

Statement of Environmental Effects

**For a Proposed Industrial Unit Complex
At 306-310 Boorowa Street, Young NSW**

September 2024

Prepared by SBM Planning Pty Ltd

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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by SBM Planning Pty Ltd on behalf of Crutcher Developments Pty Ltd. This report accompanies the Development Application (DA) submitted to Hilltops Council for the proposed 10 unit industrial complex on the site known as 306-310 Boorowa Street.

The site is located within an E4 (General Industrial) zone. The proposed use is permissible within the zone as a “General Industry”.

The works proposed constitute a Local Development and an Integrated Development. Accordingly, development consent is sought from Hilltops Council and concurrence will be required under the Water Management Act 2000 and the Roads Act 1993.

The site is owned by Crutcher Developments Pty Ltd.

1.1 Report Structure

This Statement of Environmental Effects (SEE) identifies the site and surrounding locality, provides a detailed description of the proposed development and provides an assessment of it against the heads of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant provisions of the Environmental Planning and Assessment Regulation 2000 (the Regulations).

This report is structured as outlined below:

- Section 1: Introduction
- Section 2: Site and Context
- Section 3: Development Background
- Section 4: Proposed Development
- Section 5: Statutory Planning Assessment
- Section 6: Section 4.15 Assessment
- Section 7: Conclusion

1.2 Accompanying Documents

This SEE has been prepared in conjunction with the following information, which is lodged with the development application:

Document Title	Date	Consultant	Annexure
Survey Plan and Flood Plan (Plan Number 19928-A-2024-02-02-EK)	02/02/2024	SRD Land Development Consultants Pty Ltd	A
Overall Site Plan – TB- 01 (includes Landscape Plan)	03/09/2024	Michael Carr Architect	B
Utilities Plan – TB-02	03/09/2024	Michael Carr Architect	B
Overall Tenancies Plan - TB-03	03/09/2024	Michael Carr Architect	B
Elevations – TB-04 & TB-05 (Showing Materials and Finishes and Signage)	03/09/2024	Michael Carr Architect	B
Perspective Views – TB-06	03/09/2024	Michael Carr Architect	B
Waste Management Plan	20/09/2023	SBM Planning	C

2 Site and Context

2.1 The Site

The subject site occupies 306-310 Boorowa Street, Young and is legally described as Lots 2 in DP 1110475 and 2 in DP 583879. The total site area is 3,364m².

The site is within the Young Local Government Area (LGA) and is currently disused. The site has historically operated as the Young Building Supplies company but has been cleared in recent times in accordance with DA 2022/0093 (June 2022).

There is some remnant hardstand area at the Boorowa Street frontage but otherwise the site is cleared and devoid of any significant vegetation or notable natural topography.

The site is shown by **Figure 1 - Aerial Site View**, **Figure 2 – Site Context Plan** and **Figure 3 – Location Plan** and a detailed description of the site and its context is also provided below.

2.2 Site Context

The site is located within the western precinct of the Young CBD on Boorowa Street. It is located within an area characterised by a mix of large format retail stores, vehicle service and repair centre and other rural services outlets.

In addition, the site adjoins the Burrongong Creek Gully to the south which is a densely vegetated, intermittent water course. The Burrongong Creek is a tributary of Bland Creek and is only connected to the Murray Darling basin when Bland Creek and both the Lachlan and Murrumbidgee Rivers are in flood. The Survey and Flood Plan including as Annexure A shows the water level, the contours and the top bank of the Burrongong Creek.

The following survey of the surrounding land uses describes the type of uses within the vicinity of the site:

	Business / Land Use	Location Relative to Site
North	<ul style="list-style-type: none">• Wayleo – Eh Sushi• Salvation Army / Charity retail;• Brett Hardy Mechanical Repairs;• Graeme Hull Smash Repair / vehicle repair; and• Mad Harrys Powerhouse and Furniture Stores / Specialised retail premises.	<ul style="list-style-type: none">• Opposite the site on Boorowa Street. Zoned E4– General Industrial west of Possum Lane and zoned MU1 – Mixed use east of Possum Lane.
South	<ul style="list-style-type: none">• Burrongong Creek Gully / Public Recreation RE1;• 2 Mackenzie Street – Young Smash Repairs; and• 47 Miro Street / residential villa development.	<ul style="list-style-type: none">• Land adjoining the site to the south zoned RE1 – Public Recreation.• Land to the south of the Burrongong Creek on Mackenzie Street and Miro Street, zoned R1 – General Residential.
West	<ul style="list-style-type: none">• Informative Tech Solutions adjacent at 312 Boorowa Street;• Corbetts Tyre and Battery Centre /	<ul style="list-style-type: none">• West of the site on Boorowa Street, zoned E4 – General Industrial.

	Business / Land Use	Location Relative to Site
	vehicle repair and retail; <ul style="list-style-type: none"> • Moses and Sons Woolbrokers / business premises; • The Joinery Store / Light industry and retail; • Powderly's Irrigation and Plumbing / retail. 	
East	<ul style="list-style-type: none"> • Bunnings and Large format retail tenancies including Ten Tops, Tack House, Forty Winks, Pet Barn; • Young Golden Grove Reserve area / land reservation; 	<ul style="list-style-type: none"> • Adjoining the site to the east on Boorowa Street, zoned MU1 – Mixed Use. • Further east of the site on Boorowa Street, zoned RE1 – Public Recreation.

The proposal for the development of industrial units at the site will additional business opportunities in keeping with the E4 zoning of the land is wholly in keeping with the site context.

Figure 1 – Aerial Site View



Image Credit: Google Earth

Figure 2 – Site Context



Image Credit: Google Earth

[illegible]

3 Development Background

3.1 Relevant Development History

- The site was previously occupied by the Young Building Supplies company for some 35 years.
- The business sold building supply materials including timber, bricks, steel and other products for construction.
- There is no historical evidence of contamination on the site which has a long history as a retail operator and not a manufacturer.
- In 2021 the site was sold to Crutcher Constructions Pty Ltd and a DA was lodged in March 2022 for the clearing of the site.
- On the 30th June 2022 Hilltops Council awarded consent was for the “demolition of office premises and commercial storage sheds” pertaining to the subject site.
- Since that time the site has been cleared in readiness for its future development.

4 Proposed Development

4.1 Project Objective

The objective of the subject DA is to gain approval for the development of industrial tenancies at the site known as 306-310 Boorowa Street, Young.

The proposed industrial development is located in the western quadrant of the Young CBD in an industrial zone surrounded by other industrial and large format retail uses.

The proposal will increase the availability of industrial land within the town and in doing so improve the profile of the town as a place of business, industry and growth.

4.2 Development Description

The subject proposal is for two new industrial buildings fronting Boorowa Street including a total of 10 industrial units and a centralised parking area.

The works proposed will occupy the site known as Lot 2 in DP 1164745 and Lot 2 in DP 583879 which has recently been cleared.

A summary of the proposed works as follows:

4.2.1 Proposed Works

The works proposed will include the construction of two large industrial buildings, known as Building 1 and Building 2. Both buildings are orientated to the parking area in the centre of the site and contain 6 and 4 tenancies respectively.

The proposed works includes:

Building 1 (eastern building):

- Building 1 is an irregular shaped concrete building proposed to occupy the eastern portion of the site, abutting the eastern side boundary and the northern (front) boundary.
- The building will include 6 industrial units numbered 01 to 06.
- Each industrial unit will comprise accessible amenities, a small kitchen area, an office and stairs at the ground floor level. Units also include a mezzanine level.
- All industrial units will feature reinforced concrete flooring and large openings with roller shutters for vehicle access and loading.
- The total GFA of Building 1 is 1,559m².
- The external walls will be painted pre-cast concrete panels and the roofing will be steel roof sheeting (Colourbond, in Surfmist).
- The western elevation of Building 1 includes roller doors, above awning signage identifying each tenancy and awning windows.
- The overall building dimensions are 57.3 metres along the eastern site boundary, 10.5 metres along the northern site boundary and 20.5 metres parallel to the rear boundary. The western elevation has a varied lengths with a stepped interface with the central parking area.

Building 2 (western building):

- Building 2 is rectangular shaped concrete building proposed to occupy the western portion of the site, abutting the western side boundary and the northern (front) boundary.
- The building will include 4 industrial units numbered 07 to 10.
- As per Building 1 each industrial unit will comprise accessible amenities, a small kitchen area, an office and stairs at the ground floor level. Units also include a mezzanine level.
- All industrial units will feature a reinforced concrete flooring and large openings with roller shutters for vehicle access and loading.

- The total GFA of Building 2 is 856m².
- The external walls will be painted pre-cast concrete panels (colour to be advised) and the roofing will be steel roof sheeting (Colourbond, in Surfmist).
- The eastern elevation of Building 1 includes roller doors, above awning signage identifying each tenancy and awning windows.
- The building dimensions include side walls of approximately 42 metres (including along the western site boundary) and end walls of approximately 13 metres (including along the northern / Boorowa frontage).

4.2.2 Proposed Gross Floor Area (GFA)

The proposed works will result the following GFA:

Gross Floor Area – GFA				
	<i>Unit</i>	<i>Ground Floor</i>	<i>Mezzanine</i>	<i>Total m²</i>
Building 1	Unit 1	146	92	234
	Unit 2	126	69	195
	Unit 3	136	77	217
	Unit 4	136	77	217
	Unit 5	136	77	217
	Unit 6	285	196	479
Building 1 GFA				1559
Building 2	Unit 7	167	124	291

Gross Floor Area – GFA				
	Unit 8	101	59	161
	Unit 9	101	59	161
	Unit 10	152	95	243
Building 2 GFA				856
Total GFA				2415
Site Coverage				71.7% (Site Area = 3364m ²)

The gross floor area has been calculated in accordance with the Hilltops Local Environmental Plan 2022 (HLEP 2022):

“Gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

(a) the area of a mezzanine, and

(b) habitable rooms in a basement or an attic, and

(c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes—

(d) any area for common vertical circulation, such as lifts and stairs, and

(e) any basement—

(i) storage, and

(ii) vehicular access, loading areas, garbage and services, and

(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and

(g) car parking to meet any requirements of the consent authority (including access to that car parking), and

(h) any space used for the loading or unloading of goods (including access to it), and

(i) terraces and balconies with outer walls less than 1.4 metres high, and

(j) voids above a floor at the level of a storey or storey above."

ground level (existing) means the existing level of a site at any point.

The calculable areas of GFA are shown on the plans included as **Annexure B**.

4.2.3 Proposed Use and Operation

This proposed development entails the use of the site for "general industry". The proposed industrial use is permissible within the E4 - General Industrial zone.

Building 1 and Building 2 will include 10 industrial units. The future industrial tenants are not known at this stage.

The proposed hours of operation will be as follows:

- Monday – Friday – 6.00am to 6.00pm
- Saturday – 8.00am to 6.00pm
- Sun – Closed.

The number of staff employed at the site is not certain given that the tenancies for the proposed industrial units are not known at this time.

4.2.4 Building Character, Height, Setbacks and Visual Impact

- The character and scale of the development proposed is consistent with surrounding development which includes a combination of bulky retail, industrial and commercial buildings.
- Buildings 1 and 2 will resemble typical industrial units in a strip configuration, orientated towards the centre of the site. The buildings will align both side boundaries and will be separated by the parking and landscaping area within the site centre.

-
- The buildings are articulated with glass entrance doors with windows above and awning windows above. Building 1 also features a stepped façade which adds visual interest and serves to reduce the building bulk.
 - The industrial units also feature a large roller door and above awning signage which adds further detail to the façade.
 - The maximum building height for Building 1 will be 7.8 metres from the existing finished floor level (FFL 419.35) to the building parapet (RL 427.15).
 - The maximum building height of Building 2 will be 7.8 metres, from the existing finished floor level (FFL 418.750) to the building parapet (RL 426.55).
 - The proposed maximum building height to both Building 1 and Building 2 will be in keeping with the building heights of the recent developments adjacent to the east of the site. The Bunnings building features a maximum building height of 8.3 metres and the Retail Tenancy building features a maximum building height of 6.5 metres.
 - The buildings will feature a skillion roof which will not be visible above the building parapet.
 - The development proposes zero setback to the east, west and northern boundaries and a 5 metres setback to the rear boundary. The setbacks proposed are a function of the centrally located parking area and access way as well as the design objective to maximise the rear setback to Burrongong Creek.
 - The proposed development will front Boorowa Street for the width (lesser dimension) of both buildings and accordingly will be prominent to the Boorowa Street frontage. As such articulation is included to reduce the appearance of building bulk and add visual interest. The stepped nature of the buildings, the proposed fenestration and roller doors will provide visual interest to the buildings as viewed from Boorowa Street.
 - The proposed central parking and landscaped area will ensure a generous setback between building 1 and building 2 and provide a sense of space on the site and as viewed from the street.
 - The proposed building heights will reflect the form and scale of development in the area, including the Bunnings building, the Retail tenancy building to the east and the industrial building to the west of the site.
 - The building itself will resemble a modern, concrete and flat roof structure with multiple industrial units, not dissimilar to multiple other industrial buildings nearby. The proposed building will improve the visual presentation of the site which has been cleared for some time and was previously occupied by an array of dilapidated sheds / buildings in need to repair.
 - Overall, the proposed visual impact of the building is consistent with the site location,

the site zoning and the site context.

4.2.5 Materials and Finishes

Building 1 and Building 2 will include the following materials and finishes:

- Both buildings will be constructed of pre-cast concrete panels, or tilt panels with a minimum wall thickness of 150mm.
- All concrete surfaces will be painted. The industrial unit frontages will be painted in alternate order, Dulux Monument (dark grey) and Dulux Manorburn (light to mid grey).
- The large building identification numbers above the canopy will be painted in Dulux Vivid White.
- The elevations presenting to the side boundaries will be painted in the light grey.
- The large roller doors will be Colourbond Shale Grey (mid grey tone).
- The eastern and western elevations of Buildings 2 and 1 respectively will also include large wall signage, externally illuminated (details below).
- The roofing type proposed is Colourbond in Surfmist, but will not be visible behind the building parapet.
- All windows and doors will be powder coated aluminium to match the building façade.
- Further details of the finishes proposed are included within the Architectural Elevations, refer **Annexure B (TB-04)**.

4.2.6 Site Landscaping

The proposed development will entail some site landscaping to complement the proposed building and soften the appearance of it from the street.

Indicative landscaping is shown by TB-01 (Overall Site Plan) within **Annexure B**.

The landscape concept includes softening the Boorowa Street frontage with trees and understorey planting and grassed verge areas. Redundant vehicle cross overs will be replaced with landscaping to match the frontage planting along Boorowa Street at the Bunnings site to the east.

Within the site scattered trees and understorey planting (including low bushes and grasses as specified in the Young DCP) are proposed within the central parking area

A row of medium sized trees are proposed in the 5 metre setback between the industrial buildings and the rear site boundary.

The following species are proposed within the landscape scheme:

- Trees - Crepe Myrtle
- Flowering Shrubs including - Indian Hawthorne, (Cosmic Pink and Cosmic White), Native Rosemary and Aussie Box;
- Native Grasses including - Lomandra, Dianella, Rhagodia; and
- Ground cover – spreading native rosemary.

The conceptual landscape scheme proposed is shown within the Overall Site Plan included within **Annexure B**.

4.2.7 Access and Parking

The proposal includes separate ingress and egress points at the Boorowa Street frontage, vehicle circulation area around the site and parking for 26 passenger vehicles.

The proposed spaces are located within the centre of the site along between Building 1 and Building 2 providing at grade access to all proposed industrial units. Ample on street, perpendicular parking is also available along Boorowa Street.

One of the on-site spaces proposed is accessible.

The surface of the parking area will be compacted aggregate / concrete and spaces will be marked to comply with the YDCP 2011.

All parking spaces proposed more than comply with the Australian Standard (AS) dimensions (adopted by the Young Development Control Plan 2011 (YDCP 2011) being a minimum of 2.5 metres by 5.4 metres. The proposed accessible space is adjacent to a no parking area to allow ample space for parking and opening of vehicle doors.

The site layout will enable large vehicles to manoeuvre around the site and enter and exit the industrial units for loading and unloading as needed. Traffic will move around the site in a clock-wise direction with ample room to manoeuvre given the minimum 6.6 metre width of the access way. The path of travel is demonstrated by the swept path shown on the site plan.

The proposed vehicular cross over will include painted markings to indicate separate entry and exit points and direction of traffic flow. In addition, all parking areas will be marked appropriately.

The proposed parking has been assessed relative to the YDCP 2011 and is included below

in Section 5.7.

4.2.8 Traffic Generation

The proposed works will generate additional traffic including passenger vehicles for staff and visitors and trucks for loading and unloading supplies.

Traffic to and from the site will be generated by the staff and additional visitors to the site. In addition, heavy vehicles accessing the site will contribute to generation of traffic to and from the site.

The anticipated traffic generated by this use will be in keeping with other retail and industrial uses nearby and will be in line with the industrial zoning of the site.

It should be noted that Boorowa Street is a NSW Classified Road (Regional) and therefore is able to accommodate the traffic volumes and loads as proposed.

4.2.9 Signage

Ten business identification signs are proposed fixed to the facade of Building 1 and Building 2 above the proposed awning windows. In addition, each industrial unit will feature a large painted unit number below the building parapet. A small site identification sign is also proposed at the entry of the site adjacent to the mail box wall.

All signage will be externally illuminated by down lights whilst the store is open.

The details of the signage proposed are shown by the plans TB-04, TB-05 and TB-06 within **Annexure B** and are as follows:

306 – 310 Boorowa Street – Proposed Signage				
Sign Number and Type (see plan)	Sign Content	Elevation / Location	Area (m ²)	Dimensions
Building 1 Signs 1 - 6 Fascia Sign External illumination	Unknown	West elevation, above awning windows.	7.2m ²	3.6m x 2m

306 – 310 Boorowa Street – Proposed Signage				
Sign Number and Type (see plan)	Sign Content	Elevation / Location	Area (m ²)	Dimensions
Building 2 Signs 07-10 Fascia Sign External Illumination	Unknown	Eastern elevation, above awning windows.	5.4m ²	3.6m x 1.5m
Painted building number signage Unit identifying numbers for units 01-10 Not illuminated	01-10	Below building parapet.		
Site Identification Signage Fixed image not illuminated	Industrial Units Identification Sign	Fixed to proposed low wall at site entry 10 proprietary letterboxes adjacent to signage.	2.04m ²	2.27m x .905m

The signs proposed are designed to identify the business and provide information, but not to attract attention from passing motorists on Boorowa Street.

The proposed signage is assessed relative to the State Environmental Planning Policy (Industry and Employment) 2021 below, refer Section 5.9.

4.2.10 Waste Management and Trade Waste

The proposal will generate waste during the construction phase and during operation.

Minor cut and fill only is proposed due to major earthworks being approved previously and now completed. Any resultant cut and fill will be reused on the site.

Construction waste will be taken off site to the Red Hill waste facility and recycled where possible.

Operational waste and recycling will be taken off site in 2 large 1100 litre bins each week (to be increased if required).

The proposed waste collection area will be located at the rear of Building 1, readily accessible to the waste collection vehicles which will enter the site and load waste directly.

The proposed management of the waste generated is detailed by the Waste Management Plan included as **Annexure C**.

4.2.11 Noise and Vibration

The proposed uses may generate some noise and vibration. The noise generated will be restricted to hours of operation and therefore limited in its impact to the residential area located to the south of the site. In addition, the orientation of the industrial units will minimise the potential for acoustic impacts to impact upon residential land uses.

Any acoustic impacts resulting from the proposed general industrial use will be consistent with the E4 zoning of the site and existing uses in the area.

4.2.12 Proximity to Waterfront Land

The site is located approximately 2 metres from the Burrangong Creek “river bed” (high side of the bank) at its closest point. The proposed development will be setback 5 metres from the site boundary and 7 metres from the Burrangong Creek “river bed” at its closest point.

This is within the 40 metres distance which defines “waterfront land” under the Water Management 2000 Act. The proximity of the proposed works to a water course requires approval from the NSW Department of Climate Change, Energy, the Environment and

Water in addition to consent from Hilltops Council. Accordingly, the subject application is an Integrated Development Application (as per section 4.46 of the Environmental and Planning and Assessment Act 1979 (refer detailed assessment below in Section 5.1).

The relationship of the site to Burrangong Creek is depicted on the Aerial Site View (Figure 1) above and the contour and flooding map by SRD Land Consultants (**Annexure A**).

5 Compliance with Planning Controls

The subject development proposal has been assessed in accordance with the following instruments and controls:

- Environmental Planning and Assessment Act 1979;
- The Water Management Act 2000;
- The Road Act 1993;
- Environmental Planning and Assessment Regulation 2021;
- Sustainable Buildings SEPP 2022;
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 2 Infrastructure;
- State Environmental Planning Policy (Industry and Employment) 2021;
- Young Local Environmental Plan 2022 (YLEP 2022)
- Young Development Control Plan 2011.

5.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 governs all environmental planning within NSW. The subject proposal has been evaluated in relation to the matters for consideration within Section 4.15 of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979).

5.1.1 Integrated Development

Under the EPA Act 1979 S4.46 the subject proposal constitutes an Integrated Development. In accordance with the EPA Act 1979 Integrated development is development (not being State significant development or complying development) that requires development consent and approval from another agency. Applications for Integrated Development must be assessed in accordance with the EPA Regulation 2000 (Division 3) including the time frame for assessment and advertising requirements.

In this case, approval is required under the Water Management Act 2000 (Section 89-91) for a “*controlled activity*” on waterfront land (land within 40 metres for the high side of the river bank). At its closest point the subject site is 2 metre from the high side of the closest

embankment and development will come within 7 metres of the Burrongong Creek river bed.

In addition, the site fronts Boorowa Street which is a Classified Road (a Regional Road) as per the NSW Road Network Classifications.

Under the Roads Act 1993 certain road works are defined as Integrated Development and therefore trigger referral to TfNSW. The provisions of Section 138 of the Road Act specify Integrated development including works which require *“the connection of a public or private road to a classified road”* (Section 138, 1, e)).

The site fronts Boorowa Street and proposes a connection to that road and therefore the provisions of Section 138 of the Roads Act 1993 require concurrence from TfNSW.

As the application is for an Integrated Development under the Water Management Act 2000 and the Roads Act 1993 the application will need to be referred to NSW Department of Climate Change, Energy, the Environment and Water for approval and TfNSW.

5.2 Water Management Act 2000

The subject site adjoins a steep gully to the south adjoining Burrangong Creek, the main watercourse in the Young area.

Under Section 91 (2), the Water Management Act requires approval for a *“controlled activity”* on or under waterfront land. Waterfront land refers to land within 40 metres of the *“bed of any river”*. The proposed industrial buildings will occur within this zone and therefore the proposed work will constitute a controlled activity in accordance with the Water Management Act.

Accordingly, the subject application is an Integrated Development Application (IDA) as discussed above.

5.3 Roads Act 1993

The provisions of Section 138 of the Roads Act 1993 apply to the proposal as a direct connection is proposed from the site to a Classified Road (Boorowa Street). Accordingly, the development is an Integrated Development under the provisions of the Roads Act 1993 (refer above Section 5.1).

5.4 Environmental Planning and Assessment Regulation 2021

The Environmental Planning and Assessment Regulation 2021 (EPA Regulation) supports

the Environmental Planning and Assessment Act 1979 and contains detailed provisions pertaining to planning assessment in NSW.

In respect of “Designated Development”, the EPA Regulations are required to be considered as per Clause 4.10 of the EPA Act 1979.

Clause 7 of the EPA Regulation 2021 requires consideration of Schedule 3, as follows:

“7 Designated development—the Act, s 4.10

(1) Development described in Schedule 3, Part 2 is declared to be designated development unless it is not designated development under Schedule 3, Part 3.”

The proposed use of the site for General Industry does not constitute Designated Development in keeping with Schedule 3.

5.5 Sustainable Buildings 2022 SEPP

The State Environmental Planning Policy (Sustainable Buildings SEPP) 2022 came into effect on the 1st October 2023.

The new SEPP includes sustainable criteria for the development of non-residential developments.

The provisions apply to all new non-residential development as follows:

“3.1 Application of Chapter

(1) This Chapter applies to development, other than development for the purposes of residential accommodation, that involves—

(a) the erection of a new building, if the development has an estimated development cost of \$5 million or more, or

(b) alterations, enlargement or extension of an existing building, if the development has an estimated development cost of \$10 million or more.”

The proposed cost of works will be \$2,745,000 and therefore under the \$5,000,000 threshold. Accordingly, no BASIX report or Building Sustainability report is required for this application.

5.6 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The State Environmental Planning Policy (Exempt and Complying Development Codes)

2008 (Exempt and Complying SEPP 2008) applies to certain development within NSW which are classified as exempt or complying development. Exempt Development includes low impact development which does not require consent and complying development includes straight forward development which can be determined through a fast-track assessment by a council or an accredited certifier.

The proposed works are not exempt or complying development as per the code and accordingly consent is sought.

5.7 State Environmental Planning Policy (Resilience and Hazards) 2021

5.7.1 Remediation of Land – Chapter 4

Chapter 4 of the Resilience and Hazards SEPP 2021 applies to the site and *“aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment”* (Clause 2).

There is no historical evidence of contamination on the site which has a long history as a retail operator and not a manufacturer.

5.8 State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 2 Infrastructure

5.8.1 Chapter 2 - Infrastructure

Chapter 2 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 applies to all development within NSW which affects the provision or existence of infrastructure, including electricity networks and roads and traffic.

The proposal includes the connection to the existing power line located to the north of the site. Within the SEPP (Infrastructure) some changes to electricity transmission or distribution networks require consent. The proposed connection however will not require development consent under Clause 2.44.

Boorowa Street is a classified road (regional road) as defined by Transport for NSW (TfNSW).

Subdivision 2 of Division 17 (Roads and Traffic) 2.119 (development with frontage to classified road) refers to development in or adjacent to road corridors, specifically works adjacent to Classified Roads.

The development has frontage to a Classified Road and therefore the subject DA is required to be referred to TfNSW under Clause 2.119.

Clause 2.122 and Schedule 3 of the SEPP (Traffic-generating development to be referred to TfNSW-Chapter 2) states that Industry, with access to a classified road generally is Traffic Generating Development if the site area is:

“5,000m² in site area or (if the site area is less than the gross floor area) gross floor area”.

The subject site has an area of 3,364m² which is below the threshold and accordingly, the proposed works are not for Traffic Generating Development.

In this instance although the development will not constitute a traffic generating the development it is still required to be referred to TfNSW as the site fronts a classified road.

5.9 State Environmental Planning Policy (Industry and Employment) 2021

5.9.1 Chapter 3 – Advertising and Signage

Chapter 3 of the State Environmental Planning Policy (Industry and Employment) 2021 applies to Advertising and Signage.

The proposal includes signage but does not include any advertising structures. The proposed signage is also detailed in Section 4.2.9 of this report.

In relation to signage the Industry and Employment SEPP applies to signage that:

“3.4 1) (a) can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and

(b) is visible from any public place or public reserve.”

In accordance with Clause 3.6 of the SEPP, the proposal must be assessed against the objectives of the policy and the assessment criteria contained in Schedule 5.

The relevant aims of the Industry and Employment SEPP include:

“3.1 (1)

(a) to ensure that signage (including advertising):

(i) is compatible with the desired amenity and visual character of an area, and

(ii) provides effective communication in suitable locations, and

(iii) is of high quality design and finish, and

(b) to regulate signage (but not content) under Part 4 of the Act, and

(c) to provide time-limited consents for the display of certain advertisements, and

-
- (d) to regulate the display of advertisements in transport corridors, and*
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.”*

The aims of the Industry and Employment SEEP are seen to be satisfied through the compliance with the Schedule 5 criteria as addressed below:

1. *Character of the Area*

Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?

Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

The signage proposed is business identification signage and is compatible with the design of the building and the nature of the proposed use of the site.

2. *Special Areas*

Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

The site is not within the vicinity of a heritage or conservation area however is near environmentally sensitive land including Riparian Land and a Flood Planning Area.

In addition, the site is proximate to a residential area to the south (at a distance of approx.140 metres approx.) and is adjacent to RE1 land (Public Recreation) to the south.

The proposed signage is appropriate to the building and surrounding area. The signage proposed will be orientated to Boorowa Street, or to the centre of the site and will not generate light spill or visual intrusion to the residential area or public recreation area to the south and west. Accordingly, and will not detract from any Special Areas.

3. *Views and Vistas*

Does the proposal obscure or compromise important views?

Does the proposal dominate the skyline and reduce the quality of vistas?

Does the proposal respect the viewing rights of other advertisers?

The proposed signage will not lead to any lessening of existing views and vistas from the public domain.

4. *Streetscape, Setting and Landscape*

Is the scale, proportion and form of the proposal appropriate for the streetscape,

setting or landscape?

Does the proposal contribute to the visual interest of the streetscape, setting or landscape?

Does the proposal reduce clutter by rationalising and simplifying existing advertising?

Does the proposal screen unsightliness?

Does the proposal protrude above buildings, structures or tree canopies in the area or locality?

Does the proposal require ongoing vegetation management?

The proposal includes 10 wall mounted signs and 1 small, freestanding sign at the site entrance

The scale and form of all building fascia signs proposed is appropriate to the streetscape and consistent with the other business identification signs within the General Industrial (E4) zone. These signs will be wall mounted and therefore setback from street.

The proposed site identification sign will be located near the site entrance and will be visible from Boorowa Street but not obtrusive to the street.

None of the signs proposed will be dominant to vehicles passing on Boorowa Street.

5. *Site and Building*

Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?

Does the proposal respect important features of the site or building, or both?

Does the proposal show innovation and imagination in its relationship to the site or building, or both?

The proposed signage will be consistent with the proposed building form and use of the site.

6. *Associated devices and logos with advertisements and advertising structures*

N/A

7. *Illumination*

Would illumination result in unacceptable glare?

Would illumination affect safety for pedestrians, vehicles or aircraft?

Would illumination detract from the amenity of any residence or other form of

accommodation?

Can the intensity of the illumination be adjusted, if necessary?

Is the illumination subject to a curfew?

All of the 10 proposed wall mounted business identification signs will be static signs that will be lit by down lights fixed to the building above the signs. No signs will include flashing lights or moving components which would be highly visible or distracting to traffic on Boorowa Street.

The wall signage proposed will be illuminated during business hours only.

8. Safety

Would the proposal reduce the safety for any public road?

Would the proposal reduce the safety for pedestrians or bicyclists?

Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

The proposed signage will be designed and constructed to relevant standards and will not reduce road safety.

5.10 Young Local Environmental Plan 2022 (YLEP 2022)

The new Hilltops Local Environmental Plan 2022 (Hilltops LEP) came into effect on Wednesday 1 February 2023. The Hilltops LEP was necessitated by a Council amalgamation in recent years and provides one consistent LEP covering the entire Hilltops Local Government Area. The Hilltops LEP 2022 replaces the Young LEP 2010, Boorowa LEP 2012 and Harden LEP 2011.

The Hilltops LEP establishes the land use applicable to the site and surrounds.

Hilltops Council is the consent authority for the subject land.

5.10.1 Zoning

In keeping with Clause 2.1 of the YLEP 2010 the site lies within the General Industrial zone (E4). In this zone the **“general industries”** are permissible and therefore the subject proposal would be permissible with consent.

The definition of **“general industry”** is:

“general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

Note— General industries are a type of industry—see the definition of that term in this Dictionary.”

and

“industry means any of the following—

(a) general industry,

(b) heavy industry,

(c) light industry,

but does not include—

(d) rural industry, or

(e) extractive industry, or

(f) mining.”

The proposed use of the site is for general industry (not being light industry or heavy industry) but the specific nature of each tenancy is not yet known.

The zoning of the site and the zoning regime of nearby land is shown by **Figure 5, Zoning Plan** below.

Within the Land Use Table, the objectives of the E4 zone are as follows:

- *“To provide a wide range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *To provide fully serviced industrial lots linked to town water and sewer networks.”*

The proposal will be consistent with the objectives of the zone as it will provide a variety of general industrial uses which will enable the efficient use of the land for industry without adverse impact on other land uses and will facilitate additional employment. The proposal will enable the development of a dormant industrial site and provide multitude industrial units which will satisfy the current shortfall in industrial sites within the Hilltops locality.

Figure 5 – Zoning Plan



5.10.2 Development Standards and Special Provisions

An assessment of the following relevant development standards and provisions follow:

Compliance Table for Hilltops LEP 2022			
Clause	Requirement	Complies	Note
2.6 Subdivision – Consent Requirements	The subdivision of land requires development consent (unless so specified in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development).	Yes	No additional subdivision is proposed.
2.7 Demolition	The demolition of a building or work may be carried out only with development consent (unless so specified in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development).	Yes	No demolition is required as part of this proposal.
3.1 Exempt Development	Exempt development permits development without the need for development consent.	Yes	The subject development is not exempt and therefore consent is required from Hilltops Council.
4.1 Minimum Lot Size	The size of any lot resulting from a subdivision of land must not be less than the minimum size shown on the Lot Size Map.	Yes	No minimum lot size applies to the site.
5.10 Heritage Conservation	A heritage assessment is required for sites identified as heritage items or within a conservation zone as depicted by the Heritage Map.	Yes	No heritage assessment is required as the site is not within a Conservation zone and is not within the vicinity of a heritage item.

Compliance Table for Hilltops LEP 2022			
Clause	Requirement	Complies	Note
5.21 Flood Planning	<p>Development on land that the consent authority considers to be within the flood planning area must:</p> <ul style="list-style-type: none"> (a) be compatible with the flood function and behaviour on the land (b) not adversely affect flood behaviour in regard to other development or properties (c) not adversely affect the safe occupation and evacuation of people or evacuation routes in the event of a flood (d) incorporate appropriate measures to manage risk to life in the event of a flood, and (e) not adversely affect the environment or cause erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. 	Yes	<p>The site is located within a “high hazard flooding area” as shown by the Young Floodplain Risk Management Study and Plan.</p> <p>Accordingly, a detailed contour and flood analysis is provided with the survey plan of the site (Annexure A).</p> <p>Minimum floor levels have been determined by applying a 0.5m freeboard above the maximum depth of inundation as provided in Figure D3.1 in The Town of Young Floodplain Risk Management Study and Plan.</p> <p>The minimum floor level determined for the eastern portion of the site is 419.3. Building 1 proposed in that location includes a FFL of 419.35 and therefore satisfies the floor criteria.</p> <p>The minimum floor level determined for the western portion of the site is 418.7. Building 2 proposed in that location includes a FFL of 418.75 and therefore satisfies the floor criteria.</p> <p>In addition, Buildings 1 and 2 are setback 5 metres from the rear site boundary which interfaces with Burrangong Creek.</p> <p>As the proposal satisfies the flood criteria requiring 0.5m freeboard above maximum inundation depth the development standards within Clause 5.1 will be satisfied.</p>
6.1 Earthworks	<p>Consent is required for earthworks which are not exempt.</p> <p>Refer Note 1.</p>	Yes	<p>The site has recently undergone major earthworks as part of the previous DA for earthworks and subdivision and therefore only minor additional earthworks are required.</p>

Compliance Table for Hilltops LEP 2022			
Clause	Requirement	Complies	Note
6.2 Essential Services	<p>Development consent must not be granted to development unless the following essential services are available:</p> <p>(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable road access.</p>	Yes	Power, electricity, sewerage, water and Telstra cabling are all available to the site at the Boorowa Street frontage as shown by the Survey Plan (Annexure A).
6.3 Terrestrial Biodiversity	<p>This clause applies to areas shown on the Terrestrial Biodiversity Map.</p> <p>These areas apply to areas of sensitive native fauna and flora and / or ecological processes which should be protected and should allow for recovery of these habitats.</p>	Yes	The site is not located within any area Environmentally Sensitive Land as defined by the Terrestrial Biodiversity Map
6.4 Riparian Land and Watercourses	<p>This clause applies to land identified as Riparian Land and Watercourse on the Riparian Land and Watercourses Map.</p> <p>The objective of this clause is to maintain the hydrological functions of riparian land, waterways, and aquifers, including by protecting the following—</p> <p>(a) water quality, (c) natural water flows, (b) the stability of the bed and banks of waterways and groundwater</p>	Yes	<p>The southern third of the site is within the Burrangong Creek riparian corridor.</p> <p>Accordingly the site design has included a generous setback from the southern site boundary (5 metres) and landscaping along that boundary to provide stability to creek bank and protect the water quality when the creek flows.</p>

Compliance Table for Hilltops LEP 2022			
Clause	Requirement	Complies	Note
6.5 Groundwater Vulnerability	<p>This clause applies to land identified as “<i>Groundwater vulnerable</i>” on the Groundwater Vulnerability Map.</p> <p>Development of the groundwater vulnerable land must consider the following:</p> <p>(a) the likelihood of groundwater contamination from the development, including from on-site storage or disposal of solid or liquid waste and chemicals,</p> <p>(b) adverse impacts the development may have on groundwater dependent ecosystems,</p> <p>(c) the cumulative impact the development may have on groundwater, including impacts on nearby groundwater extraction for a potable water supply or stock water supply,</p> <p>(d) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	Yes	The site is not within an area of Groundwater Vulnerability as shown by the map.
6.6 Salinity	<p>This clause applies to land identified as “Saline land” on the Salinity Map.</p> <p>The intention of the clause is to the appropriate management of land subject to salinity, and the mitigation of adverse impacts that contributes to salinity.</p>	Yes	The site is not located within the saline land area as defined by the map.
6.7 Highly Erodible Soils	<p>This clause applies to land identified as “High Soil Erodibility” on the Highly Erodible Soils Map.</p> <p>The objective of this clause is to provide for the appropriate management of land that has highly erodible soils or has the potential to be affected by the process of soil erosion.</p>	Yes	The site is not affected by high soil erodibility as shown by the map.

Compliance Table for Hilltops LEP 2022			
Clause	Requirement	Complies	Note
6.8 Drinking Water Catchments	<p>This clause applies to land identified as Drinking water catchment on the Drinking Water Catchment Map.</p> <p>The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.</p>	Yes	The site is not within a drinking catchment area as shown by the map.

Note 1: Earth works are exempt under subdivision 15 of the Exempt Development Code if located at least 900mm from each site boundary and if not requiring cut or fill more than 600mm below or above ground level (existing).

5.11 Young Development Control Plan 2011 (YDCP 2011)

An assessment of the proposal has been undertaken in accordance with the key planning policy and controls affecting the site included within the Young DCP 2011.

The relevant controls and guidelines within the YDCP 2011 are assessed as follow:

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
Chapter 2 – Zone Based Controls			
2.9 Industrial Development	<p>The objective of the industrial development controls is to ensure that <i>“a) industrial allotments function effectively for industrial purposes, and b) To improve the appearance of industrial areas when viewed from a public place.</i></p> <p>The subject proposal is an industrial development and therefore the controls within Part 2.9 apply.</p>		
	<p>Servicing:</p> <p>All industrial allotments to be serviced by underground electricity, water, sewer and telecommunications in accordance with the relevant authorities’ requirements and relevant Australian Standards;</p> <p>Development to provide a rainwater tank to amenities;</p> <p>Developments comply with Council’s trade waste policy.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed industrial development has access to all services at the Boorowa Street frontage and connections will be in consultation with the relevant authorities.</p> <p>Proposal can comply, details to be shown the stormwater management plan to follow.</p> <p>The specific nature of the tenancies is not yet known. However, if liquid trade waste is proposed by the individual tenancies then Councils trade waste policy can be addressed at that time.</p>

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
	<p>Access and Parking:</p> <p>Access aisles, manoeuvring areas and parking should be in accordance with Council's Engineering Guidelines for Subdivision and Development.</p>	Yes	Access and maneuvering areas designed in accordance with Councils Guidelines.
	<p>Access driveways within the road reserve to be constructed of concrete;</p> <p>Kerb and guttering and footpath to be provided to all road frontages of the development;</p> <p>Customer / visitor parking to be clearly signed and located at the primary street frontage.</p> <p>Vehicle access and egress is to be in a forward direction.</p> <p>A clearly identified point of customer/visitor entry is provided;</p> <p>Appropriate separation is provided between customers / visitors and the operational areas of the site.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Driveway to be concrete.</p> <p>Kerb and guttering to be provided to Boorowa St frontage. Details within Construction Certificate.</p> <p>Sign can be provided.</p> <p>Vehicles will move around the site in a clock wise direction and therefore will enter and leave the site in a forward direction.</p> <p>Sign can be provided at the site entrance.</p> <p>Customer and visitor parking is proposed at within the centre of the site in between Building 1 and building 2.</p> <p>The operational areas of the site will be within the industrial units as roller doors are proposed for access.</p> <p>he building frontage, near the office component of the building and separate to the warehouse.</p>

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
	<p>Setbacks:</p> <p>Minimum front setback of 15 m (from a classified road frontage) and a setback of at least 6 m is provided from any other road.</p>	Yes / No	<p>Boorowa Road is a classified road (regional road) as defined by TfNSW.</p> <p>Buildings 1 and 2 proposed will have no front setback to Boorowa Street, but will be setback over 5 metres from the Boorowa Street road reserve due to the generous verge area.</p> <p>The zero front setback proposed is in keeping with the setback patterns established by the adjacent building to the east and west of the site.</p> <p>The setback of the adjacent buildings is shown on the overall site plan included in Annexure B.</p>
	Minimum setback to rear and side boundaries of at least 5 m (unless the building is constructed to the boundary).	Yes	<p>The proposed building will be setback 5 metres from the southern rear boundary.</p> <p>The proposal includes zero setback from the eastern and western side boundaries. This is in order to maximise the area within the site for parking and landscaping area and to reduce the building mass and bulk by proposing 2 less bulky buildings.</p>
	<p>Noise and Vibration:</p> <p>Building design and machinery to minimise any noise emissions and If possible, locate machinery within buildings or other acoustic treatment structures;</p>	Yes	Any industrial machinery to be utilized will be located within the units and will not result in unreasonable increase to noise emissions.

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
	<p>Openings to the building which are usually open during operations should be directed away from sensitive receivers such as residential housing; and</p> <p>Building design and machinery installation to prevent vibration transmission to adjoining properties or public areas.</p>	Yes	<p>Openings to the industrial units are orientated towards the centre of the site.</p> <p>The closest sensitive land use is the General Residential area (R1 zone) which is located approximately 40 metres to the south of the site. However, the nearest residential development is at least 140 metres from the site (being dwellings located on Mackenzie Street).</p> <p>The nature of the development being industrial units and the location of the closest residential development means that residential amenity will not be detrimentally impacted.</p> <p>Any additional noise that will result from the use of the site will be well within the expectations of the Industrial zone.</p>
	The operating noise level of plant and equipment should not exceed 5dBA above the background noise level when measured from the property boundary.	Yes	The noise emissions will be entirely in keeping with the industrial nature of the area and will not result in more than 5dBA above the background noise at the property boundary.
	<p>General Design:</p> <p>Offices and/or customer areas and/or staff facilities to be located to address the primary road frontage and to be located in a part of the building that does not exceed one storey in height.</p>	Yes / No	<p>Office and staff area address the centre of the site.</p> <p>The office area will be located at the ground floor level of each unit.</p>

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
	<p><i>Façade Treatment:</i></p> <p>The front façade of the building to be constructed from:</p> <ul style="list-style-type: none"> - face brick, decorative masonry block; or timber pre-coloured metal cladding, and glazing with at least 30% of brick or masonry block. <p>Other types of material can be considered depending on character of streetscape.</p>	Yes	<p>The façade treatment of building 1 and building 2 will be painted concrete panels, featuring glass window and door openings and a roller door. The building character proposed is consistent with the retail tenancy building adjacent to the east and the Bunnings building.</p> <p>Refer front elevation in Annexure B and discussion above in Section 4.2.5 in reference to Materials and Finishes.</p>
	<p><i>Landscaping and Fencing:</i></p> <p>Landscaping to be selected from schedule of tree species.</p> <p>Landscaping to be provided to the primary street frontage(s) and to occupy 20% of the front building setback;</p> <p>Vegetation to be planted should be a mixture of semi-mature species and seedlings/tube stock;</p> <p>Canopy trees to be provided on properties located on classified roads between the front boundary and the building line;</p> <p>Fencing to be of a uniform colour and material along all common boundaries; and</p> <p>Solid fencing should be no more than 1.8m above ground level;</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes / No</p>	<p>Landscaping species selected from Schedule.</p> <p>Landscaping proposed along the Boorowa Street frontage.</p> <p>Can comply.</p> <p>Can comply.</p> <p>Fencing details not finalised at this stage but can be provided before CC.</p>

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
	Maximum fence height of 2.4m; and Fencing to a street or other public place is of open and durable construction.		
	Signage: Signage to be located to show business names but without detracting from the appearance of the area or causing issues for adjoining properties, road users, or others in the surrounding area.	Yes	A low, freestanding sign is proposed near the site entrance and building identification signs are proposed on the building façade. Signs will not present a distraction or detract from appearance. Refer detailed discussion 4.2.5 and 5.8.
Chapter 4 – Specific Provisions			
4.1 Car Parking and Vehicle Access	Car parking rates are to be provided as follows: Industries) - <ul style="list-style-type: none"> 1 space per 2 staff employed; or 1 space per 100m² of gross leasable area (GLA) The total staff numbers are not yet known. Therefore, parking rates are calculated based on the building GFA. The total GFA proposed is 2415m ² . Therefore, the Therefore, the total requirement would be for no more than 24 spaces. <i>Note: the calculation has been provided for GFA, GLA is less than GFA and therefore parking rates based on GFA provide a maximum rate.</i>	Yes	A total of 26 parking spaces are proposed including 1 accessible space. This complies with the minimum requirement for 24 spaces.

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
4.2 General Provisions for Carparking Areas	Car parking to be provided on the site of the development.	Yes	Onsite parking proposed.
	Parking spaces to be indicated by lines;	Yes	Spaces will be marked.
	90- and 60-degree parking car spaces should have the following minimum dimensions: <ul style="list-style-type: none"> • 5.4m x 2.5 - 2.7m; and • aisle width of 5.8 for 90 degree parking and 4.6 for 60 degree parking. 	Yes	Spaces comply. <i>Note: access discussed in detail in Section 4.2.7 above.</i>
	Car parking areas to comply with Australian Standard AS2890;	Yes	Parking areas designed in accordance with AS.
	Pedestrian access within car parking area to be separated from vehicular traffic;	Yes / No	Pedestrian access provided to unit 1 and unit 7 via the existing footpath at the stie frontage. Otherwise pedestrian access from the car park will be across the vehicle circulation area.
	Separation of entry and exits points;	Yes	Pedestrian priority zone can be included if necessary. Separation proposed.

Compliance Table for Young DCP 2011			
Clause	Control	Complies	Notes
	Entry to and exit from the site to be in a forward direction;	Yes	Vehicles will enter and exit the site in forward direction.
	Holding areas have a maximum grade of 5% for a minimum distance of 6 metres behind the road boundary;	Yes / No	The site will be level.
	All car parking areas to be sealed, graded and drained;	Yes	Parking and access area will be sealed and drained.
	The maximum acceptable grade for sloping parking (including access aisles) is 10%.	Yes	N/A
	For driveway types and the design of access points refer to Tables 4.2, 4.3 and 4.4 in the YDCP.	Yes	Can comply. Details to be provided at CC stage.

6 Matters for Consideration

The proposed development has been assessed in accordance with the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as summarised below.

(a)(i) Any environmental planning instrument

The proposed development is permissible with consent under the provisions of the YLEP 2022. The proposal complies with all the relevant planning provisions within the YLEP 2022 as outlined in Part 5.6 above.

(a)(iii) Any development control plan

The proposal has been assessed in accordance with the Young DCP 2011 and shown to substantially comply.

(a)(iia) 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.

None relevant to this proposal.

(a)(iv) The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

The Environmental Planning and Assessment Regulation 2021 has been considered above in Section 5.4, in relation to Schedule 3 to confirm that the development is not Designated Development.

(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

The likely environmental impacts have been addressed in Part 5 above.

(c) The suitability of the site for the development

The proposal is suitable for the site as demonstrated above in relation to part 5 above, assessment of planning controls.

(d) Any submission made in accordance with this Act or the regulations

No submissions have been made at this stage.

(e) The public interest

The proposal will be in the public interest.

7 Summary and Conclusion

The proposal is for the development of 10 industrial units for use as “General Industry” on the site known as 306-310 Boorowa Street, Young. The proposed use is permissible with the E4 (General Industrial) zone and is supported by the zone objectives.

The development constitutes an Integrated Development due to its location adjacent to the Burrongong Creek to the south and its frontage to Boorowa Street to the north, which is a classified road.

The proposed development has been thoughtfully designed to address the provisions within the Young LEP 2022 and the Young DCP 2011.

The proposed finished floor level is above the 0.5m freeboard recommended for “high hazard” flood sites and the setback of the industrial buildings from the rear boundary, and the open nature of the centre of the site, respects the Riparian Corridor which affects the southern third of the site.

In addition, the site configuration which orientates all units toward the centre of the site enables the parking rate (established by the YDCP 2011) to be satisfied, whilst minimising any potential acoustic issues.

The landscape concept is in keeping with the provisions within the YDCP 2011 providing a landscaped front setback, planting throughout the site and a rear landscape buffer interfacing with the RE1 (Public Recreation) one. The proposed signage will appropriately identify the businesses on site and will not detract from the amenity of the location.

Whilst the front setback proposed will not comply with the 15 metres requirement within the YDCP 2011 the setback is consistent with the established pattern and strict adherence with this control would result a sub-optimum development outcome. The minimal side setbacks proposed are necessary to meet the on-site parking requirements and will be beneficial to the presentation of the building to the street by reducing the building bulk and mass.

The proposal has been assessed and the key findings arising from this assessment are summarised below:

- The proposal will be permissible within the General Industrial zone (E4) under Clause 2.1 of the YLEP 2022;
- The proposal is fully compliant with the YLEP 2022;
- The proposal will substantially satisfy the development controls within the YDCP 2011; and
- The proposal will not detract from or negatively impact upon the Riparian and

Sensitive Land areas located on and adjacent to the site.

Ultimately, this proposal is for the development of the land in keeping with the Industrial and commercial nature of this location. The development will complement the recent development of the Bunnings Warehouse and the retail tenancy building adjacent to the east and will support the growth of Young as a regional centre by providing ongoing opportunities for employment and attracting new business to the town.

Based on the above, the proposed development is appropriate and suitable for the site.

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