

# Statement of Environmental Effects

143 Hendy Road Buronga NSW 2739

4 April 2025

environmental, planning & development consultants

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## Introduction

This Statement of Environmental Effects (SEE) is submitted to Wentworth Shire Council as part of the Development Application (DA) under part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This SEE seeks approval for the following development at 143 Hendy Road Buronga NSW 2739 (the site), legally described as Lot 1 DP1213735:

- ♦ To establish a medical centre (osteopath) and associated facilities in the existing tenancy

This SEE addresses all relevant matters for consideration under section 4.15(1) of the EP&A Act. This application is prepared in accordance with the EP&A Act 1979, Wentworth Local Environmental Plans 2011 (LEP), Wentworth Shire Development Control Plans 2011 (DCP) and other relevant State Environmental Planning Policies.

The supporting documentation accompanying this SEE includes:

- ♦ Plans by Innovative Deesign
- ♦ Certificate of Title and Deposited plan
- ♦ AHIMS search
- ♦ ASIC Company Search
- ♦ Owner's Consent

This application is considered appropriate against all SEPPs and planning instruments and is worthy of the relevant authorities' support by issuing a Development Approval.



## Proposal

The development application proposes to develop and operate a medical centre (osteopath clinic) within Tenancy 4 of the existing commercial development within the subject lot at 143 Hendy Road Buronga, legally described as Lot 1 DP1213735.

The development proposed through this application will include the reconfiguration of the internal space to provide for administrative and medical consultancy services on the subject site. The proposal will be advantageous to the local community for the provision of health, wellbeing and medical services.

The osteopath clinic will generally operate between 9am and 9pm Monday to Friday and on Saturday from 8:30am to 1:00pm.

One Osteopath is proposed at commencement of business operations with the aspirations to offer services for a second Osteopath within the first 12 months of operation (dependent on business growth). A part time receptionist is subject to the second Osteopath commencing.

- Based on business growth, the osteopath clinic anticipates operating with two Osteo's and one part time receptionist when at full capacity.
- It is estimated that 50 – 60 patients will visit the service each week.

The proposed medical centre is to be within the existing commercial building on the site address at Hendy Road with public access to the proposed medical centre established.

The land currently consists of a single storey building. The proposed works will provide facilities as follows:

- Internally the building has been designed to provide the necessary office area, medical services and security requirements based on the nature of the services being provided.

- The only public areas will be the main reception and waiting area which connects to an open gymnasium with two consulting rooms and a staff room.
- The gymnasium will be for private consulting only.
- The rear portion of the proposal provides access to amenities facilities which are shared with the adjoining tenancies upon the land.

The plans are designed without compromising on specific standards in relation to the selection of the building structure, fire, acoustic, glazing, egress, sanitation, plumbing, ventilation, lighting and emergency exit, disabled infrastructure and electrical structures requirements (refer to notes specified in plans).

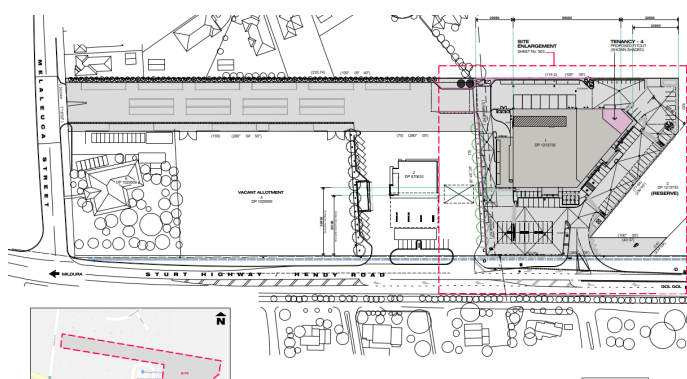


Figure 1 Proposed development layout on the lot

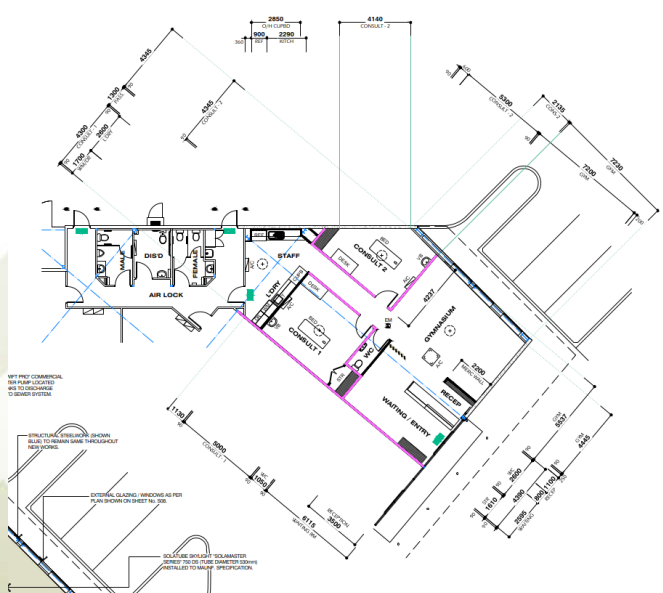


Figure 2 Proposed medical centre floor plan



## Planning controls

### Definition

**Medical centre** means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

### Zoning

In accordance with the Wentworth LEP (2011), the land is contained within Zone E1 – Local Centre.

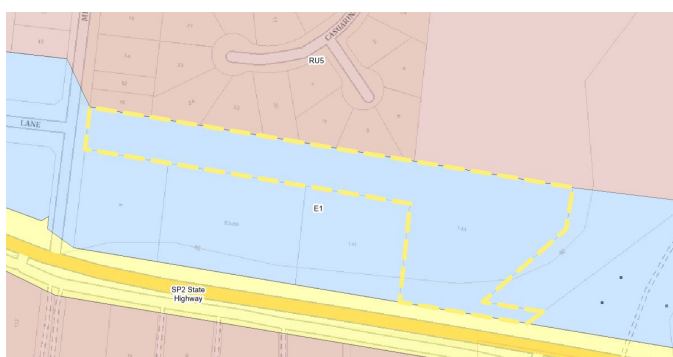


Figure 3 Zone map

#### Objectives:

- ♦ To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- ♦ To encourage investment in local commercial development that generates employment opportunities and economic growth.
- ♦ To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- ♦ To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- ♦ To encourage the development and expansion of business activity that will contribute to the economic growth of Wentworth.

- ♦ To enable development of land in this zone for residential housing if adequate amenity will be provided for residents and the land will not be required for commercial or retail use.

In accordance with zone requirements, a medical centre is permitted with consent.

## Part 6 Urban Release Areas

### Objective:

- ♦ To require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.



Figure 4 Urban release area

The land is affected by the Urban Release Area as indicated in figure 4 above. Clauses 6.1 and 6.2 do not apply to the land, as the development is not a subdivision nor does it include public utility infrastructure. Clause 6.3 Development Control Plan refers to the details of the Wentworth Development Control Plan 2011 and Buronga Urban Release Area both of which are addressed below within the planning assessment below.

## State Environmental Planning Policies

### State Environmental Planning Policy (Industry and Employment) 2021

#### Chapter 3 Advertising and signage – 3.1 Aims and Objectives

##### 1. 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.*

2. *This chapter does not regulate the content of signage and does not require consent for a change in the content of signage.*

Proposed signage is to replace the existing signage with no increase in the display area and no additional signage proposed.

## Wentworth Development Control Plan 2011

### 3.5.1 Vehicular access and parking

#### Parking layout, servicing and maneuvering

##### Objectives

- ♦ *Where on-site car parking or service areas are required, ensure that the layout and design does not detract from the amenity of adjoining areas.*
- ♦ *Ensure the design of parking and servicing areas is efficient, safe, convenient, discrete and suitably landscaped.*
- ♦ *Minimise nuisance caused by traffic movement, generation and servicing.*

Carparking controls and requirements are addressed in the planning assessment below.

## 6 Commercial Development Controls

### 6.1.1 Controls

- ♦ *The materials proposed to be used in building are to be specified in terms of texture and colour and a*

*statement of their performance under prevailing and likely environmental conditions submitted with the development application. Major buildings in the commercial area are to be designed by qualified architects.*

The justification for the above Clause of the DCP, 2011 is detailed in the planning assessment below.

### 8.1 Buronga and Gol Gol – Site Specific Provisions

Chapter 8 of DCP, 2011 applies to the subject site and detailed information is provided in the planning assessment below.



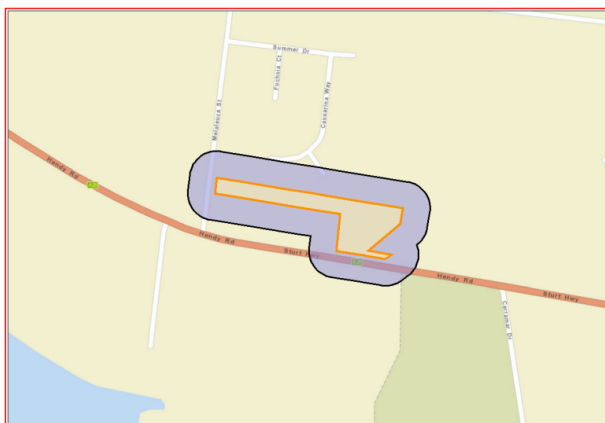
Figure 5 Urban release area

## Aboriginal cultural heritage

All Aboriginal cultural heritage is protected by the NSW National Parks and Wildlife Regulation 2019. Responsibility rests with the proponent of development to demonstrate that due care and diligence have been taken to identify and avoid impacts on archaeological sites through construction works.

Division 2 part 5 of Aboriginal land, objects, and places and exempts for the *Aboriginal People of the NSW National Parks and Wildlife Regulations (NPWR) 2019*, lists a number of low-impact activities that remove the need to follow the due diligence process. However, The proposal is not considered as a *Defence to a Prosecution for Harming an Aboriginal Object and Section 86(2) of the NSW National Parks and Wildlife Act 1974 No 80*, as it is not applicable. As the development is completely located within E1 – Local Centre and the proposal will create no impact to the aboriginal site and places, the need to follow the *Due Diligence Code of Practice process for the Protection of Aboriginal Projects in New South Wales (DECCW) 2010* is not applicable.

An AHIMS search has been undertaken and can confirm that there are no aboriginal sites and places recorded on the land or within the 50m buffer from the land (Refer to figure 5 and accompanying AHIMS reports). The proposed land is not listed as a heritage conservation area (Refer to Wentworth LEP Heritage Maps).



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

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

**Figure 6** AHIMS search, 2025



## Site and surrounding area

### Subject site

The subject site is located north of Hendy Road (Sturt Highway), in Buronga. The site is an irregular shaped lot that has a total area of 16,424sq.m. The site topography is relatively flat. The site is formally referred to as Lot 1 DP1213735.

The land has 92.05m frontage to Hendy Road and the subject land can be accessed from an existing crossover from Hendy Road.

The site currently contains IGA Supermarket, Bottle Shop, Mid-way Market, Hendy Town Café, Stellar Pharmacy and Kure Medical Midway (refer to figures 7 to 22).



**Figure 7** Aerial image of the site



**Figure 8** Existing development on the land



**Figure 9** Existing bottle shop



**Figure 10** IGA supermarket





**Figure 11** Existing Mid-way Market



**Figure 14** Proposed Medical Centre (Osteopath)



**Figure 12** Existing Hendy town café



**Figure 15** Existing Kure Medical Midway



**Figure 13** Existing Stellar pharmacy shop



**Figure 16** Existing accessway from site to Melaleuca Street





**Figure 17** Existing car parking facility and accessway abutting bottle shop



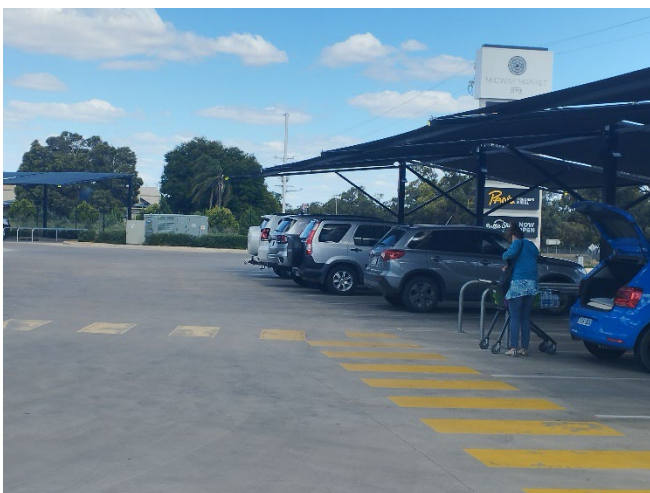
**Figure 20** Car parking facility to the rear of the site



**Figure 18** Car parking facility to the east



**Figure 21** Existing accessway to the site



**Figure 19** Car parking facility at the frontage of the site



**Figure 22** Existing signage



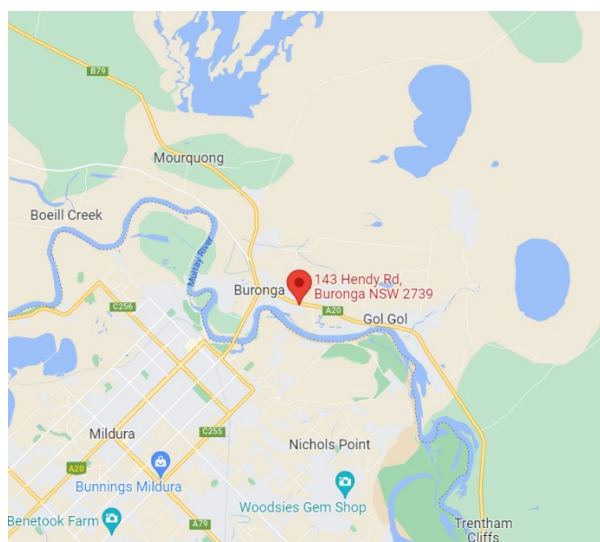
## Locality

The locality predominantly includes a mix of commercial, industrial and residential development.

The subject site is located within Buronga township. The township provides day-to-day services including recreational, commercial and employment facilities and opportunities. Hendy Road and Silver City Highway are the major connecting roads to Buronga.

The locality of the site and surrounding areas are described in the aerial images below (refer to Figures 23 to and 28).

The site immediately adjoining land to the north, south, east and west consists of an agricultural lot, Riverbend Veterinary, vacant land and a shell fuel station respectively (refer to figure 25 to 30).



**Figure 24** Google maps, 2022



**Figure 25** Vacant land to the East



**Figure 26** Agricultural lot to the rear



**Figure 23** Aerial image of the locality



**Figure 27** Riverbend Veterinary Services to the south



**Figure 28** Fuel station to the west





## Planning assessment

### Policy context

#### Wentworth LEP 2011

In relation to the assessment of the Wentworth Local Environmental Plan (LEP), 2011; consent is required to establish Medical Centre within the E1 – Local centre. The proposal will support the zone objectives and the purpose of the Urban Release Areas by providing a service related to community health and wellbeing within an accessible commercial area.

### Wentworth Shire Development Control Plan 2011

#### 3.5.1 Vehicular access and parking

The commercial layout addresses the needs of the site occupants and visitors by providing 106 car parking spaces which was subject to the original approval for the Supermarket development. The proposal is limited to a change of use with internal reconfigurations. The existing and proposed commercial development includes:

Use	Requirement	Area sq.m	in	Number to be provided
Drive-in liquor store	1 space/40sq.m of browse room + 1 space/employee	272		6.8+2
Proposed Medical Centre (Osteopath)	3 spaces per consulting room plus 1 space for each 2 employees	145.09		6 + 1
Restaurant (Hendy Town Café)	1space/3seats	60 (24 chairs)		8

Shop (Stellar Pharmacy)	1space/40sq.m	132	3.3
Shopping Centre	4.4spaces/100 sq.m	1,594	70.1
Existing Medical Centre (Kure's Medical Midway)	3spaces/consulting + 1 space/2employees	214.73	15+1
Total required			114

No increases to the building footprint is proposed, and a total of 106 on-site car parking spaces are readily available for employees and visitors, including disabled parking spaces. The existing access ways are ensuring the safety of pedestrians and other users on the land and Hendy Road users.

It is expected that the car parking assessment and requirements undertaken during the assessment of the commercial complex anticipated for future changes of use within the complex with the tenancies likely to have been unknown at the time.

It is not considered that additional car parking spaces are required as a result of the proposal as the development is a reuse of an existing tenancy within the existing commercial complex.

### 6. Commercial Development Controls

As prescribed under commercial uses of DCP2011, appropriate car parking, access and landscaping exist on the subject site. The development complies with the DCP, 2011 as follows:

- ♦ A total of less than 50% of the land is a build-up area.
- ♦ No amendments to the existing building height are proposed.
- ♦ No additional landscaping is proposed as the existing landscaping complies with the DCP.
- ♦ The proposal will not result in the removal of any existing landscaping area.

- ♦ Car parking details are addressed and are considered appropriate as per Vehicular Access and Parking Chapter.
- ♦ Advertising details are addressed under SEPP, 2021 above, however no additional advertising is proposed as part of this application.

## 8. Buronga and Gol Gol

The subject site is within the Buronga and Gol Gol Urban release area and the application supports the objectives as follows:

- ♦ The proposal considers Buronga and Gol Gol Road Network Plan and the proposal will not impact or create any difference to the Road Network Plan.
- ♦ The Landscaping Master Plan has been noted and the subject site is currently maintaining the landscaping area at the site frontage.
- ♦ Staging of Residential Land Release, Social and Community Infrastructure Development and Design of Residential Developments does not apply to this application as the proposal is for Medical Centre.
- ♦ 5.2.1 Design of Commercial Development is considered as per below:
  - ♦ Importance is given to the signage requirements and on-street advertising. As mentioned in the above chapter, no additional signage is proposed.
  - ♦ The proposed commercial area is designed by a qualified architect (refer to the plans).
  - ♦ The established subject site provides for car parking, accessway, advertising, landscaping and site coverage requirements with appropriate setbacks that align with the abutting properties (refer to the site plans).
  - ♦ The proposal facilitates improvements to the township and broader regions access to health facilities in an isolated area. The proposal is supportive of the emerging activities existing within the site and is sympathetic to the operation and function of the area as part of the E1 – Local centre.

## Conclusion

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

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

- ♦ The proposal is consistent with Wentworth LEP 2011.
- ♦ The proposal is consistent with the Wentworth DCP 2011.
- ♦ There will be no loss of vegetation as part of this application.
- ♦ The proposed development responds to the existing site characteristics and opportunities and has considered the potential impacts within the locality; and
- ♦ The proposal is appropriate for the site and worthy of support subject to relevant conditions.



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