

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

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**TORRENS TITLE SUBDIVISION (ONE  
INTO TWO LOTS)**

**69 PRINCE STREET, CLARENCE TOWN,  
NSW, 2321  
(LOT 19, SECTION 23, DP 758250)**

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## EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Nathan Kerr and Alison Richards (the client) to prepare a Statement of Environmental Effects (SEE) for a Torrens title subdivision (one into two lots), over 69 Prince Street, Clarence Town, NSW, 2321 (LOT: 19, SECTION: 23, DP758250) (**'the site'**).

The characteristics of the development include:

1. This Development Application seeks approval for a one into two lot Torrens title subdivision. The proposed lots will have the following areas:
  - a. Proposed Lot 191 – 1019m<sup>2</sup>
  - b. Proposed Lot 192 – 1012m<sup>2</sup>
2. Proposed Lot 192 will maintain the existing access from Prince Street with additional access for proposed Lot 191 to be formalised to Prince Street.

The key reasons why the proposed development is appropriate are as follows;

- The proposed subdivision is permissible on the site with consent;
- No adverse impact on the existing character or amenity of the area will result;
- The proposed subdivision is consistent with the layout of the existing area, without burdening the essential services supply;
- Subdivision of the land will directly benefit the community through providing an additional developable and saleable lot which is largely unconstrained to meet the housing needs of the growing community population.

The SEE will expand on those matters that have been summarised above to assist Council in completing a detailed assessment of the proposed development.

## TERMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
BDAR	Biodiversity Development Assessment Report
EPA	Environment Protection Authority
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
DA	Development Application
DCP	Development Control Plan
LGA	Local Government Area
PSI	Preliminary Site Investigation
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects
URA	Urban Release Area

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## PLANS AND SUPPORTING DOCUMENTATION

This SEE is supported by the following plans and documentation:

Table 1 - Appendices

APPENDIX	Document	Prepared by	Reference
1	EP&A Regulation Compliance Table	Perception Planning	Dated 15.11.2023
2	DCP Compliance Table	Perception Planning	Dated 14.11.2023
3	Title and Deposited Plan	NSW Land Registry	Ref 19/23/758250 Dated 18.10.23
4	AHIMs Search Results	Perception Planning	Ref J004008 Dated 18.10.2023
5	BYDA Search Results	BYDA	Ref 34691011 Dated 25.07.2023
6	Site Survey and Subdivision Plan	Delfs Lascelles	Ref 23443 Dated 27.10.2023
7	Civil Engineering Plan	DRB Engineering	Ref 232932 Dated 29.09.2023
8	Notice of Formal Requirements	Hunter Water Corporation	Ref 232932 Dated 18.10.2023
9	Hunter Water Corporation Stamped Plan	Hunter Water Corporation	Ref 99909 Dated 18.10.2023
10	Site Waste Management Plan	Perception Planning	Dated 15.11.2023
11	Bushfire Assessment Report	Peak Land Management	Ref Version 1 Dated 15.11.2023
12	Owners Consent	Owner	N/A

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# 1 BACKGROUND

## 1.1 PURPOSE

The purpose of this Statement of Environmental Effects (SEE) is to assist Council in their assessment and determination and to assist the community in understanding the proposed development.

This SEE has been prepared in coordination with Nathan Kerr and Alison Richards (**‘the client’**) and other sub-consultants to demonstrate the relevant matters associated with in the proposed development. The SEE examines the existing development and site location, how the proposed development relates to the location and the environment, as well as the planning merits of the development with respect to the relevant legislation, regulation and other requirements. The SEE examines the applicable site attributes and the specifics of the development proposal that are appropriate to the development application stage. The SEE seeks to provide all the relevant data to give a suitable level of certainty to the consent authority that the proposal has a positive impact on the immediate area and the wider surrounds.

This SEE has been prepared in accordance with best practice principles, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure’s (now the Department of Planning, Infrastructure and Environment) guide to the *Environmental Planning and Assessment Act* (EP&A Act) 1979 (s4.15).

The objectives of this SEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s; and
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.



## 1.2 SITE DETAILS

<b>Property Address</b>	69 Prince Street, Clarence Town, NSW, 2321
<b>Lot and DP</b>	LOT: 19, SECTION: 23, DP758250
<b>Current Use</b>	Dwelling and ancillary structures
<b>Zoning</b>	R1: General Residential
<b>Size</b>	2.031ha
<b>Site Constraints</b>	Bushfire Prone Land: Vegetation Buffer Williams River Drinking Water Catchment
<b>Owner</b>	Owner's consent has been provided on the Application Form for the DA.
<b>DP and 88B Instrument</b>	Nothing on the DP or 88B instrument prohibits the proposed development. No existing easements are identified within the DP provided at <b>APPENDIX 3</b> .

## 1.3 SITE DESCRIPTION

The site is located at 69 Prince Street, Clarence Town, NSW, 2321 (**'the site'**) and has a total area of 2.031 ha (**FIGURE 1**). The site is located in the residential area of Clarence Town, within the Dungog Local Government Area (LGA).

The site gains access to Prince Street along the Southern border and is bound by similarly zoned R1 land on all sides with RU1 land in proximity to the North-Western side of the site. Neighbouring development is residential in nature with similar lot sizes consistent to the proposed development. The site contains a dwelling house and ancillary structures predominately on the Eastern side of the site. The western side of the site includes several informal garden beds, metal garden shed and small concrete section. The subdivision proposes use of the existing access crossover from Prince Street to maintain access to the dwelling with secondary access proposed for Lot 191 to be formalised.

The site has scattered vegetation including mature trees, exotic and non-native in nature and constructed garden beds.



Figure 1 - Locality Plan (Source: Near Maps, 2023)

## 1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The site is currently occupied by a dwelling house and ancillary structures. The Dungog Council Development Application Tracker website does not identify any current applications for the subject site. It is expected that previous applications relating to the site pre-date Council electronic record.

No known compliance matters exist over the site which would pose issues for the proposed development.

## 2 DESCRIPTION OF THE DEVELOPMENT

### 2.1 PROPOSED DEVELOPMENT

The objective of the proposed development is to obtain development consent for a Torrens title subdivision (one into two lots).

The characteristics of the development include:

1. One into two lot Torrens title subdivision. The proposed lots will have the following areas:
  - a. Proposed Lot 191 – 1019m<sup>2</sup>
  - b. Proposed Lot 192 – 1012m<sup>2</sup>
2. Proposed Lot 192 will maintain the existing access from Prince Street with additional access for proposed Lot 191 to be formalised to Prince Street.

The proposed Subdivision Plan is provided below in **Figure 2** below and contained in **APPENDIX 6**.



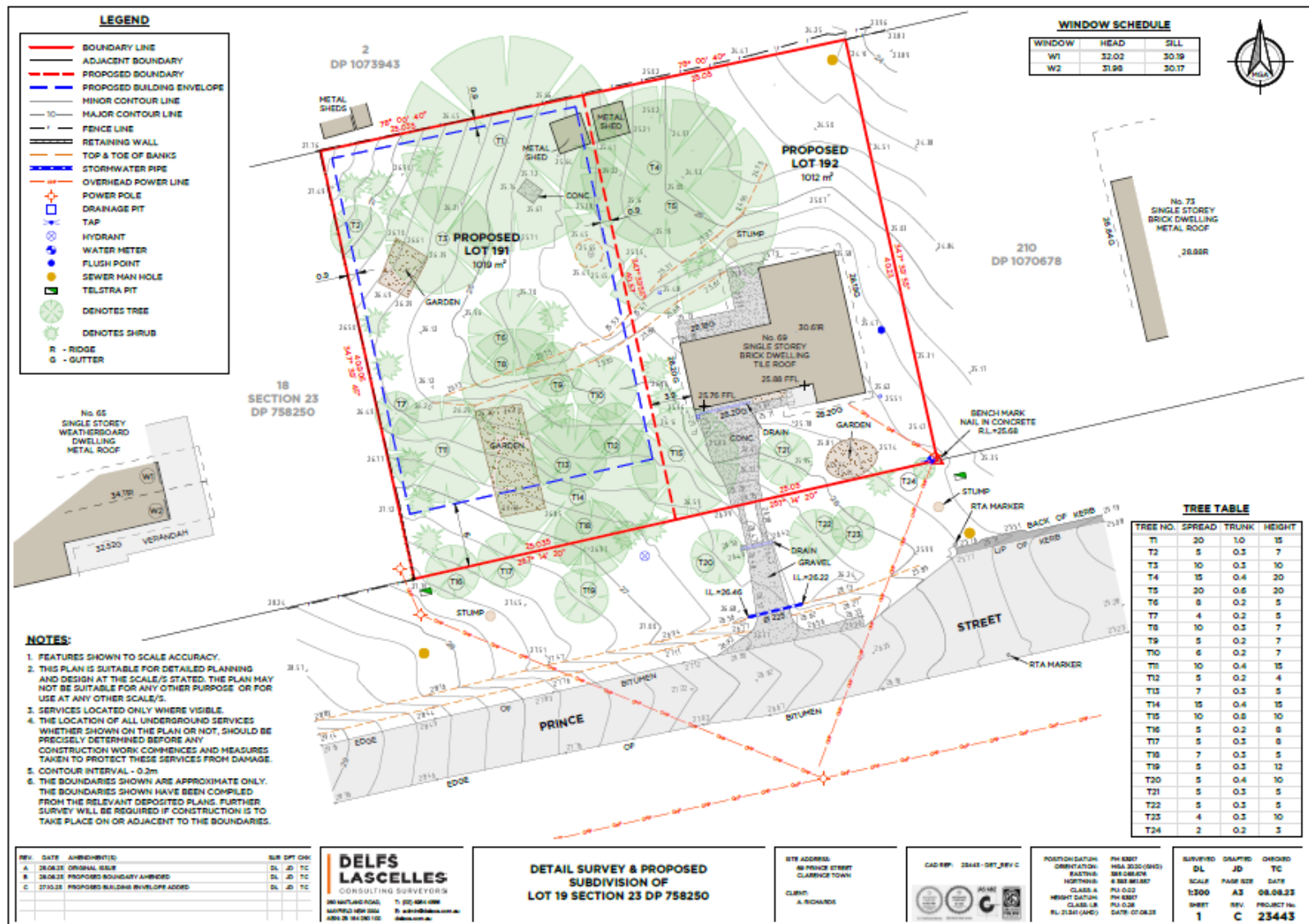


Figure 2 - Proposed Subdivision Plan (Delfs Lascelles, 2023)

## 3 PLANNING CONTROLS

### 3.1 ACTS

All NSW Acts have been considered in the preparation of this SEE. The following Acts are considered relevant to the proposed development and discussed in further details below:

- *Environmental Planning and Assessment Act 1979*
- *Biodiversity Conservation Act 2018*
- *Hunter Water Act 1991*
- *Water Management Act 2000*
- *Rural Fires Act 1997*

#### 3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the principal planning and development legislation in NSW and is applicable to the proposed development. Section 4.15 of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15 are addressed in further detail in separate sections of this SoEE below.

- **Section 4.46 – What is integrated development?**

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the approvals listed within **Table 2** below. The proposed development is identified as integrated in accordance with the Rural Fires Act 1997.

**Table 2** - Integrated development

Integrated development	Proposed Development	
<b>Fisheries Management Act 1994</b>	<ul style="list-style-type: none"><li>▪ s 144</li><li>▪ s 201</li><li>▪ s 205</li><li>▪ s 219</li></ul>	N/A
<b>Heritage Act 1977</b>	<ul style="list-style-type: none"><li>▪ s 58</li></ul>	N/A – The site is not identified as being a heritage item or located within a heritage conservation area.
<b>Coal Mine Subsidence Compensation Act 2017</b>	<ul style="list-style-type: none"><li>▪ s 22</li></ul>	N/A – The site is not located within a Mine Subsidence Area.
<b>Mining Act 1992</b>	<ul style="list-style-type: none"><li>▪ s 63, 64</li></ul>	N/A

<b>National Parks &amp; Wildlife Act 1974 (as amended)</b>	<ul style="list-style-type: none"> <li>▪ s 90</li> </ul>	N/A
<b>Protection of the Environment Operations Act 1997</b>	<ul style="list-style-type: none"> <li>▪ ss 43(a), 47, 55</li> <li>▪ ss 43(b), 48, 55</li> <li>▪ ss 43(d), 55, 122</li> </ul>	N/A
<b>Roads Act 1993</b>	<ul style="list-style-type: none"> <li>▪ s 138</li> </ul>	N/A
<b>Rural Fires Act 1997</b>	<ul style="list-style-type: none"> <li>▪ s 100B</li> </ul>	Yes - The site contains Bushfire Prone Land – Vegetation Buffer. The proposed development requires referral to the NSW Rural Fire Service (RFS) requesting a Bushfire Safety Authority (BSA) under Section 100B of the Rural Fires Act 1997. Bushfire assessment has been provided as <b>ATTACHMENT 11</b> .
<b>Water Management Act 2000</b>	<ul style="list-style-type: none"> <li>▪ ss 89, 90, 91</li> </ul>	No – The development will not occur within 40m of a mapped watercourse, therefore referral to the Natural Resource Access Regulator as integrated development is not required as part of this application.

- **Section 7.11 – Development Contributions**

Development contributions will be calculated and charged in accordance with the Dungog Local Infrastructure Contributions Plan 2019.

### **3.1.2 BIODIVERSITY CONSERVATION ACT 2016**

The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Applicants are to supply evidence relating to the triggers for the Biodiversity Offsets Scheme (BOS) Threshold and the test of significance when submitting a development application to the consent authority.

The subject site does not contain significant areas of native vegetation and similarly does not contain areas identified on the Biodiversity Values Map as land with high biodiversity value and sensitive to impacts from development and clearing.

It is noted that whilst the proposed development does not require removal of vegetation at this stage, future residential development of the site will result in the removal of vegetation on site. The existing vegetation on site incorporates exotic species and any vegetation required for removal in future is non-native vegetation as identified in **Figure 3 and 4**. Therefore, the proposed development does not require any further assessment with regard to the Biodiversity Conservation Act.



*Figure 3 - Vegetation on Site (Perception Planning, 2023)*





*Figure 4 - Vegetation of Proposed Lot (Perception Planning, 2023)*

### **3.1.3 HUNTER WATER ACT 1991 (HW ACT)**

The subject site is located within the Special Area - Williams River Drinking Water Catchment. To this effect, a referral to HW is required under Section 51 of the HW Act.

Stamped plans and Section 50 Notice of Formal Requirements in accordance with Section 49 of the HW Act are provided as **APPENDIX 8 and 9** to this application.

### **3.1.4 WATER MANAGEMENT ACT 2000**

The subject site is located within the Special Area - Williams River Drinking Water Catchment. There are no physical works associated with this development application, accordingly it is not considered that referral to NRAR is required pursuant to the *Water Management Act 2000*.

### **3.1.5 RURAL FIRE ACT 1997**

A small section of the subject site is identified as bushfire prone – vegetation buffer. The area of the site affected is the North-Western corner as per **FIGURE 5**. Whilst the area of bushfire prone land is relatively minor on site, the proposed development is defined as integrated development due to the development type being subdivision for future residential use. Referral to the NSW Rural Fire Service (RFS) is required to request a Bushfire Safety Authority (BSA) under Section 100B of the Rural Fires Act 1997 and General Terms of Approval (GTA) under Division 4.8 of the EP&A Act. A bushfire assessment report has been prepared to support the application and is provided as **ATTACHMENT 11**.





*Figure 5 - Bushfire Prone Land (eSpatial Viewer, 2023)*

## **3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)**

The following SEPPs are considered relevant to the proposed development:

- SEPP (Resilience and Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Transport and Infrastructure) 2021

### **3.2.1 SEPP RESILIENCE AND HAZARDS (2021)**

#### **Chapter 4 Remediation of Land**

The object of this Chapter is to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 4.6 provides that a consent authority must not consent to carrying out of development on land unless it has considered whether the land subject to development is contaminated. Where the land is contaminated a consent authority must determine if the land is suitable in its contaminated state for the development, or alternatively determine that the land would be suitable once remediated. The site includes an existing dwelling house and ancillary structures of which Council has not identified as a potential source of contamination. Therefore, the land is considered suitable for the proposed development.

No external building or ground works are proposed in this development application.

### **3.2.2 SEPP – BIODIVERSITY AND CONSERVATION 2021**

#### **Chapter 4 Koala Habitat Protection 2021**

This chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. Section 4.4 and Schedule 2 of the SEPP identify the Dungog Local Government Area as land to which the policy applies and subject to the North Coast Koala Management Area.

The key threats within the North Coast Koala Management Area have been identified as:

- Habitat clearing and fragmentation;
- Vehicle strike and dog attack;
- Bushfire;
- Invasive plant species;
- Disease;
- Reduction in feed trees; and
- Sea level rise.

It is noted that whilst the proposed development does not require removal of vegetation at this stage, future residential development of the site will result in the removal of vegetation

on site. The existing vegetation on site incorporates exotic species and does not identify any areas of koala habitat. There is no impact identified on the koala habitat and the free-living population. Further assessment of this Chapter is not warranted.

### **3.2.3 SEPP TRANSPORT & INFRASTRUCTURE 2021**

The purpose of this Chapter is to facilitate the effective delivery of infrastructure across the state and identifying matters to be considered in the assessment of developments adjacent to particular types of development.

#### **Division 5, Subdivision 2 Development likely to affect an electricity transmission or distribution network**

##### **Section 2.48 – Determination of development applications – Other development**

Penetration of the ground within 2m of underground electrical infrastructure triggers referral to electricity supply authority pursuant to Section 2.48(1)(a). Referral to the Electricity Supply Authority is not triggered for the proposed stock holding yard as there are no works proposed below 2m.

#### **Division 12A, Subdivision 2 Development adjacent to pipeline corridors**

##### **Section 2.77 – Determination of development applications**

The proposed development is not in the vicinity of a 'licenced' pipeline corridor as defined under Section 2.76 (2). Accordingly, the proposed development does not trigger referral to any pipeline operator pursuant to Section 2.76.

#### **Division 17, Subdivision 2 Development in or adjacent to road corridors and road reservations**

Prince Street is identified as local roads dedicated to Dungog Council. As such, referral or Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.117, 2.118 and 2.119.

##### **Section 2.122 – Traffic Generating Development**

In accordance with Section 2.122, development listed in Schedule 3 is identified as traffic-generating development. The proposed development is minor in nature and not identified under Schedule 3, therefore does not warrant referral to TfNSW. A traffic impact assessment is not considered necessary for the development.

### 3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

Pursuant to the Dungog Local Environmental Plan 2014 (DLEP) the subject site is land to which the environmental plan applies. Accordingly, the DLEP is the appropriate EPI to assess the development proposal. The following assessment will demonstrate that the development proposal is compliant with the relevant clauses of the DLEP and permits approval by the Consent Authority.

#### **Clause 2.3 – Zone Objectives and Land Use Table**

The subject site is zoned R1 General Residential. The proposed development includes a one into two lot Torrens title subdivision.

The Land Use Table of the LEP identifies the following objectives for the zone:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow a mix of community, service and employment activities that are compatible in scale and impact with a residential environment.*

The proposed development provides an additional residential lot within the established general residential area to accommodate for future residential development and housing opportunities. The proposal is consistent with the prevailing development type of the locality and will provide for the housing needs of the community, whilst protecting and enhancing the existing residential amenity and character of the area. To this extent, the proposed development meets the objectives of both zones.

#### **Clause 2.6 – Subdivision**

This clause applies to land which may be subdivided, but only with development consent. The site is not prescribed a minimum lot size under the Dungog LEP 2014. The proposed subdivision is anticipated to replicate the surrounding established subdivision pattern.

The clause also aims to ensure development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots. There is an existing dwelling to the eastern side of the site. There is no secondary dwelling existing on the site therefore no further assessment of this clause is required.

#### **Clause 4.1 – Minimum Lot Size**

The objective of this clause is to ensure that lot sizes can accommodate development that is suitable for the predominant subdivision pattern and is consistent with amenity of the locality.

As per Dungog LEP 2014 map LSZ\_010AC, the site does not have an allocated minimum lot size prescribed. The proposed subdivision of the site is considered appropriate considering other subdivision within the locality. The proposed development will result in the following lots:

- Proposed Lot 191 – 1019m<sup>2</sup>
- Proposed Lot 192 – 1012m<sup>2</sup>.

#### **Clause 5.10 – Heritage conservation**

A search of the Aboriginal Heritage Information Services (AHIMS) database (18 October 2023) did not identify the subject site as containing any Aboriginal sites or places as shown in **APPENDIX 4**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

#### **Clause 5.16 Subdivision of, or dwellings on land in certain rural, residential or conservation zones.**

The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses). The site is zoned R1 – General Residential which is not identified as one of the zones this clause applies to. The proposed subdivision is considered appropriate within the General Residential zone and prevailing development in the locality. No further assessment of this Clause is required.

#### **Clause 5.21 - Flood Planning**

The objective of this clause is to minimise the flood risk to life and property associated with the use of land. The site is not identified to be flood prone therefore further assessment of this section is not required.

#### **Clause 6.1 - Acid Sulfate Soils**

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The site is not identified as having acid sulfate soil conditions however Class 5 acid sulfate soils are identified to the South-East of the site by 140m. The proposed subdivision will not require any physical works therefore there is no anticipated disturbance of acid sulfate soils. No further assessment of this clause is required.

#### **Clause 6.2 Earthworks**

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. The proposed subdivision does not include earthworks likely to disrupt drainage patterns and soil stability in the locality. No further assessment of this clause is required.

#### **Clause 6.4 Stormwater Management**

The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. The proposed subdivision will result in the creation of two separate lots. No physical works are proposed as part of the subdivision therefore it is anticipated that stormwater management will be in accordance with existing drainage and infiltration on site. Civil engineering plans provided as **APPENDIX 7** also identify an existing stormwater pit at the front of proposed Lot 191 therefore providing a suitable stormwater discharge point for future residential development.

#### **Clause 6.5 Drinking Water Catchment**

The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages. The site is located within the Special Area - Williams River Drinking Water Catchment, however as the proposed development does not require physical works, it is not anticipated that any adverse environmental impacts will result.

#### **Clause 6.8 – Essential Services**

This clause specifies that development consent must not be granted to development unless the consent authority is satisfied that services essential for the development are available or that adequate arrangements have been made to make them available when required.

The site is currently serviced and connected to essential services as per the Before You Dig Australia results at **APPENDIX 5**. It is noted that as a result of the proposed subdivision, extension of these services will be required to service Lot 191 and potential future development.

#### **Clause 6.10 Williams River Catchment**

The objective of this clause is to protect and improve the environmental quality of the Williams River Catchment. The site is located within the Williams River Catchment, however as the proposed development does not require physical works, it is not anticipated that any adverse environmental impacts will result.

### **3.4 DEVELOPMENT CONTROL PLAN (DCP)**

Consideration of compliance and/or consistency with the relevant provisions of the Dungog DCP 2014 is provided in the Table of Compliance provided at **APPENDIX 2**. The Table of Compliance identifies that the proposed development demonstrates compliance with the relevant provisions of the DCP or overarching objectives where variations are proposed.

## 4 LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the proposed development and constraints affecting the subject site have been explored throughout this SEE. The following sections detail the major potential impacts and constraints in greater detail, in accordance with Section 4.15(1) of the EP&A Act 1979.

### 4.1 BUILT ENVIRONMENT

#### 4.1.1 CONTEXT, SETTING AND VISUAL IMPACT

The proposed development is consistent with the residential nature of the locality and is characteristic of other developments in both the local and wider community. The site and locality do not have a prescribed minimum lot size under the Dungog LEP 2014. As a result, the proposed subdivision must be found to be reflective of surrounding development and subdivision pattern. The proposed subdivision will retain lots of over 1000m<sup>2</sup> which is considered appropriate for the general residential zoning of the site. There are no anticipated adverse impacts on the built environment as a result of the proposed development. The proposed subdivision will support future residential housing opportunities within the Clarence Town locality.

#### 4.1.2 ACCESS, TRANSPORT AND TRAFFIC

The site currently maintains access from Prince Street to the eastern side of the site. This existing access to the dwelling on proposed Lot 192 will not be modified as a result of the proposed subdivision.

Access to proposed Lot 191 from Prince Street is proposed in accordance with engineering plans provided as **APPENDIX 7**.

It is noted an application for driveway access (Section 138) will be submitted to Council once the DA approval is received to formalise access to Lot 191.

#### 4.1.3 PUBLIC DOMAIN

The proposed development is not anticipated to have an impact on any public domain. The development contributions derived from this development will provide infrastructure and public domain improvements in accordance with the Dungog Local Infrastructure Contributions Plan 2019.

#### 4.1.4 SERVICES

The site is currently serviced by essential services including electricity, water and sewer, telephone, physical, legal and emergency services.

The proposed subdivision will result in an extension of these services to provide connection to proposed Lot 191 however are not anticipated to unreasonably increase demand.

#### 4.1.5 NOISE AND VIBRATION

No construction is proposed as part of this development.

Future construction noise associated with the residential development of the site will be as per normal construction times and processes and will cease once construction is completed.

## 4.2 NATURAL ENVIRONMENT

### 4.2.1 ECOLOGICAL

No native trees or significant vegetation will be required to be removed in order to facilitate the proposed subdivision. It is noted that whilst the proposed development does not require removal of vegetation at this stage, future residential development of the site will result in the removal of vegetation on site. The existing vegetation on site incorporates exotic species and any vegetation required for removal in future is non-native vegetation as identified in **Figure 3 and 4**. It is not anticipated that the development will have a detrimental impact on the ecology on the site or the surrounding area.

### 4.2.2 LANDSCAPING

A landscaping plan has not been provided at this stage.

### 4.2.3 ARCHAEOLOGY

A search of the Aboriginal Heritage Information Services (AHIMS) database (18 October 2023) did not identify the subject site as containing any Aboriginal sites or places as shown in **APPENDIX 4**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

No physical works are proposed for the formation of the subdivision, however, should any Aboriginal objects be uncovered during the development process, all works will cease immediately, and the relevant authority will be notified.

### 4.2.4 STORMWATER

The proposed subdivision is consistent with the topography of the site and will not result in physical works that alter the site level.

Civil engineering plans provided as **APPENDIX 7** also identify an existing stormwater pit at the front of proposed Lot 191 therefore providing a suitable stormwater discharge point for future residential development.

## 4.3 SOCIAL AND ECONOMIC

### Social

Social impact is best defined by (Armour 1992) that describes changes that occur in:

- People's way of life (how they live, work, play and interact with one another on a day to day basis),



- Their culture (shared beliefs, customs and values), and
- Their community (its cohesion, stability, character, services and facilities).

The proposed development will provide an additional Torrens Title Lot within an existing residential area, which will provide the ability for construction of additional housing to service the needs of the community. The subdivision will be serviced by suitable facilities and services without burdening the existing supply available within the area.

The proposed development:

- Will increase the numbers of residents within the locality and provide for additional diversity in housing stock within the Clarence Town area,
- Will not disadvantage or benefit any particular social group, rather will provide an additional Lot for the development of housing to achieve the objectives and requirements of the Hunter Regional Plan 2036 and associated population and dwelling projection.

There are no anticipated adverse economic impacts as a result of the proposed development, rather it is considered the proposal will contribute positively to the social elements of the locality through an increase in residents. The proposed development is not out of character with the existing residential context, will not involve an increased risk to public safety and will not threaten the existing sense of community, identity or cohesiveness, rather will contribute to the increase of these aspects in the locality.

### **Economic**

The increase in housing opportunity within the area will directly influence and enhance business and employment opportunities within the area.

There are no anticipated adverse economic impacts as a result of the proposed development.

#### **4.3.1 SAFETY, SECURITY AND CRIME PREVENTION**

No safety, security for crime prevention measures is required as a result of the proposed development. The proposed development will not create any safety, security or crime concerns on or around the site. Additional residential development on the site will help to further enhance the passive surveillance of the adjoining streets from the site and may contribute to increased safety and security in the area.

## **5 SUITABILITY OF THE SITE**

The proposed development is a suitable use of the site. The application includes all elements required under the relevant planning instruments and policies and there are no anticipated negative impacts on the locality as a result of the development. This development is permissible under the LEP and has addressed any relevant concerns through this SoEE.

The proposed subdivision will not have any adverse impacts on surrounding properties or amenity of the locality. The proposal is in the public's best interest.

To this extent, the site is suitable for development.

## **6 ANY SUBMISSIONS AND CONSULTATION**

As part of the DA consideration process it is envisaged Council may place the proposal on public exhibition and send neighbor notification letters to adjoining or adjacent properties.

## **7 PUBLIC INTEREST**

The proposal represents an additional residential Lot to accommodate residential development in the locality to service the needs of the community, whilst not anticipated to have any significant adverse impacts on surrounding properties or the amenity of the locality.

The proposed development reinforces the residential nature of the site and is in keeping with the character of surrounding developments.

The proposed development is in the public interest.

## **8 CONCLUSION**

This SEE has shown that the development is within the public interest, from a social, economic and environmental perspective. The proposed subdivision development is the most suitable option for the development of the site. Any relevant matters have been addressed through this SEE.

The key reasons why the proposed development is appropriate are as follows;

- The proposed subdivision is permissible on the site with consent, with the site capable of supporting a subdivision;
- No adverse impact on the existing character or amenity of the area will result;
- The proposed subdivision is consistent with the layout of the existing area and subdivision, without burdening the essential services supply; and

- Subdivision of the land will directly benefit the community through providing an additional developable and saleable lot which are largely unconstrained to meet the housing needs of the growing community population.

It is considered that the proposal will have no significant impacts on the surrounding properties to that it is likely to adversely affect their enjoyment or amenity. We look forward to Councils determination of this matter.

If we can provide any further information or clarity, please do not hesitate to contact us.



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