

JOINT REGIONAL PLANNING PANEL Western Region

JRPP No	2011WES009
DA Number	DA 95/2011
Local Government Area	Griffith City Council
Proposed Development	Establishment of an ammunition manufacturing facility
Street Address	Doug McWilliam Road, Yenda (Lots 478, 762, 763 DP 751728)
Applicant/Owner	Applicant: Planningmatters Development Service for & on behalf of Bronzewing Ammunition P/L Landowners: Casella Wines Pty Ltd
Number of Submissions	One (1)
Recommendation	Approval subject to Conditions
Report by	Linden Foster, Development Assessment Planner

Assessment Report and Recommendation

DA No:	95/2011(1)
Property description:	Lots 478, 762 & 763 DP 751728 Doug McWilliam Road YENDA
Date of receipt:	27 May 2011
Type of Development:	Integrated & Designated
Value of works:	\$250, 000.00
Land zoning:	4(a) General Industrial
Current use:	Lot 763: vacant winery laboratory. Lot 762: warehouses for bulk wine storage pending domestic distribution. Lot 478: warehouses for bulk wine storage pending domestic distribution, and one (1) residential dwelling (currently occupied by an employee of the landowner).
Applicant's details:	Planningmatters Development Service For & on behalf of Bronzewing Ammunition Pty Ltd 23 Noorilla Street GRIFFITH NSW 2680
Landowner's details:	Casella Wines Pty Ltd PO Box 281 YENDA NSW 2681
Notification dates:	3 June to 4 July 2011
Number of submissions:	One (1) objection.
Building Classification:	8 and 7b
Main issues:	Several key issues were identified in the Director General's Requirements, these include: hazards and risks, noise, air quality, soils and water, waste management, traffic and transport, and emergency management.
Recommendation:	Approval, subject to conditions of consent

Executive Summary

Proposal

Development Application 95/2011 seeks consent for the establishment of an ammunition manufacturing facility, including internal alterations and the use of an existing building as an ammunition manufacturing facility, conversion of an existing

warehouse to store raw materials and finished cartridges, the installation of a magazine for the storage of material ('smokeless powder') and construction of internal access roads. The facility proposes to manufacture up to 10 million shot gun cartridges per annum, with onsite storage limited to a maximum of 250,000 cartridges at any one time.

Type of Development

The proposed development is identified as Designated Development under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (Part 1, Clause 9(1)(b)(i) Chemical industries and works).

The proposal is also Integrated Development under Section 91 of the *Environmental Planning and Assessment Act 1979* and the provisions of the *Protection of the Environment Operations Act 1997*, and requires an Environmental Protection Licence from the Office of Environment and Heritage for explosives production.

Consultation

Public consultation has been carried out in accordance with the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000* and Council's Notification Policy (Development Control Plan No. 25). The consultation period was carried out between 3 June and 4 July 2011. At the close of the notification period, one (1) written submission was received by Council objecting to the proposal.

External agencies were also consulted during the assessment phase, as well as internal departments of Council. External agencies which were consulted withinclude: NSW Office of Environment and Hearitage, The NSW Department of Planning, The NSW Roads & Traffic Authority, NSW WorkCover and NSW Fire & Rescue.

Main Issues

The main issues as identified in the Director General's Requirements include hazards and risks, noise, air quality, soils and water, waste management, traffic and transport, and emergency management. The application has addressed these issues as well as providing a Noise Impact Assessment, Preliminary Hazard Analysis and a Draft Emergency Management Plan.

Recommendation

It is recommended that Development Application No. 95/2011 be approved pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979*, subject to the Draft Conditions of Consent in Attachment 'K'.

Assessment

Site History

Current land use	<ul style="list-style-type: none">Lot 763: There is has an unused laboratory which was associated with McWilliams Winery which previously
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	<p>operated from the sites adjoining the subject land, however the winery is no longer in use. The laboratory is proposed to be used for the assembly of cartridges.</p> <ul style="list-style-type: none"> • Lot 762: Has two warehouses onsite, warehouse 1 which is proposed to be used for the storage of raw material/components and finished cartridges, and warehouse 2 will continue to be used for the storage of wine associated with the existing winery on Lot 1 DP 1121791 (Casella Wines). • Lot 478: Two warehouses are located on this site and will continue to be used for the storage wine. A dwelling is also located on the site fronting Burley Griffin Way and is occupied by an employee of Casella Wines. This lot proposes to house the magazine for propellant storage. Please refer to the drawing provided with the application for proposed locations (refer to attachment 'D').
Previous approvals	<ul style="list-style-type: none"> • DA No. 956010 to construct an insulated storage shed – approved 26.7.1995 • DA No. 978077 to develop cold storage sheds 3 and 4 – approved 10.12.1997

Site Description



Figure 1 – aerial photo.

The proposed development is located on Lot 478, 762 and 763 DP 751728, from Doug McWilliam Road, Yenda. The subject sites have access from Doug McWilliam Road which links with Mirrool Avenue to the west and The Burley Griffin Way to the

north-west. Lots 763 and 478 also have a frontage to Burley Griffin Way, which is considered to be an arterial road. The subject site has a combined area of approximately seven (7) hectares. The site is relatively flat and highly disturbed in terms of vegetation, with scattered trees along the perimeter of the sites. The subject site is approximately 200 meters from the Village Zone of Yenda Township, with the nearest dwelling approximately 100 meters of the site (not including the dwelling on Lot 478). To the north of the site there is a rail line, horticultural farms with existing rural dwellings, and a sports oval to the north-west (Wade Park Reserve). To the east of the site there are a number of vineyards associated with Casella Wines located on Lot 1 DP 1121791 off of Wood Road. To the south of the subject site there are a group of allotments zoned 1(e) Rural Industry & Employment, these properties have frontage to Doug McWilliam Road, Mirrool Avenue and Barracks Road and are the location of Yenda Producers Co-op, the currently vacant McWilliams Winery site (owned by Casella Wines), Australian Grain Storage sites and Berton Vineyards winery. All these business are within approximately 350 meters of the subject sites.

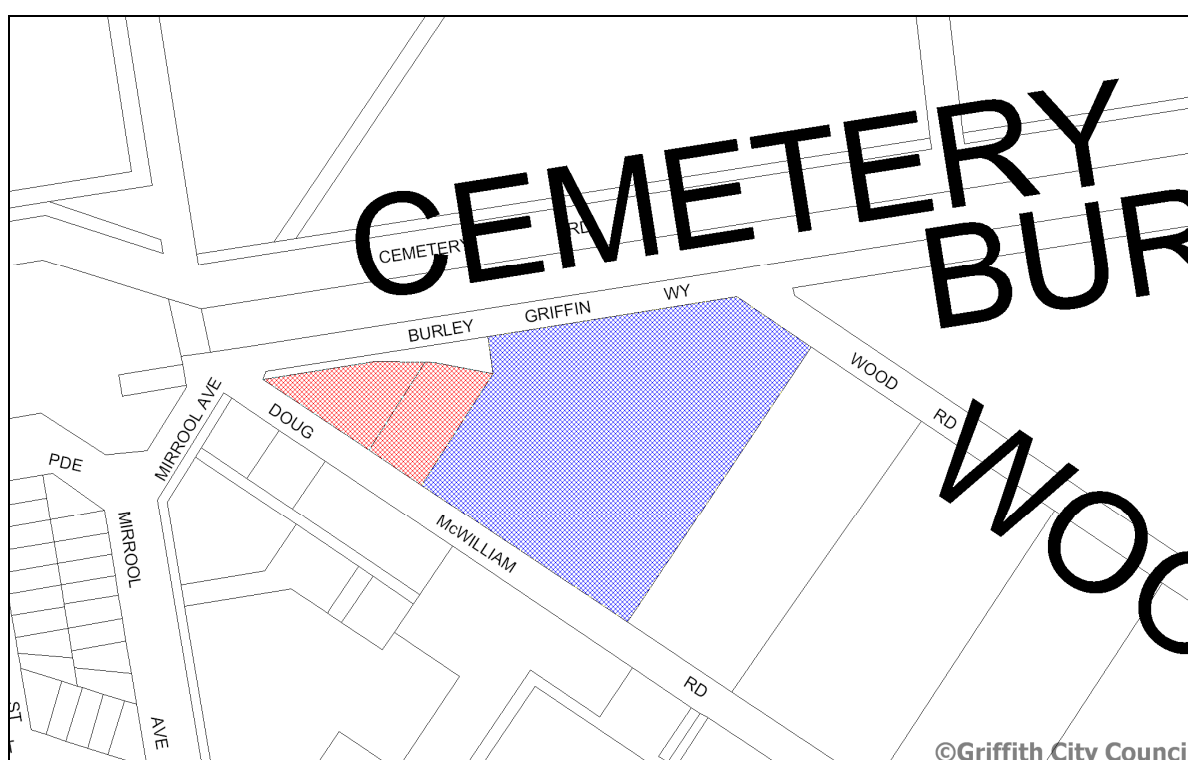


Figure 2 – Locality Plan.

Proposal in Detail

Bronzewing Cartridges propose to establish an ammunition manufacturing facility on the subject site. The facility proposes to produce up to 10 million shot gun cartridges per annum with onsite storage limited to a maximum of 250,000 cartridges at any one time.

- **Manufacturing building:**

The development will utilise two existing buildings. An unused laboratory will be used as the manufacture building. The subject building is 150m² in size, constructed of brick veneer with a concrete slab and metal roof. Internal modifications will be undertaken to the building. Manufacturing will occur in one room and quality assurance (ballistic test laboratory) in another (see attachment 'D' for floor plan).

- Warehousing

Warehouse One situated on Lot 762, which is currently used for wine storage will be partially converted for storage of raw materials/components and up to 250,000 finished cartridges. The finished cartridges will be packed into boxes and placed on pallets ready for transportation. The warehouse will be divided by a fiber cement wall.

- The Magazine

A magazine will be placed on Lot 478 for the storage of propellant (also referred to as 'smokeless powder') which is a Class 1.3 Dangerous Good. The magazine will be constructed of concrete and will hold a maximum 5,000 kilograms of propellant. The magazine will be located 100 meters from all other buildings.

- Access and Parking

Additional internal access roads are planned to allow heavy vehicles to enter the site via Doug McWilliam Road and directly access the magazine. The proposal also includes car parking spaces for up to ten (10) vehicles on Lot 763.

- Hours of Operation:

The hours of operation proposed are Monday to Friday, 7:00 am to 6:00 pm. The business will employ up to a maximum of eight (8) staff members. It is noted that there will be no retail trade from the facility and this will be conditioned accordingly.

Background to the ammunition manufacturing process

The components of the ammunition include cases, primer and lead shot, which will be externally sourced from suppliers and assembled and packaged at the subject sites. The cartridges will be for sale to domestic and international markets. The assembly process will be automated using cartridge loading machinery purchased by Bronzewing.

- Raw Materials:

The raw materials used in the production of cartridges are:

- Primer: a short cylinder which fits into the centre of the base of the case and provides charge which ignites the shot when the firing pin in the gun strikes.
- Propellant: known as smokeless power, a class 1.3 Dangerous Good. This will be delivered to the magazine in quarterly deliveries of up to 5,000 kg quantities. Each cartridge contains approximately 1.5 grams of propellant.
- Plastic case: The case or hull which contains the cartridge components.
- Lead shot: a collective term for small balls of lead, these are used as the projectiles.
- Wad: shotgun wads are made of plastic and used to seal in the gases of the propellant, to make the full force of the ignition work to propel the shot forward.

- Plant and Equipment:

The manufacturing process will use three (3) small machines:

- Loading machine: The loading machine assembles the cartridge and inserts the propellant, wad, lead shot and closes the shell. The proposed machine can produce up to 7,500 pieces per hour and has a rated electrical input of 2.5 kW. It weighs 800 kilograms, is 1.1 meters in length, 0.8 meters in width and 2.0m high.
- Printing and packaging machine: This machine forms a production line with the loading machine. It packs 120 pieces per minute and has a rated electrical input of 2kW. This machine weighs 280 kilograms, is 2.9 meters in length, 0.4 meters wide and 1.8 meter in height.

- Ballistic test laboratory: Responsible for quality control. The laboratory will be located in a different room than the manufacturing equipment. The use of this machinery is for completed cartridges to be loaded into a ballistic test gun and fired to determine if they perform as expected. Up to six (6) cartridges will be fired per day into a sand based ballistic test plate.

Environmental Planning and Assessment Act 1979

In determining a development application, the consent authority must take into consideration matters referred to in Section 79C(1) of the EP&A Act 1979 which are relevant to the development.

SECTION 79C(1)(a)(i) any environmental planning instrument.

Griffith Local Environmental Plan 2002

The subject site is zoned 4(a) General Industrial under the provisions of *the Griffith Local Environmental Plan 2002*. The proposed development is defined as an *industry* and is permissible development under the provisions of the *Griffith Local Environmental Plan 2002*.

Industry means:

- (a) *any manufacturing process, or*
- (b) *the breaking up or dismantling of any goods or any article for trade, sale or gain or as ancillary to any business,*
- but (in the table to clause 10) does not include an extractive industry, light industry, rural industry or offensive or hazardous industry.*

The aims of this plan are:

- (a) *to provide for urban and rural land development by implementing the Griffith Growth Strategy 2030—Urban and Rural Land Release Strategy, and*
- (b) *to provide a legal basis for development control plans that provide more detailed local planning policies, and*
- (c) *to protect areas on which agriculture depends, and*
- (d) *to protect areas that are environmentally sensitive, and*
- (e) *to manage the urban areas of the local government area by strengthening retail hierarchies, promoting appropriate tourism development, guiding affordable urban form, providing for the protection of heritage items and precincts and controlling the development of flood liable land, and*
- (f) *to promote ecologically sustainable urban and rural development, and*
- (g) *to promote development of rural land in accordance with the aims and objectives of the MIA & Districts Community Land and Water Management Plan.*

The proposal is considered to be consistent with the aims of the Griffith Local Environment Plan 2002.

- *Clause 10 – Zone Objectives*

Zone 4 (a) General Industrial

- (a) *To provide for and encourage the development and expansion of industrial activities that will contribute to the economic growth of and employment opportunities within the City of Griffith, and*

- (b) To ensure a variety of sites is available with regard to area, frontage and services to meet the requirements of a range of industrial uses, and*
- (c) To minimise negative visual impact of development by limiting the size and scale of buildings and having regard to building design and landscaping of the site, and*
- (d) To ensure industrial development creates areas that are pleasant to work in and safe and efficient in terms of transportation, land utilisation and service distribution, and*
- (e) To enable development of land within this zone for industrial purposes, and*
- (f) To enable development of land within this zone for the display and sale of bulky goods, and*
- (g) To enable development of specific office and incidental or ancillary activities in association with the primary industrial use, and*
- (h) To enable the erection of dwellings the use of which will be ancillary to an industrial use for which consent has been granted, and*
- (i) To enable development of land within this zone for purposes that will not compromise the industrial development of the locality.*

The proposal is considered to be consistent with the zone objectives of the Zone 4(a) General Industrial.

Part 2: Special Provisions:

- *Clause 26 Flood liable land*

- (1) Objectives:*

- (a) To minimise potential flood damage by ensuring that only appropriate development occurs on flood liable land, and*
- (b) To minimise the effects of flooding on the community.*

- (2) For the purposes of this clause, flood liable land is:*

- (a) land likely to be inundated in a 1 in 100 year flood, as identified on mapping held in the office of the Council, or*
- (b) land likely to be inundated in a 1 in 100 year flood because of topography or proximity to a watercourse or irrigation supply or drainage channel.*

- (3) Consent must not be granted to development of any flood liable land unless the consent authority has considered:*

- (a) a survey identifying the level of the land relative to the 1 in 100 year flood level,*

Aerial Laser Survey (ALS) of the Griffith LGA was conducted as part of the Griffith Flood Study 2006 (Patterson Britton). The subject site was included in this survey and as such information was extrapolated from this document.

and

- (b) the likelihood of loss of life or property from flooding,*

There is no indication of flooding for the 1:100 year Flood. However flooding may still occur due to local drainage conditions. The loss of life to the subject allotments are unlikely as there is no flood indication for 1 in 100 year storm event as specified in the Griffith Flood Study 2006.

The Griffith Flood Study 2006 has categorised the subject site as 'Low Hazard' for the 'Probable Maximum Flooding' event. The estimated PMF Level is 131.29 m AHD and is considered Low Hazard.

and

(c) the likelihood of increased demand for flood mitigation measures and emergency services,

There is no indication of flooding for the 1:100 year flood event. It will be advised that as part of internal alterations that any new or additional services be located 410mm above the existing natural ground level. This will provide a flood mitigation measure to ensure person and property is protected in the event of flooding.

and

(d) any impediments to the operation of floodway systems in times of flood,

The subject site is not an impediment to any floodway. The site is not located in a floodway where significant volumes of water flow during floods. As such the proposed development will pose no impediment to the operation of floodway systems in times of flood.

and

(e) the effect of proposed development on adjoining land in times of flood,

The proposed development is unlikely to cause increased discharge from greater impervious areas as the only new building is the magazine which does not have a large area. Detailed engineering design plans shall be submitted to Council should the application be approved, demonstrating that stormwater arrangements comply with Councils *Engineering Guidelines – Subdivisions and Development Standards*.

and

(f) limits on the intensity of development of urban flood liable land,

There is no indication of flooding over the subject site for the 1 in 100 year flood. However flooding may still occur due to local drainage conditions. The development is not considered to be over intensification of the site as the proposal makes use of existing buildings on site, other than on the magazine which has a relatively small footprint.

and

(g) the provision of services and facilities appropriate to the flood liability of the land,

It will be advised that any additional new services inside the buildings should be located 410mm above the natural existing ground level.

and

(h) the effect of the proposed development on the watertable of that land or of land in its immediate vicinity.

The development is not considered to have an effect on the watertable as the proposal will not add to infiltration of ground waters.

- *Clause 28 Land near activities requiring odour or noise buffer or near Zones 1 (e) and 4 (a)*

(1) This clause applies to land:

(a) that is within the recommended buffer distance listed in Schedule 4 from the building, work or place in or at which an activity described in that Schedule is being carried out or from a building, work or place described in that Schedule, or

(b) that is within 40 metres of land within Zone 1 (e) or 4 (a) other than land on which such an activity is being carried out or from any such building or work.

(2) Consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that measures can be taken for odour or noise control that will be sufficient to mitigate any adverse impacts on the proposed development and on surrounding existing activities from:

(a) in the case of land described in subclause (1) (a)—activities, buildings, works or places described in Schedule 4, or

(b) in the case of land described in subclause (1) (b)—activities allowed within Zone 1 (e) or 4 (a).

The subject sites are identified as being within land affected by existing buffers for a winery and a grain elevator. The identified winery buffer is from the unused McWilliams Winery site adjacent to the subject site. The site is also within close proximity to operational grain elevators, however the proposal is not considered to be sensitive to these activities.

- *Clause 29 Development in Zones 1 (e) and 4 (a) adjacent to existing and proposed residential zones and rural small holding zone*

Consent may be granted for development on land within Zone 1 (e) and 4 (a) that is adjacent to land within Zone 1 (c), 1 (h), 2 (a) or 2 (v) only if, in the opinion of the consent authority, it would be compatible with the character and amenity of the adjacent land in terms of:

(a) its design, siting and landscaping, and

(b) its methods and hours of operation, traffic generation and car parking, and

(c) any noise, light, dust or odour nuisance that may arise from carrying out the proposed development, and

(d) privacy and overshadowing.

The development site is zoned 4(a) General Industrial and is adjoining land zoned 1(e), 1(b) and unzoned land used as railway land and railway lines. As such, Clause 29 does not apply to this proposal.

- *Division 5 Heritage Conservation*

The subject site is not a heritage listed site, nor is the site within a heritage conservation area. The nearest heritage listed item is located at 40 Mirrool Avenue (Early Commission Residence), and the nearest heritage conservation area is Yenda Town Centre. Given the distance of these heritage areas and items from the subject site (over 250 metres at the closest point), it is considered that Division 5 is not applicable to this application.

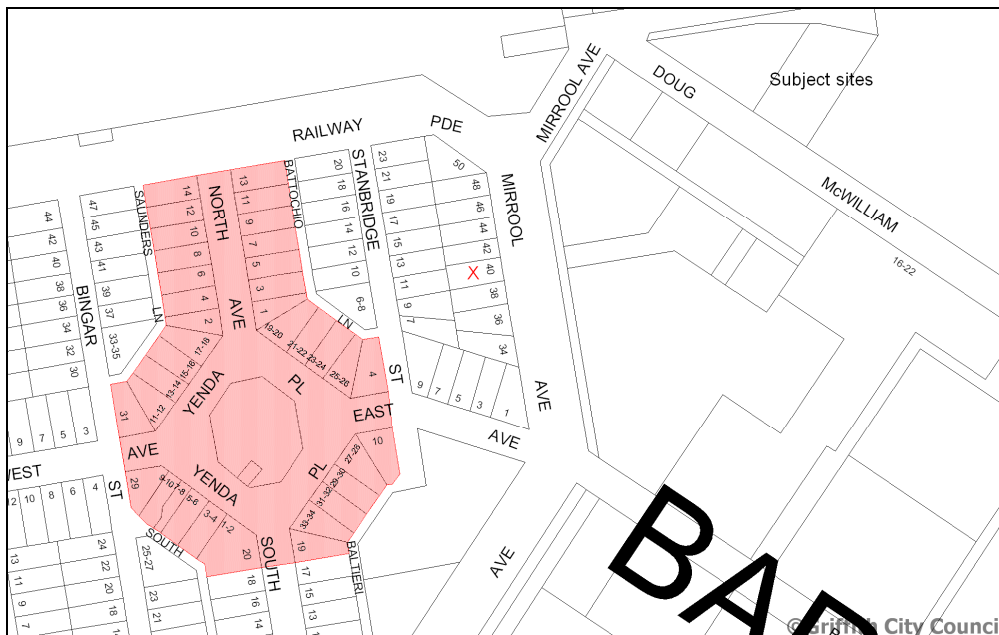


Figure 3: Yenda Heritage Conservation Area hatched in red and 40 Mirrool Avenue indicated by a red 'X'.

- *Clause 51 Development in Highway Service Business Zone and along arterial roads*

(1) Objectives:

- (a) To protect and improve the capacity, efficiency and safety of Kidman Way and Mackay Avenue, and*
- (b) To enhance the streetscape adjacent to those roads, and*
- (c) To prevent or reduce the potential impact of traffic noise on development adjacent to those roads.*

(2) In this clause, nominated road means Kidman Way, Mackay Avenue or any other arterial road.

(3) This clause applies to land that:

- (a) has frontage to a nominated road, or*
- (b) relies on a nominated road for its sole means of vehicular access, or*
- (c) has direct access to another road at a point less than 90 metres from that road's intersection with a nominated road.*

The subject sites have primary frontage and access off of Doug McWilliam Road, but also have frontage to the Burley Griffin Way (arterial road). The existing access to the site, which will continue to be utilised as part of this development, is located approximately 140 metres from the intersection of Doug McWilliam Road with Mirrool Avenue and the Burley Griffin Way.

(4) The consent authority may grant consent to development on land to which this clause applies only if it is satisfied that:

- (a) the development (because of its nature, appearance, cumulative effect or illumination, or the intensity or the volume or type of traffic likely to be generated, or for another similar reason) is unlikely to constitute a traffic hazard or materially reduce the capability or efficiency of the nominated road,*

Council is satisfied that the proposal is unlikely to constitute a traffic hazard or materially reduce the capability or efficiency of the Burley Griffin Way.

and

(b) the location, standard and design of access points, and on-site traffic movement and parking arrangements, would ensure that through traffic movement on the nominated road is not impeded,

The proposed arrangements for access, parking and on-site traffic movement will not have an impact on through traffic movement on the Burley Griffin Way.

and

(c) the development, or proposed access to it, will not prejudice any future improvements to, or realignment of, the nominated road,

The proposal is unlikely to impact on any future road improvements or realignments to the Burley Griffin Way.

and

(d) the development is of a type that is not sensitive to traffic noise or, if it is, it is located or adequate measures are included to ameliorate any potential noise impact,

The proposal is not of a type that is sensitive to traffic noise.

and

(e) the development would not detract from the scenic values of the locality, particularly from the point of view of road users,

The proposal is not considered to detract from the scenic values of the locality from the point of view of road users as the development will make use of the existing buildings on site. The site, location and amount of vegetation onsite will mostly screen the magazine from the Burley Griffin Way.

(f) where practicable, access to the land is provided by a road other than the nominated road,

Access to the site is to be provided off Doug McWilliam Road.

and

(g) a minimum 5 metre building line setback has been observed.

All buildings are setback well over five (5) metres from the Burley Griffin Way.

- *Clause 57 Availability of essential services*

(1) Objectives:

(a) To ensure that development does not occur without adequate measures to protect the environment and the community's health, and

(b) To ensure that development occurs in a coordinated and efficient manner and that costs attributable to it are borne equitably.

(2) Consent must not be granted to the carrying out of development on any land unless:

(a) a potable water supply and facilities for the removal or disposal of sewage and drainage water are available to that land, or

(b) arrangements satisfactory to the Council have been made for the provision of that supply and those facilities, if the proposed use of the land will, in the opinion of the consent authority, generate a need for such a supply or for those facilities.

The subject sites connect to Council's potable water system. The potable water main does not however connect to the magazine site. Should a potable water supply be required to service the magazine for fire fighting purposes, a flow rate and pressure test will be required as well as an extension to the main.

Stormwater is presently directed to existing infrastructure which runs along Doug McWilliam Road and Mirrool Avenue. A stormwater plan has been prepared for the site which includes onsite detention.

The subject site is not connected to Council's reticulated sewer system and there are no records of approvals for onsite disposal systems. Discussions with the Applicant reveal that the assembly building is most likely connected to septic tanks, which will require approval prior to occupation or installation of new AWTs systems should the current system not be adequately working.

Schedule 4 Buffer distances

The GLEP2002 prescribes recommended buffer distance around certain activities. The proposal is considered to fit under the category of '*chemical, petroleum and coal products - Production or bulk storage of ammunition, explosives or fireworks*'. The recommended buffer distance for such type of development is 1000 metres. Given that the scale of the proposal is reasonable small in terms of storage of propellant, imposing a 1000 meter buffer is considered excessive. The explosion damage radii results from the Preliminary Hazard Analysis shows that at a distance of 426 metres from the facility the potential impact on people is negligible and the impact to equipment is estimated to be glass damage to 10% of panes. The impact of noise from the facility is required to be managed through conditions imposed by the OEH, and odour from the site is considered to be negligible.

Based on these results a 450 meter buffer will be imposed around the site. The result of the buffer will potentially require future development of affected sites to consider mitigation measures to prevent damage to properties. Mitigation measures may include, but are not limited to the use of barriers or consideration of glass types to be used.

State Environmental Planning Policies

The following SEPPs apply to this development:

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

The proposal is not considered to be a potentially hazardous or potentially offensive industry, hazardous or offensive industry, or hazardous or offensive storage establishment.

The proposal is defined by the *Environmental Planning and Assessment Regulation 2000*, Schedule 3 as a '*Chemical industry*' and '*explosive and pyrotechnic industries that manufacture explosives for purposes including industrial, extractive industries and mining uses, ammunition, fireworks or fuel propellants*'.

The risk screening method has been applied and based on the information provided in the application. The development will use Class 1.3C Dangerous Good ('smokeless powder') which will be delivered to the site in quarterly deliveries of 5,000 kg. Screening threshold quantities of Class 1.3C Dangerous Good is 10 tonnes

or if it is located within 100 metres of a residential area. The development proposes only to store this material in quantities of 5 tonne at any one time, and the subject sites are not within 100 meters of a residence or residential zoned area. Class 1.3 Dangerous Good is described as *"Substances and articles that have a fire hazard and either a minor blast hazard or a minor projection hazard or both but not a mass explosion hazard"*. Finished cartridges will be classified as Class 1.4S Dangerous Good. These are defined as a type of explosive as *"having no significant hazard in storage, as any effects are largely contained within the packages"*.

Given that the classes and the amounts of material to be stored onsite do not exceed the threshold quantities, the development is not considered to be potentially or hazardous development.

Although the provisions of SEPP 33 are not considered to apply to the proposal, the consultant has provided a Preliminary Hazard Analysis, as the development is of a type that may cause concern to surrounding land users and has prepared the report to address concerns related to perceived impacts on surrounding land. The report concluded that *quantitative calculations of a propellant explosion showed that it would not have a significant impact on the neighbouring land users. The risk assessment demonstrated that the Bronzewing shotgun cartridge manufacturing facility can operate with an acceptable risk level provided that the documented procedures and controls are applied.*

Council is satisfied that the proposal is not a potentially hazardous or offensive development as the types and quantities of the materials to be held on site do not exceed the threshold quantities listed in SEPP 33.

State Environmental Planning Policy (Infrastructure) 2007

The subject site is defined under Schedule 3 *Traffic generating development to be referred to the RTA* of SEPP (Infrastructure) 2007 as an 'industry'. Industries with a size 5,000m² or greater, and a site with access to classified road or to road that connects to a classified road with access within 90 meters of the connection. The access to the site is approximately 150 meters from the intersection of Doug McWilliam Road with Burley Griffin Way and Mirrool Avenue. The buildings utilised as part of the development are less than 5,000m² in area, however the combined area of the site exceed 5,000m². A referral was sent to the RTA given their involvement in pre-lodgment discussion and during the planning focus meeting. Comments were received from the RTA 19 July 2011 advising that the RTA raise no objection to the proposed development provided that a list a conditions are imposed (refer to attachment 'G').

SECTION 79C(1)(a)(ii) any draft environmental planning instrument.

There are no draft environmental planning instruments that apply to the Griffith Local Government Area.

SECTION 79C(1)(a)(iii) any development control plan.

Development Control Plan No. 3 Industrial Development

Development Control Plan No. 3 Industrial Development applies to all industrial zones and industrial development within the Griffith Local Government Area. This

DCP mainly sets out development standards that apply to the construction of new industrial developments, and as such most of the provisions do not apply to the development, being the use of existing buildings (with the exception of the magazine). An assessment of DCP 3 been provided below:

1. *Buildings are to be setback a minimum of 10 metres from the front boundary, to cater for customer parking. A minimum of 25% of the area in front of buildings within the property is to be landscaped.*

The proposed magazine is setback approximately 10 metres from all boundaries. No car parking is proposed on this lot and existing vegetation exists around this site. All other buildings proposed to be used as part of this application are existing.

2. *Access, carparking, loading and unloading facilities, drainage and external construction works are to comply with Council's Development Manual*

If approved, the applicant will be required to upgrade the driveways to the requirements specified in Council's *Engineering Guidelines – Subdivisions and Development Standards* as a condition of consent.

3. *Vehicular Access with a minimum of 3.5 metres for one way movement and 6.5 metres for two way movement is to be provided.*

As mentioned previously, if the application is approved, the applicant will be required to upgrade the driveways to the requirements specified in Council's *Engineering Guidelines – Subdivisions and Development Standards* as a condition of consent.

4. *On-site parking is to be provided in the ratio of 1 space for each 100 square metres of the building and 1 space per employee.*

Onsite parking will be required to be provided in accordance with Council's Development Control Plan No. 20 Off-street Parking Policy.

5. *The design of the building is to be functional for its intended purpose.*

It is considered that the internal alterations proposed will be conducive to the operation and function of the proposed activities to be carried out on site. The magazine is designed specifically for its purpose of storing a Class 1.3 Dangerous Good.

6. *Side or rear walls where not brick are to be pre-coloured metal cladding and should provide satisfactory appearance when viewed from the street.*

The proposed magazine is constructed of concrete, however due to its size and location it is not considered to have a negative impact on the streetscape in terms of its visual appearance.

7. *Details in relation to pollution control, which meet the following criteria are to be submitted with the building application...*

The applicant has provided sufficient information within the EIS relating to waste in accordance with the Director General's and OEH's requirements which will be reviewed later in the report.

8. *A concept landscaping plan shall be submitted with the development application*

Given that the buildings are existing and that there is established vegetation at the site, it is not considered that a landscaping plan is necessary.

It is considered that the proposal complies with the relevant provisions of DCP 3.

Draft Development Control Plan No. 20: Off-Street Parking Policy

The manufacturing building has an internal floor area of approximately 183.5m², with 27.5m² being office space. According to the submitted plans, the magazine has a floor area of 52.5m² and the warehouse has a floor area of 500m², based on approximately half the warehouse being used for the storage of ammunition.

An assessment has been carried out below using Council's current parking DCP as well as a comparison of the Draft proposed parking DCP which is on public exhibition at the time of writing this report.

DCP	Land use type	Minimum Car Parking Requirement	Total
Current	Industrial buildings	1 space per 100m ² of floor space + 1 space per 37m ² office floor space + 1 space per 37m ² of retail floor area	1/100m ² x 500m ² = 5 spaces 1/37m ² x 27.5m ² = 0.74 No retail space proposed. Total 5.74 spaces > 6 spaces
Draft	Industry (includes hazardous, heavy, light & offensive)	1 space per 100m ² GFA with a minimum of 2 spaces per industrial unit	1/100m ² x 500m ² = 5 spaces 1 industrial unit = 2 Total = 7

Ten (10) onsite car parking spaces currently exist on Lot 762 under an existing carport. The development proposes to employ up to a maximum of eight (8) staff and the site will not attract visitors or retail trade customers. Given that the development proposes to provide ten (10) onsite parking spaces, this is considered adequate as it exceeds the minimum specified in both the current and draft parking DCP's and will also cater for any additional traffic associated with the existing warehouses.

Development Control Plan 25: Public Notification of Development Applications

Advertising and notification of the proposal has been carried out in accordance with the provisions of Section 79C of the EP&A Act 1979 and Division 5 of the EP&A Reg 2000.

The public exhibition period commenced on Friday 3 June 2011 and concluded on Monday 4 July 2011. An advertisement was published in the Area News on Friday 3 June 2011, and again on Friday 17 June 2011, with submissions being taken up until 4 July 2011. Content and style of the advertisement was displayed in accordance

with requirements specified by the Regulations. A notice has also been exhibited on the development site for the duration of the notification period specifying the relevant requirements listed in the regulations.

Written notification has also been sent to surrounding landowners within a 500 meter radius of the site. The 500 meter radius was decided as the Griffith Local Environmental Plan 2002 recommends a buffer distance around 'production or bulk storage of ammunition, explosives or fire works' of 1000 meters. Given the scale and location of the proposal, an after an initial assessment of the EIS in terms of noise, odour and hazard analysis distance of 500 meters was considered more than sufficient.

At the close of the notification period Council received one (1) submission objecting to the proposal. The objection is addressed below under Section 79C(1)(d)

SECTION 79C(1)(a)(iia) any planning agreement.

There are no planning agreements which apply to this development.

SECTION 79C(1)(a) (iv) the regulations.

The regulations (Sections 92, 93 and 94 of the EP&A Reg) have been considered as part of this development.

SECTION 79C(1)(b) the likely impacts of the development.

Context and Setting

The nature of surrounding land uses in the locality consist of railway land, agricultural properties and rural dwellings, rural residential properties, sporting ovals, a primary school, a village area, rural agricultural business and rural based industries.

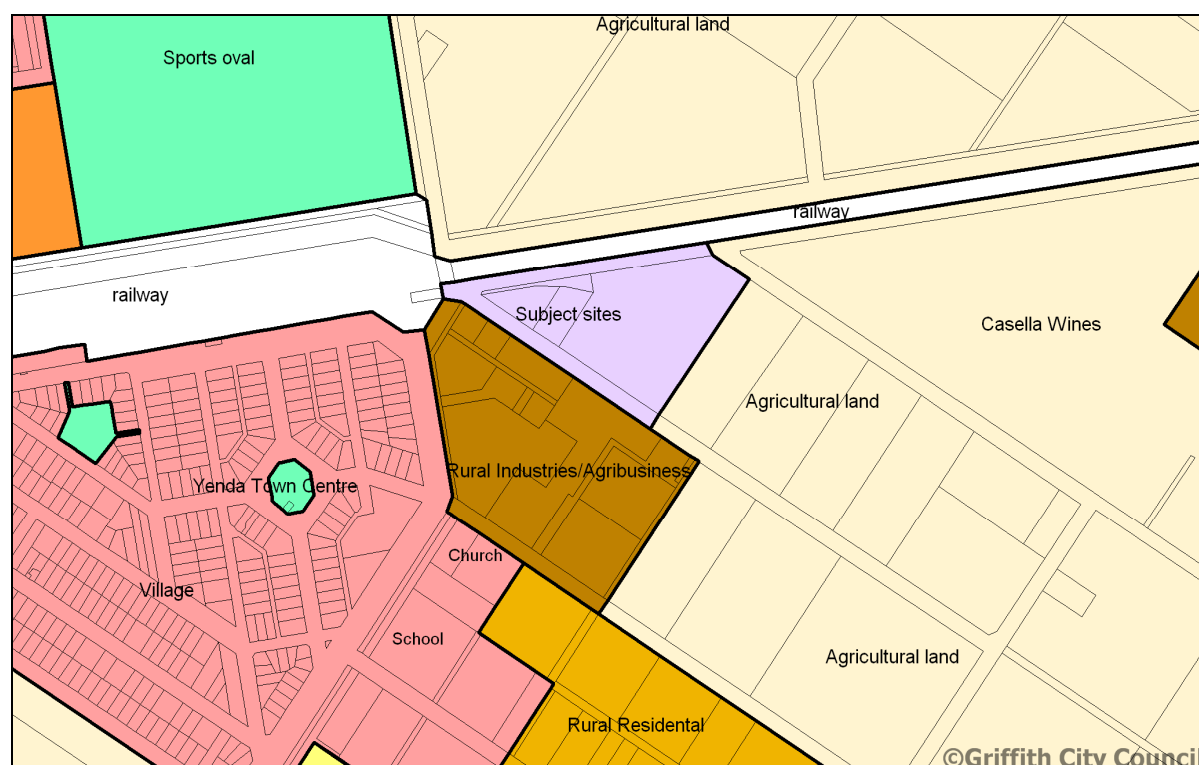


Figure 4 – zoning map and identification of surrounding land uses.

In terms of visual impact, the proposal will have a minimal impact on the streetscape given that existing buildings will be utilised for the development. The proposal includes the placement of a concrete magazine with an area of approximately 50m² however this is not considered to negatively affect the streetscape in terms of visual impact given its size, location and existing vegetation surrounding the site, which will partially screen the magazine. The use of the site for an industry, specifically ammunition manufacturing, is considered compatible with immediate surrounding land uses, which include agricultural farming land, rural industries and agribusinesses (wineries, grain storage, and rural supplies and services).

Access, Transport and Traffic

The subject site has direct access to Doug McWilliam Road which connects with the Burley Griffin Way at a T- intersection. Doug McWilliam Road is a two-lane road with a speed limit of 50 km per hour, does not have any line markings and has gravel shoulders. The sites of the proposed ammunition facility have three (3) driveways; an access to the proposed production building, and two (2) accessways to the warehouses. An additional accessway will be required to service the magazine. Internal road ways will also be constructed as part of the development and to allow access between the production building and the magazine, and to allow direct access for propellant deliveries from the magazine to the assembly building. A draft Condition of Consent has been included advising that vehicular movements between the magazine and assembly building are to be via internal access roads only, as vehicle movements associated with the operations at the site are not to use Doug McWilliam Road.

Vehicle movements at the site are estimated to be one (1) heavy vehicle and up to eighteen (18) light vehicle movements per day. The consultant expects the development would increase traffic on the Burley Griffin Way by 1% and that the impacts on the surrounding network will be minimal. The largest sized vehicle expected to access the sites will be heavy rigid trucks. The proposed access arrangements are considered adequate as predicted traffic volumes generated by the development are considered to be low. Pre lodgement discussions

between the developer, the RTA and Council concluded that the proposed arrangements are adequate because heavy vehicles entering the site are not articulated and that access arrangements are reviewed where truck movements exceed the predictions included in the EIS. If operations at the site are expanded in the future or traffic generation and vehicle types increase, the option of utilising Wood Road for heavy vehicle access will be required to be investigated.

A Civil Works construction certificate will be required for the proposed car parking and internal vehicle access roads. All internal roads will be required to be constructed using weather materials, as well as all carriageways to be upgraded and include dish crossings.

Utilities

Drainage:

The development will result in a minor increase in stormwater as a result of the magazine and proposed internal access ways. Stormwater is currently directed to underground stormwater systems along Doug McWilliam Road and Mirrool Avenue. Design drawings and hydraulic calculations will be required to be submitted to Council and assessed by Council's Development Engineers for compliance with Council's Engineering Guidelines to ensure post and pre development flow for the site are maintained prior to Council issuing a Construction Certificate for Civil Works.

Sewer:

As previously discussed, the subject site is not connected to Council's reticulated sewer system and there are no records of approvals for onsite treatment and disposal systems. Discussions with the Applicant reveal that the assembly building is most likely connected to septic tanks. There are no records of approvals for any systems at the site on Council's records system. The existing systems will require approval prior to occupation of the development, alternatively the installation of new AWTs systems may be required if the current system is found to not be adequately functioning.

Water:

Water has been discussed below under its own heading.

Heritage

The subject sites are not heritage listed, nor are the sites within a heritage conservation area. The nearest heritage listed item is located at 40 Mirrool Avenue (Early Commission Residence), and the nearest heritage listed conservation area is the Yenda Town Centre. There is no known Aboriginal heritage significance of the site. It will be conditioned that the developer familiarise themselves with and comply with the OEH's Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales should any objects be found during construction works.

Given the distance of these listed heritage areas and items from the subject sites (over 250 metres), it is considered that the proposal is unlikely to have any impact on heritage conservation in the area.

Water

The proposed development is not of a type that is water reliant and thus will have minimal water usage requirements. Potable water is currently available to the site, however Council's water main does not extend coverage to the magazine. Should potable water be required to service the magazine, the developer will be required to make an application to Council which will include undertaking a flow rate and pressure test and mains extension.

Soils

The applicant has indicated in the EIS that soils are likely to be minimally impacted by the proposed construction of the magazine and use of the facility. Mitigation measures have been proposed to ensure impacts are minimized including: phased works, stockpiling, limiting traffic access to internal roads while under construction, avoiding working during rain, and water bare areas in times of high wind.

Air and Microclimate

Odour:

The development is not of a type that emits odour. Minimal fume will be emitted during test firing within the assembly building. The consultant has addressed odour in the EIS.

Dust:

The impact of dust on surrounding residential properties is stated to be negligible given that the nearest residential receptor is 200 metres from the facility (with the exception of the dwelling onsite).

Air Quality:

The consultant expects that dust generated during construction works should be minimal due to works mostly being internal alterations and internal road construction, and also the distance of the development from residential receivers is unlikely to cause a nuisance. Once the facility is operational, a small amount of fume will be generated during test firing, which will operate up to six (6) times a day. These emissions are considered to be minimal and will be contained within the building.

Greenhouse Gas Assessment:

The consultant states that the proposed facility is expected to produce greenhouse gas emissions typical of most small businesses employing eight (8) people. The EIS also states that the proposal will investigate implementing energy saving measures via selection of lighting, energy efficient machinery, climate control, recycling and encouraging employees to carpool.

Flora and Fauna

The site is presently highly disturbed and the application does not propose the removal of any native vegetation. The OEH also have no objection to the proposal in terms of flora and fauna management.

Waste

Waste generated from the development is considered to be minimal. The main waste products from the proposed facility are identified as being cardboard and paper from raw material packaging, 200 litre drums which contained lead shot, test cartridges fired from the test gun into the ballistic test plate and raw material waste resulting from a spill or machine breakdown. The consultant has provided disposal methods for each waste type, which include recycling, reuse, disposal in hazardous waste bins and collection by licensed contractors. No liquid waste will be generated by the facility.

Energy

As discussed above, the consultant has carried out a Greenhouse Gas Assessment which states that the proposed facility is expected to produce greenhouse gas emission typical of most small businesses employing eight (8) people. An assessment included investigation of emissions from electricity consumption, transport and waste. The EIS also states that the proposal will investigate implementing energy saving measures via selection of lighting, energy efficient machinery, climate control, recycling and encouraging employees to carpool.

Noise and Vibration

Noise was identified by the Director General's requirements as a key issue, specifically requiring potential noise sources to be assessed in accordance with the NSW Industrial Noise Policy and potential noise impacts associated with any increase in traffic volumes to be assessed in accordance with Environmental Criteria for Road Traffic Noise. The EIS includes a Noise Impact Assessment to determine the potential impacts associated with the construction and operation of the proposed facility.

The Noise Impact Assessment identified a number of potentially noise sensitive residential receivers adjacent to the subject sites, as well as potentially noise sensitive non-residential receivers (Industrial development on Doug McWilliam Road and Yenda Public School on Mirrool Avenue). Noise sources of the proposed facility were identified as internal manufacturing operations, cartridge testing, forklifts, air compressor and heavy vehicles. The report was based on the facility having operating hours of 7:00 am to 6:00 pm weekdays only. Attended and unattended background monitoring was undertaken at the site and in the locality.

The General Terms of Approval as prescribed by the OEH state that "*Noise from the premises must not exceed: an L_{A10} (15 minute) noise emission criterion of 46 dB(A) at any one time*". An operating condition has been included by OEH stating that "*Test firing of cartridges is restricted to a maximum of 6 shots per day and must only be fired between 10 am and 5 pm Monday to Friday*". The OEH has also listed hours of operation during construction and operation of the facility. Hours of operation for the construction period are limited to: Monday to Friday 7 am to 6pm and Saturday between 8 am and 1 pm excluding public holidays. Activities at the premise, other than construction work, are limited to 7 am to 6pm Monday to Friday excluding public holidays.

The report concluded that the development will comply with the requirements established in the Industrial Noise Policy under worst case meteorological conditions and that additional road traffic movement associated with the proposal meets the requirements of the Environmental Criteria for Road Traffic Noise. The recommendations listed in 6.3 for construction noise management are considered

reasonable and have been included as a Draft Condition of Consent to be complied with during the construction phase, as have the requirements prescribed by OEH.

Natural Hazards

The site is not identified as bush fire prone land, nor flood prone land for the 1 in 100 year flooding event. The consultant states that a Stage 1 preliminary site investigation has been undertaken at the site to determine the potential for site contamination. Part of Lot 478 was in the past used as evaporation ponds for the former McWilliams Wines adjacent to the subject sites. The wastewater included water from the wash down of wine manufacturing equipment, with the use discontinued in the early 2000's. Given that the placement of a storage facility (propellant magazine) is not a sensitive land use, a Land Contamination Report is not considered necessary in this instance.

Technological Hazards

The proposed development being an ammunition manufacturing facility will use Dangerous Goods as part of the manufacturing process. The use and storage of Dangerous Goods and with ammunition manufacturing in general can create perceived safety impacts associated with the development from the public, as is evident in the objection received by Council. The proposal will utilise Class 1.3 Dangerous Good (propellant) which will be stored in maximum quantities of 5 tonnes in a concrete magazine designed specifically for the storage of propellant. The finished ammunition will be classified as Class 1.4 Dangerous Good. These two classes of Dangerous Goods are described by the *Australian Dangerous Goods Code 7th Edition* as: *Division 1.3 Substances and articles which have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard.*

This division comprises substances and articles:

- (i) which give rise to considerable radiant heat; or*
- (ii) which burn one after another, producing minor blast or projection effects or both;*

Division 1.4 Substances and articles which present no significant hazard

This division comprises substances and articles which present only a small hazard in the event of ignition or initiation during transport. The effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. An external fire will not cause virtually instantaneous explosion of almost the entire contents of the package;

NOTE: Substances and articles of this division are in Compatibility Group S if they are so packaged or designed that any hazardous effects arising from accidental functioning are confined within the package unless the package has been degraded by fire, in which case all blast or projection effects are limited to the extent that they do not significantly hinder fire-fighting or other emergency response efforts in the immediate vicinity of the package.

As discussed earlier in this report, the proposal is not classified as a hazardous or offensive development under the provisions of *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*. Although not statutorily required, the consultant has provided a Preliminary Hazard Analysis to investigate the potential risks associated with the proposal and demonstrate the safety of the facility. The assessment has identified hazard scenarios and an analysis of the consequences to people and the environment and the probability of each scenario. The risk associated with the proposed development was determined by combining the likelihood of the potentially hazardous events and their consequences/severity. The report identified

two high risk scenarios. Scenario One involves damage to propellant packaging inside the magazine resulting in propellant being exposed to a source ignition resulting in fire. This scenario is given a consequence classification of catastrophic event which could result in fatality, a likelihood of 'rare' (1 in 1000 year or less frequency), and a risk priority of 'high' requiring proactive management and senior management attention. The second scenario involves fire/explosion in the magazine resulting in the ignition of 5 tonnes of propellant. This scenario is also given a consequence classification of catastrophic which could result in fatality, a likelihood of 'rare' (1 in 1000 year or less frequency), and a risk priority of 'high' requiring proactive management and senior management attention. The action for both scenarios was to calculate projective distance as a result of an explosion. The consultant developed a model to calculate the expected level of damage and the likely injury to people for an explosion of the maximum storage quantity of 5,000kg of propellant at the magazine.

Table 9: Explosion Damage Radii

(Table 9 taken from page 19 of the Preliminary Hazard Analysis).

Radius (m)	Damage to Equipment	Damage to People
32	Heavy damage to buildings and to process equipment.	1% death from lung damage >50% eardrum rupture >50% serious wounds from flying objects
64	Repairable damage to buildings and damage to the facades of dwellings.	1% eardrum rupture 1% serious wounds from flying objects
160	Glass damage	Slight injury from flying glass
426	Glass damage to about 10% of panes	-

The consultant has stated that after discussions with propellant suppliers, an explosion incorporating all 5,000 kg in one single blast is highly unlikely. The consultant has also stated that as the magazine is 100 meters from the nearest residence and complies with the separation distance outlined in AS 2187.1 – 1998, it is unlikely that any significant offsite impacts would occur in the event of an explosion and that the facility can operate with an acceptable risk level provided that procedures and controls are applied.

A Draft Emergency Plan has also been provided with the application which covers information on emergency detection, suppression and life safety systems as well as training and exercises in emergency control, equipment training and evacuation exercises. This has been reviewed by Fire & Rescue NSW who recommend that the Emergency Plan follow FRNSW *Policy No 1: Guidelines for Emergency Plans at Facilities Having Dangerous Goods, Explosives and Major Hazard Facilities*. This is included as a Draft Condition of Consent.

Safety, Security and Crime Prevention

The proposed magazine will be separately fenced with 2100mm high perimeter fencing, topped with three (3) strand razor wire, and motion sensors and alarms will

also be fitted. Completed cartridges will be stored in a locked shipping container and locked within the warehouse. The finished goods warehouse will also be fitted with a motion sensor and alarmed after normal working hours. The consultant states that these measures will eliminate theft and vandalism of finished cartridges. Outside of normal operating hours, a security patrol will be commissioned to patrol the area. An Explosives Security Plan has been submitted to and approved by WorkCover.

Social Impact in the Locality

The development is not considered likely to create any negative social impacts in the locality. Bronzewing Ammunition Pty Ltd held a special meeting with the Yenda Progress Association on 19 August 2010. A representative from Bronzewing Ammunition Pty Ltd outlined the project to the attendees, with feedback showing that the majority are in favour of the proposal proceeding. The application was extensively advertised and notified, with one objection being received to the proposal, with the concern relating the potential impacts of the development on surrounding land uses. The consultant has identified that a negative social impact could arise if the site were to become a target for theft or vandalism. The development does incorporate security arrangements including an Explosives Security Plan, as previously discussed, which will be required to be implemented as a condition of consent.

Economic Impact in the Locality

The development will create a new industry in Griffith and will provide up to eight (8) new positions. Local manufacturing of ammunition is stated to result in reduced costs for recreational shooters locally, domestically and internationally. The application states that ammunition which is used in Griffith and around Australia is currently sourced from a single supplier in Melbourne and various companies based overseas, with the lack of competition and costs associated with freight and administration, resulting in ammunition being artificially expensive. Bronzewing Ammunition Pty Ltd has identified a commercial opportunity to produce competitively priced ammunition for local, domestic and internal markets.

Site Design and Internal Design

The design of the site is considered to be functional for its intended purposes. The construction of internal access roads will ensure that traffic associated with the operation of the facility will be kept off Doug McWilliam Road. Should the operations at the site expand, then alternatives for access to the site, such as articulated vehicles using Wood Road, will need to be investigated.

Construction

Minimal construction works are proposed. The construction of the magazine will involve clearing of the site, construction of a concrete slab and construction of internal access roads.

Cumulative Impacts

Given the scale of the development and the estimated traffic movements associated with the proposal, it is unlikely that the proposal would detrimentally impact on surrounding road networks currently utilised by existing industries in the locality. The proposal being an ammunition manufacturing facility is the only industry of this type and is not considered likely to have a detrimental impact on surrounding properties in conjunction with existing industries in the locality.

SECTION 79C(1)(c) the suitability of the site for the development

The subject site is considered suitable for the proposed development, as the proposal is considered to meet the zone objectives for the 4(a) General Industrial, it is considered compatible with the land uses in the area, and site attributes are conducive to the development.

SECTION 79C (1) (d) any submissions made in accordance with this Act or the regulations.

Public Submissions

The proposal was advertised and notified in accordance with the provisions of Section 79C of the EP&A Act 1979, Division 5 of the EP&A Reg 2000 and in accordance with Council's DCP 25 Public Notification of Development Applications. The exhibition period commenced on Friday 3 June 2011 and concluded on Monday 4 July 2011. At the close of the notification period, Council received one (1) submission objecting to the proposal (objection received 30 June 2011). The objection was received from landowners and residents of 20 Barracks Road Yenda. The below map indicates the location of the objectors property in relation to the subject sites.



Figure 5: location of the objector's property in relation to the subject sites.

The applicant was given the opportunity to address the issues raised in the submission. A summary of the issues raised in the objection, as well as the applicant's and Council's response is provided below:

Objection	Applicants response	Council's response
<i>This development for Bronze Wing Ammunition in this particular site and area would be unsuitable and would have different effects on the following:</i>		

<p><i>Decreasing market prices on land surrounding proposed site.</i></p>	<p><i>The proposed development is not considered to detrimentally affect market prices of land within the village of Yenda. In this regard, the subject site has traditionally been used for industrial purposes. The proposed 'magazine' building will actually occupy evaporation ponds, which depending upon how they were maintained in the past, could have been considered to restrict further development. If anything, the proposed development will result in a diversification in the types of businesses that operate in Yenda, which in turn might actually result in a positive impact on house prices in the village.</i></p>	<p>Council cannot comment on how such a development would affect property prices.</p>
<p><i>Decreasing population near proposed site.</i></p>	<p><i>The subject site is located within an established industrial precinct of Yenda. The proposal is not considered to restrict development within close proximity of the site or result in a decrease in the population of Yenda. The proposal's exclusion zones (which will restrict further development) only just exceed the site's boundaries but are not considered to restrict development within the locality. The 'magazine' building, which has the greatest exclusion zone, will be located on former evaporation ponds, which in themselves restrict further development for geo-technical reasons.</i> <i>– If anything, the proposed development will provide for a diversification in the</i></p>	<p>The current zoning of the subject sites and immediate surrounding zones are not residential zones. Furthermore there is no proposal for rezoning to a residential zone in the immediate locality. The GS2030 does not indicated that these land have been identified for the expansion of the Yenda Village.</p>

	<i>types businesses that operate in Yenda. The proposed business may employ staff who do not currently live in Yenda decide to relocate to the village.</i>	
<i>Schools.</i>	<i>The subject site is located approximately 400m from the Yenda Primary School's allotment. The proposed 'magazine' building will be located in the centre of Lot 478, DP 751728, so as to ensure that it is far as possible away from the site's boundaries and surrounding land-uses.</i>	It is unlikely that the proposal would have an impact on the school given the distance of the subject sites from Yenda Primary School on Mirrool Avenue, given that the school is situated over 500 metres from the subject site.
<i>Fertilizer storage & fuel depot.</i>	<i>The proposed development is not considered to impact upon existing fertiliser & fuel storage facilities located to the south of the site. In this regard, the proposed development includes the provision of exclusion zones, which only just go beyond the site's southern boundary.</i>	The proposed development is unlikely to impact on the surrounding fertilizer and fuel depot. The Preliminary Hazard Analysis has demonstrated that under worst case scenarios, detrimental impacts most likely would not occur outside of the subject site.
<i>Dust & grain storage.</i>	<i>The proposed development is not considered to impact upon existing grain storage located facilities to the south of the site. The proposed development is not considered to generate significant dust issues that may affect surrounding properties or land-uses.</i>	The proposed development is unlikely to impact on the surrounding grain storage. Vehicle movements associated with the proposed ammunition facility are minimal (19 vehicle movements per day) and therefore will not affect the efficiency of surrounding road networks nor disadvantage existing businesses which use these roads.

Submissions from public authorities

The Office of Environment & Heritage

As the proposal is considered to be Integrated Development, a referral was sent to the Griffith Branch of the Office of Environment and Heritage, Environment Protection & Regulation department, who provided comments on the proposal, issued a number of General Terms of Approval and requested that the applicant applies for an Environment Protection License for explosives production as an ammunition manufacturer. A summary of the response is provided below.

Pollution Control and Environmental Management

- In the event that the development is modified either by the applicant prior to the granting of consent, or as a result of conditions imposed by Council, OEHL request that further consultation occur about the proposed changes prior to the consent being issued.
- Should development consent be granted it will be necessary for the applicant to apply for an Environment Protection Licence with OEHL for explosives production as an ammunition manufacturer.
- General Terms of Approval have been provided in Attachment 'A' and relate to the specific development as proposed in the documents and information provided (refer to Attachment X).
- Attachment 'B' provides mandatory conditions that apply to all Environment Protection Licences. Should consent be granted to this proposal, OEHL recommends that these conditions be incorporated into the consent. See attachments X (OEHL response) and X (Draft Condition of Consent).

Flora and Fauna Management

- OEHL have no objection to the proposed development in relation to impacts on flora, fauna or threatened species. Acknowledge that the proposed development site is highly disturbed and that no native vegetation is proposed to be removed.

Aboriginal Cultural Heritage

- OEHL have no objection to the proposed development in relation to Aboriginal cultural heritage.
- Should the proposal be approved, a condition regarding correct action to be taken should an Aboriginal object be discovered or harmed.

Griffith Local Area Command

A courtesy referral was sent to the Griffith Local Area Command on 1 June 2011 for comment on the proposal from a safety, security and crime prevent standpoint. No response was received from the LAC.

Roads and Traffic Authority:

A representative from the RTA South West Region (Land Use Manager) was present at the Planning Focus Meeting held at Casella Wines and onsite on 20 August 2010. Given preliminary involvement in the proposal prior to the lodgement of the development application, a referral was sent to the RTA for comment on the proposal. A response was received on 19 July 2011 advising that the RTA do not have any objection to the proposal provided that a number of conditions are included on the consent. These conditions include:

1. The required Safe Intersection Sight Distance (SISD) in either direction along the Burley Griffin Way is to be maintained in accordance with the Austroads Guide to Road Design for the prevailing speed limit.
2. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development and as required by the various public

utility authorities and/or their agents. It should be noted that any works within the road reserve of a Classified Road requires the RTA's concurrence under section 138 of the Roads Act 1993 prior to commencement of any such works.

3. Any works associated with the proposed development shall be at no cost to the RTA.
4. The proposal is to comply with Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines (July 2007).

Six (6) other points for consideration were also included in the referral, which Council has assessed and included as Draft Conditions of consent where necessary, as well as the points above.

NSW Fire & Rescue

The NSW Fire and Rescue were also involved in pre lodgement discussions and present at the Planning Focus Meeting held in August 2010. A referral was sent to FRNSW and a response was received on 7 July 2011 and included below comments (refer to Attachment 'F' FRNSW response):

- FRNSW expect any new building proposals, substantial alterations and change in use of existing buildings to comply with the current Building Code of Australia and relevant Australian Standards.
- FRNSW recommends that the Emergency Management Plan (EP) follow FRNSW Policy No 1: Guidelines for Emergency Plans at Facilities Having Dangerous Goods, Explosives and Major Hazard facilities:
http://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines_emergency_plans.pdf
- The submitted Preliminary Hazard Analysis outlines possible fire scenarios in Appendix I Risk Assessment Minutes but lacks detail regarding installed fire protection equipment and detection systems.
- FRNSW recommends that any installed fire protection equipment and systems within the complex would comply with the current Building Code of Australia and relevant Australian Standards.
- FRNSW recommends that the water supply for the complex comply with AS 2419.1 2005.

The comments raised by the FRNSW have been addressed in the assessment of the proposal by Council's Building Surveying Staff and have been included as Draft Conditions of Consent. In regards to the application of AS 2419.1, this has been taken into consideration during a BCA assessment. The only building that is required to comply with AS 2419.1 2005 is shed No.1 as it is the only building within this application with a floor area of over 500m². A draft Condition of Consent has been added for *Essential Fire Protection Services* which requires the development to comply with the provisions of Part E1.3 of the BCA Vol.1 2011. This Part will require the applicable buildings (shed No. 1) be provided with a hydrant in compliance with AS 2419.1.

WorkCover

A local representative from WorkCover was also present at the Planning Focus meeting held in August 2010 and a referral was subsequently sent to them for comment on the application. WorkCover had no comments to add and verbally advised that all their requirements will be addressed in the licence. A copy of the licence is included with this report (refer to Attachment 'H' NSW WorkCover Licence).

CONTRIBUTIONS

Section 64 – Water, Sewer and Drainage

The site is currently connected to potable water but not reticulated sewerage. Council has assessed the site's previous use to determine a credit for those uses and a comparison to the proposed use. The calculations have been determined under the Water Directorate 2005 Guidelines.

Previous use	Proposed use
Warehouse	Warehouse
Laboratory	Production building
Vacant land	Magazine (storage)

The Water Director 2005 list categories of general industrial use into light, medium and heavy. The proposed use is considered to be a light industry in terms of water and sewerage demands, with the previous use considered medium industry. The warehouses will continue to be used for storage purposes, the proposed production building is considered to decrease demand on water from the prior laboratory as the operation of the facility is considered to be a dry industrial process with no need for water during production. The magazine will be used for storage only and is unlikely to increase demands on water once operational. As such, the proposal and the previous use are considered similar in water consumption demands and no additional Section 64 water contributions are to be charged.

Section 94A

The development has an estimated CIV of \$250 000. Section 94A Contributions are charged at 0.75% of the total cost of works, therefore requiring a one off payment of \$1875.00 to Council under the provisions of Council's Section 94A Development Contributions Plan 2010.

RECOMMENDATION

The application has been assessed in accordance with the requirements of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*. The evaluation demonstrates that the proposal is satisfactory in terms of the matters for consideration identified in the legislation and it is recommended that consent may be granted subject to conditions detailed in Attachment 'K'.

.....
Responsible Officer
Linden Foster
Development Assessment Planner
26th July 2011

.....

ATTACHMENTS:

- a) Development Application Form;
- b) Locality plan;
- c) Environmental Impact Statement;
- d) Plans;
- e) Referral (OEH);
- f) Referral (FRNSW);
- g) Referral (RTA);
- h) WorkCover Licence;
- i) Objection;
- j) Applicants response to objection;
- k) Draft Conditions of Consent;