

Statement of Environmental Effects

Proposed Fifty-two (52) Lot Subdivision

Stage 5, Cloverleigh Subdivision Tait St Crookwell

Lot 350 DP 1301003

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Ref – 2124

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1. Introduction

This report and accompanying development application have been prepared on behalf of Darjeeling Pastoral Pty Limited for submission to Upper Lachlan Shire Council in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.

This report addresses issues relevant to the proposed subdivision including the statutory context within which the proposal is to be assessed and any potential environmental impacts.

The application relates to the land known as Lot 350 DP 1301003 which is located on the north west corner of Tait St and MacDonald St, Crookwell. The area of land in question adjoins part of the site already approved for the creation of 79 residential lots in 4 stages as part of a previous development consent 75/004. Stages 2, 3 & 4 have recently been completed and registered.

This application is for the creation of fifty residential lots, a public reserve and a council drainage reserve over the residual part of the site not developed as part of DA 75/04.

2. Zoning

The site is located in a residential area of Crookwell. Under *Upper Lachlan Local Environmental Plan 2010* the site is located in the R2 Low Density Residential Zone with a minimum lot size of 800 m².

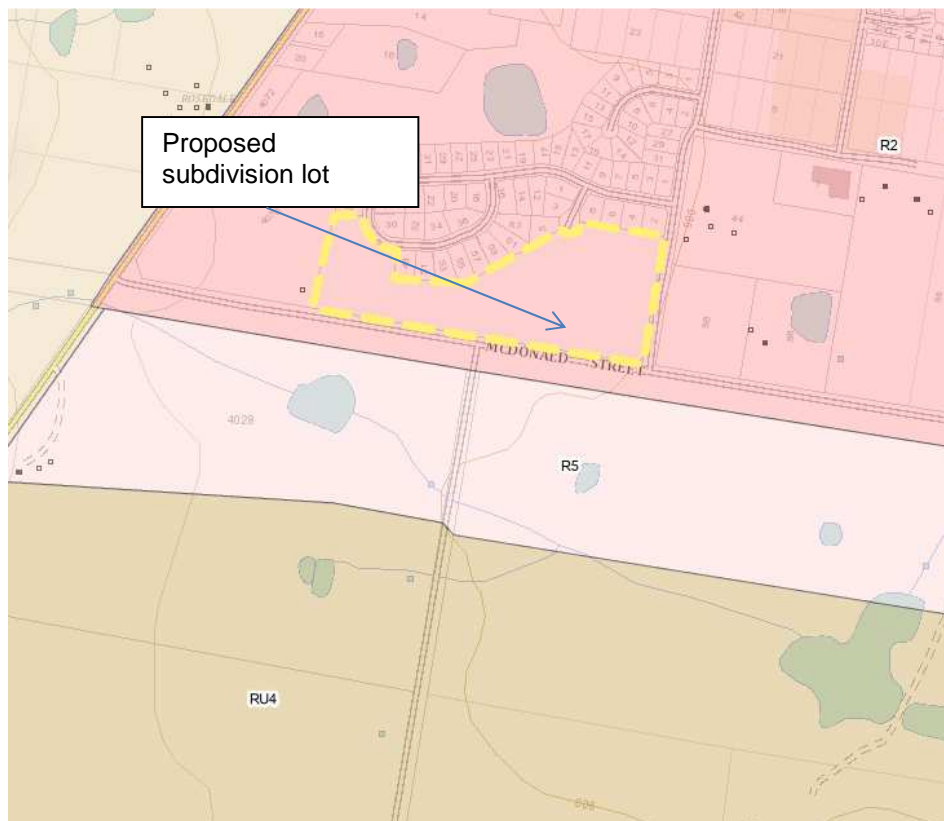


Figure 1 - Zoning under Upper Lachlan Shire LEP 2010 (Source: NSW Department of Planning)

3. Location and Setting

The total area of the property is approximately 6.946 hectares and located in Tait Street in the western side of the town of Crookwell.

The property is bordered by a variety of residential lot sizes to the North and East. To the west of the site is the original farm house which remains on the site on a larger lot. To the south of the site are larger properties on land zoned rural.

The site has direct frontage to both Tait Street and Macdonald Street which are sealed public roads.



Figure 2 - Aerial Photo of Subject Site (Source Sixmap)

The site is located approximately 1.4km west of Crookwell town centre on the western side of Crookwell River, which runs through the town from south to north. Access across the river is available from either the north, via Tait St and Carrington St, or from the south via MacDonald St.

Crookwell is the main centre of the Upper Lachlan Shire with a current population of just over 2000 people. The site has an established commercial area with a variety of shops and businesses. The town has a local hospital, library and a number of community facilities to support residential development. Crookwell is becoming a popular destination for retirees and people wishing to leave large cities for a lifestyle change

Refer Figure 3 for the location of the site relative to the town centre

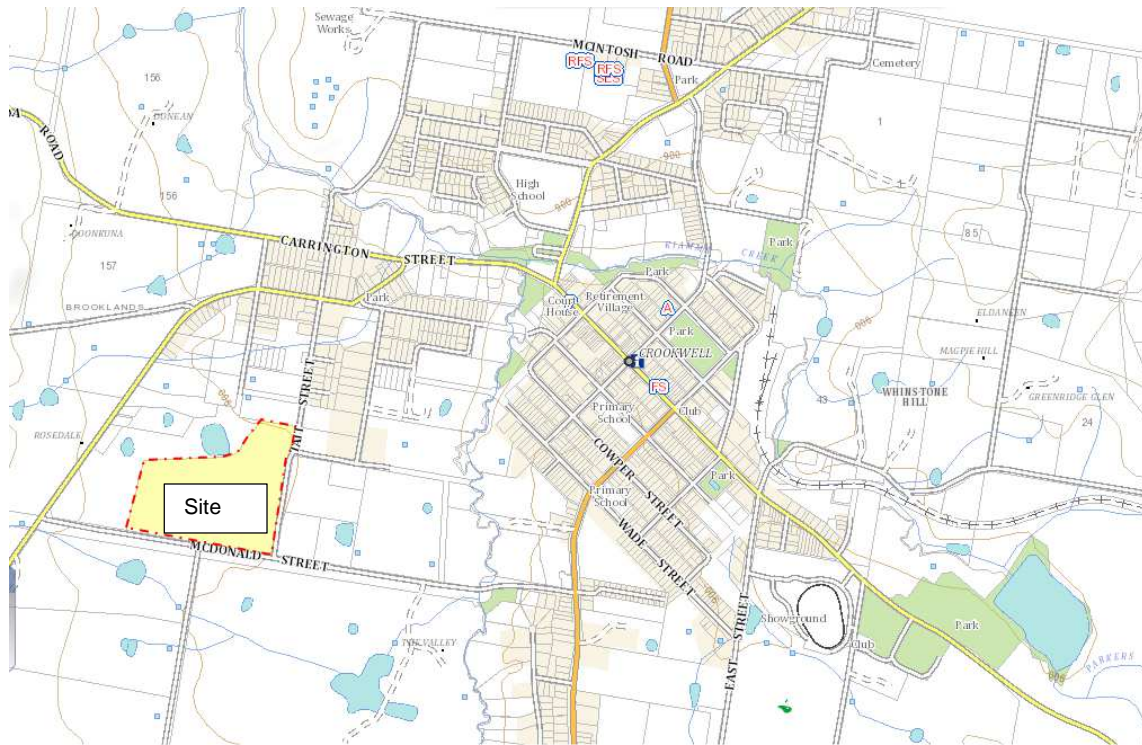


Figure 3 – Site Location Map (Source Sixmap)

4. Scope of Development

The area of land to be subdivided adjoins land already approved for subdivision under development Consent 75/04 and which has recently been completed. The approved plan of subdivision for DA 75/04 is shown in Figure 4

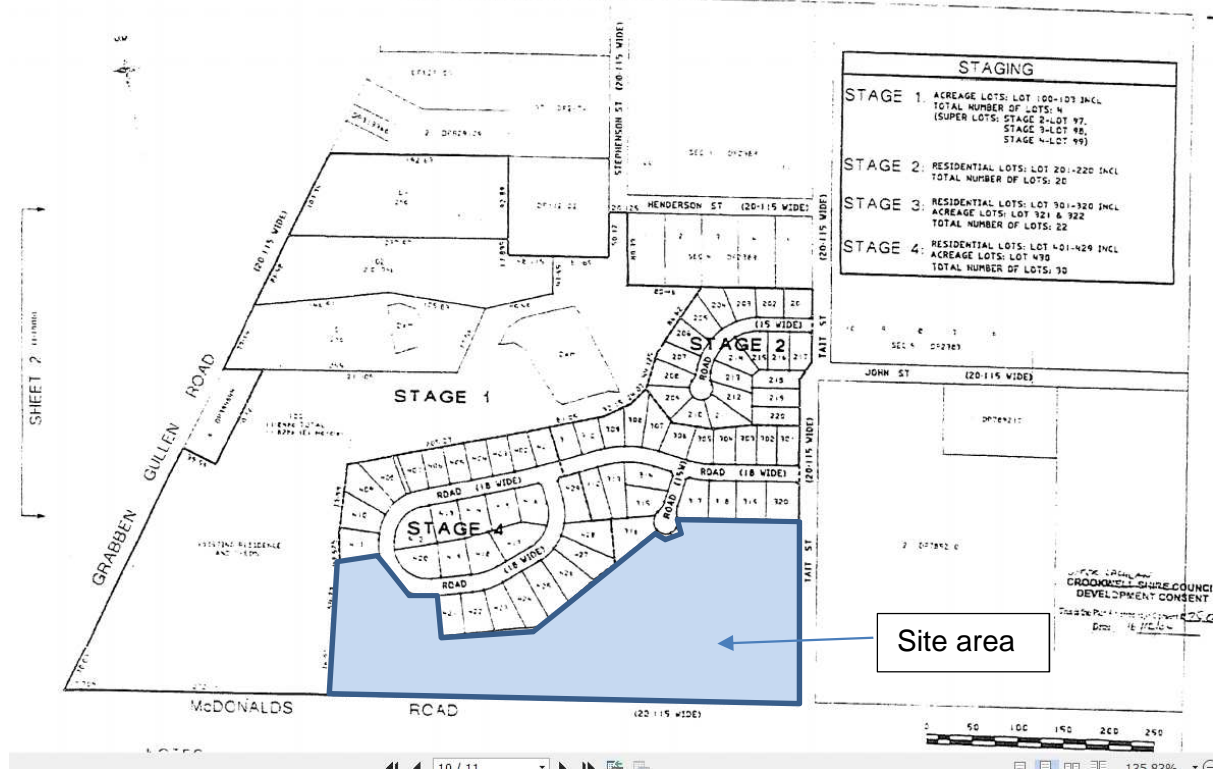


Figure 4 – Approved Plan for DA75/04

This proposal involves the creation of fifty (50) new residential lots, a community reserve and a drainage reserve which is also to house a proposed sewer pump station. The subject land to be subdivided consists of the residual land to the south of stages 3 & 4 of the approved subdivision 75/04. The proposed subdivision layout is shown in Figure 5.

The proposed drainage reserve has been located on the corner of Tait and MacDonald St to coincide with a low point which drains the site. It has been made large enough to accommodate both the proposed detention basin and sewer pump station.

All residential lots are 1000m² or greater and have wide frontages to existing or proposed public road reserves.

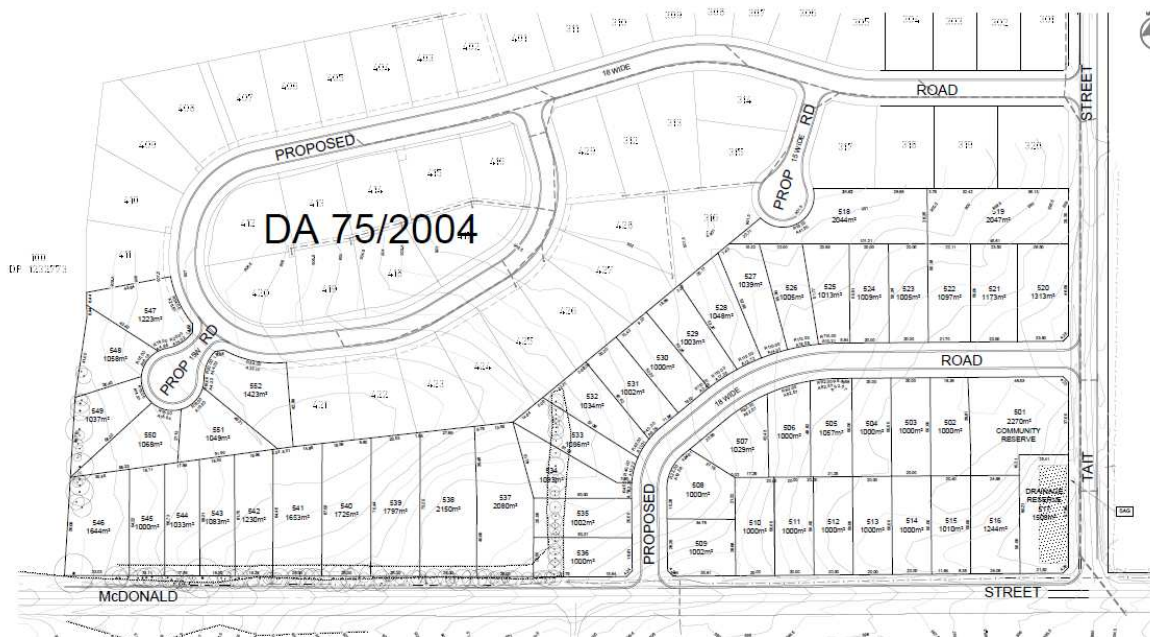


Figure 5 - Plan of Proposed Subdivision (Source: CDS drawing ref: 2124 DA03 Iss C)

5. Planning Controls

Rural Fires Act

The land has been identified as being bushfire prone land on NSW Rural Fire Service's Bushfire Prone Land Mapping and hence is subject to consideration under Section 91 of the Environmental Planning and Assessment Act 1979 in combination with 100B of the Rural Fires Act.

A separate Bushfire Hazard Assessment has been prepared by Harris Environmental to accompany this application, to demonstrate compliance with the requirements of Planning for Bushfire Protection 2019.

Upper Lachlan Shire LEP 2010

The relevant local planning instrument is the Upper Lachlan Local Environmental Plan 2010 (ULLEP2010).

The following sections of LEP are applicable to this application:

Part 2 Permitted or Prohibited Development

Under the Land Use table the site is within the R2 Low Density Residential zone, which has the following objectives:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To facilitate the orderly and economic development of land for residential purposes and associated urban activities.*
- *To facilitate and promote the effective provision of affordable and suitable housing for varying household needs and community preferences.*
- (a) *To protect creeks and waterways associated with the immediate and surrounding area.*

With reference to the zone objectives and the likely future development of the lot, Council should be satisfied that the subdivision is in keeping with the zone objectives and will provide for lots that are capable of accommodating future residential development in an appropriate manner. The development is an extension of the approved subdivision of the site and is in keeping with the lot sizing and layout principles of the previous stages of the development.

Part 6 Local Provisions

6.2 Biodiversity

- 1) *The objective of this clause is to maintain terrestrial and aquatic biodiversity including—*
 - (a) *protecting native fauna and flora, and*

- (b) *protecting the ecological processes necessary for their continued existence, and*
- (c) *encouraging the recovery of native fauna and flora, and their habitats.*

(2) *This clause applies to land identified as “sensitive land” on the Natural Resources Sensitivity—Biodiversity Map.*

According to the Biodiversity map the site is located within the area identified as sensitive land – refer figure 6. It is noted that the sensitive land mapping covers the entirety of Crookwell residential area.

In this location there is little natural vegetation in place and the site itself is highly modified and does not retain natural profile or vegetation as a result of previous agricultural activities and clearing carried out at this site. It is not anticipated that the proposed subdivision would impact on native flora and fauna.



Figure 6 – ULLEP 2010 - *Natural Resources Sensitivity—Biodiversity Map*

Upper Lachlan Development Control Plan (ULDCP)

The site is within the area covered by the Upper Lachlan Development Control Plan (the ULDCP).

Section 2 of the ULDCP contains provisions that relate to all development including overall objectives for development.

Section 2.1 deals with residential amenity and provides the following objectives:

- *To ensure that new and alterations to existing residential development do not significantly detract from the amenity, privacy and views of other dwellings and public view corridors.*
- *To manage the potential for land use conflict between residential and agricultural uses. New and or sensitive land uses should be located an acceptable distance from hazardous or offensive agricultural operations, unless an appropriate buffer has been established.*
- *To ensure that the scale of residential development is appropriate for lot sizes and in relation to other dwellings in the vicinity.*
- *To maximise the energy efficiency of dwellings.*
- *To improve stormwater management.*

The proposed subdivision is in keeping with the pattern and scale of subdivision that has been approved for stages 2,3 and 4 of the site. Lot sizes are appropriate, the proposal does not conflict with existing agricultural use to the South and management of stormwater has been considered. The council should be satisfied that the development satisfies the development objectives of DCP and

Section 4 Deals with general Development controls

Section 4.1 .2 deals with matters for consideration for subdivision and provides the following objectives:

- (a) *Whether the ratio of depth to frontage of each proposed allotment is adequate, having regard to:*
 - (i) *the purpose for which the allotment is intended to be used,*
 - (ii) *minimising the creation of vehicular access points to main or arterial roads,*
 - (iii) *the location of vehicular access points from the allotment in a safe position, and*
- (b) *Whether the subdivision will create or increase potential for ribbon development along any road, particularly a main or arterial road, and*
- (c) *The siting of roads in relation to topography, drainage and soil erodability.*

The council should be satisfied that the proposed lot layout and provision of roads has addressed those matters for consideration. All lots have suitable frontage and safe access to existing or proposed roads and the proposed road reserves are located in positions that are compatible with the topography of the site

Section 4.2 deals with environment and provides the following objective:

To ensure trees and vegetation that contribute to the environmental and amenity value of the region are preserved.

The site has been substantially cleared for grazing purposes and contains no remnant vegetation. There will be a requirement for the removal of some vegetation located along MacDonald St and a windbreak stand of trees is located on some of the lots which may ultimately be removed for dwelling construction.

An arborist report has been prepared to assess the trees that are remaining on site and has been included in this application.

Section 4.4 deals with heritage and provides the following objective:

To recognise and maintain the non-Indigenous heritage values within the Shire, including places so determined by Council, as well as places listed or identified through Commonwealth, State and Local Heritage Registers

There are no heritage items on or nearby to the site

Section 4.5 deals with flooding and stormwater and provides the following objectives:

- *To maintain the existing flood regime and flow conveyance capacity,*
- *To enable safe occupation and evacuation of existing dwellings situated on land subject to flooding, and*
- *To limit uses to those compatible with flow conveyance function and flood hazard.*

The site is not significantly affected by flooding according to the Crookwell Flood Study. A drainage concept plan has been included with the DA submission showing the proposed stormwater arrangements for the subdivision. The council should be satisfied that the lots would not be affected by flooding.

Section 5 deals with residential development

Section 5.1 deals with residential subdivision and provides the following objectives:

To ensure appropriate subdivision for residential purposes within RU5 Village, R2 Low Density Residential and R5 Large Lot Residential zones, recognising local amenity and character whilst facilitating growth

There are a number of controls listed in this section and the subdivision layout takes into account those control relevant to the site such as:

- The road reserve positions and layout pattern have allowed for the natural topography of the site
- The layout is integrated with the adjoining approved subdivision layout and the surrounding streets
- The street and lot layout facilitates the provision of services
- Battle-axe lots have been avoided.
- The road widths and cul-de-sacs are in line with councils requirements for typical road hierarchy and characteristics set out in table 3

Section 10 deals with Engineering Requirements:

Section 10.1 refers to Utility Services to the development site

Applicants are to provide connections to the following services where available to the site:

- *Water (reticulated town water supply)*
- *Sewerage (reticulated gravity sewerage system)*
- *Telephone*
- *Electricity.*

We note that all of these services are available to the site with existing electricity and telecommunications infrastructure located in Tait St and MacDonald St. The requirements of Essential Energy and NBN would be sought upon approval of the subdivision.

The water main has been extended along Tait St as part of the stg 3 & 4 works undertaken for DA75/04 and can be provided to service the site.

A proposed water main reticulation layout has been provided with the application to demonstrate the proposed means of servicing each new lot.

A proposed sewer pump station on the corner of Tait and MacDonald St will allow for gravity sewer to be connected to all lots within the development. A concept sewer plan has been included as part of the development application

We do note that council have concerns regarding sewer capacity in the existing downstream reticulation system and the increase in lots will likely require a new trunk main. Planning and discussions with council are currently underway for the provision of a new trunk main to be provided to the SPS located in Kennedy St to service this development.

We note that the provision of this trunk sewer line (approx. 840m) is work beyond the reticulation required for the development and should be considered an asset that would be provided by council as part of the developer servicing plan and funded by contributions or otherwise completed as works in kind by the developer.

A draft Voluntary Planning Agreement has been prepared by the developer following discussions with council and forms part of the application.

The proposed residential subdivision is consistent with the objectives of the DCP. It proposes a density of development that is well within that allowed by Council's planning controls in this location and is in line with the prevailing subdivision density and pattern of the locality.

The Upper Lachlan Floodplain Risk Management Study and Plan 2017

Upper Lachlan Council have completed floodplain risk management study on the villages in the Shire including Crookwell

According to the study there is minor overland flows occurring on this site which are only 0.1m in depth and are classed as low hazard flood fringe areas. Refer to Figure 7 which is taken from the figure 2.25 of the study

Appropriate drainage of the site can be provided as part of the subdivision works to ensure future dwellings are not at risk of flooding. Detention has been proposed in the reserve at the corner of MacDonald and Tait St to prevent the site causing any impact downstream of the subdivision for the 1% AEP event.

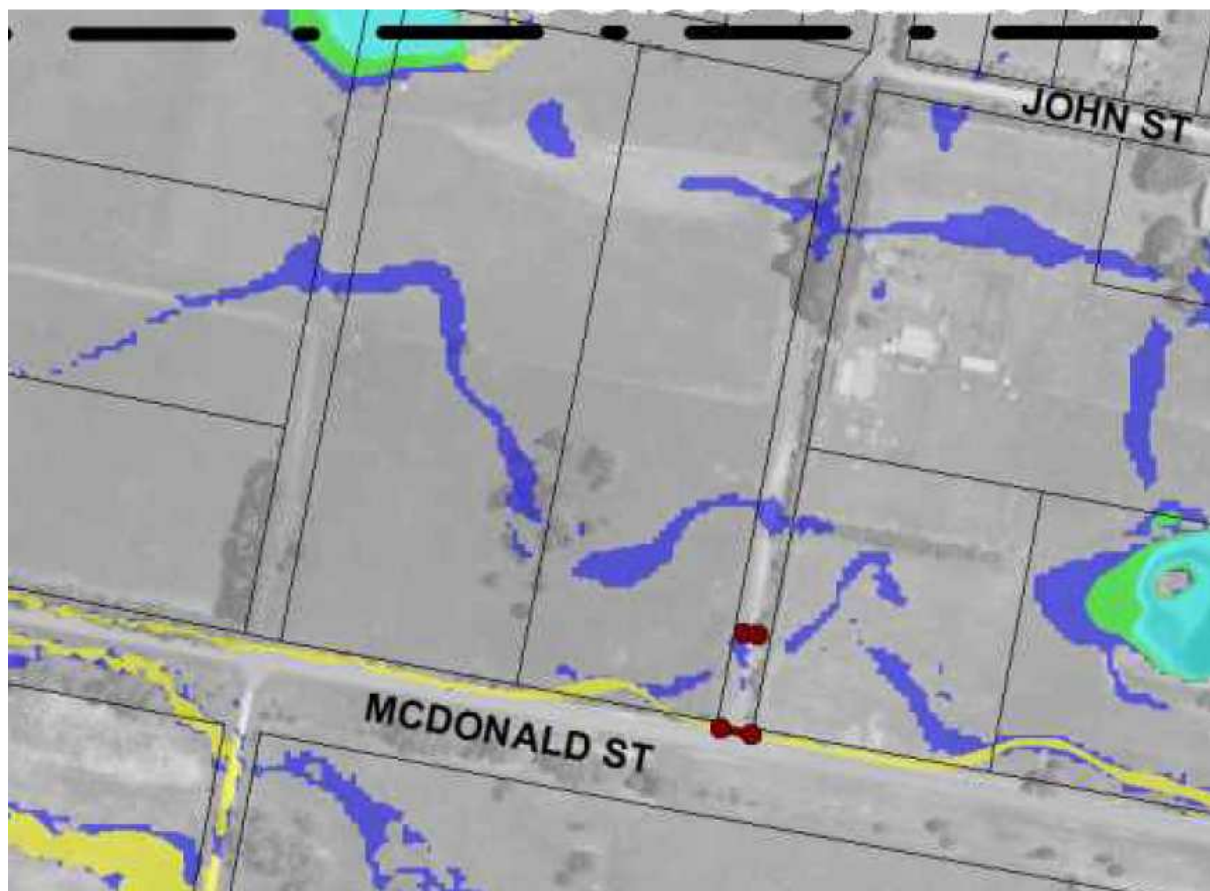


Figure 7 – Upper Lachlan Council have completed floodplain risk management study – figure 2.25

6. Likely Impact of the Development

The *Environmental Planning and Assessment Act 1979* provides the legislative framework for all development within NSW. Section 79C of the Act establishes a set of assessment criteria that must be considered by the consent authority when assessing development subject to the provisions of Part 4 of the Act. The following assessment is provided to assist Council in undertaking its assessment under Section 79C:

6.1. Land Use and Public Amenity

The proposed subdivision is permissible within the R2 Zone and is consistent with the zone objectives. The proposal involves the subdivision of 52 lots. The smallest lot is 1,000m² while the largest lot is 3,685m² - thereby complying with the lot size requirements of the *Upper Lachlan Shire Local Environmental Plan 2010* for this site. The layout is consistent with council's expectations for the use of this site.

The layout will enable construction of dwellings which meet the controls of the Upper Lachlan Development Control Plan for residential development. The development is compatible with adjoining residential developments to the north and east.

The road pattern is in line with the masterplan and provides for distributed traffic flows through the subdivision so as the amenity of existing residents will not be impacted as vehicles will have more than one way in and out of the development.

The provision of a public reserve within the site will provide residents with a local passive recreation area which will be within walking distance of the lots within the subdivision and stages 2, 3 and 4 of development 75/004

6.2. Traffic and Access

The proposed road layout depicted on the plan is in accordance with council DCP requirements for road hierarchy and layout. Access to all lots is in a safe location and all lots have frontage to a public road.

Each road reserve on the proposed layout meets councils engineering guidelines for the requisite category of road it falls into based on lots served and expected traffic volumes.

The subdivision will result in additional vehicle movements of approximately 500 per day. Upgrades to MacDonald St and the intersection with Tait St will allow for safe movement of traffic from the subdivision via Tait or MacDonald St and the existing road network would be able to accommodate the proposed increase in traffic.

6.3. Drainage and Water Quality

The proposed drainage concept plan provides details of the proposed drainage arrangement for the proposed road network and lots and forms part of the DA submission. Discharge of stormwater from the subdivision will be mostly into the stormwater system in Tait St which has been approved and is currently under construction for stages 3 & 4 of DA75/004. An existing culvert under MacDonald St will also be upgraded for the discharge of stormwater to the south as shown on the plan.

An open basin is to be provided on the corner of Tait and MacDonald St to provide for on-site detention for the development prior to discharge to Tait St. GPTs can be provided at the inlet to the basin and the culvert under MacDonald St to allow for treatment of stormwater prior to discharge

During Construction – suitable erosion control measures will be put in place to prevent sediment leaving the subject site. These would include strategic placement of sediment basins, diversion banks, bales of hay and / or filter fence to contain sediment from the leaving the site. These controls will remain in place until such time that vegetative stabilization is complete and erosion controlled.

Refer Civil Development Solutions Plan 2124-CD01 Iss C for concept drainage arrangement and the Concept Drainage Report prepared by Civil Development Solutions.

6.4. Utilities

Electricity – Underground electricity has been installed in Stages 2, 3, 4 of the approved development 75/04. The requirements to provide additional underground supply to the proposed lots in this application would be sought upon development approval. Overhead high voltage supply is also available in MacDonald St to the site which may be utilized to provide supply to the lots. It is anticipated at least one pad mounted substation will be required for the site

Gas – There is no natural gas supply available to the site.

Water – The site is serviced by council's reticulated water supply. Water main will be constructed within the Tait St road reserve as part of the approved subdivision works for DA 75/04. This water main can be extended in the new road reserves ad along MacDonald St. A concept reticulation plan has been provided with the application

Sewer – The subdivision is to be served by council's gravity sewer system. The site falls to the low point on the corner of MacDonald and Tait St where a proposed council pump station is to be constructed. Council have indicated that additional trunk main capacity will be required for this development. A concept reticulation plan has been provided with the application

Telecommunications – NBN infrastructure has been installed in Stages 2, 3, 4 of the approved development 75/04. The requirements to provide additional underground cabling to the proposed lots in this application would be made upon development approval.

6.5. Flora and Fauna

The site area consists of introduced pastureland and is predominately cleared. There will be a requirement for some trees to be removed within the site being windbreak plantings within lots 532-536 and some vegetation along MacDonald St. This roadside vegetation is not considered significant however consists of planted gums. The intention would be to only remove the necessary trees for the construction of Kerb and gutter in MacDonald St.

There is no mapped endangered ecological community within the site to be developed according to Dept of Planning mapping – Biodiversity Values.

A landscape plan has been prepared to accompany the application to show proposed planting of the reserve areas and also street tree planting. Refer plan by Lindy Lean (Landscape Architect) dated

An arborist report has been prepared to assess the existing trees within the road reserve and on the site.

It is anticipated that the removal of trees will be required within the road reserve along MacDonald Street however the intent is to limit the tree removal to the extent required for the construction of drainage and kerb and gutter and for vehicle access to the site.

6.6. Heritage and Archaeology

There are no anticipated impacts on European Heritage as a result of the proposed development.

A search of the Aboriginal Heritage Information Management System database (AHIMS) has identified there are no known artefacts on this lot or in the vicinity of the site. Should any artefacts be uncovered during construction then OEH should be notified and the appropriate steps taken for further investigation of the site.

6.7. Natural Hazards

Flooding – As noted previously the land is included in The Upper Lachlan Floodplain Risk Management Study and Plan 2017 however there is only minor flood fringe areas shown within the site.

Bushfire – The site is located on bushfire prone land according to NSW Rural Fire Service's Bush Fire Prone Land Map. A bushfire hazard assessment has been prepared which includes recommendations for certain lots be implemented for asset protection zones and building construction requirements.

6.8. Land Contamination

A stage 1 preliminary site investigation has been completed by Construction Sciences which has been provided with this report. There is potential for contamination to be present arising from previous land uses however the site could be made suitable for the proposed residential land use subject to a stage 2 detailed site investigation being undertaken to further assess the areas of concern.

The report is included with this submission

6.9. Social and Economic

The proposed development will not have any adverse impacts on the surrounding area and is in keeping with development of the surrounding residential area. The proposal seeks to create 50 new residential lots that are consistent with the development of this site.

The proposed development would have a positive impact on the social and economic development of the area by providing a necessary step for provision of new affordable housing in the Crookwell residential area which is currently experiencing increasing demand for residential land.

7. Conclusion

The development proposal complies with the relevant provisions of the applicable environmental planning instruments and the local Development Control Plan.

This statement has considered the proposal with regard to the current development of the area, existing site constraints and the relevant statutory requirements.

The development proposal is consistent with current development and council expectations for development of this area of Crookwell. This development application represents a final stage of a large parcel of land zoned residential which has been assessed and deemed suitable for such development. We believe that approval of this application is therefore appropriate under these circumstances.

8. Supporting Documentation

- Proposed Plan of Subdivision CDS Drawing 2124-DA03 Iss C
- Concept Drainage Plan CDS Drawing 2124-CD01 Iss C
- Drainage Concept Report 29/09/22 – CDS
- Concept Sewer Plan CDS Drawing 2124-CS01 Iss C
- Concept Water Plan CDS Drawing 2124-CW01 Iss C
- Bushfire Hazard Assessment 15/12/23 REF 5401BF – Harris Environmental
- Draft Voluntary Planning Agreement
- Landscape Street Tree Plan Iss B – Lindy Lean Landscape Architect 17/11/23
- Arboricultural Impact Assessment 17 November 2023 – Concept Arbor Consulting
- Stage 1 Preliminary Site Investigation Ref 10791EV.P.418-R01 – Construction Sciences