



DEVELOPMENT APPLICATION

Staged Development of a Home Makers Centre
(15 Specialised Retail Premises), Gymnasium and
Torrens Title Subdivision (1 Lot into 4) & new
road

Statement of Environmental Effects

SITE Lot 1 DP1228883, 202 Bushland Drive, Taree

BY AJA Developments Pty Ltd

DATE May 2025

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Revision Schedule

Revision Number	Date	Description	Staff
A	17 April 2025	Draft, Issued to client	TS
B	12 May 2025	Updated Draft, issued to client	TS
C	30 May 2025	Final, issue to Portal	TS

Disclaimer

This report was prepared in accordance with the scope of works set out in the contract between King & Campbell Pty Ltd and the Client. To the best of King & Campbell Pty Ltd's knowledge, the proposal presented herein accurately reflects the Client's intentions when the report was printed. However, it is recognised that conditions of approval at time of consent, post development application modification of the proposals design, and the influence of unanticipated future events may modify the outcomes described in this report.

King & Campbell Pty Ltd used information and documentation provided by external persons, companies and authorities. Whilst checks were completed by King & Campbell Pty Ltd to ensure that this information and/or documentation was accurate, it has been taken on good faith and has not been independently verified. It is therefore advised that all information and conclusions presented in this report apply to the subject land at the time of assessment, and the subject proposal only.

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Section 1

Purpose of Proposed Development & Site Description

1.1 Purpose of Proposed Development

This Statement of Environmental Effects (SoEE) has been prepared on behalf of AJA Developments Pty Ltd for the purposes of seeking the staged development consent for a Home Makers Centre consisting of 15 Specialised Retail Premises, Gymnasium, 492 parking spaces, new entry road, Torrens Title subdivision (1 lot into 4), vacant industrial allotment, a drainage basin (public reserve) and business identification signage upon Lot 1 DP1228883, 202 Bushland Drive, Taree (Site).

A detailed description of the Development is provided in Section 3.

The Site has previously been granted development consent for a staged subdivision of industrial land to create 12 Torrens Title industrial allotments including an access road and removal of all vegetation within the Site under DA2023/0800 (PAN-364013). A Controlled Activity Approval relating to this application has been granted by Department of Planning and Environment – Water (refer CAA-2025-10058) with clearing works occurring within the Site.

This statement demonstrates that the proposed development is consistent with the relevant provisions of the applicable environmental planning instruments including the Greater Taree Local Environmental Plan 2013 and the Greater Taree Development Control Plan 2010.

1.2 Site Description

The site, being Lot 1 DP1228883, 202 Bushland Drive (Appendix A), Taree, has an area of 8.65ha, is irregular in shape (almost triangular), with the southern boundary adjoining the North Coast Railway as it curves southward (from west to east) towards the Taree Town Centre. The Site from the southern boundary tapers inwards (narrowing) towards the northern boundary adjacent Bushland Drive. The western boundary is adjacent to Bunnings and other vacant employment lands. The eastern boundary is in part, adjacent to industrial development to the south, and for the northern part adjacent to a public reserve that separates the Site from Grey Gum Road and residential development.

Figure 1 provides an image of the Site in context to its broader surrounds, whilst Figure 2 provides a detailed aerial view of the Site.

The Site is not currently occupied. The Site, however, contains dilapidated workshop and depot buildings formerly used by Rail Corporation NSW (Railcorp), as discussed in Section 1.3 of this SoEE.

As outlined above, the Site has recently been cleared. Refer to Figure 3.

A survey of the Site, completed by Craig and Rhodes, is included in full at Appendix B. The survey confirms that the Site generally has an easterly aspect with high points on the northern, western and southern boundaries; with a low point on the eastern boundary grading from approx. RL 22.76m AHD in the southwest corner down to approx. 13.9m AHD in the mapped water course on the eastern boundary, providing a cross fall of approximately 3%.

Necessary essential services, including, water, sewer, electricity and telecommunications are available to the site.



Figure 1 - Location of Site (Blue Arrow) in broader context (Source: Nearmap)

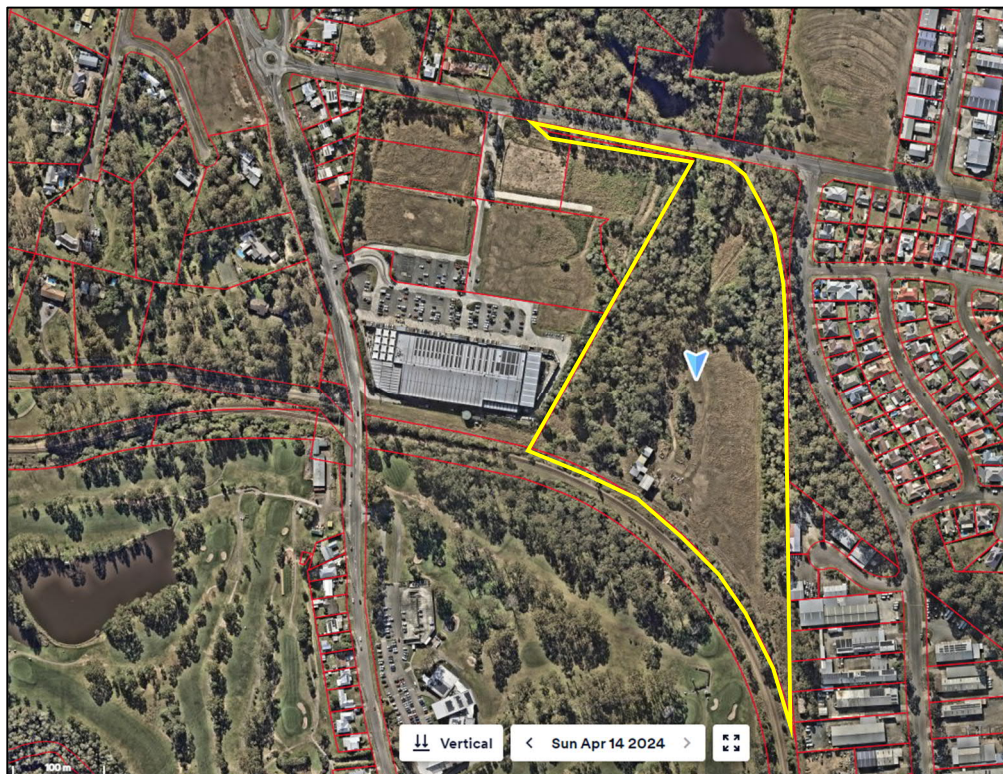


Figure 2 - Aerial image of Site (yellow outline) (Source: Nearmap)



Figure 3 - Aerial image of the Site.

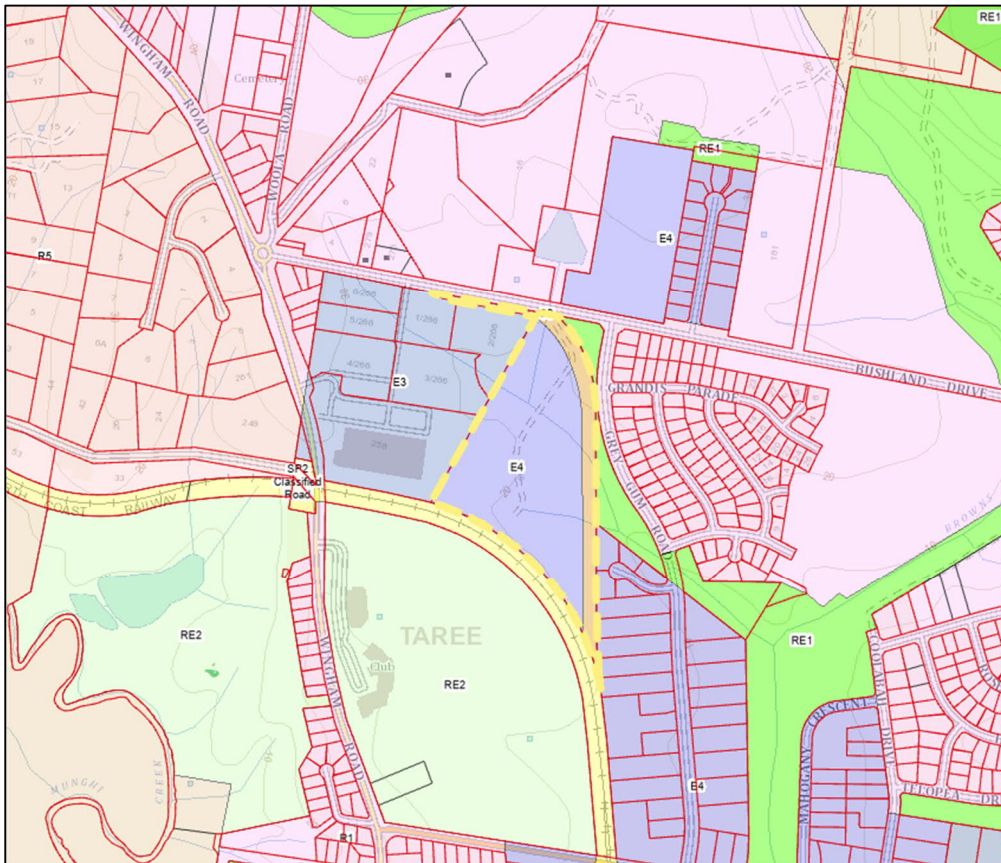


Figure 4 - Land Use Zone Map (Source: ePlanning Spatial Viewer)

1.2 Permissibility

As detailed in Figure 4, the Site contains the following land use zones under the Greater Taree Local Environmental Plan 2010 (GT LEP) as follows:

- Lot 1/DP1228883 – in most part E4 General Industrial; and part C2 Environmental Conservation for 25m (approx.) width along the eastern boundary, and
- Lot 1/DP430627 – E3 Productivity Support, fronting Bushland Drive.

No works associated with this application are sought within the C2 Environmental Conservation or E3 Productivity Support zones.

Other development standards under GT LEP, including Floor Space Ratio (FSR), Height of Buildings (HOB) and Minimum Lot Size (MLS) are all unspecified, except for the C2 zoned land which has a MLS of 40ha.

Subdivision is permitted within the E4 General Industrial zone and C2 Environmental Conservation zones by virtue of Clause 2.6 of the GT LEP. Nevertheless, the E4 General Industrial zone has the following objectives:

- To provide a 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 encourage innovation and sustainability in industry.

Specialised Retail Premises, as defined below, are also permitted with consent in the E4 General Industrial Zone.

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note— Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

Specialised retail premises are a type of retail premises—see the definition of that term in this Dictionary.

The C2 Environmental Zone has the following objectives:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

Similar to that granted under DA 2023/0800, the proposal seeks to dedicate the C2 zoned portion of the Site to Council. A Vegetation Management Plan (VMP) has been prepared for this purpose and is discussed further under Section 3.10.8.

1.3 Background and History of the Site

The Site was historically owned by the Rail Corporation of NSW (Railcorp) whom utilised the land as a Maintenance Workshop and Depot from circa 1977 to 2012. Railcorp disposed of the Site via private sale on 30 November 2021¹. Figure 5 provides an aerial image of the Site from Railcorp's early use (1991), with Figure 6 detailing the Sites use by Railcorp in September 2011.

On 11 November 2024 Council granted development consent under DA2023/0800 to works within the site including:

- New access road (13m wide formed section inside 23m wide reservation) and new intersection and works within Bushland Drive which included new line marking for BAR treatment,
- Comprehensive stormwater management system including the construction of a stormwater detention basin and redirection of the existing piped culvert,
- Vegetation management works within the land zoned C2 Environmental Conservation and dedication of this land as a public reserve,
- Extension of essential infrastructure to the site and provision of internal infrastructure to service each of the proposed allotments including water, sewer, electricity and telecommunications,

¹ <https://www.realcommercial.com.au/sold/property-202-bushland-drive-taree-nsw-2430-503939826>

- Completion of bulk earthworks and removal of all vegetation from within the site, and

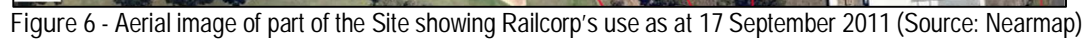


Figure 5 - Aerial image of the Site 4 February 1991, showing use by Railcorp (Source: Historical Imagery, Spatial Services, portal.spatial.nsw.gov.au).

- Torrens Title subdivision of the land into 12 industrial allotments.

An excerpt of the approved Industrial Subdivision is provided in Figure 7.

DA2023/0800 has been physically commenced via the receipt of the Controlled Activity Approval (ref CAA-2025-10058), the surveying and marking of the trees to be retained, surveying of the C2 zone boundary as well as vegetation removal from the majority of the Site (refer Figure 3).



Section 2

The Proposal

2.1 The Proposal

This application seeks development consent, under Part 4 of the Environmental Planning & Assessment Act 1979, for the staged development of the Site for the purposes of a Home Makers Centre (Specialised Retail Premises) and Torrens Title Subdivision which consists of the following general features:

Subdivision

- Torrens Title subdivision (1 lot into 4) including:
 - Proposed Lot 1 (5,238m²) including a Proposed Tenancy 15, Gymnasium, 1,500m² with new access driveway and 50 parking spaces,
 - Proposed Lot 2 (3,136m²) which will consist of a vacant allotment with new access driveway off Proposed Lot 3, and
 - Proposed Lot 3 (57,828m²) including the 15 Specialised Retail Premises described below and a new stormwater drainage basin of 2,700m³ in a similar location to that granted under DA2023/0800, and
 - Proposed Lot 4 (14,582m²) being the C2 Environmental Conservation zoned portion of the Site. This land is the subject of the Vegetation Management Plan works outlined below (refer also Appendix H) and is intended to be dedicated to Council.
- New public entry road of 13m width including two (2) exit lanes and one (1) entry lane culminating in a pancake roundabout (raised 50mm concrete apron). Refer to Section 2.1.2, and
- New access driveway between Proposed Lots 2 and 3, providing two-way access to Proposed Lot 2.

The proposed Torrens Title Subdivision is detailed in the draft plan of subdivision included within Appendix C.

Specialised Retail Premises (Home Makers Centre)

- 15 Specialised Retail Premises with the following general features:
 - Floor areas ranging between 630m² to 2,400m² (total floor area of 18,590m²)
 - Perimeter service road providing rear loading and waste collection access to tenancies 1-14 and 16,
 - Outdoor space associated with Tenancy 1 to be utilised for the display of goods and materials, refer to Section 2.1.4,
 - Central outdoor plaza with provision for temporary food tuck operation, refer to Section 2.1.3,
 - Footpaths and general landscaping treatments within Proposed Lots 1 and 3 (refer Appendix D), and

- Total of 492 parking spaces, including 13 accessible spaces and bicycle parking provisions.

The proposed layout is detailed in Figure 8 with 3D renders of the proposed Specialised Retail Premises provided in Figure 9 and Figure 10. Refer also to the architectural plans included within Appendix D.

- Business identification signage consisting of:
 - Flush wall signs for individual tenancies typically measuring:
 - Signage Type A1: 6m (wide) x 5m (high),
 - Signage Type A2: 10m (wide) x 3.5m (high)
 - Signage Type A3: 6m (wide) x 3.5m (high)
 - Signage Type A4: 7m (wide) x 3.5m (high), and
 - Signage Type A5: 2.4m (wide) and 3.5m (high).
 - Signage Type A6: 3.8m (wide) and 2.5m (high).
 - Signage Type A7: 5m (wide) and 2.5m (high).
 - Pylon signage within the northern corner of Proposed Lot 2 measuring 12m in height by 6m wide, refer to Error! Reference source not found., and
 - Two (2) feature walls, with business identification signage (centre) including one (1) in proposed Lot 1 and one (1) within proposed Lot 2 either side of the proposed entry road.
- New single channelised Right Turn (CHR) / Auxiliary Left Turn (AUL) give way-controlled T-intersection within Bushland Drive, including line marking and extension of kerb and guttering within Bushland Drive,
- Vegetation management works within the land zoned C2 Environmental Conservation and dedication of this land as a public reserve (being land described as Proposed Lot 4),
- Extension of essential infrastructure to the site and provision of internal infrastructure to service each of the proposed allotments including water, sewer, electricity and telecommunications,
- Stormwater management works including:
 - Internal pit and piped stormwater system to direct stormwater to the proposed detention basin within Proposed Lot 3,
 - Detention basin proposed in a similar location to that granted under DA2023/0800 with a total volume of 2,700m³,
 - New junction pit with heavy duty trafficable lid within the proposed entry road, and
 - New 1.8m x 0.8m wide culvert and pit and pipe drainage system to divert stormwater to a proposed diversion drain.
- Retaining walls along the western boundary of Proposed Lot 3, with a maximum height of 4m in the sites south-western corner tapering down to 0m in Proposed Lot 3's north-western corner,

- Retaining wall in the north-eastern corner of Proposed Tenancy 14 and south of Proposed Tenancy 6 (maximum height of 0.5m), and
- Small retaining walls to assist with achieving levels within (refer to the civil engineering plans within Appendix E).

The proposed Home Makers Centre, gymnasium and associated landscaping is detailed in the architectural plans enclosed as Appendix D. A Stormwater Management Plan is provided in Appendix E and accompanying stormwater management report within Appendix R.

The proposed Bushland Drive intersection works are detailed in the plans included in Appendix F.

2.1.1 Staging

The application is sought to be constructed generally in the following stages:

- Stage 1: Early Works
 - Completion of bulk earthworks and service installations, and
 - Commencement of Vegetation Management Works in the C2 zoned land.
- Stage 2: Home Makers Centre (Proposed Lot 3)
- Stage 3: Tenancy 15 (Gymnasium, Proposed Lot 1)
- Stage 4: Entry Road and Subdivision
 - Construction of the intersection and entry road, and
 - Creation of Proposed Lots 1, 2 and 3.

The above stages have been described to provide flexibility in the construction sequencing and is considered to allow works to be carried out from the rear of the site, forwards, and the proposed stages may be undertaken in conjunction with each other.

2.1.2 Public Entry Road

The application seeks to construct a new public entry road of 13m width including two (2) exit lanes and one (1) entry lane culminating in a pancake roundabout. This work includes a new single channelised Right Turn (CHR) / Auxiliary Left Turn (AUL) give way-controlled T-intersection, with kerb extension and linemarking within Bushland Drive.

The proposed internal road, including that between proposed Lots 1 and 2, is intended to be a public road, dedicated to Council and has therefore been designed to conform to Council's AUSPEC Standards.

The Traffic Impact Assessment included in Appendix G included assessment of the existing road network capacity and generated traffic volumes for the proposed development. Discussion regarding traffic generation and parking demand rates are included within Section 3.10.4.

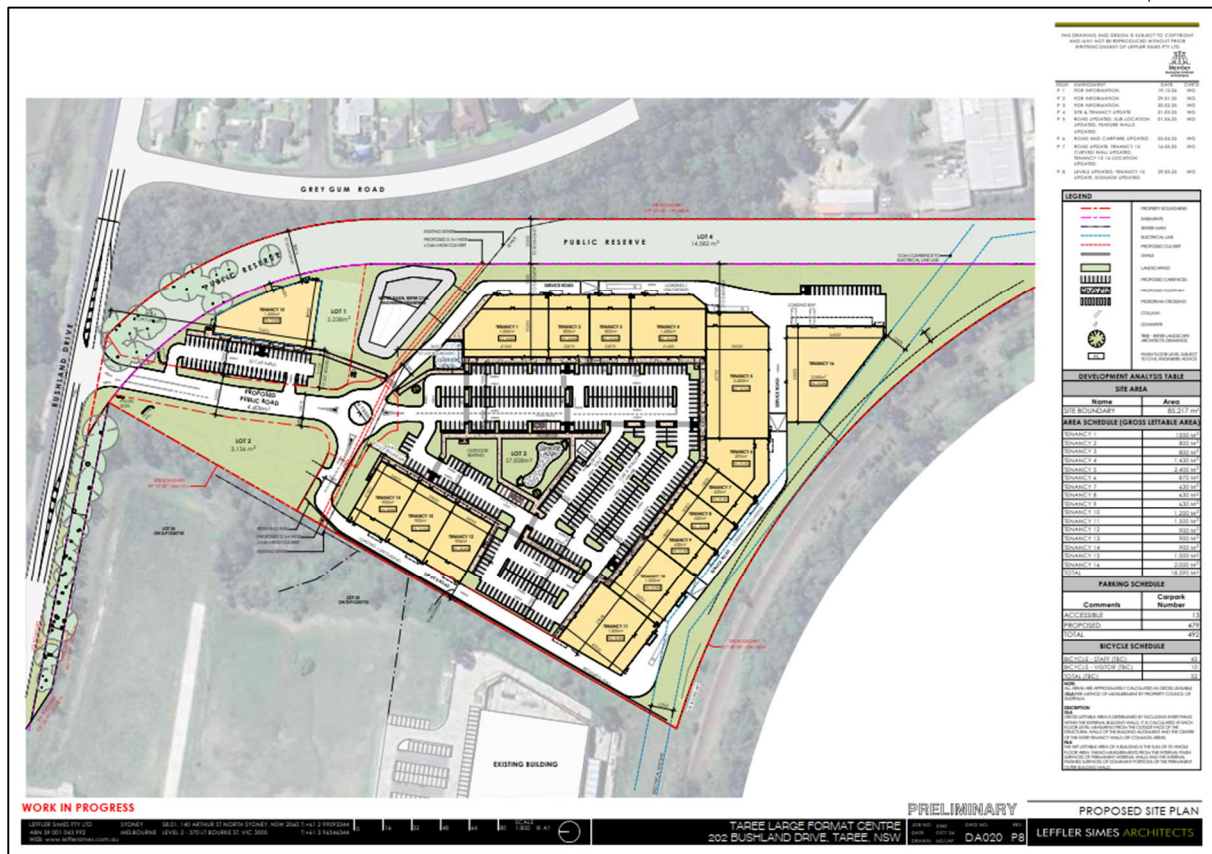


Figure 8 – Excerpt of the proposed Specialised Retail Premises layout (refer Appendix D).



Figure 9 – 3D render of the proposed Specialised Retail Premises (refer Appendix D).



Figure 10 – 3D render of the proposed Specialised Retail Premises, Tenancy 1 (refer Appendix D).

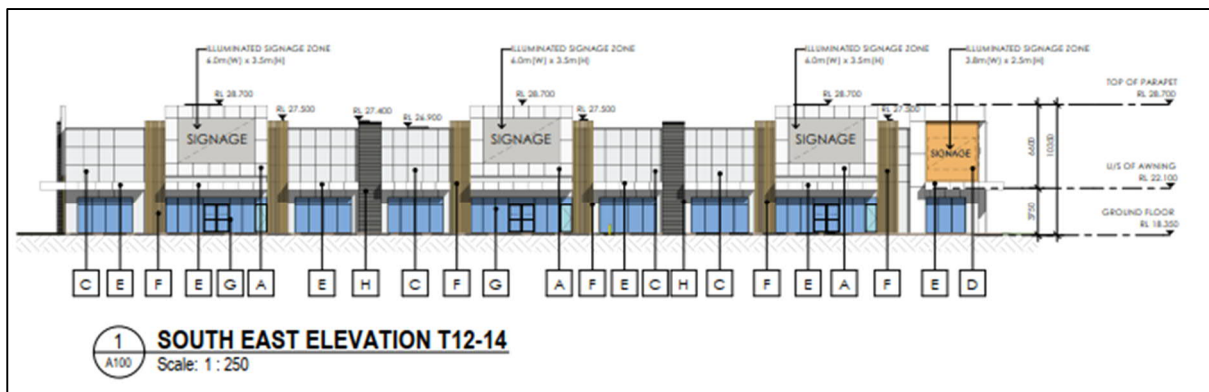


Figure 11 – Excerpt of a typical elevation showing the proposed signage (refer Appendix D).

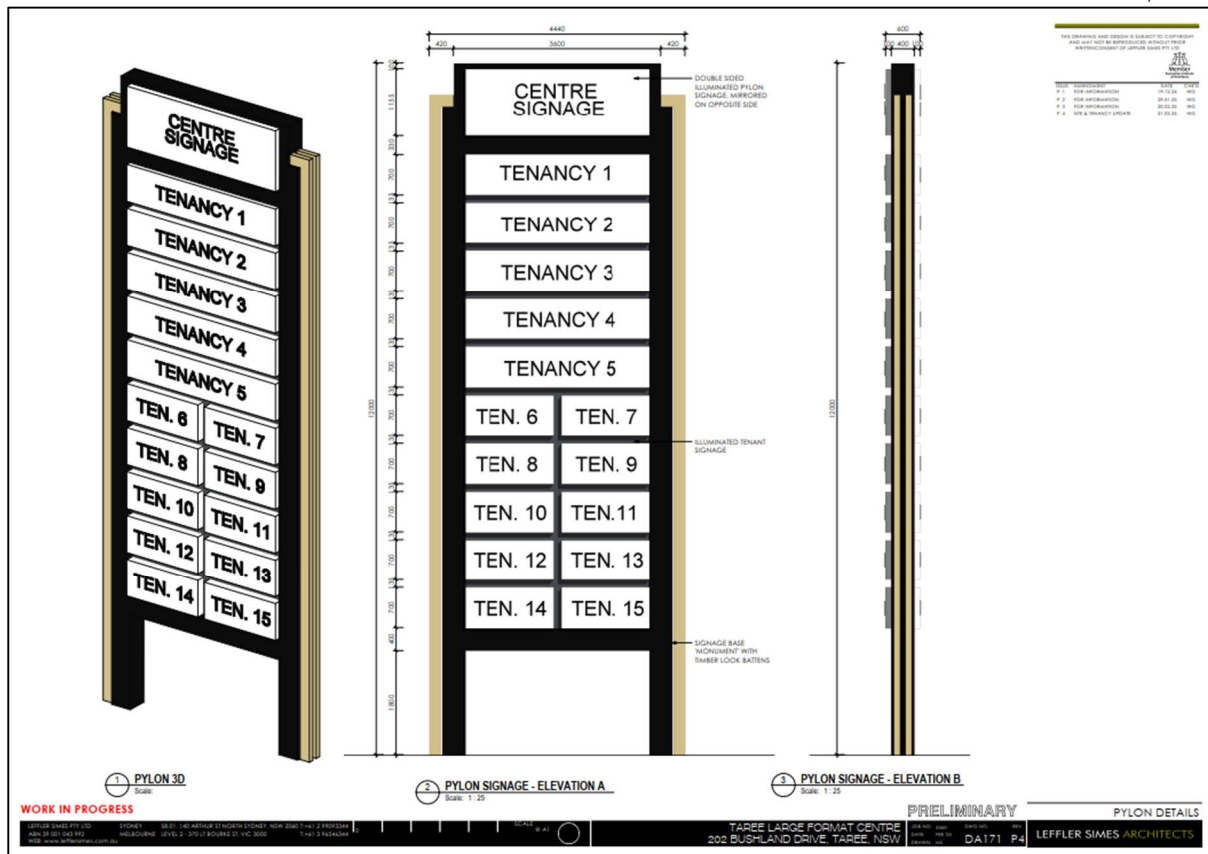


Figure 12 – Excerpt of the proposed Lot 2 pylon business identification signage (refer Appendix D).

2.1.3 Food Trucks

A total of fourteen (14) parking spaces on the northern and southern edges of the outdoor plaza have been identified as spaces which will be utilised for food trucks. This is not intended to be permanent installations, rather, to identify areas within the site suitable for their use.

Electricity and water provisions will be made available in these areas.

The use of these areas by the food trucks has been considered and assessed within the Traffic Impact Assessment prepared by Intersect Traffic Pty Ltd included within Appendix G. In this regard, it is noted that the proposal seeks to provide car parking in excess of the DCP calculated requirements and demand estimated by the Traffic Impact Assessment. Hence, the temporary use of these spaces by food trucks is not anticipated to have any detrimental impacts on car parking availability or traffic generation within the Site. Refer to Section 3.10.4 for further comments.

2.1.4 Outdoor Space

An outdoor space is proposed adjacent Tenancy 1 (Proposed Lot 3). This space is intended to be utilised in conjunction with Tenancy 1 for the external display of goods and materials. This area has been included as internal retail space within the car parking calculations described in Section 3.10.4

In this regard, Tenancy 1 is aimed at a sporting goods tenant, such as Rebel Sport, and this outdoor space is intended to allow the tenant/operator to activate the space by either displaying goods, hosting informal activities or allowing free play during business hours as shown in Figure 13. This outdoor area will be securely fenced to prohibit access outside of business hours.

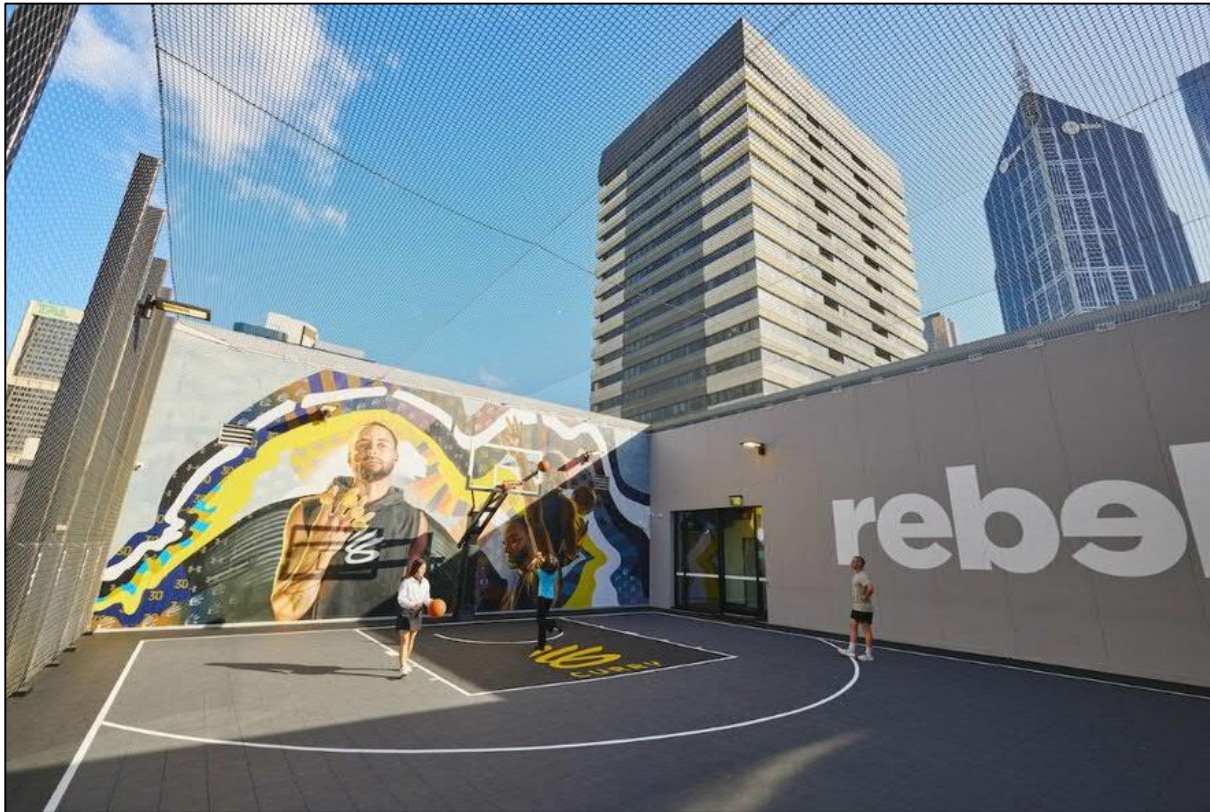


Figure 13 – Example of an outdoor area associated with the Rebel store in Emporium, Melbourne.

Should a sporting goods tenant not be secured, it is noted that, subject to a separate planning application and other service installation, this space could also be utilised for outdoor dining as an ancillary use to Tenancy 1.

2.1.5 Proposed Lot 2

Lot 2 is sought to be a vacant Lot. The development and use of this allotment will be the subject of a separate planning application.

2.1.6 First Use

The occupants and internal layouts of the individual tenancies is currently unknown. As such, each Tenancy will be subject to a separate planning application.

In this regard, it is noted that Part 5 (Industrial and Business Alterations Code) of State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 permits the internal fit out of approved uses under the Complying Development Certificate pathway. Should the proposed future uses not confirm to the requirements of Part 5, it is noted that the Development Assessment pathway remains available.

2.1.7 Hours of Operation

The proposed HMC seeks to have the following opening hours for the Specialised Retail Tenancies (1 through 16):

- Monday to Fridays – 7am to 9pm, and
- Saturdays, Sundays and Public Holidays, 8am to 5pm.

Deliveries will typically occur during the above operating hours with no deliveries proposed to occur prior to 8am on Sundays.

Other services, such as cleaning, may occur outside these hours.

The Gym (Proposed Tenancy 15, Proposed Lot 1) seeks to operate 24 hours per day, 7 days per week. It is anticipated that staff will be present for periods during the business hours listed above.

The proposed food trucks will also operate within the above listed hours.

2.1.8 Signage

As outlined in Section 2.1, the application seeks consent for business identification signage consisting of:

- Flush wall signs for individual tenancies typically measuring:
 - Signage Type A1: 6m (wide) x 5m (high),
 - Signage Type A2: 10m (wide) x 3.5m (high)
 - Signage Type A3: 6m (wide) x 3.5m (high)
 - Signage Type A4: 7m (wide) x 3.5m (high), and
 - Signage Type A5: 2.4m (wide) and 3.5m (high).
 - Signage Type A6: 3.8m (wide) and 2.5m (high).
 - Signage Type A7: 5m (wide) and 2.5m (high).
- Pylon signage within the northern corner of Proposed Lot 2 measuring 12m in height by 6m wide, refer to Error! Reference source not found., and
- Two (2) feature walls, with business identification signage (centre) including one (1) in proposed Lot 1 and one (1) within proposed Lot 2 either side of the proposed entry road.

The proposed signage is detailed in the architectural plans included within Appendix D and further assessment of the signage is provided within the DCP assessment Tables included in Appendix M.

2.2 Environmental Land

As a part of the proposed works granted under DA2023/0800, vegetation management works were granted within the C2 Environmental Protection zoned land which separates the Site from the RE1 Public Recreation zone and the residentially zoned land east of Grey Gum Road.

The approved aims of this Vegetation Management Plan (VMP, refer Appendix H) were to:

- Reduce current weed infestations in the C2 zoned land down to a maximum of ≤5% projected foliage cover to maximise robustness of the area to future weed invasion, and
- Enhance the environmental corridor value of the C2 zoned land.

Given the similarities in the development granted under DA2023/0800, and the subject application (i.e., maintaining the C2 zoned land), it is proposed to undertake the works included within the approved VMP as a

part of this application.

The implementation of the VMP will be the responsibility of AJA Developments Pty Ltd and all works will be undertaken by a suitably qualified bush regenerator, who satisfies the following:

- Member of the Australian Association of Bush Regenerators (AABR),
- Holding tertiary qualifications in natural resources or ecology, or minimum Conservation & Land Management Certificate 3/Bush Regeneration Certificate 2 or equivalent),
- Minimum 2-years' experience in ecological restoration which demonstrate capability to implement and monitor the plan, and
- Hold the necessary licences/certifications e.g., Chemcert, Scientific Licence (as required).

The C2 land is intended to be dedicated to Council upon completion of the VMP works outlined within Appendix H. Refer also to Section 3.10.8.

Section 3

Key Issues and Legislation

Mid Coast Council is the relevant consent authority for the determination of this development application. In determining the development proposal, the consent authority must take into consideration the following statutory provisions as prescribed under Section 4.15 of the Environmental Planning & Assessment Act 1979:

3.1 Environmental Planning & Assessment Act, 1979

This application is made under Part 4 'Development Assessment' of the Environmental Planning & Assessment Act 1979 (the Act).

The proposal requires development consent under Part 4 of the Act and is required to address those matters outlined under Section 4.15. These matters are addressed in Table 1 below and within the body of this report.

3.2 Environmental Planning & Assessment Regulations, 2021

The subject application is made in accordance with the provisions of Part 3, Division 1 of the Regulations and includes the documents and forms required under Section 24 Content of Development Applications.

With respect to Section 25 Information about Concurrence or Approvals, it is noted that concurrence is required from Transport for NSW as the application triggers the traffic generating development provisions of Schedule 3 of State Environmental Planning Policy (Transport & Infrastructure) 2021. Refer to Section 3.5.2.

Concurrence is not required from any other planning authorities noting that all vegetation has been cleared from the site and subdivision for industrial/commercial purposes does not trigger the integrated development provisions of the Rural Fires Act 1997.

3.3 Biodiversity Conservation Act, 2016

Section 7.7 of the Biodiversity Conservation Act 2016 (BC Act) provides for the following:

- (1) This section applies to an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979, except—
 - a. an application for development consent for State significant development, or
 - b. an application for a complying development certificate.
- (2) If the proposed development is likely to significantly affect threatened species, the application for development consent is to be accompanied by a biodiversity development assessment report.

The site is currently not mapped as containing any biodiversity values on the ePlanning Spatial Viewer. In addition, DA2023/0800 granted consent to remove all of the vegetation within the E4 zoned portion of the Site. This clearing work has recently been carried out subject to a Controlled Activity Approval (refer Appendix I)

It is noted that the Site does contain C2 Environmental Conservation zoned land for the length of the eastern boundary. This land is intended to be maintained and managed through the provisions of the submitted Vegetation Management Plan (VMP) as outlined in Section 3.10.8 and Appendix H.

Given the Site has been recently cleared, with no native vegetation present on-site, no ecological assessment is considered necessary and nor is the proposed development considered likely to have any serious or irreversible impacts on the ecological values of the site. Hence, no further assessment under the provisions of this Act are considered necessary.

Table 1 - Matters for Consideration under s4.15

MATTERS FOR CONSIDERATION	
Section 4.15	Comments
(a)(i) Any environmental planning instrument	The environmental planning instruments applicable to the site and proposed works are addressed within Section 3 of this statement.
(a)(ii) Any proposed planning instrument that is or has been the subject of public consultation under this ACT and that has been notified to the consent authority.	The Draft MidCoast Local Environmental Plan (April 2024) (Draft MC LEP) was publicly exhibited from 29 April to 14 July 2024. The Draft MC LEP is discussed in Section 3.9.1 of this SoEE.
(a)(iii) Any Development Control Plan	The relevant provisions of the Greater Taree Development Control Plan 2010 (DCP) have been addressed within Section 3.8 of this report.
(a)(iia) Any planning agreement or draft planning agreement under Section 7.4.	No planning agreements are contemplated with the development application, or are currently registered on the title of the land.
(a)(iv) Any matters prescribed by the regulations (to the extent that they prescribe matters for the purposes of this paragraph)	There are no matters prescribed by the regulations relevant to the site or proposed works.
(a)(v) repealed	N/A
(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality.	<p>This report is considered to demonstrate that the site and proposed development is unlikely to have a detrimental impact on the natural or built environments.</p> <p>The Site has obtained consent for the removal of all vegetation on-site and works to this extent have commenced (refer DA2023/0800 and CAA in Appendix I).</p> <p>Further, as the Site will create new industrial allotments and numerous specialised retail premises for future development and occupation. The proposal will have the social benefit of employment creation during the construction phase and ultimately result in employment generating land uses during occupation and operation.</p> <p>Further, the Development is also likely to result in the remediation of any contamination caused by the previous use of the Site by Railcorp.</p> <p>The proposal is therefore considered positive economically, environmentally and socially.</p>
(c) The suitability of the site for the development.	The Site is considered suitable for the proposed Development as it meets the objectives of the E4 General Industrial zone and the C2 Environmental Conservation zone. Further, the Development, as discussed in the body of this SoEE, satisfactorily addresses the environmental constraints of the Site.
(d) Any submissions made in accordance with this Act or the regulations.	Submissions, if received, will be addressed during the assessment of the submitted application.
(e) The public interest	The proposed Development is permissible with consent and is consistent with the zone objectives. The proposal is also likely to have positive impacts both socially and economically on the local community and is therefore considered to be in the best interest of the public.

3.4 Rural Fires Act, 1997

The subject site is mapped as being in part Category 2 bushfire prone vegetation and in part vegetation buffer (refer Figure 14). The bush fire prone land mapping of the Site as containing Category 2 vegetation is not considered to reflect the recent clearing and current status of the land which consists of areas of managed grass and bare earth owing to the recent clearing.

The subdivision of industrial land is not considered a Special Fire Protection Purpose (SFPP) and as the subdivision is not for residential purposes and does not contain any residential components, the proposal does not require referral to the NSW Rural Fire Service under Section 100B of the Rural Fires Act 1997 (RF Act), or Clause 47 of the Rural Fires Regulation 2022 (RF Reg).

On this basis, it is noted that Under s4.14 (1)(b) of the EP&A Act, as the consent authority, Mid-Coast Council can issue development consent if it has been provided with a certificate by a person who is recognised by the NSW RFS as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements of PBP. The attached bush fire assessment is considered to satisfy this requirement.

Specialised Retail Premises are considered Class 6 buildings under the NCC. The NCC does not provide for any bushfire specific performance requirements for these particular classes of building. As such, the Australian Standard for Construction of Buildings in Bushfire Prone Areas (AS 3959) and the NASH Standard are not considered as a set of 'deemed to satisfy' provisions. However, compliance with AS 3959 and NASH is considered to meet the aims and objectives of PBP.

Whilst bushfire is not captured in the NCC for Class 5-8 buildings, PBP (p. 76) articulates the following objectives which will be applied in relation to access, water and services, and emergency and evacuation planning for this type of future development:

- to provide safe access to/from the public road system for firefighters providing property protection during a bush fire and for occupant egress for evacuation;
- to provide suitable emergency and evacuation (and relocation) arrangements for occupants of the development;
- to provide adequate services of water for the protection of buildings during and after the passage of bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building; and
- provide for the storage of hazardous materials away from the hazard wherever possible.

A Bush Fire Assessment Report has been prepared in support of the proposed development and a copy is included in full in Appendix P.

In considering Section 8.3.10 Commercial and Industrial Development of PBP, the assessment supports the proposed development, noting that the proposal satisfies the aims and objectives of PBP.

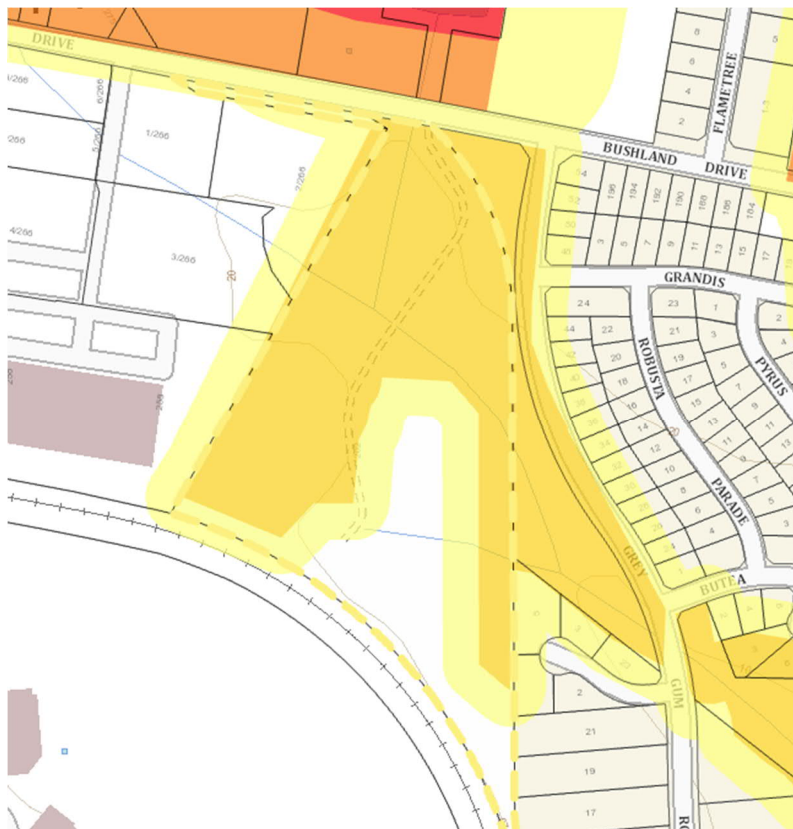


Figure 14 – Excerpt of the bushfire prone land mapping showing the subject site, edged broken yellow (ePlanning Spatial Viewer).

3.5 Water Management Act, 2000

As outlined in Figure 15, there are three (3) first order watercourses mapped on the site. These are marked as W1, W2 and W3 in Figure 5.

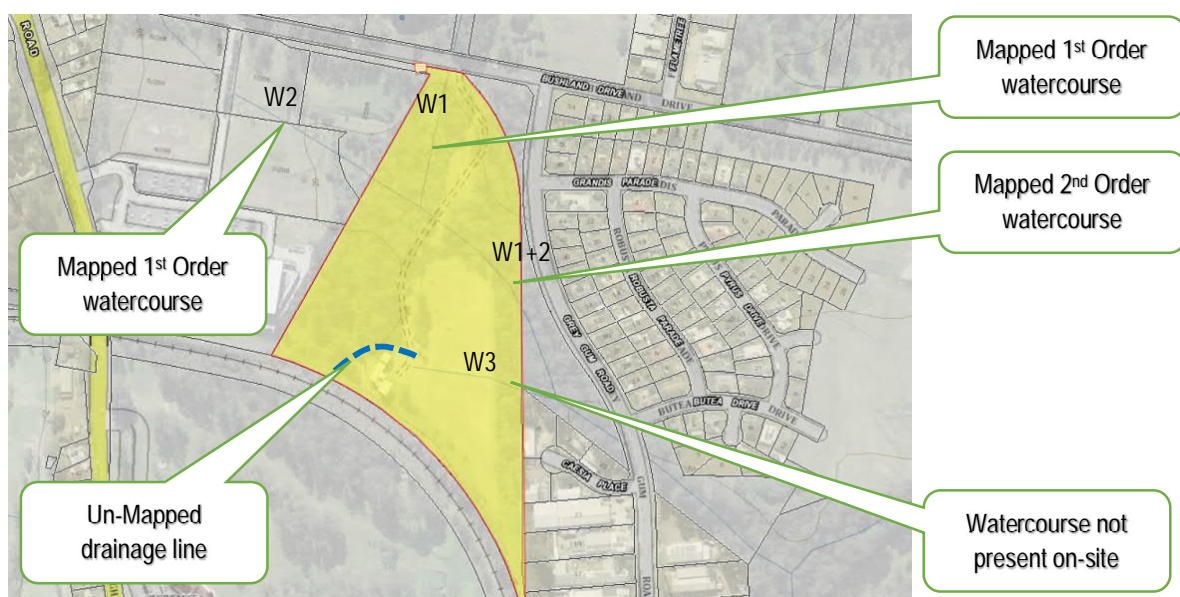


Figure 15: Aerial image of the Site, highlighted yellow, identifying the mapped watercourses (Six Maps).

Referral of DA2023/0800 to the Department of Planning & Environment – Water resulted in General Terms of Approval (GTA's, reference IDAS-2023-10682) being issued. In addition, a Controlled Activity Approval (CAA) for works on site, including the infilling of mapped watercourses W1, W2, W1+2 and W3, as well as the removal of all vegetation within the Site has been issued. Refer to Appendix I. The vegetation removal work has recently been undertaken with the current Site conditions detailed in Figure 3.

3.6 State Environmental Planning Policies

The following State Environmental Planning Policies (SEPP's) apply to the subject site and proposed development:

3.6.1 SEPP (Biodiversity and Conservation) 2021

Chapter 4 – Koala Habitat Protection 2021

This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

This Chapter applies to all land within the MidCoast Council local government area other than as described in Section 4.4(3) of the Policy, which is reproduced below:

- (a) land dedicated or reserved under the [National Parks and Wildlife Act 1974](#), or acquired under Part 11 of that Act, or
- (b) and dedicated under the [Forestry Act 2012](#) as a State forest or a flora reserve, or
- (c) land on which biodiversity certification has been conferred, and is in force, under Part 8 of the [Biodiversity Conservation Act 2016](#), or
- (d) and in the following land use zones, or an equivalent land use zone, unless the zone is in a local government area marked with an * in Schedule 2—
 - (i) Zone RU1 Primary Production,
 - (ii) Zone RU2 Rural Landscape,
 - (iii) Zone RU3 Forestry.

Therefore, the Policy applies to the Site and Part 4.2 of the Policy describes the relevant development controls, depending upon whether or not a Koala Plan of Management (KPoM) applies to the land or not.

Currently, there is no adopted KPoM applying to the land. Hence, Section 4.9 of the Policy applies and is reproduced as follows:

- 4.9 Development assessment process—no approved koala plan of management for land
 - (1) This section applies to land to which this Chapter applies if the land—
 - (a) has an area of at least 1 hectare (including adjoining land within the same ownership), and
 - (b) does not have an approved koala plan of management applying to the land.
 - (2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.
 - (3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.

- (4) If the council is satisfied that the development is likely to have a higher level of impact on koalas or koala habitat, the council must, in deciding whether to grant consent to the development application, take into account a koala assessment report for the development.
- (5) However, despite subsections (3) and (4), the council may grant development consent if the applicant provides to the council—
 - (a) information, prepared by a suitably qualified and experienced person, the council is satisfied demonstrates that the land subject of the development application—
 - (i) does not include any trees belonging to the koala use tree species listed in Schedule 3 for the relevant koala management area, or
 - (ii) is not core koala habitat, or
 - (b) information the council is satisfied demonstrates that the land subject of the development application—
 - (i) does not include any trees with a diameter at breast height over bark of more than 10 centimetres, or
 - (ii) includes only horticultural or agricultural plantations.
- (6) In this section—koala assessment report, for development, means a report prepared by a suitably qualified and experienced person about the likely and potential impacts of the development on koalas or koala habitat and the proposed management of those impacts.

With the exception of the C2 zoned portion of the land, the development portion of the Site is currently cleared of vegetation due to recent clearing works carried out in accordance with DA2023/0800. As such, no Koala vegetation is present and no Koala vegetation requires removal as a part of this application.

It is noted that a Koala Assessment Report was prepared for the Site by Biodiversity Australia (July 2024) in support of DA2023/0800. This assessment did not locate any Koalas on the Site at the time. The assessment found that whilst the Site does contain Core Koala Habitat, it also noted that following a comprehensive analysis of data and information generated from a desktop assessment, targeted survey, and habitat assessment that the habitats (formerly) within the subject site provided negligible ecological function to the local MidCoast Koala population for foraging, connectivity, shelter or any other ecological function under the Koala Habitat Protection SEPP.

Based on the previous site assessments, approved and recent vegetation removal and lack of vegetation removal sought under this application, no further Koala assessment is deemed necessary. Council may therefore grant development consent to the proposed Development as it is likely to have low or no impact on koalas or koala habitat.

3.6.2 SEPP (Transport and Infrastructure) 2021

Division 5 Electricity transmission or distribution networks

Section 2.48 of this Policy requires referral to the electrical supply authority where development is carried out:

- i. Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
- ii. Immediately adjacent to an electricity substation, or
- iii. within 5m of an exposed overhead power line.

There are exposed overhead power lines within the road reserve directly adjacent to the Site on the northern side of Bushland Drive. However, as confirmed by the Survey Plans (Appendix B), an overhead power line crosses Bushland Drive and enters the Site terminating just north of the existing workshop buildings previously utilised by Railcorp. This overhead powerline would have been the main supply to the Site during its operations under Railcorp and will need to be removed for the purposes of the Development.

As the proposal seeks to undertake works in Bushland Drive (line marking and kerb and gutter along the southern edge) as a part of the proposed new road, referral to the relevant electrical authority is considered necessary.

Underground power supply is likely to be required to supply the new industrial lots, provisions for which will be provided in conduits within the proposed road reserve, when constructed. Details of the required power supply infrastructure will be required from the relevant electrical supply authority prior to issue of any Construction Certificate.

Division 17 Roads and traffic

Section 2.119 of this Policy sets out the objectives for development with frontage to a classified road with the aim of ensuring that new development does not compromise the effective and ongoing operation of the classified road. Bushland Drive is not a Classified Road and the proposed road connection to Bushland Drive is not located within 90m of a classified road.

Section 2.122 of this Policy sets out consideration for development that is considered to be Traffic Generating Development. The proposal triggers the Traffic Generating development criteria by providing greater than 200 car parking spaces and greater than 10,000m² of commercial gross floor area. Hence, referral to Transport for NSW is required.

3.6.3 SEPP (Resilience and Hazards) 2021

Chapter 2 - Coastal Management

The site is not mapped as being within an area occupied by Coastal Wetlands or Littoral Rainforest, neither is the Site mapped as a Coastal Use Area, Coastal Environment Area or Coastal Vulnerability Area.

As such, no further assessment under this part of the Policy is considered necessary.

Chapter 4 – Remediation of Land

Via the Pre-lodgement process Council identified that the land is considered to be contaminated under Council's Contaminated Land Policy 2017. Therefore, the provisions of the Policy apply to the Site and Section 4.6 states:

4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—
 - (a) it has considered whether the land is contaminated, and
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated

before the land is used for that purpose.

- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.
- (3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

In order to address Site Contamination concerns and to Remediate the Site the following has been undertaken as a part of the preparation and assessment of DA2023/0800:

Mr. William Lines of Old Maple Pty Ltd, is a Certified Environmental Practitioner – Site Contamination Specialist (the CEnvP SCS) reviewed the previously prepared site contamination reports and prepared a third party, independent review (Appendix J) based on the applicable Guidelines in accordance with the CEnvP SCS Standards Limitations.

Old Maples Specialist Review is provided within Appendix J and included consideration of the following Site Investigation Reports previously completed for the Site:

- Combined Site Investigation: Boradze Depot, Bushland Drive, Taree by GHD for Transport Asset Holding Entity of NSW dated 22 November 2012.
- Boradze Depot Soil Investigation by GHD for Transport Asset Holding Entity of NSW. Report No. DSI v1 dated 14 July 2021;
- Boradze Depot Additional Investigation -Stockpile Waste Classification by GHD for Transport Asset Holding Entity of NSW reference: 12547137, dated 14 July 2021.
- Hazardous Materials Survey Report Boradze Depot at Bushland Drive Taree by GHD for Transport Asset Holding Entity of NSW reference 12547137 Rev 00 dated 8 April 2021.
- Site Review: Boradze Depot, Bushland Drive and Gray Gum Rd, Taree by GHD for Transport Asset Holding Entity of NSW reference 12547137 dated 8 April 2021.
- Section 91 Clean Up Notice: number 350784, Reference – REG-3264 by NSW EPA dated 5 October 2022.
- Asbestos Removal Clearance Certificate 202 Bushland Drive Taree by AM Enviro Services Pty Ltd for Flash Skip Bins Pty Ltd dated 3 July 2023
- Site Review Assessment: 202 Bushland Drive, Taree, NSW for Andres Group P/L. Reference E22 096-AR2 dated 06 September 2023.

The above specialist investigations determined that the Site is suitable for the continued commercial / industrial use. GHD's Combined Site Investigation (2012, Appendix P) concluded that the land was '...suitable for either on-going commercial / industrial land use or, redevelopment to residential land use, if required' (p. 27).

Sanko (2023, Appendix U) and Old Maple Pty Ltd's independent review (2024, Appendix J) also confirmed that the site was suitable for the continued commercial or industrial land use

On the basis of the above, Council granted consent to the demolition of the existing buildings, subject to conditions under DA2023/0800. The conditions included requirements for the completion of a detailed contaminated site investigation, remedial action plan and site remediation. At the time of writing, the existing buildings which were formerly utilised by Boral, have not been demolished and it is considered appropriate, based on the findings of the abovementioned reports, for the site to be utilised in the manner proposed, and, to

include similar conditions of consent to that included within DA2023/0800.

3.6.4 SEPP (Sustainable Buildings) 2021

The aims of this Policy, amongst others, are to encourage the design and delivery of sustainable buildings, ensure consistent assessment of the sustainability of buildings, reduce greenhouse gas emissions, minimise the consumption of mains-supplied potable water and to ensure good thermal performance of buildings. Chapter 3 of this Policy sets out the standards required for non-residential development. Section 3.1(1)(a) under this Chapter states that the Policy applies to non-residential development that involves the erection of a new building that has an estimated development cost (EDC) of \$5 million or more.

The EDC of the Development is considered to be \$14.4m (including GST) as provided in the Cost Estimate Report prepared in accordance with Section 6 of the EPA Regulation (refer Appendix K).

As the Development Exceeds the \$5 million threshold, the following is to be considered under Section 3.2:

3.2 Development consent for non-residential development

- (1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—
 - (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,
 - (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,
 - (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,
 - (d) the generation and storage of renewable energy,
 - (e) the metering and monitoring of energy consumption,
 - (f) the minimisation of the consumption of potable water.
- (2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.

In respect of 3.2(1) (a) to (f) the following is noted:

- No demolition is required as the existing buildings have been granted consent for demolition under DA2023/0800. Works under this consent have commenced via the preparation and submission of the Controlled Activity Application and approval and the removal of vegetation from the Site. The site is currently cleared land with remnant trees only within the C2 zoned land, thus, there is no opportunity for re-use of building materials, unless otherwise sourced elsewhere. It is considered too premature in the development process to source building materials, new, recycled or otherwise.
- The Development will be capable of utilising solar power and proposes significant roof area with a northerly aspect and opportunity for the placement of solar panels.
- The Development provides significant glass frontages to take advantage of the Site's various aspects. The glass frontages will also entail large doors to allow natural ventilation, when appropriate.
- The potential for solar power generation from the Development will also enable the potential for storage via battery systems.

- The large roof area will also enable the Development to capture rainwater for use in flushing toilets, watering of gardens and other non-potable water uses.

Metering and monitoring is also capable of being installed for solar/power storage systems, as well as recycled water usage. Nevertheless, it is considered premature at this juncture in the development process to detail specifications.

In respect of 3.2(2), the embodied emissions have been quantified by JHA, and is provided in the required Embodied Emissions Material Form as part of Appendix L.

Therefore, no further assessment under this Policy is considered necessary.

3.6.5 SEPP (Industry and Employment) 2021

The locations and size of proposed Business Identification Signs are detailed in the architectural drawing set in Appendix D and includes flush wall signage and pylon signage. The proposed signs are for the identification of the proposed specialised retail premises tenants and to provide information about the Site's business activities (hours of operation) and other activities.

The proposed Business Identification Signs are to be illuminated and fitted with a time switch to dim by 50% or turn off the light by 11pm each night.

The proposed signs are consistent with the aims and objectives of Chapter 3 - Advertising and signage and Schedule 5 Assessment Criteria of the SEPP (Industry and Employment) 2021 as follows:

- The proposed signage is compatible with the desired future character of the area and that existing within the adjoining Bunnings development. The proposed Specialised Retail Premises is located on the corner of Bushland Drive (being a local arterial road) and Grey Gum Drive (being a local road).
- The location of the signs with respect to any nearby environmentally sensitive areas. There are no mapped environmentally sensitive areas within the Site. All proposed signage is outside of the C2 zone.
- The scale of the proposed signage is compatible with the scale of the proposed specialised retail premises to be developed on the subject property.
- The proposed business identification signs will contain the business logos of the future tenants and details of services, hours of operation and other activities within the Site.
- The signs are proposed to be illuminated in a manner that does not result in unacceptable glare or affect safety for pedestrians, vehicles or aircraft. The proposed business identification signs are to be fitted with a time switch to dim by 50% or turn off the light by 11pm each night.

The signs will not promote any other product or entity other than those present within the Site and will therefore not be used as 'Advertising Signs'. Therefore, the proposed business identification signs are considered compliant with this Policy.

3.6.6 SEPP (Planning Systems) 2021

This Policy sets out the criteria for development that is to be considered State Significant Development (SSD) or Regionally Significant Development (RSD). The proposed development does not meet the criteria to be identified as SSD or RSD as it is not a type of development listed in Section 3 to 8 of Schedule 6 and the estimated cost of

works does not exceed the \$30m threshold listed within Section 2 as applying to general development. Refer to the Estimated Development Cost Report within Appendix K.

3.7 Greater Taree Local Environmental Plan 2010

The Site is zoned part E4 General Industrial and part C2 Environmental Conservation under the GT LEP. Subdivision and Specialised Retail Premises are permitted within the E4 General Industrial zone and C2 Environmental Conservation zones by virtue of Clause 2.6 of the GT LEP. Nevertheless, the E4 General Industrial zone has the following objectives:

- To provide a 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 encourage innovation and sustainability in industry.

Whilst the C2 Environmental Zone has the following objectives:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

The Specialised Retail Premises (Home Makers Centre) and gymnasium is considered consistent with the E4 zone objectives, as:

- The proposal will provide a range of tenancies capable of being utilised by various industrial and commercial uses suitable for employment generation that has been unused for the past decade,
- The Site has previously been identified by Council as suitable for retailing of bulky goods and as such, the proposal is considered consistent with this intended use and is therefore considered an efficient and viable use of this land resource,
- The numerous tenancies will provide significant employment opportunities both during construction and during operation,
- The proposal will provide facilities and services suitable to meet the needs of businesses and workers, including car parking, amenities, open space and areas for recreation, and
- The proposal provides an area of C2 Environmental Conservation zoned land to minimise impacts on residential development in proximity to the land.

The Development is considered consistent with the C2 zone objectives, as:

- The C2 land will be managed and restored in accordance with a VMP to improve its ecological value (refer Section 2.2, 3.10.8 and Appendix H).
- No development is required in the C2 land other than a small portion for the proposed road access and intersection with Bushland Drive (which is consistent with that approved under DA2023/0800, refer to Section 1.3).

Further to the zone objectives and permissibility of uses, the following clauses within the Greater Taree LEP 2010 are applicable to the Site and the proposed Development:

Table 2 - GT LEP 2010 Assessment Table

GREATER TAREE LOCAL ENVIRONMENTAL PLAN 2010	
GT LEP Section	Comment
2.1 Land use zones	The Site is zoned part E4 General Industrial and part C2 Environmental Conservation under the GT LEP. The objectives of both of these zones is discussed under Section 3.7 of this SoEE. The proposed Specialised Retail Premises is proposed within the E4 zoned portion of the land and is permissible with consent in the zone. The vegetation within the C2 zoned land, with the exception of the entry road, is proposed to be maintained and enhanced through the proposed VMP (refer Appendix H and Section 3.10.8)
2.6 Subdivision	This clause states all land under GT LEP may be subdivided, but only with development consent. Development consent is sought for the subdivision of the Site.
4.1 Minimum subdivision lot size	<p>Most of the Site has a Minimum Lot Size of 'unspecified' except for:</p> <ul style="list-style-type: none"> • C2 Environmental Conservation zoned land, which has a minimum lot size of 40ha; and • A small section of land adjoining the northern boundary that has a minimum Lot Size of 450m². <p>The minimum lot size of 450m² appears to be a mapping anomaly, along with the HOB and FSR controls, discussed below, on this small portion of the Site, which are all within the C2 zone and are more aligned with the adjacent R1 General Residential zone to the north. Refer to Section 3.7.1 that discusses the mapping anomaly.</p>
4.1B Exceptions to minimum subdivision lot sizes for certain split zones	<p>This clause requires consideration as the C2 zoned land is to be dedicated as public reserve within an allotment that is only 1.43ha (approx.), which is significantly below minimum lot size requirement of 40ha. This lot size is permitted by this clause if the employment lands (E4 zone) creates lots that are not less than the minimum for that land, and the C2 zoned land is to be contained wholly in a new lot.</p> <p>The proposed subdivision satisfies this Clause as the E4 zoned land has an unspecified minimum lot size and the C2 zoned land is to be contained wholly within one new allotment.</p>
4.3 Height of buildings	<p>The Site has a mapped height of building (HOB) limit of 'unspecified', except for a small portion of the Site adjoining the northern boundary that has an 8.5 HOB limit. This small section is considered to be mapping anomaly and is discussed in Section 3.7.1 of this SoEE.</p> <p>Nevertheless, the Development wholly involves new buildings within the E4 zoned portion of the Site which has no mapped height of building limit.</p>
4.4 Floor space ratio	<p>The Site has a mapped floor space ratio (FSR) of 'unspecified', except for a small portion of the Site adjoining the northern boundary that has an FSR of 0.6:1. This small section is considered to be a mapping anomaly and is discussed in Section 3.7.1 of this SoEE.</p> <p>That portion of the Site sought to be occupied by the proposed Specialised Retail Premises has no mapped FSR applying. However, the proposed allotments are estimated to have FSR's as outlined below:</p> <ul style="list-style-type: none"> - Proposed Lot 1: - Proposed Lot 2: Vacant, subject to separate application

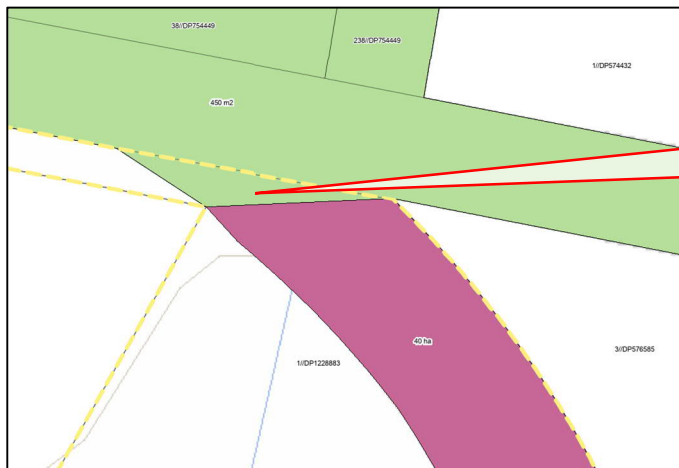
	- Proposed Lot 3:
4.6 Exceptions to development standards	No exception to any development standard is sought with this Development.
5.10 Heritage conservation	The site is not mapped as being within a heritage conservation area.
5.21 Flood Planning	The site is not mapped as being flood prone land.
7.1 Acid sulfate soils	The site is not mapped as being within an area affected by Acid Sulfate Soils.
7.4 Koala Habitat	The Site is currently cleared of vegetation with clearing works having been undertaken pursuant to DA2023/0800. The vegetation within the C2 zoned land is proposed to be maintained and improved in a manner consistent with that granted under DA2023/0800 and the approved VMP included within Appendix H. Refer also to Section 3.10.8.
7.9 Essential services	The essential services necessary for the proposed development are available to the Site. Services are discussed under Section 3.10.3 of this SoEE.

3.7.1 – GT LEP Mapping Anomaly

There is an anomaly in the GT LEP mapping at the northern end of the Site adjacent Bushland Drive, where the C2 zoned land meets the R1 General Residential zoned land. The anomaly occurs on the HOB, FSR and Minimum Lot Size Maps, which don't align with the zoning map. The anomaly results in a small portion of the C2 zoned land having a minimum lot size of 450m². The Figures below show the anomaly in the shape of triangle:

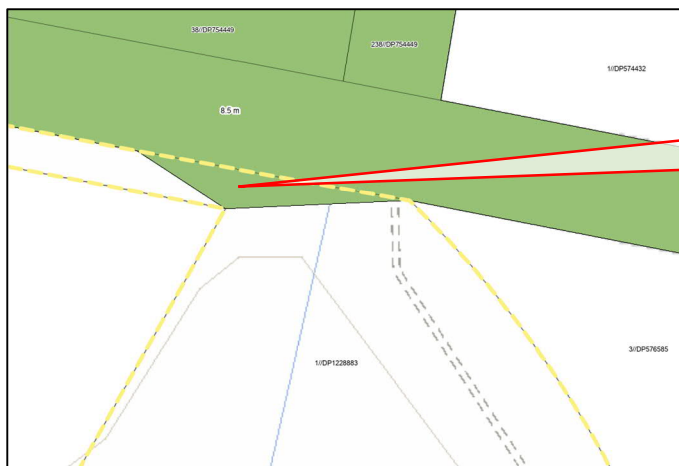


Figure 16 - Extract of zoning map



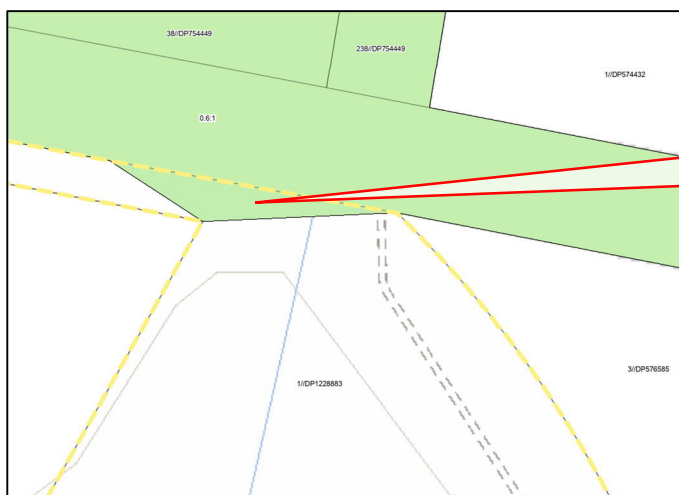
Anomaly

Figure 17 - Extract of Minimum Lot Size Map



Anomaly

Figure 18 - Extract of Height of Building map



Anomaly

Figure 19 - Extract of FSR map

Notwithstanding, the anomaly does not prevent the proposed specialised retail premises or subdivision by virtue of Clause 4.1B of the GT LEP, and that the portion of land the subject of the anomaly will be utilised for road access and the T-intersection construction with Bushland Drive.

3.8 Development Control Plans

The following Sections of the Greater Taree Development Control Plan 2010 (DCP) applicable to the proposed Development have been addressed in the Tables included in Appendix M.

3.9 Draft Environmental Planning Instruments

There following draft environmental planning instruments are relevant to the subject site or development proposal:

3.9.1 Draft MidCoast LEP

The Draft MidCoast Local Environmental Plan (April 2024) (Draft MC LEP) was publicly exhibited from 29 April to 14 July 2024. The Draft MC LEP does not change the zones applying to the land on the Site. However, it does correct the mapping anomalies identified in Section 3.7.1 of this SoEE, as the HOB and minimum lot size maps have been aligned with the zones, i.e. the triangular anomaly has been corrected. In respect of FSR, it is noted that much of the draft MC LEP has unspecified FSR controls, except for areas where the HOB limit is in excess of 25 metres. Therefore, the FSR anomaly has also been corrected, by the effect of FSR being removed from the R1 General Residential zones altogether.

Clause 4.1D, Exceptions to minimum subdivision lot sizes for certain split zones, is to remain under the draft MC LEP, however, is to be expanded to include all zones currently listed in the GT LEP and Great Lakes Local Environmental Plan 2014.

Overall, the draft MC LEP will have little impact upon the proposed Development as many of the existing planning controls remain the same or similar for the Site. Hence, any consent issued for the specialised retail premises and subdivision as sought under this application will not result in any existing use rights or industrial subdivision lot sizes that are inconsistent with the draft MC LEP.

3.10 Other relevant matters

The following additional matters apply to the proposal:

3.10.1 Developer Contributions s7.11 and s7.12

Greater Taree Section 94 Contributions Plan 2016

The Greater Taree Section 94 Contributions Plan 2016 (S7.11 Plan) does not apply to non-residential development other than:

- Heavy haulage developments that will have significant impacts on rural roads, and
- Non-residential development in the Taree CBD area that is deficient in the provision of on-site car parking.

As the proposed industrial subdivision is not a heavy haulage development, and does not result or contribute to a deficiency in car parking in the Taree CBD, the s7.11 Plan does not apply to the Development.

Greater Taree Section 94A Contributions Plan 2016

The Greater Taree Section S94A Contributions Plan 2016 (s7.12 Plan) applies to the Development as it is not listed in the Section 94 contributions plan and is not exempted under Section 2.7 of this policy.

As the estimated cost of works exceeds \$200,000 the levy rate of 1% applies. Based on the estimated development cost listed within Appendix K, being \$13,094,659.30 (excluding GST), a contribution of \$130,947 is considered applicable.

3.10.2 S64 Developer Charges

MidCoast Water Development Servicing Plans for Water and Sewerage (June 2017)

The MidCoast Water Development Servicing Plans for Water and Sewerage (June 2017) (DSP) applies to the land and DSP charges are assessed based on demand for service in terms of ETs (Equivalent Tenements) in accordance with the MidCoast Water Equivalent Tenement Policy (ET Policy). The ET Policy attributes 1 ET per industrial lot created within an industrial subdivision and 0.001ET per square meter of large-scale commercial.

In accordance with MidCoast Council's Fee and Charges 2024-2025:

- 1 ET for Water is currently \$7,326.00, and
- 1 ET for Sewer is currently \$10,111.00.

Hence, the water and sewer DSP charges for the proposed industrial subdivision and specialised retail premises can be calculated as follows:

Land use	ET Rate	Lots / Area (m ²)	ET Value	Estimated Charge
Subdivision	1ET per Lot	2*	Water \$7,326 Sewer \$10,111 Total	\$14,652 \$20,222 \$34,874
Large Scale Commercial (Specialised Retail)	0.001 ET per m ²	18,590m ²	Water \$7,326 Sewer \$10,111 Total	\$136,190.34 \$187,963.49 \$324,153.83

*Including allowance for existing Lot, not including proposed Lot 4 which is to be dedicated to Council free of cost.

It is recognised that the proposal is sought to be constructed in stages as outlined in Section 2.1.1. S64 charges will therefore be staggered as the proposed development stages progress. The future development of proposed lot 2 will also attract S64 charges and has not been included within the above estimate.

3.10.3 Services

The site is currently connected to the necessary infrastructure to service the proposed subdivision and specialised retail premises. Augmentation of the existing services will be required to provide separate connections to each of the proposed allotments. The following comments are made with respect to essential infrastructure:

Water

The site is currently connected to the reticulated water supply. The existing service will need to be augmented and, potentially, upgraded to service the needs of the proposed development. The final water service sizing to each of the proposed allotments will be undertaken by a suitably qualified consultant as a part of the detailed design documentations preparation (i.e., as part of the Subdivision Works Certificate or Construction Certificate).

Sewer

A sewer main traverses the Site east to west. This sewer main is proposed to be maintained.

A new sewer service is proposed to service each of the proposed allotments and individual tenancies within Proposed Lot 3. Refer to the servicing strategy included within Appendix E.

Stormwater

A stormwater management plan and report has been prepared by High Definition Design and is included in full within Appendix R. Civil Engineering drawings are included within Appendix E.

Access

Refer to Section 3.10.4.

3.10.4 Traffic & Parking

A Traffic and Parking Impact Assessment has been prepared by Intersect Traffic Pty Ltd. A copy of the assessment is included in full within Appendix G.

Traffic generation

Intersect determined that the maximum peak hour traffic generation for the site during the road network peak, can be calculated as follows;

$$\begin{aligned}
 \text{AM peak} &= 3.6 \times 1500/100 + 2.72 \times 17090/100 \\
 &= 54 + 465 \\
 &= 519 \text{ vtpg rounded up.} \\
 \text{PM peak} &= 3.6 \times 1500/100 + 2.72 \times 17090/100 \\
 &= 54 + 465 \\
 &= 519 \text{ vtpg rounded up.}
 \end{aligned}$$

However, Intersect note that with a large development like this there are generally cross-use concessions for multi-purpose trip making by customers. Normally these are in the range of 5% to 15 % and based on previous experience a 10% concession is considered applicable for the size of this development. On this basis the peak traffic generation from the site is estimated to be 470 vtpg (vehicle trips per hour) approximately (AM and PM peak = 0.9×519).

Traffic Network and Capacity

Intersect engaged Northern Transport Planning and Engineering (NTPE) to undertake traffic classifier counts on the road network around the site. These counts were undertaken between Thursday 27th June 2024 and Wednesday 3rd July 2024 at the following locations:

- Bushland Drive – west of Grey Gum Road (site frontage);
- Grey Gum Road – south of Bushland Drive (site frontage); and
- Wingham Road – south of Bushland Drive (near Bunnings entrance).

To aid with intersection analysis in this assessment NTPE and Intersect Traffic carried out intersection counts at the following intersections on Wednesday 11th December 2024 (PM peak period) and Thursday 12th December 2024 (AM peak) at the following intersections.

- Bushland Drive / Grey Gum Road T-intersection.
- Wingham Road / Bushland Drive / Woola Road roundabout.
- Wingham Road / Bunnings Access T-intersection; and
- Wingham Road / Kolodong Road T-intersection.

The results of the above analysis are summarised in Figure 20.

Road	Section	Peak hour - 2025		Peak hour - 2035	
		AM (vtph)	PM (vtph)	AM (vtph)	PM (vtph)
Wingham Road	south of Bushland Drive	974	1090	1187	1329
Wingham Road	north of Bushland Drive	1362	1568	1660	1911
Bushland Drive	east of Wingham Road	686	770	836	939
Bushland Drive	west of Grey Gum Drive	739	848	901	1034
Bushland Drive	east of Grey Gum Road	489	513	596	625
Grey Gum Road	south of Bushland Drive	386	485	471	591
Wingham Road	south of Bunnings access	1081	1213	1318	1479
Bunnings access	east of Wingham Road	179	219	179	219
Wingham Road	south of Kolodong Road	1083	1221	1320	1488
Kolodong Road	west of Wingham Road	36	44	44	54

Figure 20 – Predicted 2025 and 2035 peak hour traffic volumes (intersection counts)

Intersection Design & Operation

The TIA included an assessment of the proposed site access/intersection.

The TIA states that the access intersection was modelled as a CHR/AUL intersection in the SIDRA INTERSECTION network model developed for the road network around the site to determine if it operated satisfactorily during road network peak periods. The modelling results for the access intersection are presented in Figure 21 for the worst-case movement average delay, LoS and 95% back of queue length. The Sidra Movement Summary Tables for each scenario modelled are reproduced in Attachment C of the TIA included in Appendix G.

Model	Degree of Saturation (v/c)	Average Delay (s)	Level of Service	95 % back of queue length (cars)
2025 AM + development	0.271	15.8	B	0.5
2025 PM + development	0.333	17.7	B	0.6
2035 AM + development	0.302	21.3	B	0.6
2035 PM + development	0.396	28.2	B	0.7

Figure 21 – Bushland Drive / Site entry give way T-Intersection (SIDRA results summary).

Intersect confirm that the modelling shows the site access intersection will operate satisfactorily within the local road network through to at least 2035 with average delays, LoS and 95% back of queue lengths well within the thresholds set by TfNSW for satisfactory performance. Even by 2035 there is significant spare capacity within the

intersection as it is only operating at 40% capacity at this time.

Car Parking

The TIA assessment notes the following with respect to car parking:

'...the development provides 492 on-site car parking spaces including 13 accessible spaces. The development also provides suitable staff and visitor bicycle storage / parking facilities within the site. Whilst no motorcycle parking is provided there is an excess of on-site car parking which could be used by motorcycles, so no specific motorcycle parking is required. It is therefore concluded that there is more than sufficient on-site car parking proposed to meet the likely peak parking demand of the development' (p.18).

3.10.5 Waste

Due to the large-scale nature of the proposed specialised retail premises it is considered that the commercial collection of waste from the Site will be required. The Site has been designed to allow large vehicles, including waste collection vehicles, to travel around the outside of the buildings via the rear lane and collect waste from centralised locations.

Leigh Design has also prepared a Waste Management Plan which is included in full in Appendix N. This Plan has calculated the estimated waste streams for the proposal, resulting in the requirement for an estimated combined waste storage area of 111m². The proposal seeks to provide separate waste collection areas for each tenancy at the rear of the buildings. Leigh Design recommend the use of front lift bins which shall be stored in clearly marked areas which allow for sorting of waste and minimal disturbance by manner of noise, dust or odour.

3.10.6 Heritage

No known items of Aboriginal or European heritage significance exist on the property or were revealed via an Aboriginal Heritage Information Management System (AHIMS) search. Refer to Appendix O.

The site is considered to be disturbed land due to previous land clearing, its historical use by Boral and the associated infrastructure installation works including overhead powerlines, buildings and fencing.

3.10.7 Social and Economic Impacts

There are a number of large floorplate specialised retail premises within Taree, including Fantastic Furniture, Repco, BCF, Harvey Norman, Office Works and Original Mattress Factory. Most of these premises are within standalone premises scattered throughout the Taree CBD and surrounding areas.

Bunnings is also located next door to the subject site. The "Bunnings precinct" is identified within the MidCoast Council Employment Zones Review (August 2019) as a defined location for bulky goods retail uses (i.e., specialised retail premises). Of the E3 and E4 zoned land surrounding the Bunnings store, the subject site is the largest single property and provides an opportunity to provide a consolidated homemaker centre.

Given the nature of the proposed development (commercial/industrial) and its location within an established industrial area identified for bulky goods retail use, with specialised retail developments of a similar nature occurring on land adjoining (Bunnings), the proposal is not considered likely to have any significant adverse social or economic impacts.

The proposal is not considered likely to have any significant adverse economic impacts on the locality. A likely positive impact is that the development will provide significant commercial opportunity within the area and maintain employment in the construction industry during construction. Both of these positive impacts are considered to lead to flow on impacts such as expenditure within the local area. Hence, the proposal is

considered to have a positive social and economic impact for the Greater Taree area.

3.10.8 Vegetation Management Plan

Biodiversity Australia prepared a Vegetation Management Plan (VMP) for the Controlled Activity Approval (CAA) associated with DA2023/0800, refer CAA-2025-10058. A copy of the VMP is included in full within Appendix H.

The VMP acknowledges the cleared nature of the Site and recognising that the development footprint is the same between DA2023/0800 and the subject application, this VMP is intended to be implemented in a similar manner under this application. The VMP provides management measures for the C2 Environmental Conservation zoned land, located and maintained along the eastern edge of the Site.

In this regard, the VMP aims to guide vegetation management within the C2 Environmental Management area for a period of five (5) years with the aim of reducing weed presence below 5%, encouraging revegetation including infill planting and maintenance.

3.10.9 Noise

An Acoustic Impact Assessment has been prepared by Pulse White Noise (PWNA) considering the following:

- Noise emissions on nearby receivers from operation of any building services (i.e., electrical, hydraulic, mechanical plant and electrical).
- Noise emissions on nearby receivers from onsite vehicle movements (both passenger and trucks) servicing or access the facility.
- Additional noise impacts on NSW public roads as a result on the increase of vehicle traffic on the local road network associated with the facility.
- Noise emissions on nearby receivers from the tenancies and proposed gym.
- A review of construction noise and vibration impacts associated with the construction of the proposed facility.

PWNA's assessment considered the core operation hours for the majority of the commercial tenancies are likely to be 7:00am to 9:00pm Monday to Friday and 7:00am to 7:00pm Saturday, Sunday and Public Holiday.

PWNA also carried out their assessment noting that the movement of trucks onsite will not occur before 7:00am Monday to Saturday and 8:00am on Sunday and Public Holidays. Additionally, all truck movements will cease by 6:00pm and will not continue until the following times mentioned before.

For the gym tenancy it is proposed that the use will be 24-hours.

The nearest sensitive receivers to the site have been identified by PWNA as:

- Receiver 1: Residential dwellings to the east of the site across Grey Gum Road, located at 24-54 Greg Gum Drive, Taree.
- Receiver 2: Residential dwellings situated to the west of the site along Wingham Road, located at 264-276 Wingham Road and 290-292 Bushland Drive, Taree.
- Receiver 3: Residential dwelling situated to the north of Bushland Drive opposite the site, located at 163 Bushland Drive, Taree.

Whilst the exact types of mechanical and electrical equipment has not yet been selected. PWNA based their assessment on the assumption of typical noise developments from developments of a similar nature and common treatments including:

- Isolate the air conditioning condensers from the base building structure with a correctly sized vibration

isolator.

- Acoustic louvres or screens around the roof air conditioning plant will be required to an equal height of 500mm above the top of the units.
- Night operation mode should be enabled between 10:00pm and 7:00am to provide between a 4-5dBA reduction.
- The rigid ductwork is to include 50mm thick internally lined insulation.

Based on the above PWNA determined that the predicted operational noise levels were compliant for all tenancies and operational matters, including vehicle deliveries.

In addition, PWNA noted that the generated road traffic noise would result in a 1.9dB increase. However, PWNA states that as this is less than 2dB, Section 3.4 of the Road Noise Policy identifies this increase as a minor impact that is barely perceptible to the average person. Hence, PWNA 'deemed the relative increase as acoustically acceptable and not likely to change the existing acoustic amenity of surrounding residential receivers' (p. 22).

PWNA also included a list of mitigation procedures for the airborne noise and vibration impacts, these broadly include:

- Introduce best-practice general mitigation measures in the workplace which are aimed at reducing the acoustic impact onto the nearest affected receivers.
- Issue project updates to stakeholders, discussing overviews of current and upcoming works. Advanced warning of potential disruptions can be included.
- Monitoring to comprise attended or unattended acoustic surveys. The purpose of the monitoring is to confirm measured levels are consistent with the predictions in the acoustic assessment, and to verify that the mitigation procedures are appropriate for the affected receivers. If the measured levels are higher than those predicted, then the measures will need to be reviewed and the management plan will need to be amended.
- Preparation and adoption of a complaint management system.
- Contractor to consider alternative construction options that achieve compliance with relevant criteria. Alternative option to be determined on a case-by-case basis. It is recommended that the selection of the alternative option should also be determined by considering the assessment of on-site measurements (refer to Verification Monitoring above).

Section 4

Concluding Comments

Conclusion

This statement demonstrates that the proposed staged development for a 4 Lot Torrens title subdivision and Specialised Retail Premises consisting of multiple tenancies at 202 Bushland Drive, Taree has satisfactorily addressed the required Matters of Consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

In this regard, the Development is considered to be consistent with the relevant provisions of the applicable environmental planning instruments including:

- SEPP (Biodiversity and Conservation) 2021
- SEPP (Transport and Infrastructure) 2021,
- SEPP (Resilience and Hazards) 2021
- Greater Taree Local Environmental Plan 2010,
- Greater Taree Development Control Plan 2010, and
- Draft MidCoast Local Environmental Plan 2024

The numerous specialist investigations carried out over the Site have confirmed that the Site is suitable for the continued commercial / industrial use of the land.

The site is also serviced by the infrastructure necessary to accommodate a development of this nature.

In considering the above, this report demonstrates that the subject Site is suitable for the proposed Development, and it is therefore commended to Council for a favourable determination.