



STATEMENT OF ENVIRONMENTAL EFFECTS REPORT

**Section 4.55 (2) Modification to Development Consent
No. 2021.1271**

Modification to approved industrial unit development

No.148 Mount Darragh Road, South Pambula

March 2025

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1.0 INTRODUCTION

Metro Planning Services has been engaged by Sapphire Business Park Pty Ltd to prepare a Statement of Environmental Effects Report (SEE) in support of a s4.55 (2) Modification of Consent Application that seeks consent for the construction of nineteen (19) industrial units and associated works on a site located at No.148 Mount Darragh Road, South Pambula.

Council issued Development Consent No. No. 2021.1271 on 14 June 2022 for the construction of 31 industrial units on the site that was later modified on 21 March 2024. Following further due diligence, our client has determined that the approved development is not financially viable to proceed with and accordingly proposes to 'scale back' the development to a total of nineteen (19) units and associated works. Essentially four (4) of the existing buildings (1, 2, 3 & 5) are proposed to be divided into new industrial units along with additions and renovations as illustrated on the Architectural Plans prepared by JPD Design-Ref: (Rev 9 dated 25/11/24).

The site is zoned E4 General Industrial under the Bega Valley Local Environmental Plan 2013 (BVLEP 2013) and the modified development remains permissible with consent.

The proposal has been considered with the relevant controls of the Bega Valley Development Control Plan 2013 and found to be fully compliant.

The report is intended to assist Bega Valley Shire Council in its assessment of the application and incorporates the following details:

- Description of site and context;
- Description of proposed development;
- Consideration of relevant planning considerations; and
- Evaluation of Section 4.15 under EP&A Act 1979.

The report should be read in conjunction with the following supporting material:

- Detailed survey plan prepared by Caddey Searle & Jarmen;
- Architectural plans prepared by JPD Design-Ref: (Rev 9 dated 25/11/24);
- Traffic & Parking Assessment Report prepared by Marshman O'Neill Engineers;
- Stormwater Management Plans prepared by Marshman O'Neill Engineers;
- Development Consent No.2021.1271 and approved plans;
- Modified Development Consent No.2021.1271 and approved plans;

2.0 SITE DETAILS

The following details of the site's locational and physical characteristics are provided to assist Council in the assessment of the development application.

2.1 Site Location

The subject land is located at No.148 Mount Darragh Road, South Pambula as identified in **Figure 1**.

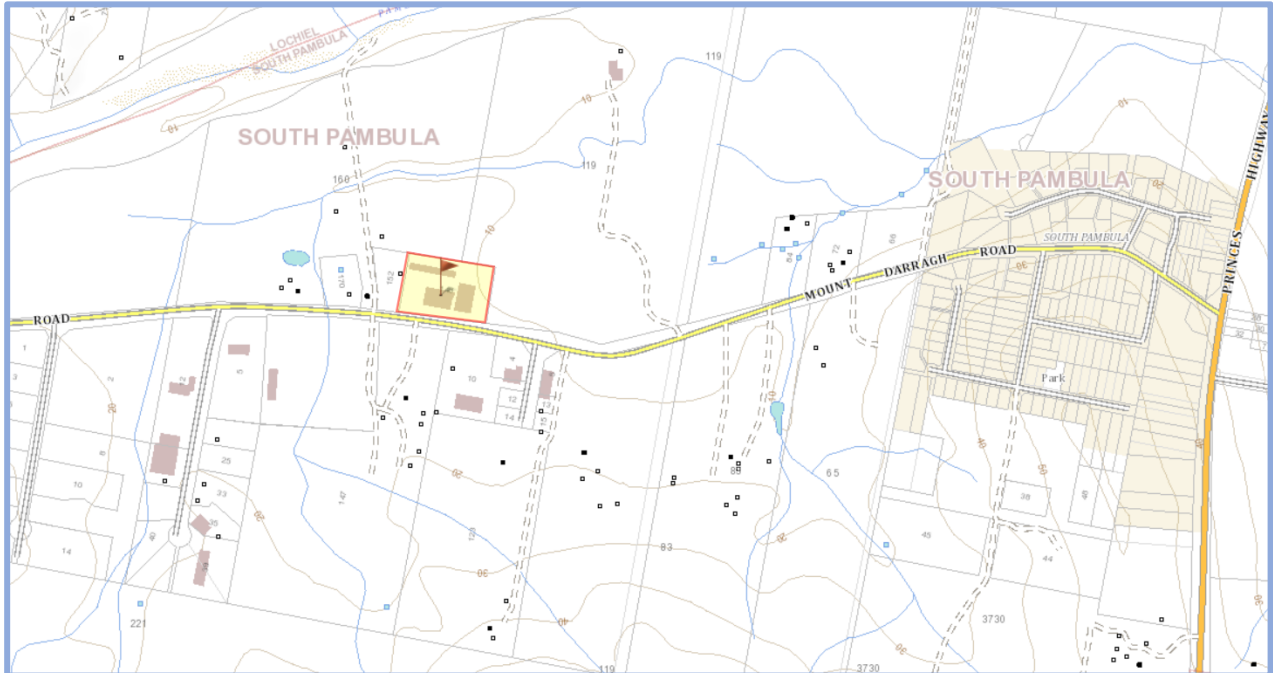


Figure 1-Location plan

2.2 Site Description

The subject land is legally described as Lot 22 DP 812587.

The site is a rectangular shaped site with an area of approximately 1.7ha. The site has a frontage of 145m to Mount Darragh Road on the northern side and has existing driveways at both the eastern and western ends.

The site is currently occupied by three (3) separate free standing industrial buildings and surrounding gravel driveway and parking area.

The site has a gradual slope towards the rear north eastern corner of the site as identified on the survey plan prepared by Caddey Searle and Jarmen.

The southern frontage of the site to Mount Darragh Road contains various Eucalyptus trees that act as a screening buffer to the site and are proposed to be removed as part of the application as addressed in the Arborist Report prepared by Sapphire Coast Tree Service and Tower Hire.

The site benefits from an easement to drain water to the northern rear as identified on the survey plan that is contained in **Figure 2**.

The site benefits from reticulated water, electricity and telecommunication utilities. Wastewater from the existing and proposed development is treated via on-site means which has recently been approved by Council via a s68 consent.

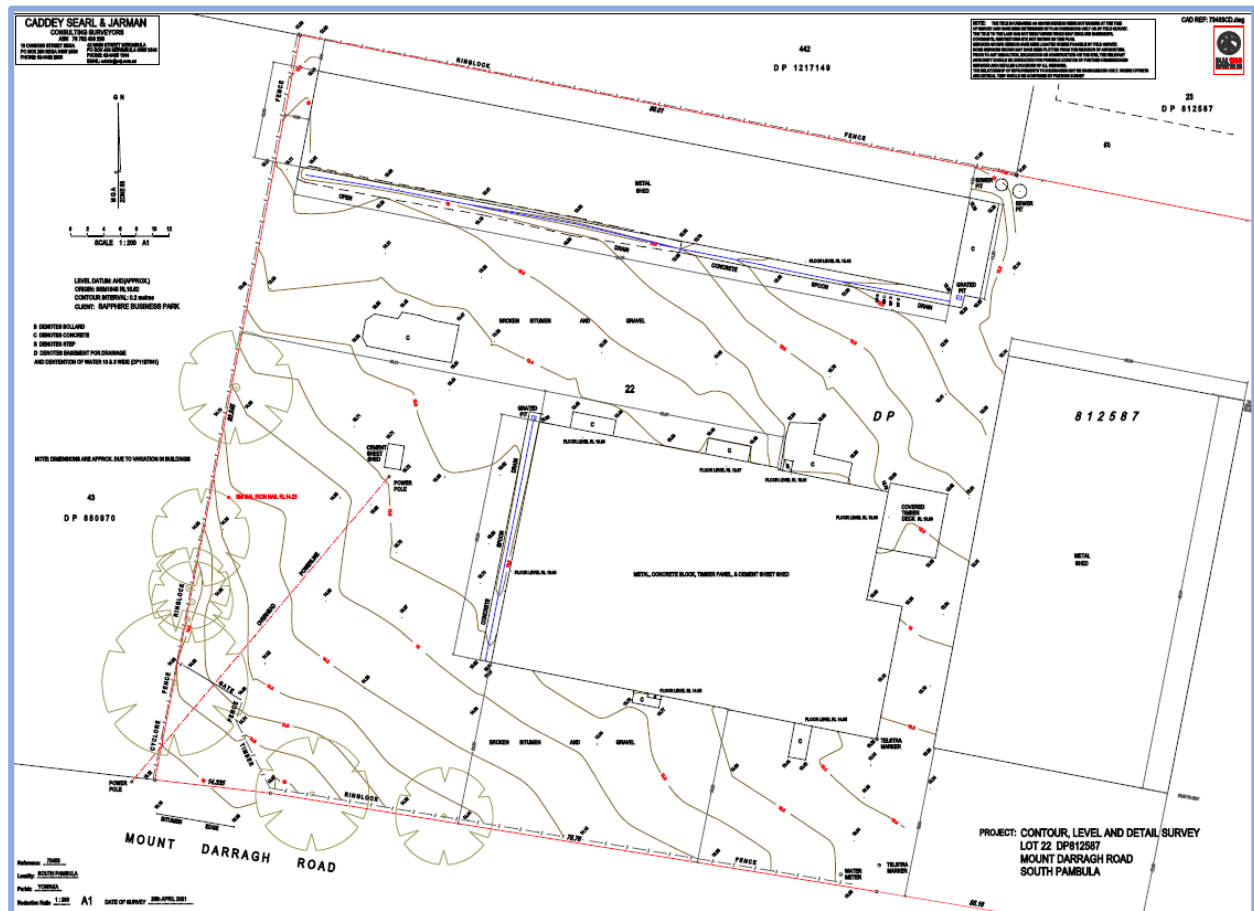


Figure 2-Survey of site

An aerial view of the site is contained in Figure 3.



Figure 3-Aerial view of site

2.3 Site Context

The site is located in an industrial context within the South Pambula Industrial area.

The site is located directly adjacent to the Bobbins Transport industrial site to the southwest, managed rural paddocks used for farming to the north and east.

There are several industrial subdivisions containing industrial businesses located to the east and west on the southern side of Mount Darragh Road.

3.0 PROPOSED MODIFICATION

The application seeks to modify Development Consent No. 2021/1271 which was approved by Council on 14 June 2022 for 31 industrial units and later modified on 21 March 2024.

The modified proposal seeks consent for the following amendments:

- Alterations & additions to approved industrial unit development to create nineteen (19) industrial units.
- Construction of associated on-site stormwater management works as detailed on the Stormwater Management Plan prepared by Marshman O'Neill Engineers.
- Construction of intersection upgrade works.
- Associated other works including car parking and landscaping.
- Usage for the various units as identified in Table 1 below.

Refer to table below contained in Architectural plans prepared by JPD (Rev 9 dated 25/11/24) that details the proposed unit numbers and respective floor areas.

FLOOR AREAS		
UNIT NO.	SQM	FL. TYPE
U1	145	MAIN BUILDING
U2	144	MAIN BUILDING
U3	144	MAIN BUILDING
U4	144	MAIN BUILDING
U5	136	MAIN BUILDING
U6	136	MAIN BUILDING
U7	138	MAIN BUILDING
U8	214	MAIN BUILDING
	84	1ST FLOOR OFFICE
	298	
U9	213	
U10	189	MAIN BUILDING
U11	189	MAIN BUILDING
U12	51	MAIN BUILDING
	289	GROUND FLOOR OFFICE
	340	
U13	51	MAIN BUILDING
	346	GROUND FLOOR OFFICE
	397	
U14	125	MAIN BUILDING
	95	BULKY GOODS / SHOWROOM
	95	1ST FLOOR OFFICE
	315	
U15	187	MAIN BUILDING
U16	270	MAIN BUILDING
	51	BULKY GOODS / SHOWROOM
	51	1ST FLOOR OFFICE
	372	
U17	270	MAIN BUILDING
U18	354	MAIN BUILDING
	151	GROUND FLOOR OFFICE
	505	
U19	356	MAIN BUILDING
	147	GROUND FLOOR OFFICE
	503	
TOTAL	4765	

Table 1 – Proposed unit Nos, floor areas and uses

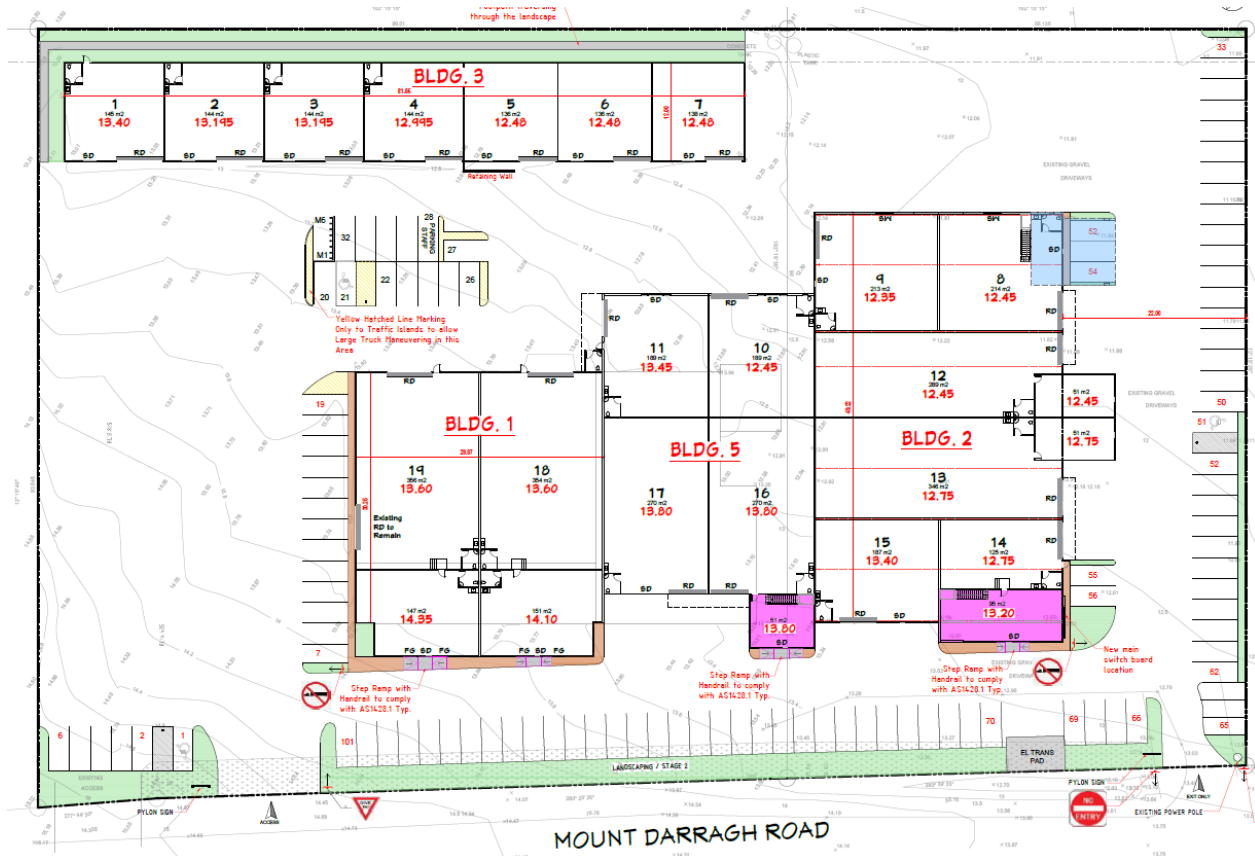


Figure 5 – Proposed new site plan

4.0 PLANNING CONSIDERATIONS

4.1 Section 4.55(2) of Environmental Planning & Assessment Act 1979

The proposed amendments are considered to constitute a Section 4.55 (2) 'Other Modification' and accordingly the proposal has been assessed under Section 4.55 (2) below.

(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

Response: The modified development is considered to involve minimal environmental impact on the basis that the proposed amendments will have negligible impact upon the environmental amenity of the site and surrounds.

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and

Response: The essence and substance of the modified development remains the same as the original approval being an industrial unit development. The modified proposal is considered to represent 'substantially the same development'.

(c) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

Response: Council will determine under the provisions of Bega Valley Development Control Plan 2013 whether to publicly notify or advertise the modified application.

4.2 Bega Valley Environmental Plan 2013 (BVLEP 2013)

The site is zoned E4 General Industrial under the Bega Valley LEP 2013 and the modified development remains permissible with consent. An assessment of the proposal with the relevant clauses of BVLEP 2013 is addressed below in **Table 1**.

BEGA VALLEY LOCAL ENVIRONMENTAL PLAN 2013		
Clause	Comment	Compliance
1.0-PRELIMINARY		
1.2 Aims of Plan	Proposal consistent with aims of the plan.	Yes
2.0-PERMITTED OR PROHIBITED DEVELOPMENT		
2.1 Land use Zones	The site is zoned E4 General Industrial.	Yes
2.3 Zone Objectives & Land Use Table	<p>The site is zoned E4 General Industrial and the modified industrial development works are permitted with consent.</p> <p>1 Objectives of E4 – General Industrial zone</p> <ul style="list-style-type: none"> • To provide a wide range of industrial and warehouse land uses. • To encourage employment opportunities. • To minimise any adverse effect of industry on other land uses. • To support and protect industrial land for industrial uses. • To allow a range of support services that do not have an adverse impact on the viability of business and commercial zones. <p>Comment: The proposed development will service the industrial demands and provide employment opportunities in the area which is consistent with the objectives of the E4 General Industrial zone.</p>	Yes
4.0-PRINCIPAL DEVELOPMENT STANDARDS		
4.3 Height of Building 14m	No changes to proposed maximum height limit. Below 14m.	Yes
5.0-MISCELLANEOUS PROVISIONS		
5.10 Heritage Conservation	<p>European Heritage</p> <p>The site is not mapped with any heritage items and is not located within the vicinity of any heritage items or in a Heritage Conservation area.</p> <p>Aboriginal Heritage</p> <p>The site is not mapped as containing any Aboriginal objects or sites and the original proposal was supported by an AHIMS report which stated that there are no objects or sites within 200m of the site.</p>	<p>Yes</p> <p>Yes</p>

5.21 Flood Planning	The proposed development is consistent with Flood Planning considerations as detailed by Marshman & O'Neill in the supporting Stormwater management plan.	Yes
6.0-ADDITIONAL LOCAL PROVISIONS		
6.2 Acid Sulfate Soils	The site is not mapped with acid sulfate soils.	Yes
6.4 Coastal risk planning	The proposal will not generate any adverse impacts upon coastal hazards.	Yes
6.5 Terrestrial Biodiversity	No changes proposed and no adverse impacts foreseen.	Yes
6.6 Riparian lands and watercourses	The site is not mapped with any riparian lands or watercourses that traverse it.	Yes
6.7 Environmentally sensitive land	The site is not mapped within any environmentally sensitive land constraints.	Yes

Table 1- Bega Valley LEP

4.3 Bega Valley Development Control Plan 2013

The proposed development is subject to consideration under the Bega Valley Development Control Plan (2013) which specifies requirements for the development as addressed below in **Table 2** below.

Bega Valley Development Control Plan 2013		
Development Control	Proposed	Compliance
2.0 Commercial & Industrial Development		
2.6 General Commercial and Industrial Development		
2.6.1 Design		
2.6.1.1 Roofs		
Requirements:	Maintain flat aluminium roofs. Minor changes to roof pitch.	Yes
• Buildings are to include distinctive roof forms that contribute to the architectural design of a building. Elements such as parapets, skillion roofs, eaves must be utilised where appropriate.		
• Roof forms must not result in excessive bulk and overshadowing.	No adverse overshadowing or excessive bulk impacts.	Yes
• The design of the roof will be integrated into the overall façade and building composition.	The roof form has been integrated with the building facades and overall building composition.	Yes
• All plant and equipment and any other potentially intrusive elements	Plant and equipment will be concealed in the roof to minimise visual impact.	Yes

<p>are to be concealed within roof forms to minimise visual impact.</p> <ul style="list-style-type: none"> • The use of the roof for the following sustainable functions will be considered: – rainwater tanks – renewable energy applications – innovative design solutions, such as water features or ‘green’ roofs – solar hot water. • Note that lighter coloured roofs absorb less heat which may result in energy savings. <p>2.6.1.2 Fencing and retaining walls</p>	<p>Roofs designed for future sustainable functions.</p> <p>No change to approved metal palisade fencing along frontage of the site.</p>	<p>Yes</p> <p>Yes</p>
<p>2.6.2 Amenity</p> <p>2.6.2.1 Setbacks</p> <p>Requirements:</p> <ul style="list-style-type: none"> • In IN1 and IN2 zones the minimum building setback is 3m to public roads or front boundaries. Council will consider reduced setbacks due to site constraints and location where appropriate. <p>2.6.2.2 Access and Equity</p> <p>Requirements:</p> <ul style="list-style-type: none"> • Access is to be provided for people with a disability in accordance with the requirements of Section 5.3 of this plan. • Any new development must be designed to allow equitable access to all people, including people with disabilities by ensuring an accessible path of travel from the footpath. <p>2.6.2.3 Traffic and access</p> <ul style="list-style-type: none"> • Street and public space lighting will be provided at the cost of the developer along key pedestrian routes and adjoining the development in accordance with Council specifications. 	<p>No changes to approved setbacks.</p> <p>Disabled access and amenities provided as required.</p> <p>No changes to approved vehicular access and parking arrangements.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

<ul style="list-style-type: none"> • Pedestrian and vehicle access to buildings will be separated where achievable. • Access to parking and loading facilities will be provided from secondary streets or laneways where possible to protect the amenity of the public domain and reduce conflicts. • Finished levels for all external and internal pedestrian spaces surrounding and within buildings will connect directly with the natural ground floor level of any development and adjoining footpath space. • All service and delivery activities are to be accessed from an access way where one is required. 		
<p>2.6.3 Environment</p> <p>2.6.3.1 Energy conservation and solar access</p> <p>Requirements:</p> <ul style="list-style-type: none"> • The design of buildings will have regard to siting, layout and construction methods that minimise the need for fossil fuel based heating, cooling and lighting, and encourage the use of water saving features and energy efficient heating systems. • Roof pitch and orientation of all buildings will be suitable for the installation of solar collectors. • All development must demonstrate how sustainable design principles and features have been incorporated into the proposed development in accordance with Section 5.5 of this plan. 	<p>Each unit will incorporate water and light saving features to minimise demands upon water and energy consumption.</p> <p>Flat roofs suitable for installation of solar collectors.</p>	<p>Yes</p> <p>Yes</p>
<p>2.6.3.3 Waste management</p> <p>Requirements:</p>	<p>Waste Management Plan submitted with original application. All waste will be suitably contained on site and screened from public view.</p>	<p>Yes</p>

<ul style="list-style-type: none"> • Developments will demonstrate appropriate resource recovery and recycling strategies and actions. • Waste and recycling systems are to be easy to use and, where necessary, collection vehicles are able to safely access buildings to remove waste and other resources. • Practices for the storage, handling and collection of waste and recycling materials are healthy and safe. • Stormwater pollution that may occur as a result of poor waste storage and management arrangements is prevented. 		
<p>2.6.3.4 Potable water and stormwater</p> <p>Requirements:</p> <ul style="list-style-type: none"> • Developments are to incorporate the principles of water sensitive urban design. These include minimisation of impervious surfaces and use of integrated systems that are used for collecting, reusing, flood controlling and applying treatment to stormwater runoff. Internally, water minimisation measures that reduce the demand on potable supplies are to be incorporated. • The objectives of water management are to be consistent with the BASIX tool and incorporate the 40% reduction targets in potable water usage through reduction methods and/or rainwater utilisation. 	<p>Amended stormwater management plan prepared by Marshman O’Neal Engineers.</p>	<p>Yes</p>
<p>2.8 Specific Requirements for Industrial</p>		
<p>2.8.1 Design</p> <p>2.8.1.1 Context and articulation</p> <p>Requirements:</p> <ul style="list-style-type: none"> • Large blank wall surfaces visible from a public place (e.g. road) will be articulated by structural 	<p>The southern facades of the industrial buildings facing Mount Darragh Road are suitably articulated using a variety of architectural treatment measures,</p>	<p>Yes</p>

<p>variations and/or blend of external finishes.</p> <ul style="list-style-type: none"> • Prominent elevations and visually prominent locations are to have a building form of significant architectural and design merit, with special attention to scale, form, external finishes, setbacks, height limits and landscaping. • The external walls of industrial buildings will be profiled colour treated cladding or masonry materials, or a combination of both and incorporate visual relief elements. • Particular consideration will be given to the design and use of materials for the street elevation of industrial buildings. • Where the side or rear elevation of an industrial building is visible from residential or public areas, colours and wall profiles must be selected to minimise their visual impact. 	<p>including new showroom offices, with glazing along frontage to Mount Darragh Road.</p> <p>The site is located in a visually prominent location given its frontage to Mount Darragh Road. The proposal is a highly articulated modern development with architectural merit.</p> <p>The external walls will be finished using a combination of metal cladding and glazing. The walls will be finished with a light colouring scheme as identified on the colour perspective to provide visual relief and create an aesthetically pleasing façade to Mount Darragh Road.</p> <p>Proposed design and material selection makes a positive contribution to Mount Darragh streetscape.</p> <p>Side elevations will be suitably treated to ensure no adverse visual impacts from the side or rear elevations.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>2.8.2 Amenity</p> <p>2.8.2.1 Visual quality</p> <p><i>Requirements:</i></p> <ul style="list-style-type: none"> • <i>External storage areas are to be either located behind a building or suitably screened (with dense landscaping and/or solid fencing).</i> • <i>In assessing development applications involving external storage of goods, Council will take into consideration:</i> <ul style="list-style-type: none"> – <i>height and arrangement of stored goods</i> – <i>safety issues</i> – <i>access arrangements</i> 	<p>All external storage areas to be located behind buildings or suitably screened.</p>	<p>Yes</p>

<p>– aesthetics and ease of maintenance</p> <p>2.8.2.2 Noise and vibration</p> <ul style="list-style-type: none"> • Council recommends applicants utilise the following documents to assist them in making decisions relating to acceptable noise levels for noise generating and noise sensitive developments: <ul style="list-style-type: none"> – NSW Industrial Noise Policy – Environmental Criteria for Road Traffic Noise – Noise Guide for Local Government 	<p>The proposed works and future uses will be undertaken in accordance with the NSW Industrial Noise Policy. No adverse noise or vibration impacts are foreseen.</p>	<p>Yes</p>
<p>2.8.3 Environment</p> <p>2.8.3.1 Air Pollution</p> <p>2.8.3.2 Water Pollution</p>	<p>The modified works and future uses will be consistent with relevant air and water pollution considerations and in accordance with the Protection of the Environment Operations Act 1979.</p>	<p>Yes</p>
<p>5.0 General Development</p>		
<p>5.1 Aboriginal Heritage</p> <ul style="list-style-type: none"> • A statement and results of a basic 200m AHIMS search. Where a site is identified within 200m of the development site the results of an extensive AHIMS search are required. • A statement identifying whether the development site is partially or wholly within the area identified as having a high probability of Aboriginal cultural heritage values on the Aboriginal Cultural Heritage Landscape Map (see Figure 5.1b). • A statement indicating whether there are landscape features that indicate the potential presence of Aboriginal objects. Landscape features include foreshore areas, creek lines, rocky areas, wetlands, ridge tops, ridgelines, headlands, sand dunes and caves. 	<p>A basic 200m AHIMS search was submitted with the original application which confirmed that there are no sites within 200m of the development site.</p> <p>The site is not located in an area with a high probability of Aboriginal cultural heritage values. No adverse impacts are foreseen.</p> <p>No landscape features indicate presence of Aboriginal objects.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

<ul style="list-style-type: none"> • A statement indicating if previous Aboriginal Cultural Heritage studies have been undertaken on the subject land Note: if any previous Aboriginal Cultural Heritage studies demonstrate that adequate Due Diligence was undertaken at that time, those reports can be taken into consideration. Council staff may be able to assist you in locating any previous reports. • A statement indicating if the development site is within a declared Aboriginal Place of Significance as listed in Schedule 5 of the Bega Valley Local Environmental Plan 2013. 	<p>No previous Aboriginal Cultural Heritage Studies have been undertaken of the subject site to our knowledge.</p> <p>The site is not within a declared Aboriginal Place of Significance as listed in Schedule 5 of the Bega Valley Local Environmental Plan 2013.</p>	<p>Yes</p> <p>Yes</p>
5.2 Non-Aboriginal Heritage	The site is not mapped as containing any European heritage items and is not in the vicinity of any heritage items or within a Heritage Conservation area.	Yes
5.3 Access & Mobility	The proposal is supported by detailed National Construction Code Assessment Reports which conclude that the proposal provides for required access and mobility.	Yes
5.4 Social & Economic Impacts	The proposal will have positive economic impacts.	Yes
5.5 Sustainable Design Principles	The proposal provides for sustainable design measures to minimise demands upon water and energy consumption.	Yes
5.6 Tree & Vegetation Preservation	No additional tree removal proposed.	Yes
5.7 On-Site Sewerage Management	<p>No change to previously approved on-site waste water arrangements servicing the proposal under a s68 application.</p> <p>The proposal will not result in negative impacts on the surrounding natural environment, drainage lines or waterways.</p>	Yes
5.8.1 Planning for Hazards		
5.8.1 Flood Planning	N/A – site is not located within a flood prone zone.	Yes

5.8.2 Coastal Hazards	The proposed works are not foreseen to generate any increased risk of coastal hazards on the site or surrounding coastal land.	Yes
5.8.3 Contaminated Land 5.8.3.1 Requirements <ul style="list-style-type: none"> • Development will only be approved on land where Council has made an assessment of any land contamination that may have resulted from a previous use. • Where contamination is identified, remediation will be undertaken in accordance with the Managing Land Contamination Planning Guidelines, SEPP55 – Remediation of Land and the Contaminated Land Management Act 1997 and a Verification Report provided to Council. 	The modified proposal remains consistent with the relevant requirements of the Resilience & Hazards SEPP as previously addressed in Section 4.4.	Yes
5.8.4 Bushfire Prone Land Consent will not be granted to the subdivision of land or the erection of a building on land which is subject to bushfire hazards unless Council is satisfied that the requirements of NSW Rural Fire Service's Planning for Bushfire Protection 2006 and the provisions of the Building Code of Australia AS3959 Construction of Buildings in Bushfire Prone Areas have been addressed.	The original proposal was supported by a Bushfire Assessment Report prepared by South Coast Building Approvals and Inspections which concludes that the proposal can be undertaken in accordance with the requirements of Planning for Bushfire Protection 2019 and Building Code of Australia AS3959 Construction of Buildings in Bushfire Prone Areas. The modified proposal will not alter the bushfire risk to the development.	Yes
5.9 Off-street Car and Bicycle Parking		
5.9.1 General requirements <ul style="list-style-type: none"> • Development applications of a traffic generating nature may be referred to the relevant Traffic Authorities. Council may determine parking requirements for such developments with due regard to 	No changes to approved access arrangements to development.	Yes

<p><i>the representations made by these authorities.</i></p> <ul style="list-style-type: none"> • <i>Where off-street parking for business or industrial developments cannot be provided in accordance with this Section, Council may accept a financial contribution instead in accordance with Council's Planning Agreements Policy.</i> • <i>Any car parking matters not considered in this Section will be provided in accordance with "Guide to Traffic Generating Developments" from the New South Wales Government's Roads and Maritime Services.</i> • <i>Parking spaces must be designed in accordance with Australian Standards 2890.1 and 2890.2 for the 99th percentile vehicle.</i> • <i>The minimum vertical clearance for car parking areas is 2.3m. A larger vertical clearance may be required for the provisions of delivery or other vehicles. Bicycle parking facilities will be designed in accordance with Australian Standard 2890.3 1993</i> <p><i>The design of driveways and parking areas will minimise the visual impact of hard paved areas when viewed from public streets and places.</i></p>	<p>N/A</p> <p>Parking provided in accordance with table 5.5 of DCP.</p> <p>Parking spaces have been designed in accordance with Australian Standards 2890.1 and 2890.2 for the 99th percentile vehicle.</p> <p>Complies.</p> <p>No change to driveway and parking areas which are suitably screened with landscaping provision along the Mount Darragh Road frontage to minimise visual impacts.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>5.9.2.4 Commercial developments- Car Parking accessibility</p> <p><i>BVSC DCP 2013(2020) Clause 5.9.2.4 dot point two indicates that for a medium sized development such as that proposed, a minimum of 2 per 50 car parking spaces is to be designated for people using wheelchairs, 3 per 50 for Seniors and 2 per 50 for parents with prams.</i></p>	<p>Required car spaces will be designated for people using wheelchairs in accordance with AS2890.6 and BVSC DCP 2013 (2020).</p>	<p>Yes</p>

<p>5.9.3 Calculating the required number of car parking spaces.</p> <p>Industry</p> <p>General -1/100m² area with a minimum of 3 spaces per premise or</p> <p>Multiple occupancy-Minimum of 3 parking spaces, otherwise 1 parking space per 50m² gross floor area</p> <p>Office (Grd fl)-1/25</p> <p>Bulky Goods/showroom (1st flr)-1/25</p>	<p>The modified proposal has the following floor areas:</p> <ul style="list-style-type: none"> -Industrial floor area of 3989m², -Office area of 400m² -Industrial retail/showroom area of 146m². <p>On that basis, the proposal generates the following car parking demands:</p> <ul style="list-style-type: none"> Industry 1/100m²-39.9 spaces Office (1st FL) 1/40m²-5.8 spaces Office (GFL) 1/25m²- 16 spaces Bulky goods 1/25m²-5.8 spaces <p>Total Req'd: 68 spaces Total provided: >68 spaces</p> <p>The modified proposal is supported by an amended car parking assessment report prepared by Marshman O'Neill Consulting Structural and Civil Engineers which confirms that the proposal complies.</p>	Yes
<p>5.11-Signage and Advertising</p> <p><i>Ensure that the design and location of signage complements the development on which it is displayed and the amenity and character of the surrounding area.</i></p>	No change to previously approved signage.	Yes
6.Engineering Requirements		
<p>6.2 Parking and Driveways</p> <p><i>Access to parking areas will be designed to minimise conflict between pedestrians, cyclists and traffic. Council may require road and traffic management works to ensure safe access to parking areas. Where developments front a busy road, access to rear lanes (if available) must be provided.</i></p>	No significant changes to approved parking & access arrangements.	Yes

<p><i>Driveways will be located to the street with the lowest traffic volume. In particular, driveways will not be located opposite a 'T' intersection or closer than 6m to an intersecting street as measured from the property boundary, but preferably 9m to an intersecting street as measured from the property boundary.</i></p> <p><i>Parking areas and driveways are to be designed, surfaced and graded to reduce run off and allow stormwater to be controlled on site or disposed of to the Council controlled drainage system.</i></p> <p><i>Driveway design will make provision for service vehicles where applicable.</i></p>		
<p>6.3 Soil and Stormwater Management</p> <p><i>The development will incorporate the principles of water sensitive urban design. These include minimisation of impervious surfaces and provision for the collection, reuse and management of stormwater to reduce reliance on potable water and ensure that predevelopment water quality is maintained or enhanced in post-development runoff.</i></p> <p><i>The management of water must address cumulative environmental impacts and be carried out in accordance with the objectives of integrated water cycle management.</i></p> <p><i>In order to minimise land degradation, water pollution and damage to infrastructure from accumulated sediment, development must be constructed in a manner which minimises</i></p>	<p>Amended stormwater management plan prepared by Marshman & O'Neill submitted in support of modified proposal.</p> <p>The management of water has been designed with environmental impacts in mind and will integrate the water cycle management of the site.</p> <p>Proposal complies with the required erosion and sediment controls outlined in Council's DCP.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

<i>erosion and sedimentation to current best practice.</i>		
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Table 2 – Bega Valley Development Control Plan 2013

5.0 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

(a)(i) – The Provisions of any Environmental Planning Instrument.

Statutory assessment of the proposal has been previously addressed in Section 3.0.

The site is zoned E4 General Industrial under the Bega Valley Local Environmental Plan (LEP) 2013 and the modified proposal is permissible with consent. The proposal is also consistent with all relevant SEPPs for consideration.

(a)(ii) – The Provisions of any Draft Environmental Planning Instrument

Nil

(a)(iii) – The Provisions of any Development Control Plan

The modified proposal complies with the objectives and relevant controls of the Bega Valley Development Control Plan 2013.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The proposal is consistent with relevant Regulations.

(a)(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

The proposal is not inconsistent with any coastal zone management plan.

(b) – The likely impacts of that Development

The likely impacts of the modified development on the built and natural environment are minimal and negligible.

(c) – Suitability of the Site for Development

The proposed site is zoned E4 General Industrial under Bega Valley Local Environmental Plan (LEP) 2013 and the modified proposal remains permissible with consent under Clause 2.3 of the BVLEP 2013. The modified development is also considered to be consistent with the objectives of the zone.

The modified proposal has also been assessed against the relevant controls contained under Bega Valley Development Control Plan and found to be totally compliant with the BVDCP.

On this basis, the site is considered suitable for the modified development.

(d) – Any submissions made in accordance with this Act or Regulations

Any submissions received will be considered by Council.

(e) – Public Interest

The proposal is not considered to have significant impact on the adjoining properties and as such is not contrary to the public interest.

6.0 CONCLUSION

The modified proposal has been assessed with the relevant provisions of Section 4.55 (2) of the Environmental Planning & Assessment Act and found to be consistent.

The site is zoned E4 General Industrial under Bega Valley Local Environmental Plan (LEP) 2013 and the modified development remains permissible with consent under Clause 2.3 of the BVLEP 2013. Further, the proposed modification has been found to be consistent with relevant matters for consideration under Bega Valley Development Control Plan 2013.

The proposal is assessed as being satisfactory, having regard to the matters for consideration contained within Section 4.15 of the EP&A Act 1979.

Accordingly, it is recommended that Council support the modified proposal and grant development consent subject to conditions of consent.