

# STATEMENT OF ENVIRONMENTAL EFFECTS

Development Application for Development Consent for extension to General Industry (staff amenities block, store and plant room), Warehouse (cold storage) and Distribution Centre, Car Park and Signage

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7 and 9 Dyraaba Street, Casino NSW  
2470

Lot 1 on DP1265471 and Lot 50  
DP1269942

AND

90-94 Colches Street, Casino NSW  
2470

Lots 2- 3 on DP111679, Lot 1 on  
DP118459 and Lot 92 on DP1230955

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May 2024

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**Prepared by**            **HPC Planning**

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## Document Control

Rev	Date	File	Author	Reviewer	Status
01	04/04/2024	SEE Report	BM	HH	Draft for client review
02	16/05/2024	SEE Report	BM	HH	Final for lodgement

## Application Overview

Site and Application Details	
<b>Address</b>	7 and 9 Dyraaba Street, Casino NSW 2470 Lot 1 on DP1265471 and Lot 50 DP1269942 AND 90-94 Colches Street, Casino NSW 2470 Lots 2 -3 on DP111679, Lot 1 on DP118459 and Lot 92 on DP1230955
<b>Site Area</b>	7 and 9 Dyraaba Street, Casino: 6,277m <sup>2</sup> 90-94 Colches Street, Casino: 2,673m <sup>2</sup>
<b>Consent Authority</b>	Richmond Valley Council
<b>Consent Authority Zoning</b>	7 and 9 Dyraaba Street, Casino: IN1 General Industrial 90-94 Colches Street, Casino: R1 General Residential
<b>Existing Use</b>	7 and 9 Dyraaba Street, Casino: Spring Grove General Industry (high care food processing facility) 90-94 Colches Street, Casino: Outdoor storage
<b>Application Details</b>	Development Application for Development Consent for extension to General Industry (staff amenities block, store and plant room), Warehouse (cold storage) and Distribution Centre, Car Park and Signage
<b>Assessment Category</b>	Permitted with Consent
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# 1 Introduction

## 1.1 Overview

HPC Planning have been engaged by Jennifer Lea McCaughey and Mark Peter McCaughey (“the Applicant”) to prepare and lodge a Development Application for Development for extension to General Industry (staff amenities block, store and plant room), Warehouse (cold storage) and Distribution Centre, Car Park and Signage. The subject site for this development application is as follows:

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- 7 and 9 Dyraaba Street, Casino NSW 2470, described as Lot 1 on DP1265471 and Lot 50 on DP1269942 (“Site 1”); and
- 90-94 Colches Street, Casino NSW 2470, described as Lots 2-3 on DP111679, Lot 1 on DP118459 and Lot 92 on DP1230955 (“Site 2”).

This Statement of Environmental Effects (“SEE”) provides context to the proposed development by describing the subject site and surrounding locality. Second, the SEE describes the proposed development and key development considerations. Last, the SEE provides an independent assessment of the proposal against the applicable environmental planning instruments, which demonstrates the acceptability of the proposal.

## 1.2 Summary of Proposals

The ultimate development is comprised of two separate albeit interrelated development sites, referred to as Site 1 and Site 2.

Site 1 is situated between Dyraaba Street and Dean Street within a well established pocket of linear E4 General Industrial land known as Dyraaba Street industrial area. The site is currently improved with existing General Industry building, occupied by a national food distributor Spring Grove, which is an established local family business that has been operating for over 20 years. The site gains access from Dyraaba Street via four (4) existing crossovers and three (3) existing crossovers from Dean Street. Primary freight access is currently from Dyraaba Street which provides direct connection to West Street / Summerland Way (B91) and Johnston Street (B60), which both form part of the B-double network and provide links to the Pacific Highway.

Site 2 is located on Colches Street and is currently used for the storage of landscape material supplies. The site gains access of Colches Street via a single crossover. The site is located on the western edge of an established residential area and provides a buffer to the adjoining railway corridor to the west.

The development is proposed to occur over two (2) stages, summarised as per below:

- **Stage 1** (Sites 1 and 2) – Extension of existing General Industry (food processing facility), including construction of waste / store, staff amenities block and plant room on the western side of the building over the existing bitumen hardstand carpark. The extension of the GFA as part of Stage 1 is 260m<sup>2</sup>. Externally, Stage 1 involves the demolition of existing demountable structure on the eastern side of the site and replacement of existing gravel truck parking area with 45 parking spaces, which will compensate for the lost 26 parking spaces on the western side of the building. An additional 56 offsite car parking spaces are also proposed over Site 2 under this stage.
- **Stage 2** (Site 1) – Construction of new purpose built partial two (2) storey Warehouse (cold storage) and Distribution Centre facility over the previously constructed 45 parking spaces (eastern side of Site 1). The increase in GFA as part of Stage 2 comprises 1,200m<sup>2</sup>. Stage 2 also includes construction of 12 car parking spaces, located west of the new building, as well as new landscape planting along the eastern and southern sides of the new building. No change is proposed to the existing access arrangement other than to replace the easternmost

crossover off Dean Street with landscape planting (under Stage 2), as this crossover will be made redundant by the proposed new building. The ultimate completed development will have a total GFA of 3,062m<sup>2</sup> across two (2) buildings, together with 24 car parking spaces onsite and 56 offsite car parking spaces at 90-94 Colches Street and 238m<sup>2</sup> of landscape planting.

All of these facilities will be occupied and operated by the locally based national food distributor, Spring Grove. The proposed use does not involve slaughtering of animals or on-site retail activities. The proposed facility will operate 5am to 6pm Monday to Saturday.

### 1.3 Legislative Framework

Under the *Richmond Valley Local Environmental Plan 2012* ("Richmond Valley LEP"), the development site is included within two different zones.

Site 1 is identified within Zone E4 General Industrial. The purpose of Zone E4 General Industrial is to provide a wide range of industrial, warehouse, logistics and related land uses. The proposed General Industry and Warehouse and Distribution Centre land uses are consistent with the intent of the zone and are 'permitted with consent' under the Land Use Table for Zone E4 General Industrial.

Site 2 is identified within Zone R1 General Residential. The purpose of Zone R1 General Residential is to provide for variety of housing types and to enable other land uses that provide facilities and services to meet the day to day needs of residents. The proposed Car Park is consistent with the intent of the zone and is 'permitted with consent' under the Land Use Table for Zone R1 General Residential.

### 1.4 Supporting Information

Independent specialist studies have been prepared to ensure that all engineering and amenity matters are evaluated and addressed as part of the design process. This SEE should be read in conjunction and considered with the following supporting documentation:

- Architectural Plans by *Spaceframe Buildings*
- Landscape Concept Plan by *Spaceframe Buildings*
- Stormwater Management Plan by *Spaceframe Buildings*
- Transport Impact Assessment by *Rytenskiild Traffic*
- Noise Impact Assessment by *Acousticworks*
- Clause 4.6 Variation Request by *HPC Planning*
- Quantity Surveyors Report for Cost of Works by *M5 Advisors Pty Ltd*
- NABERS by *Spaceframe Buildings*
- Site Waste Management Plan by *HPC Planning*
- Ammonia System Inventory by *Scantec*

The preparation of the aforementioned reports was an iterative process with the results and recommendations shaping the design of the development proposed. All relevant supporting information has been provided for the development application to be considered properly made.

### 1.5 Recommendation

This independent SEE, coupled with the supporting documentation demonstrates that the proposed development is an appropriate outcome for the site, generally accords with the relevant provisions of the Richmond Valley LEP, the *Richmond Valley Development Control Plan 2021* ("Richmond Valley DCP") and applicable state environmental planning instruments, and will not prejudice the development potential of adjoining lots. This SEE details how the proposal addresses the relevant considerations and demonstrates compliance with the provisions of the relevant legislation and planning controls. As such it is recommended that consent is issued for the proposed development, subject to reasonable and relevant conditions.

## 2 Site and Surrounding Development

### 2.1 Property Description

The development site is comprised of a number of lots a described below in Table 1.

Development Site	Street Address	RP Description	Zoning	Site Area
Site 1	7 Dyraaba Street, Casino	Lot 1 on DP1265471	E4 – General Industrial	1,098m <sup>2</sup>
	9 Dyraaba Street, Casino	Lot 50 on DP1269942	E4 – General Industrial	5,196m <sup>2</sup>
Site 2	90-94 Colches Street, Casino	Lot 3 on DP111679	R1 – General Residential	1,014m <sup>2</sup>
	90-94 Colches Street, Casino	Lot 2 on DP111679	R1 – General Residential	912m <sup>2</sup>
	90-94 Colches Street, Casino	Lot 1 on DP118459	R1 – General Residential	186m <sup>2</sup>
	90-94 Colches Street, Casino	Lot 92 on DP1230955	R1 – General Residential	558m <sup>2</sup>
<b>Total Area</b>				<b>8,964m<sup>2</sup></b>

**Table 1: Site details**

### 2.2 The Site

As mentioned in Section 1.2 above, the ultimate development is comprised of two separate albeit interrelated sites. Both development sites are located on the northern side of Casino, approximately 1km north of the CBD.

Site 1 is situated in an established industrial area at the western end of Dyraaba Street. The site is currently improved with an existing General Industry (food processing facility), occupied by the family owned and locally based national food distributor Spring Grove, which is well-established on the site and has operating for over 20 years. Pursuant to Richmond Valley LEP, the site is included within Zone E4 General Industrial. The site is bound to the north by Dyraaba Street, to the east and west by General Industrial Zoned land and to the south by Dean Street.

Site 2 is located between Colches Street and the North Coast railway line. The site is currently used for outdoor storage. Before that, it was used as a concrete batching plant operated by Boral. Pursuant to Richmond Valley LEP, the site is included within Zone R1 General Residential. The site is bound to the east by Colches Street, to the west by the North Coast Rail Line, to the north by the Dwelling House of 96 Colches Street and to the south by Kyogle Street.

Figure 1 below shows the context of the site in relation to the surrounding area, while Figure 2 shows the zoning of the land.



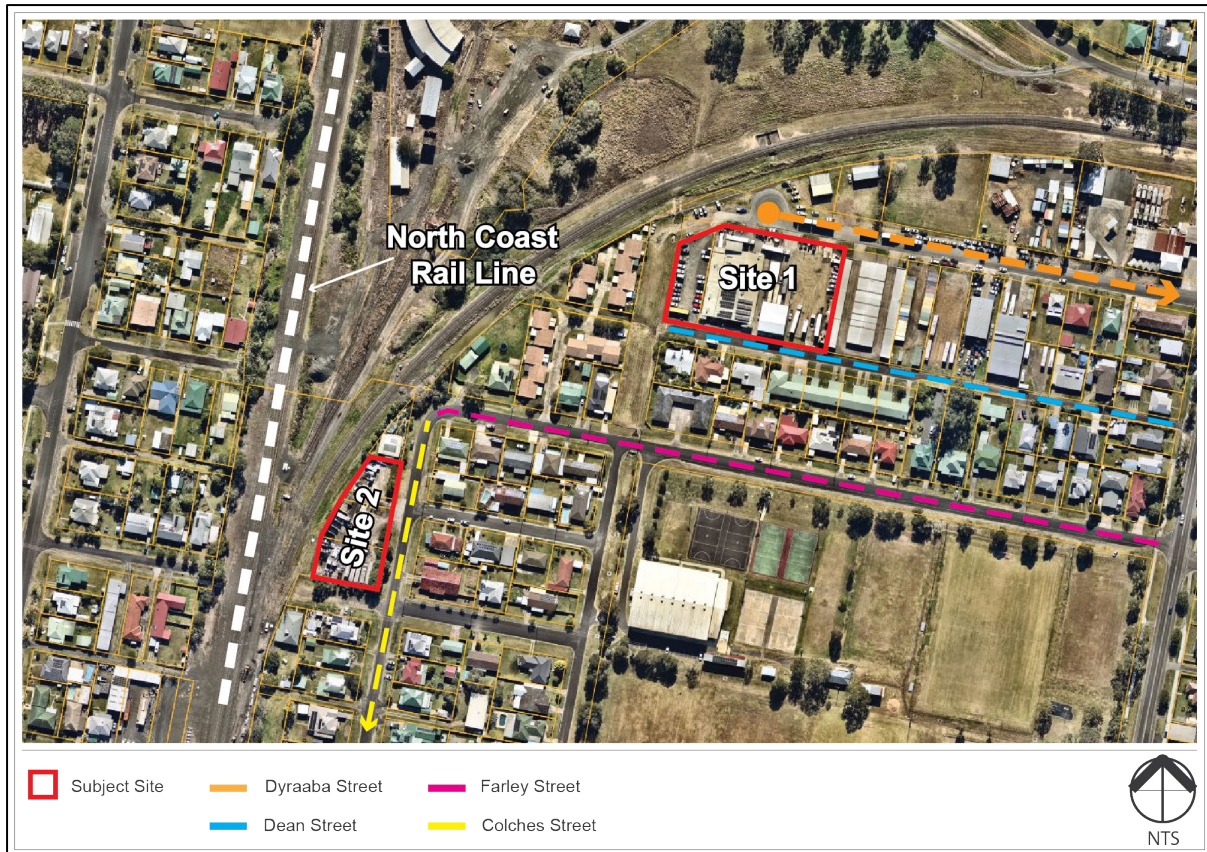


Figure 1: Aerial view of subject site

Source: Nearmap

## 2.3 Surrounding Land Uses

### 2.3.1 Site 1 – 7 and 9 Dyraaba Street, Casino:

Site 1 is located within Dyraaba Street industrial area, a linear pocket of established industrial zoned land which extends along Dyraaba Street to the east and the railway corridor to the north. Land within Dyraaba Street industrial area, which includes the land surrounding the site to the north, east and west, is zoned as E4 General Industrial and comprises a range of General Industry, Light Industry and Warehouse type uses. Namely, some of the businesses nearby the site include Casino Self Storage, Newstead Automotive Services, Casino Bus Service, Casino Container Hire and Sales, and Ampol Service Station.

Adjoining the site to the south is Dean Street, which contains a series of detached and attached dwellings. Further south is land zoned as RE1 Public Recreation, comprised of Casino Indoor Sports Stadium, Casino Netball Association as well as Colley Park.

The nearest sensitive land use/zone are the detached dwellings of 3, 5 and 7 Dean Street (south), the attached dwellings of 9-15 Dean Street (south), and the townhouses of 10 Farley Street (west). These properties are located within 30m of the site and are, zoned R1 General Residential.

The site is well positioned in relation to the B-double network, with Dyraaba Street providing direct connection from the site to West Street / Summerland Way (B91), which then links to Johnston Street (B60 Route) approximately 300m to the east and provides onward freight connections to the Pacific Highway.

### 2.3.2 Site 2 – 90-94 Street, Casino:

This site is located adjacent the North Coast Rail Line, which provides rail connection between Sydney and Brisbane via Casino. Aside from the railway line adjoining the site to the west, the immediate surrounding area is primarily residential, with land to the north, east and south of the site containing detached dwelling houses.

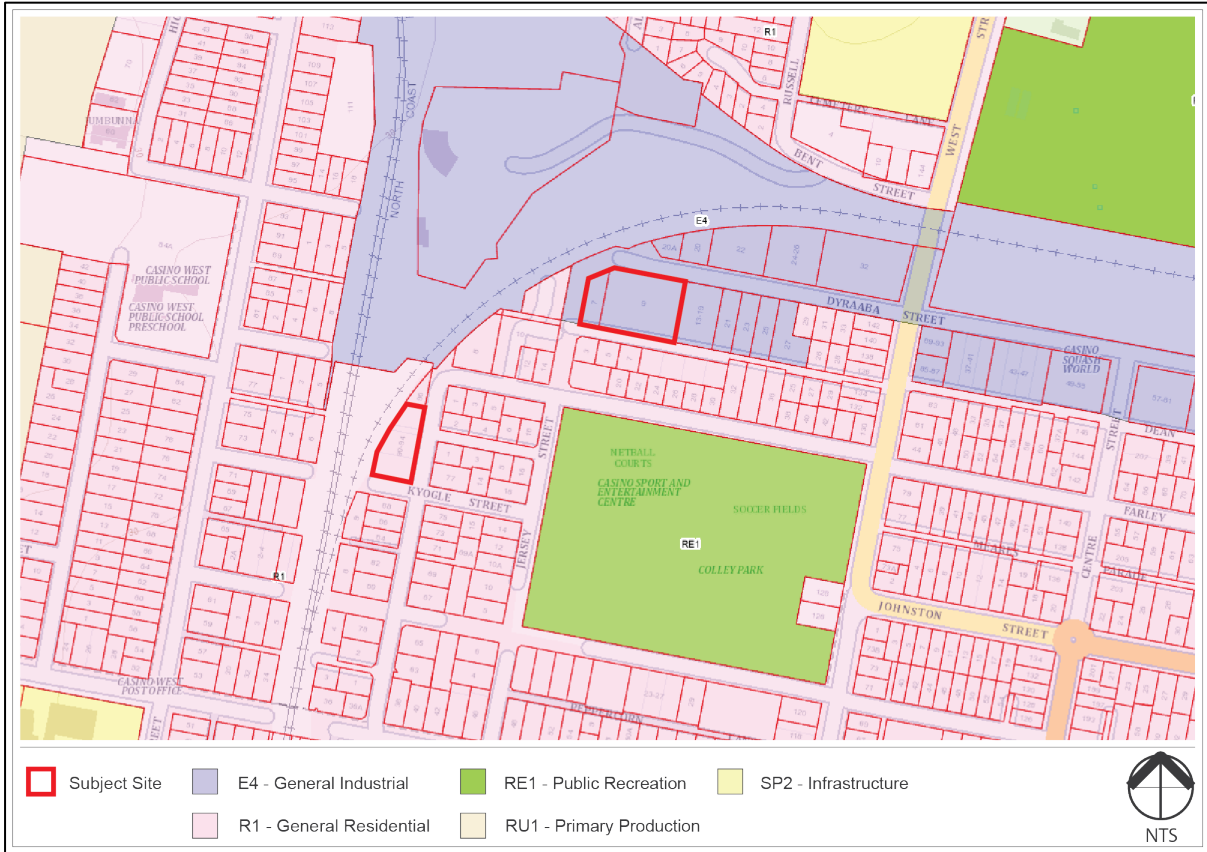


Figure 2: Surrounding zones and key land uses

Source: NSW Planning Portal



Figure 3: Subject site strategic context

Source: Nearmap

## 2.4 Significant Vegetation

The sites are devoid of any significant vegetation. Resultantly, no ecological impacts are anticipated as a result of the proposed development.

## 2.5 Site History

As per Council's DA tracker, there are no current or historic applications lodged over the subject site.

## 3 Proposed Development

### 3.1 Application Details

This application seeks Development Consent for extension to General Industry (staff amenities block, store and plant room), Warehouse (cold storage) and Distribution Centre, Car Park and Signage at 7 and 9 Dyraba Street and 90-94 Colches Street, Casino NSW 2470, described as Lot 1 on DP1265471, Lot 50 on DP1269942, Lots 2 and 3 on DP111679, Lot 1 on DP118459 and Lot 92 on DP1230955.

### 3.2 Proposal Overview

The proposed development is to be delivered in two (2) stages, as summarised below:

- **Stage 1** (Sites 1 and 2) – Extension of existing General Industry (food processing facility), including construction of waste / store, staff amenities block and plant room on the western side of the building over the existing bitumen hardstand carpark. The extension of the GFA as part of Stage 1 is 260m<sup>2</sup>. Externally, Stage 1 involves the demolition of existing demountable structure on the eastern side of the site and replacement of existing gravel truck parking area with 45 parking spaces, which will compensate for the lost 26 parking spaces on the western side of the building. An additional 56 offsite car parking spaces are also proposed over Site 2 under this stage.
- **Stage 2** (Site 1) – Construction of new purpose built partial two (2) storey Warehouse (cold storage) and Distribution Centre facility over the previously constructed 45 parking spaces (eastern side of Site 1). The increase in GFA as part of Stage 2 comprises 1,200m<sup>2</sup>. Stage 2 also includes construction of 12 car parking spaces, located west of the new building, as well as new landscape planting along the eastern and southern sides of the new building. No change is proposed to the existing access arrangement other than to replace the easternmost crossover off Dean Street with landscape planting (under Stage 2), as this crossover will be made redundant by the proposed new building. The ultimate completed development will have a total GFA of 3,062m<sup>2</sup> across two (2) buildings, together with 24 car parking spaces onsite and 56 offsite car parking spaces at 90-94 Colches Street and 238m<sup>2</sup> of landscape planting.

The ultimate development involves the extension of the existing General Industry building, the construction of a new Warehouse and Distribution Centre building and offsite car parking, all of which will be operated by the national food distributor Spring Grove.

The proposed development has evolved through a design-led approach, resulting in a high-quality development that responds to the industrial vision for the zone. The contemporary industrial architectural style and complementary landscaping will enhance the streetscape.

The proposed design and layout is consistent with the directions set by the Richmond Valley LEP and Richmond Valley DCP statutory planning controls and does not yield unreasonable or unacceptable adverse impacts on the amenity of the surrounding area, and therefore warrants Council support.

A full set of Architectural Plans are provided in Appendix A.

### 3.3 Proposed Operations

The proposed Stage 1 works relate to the construction of ancillary additions to the existing General Industry building by way of staff amenities (lunchroom and end of trip facilities), waste / store and plant room. These ancillary additions do not involve any General Industry processing operations and are instead purposed to enhance the workplace environment for employees and to provide a dedicated waste store and plant room. Given the Stage 1 works are ancillary and subordinate in nature, they will not involve any changes to the existing industrial operations that would result in a material increase in the throughput of the existing General Industry building. The extensions would also not result in a

change the overall staff numbers or increase the waste generation rates. Therefore, there are no assessable changes proposed to the General Industry operations as a result of the proposed Stage 1 extension.

Proposed operations in the new Warehouse and Distribution Centre building involves the temperature-controlled storage of frozen and fresh retail ready food products (primarily premium quality meat products), prior to distribution to market. The proposed use of the new building does not involve slaughtering of animals, on-site retail, or any food processing or other General Industry activities.

The proposed development does not involve the generation or production of hazardous materials or chemicals. However, the proposed cold storage components of the new Warehouse building will require refrigeration plant which will incorporate 350 kg ± 10% of ammonia gas which is well within the screening thresholds – quantities set out in Tables 1 and 3 of the NSW *Hazardous and Offensive Development Application Guidelines*. A dedicated plant room will house the refrigeration plant equipment and gases. The storage and use of gases as part of refrigeration system operation will be conducted with the highest regard to safety and hazard and risk mitigation. Refer to section 4.2.2 of this SEE for further details.

The existing and proposed facility will operate from 5am to 6pm, Monday to Saturday in accordance with the parameters set out in the Acoustic Report (Appendix D).

### 3.4 Key Development Matters

The proposed works are consistent with the intent of the E4 General Industrial Zone therefore detailed land use planning assessment is not required. The following sections instead provide further detail in relation to the following matters relevant to the site and development:

- Built Form
- Traffic and Transport Network
- Development Engineering
- Environmental Impacts
- Heritage
- Advertising Signage

#### 3.4.1 Built Form

##### 3.4.1.1 Architectural Intent

C-4 of the Richmond Valley DCP seeks to ensure that the external appearance of building elements make a positive contribution to the streetscape.

The size, massing and layout of the development is a direct result of the proponent's requirements and projected demand for their food products. The floor layout of the building has been designed to enable efficient internal operation of the facility with areas dedicated according to the individual operations and processes expected to occur as part of operation this facility.

The ultimate development will be a typical industrial building as shown on the attached Architectural Plans (Appendix A). The proposed facility is a single structure with a stepped ridgeline. The lower southern part of the building (chiller) fronting Dean Street has a numeric compliant height of 8.5m and the northern part of the building (freezer) fronting Dyraaba Street steps up to 10.16m (primary frontage / industrial street). The higher part of the roof is setback over 21.79m from Dean Street and therefore would be largely imperceptible from the street level and residents along this street. The northern side of the building is the primary building elevation.

The contemporary industrial design incorporates an appropriate level of articulation to ensure that large unrelieved expanses of wall or building mass are avoided, particularly along the street frontages. The proposal achieves this through the varied use of industrial building materials and forms, colours, signage, fenestration, and openings. The selected colour palette is simplistic and reflective of the Spring Grove company colour scheme. Whilst there are some uncoloured segments of tilt panels and corrugated iron on the southern building elevation, this will be suitably softened by landscape screening

in accordance with C-4.2(1)(e). In combination, these design and landscape treatments will ensure that the new building presents attractively to both street frontages as a recognisable industrial land use. No outdoor storage or work areas are proposed.

The proposed new building under Stage 2 includes a 12.56m<sup>2</sup> Business Identification Sign on the southern elevation and 26.65m<sup>2</sup> Business Identification Sign on the northern elevation identifying the business name of 'Spring Grove' and associated log. This is set out in further detail under section 3.4.6 below.

Refer to elevations included at Appendix A for further details.

### **3.4.1.2 Crime Prevention Through Environmental Design (CPTED)**

C-8 of the Richmond Valley DCP seeks to ensure development reduces opportunities for crime through building layout, orientation and location, and the strategic use of design, landscaping and lighting. The site design incorporates appropriate CPTED principles by ensuring the car parking areas and public realm can be monitored from building windows and openings. New landscaping and existing transparent boundary fencing will create a visual and physical barrier that distinguishes the site as private property and minimising vandalism. Clear and well-lit entry points to the development will also be provided.

### **3.4.1.3 Building Height**

The Height of Buildings Map of the Richmond Valley LEP stipulates a maximum building height of 8.5m for the site. The proposed building has two varying heights described in section 3.4.1.1 above. The northern part of the building (freezer) has a maximum building height of 10.16m and the southern part of the building (chiller) has a numeric compliant height of 8.5m. Therefore, the southern part of the building is in compliance with Clause 4.3 of the Richmond Valley LEP and C-2 of the Richmond Valley DCP whereas the northern part of the building exceeds the building height standard by 1.66m or 19.5%.

The proposal provides appropriate environmental planning grounds to justify contravening the stipulated height standard for the northern part of the building. These planning grounds are set out in full in the Clause 4.6 Variation Request enclosed at Appendix E. In light of the grounds set out in Appendix E, the proposed building height variation is considered to satisfy clause 4.6(3) of the Richmond Valley LEP and section C-2 of the Richmond Valley DCP.

### **3.4.1.4 Setbacks**

C-3 of the Richmond Valley DCP regulates the minimum building setback requirements for the development. Buildings must have a minimum 6.0m setback from the primary road frontage. A secondary road frontage adjoining residential development must have a minimum setback of 3.0m. The proposed development provides a 13.6m setback to the primary road frontage of Dyraba Street and a 3.1m secondary road frontage setback to Dean Street. These setbacks are in compliance with C-3 of Richmond Valley DCP. As the site does not abut a residential land use or other sensitive land use, there are no minimum side setback requirements.

### **3.4.1.5 Landscaping**

C-5 of the Richmond Valley DCP regulates the provision of landscaping for the development. As per C-5 a minimum 2.0m deep landscaping strip must be provided along the site boundary. A secondary road requires a 1.0m deep landscaping strip. The proposed development provides a 1.8m wide landscaping strip to Dean Street (secondary road), in compliance with C-5 of the Richmond Valley DCP. The proposed development also provides a 2m wide landscaping strip along the eastern side boundary. In combination, these landscape areas will provide a total of nine (9) canopy trees complemented by screen shrubs. The proposed landscaping will soften the built form, particularly when viewed from Dean Street.

No changes to landscaping for the primary frontage is proposed as part of this proposal as this would impede the manoeuvring of service vehicles and sight lines adjacent to the crossovers. The north facing

frontage will remain as a grassed area with some ornamental low rise species. It is noted, the primary frontage is located at the end of a cul-de-sac, adjacent to existing industrial land and opposite a disused railway corridor. Landscaping along the Dean Street frontage is therefore considered to be much more important for visual amenity and streetscape character given the adjoining residential land to the south of the site.

In summary, the proposed development has been designed to provide a visually pleasing development for Dean Street, in compliance with C-5.1(a) of the Richmond Valley DCP. Page | 15

Refer to the Landscape Concept Plan provided at the end of Appendix A for further details.

## **3.4.2 Traffic and Transport Network**

### **3.4.2.1 Access and Servicing**

C-9 of the Richmond Valley DCP regulates parking, loading and access for the development. No change is proposed to the existing access arrangement other than to replace the easternmost crossover off Dean Street with landscape planting (under Stage 2) as this crossover will be made redundant by the proposed new building.

The proposed development will continue to use the four (4) existing crossovers to service the development from Dyraaba Street. The existing crossovers and site layout have been assessed in the Transport Impact Assessment (Appendix C), whereby it confirms that the site makes satisfactory provision for access and manoeuvring by an Articulated Vehicle (AV). All loading and unloading will fully be within the property boundaries, as required by C-9.1 of the Richmond Valley DCP. The existing crossovers located off the primary street frontage and therefore comply with C-9.1(d) of the Richmond Valley DCP.

### **3.4.2.2 Parking**

Table C-6 regulates minimum on-site car parking requirements for industrial developments. The General Industry parking rate is 1 car space per 50m<sup>2</sup> and the Warehouse or Distribution Centre parking rate is 1 car space per 300m<sup>2</sup>. The ultimate GFA for the development is 3,062m<sup>2</sup>, which is divided into 1,861m<sup>2</sup> of General Industry (of which 1,602m<sup>2</sup> is already existing) and 1,200m<sup>2</sup> of Warehouse and Distribution Centre. Applying the rates above, the proposed development is required to provide 42 on-site car parking spaces. The ultimate development provides a total of 80 car parking spaces (24 on-site car parking spaces and 56 spaces located on Colches Street). The proposed parking provision is well in excess of the minimum requirements and will meet the peak parking demands of the operator. The geometric layout of the proposed parking facilities has generally been designed to comply with the relevant requirements specified in AS2890.1. Overall, the proposed development complies with on-site car parking requirements of C- of the Richmond Valley DCP.

## **3.4.3 Development Engineering**

### **3.4.3.1 Earthworks**

C-12 of the Richmond Valley DCP relates to earthworks and seeks to ensure cut and fill required for any development is designed to minimise any safety, environmental and amenity impacts on the site and adjoining properties. Site 1 is generally level and therefore there are no significant cut/fill works or retaining walls above 1m in height required to facilitate the proposed development. Appropriate Erosion and Sediment Control safeguards and practices will be implemented during construction as per section 6 of the Stormwater Management Plan (Appendix B). Additionally, as per Richmond Valley Council mapping, the sites are not affected by Acid Sulfate Soils overlay and therefore there are no further considerations in relation to ASS. No earthworks are expected to be required for Site 2 as the proposed car park will reuse the existing concrete hardstand.

### 3.4.3.2 Civil Servicing

As per Detail Survey contained within the Stormwater Management Plan document, the site can be serviced by all necessary infrastructure, including sewer, water, electricity and telecommunications. Detailed design of the connection of these services to the proposal will be completed at the works stage of development.

### 3.4.3.3 Stormwater Management

C-10.2 of the Richmond Valley DCP requires that all stormwater be directed to Council's stormwater drainage system via an approved method. Water Sensitive Urban Design principles shall apply as per Chapter I-9 of the DCP.

A Stormwater Management Plan (SWMP) has been prepared in support of the proposed development. The proposed SWMP demonstrates the proposed drainage scheme for the development, detailing the collection, treatment and discharge of stormwater for the developed site. As the site is already entirely impervious and there is no increase in run-off associated with the new development, stormwater detention is not required to mitigate peak flows. The proposal does however include stormwater quality treatment by way of Atlan stormsacks and filters in an Atlan vault. This strategy will ensure the required reduction in pollutants in accordance with the relevant legislation.

No stormwater management controls are expected to be required for Site 2 as the proposed car park will reuse the existing concrete hardstand and simply apply line marking for the new car parking spaces.

Refer to the SWMP at Appendix B for detailed stormwater strategy for all stages of development.

### 3.4.3.4 Flooding

C-13.2(2) of the Richmond Valley DCP relates to flooding and requires that industrial development be designed to endure flood events of a 1 in 100 year ARI frequency. Section 4.1 of the SWMP (Appendix B) addresses the flooding requirements for the development and confirms that the FFL will be above the 1:100 year flood event in accordance with the Richmond Flood Planning Matrix. The SWMP also confirms that there is no requirement for flood modelling/reporting and that Structural Soundness Certification (SS2) is not required based on the Low Hazard category and flood study height used. The proposal is therefore considered to comply with C-13.2(2) of the Richmond Valley DCP and Clauses 5.21 – 5.22 of the Richmond Valley LEP and no further assessment is warranted.

## 3.4.4 Environmental Impacts

### 3.4.4.1 Noise Impacts

C-7 of the Richmond Valley DCP seeks to ensure industrial development minimises the noise impact on surrounding uses. The proposed development is intended to operate 5am to 6pm, Monday to Saturday.

The site contains an established General Industry use located within an established industrial area that is zoned for E4 General Industrial purposes. Whilst the site and surrounding industrial street are appropriately zoned for industrial uses, it is acknowledged that the site is situated near sensitive uses being the R1 General Residential zoned land located on the opposite side of Dean Street. Due to the proximity of the site to residential uses, an Acoustic Report (Appendix D) prepared in accordance with the New South Wales Industrial Noise Policy. The Acoustic Report concludes that compliance is predicted with NSW Noise Policy for Industry and Richmond Valley Council's assessment requirements on the basis that the acoustic treatments recommended in section 8.1 of the report are implemented.

In addition to the findings of the Acoustic Report, the layout also ensures that noise generating sources such as loading and manoeuvring areas, plant room, loading docks are all located away from the sensitive receivers on the northern side of the proposed building. Further, the proposed warehousing



and distribution operations will wholly be contained within the enclosed building, ensuring noise emissions beyond property boundaries are minimised.

In relation to the proposed offsite car park located at Site 2, this use is compatible with the existing use of the site for outdoor storage and prior historic use of the site as a concrete batching plant operated by Boral. The proposed non-residential use of the site would have a negligible impact on the surrounding residential area given it will only be used for staff car parking during business hours. Appropriate noise management strategies such as signage could be implemented to restrict the idling of cars and loud conversations in the carparking areas, particularly during the early morning or the evening. Indeed, the proposed use of Site 2 is much more appropriate with the surrounding sensitive land uses when compared to the previous use of the site for concrete batching operations.

#### **3.4.4.2 Hazard and Risk Mitigation**

Refer to Section 4.2.2 (SEPP (Resilience and Hazards)) 2021 Policy below for details in relation to hazard and risk mitigation measures for the proposed cold storage Warehouse and Distribution Centre.

#### **3.4.4.3 Waste Management**

Section C-11 of Richmond Valley DCP regulates waste management for developments. Stage 1 of the proposed development includes a fully enclosed waste storage area adjacent the existing processing building (Refer to Site Plan Stage 1). Per the Transport Impact Assessment, given there is sufficient space for an AV to negotiate through the site, waste collection vehicles will be able to manoeuvre on-site comfortably. As the waste storage area will be fully enclosed within the building, it will not detract from the amenity of adjoining sensitive land uses or the character of the streetscape. Overall, the proposed waste storage area is considered to comply with Section C-11 of the Richmond Valley DCP.

#### **3.4.5 Heritage**

As per Richmond Valley Council Mapping (LEP) the site is identified on the Heritage Map as adjoining Heritage Item 39. The Heritage Item relates to the railway land to the north and east of the subject sites and is described under Schedule 5, Part 1 of the Richmond Valley LEP as follows:

*Casino Railway Station and yard group (includes Casino Railway Station, signal box, roundhouse, turntable, Harman coal loader and water tank).*

The Heritage Item is considered to have state significance given it is identified on the State Heritage Register under section 170 of the *Heritage Act 1977*. The description of the Heritage Item under the state register is as follows:

*Casino Railway Precinct is of state significance. The station buildings form an imposing and significant group of buildings in a major country location. The station building is one of the largest examples of the standard railway buildings constructed in NSW throughout the early 20th Century, and along with the adjacent refreshment rooms, forms a cohesive and largely intact group. The precinct also consists of a variety of significant elements, which demonstrate the former extent and importance of Casino as a major junction station, goods yard and locomotive depot. The unique elevated coal stage was one of two of the last built in NSW in the early 1950s. The roundhouse is rare as one of only seven extant roundhouses in New South Wales.*

The physical description of the asset under the State Heritage Inventory is as follows:

*MAJOR STRUCTURES - Managed by RailCorp  
Station Building and RRR (1930)  
Platform (1930)*

*MAJOR STRUCTURES - Managed by ARTC  
Signal Box (1946)*

*Roundhouse (1928), and associated buildings  
Office Buildings - associated with the locomotive depot  
Brick Rest House (c1944)*

*OTHER ITEMS - Managed by ARTC*

*Water tank and column - steel*

*Water column in yard*

*Turntable - 75', (1933)*

*Coal stage - timber and steel 'Harmon', (1947)*

*Gantry Crane*

*STATION BUILDING and RRR (1930)*

*The station building is a large, modified, brick island building (similar in design to a type A8 station building) with a long cantilevered awning. The design was a standard and therefore common design, which in some cases incorporated signal boxes to one end (the layout of the Casino Railway Station included a Station Master's office and signal box). A8 was the simplest design featuring a linear building with all rooms contained under the single gable roof with awning extensions at either side.*

*Casino is one of the largest standard station buildings in NSW consisting of a meal room, toilet facilities, Station Master's office and signal box, luggage room, store rooms, manager's office, waiting room, and a refreshment room.*

*STATION PLATFORM (1930)*

*Main line platform featuring a brick face. Straight side platform. Platform consists of insitu concrete wall with 20m steel grate extensions at each end. The branch line platform has been filled in and covered over.*

*SIGNAL BOX (1946)*

*Elevated fibro with tiled, hipped roof overhanging building. The signal box superseded the original signal box, which was located on the station platform.*

*ROUNDHOUSE (1928)*

*The extant roundhouse building at Casino was a standard 1915 design constructed in 1928. The structure is part circular in form, providing cover over eight radiating roads (1-8), with the remaining roads, including the access/egress roads being uncovered. Roads 12-19 are diametrically opposite the shed roads. The structure was constructed out of timber beams, trusses and columns, steel bracing and straps, with corrugated sheet steel cladding, and had a saw-tooth roof profile.*

*The principal dimensions: length of side wall (i.e. from front doorway to rear wall of roundhouse) is 70 feet; approximate outside diameter of semi-circle of the roundhouse was 340 feet*

*BRICK REST HOUSE (c1944)*

*The rest house (barracks) is a single storey, brick building located near the Casino locomotive depot. It is likely that the existing rest house (c1944) replaced or augmented an earlier rest house.*

*The building includes six bedrooms, a toilet, showers, a linen room, dining room, kitchen, and truncated verandas on each main elevation. It is arranged with an accommodation wing consisting of the bedrooms, toilets, showers, and a linen room, which are all linked by a central corridor. The kitchen and dining room are accessed via short, concrete-floored verandas on each side and linked to the bedrooms by a transverse passageway. There are also remains of the separate coal storage area and the laundry & attendants' room behind the rest house.*

*WATER TANK AND COLUMN*

*Steel water tank with column attached*

*TURNTABLE (1933)  
75` turntable*

*COAL STAGE (1947)*

*This is the only extant elevated locomotive coal stage in NSW. Built in 1947, it was the second last steam locomotive coaling facility to be built. Despite its relatively recent construction, it demonstrates traditional building technology and materials. It represents one of the small number of Harman-type facilities built in NSW in which the coal bin was loaded by a conveyor belt on a continuing cycle.*

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*MOVABLE*

*Reproduction heritage-style lamp posts  
Wall-mounted timber shelves and metal hooks  
Iron stormwater grates  
Cast iron Ajax safe  
Fitted timber cabinet in office  
Early wall-mounted bells  
Bakelite lights and switches and timber mounting blocks  
Corner desk with timber stationery shelves  
Timber-framed noticeboard  
Tall timber two-door cabinet with 4x8 partition shelves inside  
A-frame blackboard  
Timber fire surrounds and brick chimneys  
Green Laminex table  
Painted platform number signs  
Cast concrete keg-style platform flower pots  
Timber-mounted, double-sided Smiths electric platform clock  
Timber window shelf  
Ex-refreshment room cast iron stove and exhaust hood  
Early speaker horns, brackets etc in storage  
Miscellaneous objects in storage*

The Heritage item was also appraised in detail at a local level under the *Richmond Valley Heritage Study 2008*, as follows:

*Casino Railway Station Complex (2850174) with the associated Harman coal loader (2850289), signals box (2850291), locomotive depot, sometimes called the Round house (2850078), locomotive turntable (2850303) and water tank (2850303) The Casino station, built in 1930, with its associated infrastructure, is an imposing and significant group of items in a major country location. The station building is one of the largest standard buildings of its type, and with the associated refreshment room, forms one of the best surviving later period station groups in the state. Casino became a major engineering service point on the long 900km run from Sydney to South Brisbane. Thus the signals box, locomotive depot, turntable, coal loader, water tank and associated facilities are of high significance. Of particularly significance is the Harman coal loader, which provides the state with one of the few relatively complete reminders of its steam train operations in the 1950s. (pg. 43)*

The overall significance of the asset is therefore characterised by the key railway buildings and structures including the main station building and platform, Harman coal loader, signals box, locomotive depot (Round house), locomotive turntable and water tank. The proposed development does not involve any alterations to the fabric of the railway buildings and structures identified above, nor does it involve any works within the curtilage of the Heritage Item. The only potential effect the proposed development

could have on the significance of the Heritage Item is on its setting due to the proximity of the sites to the heritage assets.

Per section 3.5 of the *Richmond Valley Heritage Study 2008*, the Casino railway station and yard group are considered to contain a substantial collection of industrial heritage due to the presence of the turntable, service depot (Roundhouse), coal loader, signals box, tripod crane and various items held by the Pacific Coast Railway Society in their museum. As the proposed development is industrial in nature, it is considered to be compatible with the industrial setting of the Heritage Item.

The significance of the Heritage Item would thus not be diminished as all the parts that are intrinsic to the Heritage Item would not be removed or damaged as a result of the proposal and because the proposal would be compatible with the industrial character and setting of the Heritage Item. Therefore, the proposal is considered to conserve the heritage significance of the heritage item, including associated fabric, settings and views, in line with the objectives of Clause 5.10 of the Richmond Valley LEP.

### **3.4.6 Advertising Signage**

The proposal also seeks Development Consent for a business identification sign on the proposed Stage 2 Warehouse and Distribution Centre building (Development Consent for Signage). The sign on the North Elevation will be affixed to the monocled wall sheeting and will display the name and logo of the business 'Spring Grove' and have a surface area of approximately 26.65m<sup>2</sup> (2.57m (H) x 10.37m (W)). The sign on the South Elevation will be affixed to the tilt panel wall and will just display the Spring Grove business logo and will have a surface area of 12.56m<sup>2</sup>. The proposed signs do not exceed the height of the building and will not involve any illumination. The design of the business identification signs aligns with the assessment criteria under Schedule 5 of the SEPP (Industry and Employment) 2021 and Richmond Valley DCP (refer to section 4.2.1 of this SEE for further details).

## 4 Statutory Planning Assessment

The following sections outline the planning assessment process that is applicable to the proposed development and summarises the relevant state and local environmental planning legislation that has been taken into consideration during the preparation of this SEE.

### 4.1 Section 4.15 Assessment

This section of the SEE evaluates the proposed development against the provisions of section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act). Section 4.15 of the Act identifies the matters for consideration for development applications, as follows:

#### 4.15 Evaluation

##### (1) Matters for consideration—general

*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—*

(a) *the provisions of—*

- (i) *any environmental planning instrument, and*
- (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*
- (iii) *any development control plan, and*
- (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*
- (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (v) *(Repealed)*

*that apply to the land to which the development application relates,*

- (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,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

Sections 4.2 – 4.4 below address the requirements of section 4.15(1)(a) of the Act, whilst section 4.5 addresses sub-sections 4.15(1)(b) – (e) of the Act.

### 4.2 State Environmental Planning Policies

The proposed development and site have been evaluated against the provisions of all current State Environmental Planning Policies (SEPP). Please refer to Table 2 below.

SEPP	Applicability
SEPP (Biodiversity and Conservation) 2021	<b>Not applicable.</b> The development site is not mapped within the Biodiversity values map. Further, the development site does not contain any significant vegetation or koala habitat. Assessment against the Biodiversity and Conservation SEPP is not required.

SEPP	Applicability
SEPP (Exempt and Complying Development Codes) 2008	<b>Not applicable.</b> The proposal requires consent and is not exempt or complying development.
SEPP (Housing) 2021	<b>Not applicable.</b> The proposal does not involve residential development.
SEPP (Industry and Employment) 2021	<b>Applicable.</b> Refer to section 4.2.1 below.
SEPP (Planning Systems) 2021	<b>Not applicable.</b> The proposal is not for State significant development, State significant infrastructure or Regionally significant development.
SEPP (Primary Production) 2021	<b>Not applicable.</b> The proposal does not involve primary production, agriculture or aquaculture.
SEPP (Resilience and Hazards) 2021	<b>Not applicable.</b> The proposal does not fall within the definition of 'potentially hazardous industry' or 'potentially offensive industry'. Therefore, assessment against Chapter 3 of the SEPP is not triggered. However, the proposal has been considered against the provisions of the SEPP in section 4.2.2 below.
SEPP (Resources and Energy) 2021	<b>Not applicable.</b> The proposal does not involve mining, petroleum production or extractive industries.
SEPP (Sustainable Buildings) 2022	<b>Applicable.</b> Refer to section 4.2.3 below.
SEPP (Transport and Infrastructure) 2021	<b>Applicable.</b> Refer to section 4.2.4 below.
SEPP No 65 Design Quality of Residential Apartment Development	<b>Not applicable.</b> The proposal does not involve residential apartment development.

**Table 2: SEPP Assessment**

#### 4.2.1 SEPP (Industry and Employment) 2021

The proposal also seeks Development Consent for two business identification signs (Development Consents for Signage) and therefore Chapter 3 of the Industry and Employment 2021 SEPP applies. The aims, objectives of Chapter 3 are:

*This Chapter aims –*

- (a) *to ensure that signage (including advertising)—*
  - (i) *is compatible with the desired amenity and visual character of an area, and*
  - (ii) *provides effective communication in suitable locations, and*
  - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

Per the Elevations (Appendix A) one business identification sign will be affixed to the North Elevation facing Dyraaba Street and the other sign will be affixed to the South Elevation facing Dean Street. The

sign on the North Elevation will display the name of the business ‘Spring Grove’ and the business logo and will have a surface area of approximately 26.65m<sup>2</sup>. The sign on the South Elevation will just display the Spring Grove business logo and will have an area of 12.56m<sup>2</sup>. Per Part 3.2 (section 3.6) of the SEPP an application to display signage is required to demonstrate that the signage is consistent with the objectives of this Chapter as set out above, and that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5. An assessment has been carried out against the Schedule 5 signage criteria in Table 3 below.

The assessment demonstrates that the proposed signage is compatible with the desired amenity and visual character of the surrounding industrial area, provides effective communication for the business and is of high quality design that is commensurate with the overall design and scale of the development. Therefore, the proposal complies with the objectives of the SEPP (Industry and Employment) 2021 and is appropriate for the site.

Assessment Criteria	Response
<b>Character of the area</b>	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	<b>Complies.</b> The proposed development is located within an established industrial area. The proposed business identification signage is commensurate with the existing business identification signage on the surrounding industrial buildings.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	<b>Complies.</b> The development will include two (2) business identification signs affixed to the northern and southern walls of the new Warehouse building, facing both the primary frontage of Dyraba Street and secondary frontage of Dean Street. The inclusion of business identification signage on the street fronting elevations of the premises is consistent with signage in the surrounding industrial area.
<b>Special areas</b>	
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?	<b>Complies.</b> Whilst there is one business identification sign (Spring Grove logo) that will be visible from the residential area along Dean Street, given the nature of the sign – identifying the logo of the business without any illumination or flashing, it is not considered to detract from the amenity or visual quality of this area. Indeed, the sign is considered to add interest to the overall visual aesthetic of the building given it complements the corporate colour scheme of Spring Grove.
<b>Views and vistas</b>	
Does the proposal obscure or compromise important views?	<b>Complies.</b> The signage does not exceed the height of the building and therefore does not obscure or compromise important views.
Does the proposal dominate the skyline and reduce the quality of vistas?	<b>Complies.</b> As above.
Does the proposal respect the viewing rights of other advertisers?	<b>Complies.</b> Signage will relate to building occupant and will not comprise third party advertising. Impacts on viewing rights will not occur.

### Streetscape, setting or landscape

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	<b>Complies.</b> Signage has been designed to maintain consistency with other development within the area. Signage will comprise complementary colours to the building and will not be obtrusive in appearance.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	<b>Complies.</b> The signage will add to the visual interest of the building and thus the streetscape and surrounding setting. The colour of the signage logo (green) will match the landscape context of the area.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	<b>Complies.</b> This application proposes only one business identification sign to face each street frontage, which is appropriate for a business with dual frontage. The signage is therefore not considered to create clutter.
Does the proposal screen unsightliness?	<b>Not applicable.</b> The signage is affixed to the wall of the proposed building and therefore does not provide any screening.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	<b>Complies.</b> Proposed signs will not protrude above the apex of the building.
Does the proposal require ongoing vegetation management?	<b>Not applicable.</b> The signage does not incorporate planting.

### Site and building

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?	<b>Complies.</b> The signage is located strategically to best align with the design and scale of the building. The surface area of the sign on the North Elevations represents only 10.4% of the surface area of the façade and is thus subordinate to the overall scale and proportion of the building. Furthermore, the surface area of the sign on the South Elevation represents just 5% of the façade and is also subordinate to the overall scale and proportion of the building.
Does the proposal respect important features of the site or building, or both?	<b>Complies.</b> The proposed signage colour scheme is reflective of the Spring Grove corporate company colours. This colour has been used in the colour palette for the building itself (green tilt panels). The proposed signage is therefore respectful of the building and site.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	<b>Complies.</b> The signage integrates within the building and is contemporary in design and appearance.

### Associated devices and logos with advertisements and advertising structures

Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or	<b>Complies.</b> Spring Grove's logo is included in the signage.
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structure on which it is to be displayed?	
<b>Illumination</b>	
Would illumination result in unacceptable glare?	<b>Not applicable.</b> The proposed business identification sign will not be illuminated.
Would illumination affect safety for pedestrians, vehicles or aircraft?	
Would illumination detract from the amenity of any residence or other form of accommodation?	
Can the intensity of the illumination be adjusted, if necessary?	
Is the illumination subject to a curfew?	
<b>Safety</b>	
Would the proposal reduce the safety for any public road?	<b>Complies.</b> Proposed signage will be affixed to the walls and will be static in nature. This type of signage is not anticipated to reduce safety on public roads.
Would the proposal reduce the safety for pedestrians or bicyclists?	<b>Complies.</b> As above.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	<b>Complies.</b> Proposed signage will not obscure sightlines from public areas

**Table 3: Schedule 5 signage impact assessment (SEPP (Industry and Employment) 2021**

#### 4.2.2 SEPP (Resilience and Hazards)

Chapter 3 of the SEPP seeks to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account. Per section 3.2 of this SEE, the proposed Stage 1 extension to the existing General Industry building relates only to ancillary facilities (staff amenities, waste store and plant room) that would enhance the workplace environment for employees and improve the overall efficiency of existing site operations. These ancillary additions would not intensify the existing General Industry use or change the industrial operations of the processing components of the building. The proposed Stage 1 extension therefore does not involve activities that would classify the development as hazardous or offensive industry or potentially hazardous or potentially offensive industry.

The proposed new Stage 2 building is for a Warehouse and Distribution Centre and does not involve hazardous or offensive industry processes that would have a noticeable offsite impact. The proposed cold storage component does however require refrigeration plant that will include the storage of ammonia gas to enable the operation of the refrigeration system.

Table 4 below specifies the maximum quantity of industrial ammonia that will be required for this scale of cold storage facility, which has been determined by a suitably qualified refrigeration specialist from Scantec, who have constructed multiple cold storage refrigeration systems across Australia. Column 4 of Table 4 sets out the minimum screening threshold for determining whether the development is 'potentially hazardous' for the purposes of SEPP (Resilience and Hazards) 2021. A dedicated plant room is proposed on the Stage 2 floor plans and will house the required ammonia gases.

Proposed Quantity	Material	Classification	Minimum Screening Threshold
350 kg ± 10%	Anhydrous ammonia	2.3	5 tonne – anhydrous ammonia, kept in the same manner as for liquefied flammable gases and not kept for sale

**Table 4: Proposed Quantity and Minimum Screening Thresholds under the *Hazardous and Offensive Development Application Guidelines***

Per the above table, the proposed maximum quantity of ammonia gas that is required is well within the screening thresholds – quantities set out in Tables 1 and 3 of the *Hazardous and Offensive Development Application Guidelines*. Per these guidelines, where the quantity of the hazardous materials is below the minimum quantities, it is not 'potentially hazardous', as follows:

*"If the quantity is below the minimum quantity in Table 1, then the amount is unlikely to represent a significant risk and therefore, is not potentially hazardous."* (page 32) \*Emphasis added.

Therefore, on the basis of material quantity alone, there is unlikely to be a significant off-site risk that would classify the development as 'potentially hazardous'. As such, Chapter 3 of the SEPP (Resilience and Hazards) 2021 does not apply as the development is evidently not for the purposes of potentially hazardous industry or potentially offensive industry. Accordingly, no further assessment by way of a Preliminary Hazard Analysis (PHA) is required because the proposal is not assessable against the SEPP. Furthermore, as the quantity of ammonia gas is considered to have a negligible risk to safety, detailed design of the refrigeration system is not warranted at this stage to demonstrate the acceptability of the proposal on hazards grounds.

Notwithstanding the above, the ultimate refrigeration system operation will be conducted with the highest regard to safety and hazard and risk mitigation. Detailed design of the type of refrigerator system will be undertaken by a suitably qualified refrigeration engineer or technician during the CC phase of the development (post consent). The applicant is willing to submit these detailed designs of the refrigeration system as well as the relevant associated safety management systems, subject to a reasonable and relevant condition of planning consent.

Cold storage facilities are common-place in industrial zones and a comprehensive suite of legislation, codes, and standards exists to ensure the safe operation of such facilities, including for example:

- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2017 (NSW)*
- AS 4332–2004 – *The storage and handling of gases in cylinders;*
- AS/NZS 2022:2003 – *Anhydrous ammonia – Storage and handling;*
- AS/NZS 5149:2016 – *Refrigerating systems and heat pumps;*
- SafeWork Australia – National Standard for the Storage and Handling of Dangerous Goods [NOHSC:1015 (2001)];

The site will also implement comprehensive safety management systems, including but not limited to the following:

- Dangerous Goods and Hazardous Substances Policy;

- Dangerous Goods and Hazardous Substances Procedure;
- Hazardous Materials Manifest and Dangerous Goods Register;
- Site plan showing location of the dangerous goods on site;
- Procedure for Maintenance Plant Isolation Shutdown.
- Safe Work Method Procedures
- Procedure for Plant Isolation Shutdown; and
- Service Report for Gas Detection.

Adherence to the above legislation, standards and management systems will ensure that the proposed cold storage Warehouse refrigeration system is operated to minimise and mitigate risks to the greatest extent possible. Again, appropriate development conditions can be included to this effect.

#### **4.2.3 SEPP (Sustainable Buildings) 2022**

The proposal is for a non-residential building with an estimated development cost of over \$5 million, thereby triggering assessment against Chapter 3 of the SEPP (Sustainable Buildings) 2022 Policy. Section 3.2(2) of the SEPP requires the embodied emissions attributable to the development be quantified. This has been quantified by the Architect and Chief Engineer for the project via the preparation of a NABERS Embodied emissions materials form (Appendix G). In addition to the NABERS form, the design and siting of the development also incorporates some simple yet effective sustainability principles that are appropriate for an industrial facility of this nature:

- Proposed landscaping along the key site boundaries to provide shading and cooling to hardstand areas and the street and will help mitigate stormwater runoff.
- Lifecycle costs and materials: The development provides long-life materials and finishes which are easily maintained.
- A Site Waste Minimisation Plan (Appendix I) has been prepared to outline how the proposed development will manage waste generated and ensure it is reduced, recycled, and safely stored and collected from the site during the construction phase. This is a best practice approach that will significantly reduce the amount of potential waste landfilled. The Site Waste Minimisation Plan will be further developed during the detailed design phase.
- From a locational perspective, the application will reuse an existing brownfield industrial site for the proposed a high quality industrial development scheme. The reuse of brownfield land is a desired planning and sustainability solution for new development, as it regenerates dilapidated land, promotes compact urban growth (rather than greenfield development) and supports the efficient use of existing infrastructure.

#### **4.2.4 SEPP (Transport and Infrastructure) 2023**

The objective of this policy is to facilitate the effective delivery of infrastructure across NSW. The policy assists the NSW Government, private infrastructure providers, local councils and the communities they support by improving the efficiency and consistency of the planning regime for critical infrastructure. The SEPP includes specific planning provisions and development controls for 27 types of infrastructure works or facilities as well as for educational establishments and childcare facilities, major infrastructure corridors and key ports and freight intermodal precincts. The SEPP also identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure development.

The proposed development is not for provision of infrastructure or services identified within Chapters 2 – 6 of the SEPP. The proposal is also not considered to be traffic generating development for the purposes of Schedule 3. Site 2 does however adjoin a rail corridor (the North Coast Rail Line) and has therefore been assessed against the provisions of Chapter 2, Division 15, Subdivision 1 (see Table 5). Per the assessment in Table 5, the proposal does not involve works within 25m that would adversely affect the safe and effective operation of the rail corridor nor generate a high level of traffic that could have implications for the safety of a rail crossing.

SEPP (Transport Infrastructure) 2023 – Subdivision 2	Assessment
<p><b>2.97 Development involving access via level crossings</b></p>	<p><b>Not applicable.</b> The proposal does not involve a new level crossing or the conversion into a public road of a private access road across a level crossing. Whilst the proposal will result in an increase in traffic, per the Transport Impact Assessment (Appendix C), the trip generation from the proposal is relatively low and considered to have a negligible impact on the local road network. Furthermore, the majority of trips generated from the development (60%) will come from the south via Summerland Way and therefore will not be using the level crossings to the north of the site. As such, the proposal will not result in a significant increase in the total number of vehicles or the number of trucks using a level crossing and no further assessment of alternative routes is warranted.</p>
<p><b>2.98 Development adjacent to rail corridors</b></p>	<p><b>Complies.</b> The proposal complies with the provisions of clause 2.98 as follows:</p> <p>(a) <i>is likely to have an adverse effect on rail safety, or</i> The proposed car park at Site 2 will reuse the existing concrete hardstand and will therefore involve minimal construction works that could impact on the safety of the rail corridor infrastructure. As the proposal is for a car park that will be used primarily during the day, it does not involve any metal structures that could bring about significant additional safety issues associated with electrocution and corrosive effects of electrolysis. It will also not affect existing watercourses and drainage infrastructure and change run-off behaviour. Public access to the site will be restricted by existing fencing. This will ensure that graffiti and vandalism impact on the railway from the development are avoided.</p> <p>(b) <i>involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or</i> The proposed car park located at Site 2 will not involve any structures with a metal finish.</p> <p>(c) <i>involves the use of a crane in air space above any rail corridor, or</i> As the proposed car park will reuse the existing hardstand, it will not require the use of cranes, concrete pumps and other equipment capable of moving into or across the airspace above the adjoining rail corridor.</p>

SEPP (Transport Infrastructure) 2023 – Subdivision 2	Assessment
	<p>(d) <i>is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.</i></p> <p>The proposal does not involve any works within 5m of an overhead electricity powerline used for the purpose of railways or rail infrastructure facilities.</p>
<b>2.99 Excavation in, above, below or adjacent to rail corridors</b>	<b>Not applicable.</b> As above, the proposed car park will reuse the existing concrete hardstand and will therefore not require excavation works within 25m of the railway corridor. The same goes for Site 1 which will not involve earthworks at a depth of more than 2m within 25m of the rail corridor.
<b>2.100 Impact of rail noise or vibration on non-rail development</b>	<b>Not applicable.</b> The proposal is for an industrial and car park use and will not be adversely affected by rail noise or vibration.
<b>2.101 Development within or adjacent to interim rail corridor</b>	<b>Not applicable.</b> The subject site does not adjoin an interim rail corridor.
<b>2.102 Major development within Interim Metro Corridor</b>	<b>Not applicable.</b> The subject site does not adjoin an Interim Metro Corridor.
<b>2.103 Development near proposed metro stations</b>	<b>Not applicable.</b> The subject site is not near a proposed metro station.

**Table 5: Assessment against SEPP (Transport Infrastructure) 2023 Subdivision 2 – Development in or adjacent to rail corridors and interim rail corridors**

### 4.3 Richmond Valley Local Environmental Plan 2012

#### 4.3.1 Clause 1.2 Aims of Plan

The Richmond Valley LEP 2012 is the primary planning tool for the Richmond Valley Council. The Richmond Valley LEP 2012 provides local environmental planning provisions for land in Richmond Valley.

- (1) *This Plan aims to make local environmental planning provisions for land in Richmond Valley in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.*
- (2) *The particular aims of this Plan are as follows —*
  - aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
  - a) to encourage the proper management, development and conservation of natural and man-made resources,*
  - b) to support and encourage social and economic benefits within Richmond Valley,*
  - c) to ensure that suitable land for beneficial and appropriate uses is made available as required,*
  - d) to manage appropriate and essential public services, infrastructure and amenities for Richmond Valley,*
  - e) to minimise the risk of harm to the community through the appropriate management of development and land use.*

The ultimate development involves the extension of the existing General Industry building and the construction of a new Warehouse and Distribution Centre building which will continue to be operated by the national food distributor Spring Grove. The proposal will make a strong contribution to employment and economic growth for the region in an established industrial area with excellent connectivity to the B-double network. The proposal will further strengthen the position of Richmond Valley and Casino as the focal point for the region’s beef industry by expanding a long-established Northern Rivers-based and family-owned wholesale business that specialises in supplying premium quality meat products. Overall, the proposal is considered to give effect to Council’s strategic principles, policies, and actions, as reflected in the applicable Richmond Valley LEP and Richmond Valley DCP provisions.

#### 4.3.1.1 Zone Objectives

Site 1 is located within the Zone E4 General Industrial pursuant to the Richmond Valley LEP. As demonstrated in Table 6, the objectives of the Zone E4 General Industrial will be demonstrably achieved by the proposed development.

Objectives	Assessment
To provide a range of industrial, warehouse, logistics and related land uses.	The proposed industrial uses are permitted with consent in the zone and therefore compatible.
To ensure the efficient and viable use of land for industrial uses.	The proposal is for industrial uses.
To minimise any adverse effect of industry on other land uses.	The application is accompanied by an Acoustic Report (Appendix D) prepared in accordance with the Richmond Valley Council’s policies and the New South Wales Industrial Noise Policy. The assessment confirms that based on the proposed hours of operation (5am to 6pm, Monday to Saturday), noise impacts at the nearest residential and industrial receiver locations are predicted to comply subject to implementing acoustic treatments, as recommended in the Acoustic Report.
To encourage employment opportunities.	The proposal will make a strong contribution to local employment and economic growth, further bolstering Casino as the main employment centre in Richmond Valley and as the focal point for the region’s beef industry. The delivery of this project would catalyse and stimulate further diversified industrial development opportunities along Dyraba Street, that will create new jobs and investment.
To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.	Not applicable. The proposal is for an industrial land use.

**Table 6: Richmond Valley LEP 2012 Objectives**

Site 2 is located within the Zone R1 General Residential pursuant to the Richmond Valley LEP. As demonstrated in Table 7, the objectives of the Zone R1 General Residential will be demonstrably achieved by the proposed staff car park component of the development.

Objectives	Assessment
To provide for the housing needs of the community.	The proposal does not involve housing, rather is for a Car Park use located on an existing industrial site. The proposed use is 'permitted with consent' within Zone R1 General Residential. The proposed Car Park will not result in the loss of housing or prejudice the ability for future housing to be established on the site or in the surrounding area in the future.
To provide for a variety of housing types and densities.	As above, the proposal does not involve housing.
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The proposed Car Park provides an offsite parking solution for the employees of Spring Grove. Many of the staff are employed from the local area and therefore the parking solution is considered to provide an important facility that will provide employment and meet the day to day commuting needs of these residents in accordance with the objective.
To ensure that housing densities are generally concentrated in locations accessible to public transport, employment, services and facilities.	As above, the proposal does not involve housing.
To minimise conflict between land uses within the zone and land uses within adjoining zones.	<p>The site adjoins a railway corridor to the west and the proposed Car Park provides a suitable buffer to this corridor from the established residential areas to the east. The proposed non-residential use of the site is compatible with the existing use of the site for outdoor storage and prior historic use of the site as a concrete batching plant operated by Boral. There is no record of the site ever having been used for residential purposes.</p> <p>The proposed non-residential use of the site would have a negligible impact on the surrounding residential area given it will only be used for staff car parking during business hours. Indeed, the proposed use is much more appropriate with the surrounding land uses in the zone when compared to the previous use of the site for concrete batching. The proposed use is therefore deemed to be appropriate considering the context of the site and the existing non-residential use rights and would not bring about any undue land use conflicts or prejudice existing or future residential development in the surrounding area.</p>

**Table 7: Richmond Valley LEP 2012 Objectives**

**4.3.1.2 Planning Definition and Permissibility**

The application is seeking Development Consent for General Industry and Car Park. In accordance with Richmond Valley LEP 2021, a **General Industry** means –

*means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.*

The proposed Stage 1 component of the development involves the extension of the existing General Industry building. As such, the proposal is consistent with the above definition.

Richmond Valley LEP 2012 defines **Warehouse and Distribution Centre** as –

*a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.*

Stage 2 involves the construction of a Warehouse and Distribution Centre building for the cold storage and distribution of goods (premium quality meat products). The proposed use aligns with the definition above and will not involve on-site retail.

The Richmond Valley LEP 2012 defines **Car Park** as –

*means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.*

Stage 1 involves establishing a Car Park use over Site 2. The proposed Car Park will be used to park vehicles for the employees of Spring Grove. As such, this element of the proposal is consistent with the above definition.

### 4.3.2 Richmond Valley Local Environment Plan 2012 Development Standards

This section provides an assessment of the proposed development the relevant provisions of the Richmond Valley LEP 2012. As per Table 8 below, the development complies with all applicable standards within Part 4 through to Part 7 of the Richmond Valley LEP 2012.

Richmond Valley LEP 2012	Assessment
<b>Part 4: Principal Development Standards</b>	
Clause 4.1 – Minimum subdivision lot size	<b>Not applicable.</b> None of the development types referred to under Clause 4.1 to Clause 4.2 are applicable to this application.
Clause 4.1AA – Minimum subdivision lot size for community title schemes	
Clause 4.1A – Minimum subdivision lot size for strata plan schemes in certain rural, residential and conservation zones	
Clause 4.1B – Minimum lot sizes for dual occupancies	
Clause 4.1C – Exceptions for minimum lot sizes for dual occupancies	
Clause 4.2 – Rural subdivision	
Clause 4.2A – Exceptions for minimum lot sizes for certain rural subdivisions	
Clause 4.2B – Erection of dual occupancies and dwelling houses on land in Zones RU1, R5 and C3	



Richmond Valley LEP 2012	Assessment
Clause 4.2C – Exceptions for minimum lot sizes for lot boundary adjustments	
Clause 4.3 – Height of buildings	<b>Complies.</b> As per HOB - 006A map of the Richmond Valley LEP, the maximum building height for the site is 8.5m. The northern part of the building (freezer) has a maximum building height of 10.16m and the southern part of the building (chiller) has a numeric compliant height of 8.5m. As the northern part of the building exceeds the building height standard by 1.66m or 19.5%, a Clause 4.6 Variation Request has been prepared and lodged in support of this application. Refer to Appendix E for further details.
Clause 4.4 – Floor space ratio	<b>Not adopted.</b>
Clause 4.5 – Calculation of floor space ratio and site area	<b>Not adopted.</b>
Clause 4.6 – Exceptions to development standards	<b>Not applicable.</b> The proposal complies with the relevant development standards of the LEP and SEPPs.
Part 5: Miscellaneous Provisions	
Clause 5.1 – Relevant acquisition authority	<b>Not applicable.</b> No part of the site is identified on the Land Reservation Acquisition Map.
Clause 5.1A – Development on land intended to be acquired for public purposes	<b>Not applicable.</b> No part of the site is identified on the Land Reservation Acquisition Map.
Clause 5.2 – Classification and reclassification of public land	<b>Not applicable.</b> The proposal does not involve classifying or reclassifying public land.
Clause 5.3 – Development near zone boundaries	<b>Not applicable.</b> Site 1 is located within 30m of land in the R1 General Residential zone. However, the proposal is for an industrial use that is compatible with the industrial zoning of the site and does not involve a land use that may be carried out in the adjoining residential zone.
Clause 5.4 – Controls relating to miscellaneous permissible uses	<b>Not applicable.</b> The development does not include a miscellaneous permissible use.
Clause 5.5 – Controls relating to secondary dwellings on land in a rural zone	<b>Not applicable.</b> The development is not for secondary dwelling on land in rural zone.
Clause 5.6 – Architectural roof features	<b>Not applicable.</b> The proposal is for a typical industrial building. Architectural roof features are not proposed.
Clause 5.7 – Development below mean high water mark	<b>Not applicable.</b> The site is not located in close proximity to tidal waters.
Clause 5.8 – Conversion of fire alarms	<b>Not applicable.</b> The proposal does not involve the conversion of fire alarms.

Richmond Valley LEP 2012	Assessment
Clause 5.9 – Dwelling house or secondary dwelling affected by natural disaster	<b>Not adopted.</b>
Clause 5.9AA (Repealed)	<b>Not applicable.</b>
Clause 5.10 – Heritage conservation	<p><b>Complies.</b> The site itself is not identified as containing heritage items, Aboriginal objects or features in a heritage conservation area. However, as per Richmond Valley Council Mapping (LEP) the site is identified on the Heritage Map as adjoining Heritage Item 39. The Heritage Item relates to the railway land to the north and east of the subject sites.</p> <p>A heritage assessment has been carried out in section 3.4.5 of this SEE. Per the assessment carried out therein, the significance of the Heritage Item would not be diminished as all the parts that are intrinsic to the Heritage Item would not be removed or damaged as a result of the proposal and because the proposal would be compatible with the industrial character and setting of the Heritage Item. Therefore, the proposal is considered to conserve the heritage significance of the heritage item, including associated fabric, settings and views, in line with the objectives of Clause 5.10.</p>
Clause 5.11 – Bush fire hazard reduction	<b>Not applicable.</b> The proposal does not involve bush fire hazard reduction.
Clause 5.12 – Infrastructure development and use of existing buildings of the Crown	<b>Not applicable.</b> The proposal does not involve infrastructure development or an existing building of the Crown.
Clause 5.13 – Eco-tourist facilities	<b>Not applicable.</b> The proposal does not involve eco-tourist facilities.
Clause 5.14 – Siding Spring Observatory—maintaining dark sky	<b>Not adopted.</b>
Clause 5.15 – Defence communications facility	<b>Not adopted.</b>
Clause 5.16 – Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	<b>Not applicable.</b> The proposal does not involve the subdivision of, or dwellings on, land in certain rural, residential or conservation zones.
Clause 5.17 – Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	<b>Not applicable.</b>
Clause 5.18 – Intensive livestock agriculture	<b>Not applicable.</b> The proposal does not involve intensive livestock agriculture.
Clause 5.19 – Pond-based, tank-based and oyster aquaculture	<b>Not applicable.</b> The proposal does not involve oyster aquaculture.

Richmond Valley LEP 2012	Assessment
Clause 5.20 – Standards that cannot be used to refuse consent – playing and performing music	<b>Not applicable.</b> The proposal does not involve playing or performing of music.
Clause 5.21 – Flood planning	<b>Complies.</b> The proposed development has been designed with FFL to be above the Flood 1 in 100 year event. Refer to section 4.1 of the Stormwater Management Plan for further details.
Clause 5.22 – Special flood considerations	<b>Complies.</b> The proposed development has been designed with FFL to be above the Flood 1 in 100 year event. Regional riverine flooding typically has long warning times therefore evacuation of the site would be completed well in advance of a flood event peak.
Clause 5.23 – Public bushland	<b>Not adopted.</b>
Clause 5.24 – Farm stay accommodation	<b>Not applicable.</b> The proposal does not involve farm stay accommodation.
Clause 5.25 – Farm gate premises	<b>Not applicable.</b> The proposal does not involve a farm gate premises.
<b>Part 6: Additional Local Provisions</b>	
Clause 6.1 – Acid sulfate soils	<b>Not applicable.</b> The subject site is not identified on the Acid Sulfate Soils map.
Clause 6.2 – Essential Services	<b>Complies.</b> The site can be connected to all essential services.
Clause 6.3 – Earthworks	<b>Complies.</b> As the site is generally level and already contains existing development, the proposal only requires minor earthworks to prepare the site for development. No detrimental impacts on environmental functions and processes, neighbouring uses, heritage items or features of the surrounding land are expected to come about as a result of the proposal. No earthworks are expected to be required for Site 2 as the proposed carpark will reuse the existing concrete hardstand.
Clause 6.4 – Protection of historic New Italy village area	<b>Not applicable.</b> The subject site is not located within the land labelled as “Historic New Italy Village Area”.
Clause 6.5 (Repealed)	<b>Not applicable.</b>
Clause 6.6 – Terrestrial biodiversity	<b>Not applicable.</b> The subject site is not identified on the Terrestrial Biodiversity Map.
Clause 6.7 – Landslide Risk	<b>Not applicable.</b> The subject site is not identified on the Landslide Risk map.
Clause 6.8 – Riparian land and watercourses	<b>Not applicable.</b> The subject site is not identified on the Wetlands Map, Riparian Land and Waterways Map.

Richmond Valley LEP 2012	Assessment
Clause 6.9 – Drinking water catchments	<b>Not applicable.</b> The subject site is not identified as being located within the Drinking Water Catchments map.
Clause 6.10 – Wetlands	<b>Not applicable.</b> The subject site is not identified on the Wetlands Map, Riparian Land and Waterways Map.
Clause 6.11 – Airspace operations	<b>Complies.</b> The proposal will not penetrate the Limitation or Operations Surface of Casino Airport.
Clause 6.12 – Development in areas subject to aircraft noise	<b>Not applicable.</b> The proposal is not for a noise sensitive development.
Clause 6.13 – Development of the Glebe, Coraki	<b>Not applicable.</b> The subject site is not identified on the Dwelling Opportunity map.
Clause 6.14 – Rural workers’ dwellings	<b>Not applicable.</b> The proposal does not involve rural workers’ dwellings.
Clause 6.15 – Location of sex services premises	<b>Not applicable.</b> The proposal does not involve a sex services premises.

**Table 8: Richmond Valley LEP 2012 Assessment**

#### 4.4 Richmond Valley Development Control Plan 2021

The Richmond Valley DCP applies to the Richmond Valley Local Government Area and as such the subject site. The provisions contained within the DCP supplement and expand upon the aims, objectives and other provisions of the Richmond Valley LEP. The following sub-section provides an assessment of the proposal against the relevant development controls of the Richmond Valley DCP.

##### 4.4.1 Part C – Industrial Development

The Section applies to all land within Richmond Valley Local Government Area where industrial development is permitted with Council's consent. The planning controls considered relevant to the proposed development are contained in a number of different elements of Part C, as outlined below. There are no obvious DCP controls relating to a Car Park land use located in Zone R1 General Residential, however, this component of the proposal is considered to align with the objectives of the zone set out under the Richmond Valley LEP.

DCP Requirement	Assessment
<b>Part C Industrial Development</b>	
<b>C-2. Building Height</b>	<b>Complies.</b> Refer to section 3.4.1.3 of this SEE for details regarding the proposed building height.
<b>C-3. Building Setbacks</b>	<b>Complies.</b> The proposed building setbacks comply with this clause. Refer to section 3.4.1.4 of this SEE for details.
<b>C-4. Streetscape and Built Form</b>	<b>Complies.</b> The proposed development has evolved through a design-led approach, resulting in a high-quality development that responds to the industrial vision for the zone. The contemporary industrial architectural style and complementary landscaping will enhance the streetscape. Refer to Section 3.4.1.1 of

DCP Requirement	Assessment
	this SEE for more discussion of the development's architectural intent and an explanation of how this complies with the provisions of C-4.
<b>C-5. Landscaping</b>	<b>Complies.</b> The proposed landscaping will soften the visual impact of development and contribute to streetscape amenity, particularly along the secondary frontage of Dean Street. Refer to section 3.4.1.5 of this SEE for further details.
<b>C-6. Fencing</b>	<b>Not applicable.</b> As per the Site Plan, the proposal will retain the existing fencing along the site boundaries.
<b>C-7. Noise and Other Amenity Impacts</b>	<b>Complies.</b> Refer to section 3.4.4.1 of this SEE and the Acoustic Report (Appendix D) for details regarding noise impacts.
<b>C-8. Safety and Security</b>	<b>Complies.</b> The proposed development has been designed to ensure public areas are monitored and key principles are integrated into the design. Refer to section 3.4.1.2 of this SEE for further details.
<b>C-9. Parking, Loading and Access</b>	<b>Complies.</b> Refer to section 3.4.2 of this SEE and the Transport Impact Assessment (Appendix C) for details regarding parking, loading and access.
<b>C-10. Stormwater and Sewage and Services</b>	<b>Complies.</b> The proposal is accompanied by a SWMP (Appendix B). As per the SWMP, all stormwater will be directed to Council's stormwater drainage system.  The proposed development will be connected to water infrastructure and sewer infrastructure. Appropriate erosion and sediment controls will be implemented during construction in accordance with section 6.3 of the SWMP.
<b>C-11. Waste</b>	<b>Complies.</b> The proposed development includes a fully enclosed waste storage area within the site. Refer to section 3.4.4.3 for more details in relation to waste management.
<b>C-12. Earthworks and Retaining Walls</b>	<b>Complies.</b> The subject site is generally flat and does not require significant cutting or filling. Therefore, no earthworks or retaining walls are proposed as part of this proposal.
<b>C-13. Natural Hazards and Constraints</b>	<b>Complies.</b> As per the Richmond Valley mapping (Flood Study 2023), the portion of the site is affected by Flood 1 in 100 year (1 percent AEP). The proposal has been designed with a FFL to be above Flood 1 in 100 year event. Refer to section 4.1 of the Stormwater Management Plan for further details.
<b>C-14. Additional Considerations for Specific Uses</b>	<b>C14.1.2:</b> <b>Complies.</b> Stage 1 includes an extension to existing building including the construction of a waste store, staff amenities area and plant room. The proposed

DCP Requirement	Assessment
	extension has been designed in consultation with a suitably qualified building consultant to ensure that any required upgrades be taken into account and the building meets the relevant standards.

**Table 9: Assessment against Part C of Richmond Valley DCP 2021**

#### 4.5 Section 4.15 (1)(b–e) Assessment

The following is an assessment of the proposal with respect to the considerations of section 4.15(1)(b–e) of the Act.

Matters for Consideration	Assessment
(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>The proposal is generally consistent with the objectives and development controls contained within the various environmental planning instruments and development control plans that apply to the site. The proposal will not detrimentally affect the surrounding local amenity or compromise existing or future uses in the surrounding area. The design is entirely appropriate for the industrial locality and is consistent with existing nearby built form. The proposed development will not result in unacceptable impacts on the built environment in this location.</p> <p>The proposal will further strengthen the position of the Casino as the focal point for the region’s beef industry by expanding a long-established Northern Rivers-based family owned wholesale business that specialises in supplying premium quality meat products (Spring Grove). The proposal will thereby effectively be in public interest as it would provide a direct economic benefit to the area and stimulate local employment growth. Furthermore, the proposal is considered compatible with the existing area and will not detrimentally affect social or economic establishments existing in the locality.</p>
(c) the suitability of the site for the development	<p>The proposed development is situated within Zone E4 General Industrial and Zone R1 General Residential under the Richmond Valley LEP 2012. The ultimate development (Stage 2) involves the extension of the existing General Industry building, the construction of a new Warehouse and Distribution Centre building and offsite car parking, all of which will be operated by the national food distributor Spring Grove. The proposed uses are permitted with consent within the zones and therefore the sites are considered to be suitable for the proposed development.</p>
(d) any submissions made in accordance with this Act or the regulations	<p>All submissions are to be appropriately considered by Council as part of the assessment process.</p>

Matters for Consideration	Assessment
(e) the public interest.	The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. The proposed development is a permissible land use and satisfies the provisions of Richmond Valley LEP 2012, Richmond Valley DCP 2021 and relevant state legislation and can be delivered with no significant adverse environmental, built form or social impacts. The proposal is therefore a positive outcome for Casino and the wider region and is considered to be in the public interest.

**Table 10: Assessment against s4.15(1)**

#### 4.6 Designated Development

Schedule 3 of the *Environmental Planning and Assessment Regulation 2021* (Regulation) identifies development that is designated development. Assessment against Schedule 3 of the Regulations confirms the proposed development is **not** designated development.

#### 4.7 Integrated Development

In accordance with Section 4.46 of the Act, the proposal is required to comply with the following in Table 11 below:

Act	Provision	Approval	HPC comment
<b>Coal Mine Subsidence Compensation Act 2017</b>	s22	Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district.	<b>Not applicable.</b>
<b>Fisheries Management Act 1994</b>	s144	Aquaculture permit.	<b>Not applicable.</b>
	s201	Permit to carry out dredging or reclamation work.	<b>Not applicable.</b>
	s205	Permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease.	<b>Not applicable.</b>
	s219	Permit to: (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat.	<b>Not applicable.</b>
<b>Heritage Act 1977</b>	s58	Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1).	<b>Not applicable.</b> The site contains no State Heritage listings and does not involve any of

Act	Provision	Approval	HPC comment
			the matters listed under section 57(1).
<b>Mining Act 1992</b>	ss 63, 64	Grant of mining lease	<b>Not applicable.</b>
<b>National Parks and Wildlife Act 1974</b>	s90	Grant of aboriginal heritage impact permit.	<b>Not applicable.</b>
<b>Petroleum (Onshore) Act 1991</b>	s16	Grant of production lease.	<b>Not applicable.</b>
<b>Protection of the Environment Operations Act 1997</b>	ss 43(a), 47 and 55	Environment protection licence to authorise carrying out of scheduled development work at any premises.	<b>Not applicable.</b> Scheduled development is not proposed.
	ss 43(b), 48 and 55	Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a “waste activity” but including any activity described as a “waste facility”).	<b>Not applicable.</b> Scheduled activities are not proposed.
	ss 43(d), 55 and 122	Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.	<b>Not applicable.</b>
<b>Roads Act 1993</b>	s138	Consent to— (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road	<b>Not applicable.</b>
<b>Rural Fires Act 1997</b>	s100B	Authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes	<b>Not applicable.</b>
<b>Water Management Act 2000</b>	ss 89, 90, 91	Water use approval, water management work approval or activity approval under Part 3 of Chapter 3	<b>Not applicable.</b> Interception of the water table will not occur.

Table 11: Integrated Development Assessment



## 4.8 Environmental Assessment

Clause 50(1)(c) of the Regulations requires development applications be accompanied by the information and documents that are specified in Part 1 of Schedule 1 of the Regulation. Clause 2(4) of Part 1 of Schedule 1 provides that a Development Application must be accompanied by a Statement of Environmental Effects which must indicate the following matters:

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

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### Response

Potential adverse impacts arising from the proposed development are outlined and summarised in section 3.4 of this SEE. The measures used to recognise any potential environmental impacts include the Richmond Valley LEP and DCP, the applicable SEPPs, and other relevant Council Policies and Codes.

The measures used to identify any potential environmental impacts include:

- A comprehensive review of the relevant state planning instruments, local planning instruments, and relevant Council Policies and Codes.
- Site specific design to align with the regulations and ensure that impacts on adjacent properties are mitigated.
- Consideration of development in the locality and the emerging character of the area.

Strategies to mitigate and manage potential adverse impacts arising from the proposed development are also identified in the submitted plans and specialist reports.

## 5 Conclusion

This application seeks Development Consent for extension to General Industry (staff amenities block, store and plant room), Warehouse (cold storage) and Distribution Centre, Car Park and Signage at 7 and 9 Dyraaba Street and 90-94 Colches Street, Casino NSW 2470, described as Lot 1 on DP1265471, Lot 50 on DP1269942, Lots 2 and 3 on DP111679, Lot 1 on DP118459 and Lot 92 on DP1230955.

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The application has been assessed against the relevant requirements of the Richmond Valley LEP, Richmond Valley DCP, and the relevant state planning instruments, and is demonstrably appropriate for the subject site. Consequently, the application is recommended for approval subject to reasonable and relevant conditions.

This SEE has demonstrated the following key planning grounds as the basis for the above recommendation:

- The proposed industrial uses will fulfil the objectives of the E4 General Industrial zone, being to provide a range of industrial land uses and encourage employment opportunities.
- The proposed offsite staff car park is compatible with the R1 General Residential Zone considering the context of the site and the existing non-residential use rights of the site and would not bring about any undue land use conflicts or tensions.
- The development is considered to provide a visually appealing and functional industrial development through incorporating a high standard of architectural and landscape design.
- The proposal will not have a detrimental impact upon the site, surroundings, stormwater or transport network.
- The strategic location of the site is ideal for the proposed staged Warehouse and Distribution facility, with convenient and direct access to the B-double network.
- The proposed use is not anticipated to have any adverse impacts on the amenity of sensitive land uses particularly in regard to noise emissions.
- The proposed development will not result in unacceptable impacts on the natural or built environment.
- The proposal would support the growth of a locally based family business which would in-turn increase the supply of local jobs and would bolster position of Casino as the focal point for the region's beef industry.

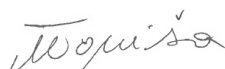
In conclusion, it is recommended that Development Consent for extension to General Industry (staff amenities block, store and plant room), Warehouse (cold storage) and Distribution Centre, Car Park and Signage be granted in accordance with the plans and documentation submitted.

Yours sincerely,

**HPC Planning**

A.B.N. 93 670 815 022

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