MIDCOAST TOWN PLANNING

Our Ref: P00520_L1_SEE.docx
21 September 2023

The General Manager
MidCoast Council
PO Box 482
Taree NSW 2430

Dear Sir,

SUBJECT: STATEMENT OF ENVIRONMENTAL EFFECTS
PROJECT: PROPOSED 98 LOT SUBDIVISION OF LOTS 101&102 DP1256572
LOTS 1&9 DP 32272
53 MACQUARIE STREET, COOPERNOOK

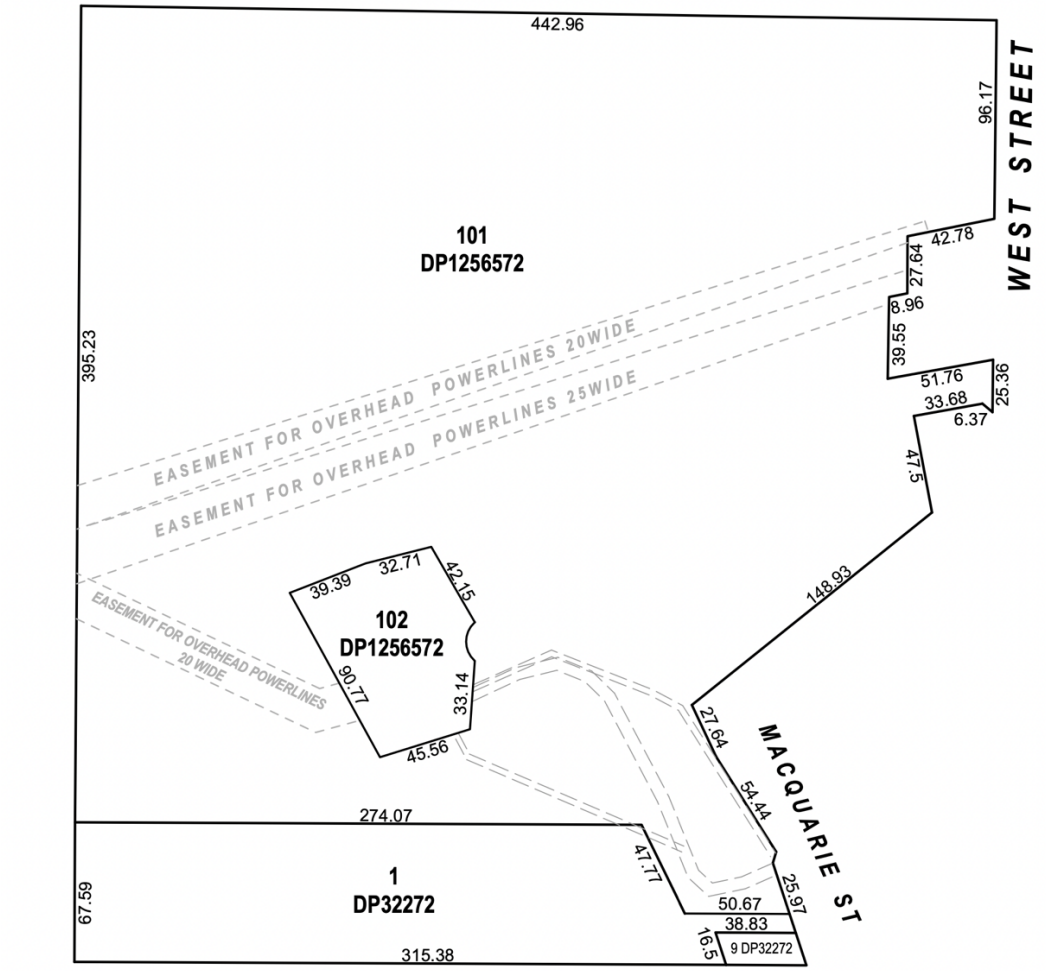
1. Introduction

This Statement of Environmental Effects (SEE) has been prepared to accompany a Development Application for a proposed subdivision of Lots 101 & 102 DP1256572, Lots 1 & 9 DP 32272, 53 Macquarie Street, Coopernook. The site of the proposed development is shown in **Figure 1** and site details are shown in **Figure 2.**

Figure 1 – Site Location
Source: MidCoast Council Online Mapping
North ^

Figure 2 – Site Details
Source: Calco Surveyors

North ^



This SEE provides an assessment of the impacts of the proposed subdivision.

The decision-making process for the proposed subdivision of land falls under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Council, in deciding whether consent should be granted, must examine and consider relevant matters for consideration. This report is intended to assist in this decision-making process and to provide information that satisfies the requirements of Section 4.15 of the EP&A Act.

2. Site Context

The site comprises four lots and has a total area of 17.64 hectares. Lot 102/ contains a home and associated infrastructure, managed gardens and planted natives and exotics with a managed understory. The remaining three lots contain primarily cleared land used for pasture and agistment.

Surrounding land use includes residential development to the east of the site, cleared pasture for cattle with scattered native and exotic canopy trees to the north and west, and some cleared paddocks with Wet Sclerophyll Forest to the south and southwest of the site. Coopernook Public School adjoins the land to the south with residential development adjoining the land on its eastern boundary.

The site is on the western extent of Coopernook Village. It is the largest potential village expansion area in Coopernook. The site has frontage to both Macquarie Street and West Street. The northern lower part of the site is flood prone and there are no waterways crossing the site.

3. The Proposed Development

It is proposed to develop the site into a staged 98-lot village subdivision comprising lots predominately 1000m2 in size. Larger lots will be retained in the flood restricted area in the north of the site. The existing dwelling on the land will be retained on a large parcel of land.

The proposed subdivision will have access to West Street and Macquarie Street. All lots will be serviced by reticulated water, sewer, electricity and NBN.

The proposed subdivision will incorporate water quality controls and roads and drainage will be constructed to Council's standards. Preliminary civil engineering plans are submitted with the Development Application. Details of the proposed subdivision are also included with the Development Application.

4. Consultation

A meeting was held with Council's Development Assessment Panel (DAP) on 17 January 2023. The minutes of the DAP meeting are attached.

The information provided by Council at the DAP has been considered in the design of the proposed subdivision.

5. State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 updates and consolidates into one integrated policy SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection).

The Resilience and Hazards SEPP gives effect to the objectives of the Coastal Management Act 2016 from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the Coastal zone. The southern part of the site is located in the Coastal Zone.

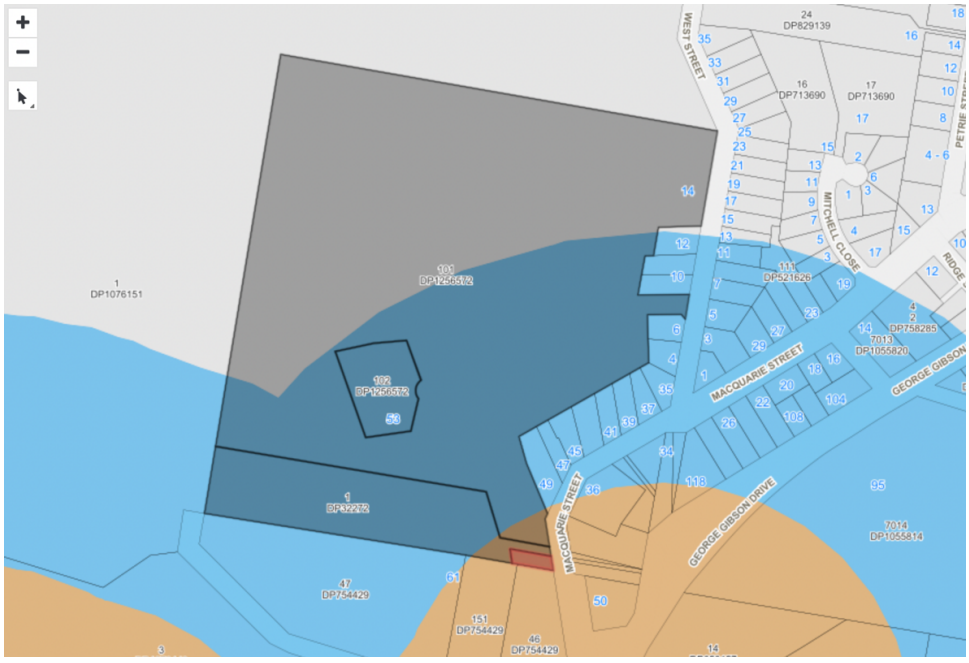
An integrated and coordinated approach to land use planning is promoted by the SEPP. It defines the four coastal management areas in the Act through detailed mapping and specifies assessment criteria that are tailored for each coastal management area. Councils and other consent authorities must apply these criteria when assessing proposals for development that fall within one or more of the mapped areas.

The four coastal management areas are:

- Coastal wetlands and littoral rainforests area; areas which display the characteristics of coastal wetlands or littoral rainforests that were previously protected by SEPP 14 and SEPP 26.
- Coastal vulnerability area; areas subject to coastal hazards such as coastal erosion and tidal inundation.
- Coastal environment area; areas that are characterised by natural coastal features such as beaches, rock platforms, coastal lakes and lagoons and undeveloped headlands. Marine and estuarine waters are also included.
- Coastal use area; land adjacent to coastal waters, estuaries and coastal lakes and lagoons.

The subject land is identified within the Coastal Environment Area and the Coastal Use Area a shown in **Figure 3**. The relevant provisions of the SEPP are addressed below.

Figure 3 – Coastal Environment and Use Areas
Source: MidCoast Council Online Mapping
North ^



2.10 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

(b) coastal environmental values and natural coastal processes,

(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,

(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

(f) Aboriginal cultural heritage, practices and places,

(g) the use of the surf zone.

The proposed subdivision will have no adverse impacts on any of the above matters. The impacts of the proposed development is assessed further in Section 8 of this SEE.

(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—

(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or

(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The siting of the proposed subdivision is considered appropriate to ensure that any impacts identified in subsection (1) are avoided.

2.11 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—

(a) has considered whether the proposed development is likely to cause an adverse impact on the following—

(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,

(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

(iv) Aboriginal cultural heritage, practices and places,

(v) cultural and built environment heritage, and

The proposed subdivision will have no adverse impacts on any of the above matters. The impacts of the proposed development is assessed further in Section 8 of this SEE.

(b) is satisfied that—

(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or

(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

The siting of the proposed subdivision is considered appropriate to ensure that any impacts identified in subsection (1) are avoided. In addition, the scale of the subdivision is considered appropriate in the Coopernook village location.

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

There will be no increased risks of coastal hazards on this land, or other land, as a result of the proposed subdivision.

2.13 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

There is no certified coastal management program that applies to the land.

6. Greater Taree Local Environmental Plan 2010

The land is zoned RU5 – Villages and RU1 - Primary Production under the provisions of Greater Taree Local Environmental Plan 2010 (LEP 2010) and subdivision with lots sizes greater than 4000m2 are permissible with Council consent in the RU5 and RU1 zone.

The objectives of the R5 large Lot Residential are:

• *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*

• *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*

• *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

• *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposed subdivision is consistent with the objectives of the R5 zone. Appropriate separation from adjoining rural land to minimise potential land use conflict is provided whilst utilising the R5 zoned land to its maximum potential to provide for valuable housing needs of the community.

An assessment against the principal development standards and local provisions of LEP 2010 is provided below.

Clause 5.1 Heritage Conservation

The subject site has no items of environmental heritage.

Clause 7.1 Acid sulphate soils

The subject site is identified as having Class 5 acid sulphate soils. The proposed development will not impact on ASS.

Clause 7.2 Flood Planning

The site is identified as being subject to flooding. The future house sites in the proposed subdivision will be located on flood free land.

Clause 7.11 Essential Services

The subdivision will be connected to essential services including suitable road access, reticulated water, sewerage and power. All essential services are available to the site.

7. Development Control Plan 2010 Assessment

Section C of Greater Taree Development Control Plan 2010 (DCP 2010) outlines the general requirements for subdivisions. The design principles outlined in DCP 2010 are addressed below.

Section C2.1

Slope and orientation of land. The slope of the land is not an impediment to the proposed subdivision. The proposed lots have been orientated to provide for the best location for future dwellings.

Considered orientation of allotments. The proposed lots have been orientated to provide for the best location for future dwellings.

Hazards such as soil stability, flooding, erosion and bushfires. All these potential hazards are addressed in this Statement of Environmental Effects.

Opportunities for solar and daylight access to future development. Lot size and configuration allows for adequate solar and daylight access to any new dwellings.

Design of roads, access ways and individual site access. Individual site access has been designed to give maximum opportunity for site layout. Future internal access can meet the slope requirements required by Council as shown on civil engineering plans.

Retention of special qualities or features such as trees and views. There are no special qualities of trees on site.

The scenic quality of the landscape, including protection of dominant ridge lines and hilltops, or other visually prominent locations. The scenic quality of the landscape will not be impacted by the proposed subdivision.

Protection of character of existing waterways. There will be no adverse impacts to any waterways.

Availability of services and utilities. All services and utilities are available to the proposed lots.

Provision of adequate site drainage. Adequate drainage will be provided to the proposed lots.

Provision of public open space. There is no need for provision of public open space.

Possible need to retain existing subdivision character. The existing subdivision character in Coopernook is not adversely impacted upon.

Heritage and archaeological conservation. There are no items of heritage or archaeological significance on the land.

Adequacy of each site considering the proposed use and relevant development standards such as setbacks, car parking, landscaping etc. Not applicable.

The relationship of the subdivision layout to adjacent land suitable for subdivision. The proposed subdivision is in a location that includes lots of a similar size in the adjacent village precinct.

Enhancement of existing or future subdivision and village character. The proposed subdivision enables the more efficient use of village zoned land and is consistent with the village character of the locality.

Location of boundaries along natural features such as drainage lines where appropriate in order to minimise the likelihood of soil erosion. Natural drainage lines will not be impacted upon.

Section C3.1

1. Where roads and other engineering works are to be carried out, engineering plans must be lodged with the application. For detailed engineering and construction requirements for subdivision, reference should be made to Council's Auspec Development Specification. Applicants are advised to consult with Council's engineers prior to lodging an application.

Engineering plans are lodged with the application.

2. Should the subdivision be likely to have an impact on any threatened species, populations or ecological communities, a Species Impact Statement will be required. A 7-part test will be required to be submitted with the subdivision application to indicate likely ecological impacts.

The subdivision does not require any clearing of native vegetation.

3. Where native vegetation is to be impacted, an ecological assessment, carried out by a qualified ecologist, is to be submitted with the application and the relevant approvals are to be sought.

Not applicable.

4. Where a subdivision proposal is located on bushfire prone land, the applicant shall comply with *Planning for Bushfire Protection Guidelines* produced by the NSW Rural Fire Service.

A Bushfire Assessment is included with the DA.

5. Where a subdivision proposal requires an on-site sewerage management system to dispose of effluent the applicant shall comply with the Development Assessment Framework in Appendix E.

Not Applicable.

6. The establishment of asset protection zones within environmental zones shall be avoided.

There are no APZ's proposed within environmental zones.

7. Where a subdivision proposal is on land identified as being potentially subject to landslip, the applicant shall engage a geotechnical consultant to prepare a report on the viability of subdividing the land and, if viable, provide recommendations as to the siting, the type of buildings and waste water treatment systems which could be permitted on the subject land.

The land is not subject to landslip.

8. In areas suspected to contain contaminated land, Council may require the completion of a preliminary site investigation prior to considering an application to subdivide. Should contamination be found, Council will require a detailed site investigation carried out in accordance with the Department of Environment and Climate Change guidelines for *Consultants Reporting on Contaminated Land*, followed by any remedial action plan, validation and monitoring as required. A site audit statement prepared by an accredited site auditor will be required on completion of remediation.

The land is not contaminated.

9. In areas subject to flooding and inundation, subdivision of land will not be permitted where any lot to be created will be fully inundated by a 1% flood and the creation of such a lot will create potential for increased intensity of development on flood prone land. In assessing whether or not land will be wholly inundated by 1% flood, Council will disregard any proposals for filling that land.

The land is subject to flooding with no lots wholly inundated by the 1% flood.

10. In areas subject to coastal hazard, subdivision design shall take into account the likelihood of short and long-term coastal recession, and dune transmigration.

The land is not subject to coastal hazards.

11. Development within the vicinity of Taree Airport shall take into account the potential impact of the height limitations and aircraft noise on development.

Not Applicable.

Section C3.2

1. Road and access way construction should take account of existing topography, vegetation, open space systems and natural constraints vegetation. Cut and fill should be minimised and vegetation retained wherever practicable.

Access has been designed to take into consideration the topography and natural constraints.

2. In cases where the road is to serve a dual function, i.e. where the road may be required to act as a drainage floodway, flows should be contained within the road reserve. Depths and velocities will be restricted in accordance with the design criteria included within *Australian Rainfall and Runoff I.E (Aust) 1987.*

This will be addressed as part of detailed design.

3. Unless specified elsewhere in this Part, the configuration of road shall accord with Council's Auspec Design Specification and other approved standards referenced therein. Pavement widths, depths and similar requirements are contained in this document.

Council's Auspec Design Specification has been considered in the civil engineering design.

4. Streets should not operate as through traffic routes for externally generated traffic.

Not applicable.

5. Access from individual lots to major roads should be minimised. The use of minor roads for such access is desirable wherever practicable.

Access to major rods is not proposed.

6. The applicant shall be responsible for connecting new to existing road construction. Where a subdivision adjoins an existing road of a standard less than Council's current standard, full width or half-width plus 3m road pavement construction, kerbing, footpath, and ancillary drainage shall be provided along the full length of the frontage to approved standards.

Noted.

7. All roads to be dedicated to Council are to be constructed to Auspec Design Specification Standards.

Noted.

8. Roads and lots should be located so that residential dwellings are not subjected to unacceptable traffic noise.

New lots will not be subject to unacceptable traffic noise given the road configuration proposed.

9. Street name signs shall be erected at the junction of all roads in the subdivision in accordance with Council's guidelines. Proposed street names shall be submitted to Council for approval prior to use.

Noted.

10. The road network should facilitate walking and cycling within the neighbourhood and pedestrian and cycleway connections to local activity centres.

Noted.

11. The alignment of footpaths should allow safe and convenient use by pedestrians and cyclists and should be variable enough to accommodate trees and other significant features.

Noted.

12. Pedestrian and cyclist paths should be constructed to provide a stable and attractive surface for projected users which is easily maintained and meets the criteria of *Crime Protection Through Environmental Design* (CPTD).

Noted.

13. Bus routes and stops to be provided in accordance with the required standards.

Not applicable.

Section C3.3

1. Siteworks are to be planned to allow topsoil to be stripped, stockpiled and reused on the site. No soil is to be removed from the site without consent.

No soil will be removed on site without consent.

2. Filling and levelling shall not adversely affect adjoining land and shall be carried out to Council's satisfaction, as indicated on approved engineering plans.

Noted.

3. The quality laying and compaction of fill will be required to meet Council's engineering standards. Geotechnical certification may be required to indicate compliance with Council's engineering standards and relevant Australian Standards.

Noted.

4. Levels shall generally be adjusted so that lots drain to the street and/or the stormwater drainage system. Where required, a system of inter-allotment drainage shall be installed to prevent or ponding of water, or intensification of runoff on to adjacent land.

A stormwater plan is submitted with DA.

5. Cutting and filling should be planned to minimise damage or disturbance to existing vegetation.

Minor planted vegetation will be removed for the subdivision.

6. Erosion control and sediment control principles shall be implemented in accordance with Part G of this DCP.

Noted.

Section C3.4

1. All lots to be created in unsewered areas must be provided with suitable means of effluent disposal in accordance with the requirements of Council's *Onsite Sewage Development Assessment Framework* (DAF 2012) in Appendix E.

Not Applicable.

2. Reticulated water and sewerage services shall be provided to all lots within urban (with the exception of lots in zone R5 shown on the lot size maps as having a minimum lot size of 10,000m^2 or 15,000m^2) and Industrial and Commercial areas.

Water and sewer is provided.

3. In Rural, Environmental and R5 Large Lot Residential areas shown on the lot size maps as having a minimum lot size of 15000m^2 each lot shall be capable of supporting a suitable onsite sewage management system in accordance with the requirements of Council's *Onsite Sewage Development Assessment Framework* (DAF 2012) in Appendix E.

Not Applicable.

4. Reticulated electricity supply shall be made available to all lots. Underground power shall be provided to all lots in urban, commercial and industrial areas.

Reticulated electricity will be provided.

5. Provision of written evidence of compliance with the requirements of all relevant service authorities shall be supplied by the applicant prior to release of construction certificate or subdivision certificate, as may be appropriate.

Noted.

6. Compatible public utility services should be located in common trenches so as to minimise the land required, soil erosion and the cost of providing the services.

Noted.

7. Adequate buffers should be maintained between utilities and houses to protect residential amenity and health.

Noted.

8. The provision of utility services should not detrimentally impact on the landscape character of an area, or detrimentally impact vegetation corridors.

Utility services will not impact on the landscape character of an area, or detrimentally impact vegetation corridors.

Section C3.5

1. Drainage systems shall be designed and constructed in accordance with Council's Auspec 1 Design Specification. Natural drainage systems should be incorporated into designs where possible.
2. The major system must be able to accommodate the ARI=1:100 year and meet the safety criteria of the current Australian Rainfall & Runoff (AR&A). If capacity is limited in some way the underground (minor) system must be capable of safely conveying the balance. The minor system shall have a minimum capacity of 1:5 year ARI.
3. Drainage from subdivision sites should be consistent in both water quality and quantity terms with the predevelopment storm water patterns ie, neutral or no net increase on water quality and quantity. (This clause overrules the Table 4.2 in Council's Stormwater Management Plan 2000)
4. Water quality in water courses near subdivisions is to be protected by way of appropriate structures and/or filter mechanisms.
5. Drainage systems should be designed so as to ensure safety and minimise the likelihood of storm water inundation of existing and future dwellings.
6. Adequate provision should be made for measures during construction to ensure that the landform is stabilised and erosion controlled.
7. Where subdivisions drain either directly or indirectly into natural waterways, careful consideration of the impact of the development on erosion, pollution and sediment loading will be required.

A stormwater assessment is included with the DA.

Section C3.6

1. Subdivision design is to take into account and integrate with the location of adjoining development and surrounding subdivision patterns, especially adjoining residential development, in the design of roads, open space and in the location of lots. Where there is an established street setback pattern or streetscape, this is to be followed.

The subdivision integrates with the adjoining development and is consistent with patter of development in the locality.

2. Subdivision is to be designed to be able to integrate and connect with future adjoining land subdivisions.

Not Applicable.

3. Landscape buffers or like features shall be incorporated within subdivision design to provide separation between land uses where conflict may arise.

There are no land use conflicts.

4. Subdivision should be sympathetically designed to minimise the impact on heritage items of the subject land or adjoining lands.

There are no heritage items.

5. Subdivisions should be sympathetically designed to ensure that the existing heritage value of the streetscape and character of the area is maintained.

The streetscape does not have heritage value.

6. Adequate curtilage is to be provided around heritage items to provide an appropriate buffer.

Not Applicable.

7. A subdivision proposal on land within a conservation area and/or on land which contains, or is adjacent to, an item of environmental, Aboriginal or European heritage should illustrate the means proposed to preserve and protect such items. In this respect a heritage impact statement should accompany the application.

Not Applicable.

Section C3.7

1. Vegetation cover should be retained wherever practicable.
2. Vegetation should be enhanced where it forms a link to other bushland areas, buffer zones, wildlife corridors and the like.
3. Allowance for the movement of fauna species on sites should be maximised to maintain biological diversity.
4. Vegetation which is scenically and environmentally significant should be retained.
5. Vegetation which adds to the soil stability of the land should be retained.
6. All subdivision proposals should be designed so as to minimise fragmentation of bushland.
7. Opportunities for revegetation will be pursued as part of the subdivision process as a trade off for site development and as a means of value adding to the environment. In particular, revegetation of any existing creeks, streams and drainage lines, or repair and revegetation of eroded or otherwise degraded areas should be considered.
8. Degraded areas are to be rehabilitated as part of the subdivision.
9. Watercourses and drainage lines to be retained as part of the subdivision scheme and are to be stabilised and revegetated with appropriate native species.
10. Environmentally sensitive areas are to be preserved and enhanced with appropriate native vegetation and buffers where necessary.

There is no loss of valuable native vegetation because of the proposed subdivision.

Section C3.8

1. The overall design of any subdivision, whether residential or rural residential, should set aside open space which incorporates existing trees where practical.

Not applicable.

2. Housing sites should be confined to below ridgelines, so as not to become the dominant feature of the landscape.

Proposed house sites will not be prominent.

3. Flat cleared land should be set aside for active recreation.

Not Applicable.

4. In approving a subdivision application Council may require the lodgement of a Landscape Plan to the satisfaction of Council and the undertaking of works as documented therein. These plantings shall be continuously maintained for a minimum of twelve (12) months.

Noted.

Section C4.1

1. Site frontage shall be sufficient to permit vehicular and pedestrian access to the site.

Sufficient vehicular and pedestrian access is provided.

2. Lots shall be of suitable dimension and orientation to ensure good solar access to future development. On roads running north- south, lots may need to be widened to provide for solar access and prevent overshadowing of dwellings and private open space.

Future building sites allow for good solar access to dwellings.

3. Residential development will only be considered where reticulated water and sewerage is available to the proposed subdivision.

Reticulated water and sewerage is available to the proposed subdivision.

4. Each lot should have a depth to frontage ratio sufficient to avoid the possibility of 'gunbarrel' type development and permit development to respond to particular site circumstances such as orientation, topography etc.

Depth to frontage ratio is appropriate.

5. Lots should be designed to allow the construction of a dwelling with a maximum cut or fill of 1m from the natural ground level.

Cut and fill will be minimised.

6. Where land slopes are generally greater than 5%, road and lot design should provide for dwellings to be generally parallel with the contours to minimise earthworks.

Building sites are parallel to the contours.

7. Lot sizes should be increased where sites are steep or contain significant landscape features including water courses and easements.

Not Applicable. There is no steep land or significant landscape features.

8. Battle-axe lots will only be permitted where the size of the lot (excluding the access handle) has a minimum area of 650m^2. Where a reduced lot size is proposed for a battleaxe block (less than 650m^2) the applicant will need to demonstrate that all other performance criteria relevant to amenity and access can be met.

Subdivision proposal complies.

9. Only one battleaxe Lot is to be created behind any full frontage lot as illustrated in Figure 3.

Subdivision proposal complies.

10. Access to a single battle-axe lot shall have a minimum width of 4m.

Subdivision proposal complies.

11. Access to two battle-axe shaped lots, when combined, shall have a minimum width of 5m.

Subdivision proposal complies.

12. Where greater than two (2) allotments are to gain access from a shared driveway a Community title arrangement should be entered into to create the roadway as a Community Lot.

Not applicable.

8. Environmental Assessment

Vegetation

The site contains large areas of managed exotic grassland which are being used as grazing and agistment land. A small number of scattered trees exist throughout this area. The trees consist of mostly exotic fruit trees, palms, and bamboo, and are likely planted. A small number of natives (Eucapyptus sp. and Ficus sp.) are present, and these trees are also considered to be planted and maintained. Some of the planted trees will require removal for the proposed subdivision.

In the south-western corner of the site, a patch of Plant Community Type (PCT) 3171 - Northern Lowland Viney Wet Forest is present with a large number of exotic and weed species such as a large Cinnamomum camphora, and mid-story species such as Ligustrum license and Ligustrum lucidum. The understory in this area was a mix of weeds and natives. Some native regeneration of Lophostemon confertus and Acacia maidenii was occurring. This vegetation will be retained.

The Biodiversity Values (BV) Map identifies land with high biodiversity value that is particularly sensitive to impacts from development and clearing. The BV map forms part of the Biodiversity Offsets Scheme threshold, which is one of the triggers for determining whether the Biodiversity Offset Scheme (BOS) applies to a clearing or development proposal. The map is prepared by the Department of Planning, Industry and Environment under Part 7 of the Biodiversity Conservation Act 2016 (BC Act). None of this site is mapped as containing Biodiversity Values.

Acid Sulfate Soils

Douglas Partners have undertaken an Acid Sulfate Investigation of the site. A copy of this assessment is included with the Development Application.

The Assessment concludes:

The results of subsurface investigation, screening tests and detailed laboratory testing in this assessment indicate low level acid sulfate soils are present within the northern portion of the site (i.e. within the areas of mapped Holocene-aged alluvium) to the depth of assessment (i.e. one metre below ground surface). The results of detailed ASS testing suggested net acidity results marginally within the action criteria for ASS for disturbance of between 1 and 1000 tonnes of ASS. The results of testing exceed the action criteria for ASS for greater than 1000 tonnes of disturbance of ASS.

Requirements for further assessment and management of the marginal ASS will be dependent on the level of disturbance proposed within the mapped/affected area and the depth of excavation. Based on the subdivision plan in Appendix A and the geology/ASS risk mapping, the majority of Lots 97 and 98, plus the northern portions of Lots 77 and 78,the proposed road in the north-eastern portion of the site and the northern portion of the vacant area immediately north of the substation could be impacted by the ASS conditions, although the lateral and vertical extent of ASS has not be confirmed to date. Some minor ASS treatment, including lime addition and mixing and verification testing of the excavated soils may be required in this area, given that works in this area for subdivision, services, roads etc. would likely generate more than 1000 tonnes of excavated soils.

Depending on the requirements for disturbance in the northern portion of the site (i.e. for roads, underground utilities etc, footings etc.) ASS management measures, with reference to ASSMAC (Stone, Ahern, & Blunden, 1998) and QASSIT (Dear, et al., 2014) should be included in the construction environmental management plan for subdivision construction. Such management measures could include, but not be limited to, the following:

- *Preparation of an on-site ASS treatment area;*
- *Approximate liming rates for excavated soils. Based on the laboratory testing conducted as part of*
- *this preliminary assessment, liming rates in the order of 3 to 5 kg lime per tonne of soil are expected;*
- *Soil and water monitoring requirements;*
- *Verification testing requirements;*
- *Dewatering requirements (if any).*

Should disturbance of the identified ASS area be proposed, management and monitoring measures should be outlined in a site-specific Acid Sulfate Soil management Plan prepared with reference to ASSMAC (Stone, Ahern, & Blunden, 1998) and QASSIT (Dear, et al., 2014).

As noted above, additional assessment for vertical and lateral delineation of ASS is recommended to assess whether the identified ASS will impact on the proposed development area. The additional assessment for ASS could be readily undertaken in conjunction with additional investigations required for site classification and civil design.

Contamination

Douglas Partners have undertaken Preliminary Contamination Investigation of the site. A copy of this assessment is included with the Development Application.

The Assessment concludes:

Due to the slightly elevated heavy metal concentrations adjacent to the small shed in the central portion of the site, plus demolition of former small structures in the central portion of the site, it is recommended that areas of former use / impact within the proposed subdivision area (e.g. sheds, workshop, equipment storage, fuel/oil storage, ACM fencing etc.) are inspected during demolition to confirm the absence of gross contamination beneath former structures and areas utilised as part of former agricultural use. It is further recommended that some additional testing in these areas is conducted to confirm the absence of gross contamination. It is expected that this inspection could be conducted as part of early works for the proposed subdivision. Given the generally localised nature of the identified contaminant sources, localised impacts, if identified, are likely to be readily remediated through stripping and off-site disposal of near surface soils/fill/wastes.

The site is generally considered to be suitable for the proposed residential development. As stated above, inspections and possible further soil testing are recommended during demolition/removal of structures, equipment etc. as part of early subdivision works.

If, during subdivision works, conditions different to those encountered during this investigation are encountered, it is recommended that a contaminated lands consultant be engaged to further assess the potential impacts encountered.

Aboriginal Heritage

There are no known Aboriginal heritage items on the land.

Bushfire

The subject land is not classified as bushfire prone on Council's mapping. A Bushfire Threat Assessment has however been undertaken by AEP and is attached the Development Application.

The Assessment concludes:

Investigations undertaken for this Bushfire Threat Assessment report have revealed that the proposed Residential Subdivision will be affected by hazard vegetation to the west and south of the Subject Site.

The proposal has non compliance with the PBP, however as the Subject Site is not mapped BFPL the PBP was a guidance tool for the assessment. AEP understands that the development will be serviced by the existing reticulated water supply and street hydrant access in accordance with AS 2419.1–2021.

The proposed development is located within an existing residential area and utilises existing public roads for access and defendable space. It is considered that the proposed access and egress arrangements are appropriate, and no issues have been identified with evacuation.

When applied, these measures may provide protection to life and property within the proposed development in the event of a bushfire. However, it can never be guaranteed that the site, residents and property therein will not at some stage be affected by a bushfire event.

Traffic

A Traffic Impact Assessment of the proposed subdivision was undertaken by Streetwise and is attached to the Development Application.

The Assessment recommends:

This assessment has determined George Gibson Drive and Macquarie Street will have the capacity (Austroads Guidelines) to cater for the future traffic volumes generated by the development, with no significant reduction to existing safety, efficiency or capacity.

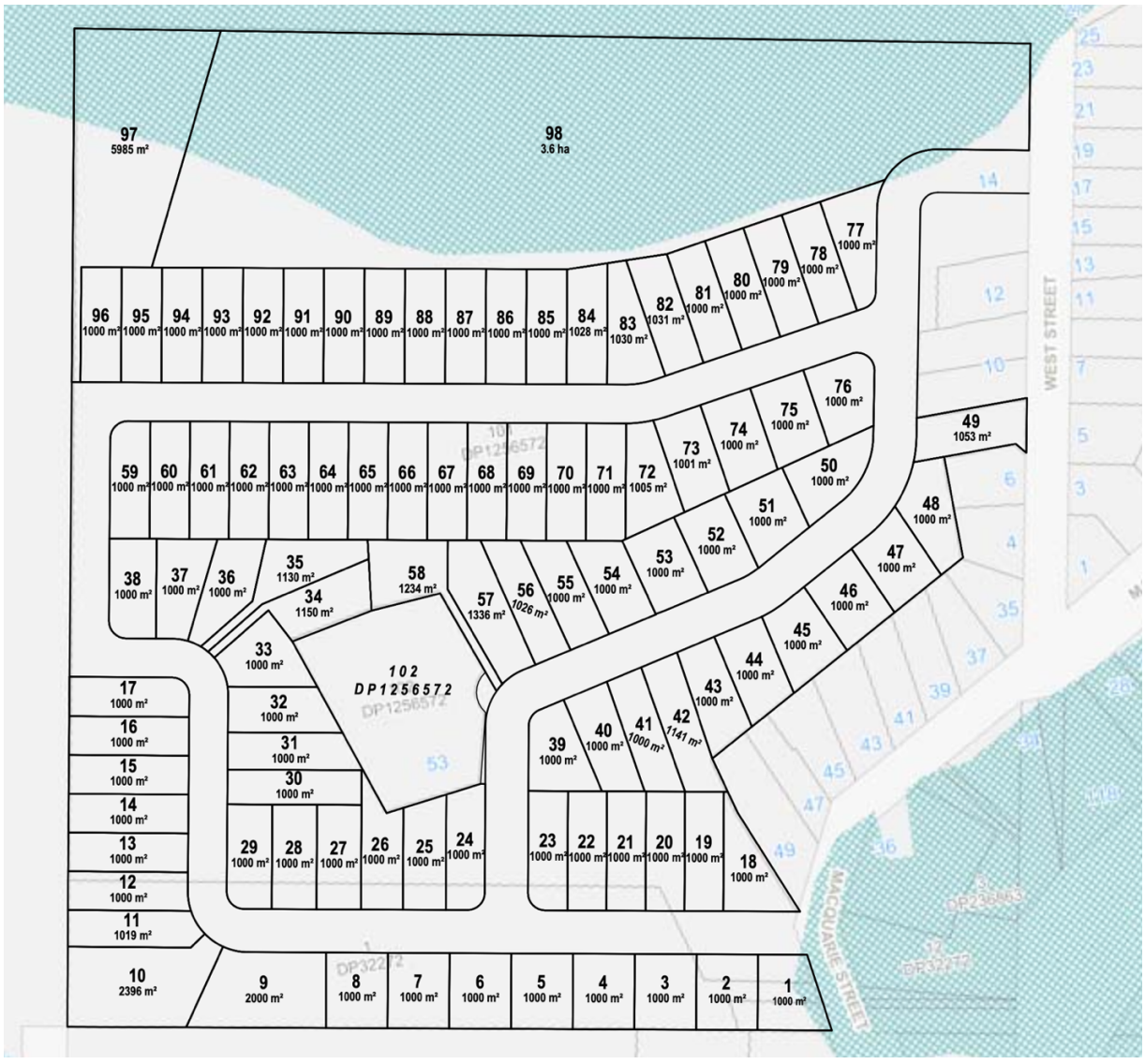
As part of the development, 2 x Urban BAR / BAL intersection treatments are to be designed and constructed off Macquarie Street to the south and West Street to the north.

It is recommended the development design and construct an internal 1.50m wide concrete footpath between Road No.1 and Road No.2 and a 50m length of 2.50m wide shared path between Road No.1 and the Coopernook Public School driveway to the east of the site.

Flooding

The site is mapped as flood affected as identified on Council's mapping as shown in **Figure 4.** Only Lot 1 is partially affected by the 1% flood and appropriate development controls can be applied to future development of the land, and potential minor regrading, to ensure that any future buildings are flood free. The subdivision also includes a norther flood free access point.

Figure 4 – Site affected by 1% Flood
Source: Calco Surveyors
North ^



Heritage

A Statement of Heritage Impact was prepared for the proposed subdivision by Contemporary Heritage and is included with the Development Application. The Statement concludes:

The impact of elements of the proposed subdivision that would detract from the significance of the Heritage Items and Conservation Area have been mitigated suitably and shall help to ensure that the significance of those elements is not diminished.

The proposed design meets the objectives of the DCP and Heritage Guidelines and shall be read in conjunction with the final development application drawings and Statement of Environmental Effects.

The proposal responds positively to the existing subdivision pattern of Coopernook and does not detract from the presentation of the Heritage Conservation Area.

Any future development will need to be assessed on its own merits however the lot sizes proposed allow for flexibility in the design of new infill development which is positive.

The final assessment is that based on the considerations within this Statement of Heritage Impact, and following the aforementioned recommendations, the proposal should not be refused on heritage grounds.

9. Conclusion

Information presented in this Statement of Environmental Effects indicates that the proposed subdivision of Lots 101&102 DP1256572, Lots 1&9 DP 32272, 53 Macquarie Street, Coopernook into 98 lots is consistent with the relevant Local and State planning instruments. The potential impact of the proposed subdivision has been examined in detail and the environmental impacts have been found to be acceptable or able to be managed so that there are no detrimental impacts. The proposed subdivision will not adversely impact upon the surrounding environment.

Yours faithfully
Midcoast Town Planning

A signed copy can be provided upon request.

TONY FISH
Town Planner

2 Biripi Way| PO Box 482
Taree NSW 2430

17/01/2022

Enquiries: Sarah Butcher

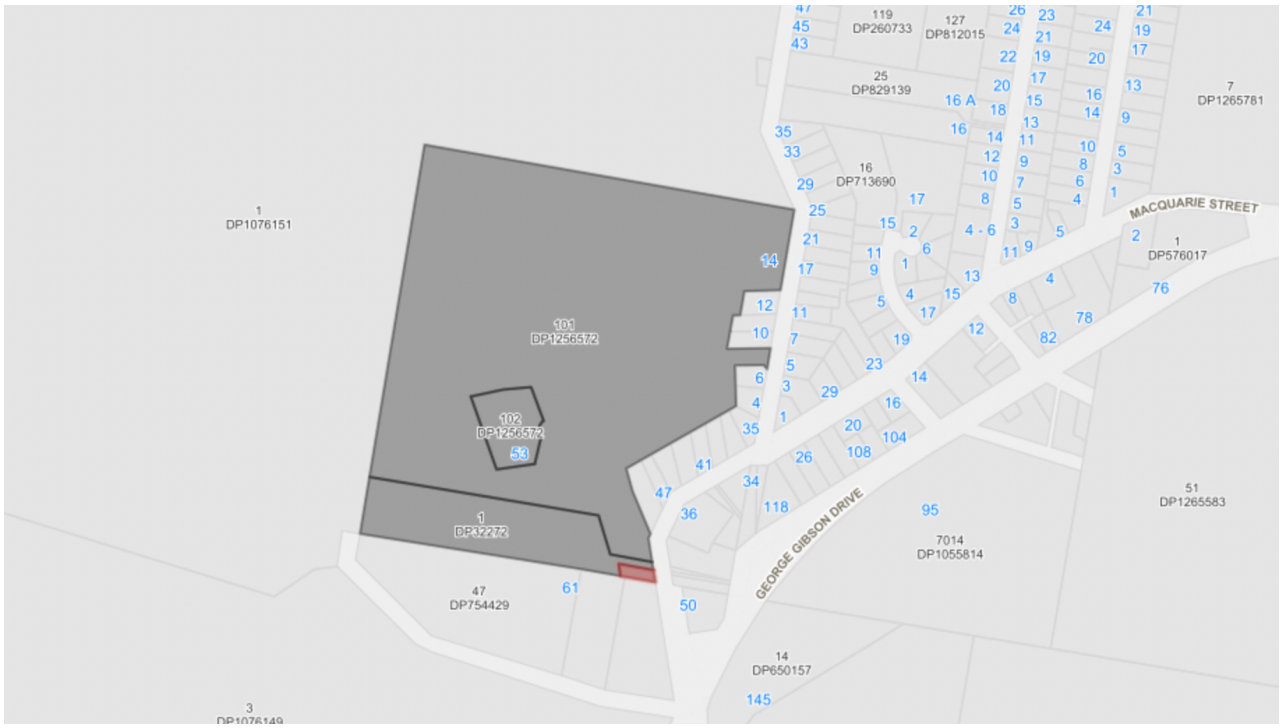
Subject: **Pre-Lodgement Meeting**

Proposal: Subdivision (102 Lots)

Application No: PL

Property: 53 Macquarie Street Coopernook

Legal Description: Lots 101 DP1256572, 102 DP1256572, Lot 1 DP32272, Lot 9 DP32272



Development Assessment Panel

Property: 53 Macquarie Street Coopernook

Proposal: Subdivision (102 Lots)

Meeting Date: 17/01/2022

Attendees:

	Council:	Craig Wilkinson – Planning Sarah Butcher (Note Taker) – Planning Kieran Woodall – Engineering Prue Tucker – Water Quality James Duval – Water Quality Emily Nicholson – Environmental Health Phil Tyrie – Water Services
	Applicants:	Greg Hall - Urban City Planners Tony Fish – MidCoast Planning Troy Myers – Urban City Planners

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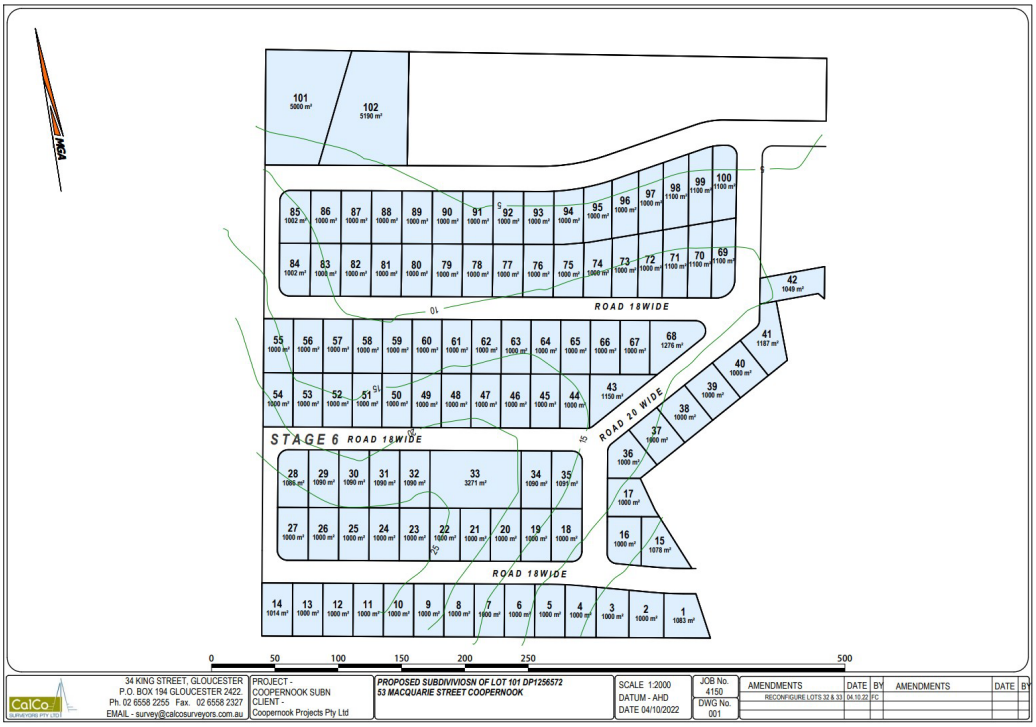
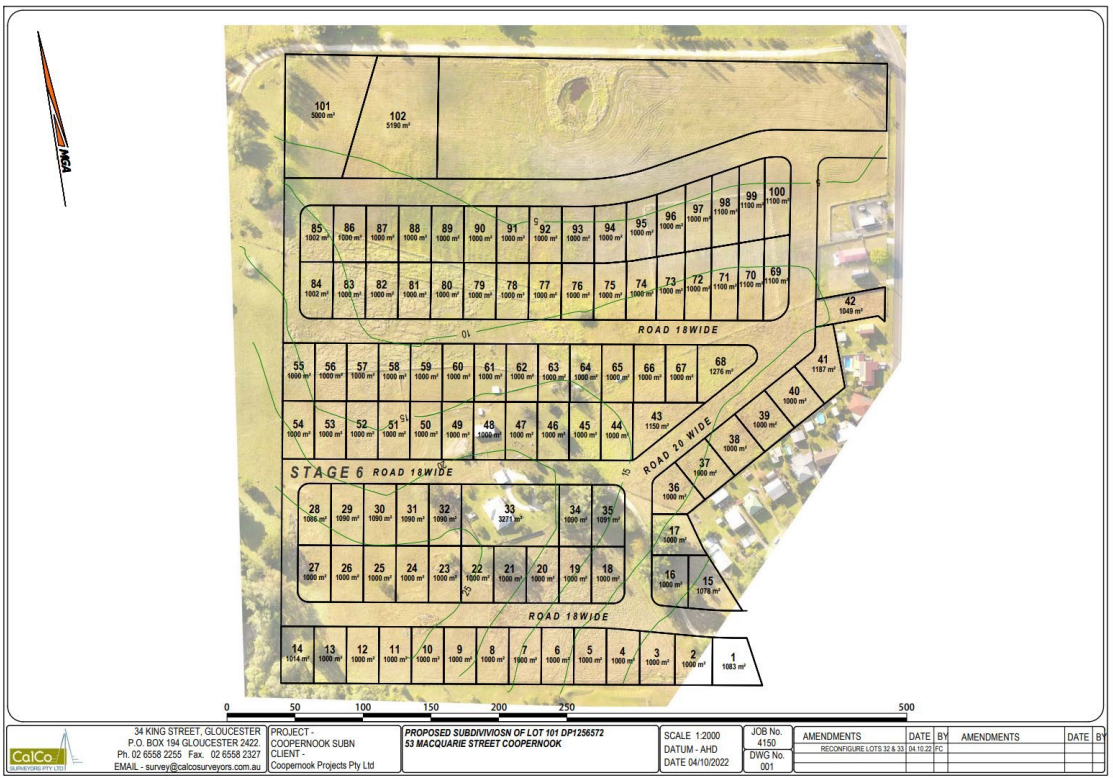
Proposed Development

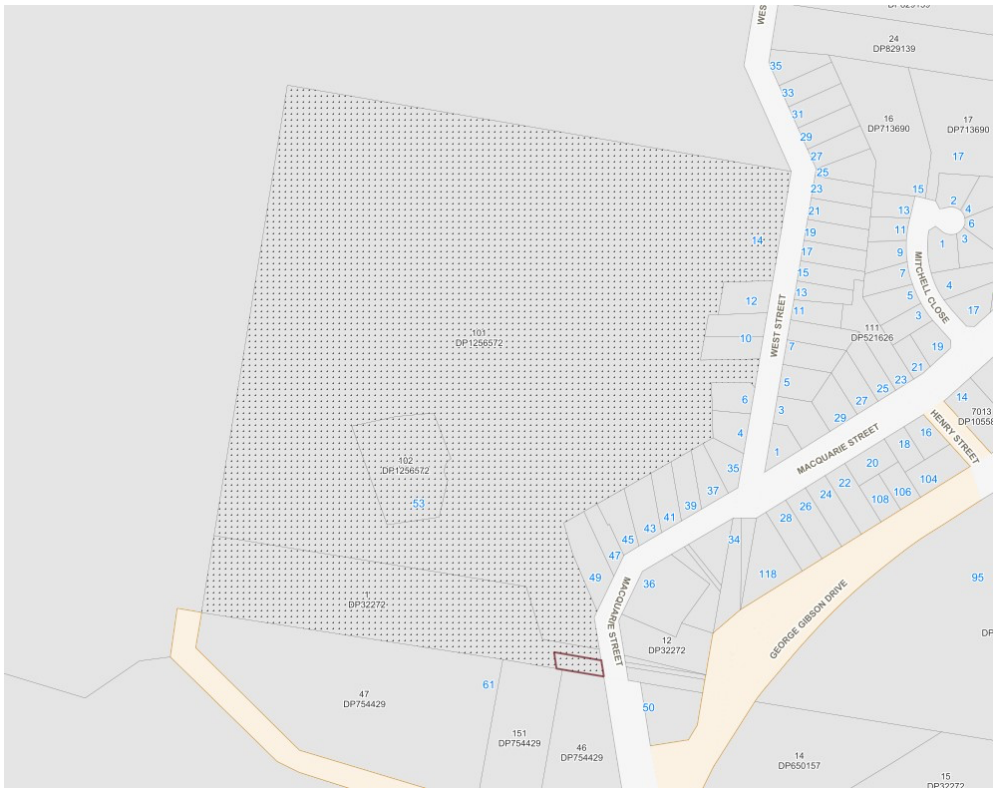
The proposed development is for the subdivision of land into 102 allotments.
Lot vary in size from 1000m2 to 2.3HA and includes construction of new public road with access via Macquarie street and West Street.

Proposed Plans



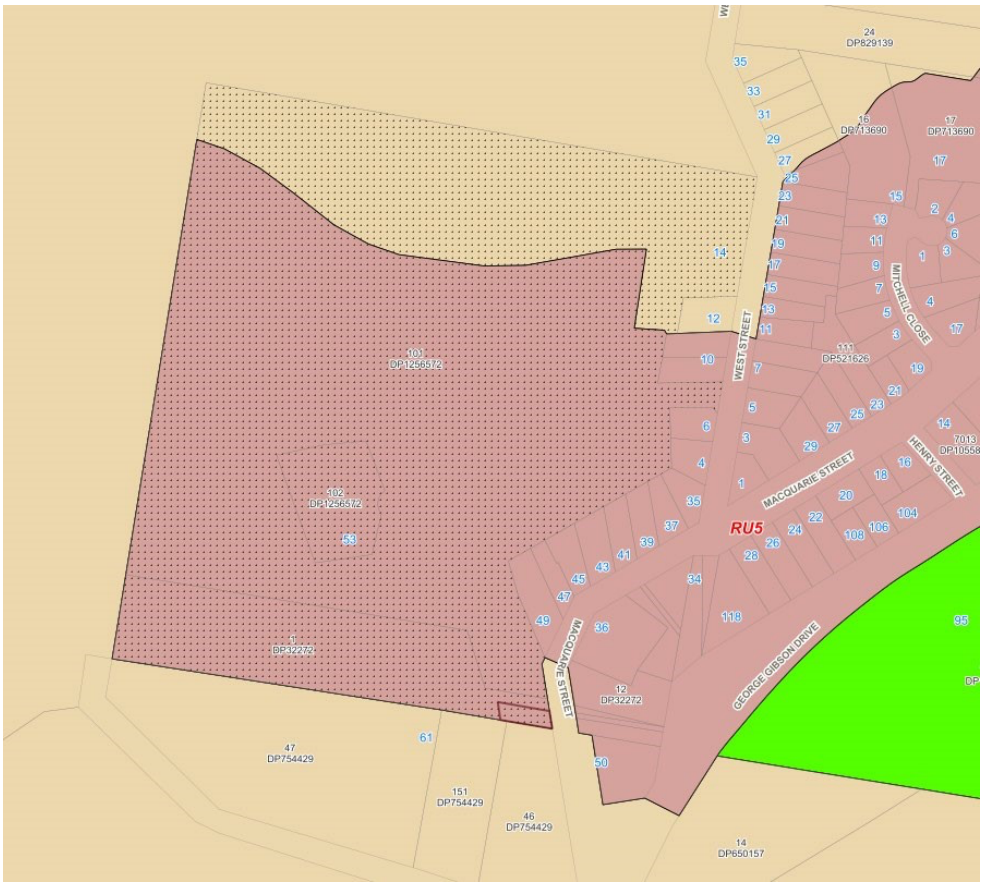


Existing Site



Locality map: Intramaps

Existing Imagery: Intramaps



Existing Imagery: Intramap

Planning controls

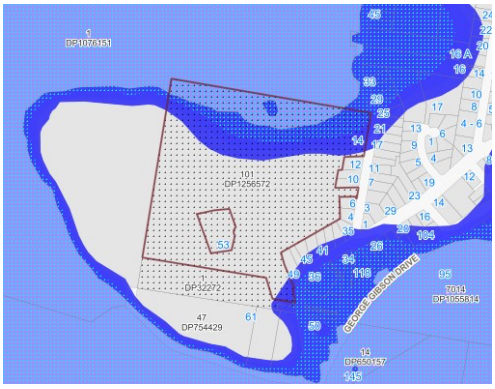
- Greater Taree Local Environmental Plan 2010 - NSW Legislation
- Greater Taree Development Control Plan
- State Environmental Planning Policy – (Resilience and Hazards) 2021

Key issues

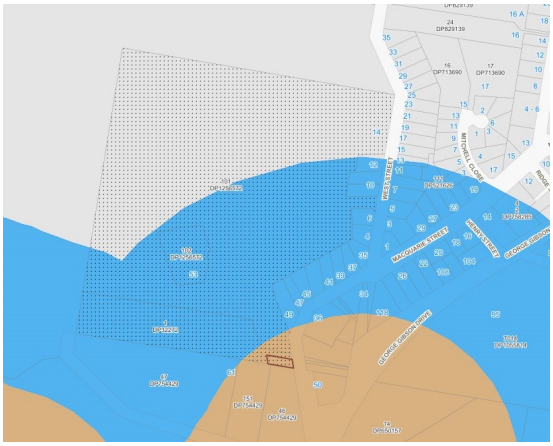
- Land is not currently mapped as bushfire prone, however, it is mapped on the draft maps and therefore consideration should be given to Planning for Bushfire Requirements 2019 –

- There is a significant Electrical Easement which transects the site diagonally, the applicant is currently in discussions with Essential Energy to relocate the powerlines

- The property is partly affected by Flooding as identified on the Flood planning Map – This will impact proposed lot 101 and lot 102.



- Land is mapped as Coastal use and Coastal Environment Area under the State Environmental Planning Policy – (Resilience and Hazards) 2021



Advice:

1. Planning

- The development is considered permissible under the Greater Taree Local Environmental Plan 2010 (LEP). All relevant development standards within the LEP must be addressed within the Statement of Environmental Effects (SEE). In addition to this the relevant development controls within the Greater Taree Development Control Plan 2010 (DCP) must also be addressed in the SEE.

- The proposed lot sizes comply with the minimum lot size requirements for the zone as identified in the lot size mapping available on Council's website.

- Lot layout is consistent with the existing village structure. Whilst the layout appears to be appropriate for the site – It is noted that the scale of development is considerable in comparison to the remainder of the village.

- This isn't a significant concern; however it is noted for information as there is the possibility of community interest in the development.

- Consideration should be given to the potential land-use conflict with the southern and western interface of the RU1 primary production and RU5 village zone. The application will be required to address the interface between *RU1 – Primary Production* land to the south and west and the transition into the smaller *RU5- Village* allotments: Comments provided for consideration include:

  ○ land use conflict – interaction with rural land to the south and west; ○ visual impacts of rural outlook and amenity; ○ Possibility of larger lots to allow for a transition towards the village. Specifically, Lots 12-14, Lots 26-29, Lots 53-56 and Lots 83-86; ○ Roads on western side are a hard interface to adjoining rural land – larger lots on boundary would permit suitable APZ to grassland and assist in the interface.

- Application will require referral to Essential Energy due to location to the substation.

- Whilst the site is not currently mapped as being bushfire prone land, the application will still need to have consideration for the risk of bushfire attack (through section 4.15 – matters for consideration as well as the RFS draft maps). The applicant will need to address the objectives within Planning for Bushfire to ensure that there is reduced risk of grassland bushfire impacts – APZs and construction requirements etc. As the site is not bushfire affected land this can be addressed within the SEE and would not require a separate bushfire report.

- Preliminary site investigation would be required (as per comments from Tony Fish) – Whilst Council records do not indicate that the land or adjoining land is contaminated, it is understood that the landowner has additional information which identifies contaminated land. This should be addressed as part of the application – Chapter 4 of SEPP (Resilience and Hazards) 2021 must also be addressed within the SEE.

- Class 3 Acid Sulfate soil management will need to be considered with regard to water quality and stormwater treatment. If works are proposed in this area this may trigger a requirement for an Acid Sulfate Management Plan – this is to be discussed in the SEE.

- The existing topography associated with the site appears to be conducive to the proposed layout. Council advises that it is preferential to utilise the existing lay of the land and excessive cut/fill should be avoided.

- Heritage Impact Assessment will be required due to proximity to local heritage items and heritage conservation zone.

2. <u>Engineering</u>

- Lot layout is suitable and road widths appear to be suitable

- Council would prefer to see the existing topography and contours utilised for the road design

- Fire trails will need to be considered and orientated to compliment the existing land and contours

- Flooding will need to be addressed. All development lots will need to be above the relevant flood levels

- When the DA is lodged it would be recommended you lodge a plan reflecting compliance with the site stormwater requirements

- There is 450m of sheet flow existing – consideration will need to be given to the onsite detention and catchments to ensure pre vs post calculations are accurately managed with no impacts on downstream properties.

- Basin location will need to be outside flood prone areas.

- Potentially a basin on the southern side of the road which is not flood effected could be a suitable location.

- Auspec will dictate road widths. A suitable condition of consent will be imposed

- Consideration will need to be given to the impact the increase in lots will have on existing infrastructure, particularly the existing road networks. A traffic impact assessment would be highly recommended upfront

3. Water Quality

- The site is mapped in the SEPP Coastal Environment and Use zones. The proposed subdivision will need to comply with Council's Water Sensitive Design. The existing property is largely undeveloped Rural Land, with an existing Dwelling centrally located on the consolidated lot.

- Outcomes should be considered in accordance with the Subdivision Chapter of the Greater Taree DCP and SEPP Resilience and Hazards Coastal Zone management objectives.

- The development must comply with *NorBE targets* - meaning the calculated loads of pollutants generated from impervious areas must be equal to or less than that of the existing land use (Rural Land Use).

The following is required to be submitted with the DA:

- A Water Sensitive Design Strategy (completed by a suitably qualified consultant) prepared in accordance with Council's Guidelines for Water Sensitive Design Strategies which is available on our website.

- A concept design that proves feasibility, particularly in relation to the drainage requirements of the site and demonstrating stormwater management.

- An accurate MUSIC model prepared in accordance with both Council's Guidelines and the NSW MUSIC Modelling Guidelines 2015 ensuring that the correct rainfall parameters and soil type are used. All pre-development areas and parameters should be accounted for, including the existing dwelling roof area, landscaped areas and the existing dam on the property. This will ensure an accurate and acceptable treatment method for assessment.

- The Council guidelines give information on Water reuse rates for on-lot rainwater tanks, acceptable treatment types and runoff parameters for soil types.

General Notes for consideration:

- It is highly recommended that the Water Quality system is designed in conjunction with the overall stormwater disposal systems for the subdivision, with consideration to impacts on adjacent properties and their land uses (Village and Rural zones).

- Should be noted that for combined Water Quality and Quantity systems, the maximum catchment area of 5 Ha applies.

- A typical treatment train is generally on-lot collection and reuse through rainwater tanks associated with individual dwellings, with overflow to street, disposed of to a biological treatment system associated with the subdivision, before disposing to Council's legal point of discharge.

- Biofiltration is the preferred method of treatment by Council, to be located on public land dedicated to Council as a drainage reserve (not located within the public road reserve), ensuring adequate access.

- Proprietary devices and swales are not accepted.

- If external stormwater is flowing through the site, due to elevation, the subdivision is required to capture and treat within the proposed treatment train or diverted around the lot.

- Northern portion of the site must consider flood impact if proposing Stormwater treatment.

4. Environmental Health

- As part of the application, the applicant will need to provide any information regarding contamination.

- The planning consultant indicated the landowner has received previous advice from Essential Energy regarding possible site contamination.

- It is likely that a Preliminary Site Investigation will be required to be undertaken in accordance with Council's Contaminated Land Policy (2017) to address Part 4.6 of the State Environmental Planning Policy (Hazards and Resilience) 2021.

5. Water Services

- The site has access to reticulated sewer and water

- Council's strategic sewer design assessment will need to be reviewed to ensure proposed subdivision will have adequate sewer serviceability. This will identify any required trigger point upgrades or additional upgrades to pump station 1 and 3. The cost of any upgrades will be at no cost to Council.

- Section 68 application will be required.

- Link the 150mm water main from west street to Macquarie street through 20 wide road

- Link 18 wide roads with 100mm loop mains to have no dead ends.

- Existing house on top of the hill - sewer and water connection to be used for proposed Lot 15 to be checked at Sect 68 stage.

- Standard Water meter applications for proposed 1 & 42

- Sewer junction standard applications for proposed lots 42

- Proposed lot 101 & 102 consideration for sewer servicing main Northern section for servicing and connection to existing network is shallow approx. varying about 1- 1.2 m connection maybe required further down west street West

Contributions for water and sewer

- $ 1,584,664.00 for 100.2 e.t with credit

6. Parks & Open Spaces

Council has reviewed the details submitted and can advise that the subject land that has been identified as possible open space/recreation purposes for dedication to council is not considered suitable due to it being flood affected land. More broadly, council is not currently in a position to take on more land in this area for the purposes of open spaces/recreation.

Notes were amended 30/01/2023 to include requirement for Heritage Impact Assessment which was discussed during the meeting and excluded from final notes in error.

Important Information

Please refer to Council's Electronic Submission Requirements for Plans, Reports and other documents, the Application Guide for Lodgement and associated DA Checklist (available from Council's website) when preparing your application.

Please note this advice has been prepared on the basis of the information and concept plans that have been submitted to Council for this meeting. Other issues may arise following a detailed assessment of any application lodged.

Furthermore, any application that is lodged shall be assessed on its merits and shall have regard for, and be designed in accordance with, the relevant planning controls (including any state or local environmental planning instruments) precinct plans, development control plans or policies, and the National Construction Code and relevant standards.

Any information submitted for Pre-Lodgement meetings as well as any correspondence to or from Council, including this letter, may be disclosed under the provisions of the GIPA Act.

The views expressed may vary once detailed plans and information are submitted and formally assessed by Council, or as a result of issues raised by interested parties.

These comments do not bind Council Officers, the elected Council members, or other bodies beyond Council, in any way whatsoever.