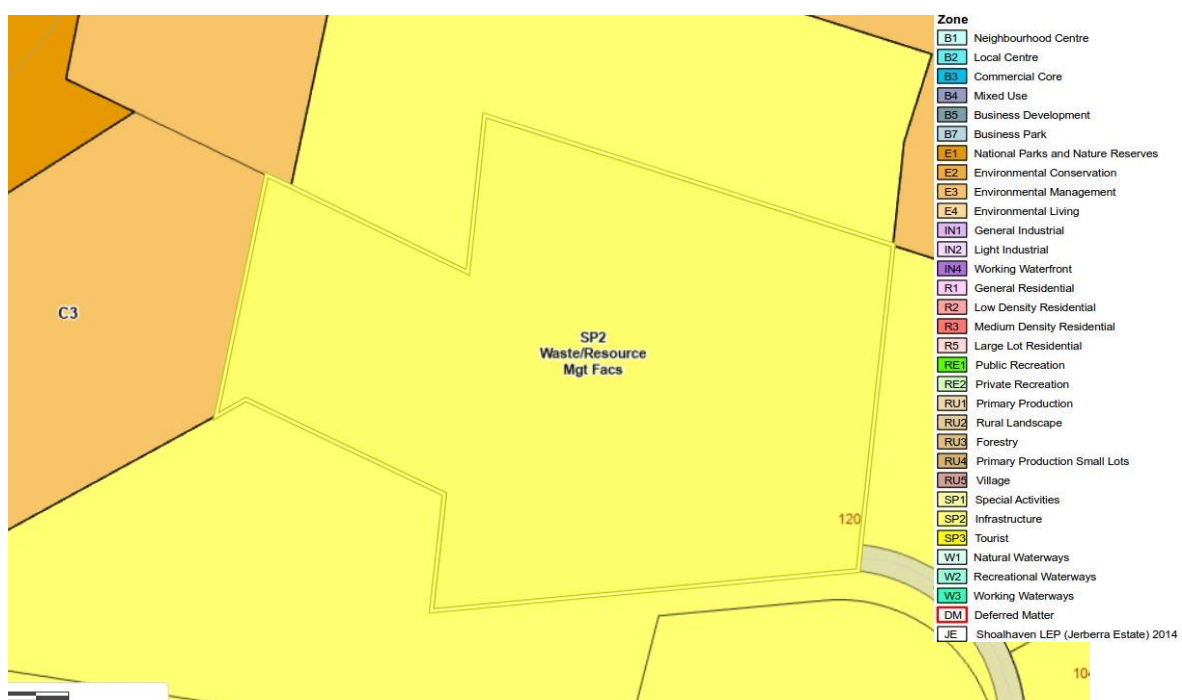
## 4.3 Local Environmental Plans

### 4.3.1 Shoalhaven Local Environmental Plan 2014

The site is subject to the provisions of Shoalhaven City Council Local Environmental Plan (SLEP) 2014. The proposal is consistent with the controls applicable to the land under SLEP 2014, as outlined below.

#### Clause 2.2 – Zoning of land to which Plan applies

The site is subject to the provisions of Shoalhaven LEP 2014, under which the lot is zoned SP2 Waste Resource Management Facility. Figure 13 shows the zoning map of the subject site and surrounding lands.



**Figure 13** Extract of Shoalhaven LEP 2014 Zoning map showing the subject site outlined in blue.

The objectives of the SP2 Infrastructure zone are as follows:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The zoning is for a Waste/ Resource Management Facility and the proposed learning centre is an ancillary use of the site and therefore is permissible with consent. The proposal is consistent with the objectives of the zone by providing for infrastructure related to the use of waste facility.

#### Clause 4.3 – Height of Buildings

The objectives of this clause are as follows:

- to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of a locality,
- to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,



*(c) to ensure that the height of buildings on or in the vicinity of a heritage item or within a heritage conservation area respect heritage significance.*

The subject site is not mapped under the *SLEP 2014* Maximum Height of Buildings map, and therefore subclause 2A applies.

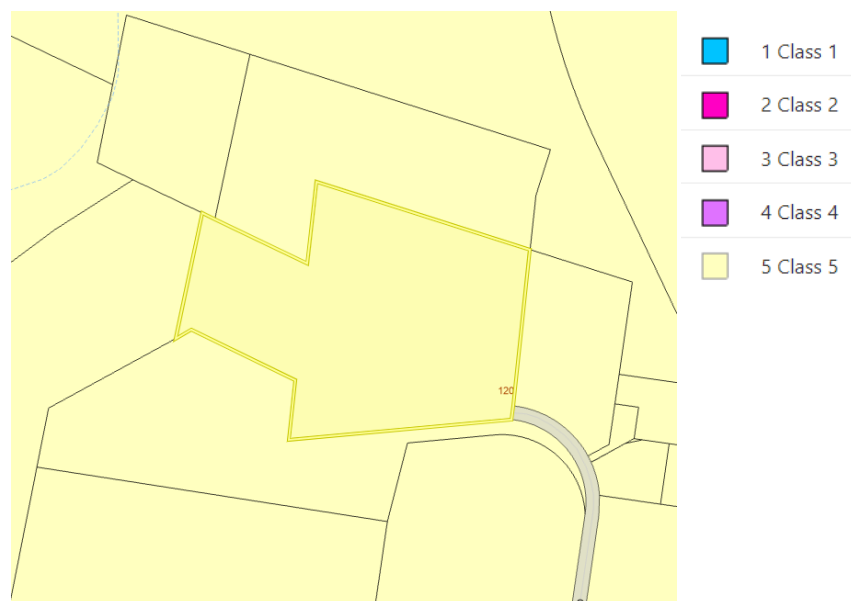
*(2A) If the Height of Buildings Map does not show a maximum height for any land, the height of a building on the land is not to exceed 11 metres.*

The proposed development does not exceed 11m, refer to plans.

#### **Clause 7.1 – Acid Sulfate Soils**

*(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*

The subject site is identified as Class 5 on the *SLEP 2014* Acid Sulfate Soils (ASS) Maps, as seen in Figure 14. The proposed learning centre of this site does not include any activities with the potential for lowering the water table, or exposing acid sulfate soils. There are no likely impacts to ASS resulting from the proposal as described in this application.



**Figure 14** Shoalhaven LEP 2014 Acid Sulfate Map showing the site outlined in yellow.

#### **Clause 7.2 Earthworks**

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposed development will involve cut and fill within the site boundaries. Refer to the Civil Plans prepared *Warren Smith Consulting Engineers*

**Clause 7.11 – Essential Services**

1) *Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:*

- (1) The supply of water.*
- (2) The supply of electricity*
- (3) The disposal and management of sewerage*

The subject site is currently provided with connections to electrical infrastructure, reticulated water and telecommunications. These connections will be connected to the proposed development.

A Wastewater Management: Site & Soil Evaluation & Disposal System Design prepared by *Broadcrest Consulting Pty Ltd* demonstrates that the proposed learning centre is capable of wastewater disposal. The report provides the following summary of recommendations for the site:

- *The maximum anticipated wastewater loading rates generated by the Waste Management Education Facility is calculated to be **1,290 L/day**.*
- *It is proposed to primary treat all wastewater generated on-site via an NSW Health Accredited 5.0KL septic tank system.*
- *De-sludging of the septic tank is to occur at min 5yr frequency.*
- *Treated wastewater is to be stored in a collection well, with required well storage capacity and corresponding per Table 3.5.*
- *Collection well pump-out is to be arranged via a cartage contractor for the corresponding tank and interval selected from Table 3.5.*

**4.4 Shoalhaven Development Control Plan (2014)**

The proposal is subject to a number of Chapters in the Shoalhaven Development Control Plan 2014. The following section outlines how the development complies with the relevant Chapters of the DCP. However, it should be recognised that Section 3.42 of *Environmental Planning and Assessment Act 1979* states that the DCP is only to *provide guidance* and is not a statutory document with which compliance must be demonstrated. To this end, recent cases in the Land and Environment Court have made it clear that a DCP does not have the same status or weight as an LEP, and non-compliance with a provision of a DCP does not in itself prevent the granting of consent.

As noted in the pre lodgement advice (email Monday 17 April 2023) there is no specific DCP that relates to this development.

Table 1: Applicable sections of Shoalhaven DCP 2014	
DCP Chapter	Response
Chapter G1 – Site analysis, sustainable design and buildings materials in rural and coastal areas	The purpose of this Chapter is to outline controls for the management of the natural and built environment. This SoEE contains a site analysis (section 2) and images that show the extent

## Statement of Environmental Effects

Lot 1 DP1018193, No. 120 Flatrock Road, Mundamia

	<p>of vegetation, location of existing development on and surrounding the site.</p> <p>A Site Analysis Plan prepared by <i>Terroir</i> has been submitted with this development application. The proposal is consistent with the acceptable solutions of this chapter.</p>
Chapter G2 – Sustainable stormwater management and erosion/sediment control	<p>Sediment and erosion controls can be controlled via condition.</p> <p>A concept Stormwater plan has been prepared by <i>Warren Smith Consulting Engineers</i> and submitted with this application.</p> <p>Water from all roofs is directed into water catchment areas which feed into the new creek line running through the western portion so the site. The low point of the site has an expanded capacity, all water flow from the site is directed to this point. The carpark features a new integrated swale which collects water and diverts it to the expanded low point. The existing open trunk drain pit is integrated as part of the swale system.</p>
Chapter G3 – Landscaping Design Guidelines	<p>Chapter G3 Landscaping Design Guidelines provides controls for landscape provision for development throughout Shoalhaven.</p> <p>A Landscape plan prepared by <i>Realm Studios</i> has been submitted with this application</p>
Chapter G4 – Tree and Vegetation Management  Chapter G5 – Biodiversity Impact Assessment	<p>These DCP Chapter sets out controls in regard to the management of trees and vegetation.</p> <p>This development application proposes the removal of seven (7) trees, a Flora and Survey Survey and Biodiversity Impact assessment undertaken by ACS Environmental Pty Ltd has been submitted with this application. .</p> <p>A BMAT Report has been attached to this Statement of Environmental Effects and covered in sections 4.1.3 and 4.2.3 of this statement.</p>
Chapter G7 – Waste minimisation and management controls	<p>A Waste Management Plan has been submitted with this development application prepared by <i>Broadcrest Consulting Pty Ltd</i>.</p>
Chapter G8 - Onsite Sewerage Management	<p>A Wastewater Management: Site &amp; Soil Evaluation &amp; Disposal System Design prepared by <i>Broadcrest Consulting Pty Ltd</i> demonstrates that the proposal is capable of wastewater disposal. The report provides a summary of suitable systems for treatment of wastewater onsite being an septic tank system.</p> <p>Noting Water from all roofs is directed into water catchment areas which feed into the new creek line running through the western portion so the site. The low point of the site has an expanded capacity, all water flow from the site is directed to this point. The carpark features a new integrated swale which collects water and diverts it to the expanded low point. The existing open trunk drain pit is integrated as part of the swale system.</p>

Chapter G21 – Car parking and Traffic	This Chapter does not specific the requirements for carparking for the proposed development, car parking has been determined by way of traffic reports and investigation of other similar facilities..

## 5 THE LIKELY IMPACTS OF THE DEVELOPMENT

### 5.1 *Context and Setting*

The subject site is a SP2 zoning and adjoining land in the immediate area is zoned C3 Environmental Management. The proposed development will provide the opportunity for a Resource Recovery Learning Centre to educate the public in relation to waste generation and reduction. The site is an established waste facility that is continually improving its practice in waste reduction. The learning centre is designed to be a functional space with reuse, retain, re process and repurpose as its philosophy.

The properties surrounding the site have limited development with a number rural residential in nature with a number of dwellings and ancillary structures with a State Government depot to the east of the site off Flat Rock Road. The proposed development is compatible with the surrounding established properties, and is of a size and scale comparable to the area.

The development is consistent with the LEP and DCP. In light of the above the proposed development is considered compatible with the existing context and surrounding area. There are no foreseeable adverse impacts on the existing character or streetscape as a result of this proposal.

### 5.2 *Access and Traffic*

#### Access

The access to the site is from Flat Rock Road to the east. An existing access road is provided and the proposal will have a driveway to the proposed carpark from this exiting roadway and a bus drop off zone.

#### Transport

Public transport and pedestrian infrastructure is limited in the surrounding area. The proposed development provides parking for private vehicles and private buses which are the favoured mode of transport to the site due to lack of public transport. The proposed development is not likely to have a significant impact on the surrounding transport networks.

#### Traffic

This proposal involves the construction of a learning centre. The proposed development will modestly increase traffic volumes in the immediate vicinity. No issues relating to access or traffic within the site have been identified.

### **5.3 Solar Access**

The proposal is designed to take advantage of the solar access. The buildings are single storey and orientation will maintain adequate levels of solar access to each of the proposed buildings.

### **5.4 Public Domain**

The proposed development will have a positive impact on the public domain, providing an architecturally designed learning centre to provide a space for the community to learn about waste recovery and management.

The proposed development will improve the public access to understand the Shoalhaven waste recovery approach. The proposal is considered consistent with the desired future character of the waste facility, and has no significant impacts on public spaces. Nothing in this proposal could be interpreted as being contrary to the public interest.

### **5.5 Utilities**

The site has access to reticulated water, and electricity. Utilities will be provided at the developers cost. Further details will be provided at Construction Certificate Stage.

Each service provided would be consulted prior to construction commencing to ensure that their requirements are satisfied

-

The site is currently connected to essential services. The rural nature of the site requires onsite wastewater disposal and onsite stormwater management. Submitted with this application is a Wastewater Assessment prepared by *Broadcrest Consulting Pty Ltd* which addresses the required onsite wastewater disposal onsite. via septic tank system. A geotechnical investigation has been prepared by *JKGeotechnics* and submitted with this application. *Waren Smith Consulting Engineers* has prepared and submitted with this application a Sediment and erosion control plan and Stormwater Plan where stormwater is directed to a OSD Basin.

### **5.6 Air and Microclimate**

The proposed development will not have a measurable impact on air quality or microclimate.

### **5.7 Flora and Fauna**

The site is located within an existing waste facility in the Shoalhaven. The site is cleared with the exception of a few trees to the rear boundary which are to be retained. The land is currently mapped as biodiversity valuable land, but this is currently being investigated to ascertain if this mapping can be removed from the site due to the nature of the site.

The proposed site for the learning centre has been positioned in an existing reasonable cleared portion of the site, with the removal of seven (7) trees being required, these have been assessed by *ACS Environmental Pty Ltd* and the proposal is to undertake landscaping of the site as detailed in the submitted Landscape Plan prepared by *Realm Studio*.

## **5.8 Waste**

A Waste Management Plan has been provided with this application. Further details will be provided at CC Stage. Noting that this site is a waste management facility.

## **5.9 Noise and Vibration**

This application is for development on an existing site being utilised as a waste facility. Noise and vibration may be associated with the physical works associated with the development of the site. This will be a temporary inconvenience and it is expected that time constraints will be stipulated by way of relevant hours of operation in the development consent during construction.

## **5.10 Heritage**

The subject site is not listed as a Heritage Item and is not located in the vicinity of a known heritage item.

## **5.11 Water**

The site has access to Shoalhaven Water mains water. Shoalhaven Water will be consulted prior to construction commencing to ensure that their requirements are satisfied.

Submitted with this application is a Stormwater Plan prepared by *Warren Smith Consulting Engineers* which demonstrates how stormwater will be managed onsite. Roof runoff will be directed to an rainwater tank which will discharge to pits that are directed to onsite detention basin to the east of the building.

## **5.12 Natural Hazards**

### **Bushfire**

The subject site is mapped as being bushfire prone, a Bushfire Assessment report has been submitted as prepared by Set Consultants. The following has been extracted from the Conclusions and Recommendation:

*The following combination of mitigation measures are recommended to provide an appropriate level of safety for occupants of the building and a level consistent with that required by PBP 2019:*

### **Asset Protection Zone**

8. *A minimum 34m Asset Protection Zone (APZ) shall be maintained around the proposed development. The APZ shall be managed as an Inner Protection Area – IPA (Figure 7) for the life of the development and comply with section 3.2 and Appendix 5 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document 'Standards for asset protection zones'.*

### **Landscaping**



9. Any future landscaping shall be designed and maintained in accordance with Table 6.8a of Planning for Bushfire Protection 2019 as outlined below:
- g. maintaining a clear area of low cut lawn or pavement adjacent to the house;
  - h. keeping areas under fences, fence posts and gates and trees raked and cleared of fuel;
  - i. utilising non-combustible fencing and retaining walls;
  - j. breaking up the canopy of trees and shrubs with defined garden beds;
  - k. organic mulch should not be used in bushfire prone areas and non-flammable material should be used as ground cover, e.g. Scoria, pebbles, recycled crushed bricks.
  - l. planting trees and shrubs such that:
    - the branches will not overhang the roof; and
    - the tree canopy is not continuous.

### **Construction Standards**

The NCC does not provide for any bush fire specific performance requirements for Class 9 building identified as not being SFPP. As such AS 3959 and the NASH Standard are not considered as a set of Deemed to Satisfy provisions and thus **the building has no specific bushfire construction requirements**. However, it is recognised that the proposed development has the potential to be used as an assembly building for occupants on-site. Therefore, to provide a better bushfire outcome, the following construction standard is recommended:

10. The Resource Recovery Learning Centre (RRLC) shall be designed and constructed to comply with Section 3 and Section 5 (BAL 12.5) Australian Standard AS3959-2018 'Construction of buildings in bush fire-prone areas' and the relevant sections of sections 7.4 and 7.5 of 'Planning for Bush Fire Protection 2019' OR the NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas-2014' as appropriate.
11. Fences and gates shall be constructed to comply with Section 7.6 of Planning for Bushfire Protection 2019.
12. The provision of electricity and gas shall comply with section 6.8c of 'Planning for Bush Fire Protection 2019'.

### **Access**

13. Access shall be upgraded where and if required to comply with the following:
- Minimum 4m carriageway width;
  - A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
  - Property access must provide a suitable turning area in accordance with Appendix 3;
  - Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
  - The minimum distance between inner and outer curves is 6m;
  - The crossfall is not more than 10 degrees; and
  - Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

### **Emergency Management**

- 14. An emergency/evacuation plan should be prepared prior to occupation. The Bush Fire Emergency Management Plan should be consistent with the RFS Guidelines for Emergency/Evacuation.*

○

### **Acid Sulphate Soils**

The site is mapped as Class 5 acid sulphate soils. This is addressed within Section 4.2.1 of this Statement and the proposed development is not considered to involve works which are likely to lower the water table.

### **5.13 Safety, Security and Crime Prevention**

The proposed development will not result in an increased level of risk, crime or safety issues that would normally be expected in this area. The site is fenced and is locked outside of hours with surveillance. The proposed development provides for improved natural surveillance opportunities during opening hours.

### **5.14 Social Impact in the Locality**

This proposal will provide a learning facility for the community as part of the existing waste recovery facility. The proposed development will not disadvantage nor displace any particular socio-economic group. It does not have the potential to adversely impact the community structure, community values or beliefs.

### **5.15 Economic Impact on Locality**

There will be no foreseeable negative economic impacts on the locality as a result of this proposal. The development will be providing a learning facility and community space with immediate short term local economic benefits during construction stage. The existing properties surrounding the site will not be adversely impacted by development. The proposed development is of a scale similar to the existing developments in the surrounding area, and will contribute to the existing waste recovery centre with an architecturally designed learning facility for the community to benefit from.

### **5.16 Cumulative Impacts**

The cumulative impacts of the development are considered positive. The subject site provides the opportunity to provide for a learning facility for the community and to complement the waste facility with appropriate access and car parking. The addition of the learning centre in a current vacant and underutilised part of the site further contributes to the waste facility. There is no significant impact on the surrounding established areas.

## **6 SUITABILITY OF THE PROPOSAL FOR THE ENVIRONMENT**

### **6.1 *Does the Proposal Fit in the Locality***

The subject site is appropriately zoned and located in an area with established waste facility. The proposed learning centre is an architecturally designed building that will be pleasing to the eye while providing a learning space for the community. The proposal does not deliver any adverse impacts in terms of privacy, overshadowing or outlook to neighbouring properties, and will not have a negative influence on the natural environment.

### **6.2 *Are the Site Attributes Conducive to the Development?***

The proximity of the site to the existing waste recovery services are advantageous features of the proposal at the site. The size and dimensions of the subject site are favourable for the proposed learning facility. The proposed building has been orientated to maximise solar access from the north, while minimising impacts on the amenity experienced in the surrounding area.

The development has taken into account the constraints of the site and provides a development that is in keeping with the existing resource recovery centre and scale of development in the area.

## **7 PUBLIC INTEREST**

There are no features of this proposal that could be interpreted as detrimental to the public interest. The proposal is utilising a currently vacant area of the existing waste recovery centre site appropriately zoned and sized to provide the opportunity for a learning centre. The development is consistent with the existing waste recovery centre and considered compatible with developments in the surrounding context. It is considered in the public's interest to provide the opportunity for a learning centre. There are no aspects of this proposal that could be interpreted as being contrary to the public interest.



## ATTACHMENT 1

### BMAT Report

## Biodiversity Values Map and Threshold Report

This report is generated using the Biodiversity Values Map and Threshold (BMAT) tool. The BMAT tool is used by proponents to supply evidence to a consent authority to determine whether or not a Biodiversity Development Assessment Report (BDAR) is required under [the Biodiversity Conservation Regulation 2017 \(Cl. 7.2 & 7.3\)](#).

The report provides results for the proposed development footprint area identified by the user and displayed within the blue boundary on the map.

There are two pathways for determining whether or not a BDAR is required for the proposed development:

1. Is there Biodiversity Values Mapping?
2. Is the 'clearing of native vegetation area threshold' exceeded?

Biodiversity Values Map and Threshold Report		
Date of Report Generation		31/05/2023 8:31 AM
Biodiversity Values (BV) Map Threshold - Results Summary		
1	Does the development Footprint intersect with BV mapping?	yes
2	Was ALL of the BV Mapping within the development footprinted added in the last 90 days? (dark purple mapping only, no light purple mapping present)	no
3	Date of expiry of dark purple 90 day mapping*	N/A
4	Is the Biodiversity Values Map threshold exceeded?	yes
Area Clearing Threshold - Results Summary		
5	Size of the development or clearing footprint	2,727.4 sqm
6	Native Vegetation Area Clearing Estimate (NVACE)	198.4 sqm
7	Method for determining Minimum Lot Size	Lot size
8	Minimum Lot Size (10,000sqm = 1ha)	89,634 sqm
9	Area Clearing Threshold (10,000sqm = 1ha)	5,000 sqm
10	Is the Area Clearing Threshold exceeded?	no
Is the proposed development assessed above the Biodiversity Offsets Schema (BOS) threshold? Exceeding the BOS threshold will require completion of a Biodiversity Development Assessment Report (BDAR). More details provided on page 2.		yes

## What do I do with this report?

- If the result above indicates a BDAR is required, a Biodiversity Development Assessment Report **may be required** with your development application. Go to <https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor> to access a list of accredited assessors. An accredited assessor can apply the Biodiversity Assessment Method and prepare a **BDAR**.
- If the result above indicates a BDAR is not required, you have not exceeded the BOS threshold. This report can be provided to Council to support your development application. You may still require a permit from your local council. Review the development control plan and consult with council. You may still be required to assess whether the development is “likely to significantly affect threatened species” as determined under the test in Section 7.3 of the Biodiversity Conservation Act 2016. You may also be required to review the area where no vegetation mapping is available.
- If all Biodiversity Values mapping within your development footprint are less than 90 days old, i.e. mapping is displayed as dark purple on the map, a BDAR may not be required if your Development Application is submitted within that 90 day period. \*Any BV mapping less than 90 days old on this report will expire on the date provided in Line item 3 above.

For more detailed advice about actions required, refer to the **Interpreting the evaluation report** section of the [Biodiversity Values Map Threshold Tool User Guide](#).

## Review Options:

- If you believe the Biodiversity Values mapping is incorrect please refer to our [BV Map Review webpage](#) for further information.
- If you disagree with the NVACE result for Line Item 6 above (i.e. area of Native Vegetation within the Development footprint proposed to be cleared) you can undertake a self-assessment. For more information about this refer to the **Guide for reviewing BMAT Tool area clearing threshold results**.

## Acknowledgement

**I, as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.**

Signature: Susan Edwards

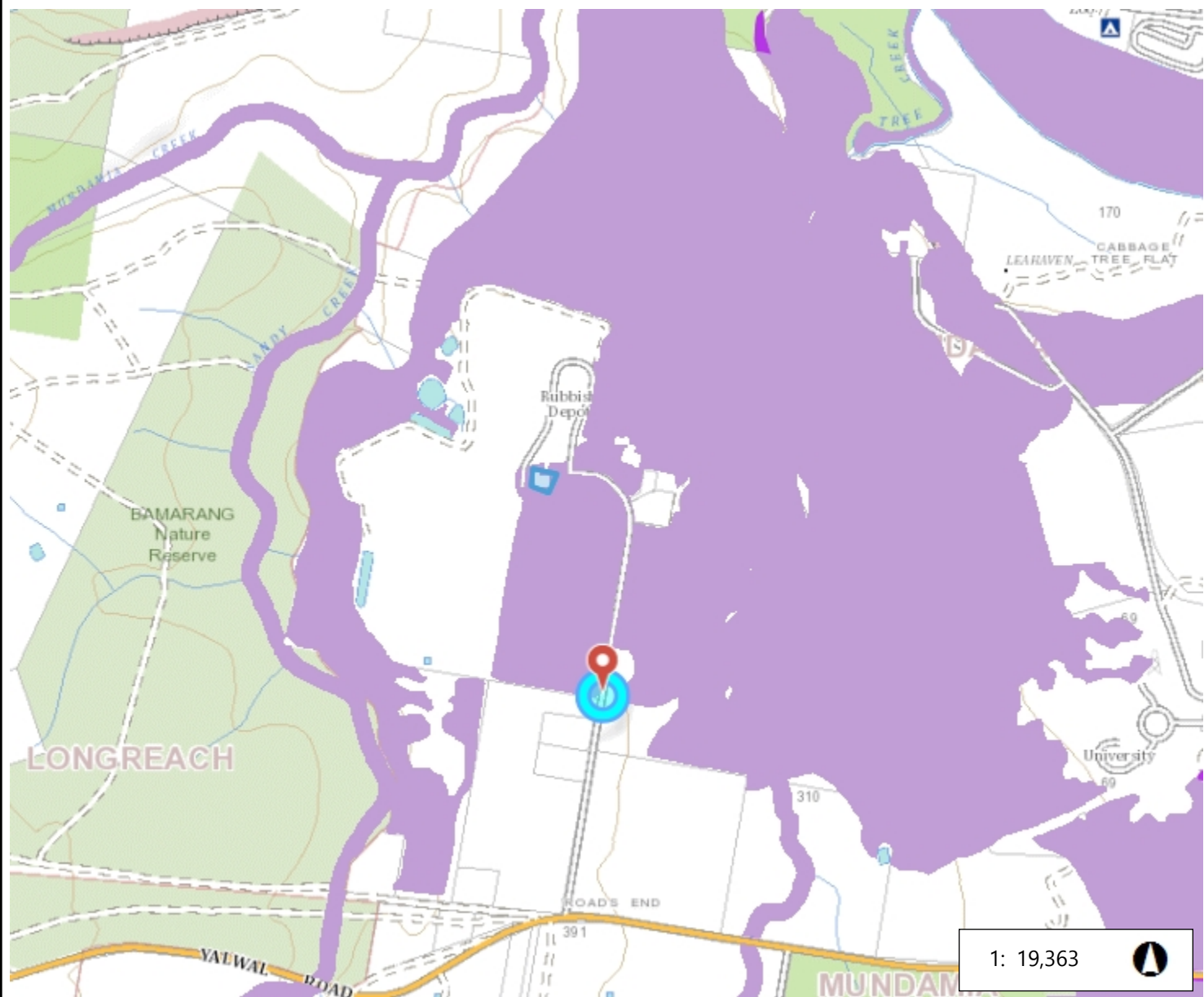
(Typing your name in the signature field will be considered as your signature for the purposes of this form)

Date: \_\_\_\_\_

31/05/2023 08:31 AM







# Biodiversity Values Map



983.7 0 491.83 983.7 Metres

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

Legend

-  Biodiversity Values that have been mapped for more than 90 days
-  Biodiversity Values added within last 90 days
-  Native Vegetation Area Clearing Estimate (NVACE)
-  Development area selected by proponent

31/05/2023 08:31 AM

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Imagery © Airbus DS/Spot Image 2016  
© NSW Department of Customer Service, Basemaps 2019  
© NSW Department of Planning and Environment

The results provided in this tool are generated using the best available mapping and knowledge of species habitat requirements.

This map is valid as at the date the report was generated. Checking the [Biodiversity Values Map viewer](#) for mapping updates is recommended.



## ATTACHMENT 2

### AHIMS Report

Susan Edwards

Date: 30 May 2023

51 Graham Street

Nowra New South Wales 2541

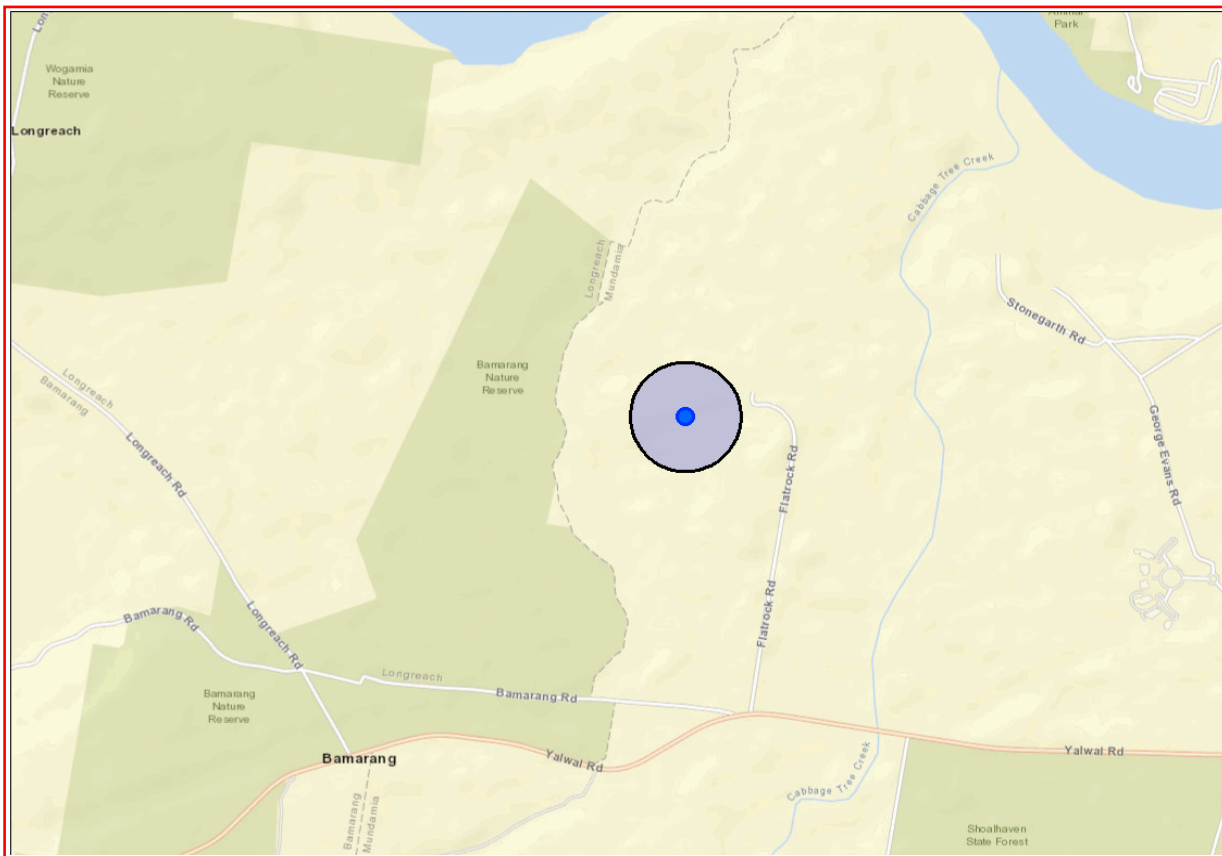
Attention: Susan Edwards

Email: susan@setconsultants.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Address : 120 FLATROCK ROAD MUNDAMIA 2540 with a Buffer of 200 meters, conducted by Susan Edwards on 30 May 2023.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *