

Statement of Environmental Effects

Construction of a new commercial building and use as a veterinary clinic – Maclean Veterinary Clinic

**Lot 71 DP 626337 (No. 62)
River Street, Maclean NSW 2463**

Clarence Valley Council



14th July 2021

Prepared for:

Maclean Veterinary Clinic

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Executive Summary

This Statement of Environmental Effects (SEE) accompanies a Development Application in relation to the construction of a new commercial building and use as a veterinary clinic at 62 River Street, Maclean.

The subject development seeks approval for use and building works.

Maclean Veterinary Clinic (MVC) will be relocating from the current premises at 42 River Street to 62 River Street, Maclean. This move will allow the business to have more accessible car parking, better building accessibility as well as a larger purpose-built building to operate out of as the region grows and caters for leading technology and veterinary practice.

Over the past 13 years MVC has grown from a single-vet practice to a multi-vet practice. The practice employs 2.5 vet FTE, and 3.5 FTE support staff. It provides placement for high school and TAFE students wanting to study their certificates in Animal Studies. In the past decade the practice has increased its diagnostic capacity to include digital radiography, ultrasonography, dental radiography and an in-house laboratory which allows blood test results within an hour, allowing MVC to vastly improve patient care and a better 24hr emergency service for the region.

The current pandemic has seen an increase of animal companionship ownership which equates to around 30% industry growth. This, together with a considerable shortage of veterinarians provides the new purpose-built facility with significant advantages in terms of recruiting veterinary surgeons to the locality.

Under the current Local Environmental Plan (LEP) applying to the land the development type is permitted.

This SEE provides an assessment of the subject development under Section 4.15 of the Environmental Planning and Assessment Act (*as amended*) 1979 (EP&A Act).

This SEE best-addresses the above and justifies why the proposed works are permitted.

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1.0 Introduction

This *SEE* accompanies a Development Application in relation to the construction of a new commercial building and use as a veterinary clinic at 62 River Street, Maclean.

The statement addresses the relevant matters for consideration under Section 4.15 of the *EP&A Act* as well as matters relating to environmental impacts required by Schedule 1 of the Environmental Planning and Assessment Regulation 2000 (the Regs).

This document should be read in conjunction with the following documents that accompany the Development Application:

Document	Prepared by	Revision	Date	Drawing No.(s)
Cover Page	Cyclo Group	2	27/7/21	100
Location Map	Cyclo Group	2	27/7/21	101
Site Analysis	Cyclo Group	2	27/7/21	102
Site Plan	Cyclo Group	3	27/7/21	103
Ground Floor	Cyclo Group	12	27/7/21	201
Car Parking	Cyclo Group	4	27/7/21	208
Elevations	Cyclo Group	4	27/7/21	209
Roof Plan	Cyclo Group	6	27/7/21	210
Long Sections	Cyclo Group	5	27/7/21	211
Short Sections	Cyclo Group	4	27/7/21	212
Shadow Diagram	Cyclo Group	2	27/7/21	213
Cut and Fill diagram	Cyclo Group	2	27/7/21	214
Waste Management & Sediment and Erosion Control Plan	Cyclo Group	2	27/7/21	300
Business in Operation Waste Management plan	Cyclo Group	2	27/7/21	301
Materials and Finishes		1	27/7/21	400
Signage Details	Cyclo Group	2	27/7/21	401
Architectural Design Consideration Statement	Cyclo Group	-	16/7/21	-
Operational Plan	Maclean Veterinary Clinic	-	29/6/21	-
Site Survey	O'Donohue Hanna & Associates Pty Ltd	-	27/4/21	12976-01
Hydraulic Details	Stronghold Engineers	B	27/7/21	ST01 – ST03
Landscape Plan	Bluegum Design Services	A	29/7/21	1
Waste Management Plan	Maclean Veterinary Clinic	-	29/6/21	-
Pre-DA Lodgement Meeting	Clarence Valley Council	-	21/6/21	-

2.0 Locality and Site

The site, comprising Lot 71 in DP 626337, is on the western side of River Street, at the junction with Taloumbi Street. The allotment is a parallelogram in shape, comprises an area of 742.4 m² and can be described as a corner lot. The site has a gradual decent from east to west with the decent becoming more apparent within the rear half of the lot.



The allotment of land is not burdened by any Covenants, Easements or Restrictions as per the Title that affect the proposed development.

No significant trees exist within close proximity to the subject works.

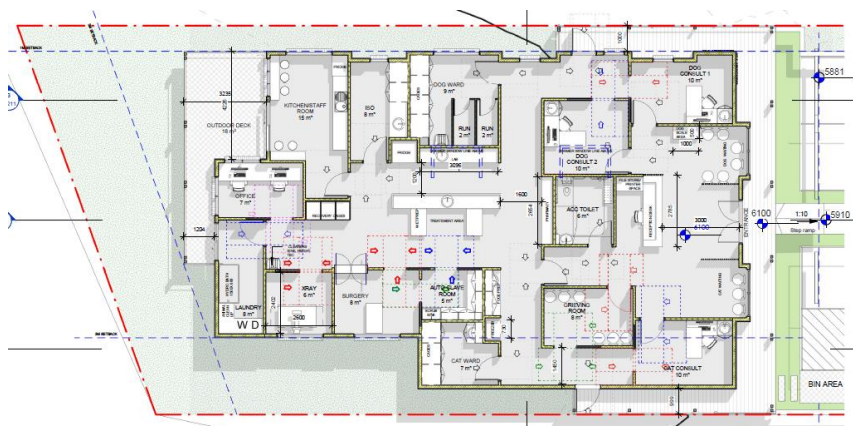
The allotment directly adjoins a roadway and residential properties however over the road to the north, north-east and east are commercial establishments.

3.0 Subject Development

The Development Application seeks approval for the construction and use of a veterinary clinic.

Below is a basic summary of the key aspects of the subject structure:

62 River Street, Maclean	
Veterinary Clinic (proposed use)	
Site Area	742.4 sqm
Floor area	237 m ²
Building height	6.67 m
Northern set-back	1m
Eastern set-back	18.7 m
Southern set-back	1 m
Western set-back	3m
Number of staff	2.5 full-time equivalent veterinarian 3.5 full-time equivalent support staff
Clientele at any-one-time	6 x persons
Operating hours	8:30 Am to 5:00 PM Monday to Friday 8:30 AM to 11:30 AM Saturday <i>*after-hours care will be provided for critically ill patients or those that require ongoing care</i>
Off-street car parking spaces	7 x regular off-street car parking spaces 1 x disabled car parking space and associated shared area



Floor plan – overall layout of premises

4.0 Heads of Consideration

In determining a development application, a consent authority is to take into consideration those matters that are of relevance to the development under Section 4.15 (1) of the Environmental Planning and Assessment Act 1979.

This *SEE* addresses all of the heads of consideration under Section 4.15 (1) of the *EP&A Act*, which states:

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 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 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

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

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

Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

(a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or

(b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.

The following Section provides an assessment under Section 4.15 (1) of the EP&A Act.

4.1 SECTION 79C (1)(A)(I) – ENVIRONMENTAL PLANNING INSTRUMENTS

Relevant EPI	<i>Clarence Valley Local Environmental Plan 2011</i>
Use	<i>Commercial – veterinary hospital</i>
Zoning	<i>Zone B2 – Local Centre</i>

Clarence Valley Local Environmental Plan 2011 Map summary

The following is a map summary of applicable land use controls to the development site as per the Map Index of the LEP.

Acid sulfate soils map	<i>Class 5</i>
Foreshore building line map	<i>Not affected</i>
Height of Building Map	<i>9m</i>
Mines Subsidence	<i>Not Affected</i>
Heritage map	<i>Heritage conservation area</i>
Riparian Lands and Watercourses	<i>Not Affected</i>
Key sites map	<i>Not affected</i>
Land reservation acquisition map	<i>Not affected</i>
Land zoning map	<i>B2 – Local Centre</i>
Minimum lot size	<i>Not Affected</i>
Local Aboriginal Land Council	<i>Yaegl</i>
Bushfire Prone Land	<i>Not Affected</i>
Drinking Water Catchment	<i>Not Affected</i>
Flood Affected	<i>Affected</i>

Proposed Use

The B2 – Local Centre zoning permits veterinary hospitals with development consent. The subject structure and associated use are in line with the zoning of the land.

The Clarence Valley Local Environmental Plan defines a veterinary hospital as a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

Zone Objectives

The LEP provides for certain ‘objectives’ of the B2 – Local Centre zone. These objectives are detailed below together with a comparison against the outcomes of the subject development:

Zone B2 – Local Centre

Objectives of zone

- ***To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.***

Subject Development: The proposed clinic will provide an array of veterinary services to the local community and beyond in a safer, better-functioning and purpose-built premises.

- ***To encourage employment opportunities in accessible locations.***

Subject Development: Over the past 13 years MVC has grown from a single-vet practice to a multi-vet practice. The practice employs 2.5 vet FTE, and 3.5 FTE support staff with potential to grow. It provides placement for high school and TAFE students wanting to study their certificates in Animal Studies to the local community

- ***To maximise public transport patronage and encourage walking and cycling.***

Subject Development: the proposed works will be undertaken within a residential allotment with no opportunity to better the existing transport and community links

- ***To reinforce and support the central business districts of Maclean, Iluka and Yamba as the commercial centres for these towns.***

Subject Development: permitting the proposed veterinary clinic at the subject property would ensure the essential services this business provides remains within the central business district of Maclean

- ***To minimise conflict between land uses within the zone and land uses within adjoining zones.***

Subject Development: the subject allotment adjoins a residential zone to the west. Adjoining the southern boundary however are residential premises within the B2 zone. It is evident permissible developments in adjoining zones can be utilised in harmony

- ***To enable other land uses that are compatible with and do not detract from the viability of retail, business, entertainment and community uses within the zone.***

Subject Development: the proposed premises will provide better-functioning and attractive facilities for those in need of veterinary services within the locality and beyond. The location of the new premises will have no negative impact on the business operations of surrounding commercial premises.

Relevant development standards of the LEP:

Development standards contained within *the LEP* which are of relevance to the development are contained within the following Sections:

- *Clause 4.3- the height of a building on any land is not to exceed the maximum height shown for the land on the **Height of Buildings Map** in which case is 9m – the subject development complies in this regard*
- *Clause 4.4 – Floor space ratio – not adopted*

- *Clause 5.10 – the allotment is located within a heritage conservation area. As such, a heritage impact statement accompanies this application*
- *Clause 7.4 – Floodplain Risk Management - The site is partially flood prone. All materials of construction below 4.46m AHD must be of flood compatible materials The building design must be certified by a practising structural engineer to the effect it will be capable of withstanding all forces imposed upon it during a 1 in 100 year flood event.*
- *Clause 7.5 – Coastal Risk Planning – Please refer to assessment against SEPP (Coastal Management) 2018 herein*

Relevant EPI	<i>SEPP (Vegetation in Non-Rural Areas) 2017</i>
Use	<i>Commercial – veterinary hospital</i>
Zoning	<i>Zone B2 – Local Centre</i>

SEPP (Vegetation in Non-Rural Areas) 2017 Summary

The Vegetation SEPP (the SEPP) works together with the Biodiversity Conservation Act 2016 and the Local Land Services Amendment Act 2016 to create a framework for the regulation of clearing of native vegetation in NSW.

The SEPP ensures the biodiversity offset scheme (established under the Land Management and Biodiversity reforms) will apply to all clearing of native vegetation that exceeds the offset thresholds in urban areas and environmental conservation zones that does not require development consent.

The proposed development proposes no substantial vegetation clearing and therefore the proposal is in accordance with the aims of this policy.

Relevant EPI	<i>SEPP (Coastal Management) 2018</i>
Use	<i>Commercial – veterinary hospital</i>
Zoning	<i>Zone B2 – Local Centre</i>

SEPP (Coastal Management) 2018 Summary

The Coastal Management SEPP implements the objectives of the Coastal Management Act 2016 (the Act) from a land use planning perspective, by

specifying how development proposals are to be assessed if they fall within the coastal zone.

The SEPP promotes an integrated and coordinated approach to development assessment, with tailored development controls to ensure development proponents and consent authorities consider and address the most important issues for the coastal management area(s) their proposal falls within. The SEPP is supported by detailed mapping.

The subject site is identified as being within the Coastal Environment Area and Coastal Use Area on the applicable mapping. The table below investigates the relevant clauses of the SEPP further:

<i>SEPP (Coastal Management) 2018</i>			
<i>Clause</i>	<i>Comment</i>	<i>Complies</i>	
		<i>Yes</i>	<i>No</i>
13 (1) (a)	The proposed development of the site is not of a type or scale to effect the integrity of the coastal environment	Yes	
13 (1) (b)	The proposed development of the site is not of a type or scale to effect the integrity of the coastal environment. Further, the allotment is not located within the surf zone	Yes	
13 (1) (c)	5 x allotments separate the subject allotment and marine estate	Yes	
13 (1) (d)	The subject allotment comprises a vacant parcel of land that does not inherit any significant vegetation, fauna or associated habitats	Yes	
13 (1) (e)	The subject allotment is not owned by a public entity nor do any community foreshore access provisions exist	Yes	
13 (1) (f)	The site is not known to be of significance of any aboriginal cultural heritage, associated practices or places	Yes	
13 (1) (g)	The allotment is not located within the surf zone	Yes	
13 (2) (a)	Th allotment does not inherit any environmental features that would impact the requirements of subclause 1 and therefore there are no adverse impacts	Yes	
13 (2) (b)	Informational	Yes	
13 (2) (c)	Informational	Yes	
13 (3)	The subject land is not within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Yes	
14 (1) (a) (i)	The subject allotment is not owned by a public entity nor do any community foreshore access provisions exist	Yes	
14 (1) (a) (ii)	An overshadowing diagram accompanies this application. The introduction of the proposed building (on the vacant lot) will concentrate wind funnelling to follow the public road network that governs the coast line in harmony with the surrounding	Yes	

	cross-streets. The allotment and associated proposed development will sit lower than the line of sight level of other properties that surround the property to the northern, eastern and southern aspects.	
14 (1) (a) (iii)	The proposed development can not be seen as being out of character in respect of similar developments and buildings within the locality. Therefore the visual amenity of the coastal headlands will be maintained as a result of the development	Yes
14 (1) (a) (iv)	The site is not known to be of significance of any aboriginal cultural heritage, associated practices or places	Yes
14 (1) (a) (v)	The allotment is within a heritage conservation area and as such a heritage impact statement accompanies this application	Yes
14 (1) (b) (i)	Th allotment does not inherit any environmental features that would impact the requirements of subclause 1 and therefore there are no adverse impacts	Yes
14 (1) (b) (ii)	Informational	Yes
14 (1) (b) (iii)	Informational	Yes
14 (1) (c)	The allotment and associated proposed development will sit lower than the line of sight level of other properties that surround the property to the northern, eastern and southern aspects	Yes
14 (2)	The subject land is not within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Yes

Relevant EPI	<i>SEPP No. 64 (Advertising and Signage)</i>
Use	<i>Commercial – veterinary hospital</i>
Zoning	<i>Zone B2 – Local Centre</i>

State Environmental Planning Policy No 64 – Advertising and Signage Summary

State Environmental Planning Policy No. 64 – Advertising and Signage ([SEPP 64](#)) sets out planning controls for advertising and signage in NSW. The SEPP requires signage to be compatible with:

- the future character of an area,
- provide effective communication in suitable locations and
- be of high quality design and finish.

Further the SEPP regulates signage, provides time-limited consents, regulates the display of advertising in transport corridors, and ensures that public benefits may be derived from advertising in and adjacent to transport corridors.

SEPP No. 64 (Advertising and Signage)			
Clause	Comment	Complies	
		Yes	No
Part 1 - Preliminary			
1	Informational	Yes	
2	Informational	Yes	
3	<ul style="list-style-type: none"> The signage is compatible with the visual character of the immediate locality as the subject intersection is bounded by commercial premises The proposed signage will be located adjacent the main entry and is easily identifiable from within the road reserve The proposed signage will be manufactured and installed by a sign writer to AS 1170 	Yes	
4	Informational	Yes	
5	The plan applies to this proposal	Yes	
6	The plan applies to this proposal	Yes	
7	Informational	Yes	
Part 2 – Signage Generally			
8	The proposed signage satisfies both the objectives of Clause 3 and assessment criteria set-out in Schedule 1 as detailed herein	Yes	
Part 3 – Advertisements			
9	The proposed signage is for business identification purposes and as such this Part does not apply	Yes	
10	Informational	Yes	
11	Informational	Yes	
12	Informational	Yes	
13	Informational	Yes	
14	Informational	Yes	
15	Informational	Yes	
16	Informational	Yes	
17	Informational	Yes	
18	Informational	Yes	
19	Informational	Yes	
20	Informational	Yes	
21	Informational	Yes	

22	Informational	Yes
23	Informational	Yes
24	Informational	Yes
25	Informational	Yes
26	Informational	Yes
27	Informational	Yes
28	Informational	Yes
Part 4 – Miscellaneous		
29	Informational	Yes
30	Informational	Yes
31	Informational	Yes
32	Informational	Yes
32A	Informational	Yes
33	Informational	Yes
34	Informational	Yes
Schedule 1	The proposed signage will be well positioned, aesthetically appropriate and ensure the location of the premises is well received within the community. Further, the width of the road reserve and minimal width of the sign ensures road users and pedestrians have clear vision of the intersection in all directions. No illumination of the sign is proposed that would effect road users or neighbouring properties. The signage proposed measures 1,000x2,700mm with the base of the sign sitting lower than the road reserve	Yes

4.2 SECTION 4.15 (1)(A)(II) – DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

Relevant EPI	N/A
Use	N/A
Zoning	N/A
Applicability to proposal	N/A

4.3 SECTION 4.15 (1)(A)(III) – ANY DEVELOPMENT CONTROL PLAN

Development Control plan	Applicability
Clarence Valley Development Control Plan 2011	Business Zones

Clarence Valley Development Control Plan 2011 is the relevant DCP that applies to this land. The relevant Sections of this DCP are investigated below and compared to the subject development.

Clarence Valley Development Control Plan 2011 - Business Zones

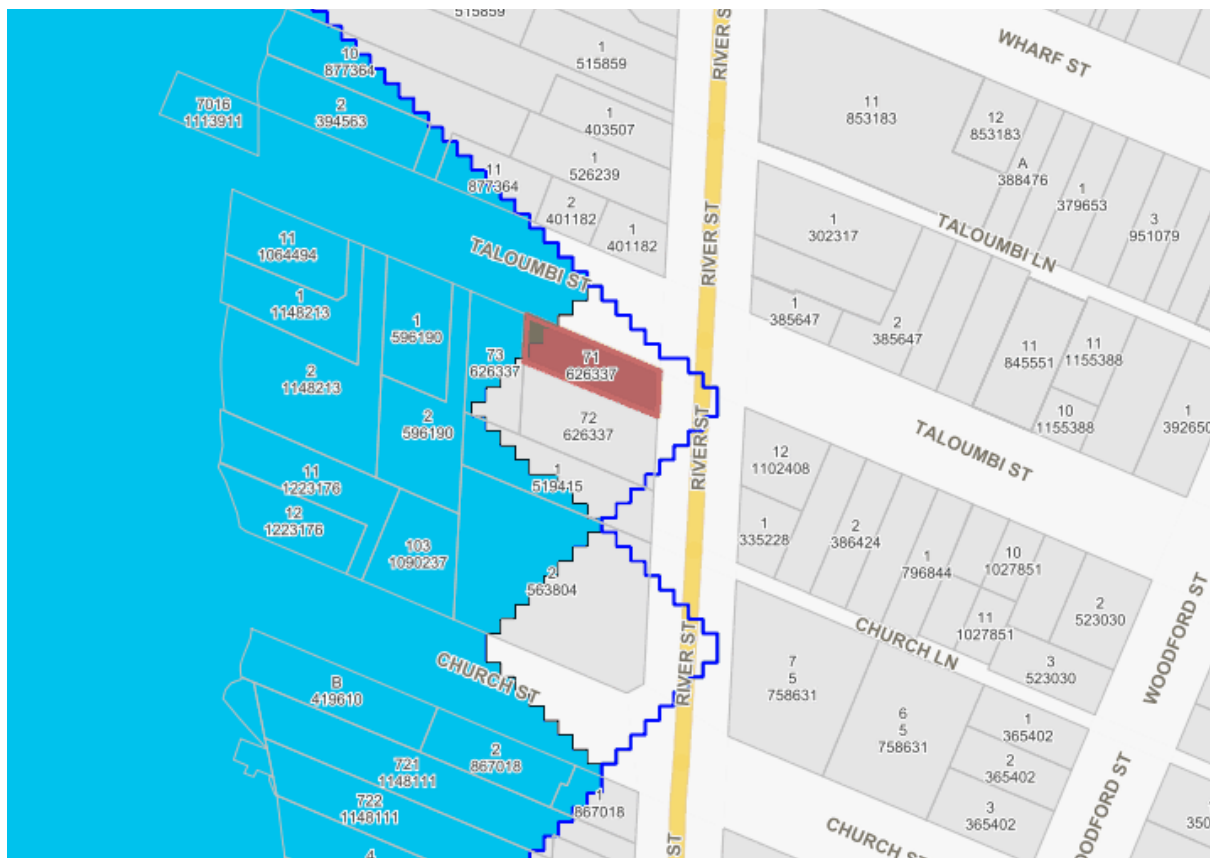
<i>Part C</i>	<i>General Development Controls for Business Zones</i>	
<i>Section</i>	<i>Comment</i>	<i>Complies</i>
		<i>Yes</i> <i>No</i>
<i>Part C3 – Streetscape/Town Character</i>		
C3 (a)	The proposal comprises vertical elements such as support posts and a dutch gable that form part of the front façade	Yes
C3 (b)	The proposal comprises a hipped roof formation with a large dutch gable that occupies the center of the roof area	Yes
C3 (c)	The proposed building will be setback well behind the permitted building line. The aspect of the proposal facing the secondary road will be proportionate to the extent of the proposed driveway entrance and associated car parking area	Yes
C3 (d)	The allotment is flood affected and as such there are floor level limitations. Due to this, and the topography of the site, the proposal does present itself as a two storey building	Yes
<i>Part C4 – Disabled Access and Facilities</i>		
C4.1	It is proposed that all areas to and within the building (including the principal pedestrian entrance) will provide access for persons with a disability. An accessible sanitary facility is also proposed within the front half of the subject building	Yes
C4.2	There is no existing building on site	Yes
<i>Part C5 – Awnings and Verendahs</i>		
C5 (a)	Posts associated with the verendah entrance are beyond the landscaped area adjacent the car parking spaces	Yes
C5 (b)	To be addressed at CC stage. The introduction of kerb stops may address this	Yes
C5 (c)	Car parking spaces are not within the road reserve or angled	Yes
<i>Part C6 – Building Height</i>		
C6.1	A maximum building height of 9m applies. The proposed maximum building height is 6.670m	Yes

C6.2	The height from NGL (worst-case) to the top plate is less than 6.5m	Yes
Part C7 – Variation to Maximum Building Height		
C7 (a)	The proposal does not exceed the maximum building height provisions	Yes
C7 (b)	The proposal does not exceed the maximum building height provisions	Yes
Part C8 – Setbacks		
C8.1	Requiring the building to comply with this control would severely impact the amenity existing adjoining residential premises	Yes
C8.2	Please refer to above	Yes
C8.3	The allotment does not adjoin Queens Lane	Yes
C8.4	The proposal has considered all existing/proposed services. The allotment is not burdened by any easements	Yes
C8.5	There is no outside masonry levee wall	Yes
C8.6	The proposal is setback a minimum 3m from the adjoining residential zone to the rear	Yes
C8.7	Informational	Yes
Part C9 – Landscaping, Paving and Street Furniture		
C9.1	Informational	Yes
C9.2	Please refer to the landscape plan that forms part of this Development Application	Yes
C9.3	Please refer to the landscape plan that forms part of this Development Application	Yes
C9.4	Please refer to the landscape plan that forms part of this Development Application	Yes
C9.5	Please refer to the landscape plan that forms part of this Development Application	Yes
C9.6	Please refer to the landscape plan that forms part of this Development Application	Yes
C9.7	Please refer to the landscape plan that forms part of this Development Application	Yes
Part C10 – Colour		
C10.1	Please refer to the schedule of colours and finishes that form part of this application	Yes
C10.2	Please refer to the schedule of colours and finishes that forms part of this application	Yes
C10.3	Please refer to the schedule of colours and finishes that forms part of this application	
Part C11 – Crime Prevention		
C11 (a)	To be addressed at CC stage	Yes
C11 (b)	Parking areas are within the primary road frontage	Yes
C11 (c)	To be addressed at CC stage	
Part C12 – Development on Flood Prone Land		
C12.1	Informational	Yes

C12.2	The allotment is not located on Treelands Drive	Yes
Part C13 – Air, Water and Noise Pollution		
C13	Please refer to hours of operation detailed within this SEE. No outdoor boarding kennels or the like are proposed outside the confines of the external walls of the building	Yes
Part C14 – Waste Management		
C14.1	Please refer to the WMP that forms part of this application	Yes
C14.2	Please refer to the WMP that forms part of this application	Yes
C14.3	Please refer to the WMP that forms part of this application	Yes

Part D	General Development Controls for Business Zones	
Section	Comment	Complies
		Yes
Part D7 – What Information is Required with an Application for Development on Flood Liable Land		
D7.1	As can be seen in the extract below, a small portion of the site (which will not comprise the proposed building) is subject to the 1:100 year flood event. The remainder of the allotment is subject to the PMF. All materials of construction below 4.46m AHD will be of flood compatible materials The building design will be certified by a practising structural engineer to the effect it will be capable of withstanding all forces imposed upon it during a 1 in 100 year flood event at CC stage	Yes
D7.2	As can be seen in the extract below, a small portion of the site (which will not comprise the proposed building) is subject to the 1:100 year flood event. The remainder of the allotment is subject to the PMF. All materials of construction below 4.46m AHD will be of flood compatible materials The building design will be certified by a practising structural engineer to the effect it will be capable of withstanding all forces imposed upon it during a 1 in 100 year flood event at CC stage	Yes
D7.3	As can be seen in the extract below, a small portion of the site (which will not comprise the proposed building) is subject to the 1:100 year flood event. The remainder of the allotment is subject to the PMF. All materials of construction below 4.46m AHD will be of flood compatible materials The building design will be certified by a practising structural engineer to the effect it will be capable of withstanding all forces imposed upon it during a 1 in 100 year flood event at CC stage	Yes
D7.4	As can be seen in the extract below, a small portion of the site (which will not comprise the proposed building) is subject to the 1:100 year flood event. The remainder of the allotment is subject to the PMF. All materials of construction below 4.46m AHD will be of flood compatible materials The building design will be	Yes

	certified by a practising structural engineer to the effect it will be capable of withstanding all forces imposed upon it during a 1 in 100 year flood event at CC stage	
D7.5	As can be seen in the extract below, a small portion of the site (which will not comprise the proposed building) is subject to the 1:100 year flood event. The remainder of the allotment is subject to the PMF. All materials of construction below 4.46m AHD will be of flood compatible materials The building design will be certified by a practising structural engineer to the effect it will be capable of withstanding all forces imposed upon it during a 1 in 100 year flood event at CC stage	Yes
D7.6	As can be seen in the extract below, a small portion of the site (which will not comprise the proposed building) is subject to the 1:100 year flood event. The remainder of the allotment is subject to the PMF. All materials of construction below 4.46m AHD will be of flood compatible materials The building design will be certified by a practising structural engineer to the effect it will be capable of withstanding all forces imposed upon it during a 1 in 100 year flood event at CC stage	Yes



Flood Mapping Extract – 1:100 year flood event and PMF

Part E		General Development Controls for Business Zones	
Section	Comment	Complies	
		Yes	No
Part E4 – Development Application Information Requirements and Matters for Consideration			
E4 (a)	The allotment does not comprise an item of heritage significance	Yes	
E4 (b)	Please refer to E4 (d) below	Yes	
E4 (c)	The allotment is a vacant block of land	Yes	
E4 (d)	<p>The commercial character was identified in several precincts of Maclean. However, the adjacent street to this site has been observed more of a residential nature. There are many buildings that have undergone change of uses with in existing residential area which were initially timber cottages. The narrow frontages and verandahs are a leading but pleasing streetscape of the area. The architectural characteristics of the neighbourhood are simple and conventional. The adjoining properties to 62 River St that mentioned above are single storey tiles hip roofed brick dwelling with a double garage, and of residential use. The other buildings on River Street have enhanced architectural features such as timber weatherboard exterior walls, and a mix of Hip, Dutch and Dormer roofs.</p> <p>The most prominent common architectural heritage feature in the precinct is a verandah with thin timber posts in combination with hip or Dutch roof. Another common feature is the brick pier subfloor construction, employed to achieve the levels and mitigate the flood issues within the precinct.</p> <p>As the propose site is within the vicinity of the precinct where buildings are projecting heritage characters, the design intent was to remain in keeping with these dominant themes. The prosed building presents as a single storied timber weatherboard façade with a combination of dormer and hip roof character. To align with the DCP Part E recommendations, the roof proposed is to be of uncoated Zincalume steel, or preferably, pale grey Colorbond as this raises no issues with reflectivity.</p> <p>The front façade of the building has been proposed with a veranda with proportionately thin timber posts supporting the roof structure. The design of the veranda is simple in style yet reflecting the built characters of the historic precincts.</p> <p>The design contains the architectural elements of Dutch and dormer roof at the front and hip roof at the rear. The front porch has been achieved by the veranda, which also serves as the traditional shading element.</p>	Yes	

	<p>The exterior finishes for the proposed building have been chosen to be consistent with the local traditional Australian vernacular. The exterior façade has been proposed with a mix of cladding in ‘weatherboard’ style and plain timber painted cladding façade. On the North façade, material differentiation is achieved by the use of the weatherboard cladding above horizontal timber slatting as well as extensive glazed elements. These slatted elements allow airflow in the tradition of the ‘Queenslander’ style and provide a base to the building which is not overly dominant or visually heavy.</p> <p>The building is placed on piers as noted in surrounding traditional construction, which provides the required elevation at rear to achieve the required levels and allow views to the Clarence River from the rear rooms.</p> <p>The colours and finishes have been chosen in a way that are in align and blends with the streetscape. To keep the conservation value, subtle variation of colours has been proposed, following the recommendations of heritage conservation part E of DCP.</p> <p>The required parking facilities in front of the building along with front boundary landscaping have created substantial setback space before entering to the building, thus ensured privacy and noise control. The carpark is set into the rising gradient of the block, thus reducing its prominence in the streetscape.</p> <p>Considering the proposed use of the built form, the side setback has been proposed more than the DCP requirements where there is residential property adjacent to the site. Where the part of the building sits within 3 m of the boundary of adjacent property, it has been proposed with rooms which do not require natural light and hence the design proposal eliminates potential challenges with fire rating, acoustic challenges etc.</p> <p>Furthermore, the proposal is compliant to the LEP and DCP controls in terms of building height and setbacks, ensuring there would not be any unreasonable impacts to the adjoining properties by the proposed build form.</p> <p>Particularly In winter solstice, the proposed building cast shadows in a way that adjoining properties get more than 3 hours of light inside the building.</p>	
E4 (e)	Refer to schedule of colours and finishes that accompanies this application	Yes
E4 (f)	<p>The windows are proposed to be double hung timber framed which provides a strong vertical window proportion.</p> <p>This character of vertical proportions has been proposed in align with the DCP part E to maintain the historic characters of buildings.</p>	Yes
E4 (g)	The allotment currently comprises no landscape features. Please refer to landscape plan forming part of this application	Yes

E4 (h)	All proposed building work will be in conformity with Volume 1 of the NCC	Yes
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Part F	General Development Controls for Business Zones	
Section	Comment	Complies
		Yes No
Part F2 – Number of Carparking Spaces		
F2.1.1	1 x car parking space is required per 30 sqm of floor area. Therefore a minimum of 8 x car parking spaces are required. 8 x car parking spaces are proposed.	Yes
F2.1.2	Informational	Yes
F2.1.3	Informational	Yes
F2.1.4	All car parking spaces are provided on site	Yes
F2.1.5	The proposal is not considered a large scale development	Yes
F2.1.6	1 x disabled car parking space and associated shared zone is dedicated	Yes
F2.1.7	Informational	Yes
F2.1.8	Informational	Yes
F2.1.9	The car parking configuration does not propose stacking	Yes
F2.1.10	An aisle width of 6.9m is provided which is sufficient for a waste service vehicle to enter and exit the allotment in a safe manner	Yes
Part F4 – Car Parking Space Dimensions		
F4.1	All car parking spaces, disabled car parking spaces and aisles are dimensioned on the accompanying architectural plans	Yes
F4.2	All car parking spaces, disabled car parking spaces and aisles are dimensioned on the accompanying architectural plans	Yes
F4.3	All car parking spaces, disabled car parking spaces and aisles are dimensioned on the accompanying architectural plans	Yes
F4.4	All car parking spaces, disabled car parking spaces and aisles are dimensioned on the accompanying architectural plans	Yes
F4.5	All car parking spaces, disabled car parking spaces and aisles are dimensioned on the accompanying architectural plans	Yes
Part F5 – Manoeuvring, loading and unloading		
F5.1	Please see reasoning below re off-site dedicated area	Yes
F5.2	The proposed use of the building is not of a type or scale that would generate the need for constant loading and unloading of delivery vehicles to service the premises. Further, any loading or unloading of goods associated with the premises would be of small-scale items which would typically include medical supplies, food and treats for patients that would not require a dedicated area adjacent the building for their delivery	Yes
F5.3	Refer to details on architectural plans	Yes

F5.4	Please refer to F5.2 above. Loading and unloading frequencies are estimated to be twice a week	Yes
F5.5	Refer to details on architectural plan	Yes
F5.6	The proposed location of the loading bay provides a better outcome than the required location in accordance with Part F5 as it allows the loading/unloading bay to be located away from (and not associated with) the operation of the dedicated off-street car parking area	Yes
F5.7	The proposed location of the loading bay allows entry and exit from the dedicated area in a forward direction without the need for a U-turn/3-point turn resulting in a safer outcome	Yes
F5.8	The proposal is not considered “large development”	Yes
F5.9	Refer to details on architectural plan	Yes
F5.10	The proposal is not a redevelopment of existing premises	Yes
Part F6 – Access to the Site		
Vehicle Access		
F6.1	Demonstrated on carparking layout plan	Yes
F6.2	Vehicular access to the site is located via the secondary road frontage which is the least intensified roadway that shares a boundary with the allotment	Yes
F6.3	Dimensions indicated on car parking layout plan	Yes
F6.4	Informational	Yes
F6.5	The proposed vehicular crossing is a minimum 6m from the tangent point	Yes
F6.6	No existing access points will be compromised as a result of the proposed development	Yes
F6.7	Less than 50 x car parking spaces are proposed	Yes
F6.8	Access has been provided via the secondary road	Yes
F6.9	The access driveway to the car parking area provides queuing opportunities for at least 2-3 x vehicles	Yes
Gradients of Ramps and Accessways		
F6.1	Gradients of the proposed access driveway are indicated on the proposed site plan	Yes
F6.2	A maximum gradient of 1:19 has been achieved to all transitions	Yes
F6.3	Informational	Yes
F6.4	Informational	Yes
Sight distances		
F6.5	The proposed vehicular access point provides clear lines of sight and is not interrupted by any proposed fencing, walls or landscape elements	Yes
F6.6	Refer to statement above	Yes
Pedestrian Access		

F6.7	A dedicated pedestrian entry is proposed via Taloumbi street adjacent the proposed vehicular crossing. A suitable barrier is proposed to ensure the safety of pedestrians as well as a compliant handrail and gradient for disabled access	Yes
Part F7 – Car Park Design		
	Design and Safety	
F7.1	The car parking area can be considered as an open area where a clear line of sight is provided to all spaces and the principal entrance to the building	Yes
F7.2	The allotment is not of a width to allow vehicles to enter the allotment and exist the allotment in one motion without performing (at the minimum) a 3-point turn	Yes
F7.3	The proposed car parking layout and location provides for the best use of the site	Yes
F7.4	The proposed car parking area will be screened from the primary road through the use of screen planting	Yes
	Parking Directions and Signs	
F7.5	Proposed and achievable. Can also be conditioned on DA consent	Yes
F7.6	Proposed and achievable. Can also be conditioned on DA consent	Yes
F7.7	Proposed and achievable. Can also be conditioned on DA consent	Yes
F7.8	Proposed and achievable. Can also be conditioned on DA consent	Yes
	Lighting and Ventilation	
F7.9	The proposed car parking area is not covered or enclosed	Yes
F7.10	To be conditioned on DA consent and ensure no detrimental effects on adjoining residences	Yes
F7.11	Refer to statement above	Yes
Part F8 – Pavement Construction		
F8.1	To be conditioned on DA consent and details provided prior to release of CC	Yes
F8.2	To be conditioned on DA consent and details provided prior to release of CC	Yes
F8.3	To be conditioned on DA consent and details provided prior to release of CC	Yes
F8.4	To be conditioned on DA consent and details provided prior to release of CC	Yes
F8.5	To be conditioned on DA consent and details provided prior to release of CC	Yes
F8.6	To be conditioned on DA consent and details provided prior to release of CC	Yes
F8.7	To be conditioned on DA consent and details provided prior to release of CC	Yes

Part G		General Development Controls for Business Zones	
Section	Comment	Complies	
		Yes	No
Part G2 – What Type of Development Must Comply with the Sustainable Water Controls			
G2 (a)	The proposal is a means of commercial development and therefore must comply with Part G	Yes	
Part G3 – What Sustainable Water Controls Apply			
G3 (a)	Not applicable, the proposed building is not an industrial building	Yes	
G3 (b)	Refer to hydraulic concept design forming part of this application	Yes	
G3 (c)	Refer to hydraulic concept design forming part of this application	Yes	

Part H		General Development Controls for Business Zones	
Section	Comment	Complies	
		Yes	No
Part H1 – What are the Erosion and Sediment Control Objectives for Business Zones			
H1 (a)	The architectural and hydraulic plans forming part of this application comprise sediment and erosion control measures to address these objectives	Yes	
H1 (b)	The architectural and hydraulic plans forming part of this application comprise sediment and erosion control measures to address these objectives	Yes	
H1 (c)	The architectural and hydraulic plans forming part of this application comprise sediment and erosion control measures to address these objectives	Yes	
H1 (d)	The architectural and hydraulic plans forming part of this application comprise sediment and erosion control measures to address these objectives	Yes	
H1 (e)	The architectural and hydraulic plans forming part of this application comprise sediment and erosion control measures to address these objectives	Yes	

Part J		General Development Controls for Business Zones	
Section	Comment	Complies	
		Yes	No
Part J5 – Advertisements and Advertising Structures in Heritage Precincts			
J5	Part 3 of SEPP 64 does not apply to the proposed signage as clause 9 (1) (a) states “This Part applies to all signage to which this Policy applies, other than the following – business identification signs”. It must be noted that the proposed signage will be softened through the implementation of landscaping and the base of the	Yes	

	<p>signage will be below the level of the road reserve due to the RL of the associated car parking area.</p> <p>The proposed signage will be constructed of materials similar to that of the proposed building to ensure it is in harmony with the surrounds of the conservation area.</p>	
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<i>Part O</i>	<i>General Development Controls for Business Zones</i>		
<i>Section</i>	<i>Comment</i>	<i>Complies</i>	
		<i>Yes</i>	<i>No</i>
<i>Precinct 6 – Southern Gateway and Peripheral Commercial Development</i>			
1	The proposed building is setback well beyond the permitted dwelling setback control applicable to the lot. Minimal overshadowing is also proposed on the adjoining residential building to the south	Yes	
2	The allotment is on the western side of River Street and as such sits much lower than the road reserve. As a result of this, the bulk and scale of the proposed development is considered minimal when viewed by vehicle operators and pedestrians utilising River Street. This together with the proposed wrap-around verandah and combination of both low pitched hip and gable roofing (dutch gable) ensures the presence of the building is in harmony with the character of the locality	Yes	
3	The allotment comprises no existing buildings	Yes	
4	In addition to the proposed landscaping elements referred to below, the allotment is on the western side of River Street and as such sits much lower than the road reserve. As a result of this the bulk and scale of the proposed development is considered minimal for vehicle operators and pedestrians utilising River Street	Yes	
5	The concept landscape plans that form part of this application comprise significant screen planting to the River Street	Yes	

4.4 SECTION 4.15 (1)(A)(IIIa) – ANY PLANNING AGREEMENT ENTERED INTO

The development is not associated with any planning agreement or any draft planning agreement entered into under Section 93F of the *EP&A Act*.

4.5 SECTION 4.15 (1)(A)(IV) – THE REGULATIONS

The development comprises a commercial premises.

The development is not subject to the Government’s Coastal policy. No master plans are applicable to the development.

4.6 SECTION 4.15 (1)(B) – THE LIKELY IMPACTS OF THAT DEVELOPMENT

The subject development has minimal impact on the environment, neighbourhood and locality. This is due to the scale and location of the structures in comparison to the attributes of the allotment. The likely impacts of the development are provided as follows:

CONTEXT AND SETTING	The allotment is located within the Conservation Area of Maclean. The site is situated on the western side of River Street and is adjoined by No.64 River Street on the Southern boundary and 6 Taloumbi Street on the Eastern boundary (a combination of residential and commercial premises). The site is a corner block and sits in close proximity to the Clarence river.
UTILITIES	Required utilities surround the allotment. Any upgrading or additional services required as a result of the development will be consulted with the relevant utility authority at CC stage
PUBLIC DOMAIN	The development will in no manner impact on the public domain
HERITAGE	A heritage impact statement accompanies this Development Application
OTHER LAND RESOURCES	The development site does not sustain any land resources
AIR & MICROCLIMATE	The development will have no significant impact on air and microclimate
ACCESS, TRANSPORT & TRAFFIC	The subject development is not of type or scale to effect any access, transport or traffic requirements. The proposed vehicular access point has been positioned on the secondary road frontage and adequate pedestrian access is available form within the car parking area
ENERGY	A Section J assessment will form part of the Construction Certificate application
WATER	The development will have no significant impact on water resources or conservation for that matter
SOILS	The allotment predominately comprises clay
NOISE/VIBRATION	The subject structures are not capable of providing noise and vibration infringements primarily due to proposed uses
WASTE	All waste generation and disposal will be undertaken in accordance with the waste management plan
FLORA & FORNA	The development does not encroach within any such conservation area
SAFETY, SECURITY & AND CRIME PREVENTION	Refer to the main body of this statement

<i>SOCIAL IMPACT</i>	Given the nature of the development, no significant social impacts will be in effect considering the zoning of the land and character of the locality
<i>ECONOMIC IMPACT</i>	The proposal will contribute to an increasing demand for veterinary facilities to accommodate the ever-growing pet ownership rates and will attract experienced vets that will bring a wealth of knowledge to the community
<i>NATURAL HAZARDS</i>	The development is not affected by any primary natural hazards except for flooding. The location of the proposed building and FFL however has been positioned to ensure no major impacts
<i>TECHNOLOGICAL HAZARDS</i>	No known technological hazards pose a risk for the development.
<i>SITE DESIGN & INTERNAL DESIGN</i>	Site design is of similarity to other developments in the street and locality. The site has utilised the depth of the lot and contours of the land to reduce the overall height of the building whilst ensuring both car parking areas and internal areas are functional and do not limit accessibility opportunities for disabled persons
<i>CONSTRUCTION</i>	Construction details to be provided at construction certificate stage
<i>CUMULATIVE IMPACTS</i>	There are no significant or potential cumulative impacts that will detrimentally affect the site or the locality. The minimal cumulative impacts of the development are therefore considered to be acceptable for the site and area

4.7 SECTION 4.15 (1)(C) – THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

<i>DOES THE STRUCTURE FIT THE LOCALITY</i>	The structure is considered to fit the locality well and will compliment the neighbouring residential and commercial buildings as Maclean slowly transitions and welcomes new development to keep up with the needs of the community and economy.
<i>ARE SITE ATTRIBUTES CONDUCIVE TO DEVELOPMENT</i>	The site attributes are considered to be conducive to the development. There are no risks or factors associated with the site that will significantly affect the development, or that cannot be ameliorated with the structure

4.8 SECTION 4.15 (1)(E) – THE PUBLIC INTEREST

Although neighbour notification is required, the development will have minimal impact on both public infrastructure and the locality as a whole.

It is evident that the structure will not significantly affect any neighbouring dwellings in terms of privacy, overshadowing, amenity or economic loss as the

structure itself, has considered the proximity to adjoining dwellings whilst being considerate of the natural contours of the land. This will be tested throughout the neighbour notification period.

Further, the ability of the proposal to adapt and take into consideration the heritage values of the locality ensures that it's presence and business operations will be welcomed by the community.

It is therefore considered that the proposal is in the public interest.

4.9 SECTION 4.15 (1) – CONCLUSION

The heads of consideration have been assessed and reviewed against the subject structure based on it's merits. The subject structure and associated use is permissible and in general conformity with the relevant LEP and DCP.

5.0 Conclusion

The proposed development is of similar scale when compared to other development types within the locality. This however, does not deter the need to comply with Council Policy and the expectations of the community. Commercial premises are common within the street and locality. No adverse effects on neighbouring properties or the locality have been identified. The development will meet the objectives of the relevant EPI and DCP and can be used in harmony with the future outlook of the locality whilst maintaining the heritage values of the land and surrounds.

This statement contained justification as to why the subject structure and associated use should be permitted. Permissibility is justified as the subject development is consistent with the objectives of the development standards applicable to the subject allotment. The subject structure will provide great facilities for the community and surrounds with the capacity to still maintain the heritage values of the locality and will have no appreciable adverse impact on the amenity of adjoining properties or the locality.

6.0 Summary

The subject development was assessed in accordance with the provisions of Section 4.15 of the EP&A Act. Any non-compliances with the relevant LEP and DCP were identified and compared with the development based on its merits and the Objectives of the relevant LEP and DCP. It was found that the development can be used and function in accordance with the expectations of the community and the objectives of Clarence Valley Council's development controls.

7.0 Stakeholders

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