



Business Papers 2021

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 13 OCTOBER 2021

SEPARATELY ATTACHED ATTACHMENTS

*A prosperous and progressive
community we proudly call home*



ATTACHMENTS

Report 8.3 Attachment 3 MA0001-2022 - Councillor letter 230921 3



DTM Property Enterprises Pty Ltd
ABN.35 104 757 217
P O Box 419
Mudgee 2850
Mobile: 0429 455 496

23/9/2021

The Mayor, Councillors and General Manager
Midwestern Regional Council
P O Box 156
MUDGEES NSW 2850

**MUDGEES INDUSTRIAL PARK 24 HOUR OPERATION PROPOSAL
LOT 2102 DP 1237751 – 86 DEPOT ROAD MUDGEES**

Dear Mayor, Councillors, and General Manager,

Reference is made to the land zoned IN1 *General Industrial DP 1237751* owned by DTM Property Enterprises Pty Ltd since 2002. Attached is the proposed street addressing for 86 Depot provided by council on the 10/7/2019 and the Midwestern Regional Local Environmental Land Zoning Map 2012.

DTM Property Enterprises has submitted a Spectrum Acoustic Noise Report to Council for the intension to support a 24 hour operation located at 86 Depot Road. This noise report has demonstrated that with the careful consideration of the surrounding environment, these objectives can be achieved. The noise logger was placed some 80 metres from shed 1 (63 Depot Road) Ross Hodge, the principal director of Spectrum Acoustics for noise and vibration, has to present a honest and true report to every application.

Mudgees Industrial Park has been given the approvals from Council to erect industrial buildings and a torrens title subdivision at 86 Depot Road. These industrial sheds are supporting large businesses and creating a huge economic boost for the Mudgees region. Without the operation of Mudgees Industrial Park these businesses would not be able to be established in Mudgees.

The businesses operating in Mudgees Industrial Park supports and gives a flow on effect to all other small businesses in Mudgees. They employ over 100 workers currently which in turn supports their families. Each operation purchases materials, machinery, industrial supplies, hardware, and supports hospitality in Mudgees. These small businesses outside of Depot Road need the support and they all are appreciated of the support that Depot Road gives them. The tenants in Depot Road work very hard after hours in their offices quoting works to keep the local community going. In hard times like these, the local economy must be supported. We can all thank the coal mines in the Mudgees region.

Depot Road provides other property owners with a range of businesses, that thrive to support the Mudgee community. The Midwestern Regional Council provided a industrial estate to allow businesses to get established and in addition have their council works depot operating in Depot Road. The council depot is a 24 hour operation when needed, especially when the garbage trucks start up at 4 am. Double R has a huge operation also in Depot Road providing services to the Mudgee community and the mines. There are transport companies, a concrete plant and mining related companies just to name a few.

With over 30 industrial properties and mixed businesses in Depot Road serving the Mudgee community, the traffic alone is extremely busy. The public traffic consists of cars, utes, light trucks, semi trailers, concrete trucks, B Doubles, Fire Brigade, Emergency and Council vehicles. This traffic is moving 24 hours a day, no one can stop this public road being accessed by the community and vehicles from out of town. I personally have provided a cul-de-sac for all traffic entering Depot Road to turn around in 86 Depot Road, as there isn't anywhere to allow these large vehicles to turn around. My loyalty and safety lays with the Mudgee community to provide this access. The noise levels vary within the 24 hour time zone with all of Depot Road in play.

Thank you for the Council's Environmental Health Officer's assessment recommendation to support the following hours, based on the review of the acoustic report.

1/ Inside and outside activities permitted Monday to Saturday from 7am to 10pm

2/ Inside activities permitted Monday to Friday 10pm to 7am however, any western facing openings shall be closed during these times.

3/No activities permitted on Sundays and public holidays.

Could I please request the following hours of operation that are needed in Mudgee Industrial Park;

1 / 5am to 6am allowing for tool box talks and organise the works for the day ahead however, any western facing openings closed Monday to Saturday during these times.

2 / 6am to 10pm allowing inside and outside activities Monday to Saturday however, from 6pm to 10pm on Saturday the western facing openings shall be closed.

3 / 10pm to 5am allowing inside activities Monday to Saturday however, any western facing openings shall be closed during these times and all openings closed on Saturdays.

4 / Sundays and Public Holidays allowing inside activities only however, all openings shall be closed.

The industrial buildings have an opening located on the western side. This opening is to allow forklift deliveries and crucial access to the sheds for materials and projects. I have noted over the years that businesses in all of Depot Road have operated during these times noted above.

Mudgee Industrial Park and all businesses have the respect and the sensitive approach of all the residential houses near Depot Road. The planning department at council should have placed a condition on the Golf Club that a high acoustic barrier buffer earth mound and timber fence be built on the boundary of the last block of land adjacent to their Private Recreation land. The Midwestern Regional Council constructed this same fence between the Industrial and Residential land when they developed Lions Drive. We are trying to achieve the best possible ways to buffer the residents, timber fences and installing shipping containers.

I believe the last block in Inverness Avenue has been sold to a developer, wanting to develop the site for townhouses. If approved by council, developing this last block of land will only cause conflict for decades to come between the Industrial areas and the residents. This block should only be allowed for one residence only. The residential land should not have come so close to the General Industrial Land in the first place.

Mudgee Industrial Park was zoned IN1 General Industrial before Inverness Avenue was developed. These residents that bought houses there all knew they were buying adjacent to an existing General Industrial Estate.

In 2004, I personally invested \$87,000 and carried out a proposal to rezone my General Industrial land combined with the 26 acres of Private Recreation Land owned by the Golf Club, including Inverness Avenue. I was successful and I had full support of the Councillors against the town planner's recommendations. The rezone application went to State Planning in Sydney where they gave me the opportunity to apply to the Mudgee Golf Club to obtain a letter from them, to grant access into my block from Lions Drive, which now is Inverness Avenue.

The Golf Club board at the time denied this request and did not commit to the letter of access, hence why my block of land remained IN1 General Industrial.

I note that the remaining 15 acres of the Golf Club's land is still today remains Private Recreation because they did not proceed with the rezoned put together and paid for personally by myself. The Golf Club used my stormwater and noise reports to successfully obtain approval for the Inverness Avenue residential development. It truly was a major disappointment to me and the community of Mudgee. It would have been the most prestigious residential subdivision in Mudgee.

Thank you in anticipation of your early response to this letter and should you require any discussions or further information please contact myself Dan Baggett. I would be more than happy to commit to a meeting on site at 86 Depot Road to discuss any concerns.

Yours faithfully

Dan Baggett
Director of DTM Property Enterprises Pty Ltd.

Hi Dan,

Further to MA0020/2017 and CCC0102/2019 Business Park 86 Depot Road.

Proposed Lot 1 will be 63 Depot Road MUDGEES NSW 2850.

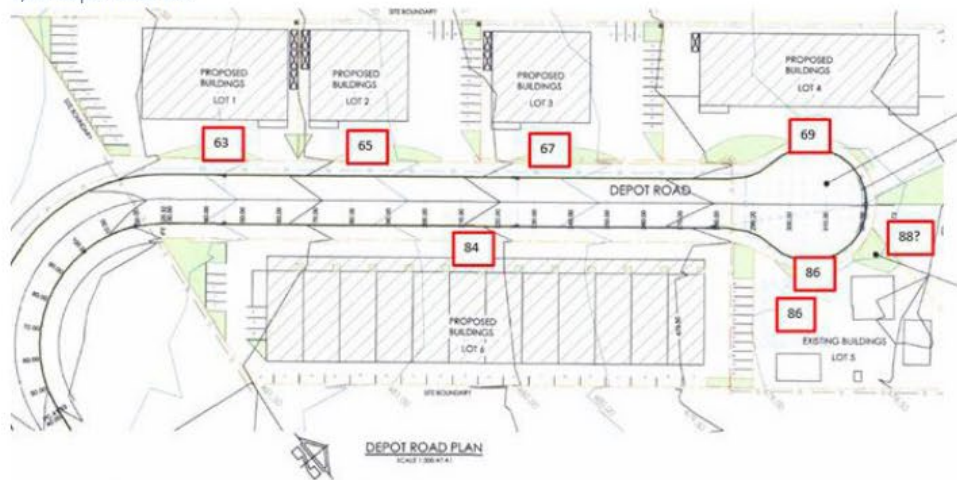
Proposed Lot 2 will be 65 Depot Road MUDGEES NSW 2850.

Proposed Lot 3 will be 67 Depot Road MUDGEES NSW 2850.

Proposed Lot 4 will be 69 Depot Road MUDGEES NSW 2850. Any internal units can be 1/69 or Workshop 1/69 Depot Road etc.

Proposed Lot 5 will be 86 Depot Road MUDGEES NSW 2850. Are the sheds on this land a separate business or do they go with the house? If they need a separate address it is no problem to allocate individual addresses. The sheds can be 86 and the house can have a separate address of 88?

Proposed Lot 6 will be 84 Depot Road MUDGEES NSW 2850. Any internal units can be 1/84 or Workshop 1/84 Depot Road etc.



Regards,

Carolyn

