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# Statement of Environmental Effects

1 Marathon Street Westdale



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**Author** Ambrose Hallman

**Date**  
**Revision**

8 October 2023  
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***Property Address***

1 Marathon Street, Westdale.

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***Property Description***

Proposed Lot 307 in Lot 82 DP 1299265 previously Lot 97 DP 1286236.

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***Description of the proposed development***

The proposed development involves the erection of a large industrial building consisting of a showroom, workshop, parts sales, associated storage, staff amenities, ancillary offices, advertising structures, outdoor heavy vehicle display area, customer and employee parking, hardstand manoeuvring, and associated landscaping.

The proposed building and site are to be used for a heavy machinery services and sales business. The building is proposed to be constructed from a combination of metal, concrete, and glass walls, Figures 1 and 2.

The development proposes three different access points for vehicles to enter and exit the site. One access point is a combined entry and exit for light vehicles located on Dhuli Drive, while the second is a combined entry and exit for heavy vehicles located on Gilaa Circuit. The third access point is an exit only on Dhuli Drive for heavy vehicles.

This Development Application is seeking approval for the whole development in one consent. The developer wishes to retain the flexibility to undertake the proposed development in either of the following options:

***Option 1:***

To construct the whole development under one Construction Certificate for all elements of the development.

or

***Option 2:***

Carry out the development in multiple phases. Each proposed phase is defined below and subject to future individual Construction Certificates. The phase plans are included in the Development Application submission detailing precisely how and the extent of how the phasing will occur.

Each phase has been designed to contain all the required services and facilities, enabling each phase to be self-contained and operate without the need for any future stage, permitting the development to be constructed in phases.

### Phasing of the Development.

#### Phase 1

This phase would include the erection of the showroom offices and staff toilets, including a mezzanine, which will be used for storage only, a small part of the parts store area. A portion of the workshop, which will include eight bays for servicing agricultural vehicles, a pre-delivery vehicle preparation bay, a temporary wash bay, an ablution block for the workshop staff, an outdoor display area, concrete hardstand circulation for the vehicle manoeuvring areas. Provide separate entry and exit access for light and heavy vehicles off Dhuli Drive and 46 parking spaces for customers and staff. Also, additional staff parking consisting of an additional 53 spaces on the gravel hardstand area and landscaping along the road frontage in front of the building works.

#### Phase 2

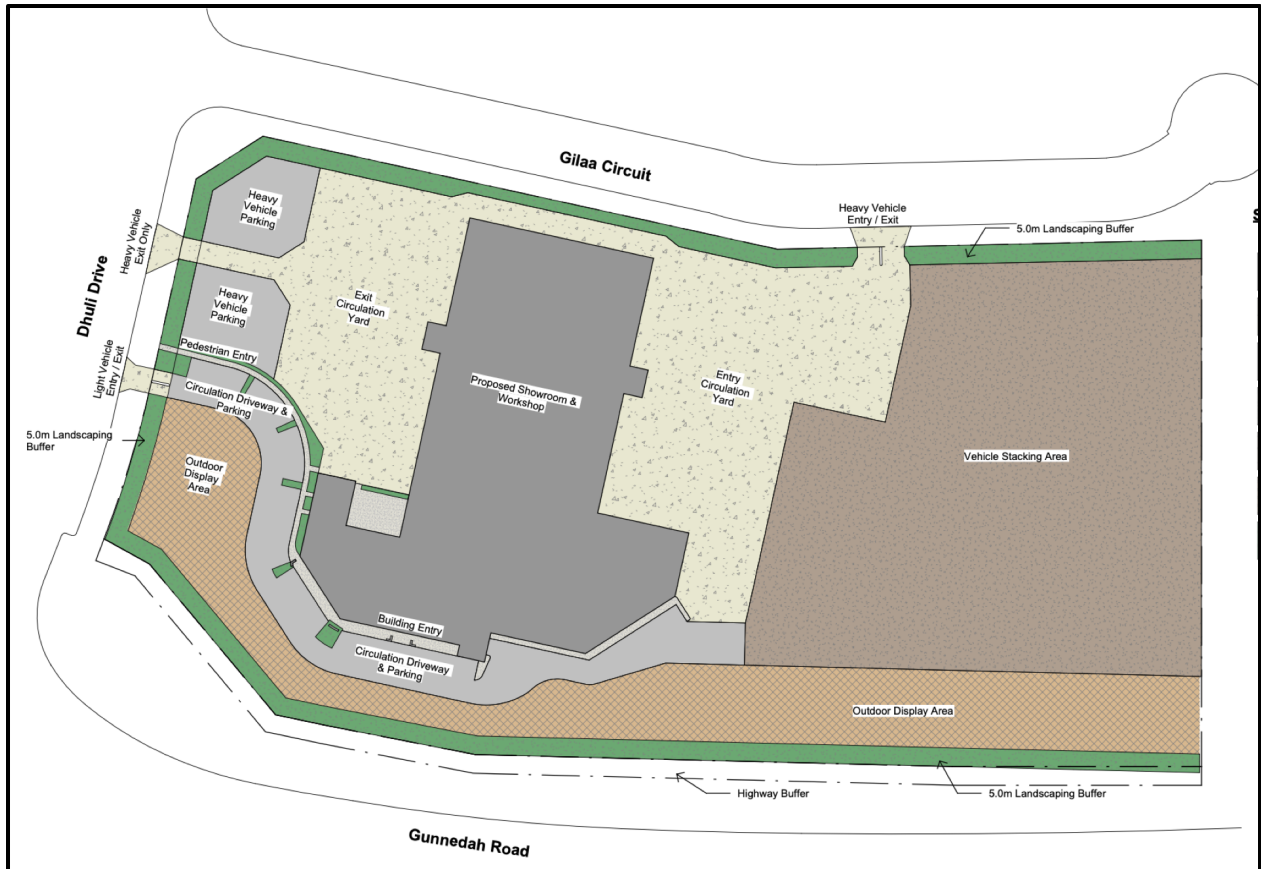
This phase will make additions to the buildings constructed in Phase 1 to extend the workshop to 14 service bays, add additional workshop storage, extend the workshop canopy, relocate the washbay, extend the circulation yard hardstand, and add additional heavy vehicle access from Gilaa Circuit.

#### Phase 3

This phase will extend the workshop to 16 bays, relocate and enclose the washbay, extend the circulation yard hardstand and add an additional hotmix vehicle stacking area, provide an additional 22 staff parking spaces, extend the parts store workshop office and amenities, provide a staff room, convert the showroom mezzanine from storage to offices, and extend the outdoor display.

Although the proposed phases are outlined above, it's important to note this Development Application is not being submitted as a concept Development Application under Division 4.4 of the Environmental Planning and Assessment Act 1979.





(Figure 1: Site plan of proposed development)



(Figure 2: View of the front elevation of the Showroom)



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## **Consent Authority**

### *State Environmental Planning Policy (Planning Systems) 2021*

The Northern Regional Planning Panel will be the consent authority as the subject site is owned by the Tamworth Regional Council, and the estimated cost of works is greater than \$20 million.

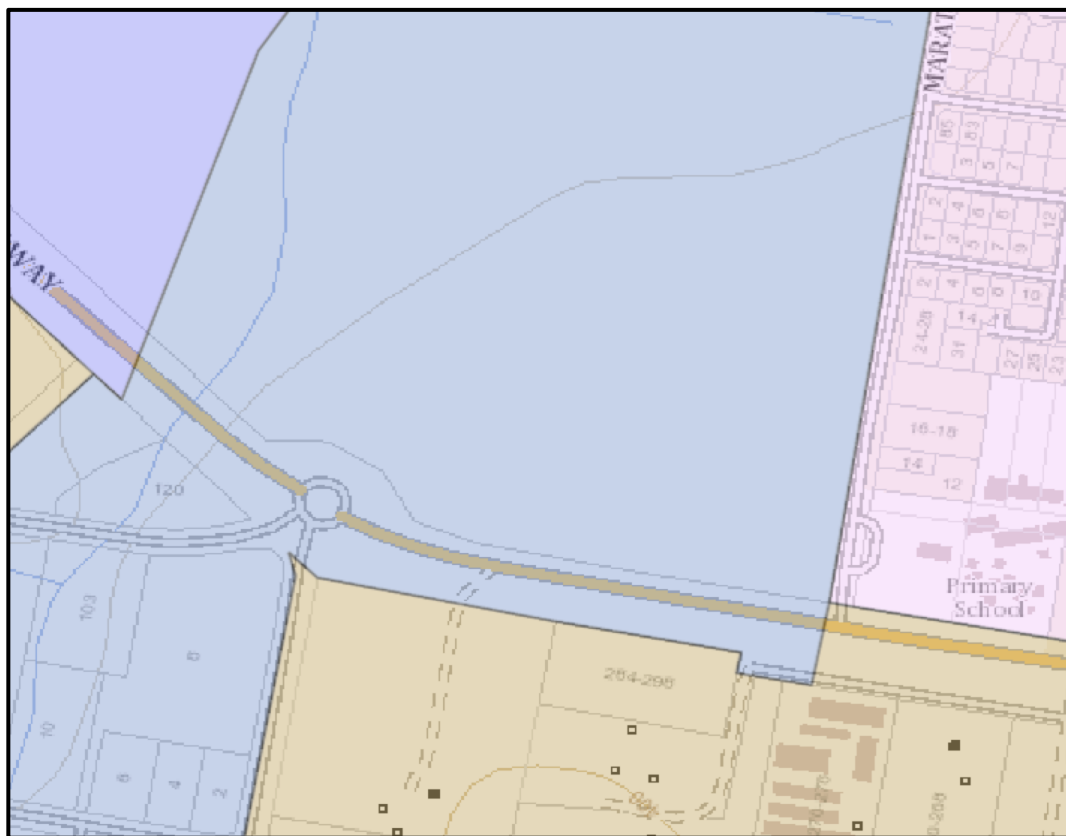
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## **Permissibility of Development**

The subject site is zoned E3 Productivity Support (Figure 3) under Tamworth Regional Local Environmental Plan 2010 (TRLEP12). The E3 zone is an open zone. Council advised during the PreDA held on 3 August 2023 that:

*“the proposed development would be for a mixed-use premises as it comprises sales, offices, commercial business and a warehouse”.*

As the E3 zone is considered an open zone, all associated uses are considered permissible.



*(Figure 3: Zoning Map NSW Planning Portal Spatial Viewer)*

Clause 2.3: requires that the consent authority must have regard to the objectives of the relevant zone. The E3 Primary Production zone objectives of the are:

- *To provide a range of facilities and services, light industries, warehouses and offices.*
- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*
- *To provide opportunities for new and emerging light industries.*
- *To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.*

The proposed development is expected to enhance the new Tamworth Global Gateway estate by offering a diverse range of services, which will support the objective of strengthening the economy. The business will provide additional services for the Tamworth and New England North-West region. As the proposed business involves the sale and service of heavy machinery, it is not expected to compete with the local and commercial centres due to the size of the vehicles and the type of services provided.

The proposed uses require a large area for the display and servicing of large agricultural and transport vehicles. The subject site is ideal for this development as it is well-located with access to the road transport network. The proposed enterprise is not strictly retail or commercial and is not likely to impact the viability of Tamworth's local and commercial centres. Rather, it is expected to strengthen the economy of Tamworth and the greater New England North-West region.

The development requires a considerable area for the display and manoeuvring of large vehicles, which are best located on the subject site and are not desirable to have located in the commercial cores. The proposed development involves the sale of goods that are considerably large in size and are best located in this zone.

The proposed development is therefore considered to contribute to achieving the objectives above. Due to the E3 zone being an open zone, the mixed use development is considered permissible with consent in the E3 Productivity Support zone.

Clause 7.4: Development in Zones E1, E3 and MU1 prevents the consent authority from granting consent to development for the purposes of business premises, office premises, cellar door premises, food and drink premises, markets, or shops on land in the E3 zone if the development has a floor area more than 2500m<sup>2</sup>. The proposed

development is not considered one of the subject development types; therefore, this Clause is not considered to apply to the development.

Clause 7.6: Development in flight path prevents consent from being granted for development on the subject land if the height of any building is greater than 45m above natural ground level. The proposed development has a maximum height of 6.8m, which complies with the 45m maximum height established under this Clause.

Clause 7.7: Development in areas subject to aircraft noise requires the consent authority to consider the impact of aircraft-generated noise. A small portion of the site at the western edge next to the Roundabout on Gunnedah Road is affected by the 20 to 25 ANEF contour. The proposed development is not for residential purposes. It is not considered a sensitive noise receptor to the operations of the airport or the flight paths, meaning no specific insulation is proposed or required for the building. The proposal is also not likely to significantly affect the airport's operation.

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### ***Main Issues***

- There are no significant planning constraints, special features or environmental constraints affecting the site.

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### ***Relevant Environmental Planning Instruments and Development Control Plans***

State Environmental Planning Policy (Biodiversity and Conservation) 2021  
State Environmental Planning Policy (Planning Systems) 2021  
State Environmental Planning Policy (Resilience and Hazards) 2021  
State Environmental Planning Policy (Planning Systems) 2021  
State Environmental Planning Policy (Sustainable Buildings) 2022  
State Environmental Planning Policy (Transport and Infrastructure) 2021  
State Environmental Planning Policy (Industry and Employment) 2021 (Appendix 2)  
Tamworth Regional Local Environmental Plan 2010  
Tamworth Regional Development Control Plan 2010 (Appendix 1 and 3)

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### ***Other Approvals***

Section 68 Water, Sewer, and Stormwater.  
Section 68 Trade waste.  
A Construction Certificate.  
An Occupation Certificate.



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## ***Location of Development***

This subject site is located approximately 5.7 km from the Peel Street CBD of Tamworth, along the Gunnedah Road corridor within the new Tamworth Global Gateway Park subdivision adjacent to Westdale Public School (Figure 4).

The site has a total area of 40010m<sup>2</sup> and is surrounded on three sides by Gunnedah Road, Gilaa Circuit and Dhuli Drive. The site's topography is generally level due to recent earthworks undertaken during the subdivision construction.



(Figure 4: Locality Plan)

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## ***Surrounding Development***

The land immediately adjoining the site is also zoned E3 Productivity Support and is currently vacant. The land adjacent to the site on the southern side of Gunnedah Road is zoned RU4 Primary Production Small Lots, where an existing storage facility and Macphersons Coaches bus depot are located.

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### ***Existing structures on the Site***

The subject site is a new parcel of land created during the industrial subdivision development undertaken by Tamworth Regional Council.

The site is situated in a prime location and is currently vacant, with no buildings or structures erected on site. The site's strategic placement makes it a favourable location for the proposed development.

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### ***Concurrences and Integrated Development***

No integrated approvals are relevant to this application.

While no concurrences are required for this development, several agency referrals are required before any development consent can be granted.

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### ***Vegetation***

The development site was cleared of vegetation during the recent subdivision construction works. The site has experienced some vegetation regeneration since the subdivision works were completed.

*State Environmental Planning Policy (Biodiversity and Conservation) 2021*

*Chapter 3 Koala Habitat Protection 2020*

This chapter does not apply to this site because the land is zoned E3 Productive Support, which is not a nominated zone.

*Chapter 4 Koala Habitat Protection 2021*

This chapter applies to the site as the land is zoned E3 Productivity Support. The site is not within an approved Koala Plan of Management and has a land size greater than 1 ha, being 4 ha; Clause 4.9(2) and (3) states the following and must be considered:

- (2) *Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.*

- (3) *If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.*

The proposed development's location does not require the removal of any trees, only regenerated grassland vegetation.

Given there are no Eucalypt trees on the site and the surrounding land has been cleared as part of the recent subdivision, it is considered that the development is likely to have only a low or possibly zero impact on koala habitat.

According to Clause 4.9(3) of the SEPP, the consent authority can grant consent for a development without requiring a koala assessment report if the development is deemed unlikely to impact koala feed trees or population significantly. In this case, due to the lack of vegetation and recent subdivision that would have considered the impact of the subdivisions on Koala habitat, it is unlikely that this development would result in a significant impact on koala feed trees or populations.

A search of the NSW Government Koala Species Sighting database identified no Koala sightings near the subject site, as shown in Figure 5.



(Figure 5: NSW Government Koala Sighting Map)



## *Biodiversity Conservation Act 2016*

The Biodiversity Conservation Act 2016 has three triggers that determine if a Biodiversity Assessment Report (BDAR) is required to be submitted with a Development Application. The three triggers applicable to the subject site are detailed below:

### 1. Area Clearance.

- The subject site has no minimum lot size defined under TRLEP10; therefore, the lot size is used to determine the applicable area clearance threshold. The size of the subject lot is 4 ha.
- The threshold for clearing, above which the BAM and offsets scheme applies, is 0.5 ha.
- The proposed development will not involve clearing native vegetation greater than the 0.5 ha threshold.

### 2. Biodiversity Values Map.

- The Biodiversity Values Map does not identify the development site as having biodiversity value (Figure 6).

### 3. Test of Significance.

- Based on the development being located in a recent subdivision, the proposed development is considered not likely to affect threatened species or ecological communities significantly.

The proposed development does not trigger the Biodiversity Conservation Act 2016 thresholds. A Biodiversity Values Map and Threshold (BMAT) tool report is attached, which confirms that the Biodiversity Offset System (BOS) is not triggered by this development, and a BDAR does not have to be submitted with this Development Application.



(Figure 6: Biodiversity Values Map)

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## **Services**

### *Water Supply*

The subject site is serviced by the Council's existing reticulated water supply system. The proposed development will involve a connection to this water supply, requiring a future Section 68 Application to be submitted and approved by the Water Authority.

### *Sewerage Disposal*

The subject site is serviced by the Council's existing reticulated sewer. The proposed development will involve a new connection to this sewer infrastructure, requiring a future Section 68 Application to be submitted and approved.

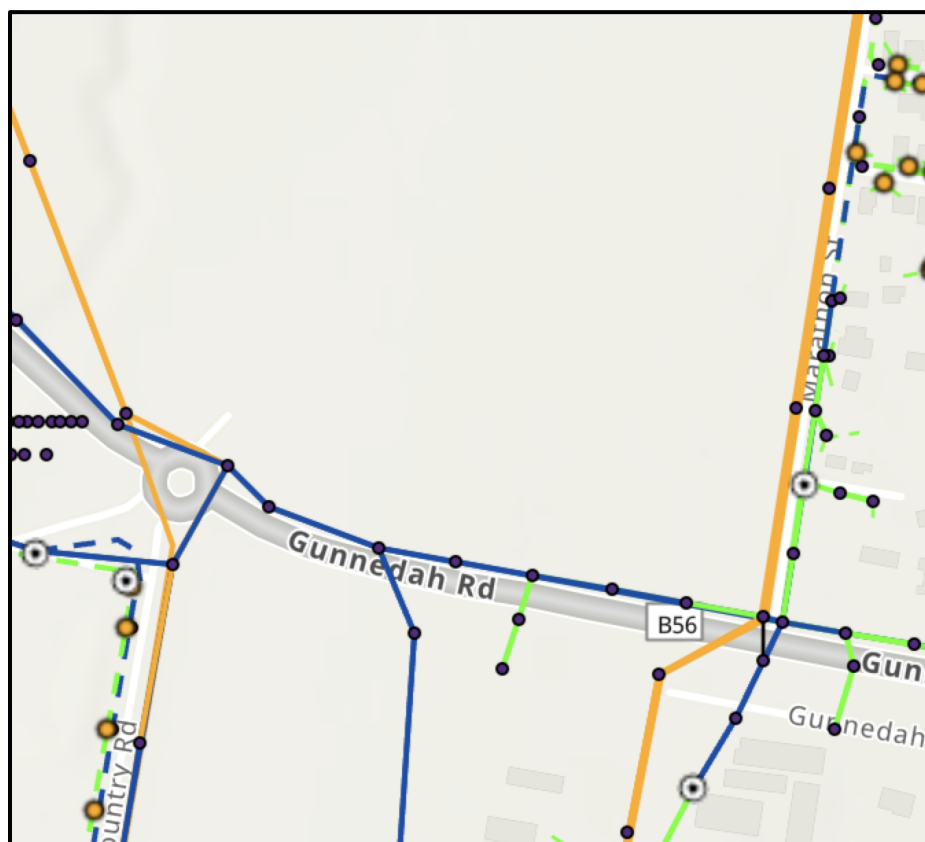
### *Stormwater Disposal*

The development proposes that all stormwater from the new development is connected to the Council stormwater system, which services the site.

### *Electricity Supply*

The electricity network of Essential Energy (Figure 7) will provide a power supply to the subject lot as part of the subdivision construction, which will include an electricity connection for the site.

No Essential Energy overhead power infrastructure is located within 5m of the proposed buildings, and no excavation is proposed within 2m of any underground electricity infrastructure, so a referral to Essential Energy is not required under the State Environmental Planning Policy (Transport and Infrastructure) 2021.



(Figure 7: Essential Energy Network Information Portal)

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### **Bushfire**

The site is not identified on the bushfire-prone land map.



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## **Flooding**

The site is not subject to flooding inundation.

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## **Contamination**

The site is not identified as being contaminated on the Environmental Protection Authority property register. The site was the subject of the recent industrial subdivision approval, which cleared the site as suitable for industrial and commercial land uses. As this is the first use of the subject site since the subdivision, the risk of contamination is considered very low.

### *State Environmental Planning Policy (Resilience and Hazards) 2021*

Clause 4.5 of the Resilience and Hazards SEPP requires the consent authority to consider the following:

*a) whether the land is contaminated.*

The subject site is not identified as contaminated land on the EPA list of contaminated sites, and this matter was not raised in the PreDA. As the matter was considered in detail during the recent subdivision assessment, further investigation is not required as the site is considered suitable for the proposed development. There is no evidence of an old sheep dip, orchard, or disused mining site having been previously located on the subject site, and the risk of likelihood of potential contamination is considered low.

*b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out,*

Not applicable.

*c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Not applicable.

2. *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*

Not applicable.

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### **Heritage Item Conservation Area**

The site is not listed as a heritage item under Tamworth Regional Local Environmental Plan 2010 or any listed Heritage Conservation Area.

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### **Aboriginal Cultural Heritage**

A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) with a buffer of 1 km from the parent Lot 93 DP 1281951 shows 11 Aboriginal sites are recorded in or near the above location, but no Aboriginal places have been declared in or near the subject property.

The attached AHIMS report shows the location of the 11 sites. However, none are in close proximity to the subject site. Given the extensive earthwork undertaken during the subdivision, it is considered unlikely the proposed development would impact these sites or any item of significance.

During the construction of the proposed development, standard notification protocol will be enforced should any potential artifact be unearthed.

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### **Waste Management**

The subject site is serviced with kerbside waste removal, which will be used for the disposal of general waste generated by the proposed development, including the employee kitchen and office area.

The heavy vehicle sales and service business will likely generate a combination of packaging, oil and other mechanical fluids, wastewater, and oil from the wash-down bay. All these waste products will be collected and disposed of in accordance with Council's policies at a licensed waste facility.

All waste generated on site during the construction phase of the development will be sorted and stored on-site for disposal at a licensed waste facility.

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### ***Traffic Impacts Car Parking***

The development has been designed to separate light vehicle access from heavy vehicular access and to ensure the entrance to the site for heavy vehicles is located a significant distance from the roundabout on Gunnedah Road in order to ensure there are minimal traffic impacts on the roundabout.

The flow of heavy vehicles through the site has been carefully planned. The vehicles will enter through the driveway on Gilaa Circuit, traverse through the development site, and exit via Dhuli Drive. This design ensures that there is enough distance and space within the site and on the internal street network to prevent heavy vehicles from waiting on the road network and causing traffic congestion.

The development proposes a total of 173 parking spaces:

- Forty-seven (47) of these spaces are located along the light vehicle access driveway in front of the proposed development.
- Eighty-five (85) spaces are located on the hardstand gravel surface dedicated for employee parking.
- Twenty-five (25) spaces are allocated for large vehicles at the northwestern corner of the property and also to the east of the proposed building. These parking areas will be used for the parking of heavy vehicles, awaiting service and post-service, and
- Sixteen (16) workshop bays for parking vehicles while being serviced.

Tamworth Regional Development Control Plan 2010 requires a total of 181 spaces for the development. This parking has been calculated in accordance with the Pre-DA advice provided for each element proposed within the mixed-use development and shown in Table 1.

Type of Development	Council Rate requirement	Total Proposed Gross Floor Area or spaces	Parking Spaces Required
Parts Store and Office	1 per 300 m <sup>2</sup>	1816 m <sup>2</sup>	6.05
Showroom Amenities and Office	1 per 40 m <sup>2</sup>	1642 m <sup>2</sup>	36.48
Workshop and Office	1 per 40 m <sup>2</sup> or 3 spaces per workshop bay whichever is the greater	4727 m <sup>2</sup> 16 bays	118.17 48
Total number of parking spaces required			181.17

*(Table 1: Tamworth Regional Development Control Plan parking rates)*



The proposed development has an 8-parking space shortfall. This shortfall is not significant when the following factors are taken into consideration.

The business involves the sales and servicing of large, heavy vehicles, which requires a significant amount of floor space for each service bay, which is equipped with the latest tools and technologies to ensure that high-quality services are delivered to customers. The time required for servicing these vehicle types is much longer than for small vehicles and, therefore, is not considered to generate the demand for 118 parking spaces.

The design response proposes a large workshop with a total area of 4727 m<sup>2</sup>, providing ample space for the efficient servicing of such vehicles. The total floor area of the workshop significantly skews the total number of spaces required under TRDCP10. The alternative rate of three spaces per workshop bay would only require 48 spaces instead of 118. This would reduce the total number of spaces required for the development to only 91.

Given the proposed development and the traffic likely to be generated, the total number of 173 proposed spaces in the development is considered to be more than suitable.

*Clause 2.119 Development with frontage to classified road of State Environmental Planning Policy (Transport and Infrastructure) 2021*

The proposed development has been designed so that there is no direct access to Gunnedah Road. Furthermore, the proposed development is unlikely to produce any harmful smoke or dust, which could adversely affect Gunnedah Road. The vehicular access has been designed to provide circular movement of heavy vehicles through the site and has the vehicles entering a considerable distance from the roundabout on Gunnedah Road. The existing road infrastructure can suitably accommodate the traffic volume the development will likely generate. The sales, spare parts, and workshop development are unlikely to affect traffic movements along Gunnedah Road.

*Clause 2.122 Traffic-generating development of State Environmental Planning Policy (Transport and Infrastructure) 2021*

The proposed access for light vehicles into the proposed development is located within 90m of the Gunnedah Road roundabout and proposes more than 50 parking spaces, meaning the development is a type required to be referred to Transport for NSW under Column 3 of Schedule 3 of the Transport and Infrastructure SEPP.

As indicated earlier, the proposed entry for heavy vehicles is located in Gilaa Circuit, a considerable distance from the Gunnedah Road Roundabout and should, therefore, not impact traffic movements and the function of Gunnedah Road or the Roundabout.

All vehicle manoeuvring areas are proposed to be sealed with concrete or hot mix bitumen, ensuring the vehicles leaving the subject site will not track dirt and other debris onto the public road network.

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### ***Bulk, Scale and Streetscape Impact***

The development is centrally located within the property boundaries and complies with Council's boundary setbacks, limiting the bulk and scale impacts of the new development. The proposed development is designed to blend in with the surrounding streetscape, and the building's exterior will consist of a combination of metal, concrete, and glass walls with significant articulation. The site has a maximum height limit of 45m specified in the Tamworth Regional Local Environmental Plan 2010 (TRLEP12), which the proposed building complies with. Additionally, the proposed development is located within Tamworth Global Gateway Park and not in a residential area, meaning that it is not likely to have any significant impacts on the streetscape. Therefore, the proposed development, being a large commercial / industrial building, is expected not to have a bulk and scale impact on the streetscape.

### ***State Environmental Planning Policy (Industry and Employment) 2021***

The proposed development includes freestanding advertising structures and business identification signs that will be used to display advertisements. These advertising structures are proposed to be located on the frontage of Dhuli Drive, Gunnedah Road, and the proposed building. The freestanding advertising structures are sited with the landscape buffer strip and are all the same size and design, which should provide uniformity in the streetscape.

Clause 3.6 Granting of consent to signage requires the proposed signage to be consistent with the objectives of Clause 3.1(1)(a) and satisfies the assessment criteria specified in Schedule 5 of the SEPP

The proposed advertising structures are consistent with the existing and likely desired future visual character of Gunnedah Road. Several existing advertising structures are located on Gunnedah Road in the locality. These simple advertising structures provide clear, easily readable business identification signs and are proposed to be constructed with a high-quality design and finish. Appendix 2 includes an assessment of the proposed signage against the criteria.

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### ***Impact on amenity and environment during construction***

The proposed development should have only a minimal impact on the amenity and environment during the works other than some construction noise and traffic. The distances of the proposed development from noise receptors should also reduce the potential impacts significantly. These impacts will be further mitigated by adhering to the following construction hours:

Monday to Friday, 7 am to 6 pm; and  
Saturday 8 am to 1 pm.

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### ***Impact on amenity and environment post-construction***

Once the development is completed, the impacts on the amenity of the adjoining owners should be minimal, given the location of the building centrally within the property.

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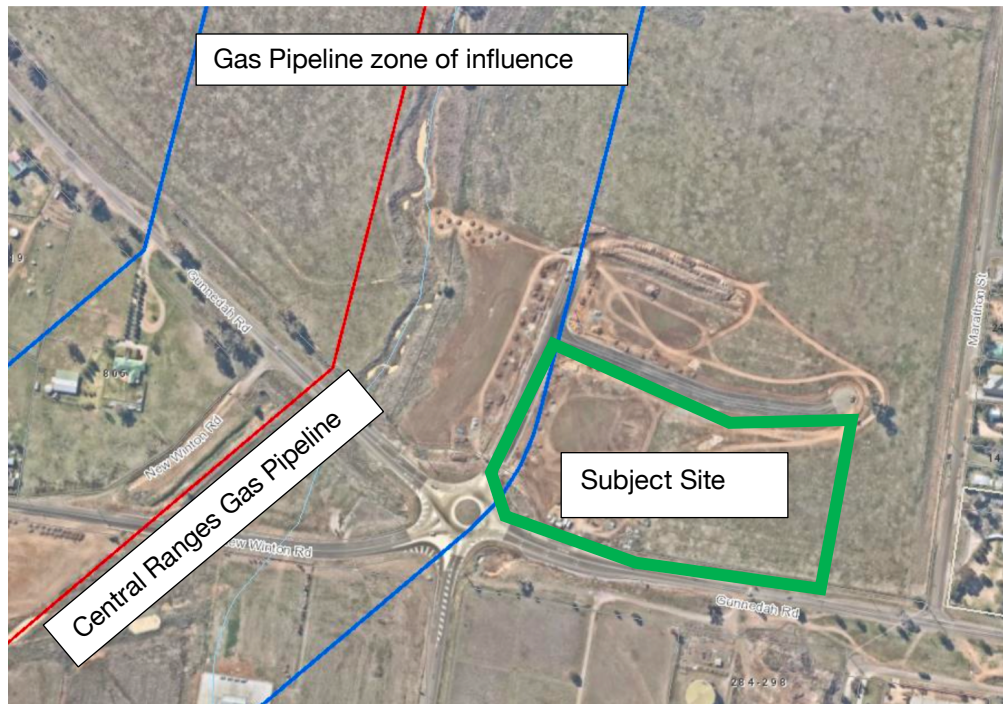
### ***Context and Setting***

The proposed development is located next to one of the major entrances to the new Tamworth Global Gateway Park and boasts an intricately designed building with a thoughtful combination of external materials of glass, steel, and concrete. The significant setback from the boundaries and the width of surrounding streets allows the development to blend with the surrounding development and the desired character of the future estate. The building's articulate design adds depth and dimension to its overall appeal.

#### ***State Environmental Planning Policy (Transport and Infrastructure) 2021***

Subdivision 2 Development adjacent to pipeline corridors, specifically 2.77 of State Environmental Planning Policy (Transport and Infrastructure) 2021, requires the consent authority to refer the Development Application to the pipeline operator and be satisfied that potential safety risks or risks to the pipeline's integrity do not occur.

The high-pressure gas pipeline runs to the west of the subject site. The 150-meter buffer easement slightly encroaches into the western edge of the subject site. The subject site's location in relation to the buffer easement is shown in Figure 8. The proposed development intends to utilise the area within the buffer for landscaping and parking purposes only. It is important to note that this proposed development is not expected to affect the pipeline's integrity as well as cause or increase any safety risks.



(Figure 8: Location of Central Ranges Gas Pipeline)

## Energy Efficiency

### State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 3 applies to all non-residential development with a CIV of \$5m or more. As the CIV for the proposal is over \$20m, this chapter applies.

Under Clause 3.2, in deciding whether to grant consent to a non-residential development, the consent authority must consider whether the development is designed to enable the following:

- a) *the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*

The proposed development is occurring on a greenfield site and does not involve demolition

- b) *a reduction in peak demand for electricity, including through the use of energy efficient technology,*

The building will be designed to meet the energy and thermal performance requirements of Section J of the National Construction Code (NCC) including the building fabric, external glazing, building sealing, air conditioning, artificial lighting and hot water.

- c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*

The building has been designed to take advantage of solar access in the employee courtyard area. The building has considerable windows and glass walls that will facilitate natural light into the building reducing the reliance on artificial lighting.

- d) the generation and storage of renewable energy,*

None proposed at this time.

- e) the metering and monitoring of energy consumption,*

This element will be considered at the Construction Stage of the development.

- f) the minimisation of the consumption of potable water.*

This element will be considered at the Construction Stage of the development.

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### ***Planning Agreements or Draft Planning Agreements***

None relevant to this property or development.

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### ***The regulations prescribe matters***

Nil.

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### ***Likely impacts of the development***

The proposed development is likely to have only minimal impacts in the locality.

Social:

There is not considered to be a direct social impact as a result of the proposed development.

Economic:

The proposed development is considered to have a positive economic benefit through the development of multiple lots in the Tamworth Global Gateway Park, the expansion



and centralisation of an existing local business and the local expenditure that will occur during construction.

The purchase of lots in the Tamworth Global Gateway Park provides additional revenue for Council to continue to provide essential services and community facilities. A development of this scale can further act as a catalyst for industrial development in the Tamworth Region and increase the attractiveness of transacting business in Tamworth.

The other likely impact of the development on natural and built environments is considered minimal.

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### ***Site suitability***

The site is considered suitable for the proposed development for the following reasons:

- The site is zoned E3 Productive Support, and the development is permitted with consent,
- The proposal is considered consistent with the development and intended character of the Tamworth Global Gateway Park. The scale and design of the development is considered appropriate for the size of the site.
- The site is vacant of vegetation and is unaffected by natural hazards such as bushfire and flooding.
- The site has connections to various essential systems and utilities to service the development.
- The proposal complies with the relevant buffers and clearances for airspace operations associated with the nearby Tamworth Regional Airport.
- The topography of the site and the corner location are conducive to the development as the allotment requires limited earthworks and provides dual street frontage for access.

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### ***Conclusion***

The proposed development is considered in the public interest, as it should have a minimal environmental impact and is in accordance with the Council's policies.

## Appendix 1: Tamworth Regional Development Control Plan Assessment

<b>Building Setback</b>	
• Street setback must be a minimum of 5m.	Satisfied
• No concession for secondary frontage.	Acknowledged
• Street setbacks must be landscaped.	5m wide landscape strip is proposed
• A reduced landscaped setback, to a minimum of 3 metres, is permitted where car parking is provided immediately behind the landscaped area.	N/A
• Side and rear setbacks to meet BCA requirements.	Satisfied
<b>Design</b>	
• Building elevations to the street frontage or where visible from a public road, reserve, railway or adjoining residential area are to incorporate variations in façade treatments, roof lines and building materials.	The building incorporates treatment, various setbacks, materials, and colours.
• Low scale building elements such as display areas, offices, staff amenities are to be located at the front of premises and constructed in brick or finished concrete or lightweight cladding.	The proposed building has the staff amenities, offices and sales area at the front of the property.
• Roofing materials should be non- reflective where the roof pitch is greater than 17 degrees or visible from a public road.	Shale Grey is proposed for the roof.
<b>Utilities and Services</b>	
• Servicing strategy required to demonstrate the availability and feasibility of providing water, sewer, and stormwater services appropriate for the scale and nature of development.	All the required Utilities and Services are available for the proposed development
• Applications must demonstrate adequate provision for storage and handling of solid wastes.	The building includes several areas which will be used for the storage of solid wastes
• Liquid Trade Waste Application and facilities are required where liquid wastes (excluding domestic waste from a hand wash basin, shower, bath, or toilet) are to be discharged to Council's sewerage system.	Upon the Development Application being approved a Section 68 application will be lodged for trade waste generated by the wash bay.

<ul style="list-style-type: none"> <li>• Detention of stormwater may be required.</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>• Onsite stormwater capture and reuse shall be provided for maintenance of landscaping. Storage tanks shall be appropriately located and screened.</li> </ul>	This is not proposed as part of this development. In the preparation of the hydrology design this could be investigated.
<b>NB</b> – reuse facilities shall not form part of stormwater calculations.	
<ul style="list-style-type: none"> <li>• Buildings and structures are to be located clear of utility infrastructure.</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>• For sewer mains, structures are to be located a minimum of one metre plus the equivalent invert depth from the centreline of the main. See Council Policy “Excavating/Filling or Building Adjacent to or Over Existing Sewer Mains” for further detail.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• The developer is responsible to consult with Essential Energy, natural gas, and a telecommunications carrier regarding the provision of services.</li> </ul>	Acknowledged
<b>Landscaping</b>	
<ul style="list-style-type: none"> <li>• Landscaping is required: <ul style="list-style-type: none"> <li>○ in the front 5m of street setback;</li> </ul> </li> </ul>	The development includes a 5m landscape strip around the site except for a small section adjacent to the wash bay. This small reduction to 3m is not considered significant
<ul style="list-style-type: none"> <li>○ side and rear setbacks where visible from public place or adjoining residential area; and</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>○ areas adjacent to building entrances and customer access points.</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>• Landscaping or shade structures shall be provided in outdoor car parking areas where &gt;10 spaces are required, to provide shading and soften the visual impact of large hard surfaces.</li> </ul>	Satisfied the parking areas at the front of the proposed building includes trees for shade.
<ul style="list-style-type: none"> <li>• Landscaping shall comprise only low maintenance, drought, and frost tolerant species.</li> </ul>	This will be detailed in the landscape plan.
<b>Fencing</b>	
<ul style="list-style-type: none"> <li>• Open work or storage areas visible from a public place or street must be fenced by</li> </ul>	N/A

masonry materials or pre-coloured metal cladding of minimum 2m height. Fencing to be located behind the building setback.	
<ul style="list-style-type: none"> <li>Security fencing must be also located behind the building setback area except when of a decorative nature to be integrated in the landscaped area.</li> </ul>	The external fencing proposed to be integrated into the landscaping of the site.
<b>Traffic and Access</b>	
<ul style="list-style-type: none"> <li>A Traffic Assessment is required to demonstrate the adequacy of: <ul style="list-style-type: none"> <li>road network,</li> <li>geometric design for intersections,</li> <li>including pavement impacts,</li> <li>site access,</li> <li>loading/unloading facilities, and</li> <li>safe on-site manoeuvring for largest design vehicle</li> </ul> </li> <li>wearing surfaces for access driveways, parking areas, loading/unloading facilities and associated vehicle manoeuvring areas relative to the design vehicle.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Unsealed vehicle movement areas are not acceptable due to environmental management impacts.</li> </ul>	All the vehicle movement areas are proposed to be hardstand concrete or hot mix bitumen
<ul style="list-style-type: none"> <li>All vehicles must be able to enter and exit the site in forward direction.</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>Manoeuvring areas within the development must be designed to accommodate a B99 vehicle under <i>AS2890.1 Parking Facilities Off Street</i></li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>Swept paths for a B99 vehicle must be shown on plans prepared to accompany the DA.</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>Site access not permitted: <ul style="list-style-type: none"> <li>Close to traffic signals, intersection, or roundabouts with inadequate sight distances;</li> <li>Opposite other large developments without a median island;</li> <li>Where there is heavy and constant pedestrian movement on the footpath;</li> </ul> </li> </ul>	N/A
	N/A
	N/A

<ul style="list-style-type: none"> <li>○ Where right turning traffic entering the site may obstruct through traffic.</li> </ul>	<p>The right turn accesses for smaller vehicles are not likely to obstruct traffic and given the width of the road network allows vehicles to pass. Likewise, the heavy vehicle access of Gliaa Circuit should not obstruct vehicles.</p>
<ul style="list-style-type: none"> <li>• Separate signposted entrance and exit driveways are required for developments requiring more than 50 parking spaces or where development generates a high turnover of traffic.</li> </ul>	<p>The development proposed wayfinding signage</p>
<ul style="list-style-type: none"> <li>• The number of access points from a site to any one street frontage is limited to 1 ingress and 1 egress.</li> </ul>	<p>This development does not comply with this clause however what is proposed is considered the best way of regulating traffic flows through and around the site.</p>
<ul style="list-style-type: none"> <li>• Driveways must be provided in accordance with <i>AS2890.1 Parking Facilities</i>.</li> </ul>	<p>Satisfied</p>
<p><b>Parking</b></p>	<p>See above</p>
<ul style="list-style-type: none"> <li>• Portion of customer parking to be provided convenient to the public entrance.</li> </ul>	<p>The parking is located in the front of the proposed building.</p>
<p><b>Loading and Unloading</b></p>	
<ul style="list-style-type: none"> <li>• Adequate space and facilities are required to be provided wholly within the site.</li> </ul>	<p>The proposed design has ample space for the loading and unloading of delivery vehicles and will not rely on the street network.</p>
<ul style="list-style-type: none"> <li>• Loading and delivery bays must be designed to allow vehicles to enter and exit the site in a forward direction.</li> </ul>	<p>Satisfied</p>
<ul style="list-style-type: none"> <li>• Loading bay(s) must be sited to avoid use for other purposes such as customer parking or materials storage and be linemarked and signposted.</li> </ul>	<p>Satisfied</p>
<p><b>Outdoor Signage</b></p>	
<ul style="list-style-type: none"> <li>• Single occupant industrial site</li> </ul>	
<ul style="list-style-type: none"> <li>○ one free standing advertisement within the 5m landscaped setback;</li> </ul>	<p>NA Multiple use development</p>

and	
<ul style="list-style-type: none"> <li>○ one advertisement integrated within the façade of the building, but no higher than the building roof line.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>● Multiple unit industrial site:</li> </ul>	
<ul style="list-style-type: none"> <li>○ one index board near site entrance or within the 5m landscaped setback; and</li> </ul>	See <i>Advertising and Signage</i> Schedule 1 Assessment Criteria.
<ul style="list-style-type: none"> <li>○ one advertisement integrated within the façade of each unit, but no higher than the building roof line.</li> </ul>	See <i>Advertising and Signage</i> Schedule 1 Assessment Criteria.
<ul style="list-style-type: none"> <li>● Signage must comply with <i>SEPP 64 – Advertising and Signage</i> Schedule 1 Assessment Criteria.</li> </ul>	See <i>Advertising and Signage</i> Schedule 1 Assessment Criteria.
<b>Outdoor lighting Noise</b>	
<ul style="list-style-type: none"> <li>● Must comply with <i>AS4282 Control of Obtrusive Effects of Outdoor Lighting</i>.</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>● Windows, doors, and other wall openings shall be arranged to minimise noise impacts on residences where proposed within 400m of a residential zone.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>● External plant (generators, air conditioning plant etc.) shall be enclosed to minimise noise nuisance when adjoining residential areas.</li> </ul>	No external plan proposed
<b>Industrial / Commercial Development Controls Chapter</b>	
Any Industrial or Commercial Development within the Tamworth Global Gateway Park (TGGP) is required to comply with the Industrial / Commercial Development Controls Chapters in this DCP, except as otherwise nominated below.	N/A
<b>Rail Freight Intermodal</b>	N/A
<b>Design Provisions</b>	
<ul style="list-style-type: none"> <li>● Architectural interest should be incorporated into the building design to address the primary street frontage.</li> </ul>	The proposed design has significant architectural interest with different angles, height, and materials.
<ul style="list-style-type: none"> <li>● Buildings must be designed to address all street frontages with façade treatment and articulation features on elevations to achieve a high-quality streetscape presence. This may include low-scale</li> </ul>	The proposed development has been designed to address the three different streetscapes.



building elements such as brick, painted finished concrete or light weight architectural cladding and include proportional windows.	
<ul style="list-style-type: none"> <li>• Entries to buildings should be clearly visible to pedestrians and motorists and be integrated into the form of the building.</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>• Building design and orientation shall consider the privacy (noise and visual) of adjoining, adjacent and/or nearby residential areas.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• A full schedule of colours and materials must accompany the development application.</li> </ul>	Provide on sheet A007 Elevations
<ul style="list-style-type: none"> <li>• Blank walls and loading docks that cause significant visual impact when viewed from a residence or public road must be screened with shrubs, trees and/or decorative fencing.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Services such as air conditioners are to be concealed in the façade of the building or screened from public view with landscape or built elements.</li> </ul>	The development complies as this will be located on the roof behind the front parapet wall.
<ul style="list-style-type: none"> <li>• External storage areas visible from a public road are to be screened.</li> </ul>	See above
<ul style="list-style-type: none"> <li>• Roofing and wall materials must be non-reflective.</li> </ul>	See Above
<b>Building Setbacks</b>	
<ul style="list-style-type: none"> <li>• Building setbacks to any road frontage must be 5 metres (minimum).</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>• Side and Rear setbacks must meet National Construction Code requirements.</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>• Buildings must be positioned towards the front of the site to avoid large areas of open storage / work areas in front of the building line. (See Figure 1)</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>• Front setback areas shall not be used for storage or display of goods or excessive signage, loading/unloading or large areas of car parking.</li> </ul>	Satisfied
<ul style="list-style-type: none"> <li>• Zero side building setbacks are encouraged to reduce potential unsightly rubbish building up in unusable areas on site.</li> </ul>	N/A

<b>Fencing</b>	
<ul style="list-style-type: none"> <li>Fencing must be located behind or in line with the front building line.</li> </ul>	See Above
<ul style="list-style-type: none"> <li>Fencing may be integrated directly behind the front or secondary setback landscaped area on any site (excluding Ring Road or Goddard Lane sites). Fencing must be an open/permeable style, incorporating pickets, slats, palings, or the like.</li> </ul>	See Above
<ul style="list-style-type: none"> <li>Open work or storage areas visible from a public place or street must be fenced by masonry materials or pre-coloured metal cladding fencing behind the building line and be of a minimum 1.8m height.</li> </ul>	See Above
<ul style="list-style-type: none"> <li>Any front fencing (primary or secondary frontages) must not be chain wire fencing. NB: See Figures 2 and 3 for Typical Site Layouts.</li> </ul>	N/A
<ul style="list-style-type: none"> <li><b>Marathon Street Buffer</b></li> </ul>	
<ul style="list-style-type: none"> <li><b>Central Ranges Pipeline</b></li> </ul>	
<ul style="list-style-type: none"> <li>A statutory zone of influence of 169 metres either side of the Central Ranges Gas Pipeline that traverses the site, as shown on the TGGP Precinct Plan must be established (APA Group - <i>APA Safety Management Strategy dated 15 March 2018</i>).</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>The following list of sensitive uses that are not allowed within the statutory zone of influence as according to Australian Standard AS2885.6. The list may include a number of uses that are permissible under the zone provisions and notable examples include: Child care centres; Correctional centres; Educational establishments; Entertainment facilities; Function centres; Highway service centres Service stations, home based child care, theatre, hospital, hotel or motel accommodation, medical centre, places of public worship, respite day care centre, retail premises, seniors housing</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Development within this area requires consent and must consider the provisions</li> </ul>	Acknowledged

of the APA Safety Management Strategy dated 15 March 2018 and be referred to APA for comment.	
<ul style="list-style-type: none"> <li>• <b>Oxley Buffer Highway</b></li> </ul>	
<ul style="list-style-type: none"> <li>• A vegetated screening buffer of at least 10 metres wide is to be established for the length of Oxley Highway between Goddard Lane and Murroon Creek corridor, as per the General Landscaping Arrangement (Figure 6) and the Oxley Highway Landscape Buffer cross section plan (Figure 7).</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• A vegetated screening buffer of at least 5 metres wide is to be established for the length of Oxley Highway between the Murroon Creek Corridor and Marathon Street, as per the General Landscaping Arrangement (Figure 6).</li> </ul>	Satisfied
<b>Site Landscaping</b>	
<ul style="list-style-type: none"> <li>• A landscaping plan that details the species selected, maturity at planting, location and ultimate height is required. Landscaping shall comprise only low maintenance, drought, and frost tolerant species.</li> </ul>	Acknowledged; to be supplied with CC.
<ul style="list-style-type: none"> <li>• The front 5m of any primary and secondary setback must be landscaped.</li> </ul>	See Above
<ul style="list-style-type: none"> <li>• A reduced landscaped setback, to a minimum of 3 metres, is permitted where car parking is provided immediately behind the landscaped area. (not permitted on the Ring Road or Goddard Lane sites) (See Figure 3)</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>• Landscaping of sites fronting Goddard Lane and the Ring Road is a key outcome, aimed at encouraging a high level presentation along these key roadways. Development Consents for Ring Road or Goddard Lane fronting sites will include provision for a maintenance bond to ensure that agreed landscaping is established and maintained for a period of two years from issue of an Occupation Certificate. Bonds will be based on 30% of</li> </ul>	N/A

the agreed value of the established landscaping.	
<ul style="list-style-type: none"> <li>The developer responsible for subdivision resulting in lots fronting Goddard Lane and the Ring Road will be required to lodge with Council sufficient funds to permit the planting of one street tree per lot, or two street trees in the case of corner lots, but in any case with a spacing of no more than 50m along the respective street frontage.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Street trees will be tube stock, or bare root stock in the case of deciduous trees.</li> </ul>	Acknowledged
<p><b>NB:</b> The value of the funds shall be calculated based on the cost per street tree as nominated in Council's Annual Fees and Charges document. The funds will be utilised by Council to purchase and plant street trees when the subdivision is 75% occupied or at the end of two years, whichever occurs first. The theme of trees and shrubs to be planted shall be identified in the landscape plan and approved by Council based on criteria including suitability to site conditions, compatibility with existing vegetation and planting themes for the locality.</p>	
<b>Road Design and Network</b>	
<ul style="list-style-type: none"> <li>The internal road layout will connect with the 'ring road' to accommodate the varied development on the site. An indicative internal road layout is shown on the TGGP Precinct Plan.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>The road layout shall be designed in accordance with the Tamworth Global Gateway</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Precinct Design Criteria Report and The TRC Engineering Minimum Standards.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>The road reserve shall be designed at an appropriate width to allow for future recycled water connections.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Subdivisions must incorporate an alternative movement network consisting of cycleways and shared pathways with</li> </ul>	N/A

the objective of facilitating non-motorised movement within and beyond the estate.	
<ul style="list-style-type: none"> <li>• Cycle ways shall be designed in accordance with the Cycleway Concept Plan. (Figure 9)</li> </ul>	N/A
<b>Traffic and Access</b>	
<ul style="list-style-type: none"> <li>• Development that is traffic generating development and requires referral to Transport for New South Wales will not be fast tracked</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>• Development application plans for lots fronting Goddard Lane are to incorporate road widening of 5 metres on the eastern side for the length of Goddard lane.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• The principal access points to the TGGP are from the Country Road five-way roundabout and from Goddard Lane. A major 'ring road' is to connect these points of access as per the TGGP Precinct Plan.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Direct lot access from Oxley Highway, Marathon Street and Goonan Street will not be permitted.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Proposals that include unsealed vehicle manoeuvring areas must install a mechanism (such as shaker plates or a wash down area) to ensure no transfer of dirt from the site onto the road reserve will occur.</li> </ul>	The development does not propose any manoeuvring areas which are not sealed
<b>Parking</b>	
Refer to Appendix A for parking rates.	See Above
<b>Signage</b>	
<ul style="list-style-type: none"> <li>• Development Applications seeking to display signage to the Oxley Highway should include an assessment of the road safety criteria under Part 3 of the Transport Corridor Outdoor Advertising and Signage Guidelines.</li> </ul>	See Appendix 3
<b>Noise</b>	
<ul style="list-style-type: none"> <li>• Windows, doors, and other wall openings shall be arranged to minimise noise impacts where the development is located adjoining or adjacent to existing residential areas.</li> </ul>	N/A

<ul style="list-style-type: none"> <li>External plant (generators, air conditioning plant etc.) shall be enclosed to minimise noise nuisance where the development is located adjacent to existing residential areas.</li> </ul>	See Above
<ul style="list-style-type: none"> <li>Details, including the proposed location of external plant shall be submitted with the development application.</li> </ul>	Areas have been shown on the plans for the positioning of external plant
<b>Tamworth Regional Airport</b>	
<ul style="list-style-type: none"> <li>Development applications that are located within the flight path or likely to adversely affect aircrafts or the airport facility must be referred to the owner/operator of the Tamworth Regional Airport.</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>Factors affecting the operation of the Airport must be considered including light glare, plumes, bird attractants.</li> </ul>	This proposed development is not likely to cause light issues for the airport or attract birds.
<ul style="list-style-type: none"> <li>Development applications that must be referred to the Airport will not be fast tracked.</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>A condition will be imposed on any development consent to require that notification be provided to the Airport Manager a minimum of 21 days before the operation of a crane for building work.</li> </ul>	Acknowledged
<ul style="list-style-type: none"> <li>The Tamworth Regional Local Environmental Plan 2010 contains controls relating to the construction of buildings within the vicinity of the Tamworth Airport, which may impact on the height and construction standards.</li> </ul>	See Above
<b>Aboriginal Cultural Heritage</b>	
<ul style="list-style-type: none"> <li>Indigenous heritage items have been identified as being located within the TGGP Precinct. Development Applications involving subdivision of land will be required to undertake an archaeological assessment of the proposed development site.</li> </ul>	See Above
<ul style="list-style-type: none"> <li>Consultation with the Tamworth Local Aboriginal Lands Council shall be undertaken prior to any subdivision approval.</li> </ul>	See Above



<ul style="list-style-type: none"> <li>• Appropriate management of any artefacts / sites located will be required.</li> </ul>	See Above
<b>Water, Sewer Stormwater and Gas Utilities</b>	N/A
<b>Per- and Polyfluorinated Alkyl Substances (PFAS) Issues</b>	N/A

## Appendix 2 State Environmental Planning Policy (Industry and Employment) 2021 Assessment

<b>1 Character of the area</b>	
<ul style="list-style-type: none"> <li>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> </ul>	The proposed signage is skilfully crafted, featuring a sleek and modern design that seamlessly blends with the intended vision for the future. The attention to detail is evident, with every element thoughtfully considered to ensure a cohesive and visually appealing result.
<ul style="list-style-type: none"> <li>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	The proposed signage is consistent with the theme of existing signage in the area, which predominantly relates to the industrial development in the locality.
<b>2 Special areas</b>	
<ul style="list-style-type: none"> <li>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes, or residential areas?</li> </ul>	The proposed signage is not considered to detract from the amenity or visual quality of any environmentally sensitive area, heritage area, natural or other conservation areas, open space areas, waterways, rural landscapes, or residential areas.
<b>3 Views and vistas</b>	
<ul style="list-style-type: none"> <li>Does the proposal obscure or compromise important views?</li> </ul>	The proposed signs have a total height of 8.3 m and spaced a significant distance apart to ensure they will not impact any views to or from the subject site.
<ul style="list-style-type: none"> <li>Does the proposal dominate the skyline and reduce the quality of vistas?</li> </ul>	The proposed signage is below the ridge of the building, and will not dominate the skyline
<ul style="list-style-type: none"> <li>Does the proposal respect the viewing rights of other advertisers?</li> </ul>	The proposed signage is likely to impinge of the viewing rights of other advertisers
<b>4 Streetscape, setting or landscape</b>	
<ul style="list-style-type: none"> <li>Is the scale, proportion, and form of the proposal appropriate for the streetscape, setting or landscape?</li> </ul>	The five free standing signs are proposed to be 8.3m high by 3.3m wide and the business identification are considered to not dominate the building given the proportion of the proposed building
<ul style="list-style-type: none"> <li>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> </ul>	The signs installed will provide clear and concise information regarding the type and nature of businesses operating from

	the site. The design of the signs has been carefully crafted, ensuring that they add to the overall visual appeal of the streetscape and attract attention from passers-by.
<ul style="list-style-type: none"> <li>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> </ul>	Not applicable to this development however the proposed advertising structure will ensure the development is not likely to see a proliferation of signage on the site.
<ul style="list-style-type: none"> <li>Does the proposal screen unsightliness?</li> </ul>	Not applicable
<ul style="list-style-type: none"> <li>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> </ul>	No
<ul style="list-style-type: none"> <li>Does the proposal require ongoing vegetation management?</li> </ul>	No
<b>5 Site and building</b>	
<ul style="list-style-type: none"> <li>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</li> </ul>	The proposed signage is compatible with the scale and proportion of the site and building.
<ul style="list-style-type: none"> <li>Does the proposal respect important features of the site or building, or both?</li> </ul>	The proposal does respect important features of the site; these signs will not obscure any entrances to the property or building.
<ul style="list-style-type: none"> <li>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	The proposal does not show innovation or imagination in its relationship to the site or building considered satisfactory.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
<ul style="list-style-type: none"> <li>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>	The structures include Low Intensity Led Lighting with a Total Lighting that Does Not Exceed 300cd/m <sup>2</sup>
<b>7 Illumination</b>	
<ul style="list-style-type: none"> <li>Would illumination result in unacceptable glare?</li> </ul>	The structures include Low Intensity Led Lighting. The illumination between

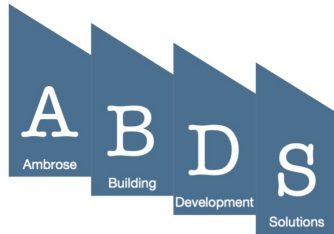
	sundown and sunup. This low-level lighting is not likely to have an impact as there are no nearby residents that will be affected by the proposed illumination.
<ul style="list-style-type: none"> <li>• Would illumination affect safety for pedestrians, vehicles, or aircraft?</li> </ul>	Safety of pedestrians, vehicles and aircraft is not compromised because of the illumination as the proposed lighting will point down onto the signage.
<ul style="list-style-type: none"> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> </ul>	There are no residential residences that would be impacted by this development.
<ul style="list-style-type: none"> <li>• Can the intensity of the illumination be adjusted, if necessary?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>• Is the illumination subject to a curfew?</li> </ul>	No
<b>8 Safety</b>	
<ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> </ul>	The proposal should not reduce the safety of any public road.
<ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for pedestrians or bicyclists?</li> </ul>	The proposal should not reduce safety for pedestrians or cyclists.
<ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	The proposal will not obscure sightlines from public areas due to the location and significant separation between the structures.

### Appendix 3 Tamworth Development Control Plan Signage Assessment

<ul style="list-style-type: none"> <li>Where there is potential for light spill to adjoining properties, all illuminated signage shall be fitted with a timer switch to dim or turn off by 11pm each night.</li> </ul>	Acknowledged, however, there is no external illuminated signage proposed.
<ul style="list-style-type: none"> <li>Signage must comply with SEPP 64 – Advertising and Signage Schedule 1 Assessment Criteria.</li> </ul>	See Assessment under Appendix 2.
<ul style="list-style-type: none"> <li>“Special promotional advertisements” may be installed in accordance with clause 25 of SEPP 64 – Advertising and Signage provided that the sign does not compromise any Public Art or the integrity of the space in which it is located in the main streets, public parks and gardens and major venues across the region’s city, towns and villages.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>External illumination to signs must be top mounted and directed downwards.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>The following types of signs are not acceptable:</li> </ul>	
<ul style="list-style-type: none"> <li>Portable signs within public footways and road reserves including variable message signs, A Frame and Sandwich Boards;</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Outdoor furniture (including chairs, bollards and umbrellas) advertising products such as coffee, alcohol or soft drink;</li> </ul>	N/A
<ul style="list-style-type: none"> <li>A roof sign or wall sign projecting above the roof or wall to which it is affixed;</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Flashing or intermittently illuminated signs;</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Advertisements on parked motor vehicles or trailers (whether or not registered) for which the principal purpose is for advertising;</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Signs fixed to trees, lights, telephone or power poles;</li> </ul>	N/A

<ul style="list-style-type: none"> <li>• Signs which could reduce road safety by adversely interfering with the operation of traffic lights or authorized road signs;</li> </ul>	The proposed signs should have no adverse impacts on road users.
<ul style="list-style-type: none"> <li>• Any sign which would in the opinion of Council, be unsightly, objectionable or injurious to the amenity of the locality, any natural landscape, public reserve or public place;</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Numerous small signs and advertisements carrying duplicate information; and</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Overhead banners and bunting, except in the form of temporary advertisement</li> </ul>	N/A





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5 October 2024

General Manager  
Tamworth Regional Council  
PO Box 555  
Tamworth NSW 2340

Dear Rean,

Please find the additional information you requested regarding DA2024-0314 (PAN-378630) for the Construction of a Mixed-Use Development on Lot 97 DP 1286236, Marathon Street Westdale.

Your letter requested that six items of additional information be provided before the Planning Panel can determine the application.

### **Staging of Development**

Please see the uploaded plan staging plan (Staging Plan). The plans show the proposed uses for each stage, the calculation of floor space, and the parking allocated to each phase of the development.

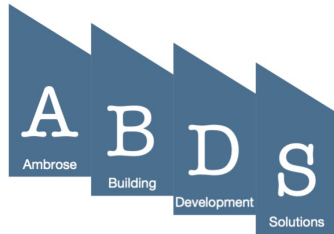
### **Clarification / Management of Unused Areas**

As each phase is developed, the unused area of the site will be established as grasslands to reduce erosion and dust impacts on the adjoining properties. These unused areas will be fenced off from each phase of the development.

Future development options are currently being considered for the unused portion of the site (Phase 4). A further development application will be submitted for any development of the Phase 4 area. Until such time, this area will remain a maintained grassland.

### **Landscape Design**

Please see the attached Landscape Plan (Landscape Plan). This plan includes the proposed approach and areas to be landscaped during each construction phase. A total of 269 native plants are proposed to be planted. The planting schedule below shows the type, height, and number of plants proposed.



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Symbol	Reference	Notional Description	Ht. at Maturity	Nom. Canopy Spread	Nom. Plant Spacing	Total Number / Area	Select From
	TR1	Native Evergreen Shade Tree	10.0m	Nom. 6.0m Un-pruned	4.0m	18	Cupaniopsis unacardioides 'TUCKAROO' Acacia dewrens 'GREEN WATTLE' Acacia filicifolia 'FERN LEAFEA WATTLE'
	SH1	Native Shrub Screen Plantings	3.0m	2.0m pruned	2.0m - 2.5m	79	Photinia 'RED ROBIN' Callistemon Sp.'BAROONDAH STATION' Grevillea Sp.'CLEAR VIEW DAVID'
	SH2	Native Shrub Decorative	1.2m	1.0m pruned	1.0m - 1.5m	97	Grevillea Stenomera 'LACE NET GREVILLEA' Kurzea Parvifolia Prostanthera Phyllifolia
	GC1	Flowering Native Ground Cover	0.6m	2.0m	0.6m	@ 3 per m <sup>2</sup> 269	Acacia Baileyana Eremophila Debilis Dianella Revoluta
	G	Mulched Garden Bed	N/A	N/A	N/A	710.17m <sup>2</sup>	N/A
	T	Turf or Seeded Grass	N/A	N/A	N/A	12598.50m <sup>2</sup>	N/A

## Signage Assessment

A Transport Corridor Outdoor Advertising and Signage Guidelines assessment is attached (Transport Corridor Outdoor Advertising and Signage Guidelines).

## Update of Certification

### NABERS EEM Form

The original development application submission includes a NABERS commitment agreement, referred to in Clause 3.3 of the Sustainable Buildings SEPP. Unfortunately, the assessor had not signed this document at the time of lodgement, leading to a request for additional information. In discussions with the Council, it was determined this NABERS commitment agreement is not required for the proposed development.

Clause 3.3 of the Sustainable Buildings SEPP only applies to large commercial development.

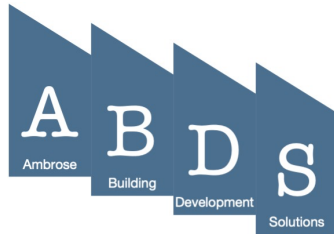
The SEPP defines large commercial development as

**“large commercial development** means non-residential development that involves—

- the erection of new prescribed office premises, prescribed hotel or motel accommodation or prescribed serviced apartments, or
- alterations, enlargement or extension of prescribed office premises, prescribed hotel or motel accommodation or prescribed serviced apartments, if the development has an estimated development cost of \$10 million or more.”

**“prescribed office premises** means office premises with a net lettable area of at least 1,000m<sup>2</sup>.”

The proposed development does not satisfy the definition of prescribed office premises, and therefore, a NABERS commitment agreement, signed or unsigned, is not required for this development.



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Clause 3.2 of the Sustainable Buildings SEPP applies to the proposed development. The information provided below is in addition to that provided in the Statement of Environmental Effects.

Under Clause 3.2, in deciding whether to grant consent to a non-residential development, the consent authority must consider whether the development is designed to enable the following:

- a) *the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*

The proposed development occurs on a greenfield site and does not involve demolition. The packaging and scrap materials excess to the construction will be sorted onsite and recycled or disposed of to a licenced waste facility. Modern construction methods and procurement should ensure limited waste excess products are generated in the construction of this development.

- b) *a reduction in peak demand for electricity, including through the use of energy efficient technology,*

The building will be designed to meet the energy and thermal performance requirements of Section J of the National Construction Code (NCC), including the building fabric, external glazing, building sealing, air conditioning, artificial lighting and hot water.

- c) *a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*

The building has been designed to take advantage of solar access in the employee courtyard area. The building has considerable windows and glass walls that will facilitate natural light into the building, reducing the reliance on artificial lighting. The building allows cross ventilation during the hot summer months, reducing the need for air conditioning.

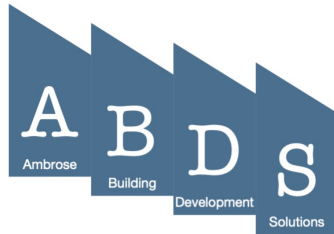
- d) *the generation and storage of renewable energy,*

None are proposed at this time. However, the building's roof has been designed to facilitate the future installation of solar panels for energy generation, subject to funding availability.

- e) *the metering and monitoring of energy consumption,*

This element will be considered at the Construction Stage of the development. The development site will include a smart meter that will allow monitoring of energy consumption.

- f) *the minimisation of the consumption of potable water.*



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This element will be considered at the Construction Stage of the development. Since the application was lodged, the decision has been made to install water tanks on site for rainwater capture and reuse.

### **Biodiversity Certification**

A signed Biodiversity Values Map and Threshold Report (Signed BMAT Report) is attached.

### **Traffic Impact Assessment**

Transport for NSW also requested a traffic impact assessment be completed. Statewide Traffic has undertaken this report, which is attached (TIA—1 Marathon Street Westdale—CJS3717).

Should you have any further questions, please feel free to call me on the number above.

Yours truly,

A handwritten signature in blue ink, appearing to read 'AH', is positioned above the name Ambrose Hallman.

Ambrose Hallman