

# Development Application

Hendy Road Buronga

July 2021

planning & development specialists

[www.jgconsult.com.au](http://www.jgconsult.com.au)



James Golsworthy Consulting  
140 Pine Avenue Mildura VIC 3500  
PO Box 1650 Mildura VIC 3502  
t 03 5022 8411  
e admin@jgconsult.com.au

©Copyright, James Golsworthy Consulting Pty Ltd (2021).

This work is copyright. Apart from any use as permitted under Copyright Act 1963, no part may be reproduced without written permission of James Golsworthy Consulting Pty Ltd.

Disclaimer:

Neither James Golsworthy Consulting Pty. Ltd. nor any member or employee of James Golsworthy Consulting Pty. Ltd. takes responsibility in any way whatsoever to any person or organisation (other than that for which this report has been prepared) in respect of the information set out in this report, including any errors or omissions therein. James Golsworthy Consulting is not liable for errors in plans, specifications, documentation or other advice not prepared or designed by James Golsworthy Consulting.

# Table of Contents

Introduction .....	4	Planning assessment.....	12
Why is the proposal required? .....	5	RU5 objectives .....	12
Who are SimFresh? .....	5	Environmental assessment .....	12
Proposal .....	6	Natural environment.....	12
Statutory process.....	7	Built environment .....	12
Definition .....	7	Socio economic impacts .....	12
Tourist and accommodation facility . <b>Error! Bookmark not defined.</b>		Car parking .....	13
Zoning .....	7	Heritage.....	13
Local Environmental Plan .....	8	Waste .....	13
Development Control Plan.....	8	Noise and vibration .....	13
State Environmental Planning Policies .....	8	Social impacts.....	13
Draft Environmental Planning Instruments .....	8	Public Interest.....	14
Site and surrounding area.....	9	Conclusion .....	15
Subject site .....	9		
Locality .....	10	List of Figures	
Opportunities and constraints .....	11	Figure 1 Locality plan.....	4
Development opportunities .....	11	Figure 2 Zone map .....	7
Development constraints .....	11	Figure 3 Aerial image of the site .....	9
Location attributes .....	11	Figure 4 View to the area set aside for car parking.....	9
Design response .....	11	Figure 5 Aerial image of the locality .....	10



## Introduction

Development approval is sought for the establishment of Backpackers' accommodation within an existing building on land which is an established residential lot at Hendy Road Buronga. The building will be occupied by associates of local company SimFresh.

Land to the immediate east and south is currently vacant and the neighbouring land is developed for residential purposes. There are also non-residential uses in the form of a disused service station to the north west and horticultural land to the north east. Land to the south is bordered by the Murray River. The land is within Zone RU5 Village and considered to be appropriately placed within the Buronga township to offer Tourist and visitor accommodation.

The land has an area of 2,403m<sup>2</sup> and has frontage to the Sturt Highway to the north as well as a service road, 'Hendy Road' to the north and west. All services are currently connected to the site and no buildings and works are proposed.

The accommodation proposes 30 beds, and internally the proposal includes shared bedrooms, with communal bathrooms, laundry and kitchens, along with two entertainment rooms and an additional family and living room.

The development application is considered appropriate for the Zone and therefore should be supported by the issue of a consent.

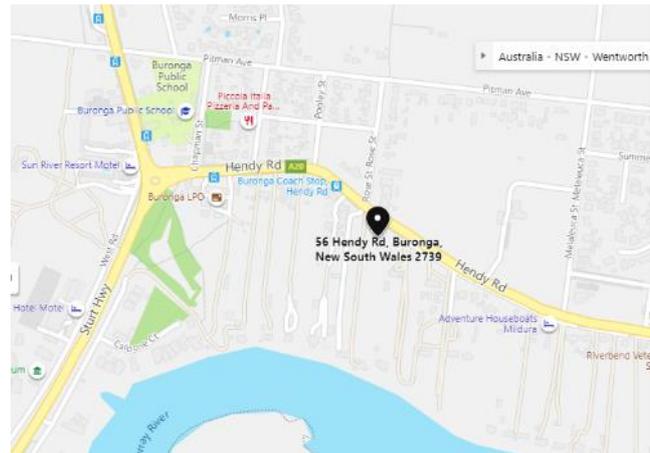


Figure 1 Locality plan

## Why is the proposal required?

Development Approval is required for the use of the existing dwelling house for Backpackers accommodation.

Backpackers' accommodation is considered as Any other development not specified in item 2 or 4, and is listed as Permitted with consent under the Wentworth LEP RU5 Village.

## Who are SimFresh?

SimFresh is a horticultural operation including citrus packing shed that operates in the Wentworth Shire Council. Led by the Simonetta family, the company grew from a 1,000-unit weekly output almost 3 decades ago to millions of satisfied customers in the present.

This application will support the continued success of the company, by providing short term accommodation dedicated to its seasonal staffing arrangements, along with global visitors who visit the operation.

## Proposal

Development consent is sought for the use of the existing dwelling house for Backpackers' accommodation.

Plans of the proposal are included in support of the application. It is proposed to cater for up to 30 beds, with existing single vehicular access from Hendy Road. The building is surrounded by existing landscaped areas and all services are currently connected to the site. The side and rear boundaries are lined with a 1.8m high colorbond fence, and an established garden includes lawn and shrubbery.



## Statutory process

The statutory process under the Environmental Planning and Assessment Act, 1979 requires an evaluation in accordance with the provisions of Section 79C. The matters for consideration include:

The provision of:

- ◆ any environmental planning instrument,
- ◆ any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved),
- ◆ any development control plan,
- ◆ 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,
- ◆ the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,
- ◆ the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- ◆ the suitability of the site for the development,
- ◆ any submissions made in accordance with this Act or the regulations, and
- ◆ the public interest.

This Statement of Environmental Effects (SEE) provides an assessment of the proposal under Section 79C (a) of the Environmental Planning and Assessment Act, 1979.

### Definition

#### Backpackers' accommodation

a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and

(c) provides accommodation on a bed or dormitory-style basis (rather than by room).

## Zoning

The land is contained within zone RU5 Village.



**Figure 2** Zone map

Figure source <http://services.land.vic.gov.au>

The objective of Zone RU5 is as follows:

- ◆ To provide for a range of land uses, services and facilities that are associated with a rural village.
- ◆ To promote development in existing towns and villages in a manner that is compatible with their urban function.
- ◆ To encourage well-serviced sustainable development.
- ◆ To ensure there are opportunities for economic development.
- ◆ To deliver new residential and employment growth in Buronga and Gol Gol.
- ◆ To ensure business and retail land uses are grouped within and around existing activity centres.

A Backpackers' accommodation facility is permitted with consent within the zone.

## Local Environmental Plan

The land is subject to the controls of the Wentworth LEP 2011. The proposal is considered to be consistent with Zone RU5 Village and there are no specific clauses under the LEP applicable to the assessment.

## Development Control Plan

Not applicable.

## State Environmental Planning Policies

There are no State Environmental Planning Policies (SEPP's) relevant to this proposal.

## Draft Environmental Planning Instruments

From a review of the Parliamentary Counsel's website and a review of the New South Wales Government Websites including planning circulars and guidelines there is no evidence of any draft SEPP's that are relevant to the proposal.

Accordingly, there is no evidence of any draft REP's for consideration.

No draft instruments are considered relevant in the assessment of this proposal.

## Site and surrounding area

### Subject site

The land contains an existing dwelling house which is proposed to be utilised for Backpackers' accommodation. The site is connected to all services and the site is regular in shape, with access via the northern boundary, Hendy Road. Land to the immediate east of the site is a relatively large allotment, predominantly vacant with a dwelling house. Land to the immediate west is bordered by an easement and laneway. There is no vegetation on the land.

The land has an area of 2,403m<sup>2</sup> and is otherwise considered to be an existing residential allotment. The land has frontage to Hendy Road which connects to the Sturt Highway. The Sturt Highway is part of the National Highway system.



**Figure 4** View to the area set aside for car parking



**Figure 3** Aerial image of the site

Source <http://maps.au.nearmap.com/>

## Locality

The locality whilst being in the urban area of Buronga contains a variety of uses and is a mixed-use locality. Within the general vicinity, land contains large lot dwellings or large lots which have been subdivided to accommodate an increase in number of dwellings. Opposite the site lining Rose Street is a mix of dwellings and home based businesses, as well as a disused service station. A horticultural holding exists to the north east of the site.

The urban centre of the newly created Midway grocers in Buronga is approximately 450m east of the land with ready access by the local street network for pedestrians and vehicles.



**Figure 5** Aerial image of the locality

Source <http://maps.au.nearmap.com/>

## Opportunities and constraints

An assessment of the site context indicates the following opportunities and constraints:

### Development opportunities

- ◆ Established dwelling lot, containing existing dwelling house
- ◆ Frontage to and connectivity to the Sturt Highway (Hendy Road) which carries a large amount of traffic
- ◆ All reticulated services are connected to the land
- ◆ Land unencumbered by remnant vegetation or other natural features

### Development constraints

- ◆ None considered

### Location attributes

- ◆ Low intensity land use within the immediate vicinity, with vacant land to the south and south east, and a laneway serving as an additional buffer to the west
- ◆ Connectivity to Sturt Highway which is a significant road and carries a high amount of traffic

### Design response

The development of the land contains the following elements that are considered important to its philosophy and relationship to the highway:

- ◆ Commitment to drive in, drive out for residents of the accommodation which will result in minimal vehicle movements to and from the site each day for those staying on site
- ◆ Provision of mini bus parking on site for pick up and drop off if necessary
- ◆ Siting of accommodation building to the front and centre of the site to allow sufficient setback distances from frontage and side boundaries
- ◆ Retention of existing landscaping to the perimeter of the site and opportunity for additional landscaping if required
- ◆ Connection of reticulated services

## Planning assessment

### RU5 objectives

As detailed previously Tourist and visitor accommodation is permitted with consent within the RU5. In response to the objectives of the zone the following is offered.

The proposed development is located on land within an existing residential neighbourhood, utilising an existing dwelling house. The proposal provides for the protection of the adjoining land and any likely sensitive uses, via existing boundary colourbond fence and existing landscaped areas. The building on the land is located back from the street frontages and the opportunity for additional landscaping to be provided particularly to the side and rear boundaries where neighbouring land may be redeveloped into the future is possible.

The character of the locality is impacted upon by its location of predominant large lots containing one dwelling house, or subsequently large lots that have been subdivided to provide for an increase in dwelling houses. The land uses within the area are mixed which is reflected by the nature of zone RU5 which enables a great breadth of uses as opposed to providing a zone hierarchy for defined land uses which better reflect their offsite amenity impacts.

A specific objective of the zone is to provide opportunities for population and employment growth. The accommodation proposal is directly attributed to the demand for accommodation to house employees of SimFresh. There will be specific demand for local services when the accommodation is utilized and at full capacity, for staples such as bread and milk, groceries, wholesale supplies, entertainment and transport.

The change of use in the land is not considered to hinder the further potential development of the adjoining land. The development is potentially giving the ability for the adjoining land included in zone RU5, to be developed through the reticulated services being extended and delivered to the land and the increased amenity being provided (as opposed to underutilised land).

## Environmental assessment

### Natural environment

The proposal is expected to have a neutral impact in terms of the natural environment.

### Built environment

There are no expected impacts on the built environment as consent for Tourist and visitor accommodation is not dissimilar to the existing dwelling house use. The accommodation has the potential for direct impacts associated with noise and the shedding of light from the development itself, along with the movement of vehicles entering and leaving the site. However as has been stipulated, the side and rear boundaries are lined with 1.8m colorbond fencing and an additional landscape buffer can be implemented if required.

The land use is fundamentally residential. Those residing within the accommodation will be considered to be working a roster requiring complete commitment to their employment. Generally, a 12-hour shift is worked which will result in occupants being away from the site for the entire day. There is no designated outdoor recreational area to provide opportunity for congregation for outdoor activities.

*Urban design impacts:* The site has been chosen given the positive urban design impact in this mixed-use locality. As stated above, the adjoining land is developed with a mix of larger residential uses, along with a disused fuel depot to the north west, and horticultural land to the north east.

*Surveillance:* The site is lined with a 1.8m high colorbond fence to the side and rear boundaries. Additional measures can be provided if necessary.

### Socio economic impacts

The site selected for accommodation purposes is close to main retail area of Buronga to maximise the economic benefits to the township and ensure residents of the accommodation have access to community services and retail facilities/entertainment.

## Other considerations

### Storage

Whilst outdoor storage is not a requirement of the proposed use such area is available on the site as per the supporting plans.

### Fencing

1.8m high colorbond fencing panels exist to the perimeter of the site. Fencing will provide a screen to the development and security.

### Landscaping

Landscaping of the site exists with shrubbery and lawn area. There may be further opportunity for additional landscaping to the boundary line if necessary.

### Car parking

Provision of car parking has considered the demand and nature of the operation, where by delivery of residents by bus rather than car dictates minimalist requirements.

### Vehicle movement

Manoeuvring of vehicles is available within the site and all vehicles are capable of entering and exiting in a forward motion.

### Economic benefits

The proposal will provide accommodation for seasonal employees of SimFresh, one of the largest horticultural and packing companies within the Sunraysia region.

### Orderly development

The proposal makes use of an existing building, which demonstrates the use of the existing use of the land in an orderly manner. The building is considered to be setback appropriately from all boundaries and offers an appropriate bulk and form that is sympathetic to the nature of the area.

### Heritage

The land is not identified as a heritage item in the LEP. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value. Therefore, it is considered that the proposal will not impact on any adjoining heritage items.

According to the Office of Environment and Heritage website there is no identified aboriginal relics or aboriginal heritage items located on the property. If any items are found in construction, construction works shall cease, and the Department shall be notified.

As the development is not listed as a heritage item no specific heritage study is required to be submitted as part of this development application.

### Waste

A waste storage area will be provided as part of the application as per the supporting plans. Any waste generated as part of the operation of the Tourist and visitor accommodation is considered to be minimalistic considering residents will be off site working for up to 12 hours per day.

### Noise and vibration

Operational noise shall be limited through two separate means; Firstly, the imposition of the Industrial Noise Policy (INP) and secondly using on-site noise management plans imposed where necessary by SimFresh. Noise screening has been imposed utilising the existing colorbond fencing panels. The designated car park and trafficable areas are located along the side boundary of the site to prevent the intrusion of noise associated with vehicles and entrance and egress of the residents from the facility.

### Social impacts

Negative stigma attached to the concentration of many people in one area may be overcome by the breaking down of the social isolation of the development. The employment requiring such accommodation is seasonal and where longer term residency is attained, the reliance of the facility on local public amenities such as pools and sporting infrastructure will create resilience to localised social isolation and create and encourage better relationships with the local community. It is also likely that residents will engage with community groups such as the local football club.

The provision of employment opportunities allows for both social cohesion and the discouraging of unemployment benefit reliance. It is noted that the development as proposed is capable of employing several full time and

part time locals including skilled staff and general labourers.

### Other matters

The following is offered in response to the support for the proposal:

- ♦ The proposal has been planned in order to ensure it is undertaken in a manner that will not impact upon the adjoining landowners and occupiers due to the appropriate setbacks being established, the opportunity for landscaping and in particular the use of the adjoining land.
- ♦ The application proposes vehicular access from Hendy Road. Opportunity exists for pedestrians and cyclists to and from the accommodation through its location and proximity to the urban areas of Buronga.
- ♦ Service vehicles providing supplies, waste removal, and emergency services will all be capable of accessing the site through the existing driveway access.

### Public Interest

In accordance with Section 79C(1)(e) of the EP&A Act, it is in the public interest to allow the site to be developed as it is consistent with the long established uses within the locality. The proposed development is consistent with the RU5 zoning for site, which allows for Tourist and visitor accommodation.

The proposed development will provide new residential living opportunities for drive in drive out employees in an area where such requirements are not being met and will further significantly increase economic activity in the region.

It is therefore considered that the proposed development is in the public interest.

## Conclusion

In conclusion, it is considered for reasons outlined above the development responds well to the opportunities and constraints of the site and is considered to be consistent with the LEP. Additionally, offsite impacts will be limited through the design and layout of the established building, amenity of the locality will be improved through the increased landscaping. Operational management will also ensure limitations to impacts whilst also understanding the amenity expectations of the locality. Therefore, in summary:

- ◆ The development is consistent with all relevant SEPP's and Wentworth LEP
- ◆ The proposal is aligned with the Wentworth LEP
- ◆ The land will be readily serviced by existing infrastructure.
- ◆ The large lots adjoining the site, will ensure a high level of amenity for the residents of the accommodation and being respectful of the amenity of those on adjoining land
- ◆ The establishment of a village is considered to be an excellent fit with the land through creating a node of activity coupled with the urban area and services of Buronga.

As a result, the application should be supported through the issue of a development consent.

James Golsworthy Consulting

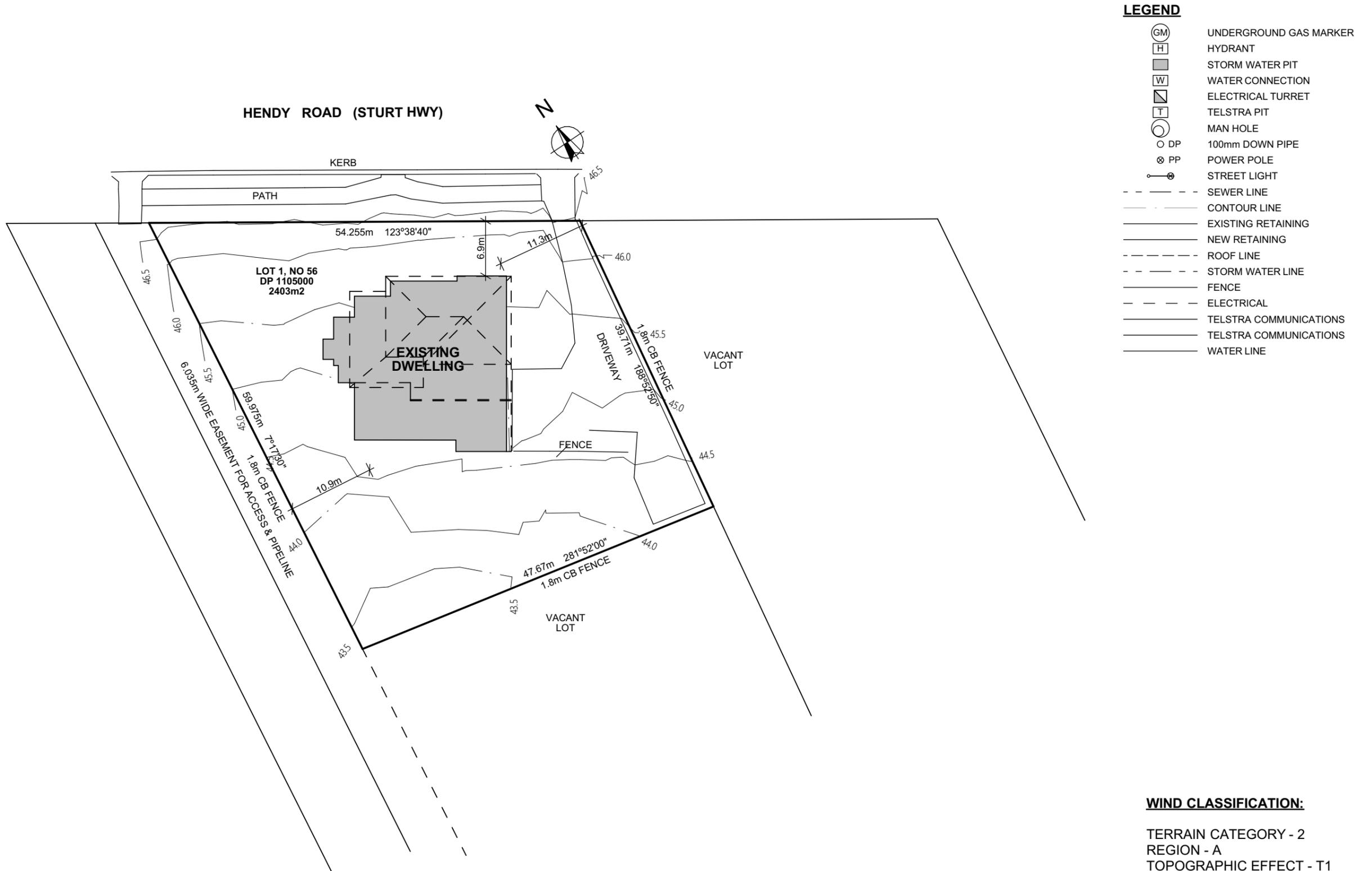
140 Pine Avenue Mildura VIC 3500  
PO Box 1650 Mildura VIC 3502

telephone 03 5022 8411  
email admin@jgconsult.com.au

[www.jgconsult.com.au](http://www.jgconsult.com.au)



# For Comment

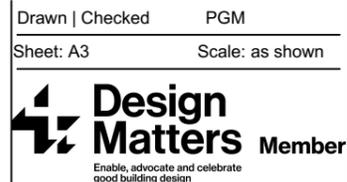


**SITE PLAN** SCALE - 1:500

**WIND CLASSIFICATION:**

TERRAIN CATEGORY - 2  
 REGION - A  
 TOPOGRAPHIC EFFECT - T1  
 WIND DIRECTION - PARTIAL SHIELDED  
 CALCULATION OF WIND SPEED - 33m/s  
 WIND CLASSIFICATION - N2

**NOTE**  
 The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This drawing reflects a design by #Contact Company and is to be used only for work when authorised in writing by #Contact Company.  
 All boundaries and contours are subject to survey drawing. All levels to Australian Height Data. It is the contractors responsibility to confirm all measurements on site and locations of any services prior to work on site.  
 Owner to sign and date plans acknowledging/accepting design and documentation.  
 All documents here within are subject to Australian Copyright Laws.



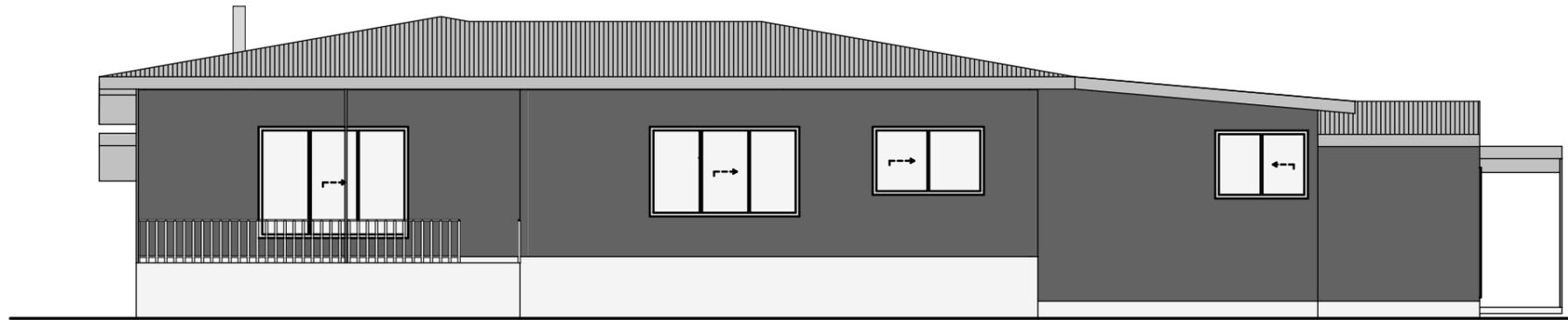
Drawn | Checked PGM  
 Sheet: A3 Scale: as shown  
 Drawing Title:  
**SITE PLAN**  
 Project Name:  
**EXISTING RESIDENCE**

Site:  
 56 HENDY ROAD BURONGA NSW  
 2739  
 Client:

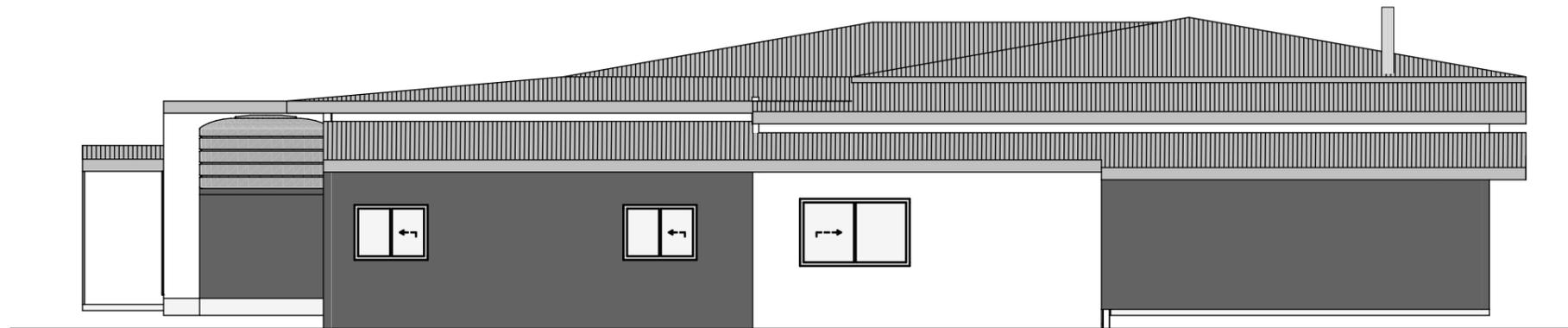
Project No.  
**2020-046**

Print Date: 10/11/2020  
 REVISION NO. **00**  
 DRAWING NO. **A100**  
 DARREN LAMBERT - BUILDING PRACTITIONER Reg. No. DP-AD 47051  
 ad. PO Box 10282 MILDURA VIC. 3502. ph. 0457 729 060  
 em. admin@mildurabuildingdesigns.com.au

# For Comment



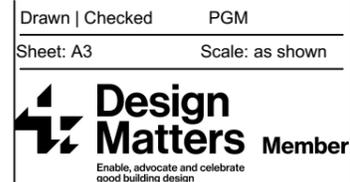
**NORTH ELEVATION**



**SOUTH ELEVATION**

**ELEVATIONS PLAN** SCALE - 1:100

**NOTE**  
 The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This drawing reflects a design by #Contact Company and is to be used only for work when authorised in writing by #Contact Company.  
 All boundaries and contours are subject to survey drawing. All levels to Australian Height Data. It is the contractors responsibility to confirm all measurements on site and locations of any services prior to work on site.  
 Owner to sign and date plans acknowledging/accepting design and documentation.  
 All documents here within are subject to Australian Copyright Laws.



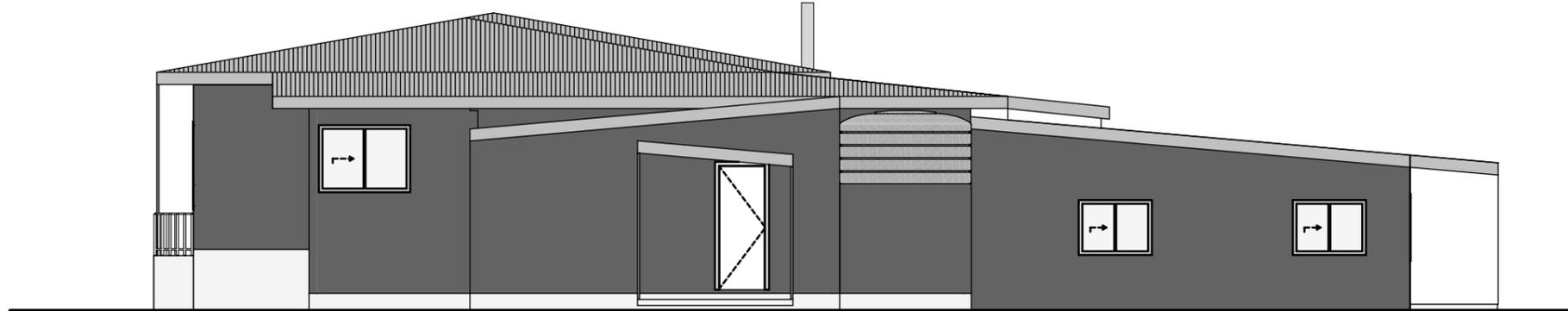
Drawn | Checked PGM  
 Sheet: A3 Scale: as shown  
 Drawing Title:  
**ELEVATIONS PLAN**  
 Project Name:  
**EXISTING RESIDENCE**

Site:  
 56 HENDY ROAD BURONGA NSW  
 2739  
 Client:

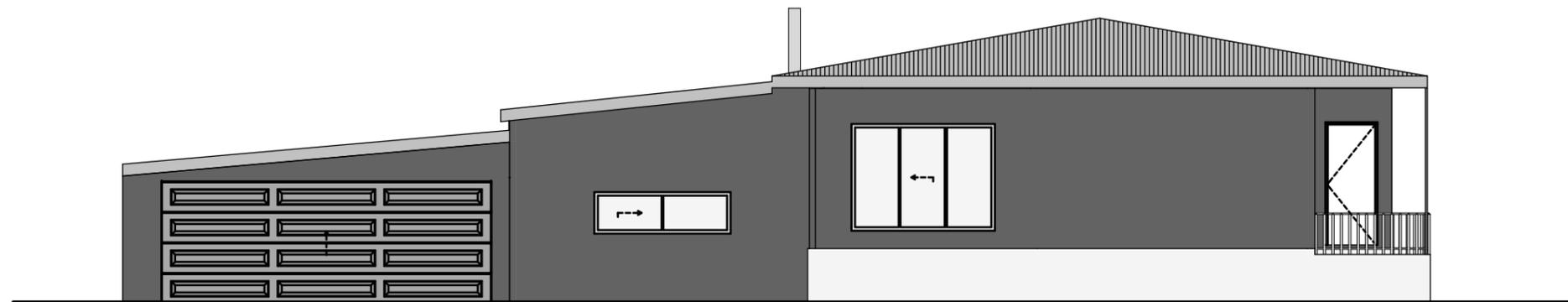
Project No.  
**2020-046**

Print Date: 10/11/2020  
 REVISION NO. **00**  
 DRAWING NO. **A300**  
 DARREN LAMBERT - BUILDING PRACTITIONER Reg. No. DP-AD 47051  
 ad. PO Box 10282 MILDURA VIC. 3502. ph. 0457 729 060  
 em. admin@mildurabuildingdesigns.com.au

# For Comment



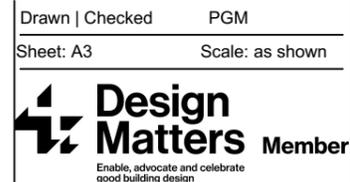
WEST ELEVATION



EAST ELEVATION

**ELEVATIONS PLAN** SCALE - 1:100

**NOTE**  
 The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This drawing reflects a design by #Contact Company and is to be used only for work when authorised in writing by #Contact Company.  
 All boundaries and contours are subject to survey drawing. All levels to Australian Height Data. It is the contractors responsibility to confirm all measurements on site and locations of any services prior to work on site.  
 Owner to sign and date plans acknowledging/accepting design and documentation.  
 All documents here within are subject to Australian Copyright Laws.



Drawn | Checked PGM  
 Sheet: A3 Scale: as shown  
 Drawing Title:  
**ELEVATIONS PLAN**  
 Project Name:  
**EXISTING RESIDENCE**

Site:  
 56 HENDY ROAD BURONGA NSW  
 2739  
 Client:

Project No.  
**2020-046**

Print Date: 10/11/2020  
 REVISION NO. **00**  
 DRAWING NO. **A301**  
 DARREN LAMBERT - BUILDING PRACTITIONER Reg. No. DP-AD 47051  
 ad. PO Box 10282 MILDURA VIC. 3502. ph. 0457 729 060  
 em. admin@mildurabuildingdesigns.com.au