

STATEMENT OF ENVIRONMENTAL EFFECTS



Proposed Additions to Existing Steel Fabrication Premises

10-12 Telegraph Road, Young NSW 2650

Lot 4, DP 845187 & Part Closed Crown Road



Prepared for Apollo Fabrications

Rev 2.0 – August 2021



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Proposed Additions to Existing Steel Fabrication Premises

10-12 Telegraph Road, Young

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Proposed Additions to Existing Steel Fabrication Premises

10-12 Telegraph Road, Young

1 INTRODUCTION

1.1 Proposal Summary

The following Statement of Environmental Effects (SEE) has been prepared in support of proposed additions and alterations to an existing premises used for a steel fabrication at 10-12 Telegraph Road, Young, NSW. Apollo Fabrications Pty Ltd own and operate the premises.

The proposed additions and alterations will involve building works on Lot 4 DP 845187 only and including the construction of new 3-storey administration offices to replace the existing single storey and two storey offices, as well as enclosure of Workshop Area 4.

Additional car parking is proposed over part of a closed Crown Road immediately adjoining the premises to the east. The applicants have entered into a contract of sale to purchase this land from Crown Lands, with transfer of title imminent.

The proposed development is shown on the attached plans that accompany this SEE.

Lot 4 is currently zoned R1 General Residential, and the closed Crown Road parcel is zoned RU4 Primary Production Small Lots. All the land is subject to a Planning Proposal currently under consideration by Council to permit ongoing General Industrial use over the land. The premises is also subject to earlier development applications that have approved completed additions. A DA modification was submitted in August 2020 for alteration to operating hours and is currently under assessment by Council.

The SEE addresses the following prescribed matters:

- *the environmental impacts of the development,*
- *how the environmental impacts of the development have been identified,*
- *the steps to be taken to protect the environment or to lessen the expected harm to the environment,*
- *any matters required to be indicated by any relevant guidelines issued by the Planning Secretary - NSWDPPE.*

The development application, SEE and supporting information will demonstrate that the proposal is appropriate for the site and location, and will operate without any detrimental impact on surrounding land uses in the immediate precinct.

1.2 Subdivision and Staging

The proposal does not involve subdivision. Finalising of the Crown Road purchase will include the generation of a new plan of title for this parcel of land. This is being facilitated by the Crown Lands Office.

There is no development staging proposed, however, the construction will occur in stages to ensure minimal disruption to existing site operation and production schedules. This is outlined in the proposal details below.

1.3 Supporting Plans and Documentation

The SEE shall be read in conjunction with accompanying plans and support documentation as listed below in Table 1.

The subject land is known as Lot 4 DP845187 and Closed Road (under contract for purchase), 10-12 Telegraph Road, Young NSW, as identified in the mapping extract below.

The subject site is located on the southern side of Telegraph Road. The land forms part of holdings held for the purposes of Apollo Fabrications existing and future operations. Lots 3 & 4 are in the process of consolidation, with registration imminent.



SEE – Additions to Existing Steel Fabrication Premises – 10-12 Telegraph Road (Apollo) Rev2.0-Aug2021
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The area of land subject to Crown Road closure and purchase is highlighted on the plan below. Registration of the purchase and issue of new titles in the name of the Lot 4 landowners is imminent.

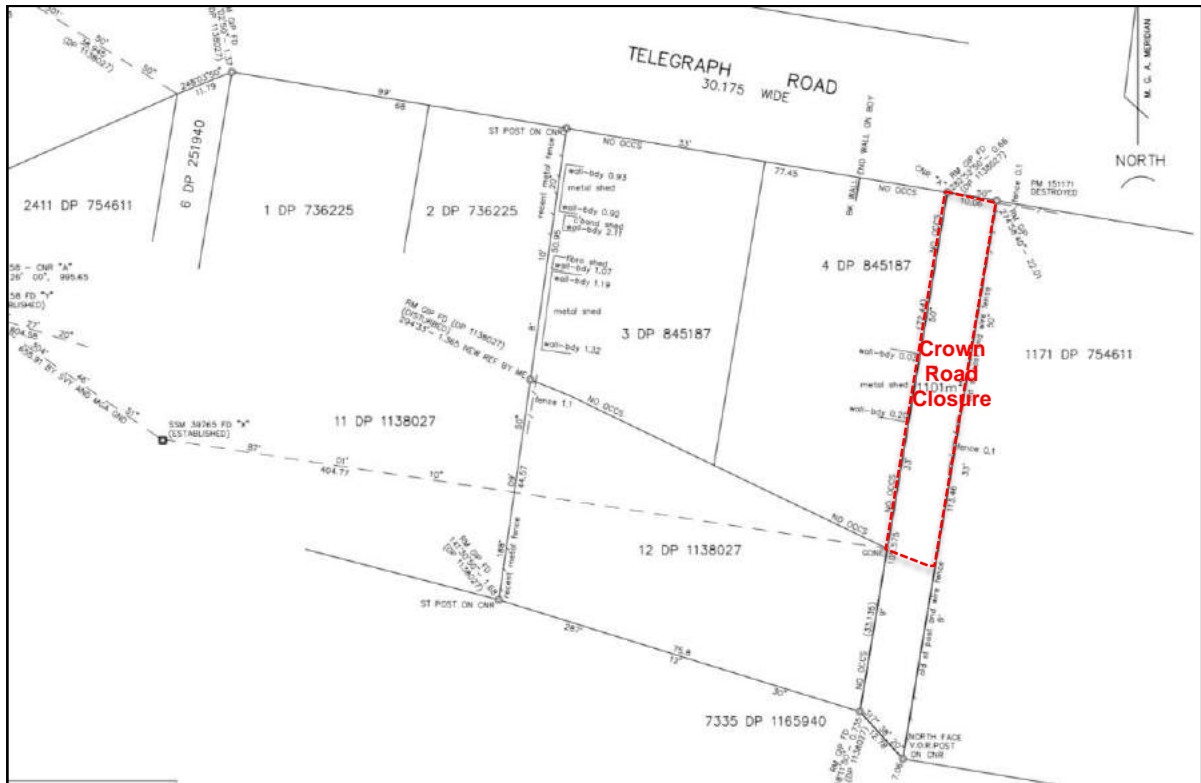


Figure 4: Land subject to Crown Road closure & purchase (Source: Chapman 2018)

The general location of the land is shown in the figure below, relative to the CBD of Young.

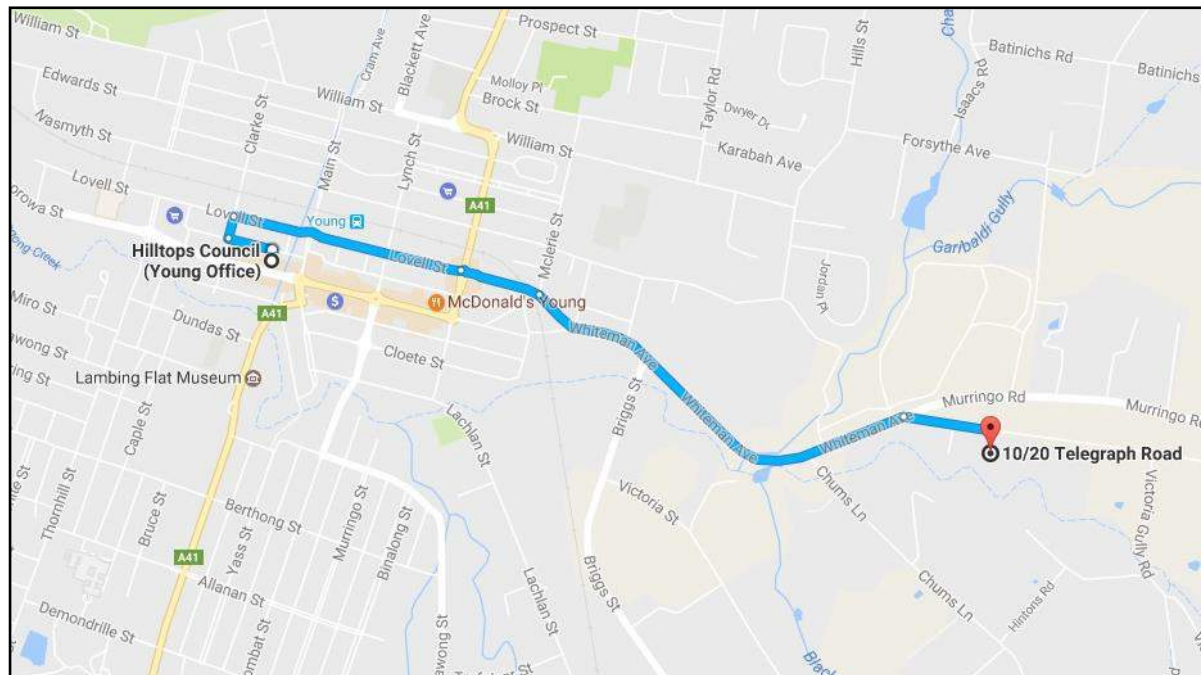


Figure 5: Location Map (Source: Google Maps 2021)

The site currently has no easements as shown in the current DP extract below.

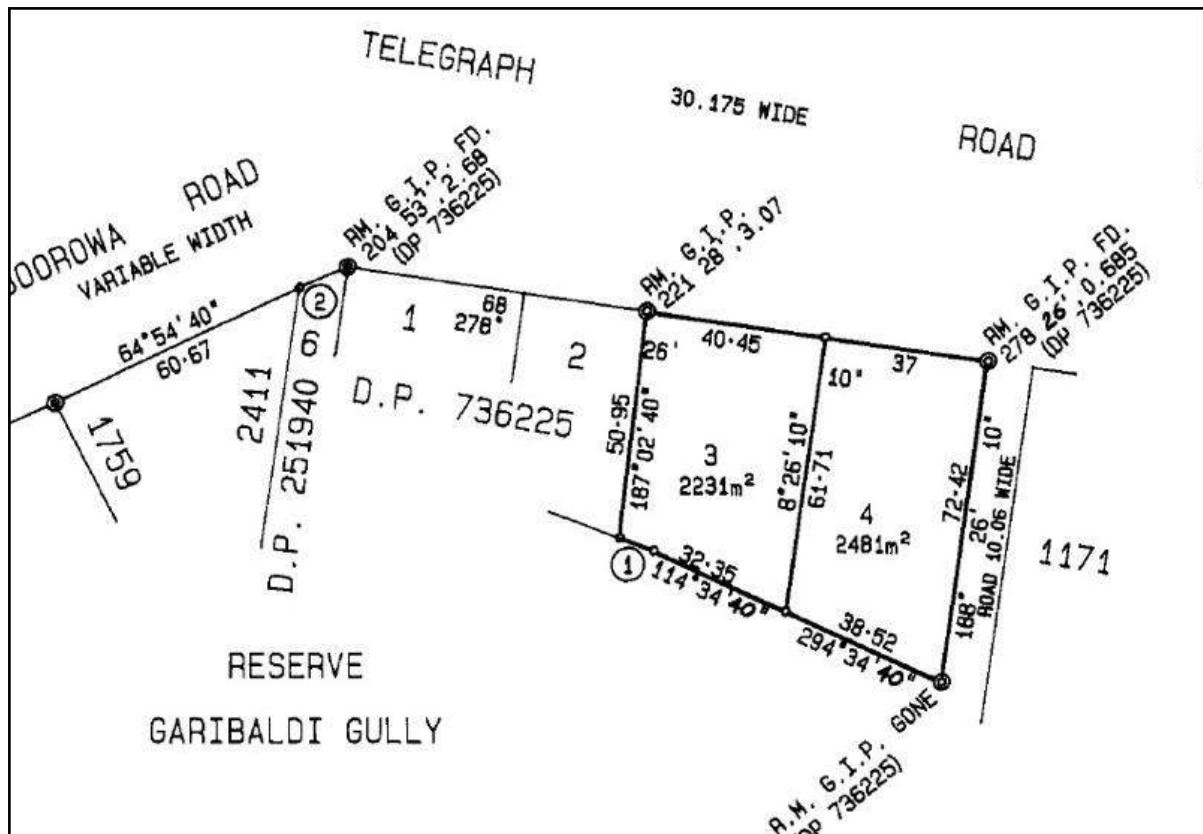


Figure 6: Extract of DP845187 (Source: Directinfo 2018)

3.2 Site Characteristics

3.2.1 Surrounding Land

The surrounding land is a mix of large lot residential and other undeveloped land. The current site has been historically used for light industrial and general industrial purposes. Large lot residential land uses extend to the east and west of the subject land. Undeveloped crown land containing a creek adjoins land to the south that Apollo have a long term lease over for storage purposes. Other undeveloped open space land exists opposite Telegraph Road to the north which is partially use for horse agistment purposes. There are additional rural industrial activities operating along the eastern part of Telegraph Road.

3.2.2 Heritage Area/AHIMS

The subject site does not lie within any Heritage Conservation Zone. No items of European or aboriginal heritage are identified within the subject land.

3.2.3 Connections/Transport Network

The site has vehicular connections to the Young CBD and wider regional arterial road network via Whiteman Avenue, Murringo Road and the west part of Telegraph Road. Public transport is not available to site.

3.3 Site History

The site has previously been the subject of development applications including:

- 2011/DA-00106 – To make alterations to the existing industrial premises for use as a steel fabrication business, involving the erections of a colourbond workshop, installation of a spray booth and grit blasting shed and storage container, and the replacement of signage.

This application was approved and the steel fabrication business has since operated on site.

- 2019DA-00035 – Industrial – alterations and additions to existing steel fabrications premises, including the following works:
 - Demolition of existing workshop, toilet blocks and amenities buildings (195.5m²);
 - Construction of an 885m² awning extension, including acoustical treatment and block wall; and
 - Integration of new staff amenities and factory office within the new building area

A DA modification was submitted in August 2020 for alteration to operating hours and is currently under assessment by Council.

All the land is subject to a Planning Proposal currently under consideration by Council to permit ongoing General Industrial use over the land.



Figure 7: Historical view of site – 2008 (Source: Google Maps 2018)



Figure 8: Historic Aerial Photo - 2008 (Source: HCGIS 2021)



Figure 9: Aerial Photo - 2018 (Source: SIXMaps 2021)



Figure 10: Drone Aerial of Existing Administration and Workshop Buildings (Source: Apollo 2021)



Figure 11: Existing Telegraph Road Elevation (Source: Apollo 2021)

4 DEVELOPMENT PROPOSAL

4.1 Proposal Details

The proposed additions and alterations will involve the construction of new 3-storey administration offices to replace the existing single storey and two storey offices, as well as enclosure of Workshop Area 4. Additional car parking is proposed over part of a closed Crown Road immediately adjoining the premises to the east.

The proposal has incorporated architectural features to the proposed administration building that are consistent with concept plans submitted with a recent Planning Proposal (PP) application. The PP seeks consideration for either the rezoning or Schedule 1 permissibility over land related to Apollo Fabrications (2 – 20 Telegraph Road) for general industrial activities. The PP is subject to assessment and consideration by Council and NSW Planning.

The proposal involves the following key development activities, as described on the accompanying development plans:

Development Activity	Floor Area (m2)
1. Demolition of existing single storey administration office area;	85
2. Demolition of 2-storey internal office area;	117
3. Demolition of open metal workshop area surrounding the existing blast room;	505
4. Construction of a 3-storey administration office area;	670
5. Construction of a new Workshop Area (No.4) to enclose paint area and blast room;	720
6. Establishment of additional car parking along closed Crown Road	-

4.1.1 Site Preparation - Demolition

Site preparation will require the demolition of the existing single storey and internal two-storey administration offices, as well as removal of the existing open metal workshop area surrounding the existing blast room. A plan showing proposed areas for demolition accompanies this SEE.

The following steps are proposed for demolition of the existing structures.

- Step 1: Secure Temporary fencing and mobilisation of plant and equipment
- Step 2: Disconnection of services i.e. electricity, gas, water, sewer.
- Step 3: Removal of roof and walls with excavators – No scaffolding will be utilised.
- Step 4: Load iron out to recyclers
- Step 5: Load bricks (if any) out to recyclers
- Step 6: Clean up slab/piers and remove other rubbish.

The site will be assessed and cleared of potential asbestos if present by an accredited firm. An asbestos clearance certificate will be issued accordingly.

Demolition will be carried out in an orderly manner, in compliance with the following Codes of Practice and Standards.

- AS 2601-2001 - Demolition
- AS 1315 – Chains and slings
- Work Cover guidelines
- Work Health and Safety Act 2011
- Work Health and Safety Regulations 2011

Demolition works will only be carried out during normal working hours and any noise/dust generated is not expected to be of significant impact to adjoining properties during this time period. The exclusion zone will be the demolition site itself. Temporary security fencing will be installed to the site boundary.

Vehicle / plant access to and from site will be restricted to existing driveway access from Telegraph Road. The proposed demolition will not negatively impact traffic movement.

Typical plant and service equipment required for the proposed demolition activity includes the following:

- Excavator (20 tonne or equivalent)
- Flat top trailer
- Low Loader
- Semi Tippers and/or 10m tippers, where appropriate for site conditions
- Bobcat
- Chains
- Shackles
- Hooks

4.1.2 New Administration Office Area

The new administration office area will replace the existing single storey two-storey offices. The style of the new building will be consistent with proposed concept plans submitted with the Planning Proposal relating to land along Telegraph Road held by the Apollo Group.

The new 3-level administration building will have an overall height of 12.6m, consistent with the overall height of the existing workshop buildings.

The new office area will provide additional space for showroom, customer areas, new work stations, board room, meeting rooms, staff lunch room, amenities and other required office storage areas to align with better work practices and expectations for this type of premises.

Existing office floor area is approximately 202m².

Proposed new office floor area is approximately 670m².

GFA for carparking purposes, as defined in the LEP, is approximately 560m², creating a net change of 358m² additional office space.

4.1.3 New Workshop Area (No.4)

The new workshop area (No.4) will replace existing open workshop space and totalling enclose work areas including the existing blast room. This will contribute to significantly addressing noise emanation issues that have been the subject of complaint from neighbouring residences.

The new workshop construction will be of metal framework and colourbond sheeting, consistent with the adjoining existing workshop areas.

Existing workshop area is approximately 505m² (covered area).

Proposed new workshop area, including enclosure of blast room area, will be approximately 720m².

4.1.4 Additional Car Parking Area

To address anticipated car parking demand from staff and customers, car parking is proposed to be established along the closed Crown Road area. Apollo have entering into a purchase agreement with Crown Lands, with finalisation of the transfer imminent.

As shown on the accompanying plans, an additional 20 spaces are proposed. Together with 20 spaces approved along Telegraph Road under an earlier DA, this will provide up to 40 car parking spaces for use by staff and customers of the premises.

Carparks will be 90degree with a two-way access drive. To ensure sufficient turning area, it is proposed to establish a 1.6m easement over 20 Telegraph Road, which is also owned by the Apollo Group and subject to the previously mentioned Planning Proposal.

An accompanying TIA Addendum discusses the parking and access proposal and includes recommendations for turning areas and wheel stops, which are proposed to be incorporated as part of the proposal. The TIA Addendum also confirms that sufficient parking is proposed to meet the needs of the proposal.

4.2 Other Operational Details

4.2.1 Staff

Apollo currently employ approximately 32 - 35 FTE staff at the premises including management and other employees. Equivalent casual staff are included in this staff figure. The proposed works will ensure better work environments for existing staff and allow for future expansion as required.

4.2.2 Facilities

The proposal involves the establishment of necessary new staff facilities including toilet amenities, lunch room and meeting rooms.

4.2.3 Hours of Operation

The proposed hours of operation will continue as currently approved under 2011/DA-00106 (Condition 11), being 7:00am – 6:00pm Monday to Friday, 7:00am – 11:00 am Saturday and no work on Sundays and Public Holidays.

A DA modification is currently with Council that seeks a variation to operating hours.

4.2.4 Car Parking

Overall, the proposal will provide an additional 20 car parking spaces, bringing the total car parking provision to 40 spaces. This is sufficient to accommodate projected staff and customer demands.

Council's DCP2011 contains provisions relating to car parking and vehicular access. The overall objectives here are:

- a) Traffic safety and management are maintained or improved;*
- b) Parking areas are provided that are convenient, functional and sufficient for use;*
- c) A balance is achieved between the needs of the proposed use and of vehicular and pedestrian traffic; and*
- d) Parking areas, once established, are maintained in an adequate condition that continues to provide facilities that comply with those required when development consent was granted.*

Acceptable car parking provisions for this type of development are calculated at the rate of:

Industries: 1 space per 2 staff employed, or 1 space per 100 square metres of gross leasable floor area (whichever is the greater)

Offices: 1 space per 50m² of gross leasable floor area

Original development approval under 2011/-00DA106 required the provision of 11 carparking spaces for the existing development. An additional 9 spaces were approved under 2019/DA-00035.

The net change in office space will be 358m², requiring an additional 7 spaces.

The net change in workshop area will be 215m², requiring an additional 2 spaces.

Overall the proposal requires 29 spaces to satisfy the DCP standards. As 40 spaces are proposed, the DCP is satisfied.

4.2.5 Traffic Generation

Traffic generation as a result of this development proposal is anticipated to remain substantially the same as current. The accompanying TIA Addendum confirms that traffic generation will be acceptable and not adversely impact the local road system.

4.2.6 Access

Access to site will continue as existing from Telegraph Road.

4.2.7 Services

The proposal will access existing public infrastructure that currently service the site. It is anticipated there will be no significant impact on existing services.

4.3 Streetscape & Landscaping

Telegraph Road is a formed rural type road that services existing industries and rural residential properties. The streetscape is characterised by the wide road reserve area, building setbacks and existing vegetation.

Apollo's approach to site development in this locality has been to continually improve the streetscape presence of the premises and work with Council to ensure building design and landscaping provides a positive impact on the public domain. Future works, as outlined in concept plans lodged with a recent Planning Proposal relating to the site, will provide a contemporary looking industrial building that will be consistent with the site's role as a "gateway" to the Young urban area.

An examination of historic streetview images provide evidence that, since the change of use of the site to the current operation by Apollo, there has been a significant improvement in the site's streetscape presence.



Figure 12: Historical Streetview of Telegraph Road (Source: Google Streetview)



Figure 13: Existing Premises front elevation (Source: SP2021)



Figure 14: 3D render of front elevation showing existing office and workshops (Source: Apollo Fabrications)



Figure 15: 3D render of proposed new office building and future workshop façade (Source: Apollo Fabrications)

5 INFRASTRUCTURE

5.1 Provisions of Essential Services

All essential services, including water, electricity, gas, telecommunication, sewer, drainage, road network and garbage services, are connected to site. The proposed development is not anticipated to create any additional significant demand on essential services. Connections will continue to be provided in accordance with all relevant Council and Service Provider Guidelines. Extracts obtained from relevant authorities of asset mapping in the vicinity of site are provided below for reference.

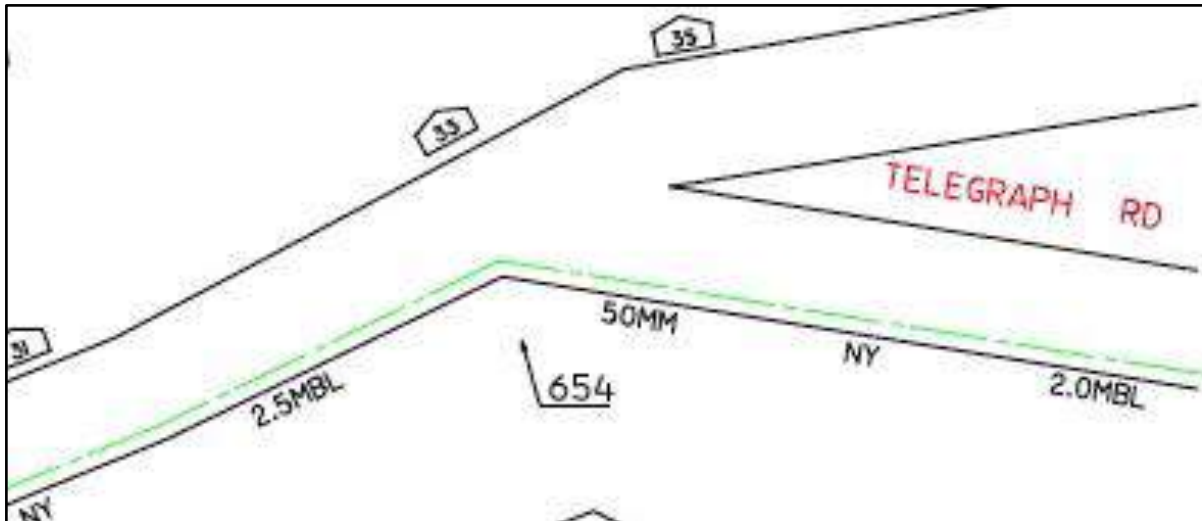


Figure 16: Jemena Assets Map (Source: DBYD 2021)

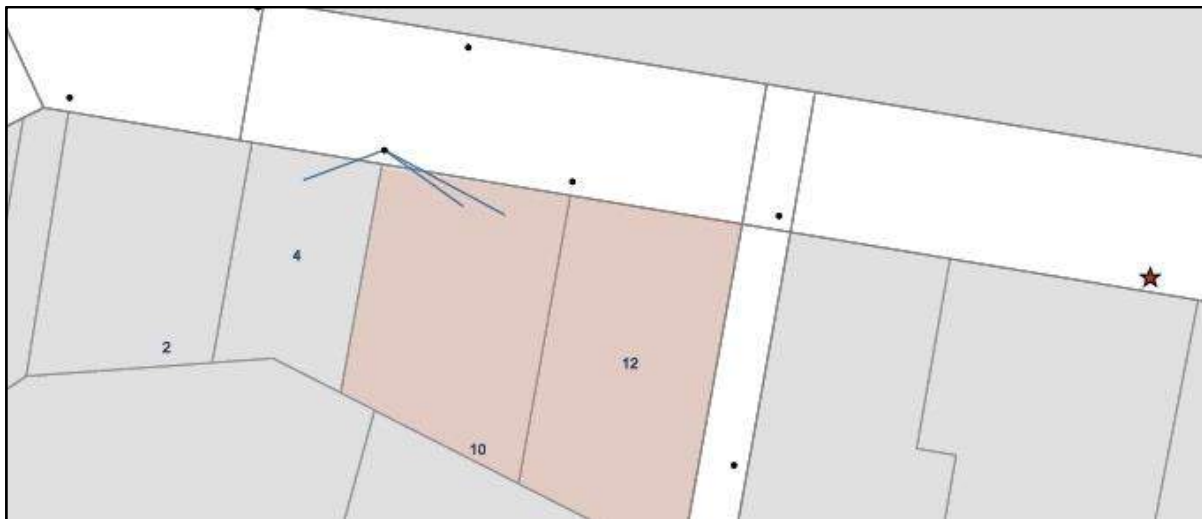


Figure 17: Essential Energy Assets Map (Source: DBYD 2021)



Figure 18: Council Sewer and Stormwater Assets Map (Source: Hilltops Council 2021)

6 PLANNING POLICIES AND GUIDELINES

The following planning policies and guidelines are applicable to the subject proposal and, where relevant, further consideration is given to address consistency with various adopted provisions and controls.

6.1 Strategic Plans

Council has recently viewed its suite of strategic planning documents including economic, land use and freight and transport strategies. The overall strategic direction for the Hilltops Council area is outlined in the recently adopted Local Strategic Planning Statement (LSPS) 2020-2040.

6.1.1 Hilltops Council Local Strategic Planning Statement 2020-2040

Whilst the current LEP zoning is not indicative of the emerging land use activities along Telegraph Road, Council's LSPS does support the further consideration of industrial land uses along this corridor. The LSPS identifies that Telegraph Road benefits from ready access to regional road networks and proximity to the town centre, and that concept plans should be actioned for eastern precincts that include the subject land.

The proposal is consistent with this strategic land use direction.

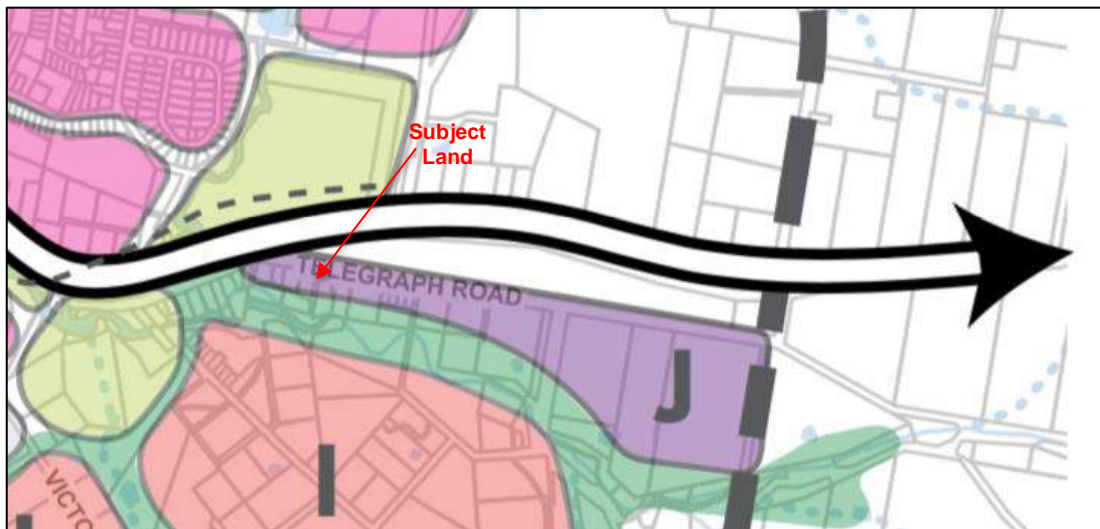


Figure 19: LSPS Young Town Map Extract (Source: H2040LSPS)

6.1.2 Hilltops Draft Local Environmental Plan 2021

The Draft Hilltops LEP is intended to provide a consolidated plan from the merging of Young, Booroowa and Harden LGAs and their correspondence LEPs. As a result, there are no major zoning changes proposed with this draft LEP. Draft zoning alterations include removing the RE1 zoning from the riparian corridor land immediately to the south of the subject land. Otherwise, the existing R1 and RU4 zonings are intended to remain as currently apply under the Young LEP2010.

The draft LEP identifies future 'gateways' into major towns, such as Young. Discussions with Council have referred to the Murringo Road/Telegraph Road precinct as a potential 'gateway' and any future land use strategic directions, and subsequent development, will address this opportunity.

Under the draft LEP, the current operations of Apollo would continue to be subject to 'existing use' provisions and related development consents.

6.1.3 Planning Proposal – Telegraph Road

Council is considering a planning proposal for land occupied and owned by the Apollo Group that intends to address permissibility for ongoing industrial activities in this precinct, subject to addressing known environment constraints and potential local

amenity impact issues. The proposal is accompanied by concept plans and urban design analysis that provides justification for the continued expansion and improvement to Apollo's activities in this area Telegraph Road. This development proposal aligns with the intent and future character directions outlined in the planning proposal.



Figure 20: Façade Treatment Concept – Planning Proposal 2021 (Source: PTW-Apollo 2021)



Figure 21: Gateway Concept – Telegraph Road Planning Proposal (Source: PTW-Apollo 2021)

6.2 Relevant Acts & Regulations

Development consent is required for the proposed development under the provisions of the Environmental Planning and Assessment Act 1979. In addition, the proposal is required to address matters contained in the Environmental Planning and Assessment Regulations 2000. The proposal and supporting documents have been prepared in with reference to relevant Acts and Regulations.

The proposal is not integrated development based on the assessment below.

Table 2: Integrated Development Assessment

Consideration of S4.46 of the EP&A Act 1979

Act	Approval	Comment
Coal Mine Subsidence Compensation Act 2017	Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district.	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.

<i>Fisheries Management Act 1994</i>	<i>Aquaculture permit</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to carry out dredging or reclamation work</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of an such land or lease</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to: (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
<i>Heritage Act 1977</i>	<i>Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1)</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Mining Act 1992</i>	<i>Grant of mining lease</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>National Parks and Wildlife Act 1974</i>	<i>Grant of aboriginal heritage impact permit</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Petroleum (Onshore) Act 1991</i>	<i>Grant of production lease</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Protections of the Environment Operations Act 1997</i>	<i>Environment protection licence to authorise carrying out of scheduled development work at any premises.</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a "waste activity" but including any activity described as a "waste facility").</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
<i>Roads Act 1993</i>	<i>Consent to: (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Rural Fires Act 1997</i>	<i>Authorisation under section 100b in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Water Management Act 2000</i>	<i>Water use approval, water management work approval or activity approval under part 3 of chapter 3</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.

6.2.1 Environmental Planning and Assessment Regulation 2000

The use of the existing premises falls within the definition of an "existing use" under Division 4.11 of the Environmental Planning and Assessment Act 1979 (EP&A Act). Part

5 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) makes provisions in respect of existing uses that are applicable to this proposal.

Clause 41 provides that an existing use may be "enlarged, expanded or intensified, or be altered or extended, or be rebuilt ..". Development consent is required, and the expansion or extension must be for the existing use and be carried out only on the land on which the existing use was carried out immediately before the making of the current LEP.

The proposal represents an enlargement/expansion of the existing premise that will involve alterations and rebuilding of office and workshop areas. The development will be carried out on land on which the existing use is being carried out. The proposal is permissible with consent.

6.2.2 Biodiversity Conservation Act 2016 No 63

The proposal is not likely to significantly affect threatened species. The site has been developed for commercial and industrial activities for many years and there are no areas of native vegetation on the site.

Development or activity is likely to significantly affect threatened species only if:

- *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in Section 7.3*

Applying the biodiversity test concludes that the proposed development will not likely to significantly affect threatened species or ecological communities, or their habitats.

- *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values*

The development does not exceed the Biodiversity Offset Scheme Entry Threshold. There is no site clearing involved with this proposal.

- *it is carried out in a declared area of outstanding biodiversity value*

The development is not within a declared area of outstanding biodiversity value.

6.3 State Environmental Planning Policies

The State Environmental Planning Controls (SEPPs) applicable to the site are listed below together with commentary on their relevance to this development. The list of applicable SEPPs has been sourced from the NSW Planning Portal.

Table 3: State Environmental Planning Policies

Relevant SEPP's	
SEPP	Comments
SEPP (Affordable Rental Housing) 2009	Applicable, not relevant.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable, not relevant.
SEPP (Concurrences and Consents) 2018	Applicable, not relevant.
SEPP (Educational Establishments and Child Care Facilities) 2017	Applicable, not relevant.
SEPP (Exempt and Complying Development Codes) 2008	Relevant, certain aspects of the proposal could be considered as either exempt or complying development. The proposal will be considered in its entirety as a development application to the local authority.
SEPP (Housing for Seniors or People with a Disability) 2004	Applicable, not relevant.
SEPP (Infrastructure) 2007	Applicable, not relevant.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Applicable, not relevant.

SEPP (Primary Production and Rural Development) 2019	Applicable, not relevant.
SEPP (State and Regional Development) 2011	Applicable, not relevant as the scale of the proposal does not trigger consideration under this SEPP.
SEPP (Vegetation in Non-Rural Areas) 2017	Applicable, not relevant as no vegetation is impacted.
SEPP No.21 – Caravan Parks	Applicable, not relevant.
SEPP No.33 – Hazardous and Offensive Development	Applicable, not relevant.
SEPP No.36 – Manufactured Home Estates	Applicable, not relevant.
SEPP No.50 – Canal Estate Development	Applicable, not relevant.
SEPP No.55 – Remediation of Land	Relevant – see discussion below.
SEPP No.64 – Advertising and Signage	Applicable, not relevant.
SEPP No.65 – Design Quality of Residential Apartment Development	Applicable, not relevant.

6.4 Local Environmental Plans

The site is subject to the provisions of Young Local Environmental Plan 2010 (the LEP).

The particular aims of the LEP are:

- (a) to protect the natural resources of Young from development that may reduce horticultural and agricultural productivity, while allowing for the planned urban expansion of Young Township,
- (b) to encourage the proper management, development and conservation of resources through the principles of ecologically sustainable development by protecting, enhancing and conserving the following:
 - (i) land of significance to agricultural production,
 - (ii) areas of high scenic value,
 - (iii) areas of significance for nature conservation,
 - (iv) timber, minerals, soil, water and other natural resources,
- (c) to protect, conserve and enhance the natural and cultural heritage of Young, including native biodiversity, threatened species, remnant and riparian vegetation, corridors and links and environmentally sensitive lands,
- (d) to encourage the renewal and upgrade of the older residential precincts in Young Township,
- (e) to encourage a range of housing, employment, recreational activities and services to meet the needs of existing and future residents of Young.

The proposal is generally consistent with the above LEP aims. The proposal is an expansion of an existing industrial premises to meet ongoing economic growth opportunities and to provide a more sustainable working environment, including office and workshops space for the benefit of employees, customers and the local community.

6.4.1 Land Use Zoning

The subject land is zoned part R1 General Residential and part RU4 under the provisions of the LEP, as shown in the figure below.

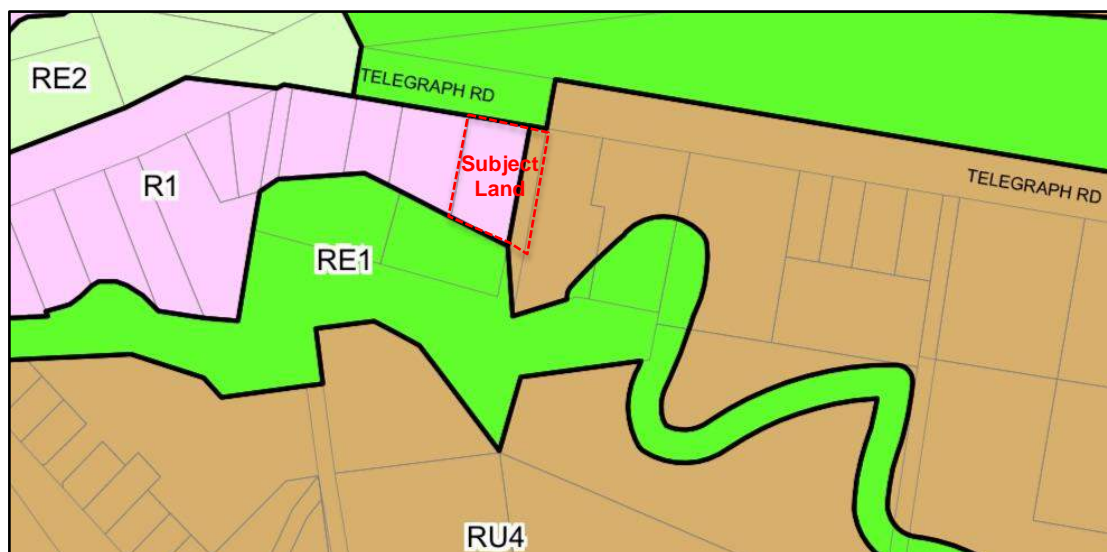


Figure 22: Land Zoning Map (Source: Young LEP 2010)

Permissibility

The proposal is defined under the LEP as *industrial activity*:

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.

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

Under the current LEP zone provisions, the existing premises is considered a prohibited use, being a type of development that is not specified in item 2 or 3 of the land use guide. The proposal would also not be consistent with the current R1 and RU4 zone objectives.

The premises, however, has been in existence on the subject site for many years, predating the current LEP. Council's approval of the change of use of the premises under 2011/DA-00106 endorsed the continuing use of the site for industrial activities, subject to relevant conditions.

As discussed above, the use of the existing premises falls within the definition of an "existing use" under Division 4.11 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Part 5 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) makes provisions in respect of existing uses that are applicable to this proposal. Clause 41 provides that an existing use may be "*enlarged, expanded or intensified, or be altered or extended, or be rebuilt...*". Development consent is required and the expansion or extension must be for the existing use and be carried out only on the land on which the existing use was carried out immediately before the making of the current LEP.

Under the above circumstances, the proposal is permissible with development consent.

6.4.2 Consideration of Other Relevant LEP Clauses

In addition to LEP2010 clauses contained in Part 1 (Preliminary) and Part 2 (Permissibility) discussed above, the following other clauses have been considered in relation to this development proposal:

Part 3 Exempt & Complying Development	- Noted
Part 4 Principal Development Standards	
4.1 – 4.6	- Not applicable
Part 5 Miscellaneous provisions	
5.1 – 5.19	- Not applicable
Part 6 – Additional Local Provisions	
6.1 – 6.2	- Not applicable
6.3 – Land	- Applicable – see section 7.6
6.4 – Water	- Applicable – see section 7.6
6.5 – Biodiversity	- Applicable – see section 7.6
6.6 – 6.7	- Not applicable

Where indicated as applicable, the relevant clause subject matter is discussed and considered in further detail in other identified sections of this SEE.

	<p><i>PID4 To ensure that new industrial developments have a site layout that will allow the safe and efficient manoeuvring of heavy vehicles both on the site and on the surrounding road network;</i></p> <p><i>PID5 To ensure that new industrial developments do not result in unacceptable noise, vibration or overshadowing impacts on adjoining or nearby properties;</i></p> <p><i>PID5 To ensure that new industrial development (including significant extensions) is appropriate to the streetscape and context;</i></p> <p><i>PID6 To ensure that industrial buildings present acceptably to the public realm in terms of;</i></p> <ul style="list-style-type: none"> · Facade treatment · Landscaping and fencing · Signage 	<p>Satisfied. The proposal is an addition to an existing industrial development. The site layout accommodates the manoeuvring of heavy vehicles.</p> <p>Satisfied. The current development is subject to existing conditions relating to noise impact attenuation and mitigation measures. The proposal will assist in further mitigating and managing impacts from onsite activities.</p> <p>Satisfied. The proposed extension will be consistent with the future desired streetscape character and building design for this precinct. Landscape treatment will be embellished to the site frontage and parking areas in accordance with previous consents. Signage will be appropriate to the scale and bulk of the building.</p>
	<p><u>2.9.3 Design Suggestions and Variations</u></p> <p><i>a) The necessary fire ratings under the Building Code of Australia need to be achieved when parts of the building are constructed to a boundary. This would generally require concrete or masonry walls;</i></p> <p><i>b) Crime and safety issues in NSW Police Force program "Safer by Design" such as lighting, security and cameras where needed should be considered in the planning of the development;</i></p> <p><i>c) Siting for economy under the BCA may cause severe constraints. The maximum use of site should be entertained as opposed to "dead" setback zones;</i></p> <p><i>d) Narrow and/or unfrequented areas which would be difficult to maintain should be avoided;</i></p> <p><i>e) Signage can either be included with the initial development application, or subject to a separate application to Council, unless the signage is exempt development. (Note: Exempt and Complying development is included under the Young LEP 2010, SEPP 60 Exempt and Complying Development and SEPP No. 64 Advertising and Signage);</i></p> <p><i>f) "Nose in" parking, directly off a public road, is generally discouraged but may be accepted for existing development adjoining a local road where the following is able to be achieved:</i></p> <ul style="list-style-type: none"> <i>a. not within 10 m of an intersection or a roundabout;</i> <i>b. a public footpath of 1.5m is able to be provided;</i> <i>c. not located where the road alignment would limit visibility all vehicles entering or leaving the parking area;</i> <i>d. only on a lightly trafficked road;</i> <i>e. Road carriageway has a minimum width of 12 m kerb to kerb.</i> 	<p>Satisfied. The proposal will ensure BCA compliance as required.</p> <p>Satisfied. The existing premises and proposed alterations include security and safety measures to address crime and safety design matters.</p> <p>Satisfied. The site area has been maximised to ensure efficient and sustainable use of land resources.</p> <p>Satisfied.</p> <p>Satisfied. See submitted plans.</p> <p>Satisfied.</p>
Section 4: SPECIFIC PROVISIONS – ALL ZONES		
Clause	Objective/Control	Comments

4.1 Car Parking and Vehicle Access	4.1.1 Overall Objectives <i>To provide a guide for the provision of parking, associated with development in Young Shire in order that:</i> <i>a) Traffic safety and management are maintained or improved;</i> <i>b) Parking areas are provided that are convenient, functional and sufficient for use;</i> <i>c) A balance is achieved between the needs of the proposed use and of vehicular and pedestrian traffic; and</i> <i>d) Parking areas, once established, are maintained in an adequate condition that continues to provide facilities that comply with those required when development consent was granted.</i>	Satisfied. See discussion in sections above.
	4.1.2 Parking Requirements 4.1.2.1 General Information	Noted.
	4.1.3 Objectives: <i>a) To provide safe and accessible car parks.</i> <i>b) To provide sufficient car parks to serve the needs of particular developments.</i>	Satisfied. See discussion above.
	4.1.4 Performance Outcomes and Acceptable Solutions <i>PPA1 New car parks are sufficient in number and design to provide appropriately for the needs of new developments;</i> <i>PPA2 Parking areas are designed to operate in a safe manner for drivers and pedestrians.</i> <i>PPA3 All parking bays must be readily accessible and an adequate area is provided for the turning</i>	Satisfied. See discussion above.
4.2 General Provisions for Car Parking Areas	4.2.1 Objectives <i>This section applies to Class 2-9 Development under the BCA and also multi-dwelling residential development or where a designated carparking area is required.</i> <i>a) To provide car parks and related infrastructure to acceptable standards of construction.</i>	The proposal is an extension to an existing industrial premises which would be a Class 8 building. Satisfied. See discussion above.
	4.2.2 Performance Outcomes and Acceptable Solutions <i>PCP1 – PCP2.21</i>	Satisfied, where applicable.
	4.2.3 Design Suggestions and Variations <i>a) – h)</i>	Satisfied, where applicable.

6.7 Other Relevant S4.15 Matters

- any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority.....:

The draft Hilltops LEP has been considered above.

- any planning agreement:

There are no known planning agreements applicable to the development proposal.

- the suitability of the site for the development...:

Based on the above discussion, the site is considered suitable for the development.

- *any submissions:*

Council will undertake appropriate public consultation and consider any submissions accordingly.

- *the public interest:*

The public interest is supported with this application as the proposal is in accordance with applicable legislation and other publicly endorsed planning policies and guidelines to ensure compatible and sustainable development on this site.

7 ENVIRONMENTAL IMPACT ASSESSMENT

7.1 Site and Locality Analysis

The subject site is located on the southern side of Telegraph Road, east of the Young CBD. Undeveloped Crown Land exists to the north and south of the subject land, with residential zoned land to the east and west.

The subject site contains an existing steel fabrication business, comprising several large sheds for fabrication, a brick office building and several smaller standalone sheds for further workshop activities and amenities.



Figure 24: View of Site from Murringo Road intersection (Source: Apollo 2021)

The site has existing access to Telegraph Road. A Crown Road adjacent the eastern boundary is subject to acquisition by Apollo, with title transfer imminent. The access arrangements for the site will continue as existing.

The locality comprises of a mix of residential and reserve land. Land to the north and south of site is undeveloped vacant land, with land to the east and west containing dwellings on large lots. There are other large rural industries located to the east along Telegraph Road.

7.2 Noise

The existing premises has been subject to noise assessment and recommendations for attenuation measures to mitigate any potential adverse impact on adjoining sensitive receptors. The recommendations of the subsequent reports have been implemented and the premises is operating within acceptable noise standards. This is a continually monitored area of potential impact and has received considerable attention by both Council and Apollo.

The proposed alterations will assist in further mitigation of noise generating activities from the site by enclosing areas currently used for paint and blasting activities.

The proposed office building will not create any detrimental noise impact.

7.3 Bushfire

The subject land was investigated via NSW RFS records and confirmed that it is not classed as prone to bushfire.



Figure 25: Bushfire Map extract (Source: NSW RFS 2021)

7.4 Flooding

The subject site is not subject to flooding as per available flooding information from Council's Floodplain Risk Management Study and Plan (Nov2015).

7.5 Flora and Fauna

The subject site has no significant vegetation.

No endangered species have been sighted near the proposed development, as seen in the Office of Environment and Heritage Wildlife Atlas map below.



Figure 26: Wildlife Atlas Map (Source: OEH Wildlife Atlas 2021)

7.6 Natural Resources Sensitivity

No areas of the subject are mapped as sensitive to Land and Riparian Lands & Waterways. A small northwest portion of the site is mapped as sensitive to Biodiversity. The area is insignificant to the proposal as there are no potential biodiversity elements on the site.

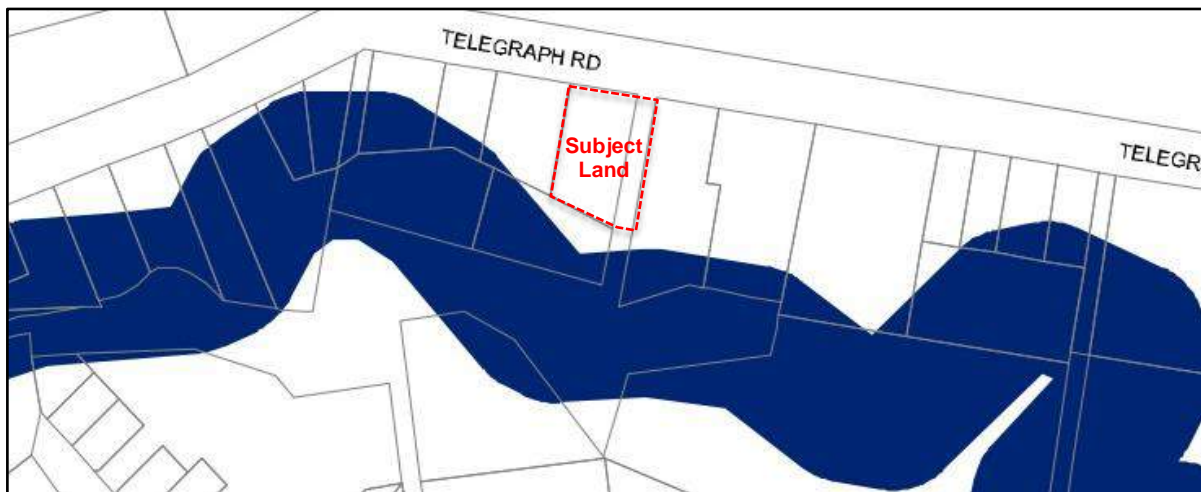


Figure 27: Natural Resources Sensitivity - Riparian Lands & Waterways Extract (Source: Young LEP 2018)

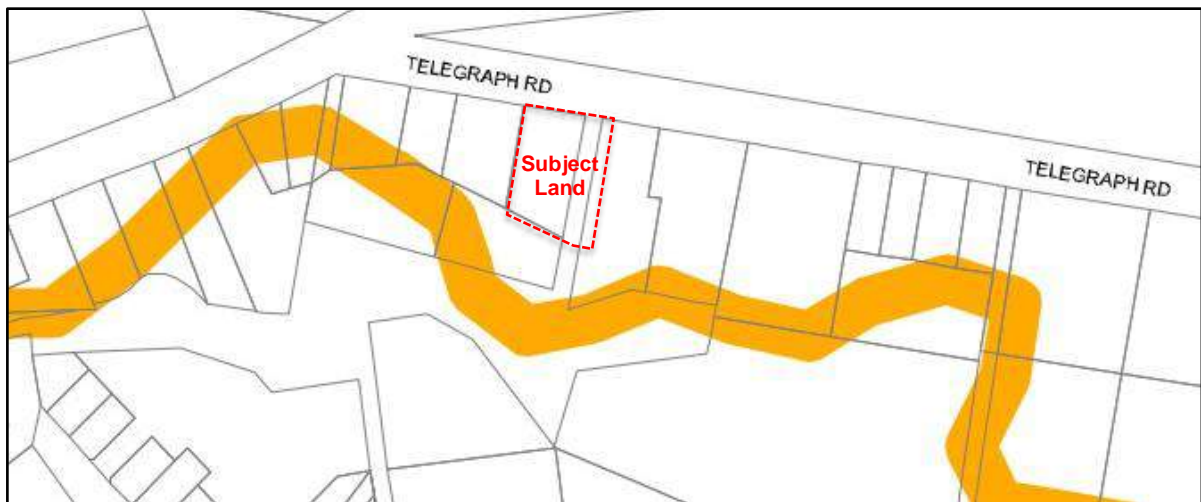


Figure 28: Natural Resources Sensitivity - Land (Source: Young LEP 2018)

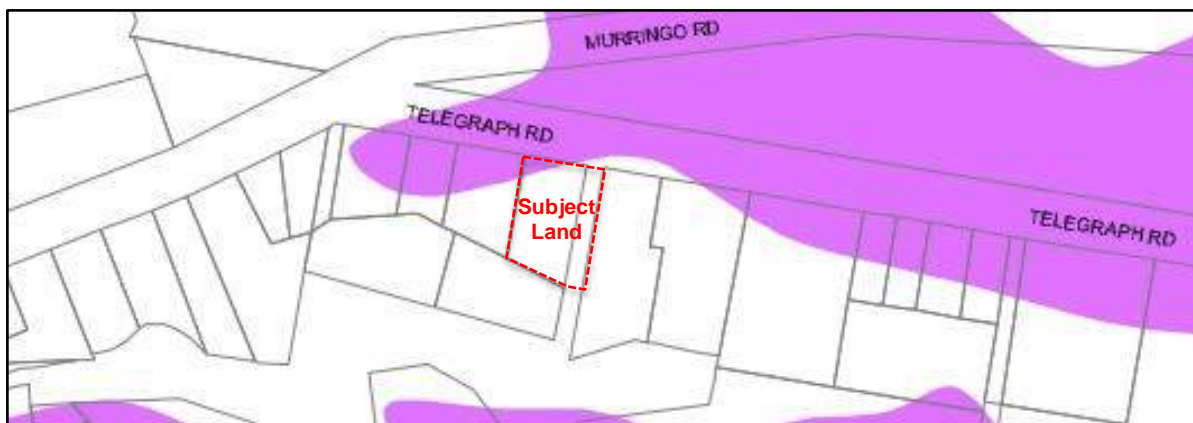


Figure 29: Natural Resources Sensitivity - Biodiversity (Source: Young LEP 2018)

7.7 Heritage Conservation

There are no known items of heritage significance on the site. The site is not located within a heritage conservation area. The nearest heritage item(s) are located to the north on existing Showground land. The proposal will have negligible impact on these items due to the large separation distance.



Figure 30: AHIMS Search Extract (Source: OEH 2021)

An AHIMS search confirms that within 200m of the site, there are no aboriginal sites recorded or declared places.

In accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW2010)*, generic due diligence process, the following information is provided:

Will the activity disturb the ground surface or any culturally modified trees?

- Yes, the development proposed will disturb the ground surface, however will have no impact on any known culturally modified trees.

Are there any:

a) relevant confirmed site records or other associated landscape feature information on AHIMS?

- No (see AHIMS search attached).

b) any other sources of information of which a person is already aware?

- No, there are no other known sources of information as determined via Council records and information available to the applicant.

c) landscape features that are likely to indicate presence of Aboriginal objects?

- No, there are no landscape features in the area proposed for the alterations that are likely to indicate the presence of Aboriginal objects.

It is considered that all due diligence requirements have been fulfilled. An Aboriginal Heritage Impact Permit (AHIP) application is considered to be unnecessary. The development will proceed with caution.

If any Aboriginal objects are found, work will be stopped and relevant authorities notified. If human remains are found, work will be stopped, the site will be secured and Police and other relevant authorities notified accordingly.

7.8 Site Contamination

Consideration of site contamination is a statutory requirement when considering development applications. Relevant guidelines prepared under State Environmental Planning Policy No.55 (SEPP55) provide an outline of matters to be considered in this respect.

The history of land use of the subject land needs to be considered as an indicator of whether land contamination is a potential issue. Where there is no reason to suspect contamination after acting substantially in accordance with the SEPP55 Guidelines, the proposal may be processed in the usual way. However, where there is an indication that the land is, or may be, contaminated, and a significant landuse change is proposed, the appropriate procedures outlined in the SEPP55 Guidelines should be followed.

The proposal is a continuation of use of an existing industrial premises. The potential impact of site contamination activities on the proposal is considered minimal.

7.9 Economic and Social Impact

The existing premises and proposed alterations will have continued positive economic and social impact on the local and wider community.

Apollo Fabrications is a local business that generates over 30 jobs. The input to local economy is significant through both direct wages and engagement of local services and trades. The business is investing in future expansion, as outlined in a recent Planning Proposal, to ensure the efficiency, competitiveness and sustainability of their enterprise for the long term.

Ongoing sustainable development of the premises ensures local employment and continued social well-being of the community, including ongoing participation of the business in local community and social activities.

The proposal is supported by local community representatives and State agencies, as evident in a recent significant State grant approval that will underpin Apollo's ongoing expansion and employment generation.

7.10 Statement of Environmental Effects Summary Table

Table 5: Statement of Environmental Effects

Proposed Alterations to Existing Industrial Premises – 10-12 Telegraph Road, Young			
Subject Area	The potential environmental impacts of the development	How the environmental impacts of the development have been identified	The steps taken to protect the environment or to lessen the expected harm to the environment
Context & Setting	Minimal	Visual observation, interpretation of land uses.	Site layout and appreciation of site features and local character.
Access & Traffic	Minimal	Existing and projected traffic volumes, site analysis, TIA	Development in accordance with applicable standards and policies.
Infrastructure	Minimal	Analysis of existing infrastructure provision.	Connection to existing services in accordance with the requirements of servicing authorities and applicable standards.
Heritage	Nil	Local and State policy	Not applicable
Archaeology	Nil	Local and State policy	Not applicable
Land Resources	Negligible	LEP Data and site inspection	Development in accordance with applicable standards and policies.
Soils	Negligible	Investigation and available site history	Appropriate mitigation measures implemented as necessary during construction.
Air & Microclimate	Negligible	Site and development assessment, local records.	Appropriate mitigation measures implemented as necessary
Flora & Fauna	Nil	Site inspection. Online databases	Not applicable
Waste	Minimal	Development assessment and estimate of usage	Waste disposed of in accordance with legislative guidelines.
Noise	Minimal	Local conditions. Expert reports, historical data and reports	Operations will be in accordance with legislative guidelines.
Natural Hazards	Negligible	Local records and available history	Appropriate mitigation measures implemented as necessary
Social Impact	Positive	Local policy and knowledge	Not applicable
Economic Development	Positive	Local records and available information	Not applicable
Design	Positive	Design plans, local conditions	Site layout and appreciation of site features and local character.
Construction	Minimal	Existing site conditions, construction schedule	Construction works in accordance with relevant codes, policies and guidelines.

8 CONCLUSION

The proposed additions and alterations to existing structure and use of the subject land has been considered in respect of current policy and environmental conditions. It is considered the proposal is justified and permissible, for the following reasons:

- Satisfies State Environmental Planning Policy provisions relevant to the proposal;
- Is permissible under the provisions of the Young Local Environmental Plan 2010 and NSW planning legislation for an existing use;
- Satisfies, where applicable, the provisions of the Young Development Control Plan 2011.
- Will not have an adverse impact on the environment, as discussed in the Statement of Environmental Effects above.
- Will provide ongoing economic and social benefits for the local and wider community.

The proposal is submitted to Council for consideration.

21010: Document History

Revision No.	Date	Authorised By		
		Name/Position	Signature	Notes
Rev 1.0 – Draft	01/07/2021	Garry Salvestro Director	GS	Preliminary draft for internal review
Rev 1.1 – Edited Draft	30/07/2021	Garry Salvestro Director	GS	Edits as required
Rev 1.2 Final Draft	6/08/2021	Emily Hewitt Planner	EH	Internal & client review
Rev 2.0 Final	6/08/2021	Garry Salvestro Director	GS	Issued for DA lodgement

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