

# Statement of Environmental Effects

Lot 5 Section10 DP 759091 3 Woore Street, Wilcannia, 2386

October 2021

planning & development specialists

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## Introduction

This Statement of Environmental Effects (SEE) is submitted to Central Darling Shire Council as part of a Development Application (DA) under part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). This SEE seeks approval for the following development at 3 Woore Street, Wilcannia, NSW 2836 (the site), legally described as Lot 5 Section 10 DP759091.

- ◆ Site preparation works including establishment of an earthen pad
- ◆ Erection of a new depot building

This SEE address all relevant matters for consideration under section 4.15(1) of the EP&A Act. This application is prepared in accordance with the EP&A Act and Central Darling Local Environmental Plan 2012 (LEP).

The supporting documentation accompanying this SEE include:

- ◆ Site plan, elevation and floor plans of the shed
- ◆ Certificate of title and Deposited Plan for the land

## Proposal

The development application proposes to erect a depot at 3 Woore Street, Wilcannia, NSW, for the storage of vehicles, mowers, and other related equipment associated with the operations of the National Parks and Wildlife Service. The storage will enable and allow the NPW's (full form) staff to access the Vehicles and gardening equipment.

The NPW's main intention to establish a new depot is to store the gardening tools, mowers, and vehicles safely and securely when those are not in use. Also, the new depot will not only provide enough space to store the equipment but also allow the staff to easily access the tools without needing to move any other equipment.

The establishment of the new store will not result in blocking any pathway or road as demonstrated on the supporting site plan. Establishment of the depot will not result in the removal of any vegetation. The explicit details of the depot are described in the attached plans in support of this SEE.

**Table 1** Development details

Description	Length	Width	Height
Depot Floor plan	11 m	9 m	4.3 m

## Planning controls

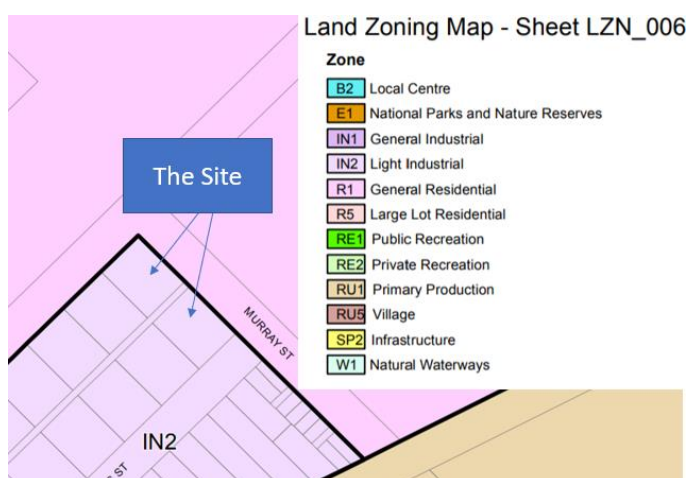
### Definition

The works are defined as a Depot for which the LEP provides the definition as:

**depot** means a building or places used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use but does not include a farm building.

### Zoning

In accordance with the Wakool LEP zoning maps the land is contained within zone W1 Zone – Waterways.



**Figure 1** Zone Map

Source: Wakool Local Environmental Plan, 2013

The objectives of zone W1 is:

*To provide a wide range of light industrial, warehouse and related land uses*

*To encourage employment opportunities and to support the viability of centres*

*To minimise any adverse effect of industry on other land uses*

*To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area*

*To support and protect industrial land for industrial use*

There are no other relevant clauses of the LEP.

## State Environmental Planning Policies

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies to the assessment for this application. The relevant clauses along with justifications are outlined in the planning assessment chapter of this SEE report.

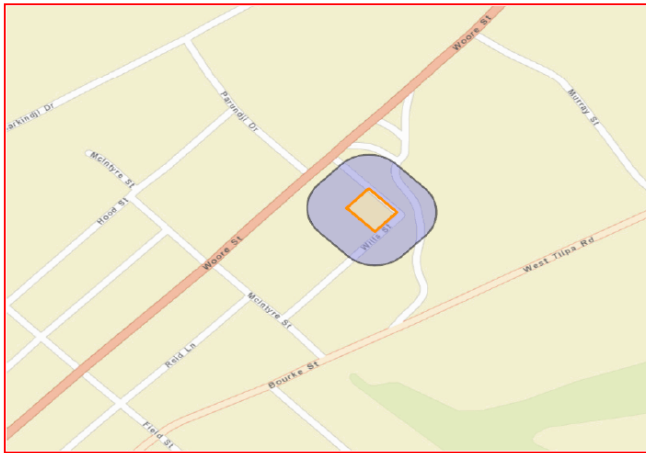
### Aboriginal cultural heritage

All Aboriginal cultural heritage is protected by the NSW National Parks and Wildlife Act 1974. Responsibility rests with the proponent of development to demonstrate that due care and diligence have been taken to identify and avoid impacts on archaeological sites through construction works.

Clause 80B of the NSW National Parks and Wildlife Regulations 2009 lists a number of low impact activities that remove the need to follow the due diligence process. Maintenance of existing services including water utilities on land that has already been disturbed is defined as a low impact activity under Clause 80B(1)(a)(ii) of the NSW National Parks and Wildlife Regulations 2009 and thus a defence to a prosecution for harming an Aboriginal object under section 86(2) of the NSW National Parks and Wildlife Act 1974.

As the proposed shed is located in the light industrial zone and is considered to be a low impact activity, as a result, this development does not require the Due Diligence Code of Practice for the Protection of Aboriginal Projects in New South Wales (DECCW 2010).

Moreover, a AHIMS search has been conducted which confirms there are no places of aboriginal heritage on the land or within 50m of the land (Refer to figure 2).



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

**Figure 2** AHIMS search





## Site and surrounding area

### Subject site

The site, 3 Woore Street, Wilcannia is legally described as Lot 5 Section 10 DP759091. The site has an area of some 8,000m<sup>2</sup> and width of some 80m at the Woore Street frontage.

The site's topography is generally described as being flat.

Existing development at the site consists of a single storey industrial building centrally located with an existing shed at the southern part of the site (refer to figures below). The lot is accessed from the driveway at the north and west corner of the site (refer to figure 3, 5 and 6).

Vegetation at the site, consist of grass in the front and rear yard with some shrubs and plants at the front yard.

The figures below, site context and plans illustrate existing developments at the site and the immediate surroundings. The immediate area of the site is a general residential zone with private roads.



**Figure 4** Area if the proposed depot



**Figure 5** Existing driveway access to the north portion of lot



**Figure 3** Aerial image of the site





**Figure 6** Existing driveway access to the west portion of lot



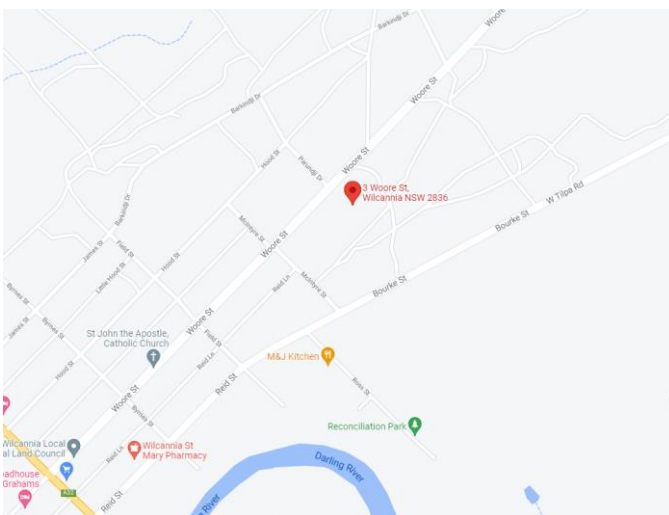
**Figure 7** Woore Street frontage of the land

## Locality

Developments surrounding the site consists of a mix of older and new style single story dwellings within the abutting residential zone. The wider area of the locality includes primary production and general residential land uses.



**Figure 8** Aerial image of the locality



**Figure 9** Google Maps 2021

## Planning assessment

This section provides an assessment of the proposal against all relevant matters set out in section 4.15 (1) of the EP&A Act as described below.

EP&A Act section and legislative requirements	Assessment
<p><b>(1) Matters for consideration – general</b></p> <p>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:</p>	
<p>(a) The provision of:</p>	
<p>(i) any environmental planning instrument</p>	<p>This SEE provides an assessment against the relevant environmental planning instruments including State Environmental Planning Policies (SEEPs) and the Central Darling Local Environmental Plan (LEP) 2012</p>
<p>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</p>	<p>There are no draft local environmental plans that effect the proposed development at the time of preparing this SEE.</p>

<p>(iii) any development control plan</p>	<p>There is no Development Control Plan (DCP) or draft DCP that effect the proposed development at the time of preparing this SEE.</p>
<p>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</p>	<p>There are no know voluntary planning agreements that have been proposed or entered by the applicant or owner of the land.</p>
<p>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</p>	<p>The relevant matters under the environmental planning and assessment regulation 2000 (the EPA Regulation) that relate to the proposed development have been considered.</p>
<p>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p>	<p>The development is installation of a single shed to store tools and equipment associated with the occupant of the land. Thus, the environmental impacts on the natural and built environment and social and economic impacts will be very minimal. Furthermore, the surrounding areas are considered to be vacant open areas mostly clear of development that results less social and environmental impacts from the proposed development.</p>
<p>(c) the suitability of the site for the development</p>	<p>The site is suitable for depot as the development is permissible with consent within the Light Industrial Zone IN2. The site has good access for the NPW workers and provides additional space for the NPW to store the equipment.</p>

(d) any submissions made in accordance with this Act or the regulations	It is likely that any DA for the proposed development would be notified and placed on public exhibition in accordance with this requirement. Council will consider any submission received on the proposed development an advertisement part of their assessment of the DA.
(e) the public interest.	Installation of the depot is permissible with consent and is in the public interest.

## Statement of Environmental Planning Policies

The following table provides an assessment of compliance of the proposed development against relevant SEPPs are detailed below.

SEEP (Exempt and Complying Development Codes) 2008	Assessment of Compliance	Complies
Subdivision 9 Ancillary development		
5.17 Specified development	The depot is an ancillary development within the Light Industrial Zone. The development is not carried out either on a dwelling house or on a flood control lot	Yes
5.18 Development Standards	The development has an area of 99 m which is less than 15% of the area of the site.	Yes
	The height of the building is 5.175 m, being more than 5m. This application seeking council's support to vary the height as this considered justifiable as it is a minor height variation.	Justification
	The location of the depot building is located more than 1m behind the building line of Woore Street frontage (i.e., 18 m).	Yes
	14, 71, 42 and 25 m from north, south, east and west boundaries of adjoining properties.	Yes
	The development is not located over a registered easement	Yes
	The development does not reduce the vehicular access or parking as it is it proposed adjacent to the vehicular access	Yes
	The area will result in reducing the total landscape area (i.e., 1298.3 sq.m). This application seeking council's support for the removal of 7.7 % landscape area approximately to install the depot. The development is considered justifiable as the site is in	Justification



	the light industrial zone and removal of 7.7 % landscape area will create minor effect or no effect.	
	The development is not located in either the heritage conservation area or bushfire prone land	Yes
	The mental components including wall, roof and roller door are constructed of Pale eucalypt-coloured materials, which is a low reflective material.	Yes
	The proposed area is not prone to bush fire as a result clause 5.18 (j) of SEPP codes is not applicable.	Yes
	The development includes installation of a depot, which will be proposed at the natural ground level. The development will not result in disturbing the existing drainage fixtures.	Yes

## Central Darling LEP

The proposal is considered acceptable and does not impact upon the intent of the Light Industrial zone. The proposal is in fact supported by the zone through its objective, as it will encourage the NPWS employees to store the required types of equipment and supported through the proximity of the development (shed) to the NPWS.

Establishment of the depot is considered appropriate for the following reasons.

- ◆ The appearance of the shed is very minimal within the site area
- ◆ Will provide additional space to store the equipment safely within the proximity distance to the locations where NPWS undertake their activities
- ◆ Will allow the staff to access the requires vehicles and equipment without needing to move other types of equipment
- ◆ will enable the free storage of the required items such as vehicles, equipment, mowers, tools safely and securely when not in use
- ◆ The depot will be clad in Colourbond, which creates an interesting and appealing exterior (refer to accompanying elevation plans).
- ◆ The lot has adequate arrangements to water, electricity, sewage and suitable vehicular access;

thus, no additional essential service adjustments are required for the depot.

- ◆ The proposal includes the development of a shed, where it creates minor impact to the environment
- ◆ The development will not expect to create any adverse social or economic impacts but has the potential positive impact on the area by increasing the storage space and choice of utilising the industrial area
- ◆ Contributes to the local economy during the construction phase
- ◆ No loss vegetation will occur as a result of the development

The location of the depot is considered to be appropriate within the current Zone Light Industrial IN2 as the “depot” is permissible with consent. Establishment of depot is likely to be common within the lot.

Overall, the proposal is considered consistent with policy and worthy of support due to its location and the location of the NPWS on the land.

## Conclusion

In conclusion, it is considered for reasons outlined above the development responds well to the opportunities and constraints of the site and is considered to be generally consistent with the relevant provisions.

The proposal is considered appropriate for the site for the following reasons:

- ♦ The assessment against SEPP (complying and exempt development) 2008 demonstrates that the proposal is appropriate for the site and worth approval subjective to the relevant conditions
- ♦ The proposal is consistent with Central Darling LEP.
- ♦ There will be no loss of native vegetation, however a small area of landscaping will be removed to establish the depot.

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