

Bath Stewart Associates

Surveying | Engineering | Planning

FEBRUARY 19, 2024

# STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED MULTI DWELLING COMMUNITY DEVELOPMENT

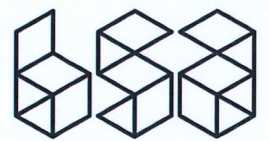
Lot 11 in DP231449

15 Manilla Road

OXLEY VALE NSW 2340



Prepared by



Bath Stewart Associates Pty Ltd



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Ref: 22437 SoEE [REDACTED] @ 15 Manilla Road.docx

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STATEMENT OF ENVIRONMENTAL EFFECTS (SoEE)

SoEE Prepared by:

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Registered Surveyor under the Surveying & Spatial  
Information Act 2002  
Company: Bath Stewart Associates Pty Ltd  
ABN 19 659 162 062  
PO Box 403  
Tamworth NSW 2340

In respect of  
Development Application (DA):

Proprietors Name:



Proprietors Address: c/- Bath Stewart Associates  
PO Box 403  
Tamworth NSW 2450

Land in respect of which  
the DA is made:

Lot 11 in DP231449  
15 Manilla Road, Oxley Vale  
L.G.A.: Tamworth Regional Council

Development Description: Proposed Multi Dwelling and  
Community Title Subdivision

We hereby certify that we have prepared the contents of this statement and to the best of our knowledge it is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

Name: John Bruce Herdegen

Date: 19<sup>th</sup> February 2024



## **1.0 GENERAL OVERVIEW**

### **1.1 Background**

This Statement of Environmental Effects (SoEE) accompanies a development application to Tamworth Regional Council (TRC) for the construction of eleven residential dwellings and associated infrastructure. This application seeks approval for the staged construction and Community Title subdivision of the proposed development. The land is located at the end of Mulconda Close, having frontages to both Mulconda Close and Manilla Road.

This statement describes the existing site and specific characteristics of the proposed development. The statement also addresses the potential impacts of the proposal and where deleterious impacts are identified, measures to mitigate their impact are presented.

The following documents have been relied upon in preparing this SoEE:

- *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010);*
- *Tamworth Regional Development Control Plan 2010 (TRDCP 2010); and*
- *Site design and dwelling construction drawings (23142) prepared by D&C Projects. Appendix C*
- *Detail survey prepared by Bath Stewart Associates (22437 Rev A). Appendix B*
- *Engineering Plans by JN Engineering (N0231024). Appendix D*

It is our opinion that proposed development of the subject site represents a suitable and appropriate land use in the locality.

Issues pertaining to access, parking, traffic movements etc., are addressed further in this statement.

### **1.2 Site Details**

The subject land is identified as Lot 11 in DP231449, 15 Manilla Road, Oxley Vale, NSW 2340. The land parcel is legally held under freehold title and has a total land area of approximately 7,410m<sup>2</sup>.

The Bush Fire Prone Land Map issued by Tamworth Regional Council (TRC), available on the ePlanning Spatial Viewer, indicates that the lot is not considered to be bush fire prone. The lot is not considered to be flood prone according to current council flood planning documents.

The subject land is located within an area long associated with residential occupation. The land gently falls from the north-east to the south-west and has been mostly cleared of significant vegetation. Upon the land stands an old timber building with colourbonded roofing as well as other minor appurtenant structures consistent with the occupation of large residential allotments. Refer to Detail Survey by Bath Stewart Associates [ Appendix B ]



Ref: 22437 SoEE [REDACTED] @ 15 Manilla Road.docx

The subject land is bounded by well-established residential allotments to the north, east and south. The development to the west may be classified as a general heavy vehicle maintenance and storage yard. Importantly, this land is generally downstream of the subject lands.

Figure 1, provides an aerial satellite image as a background to assist in representing the extent of vegetation coverage on the lot and adjoining development.

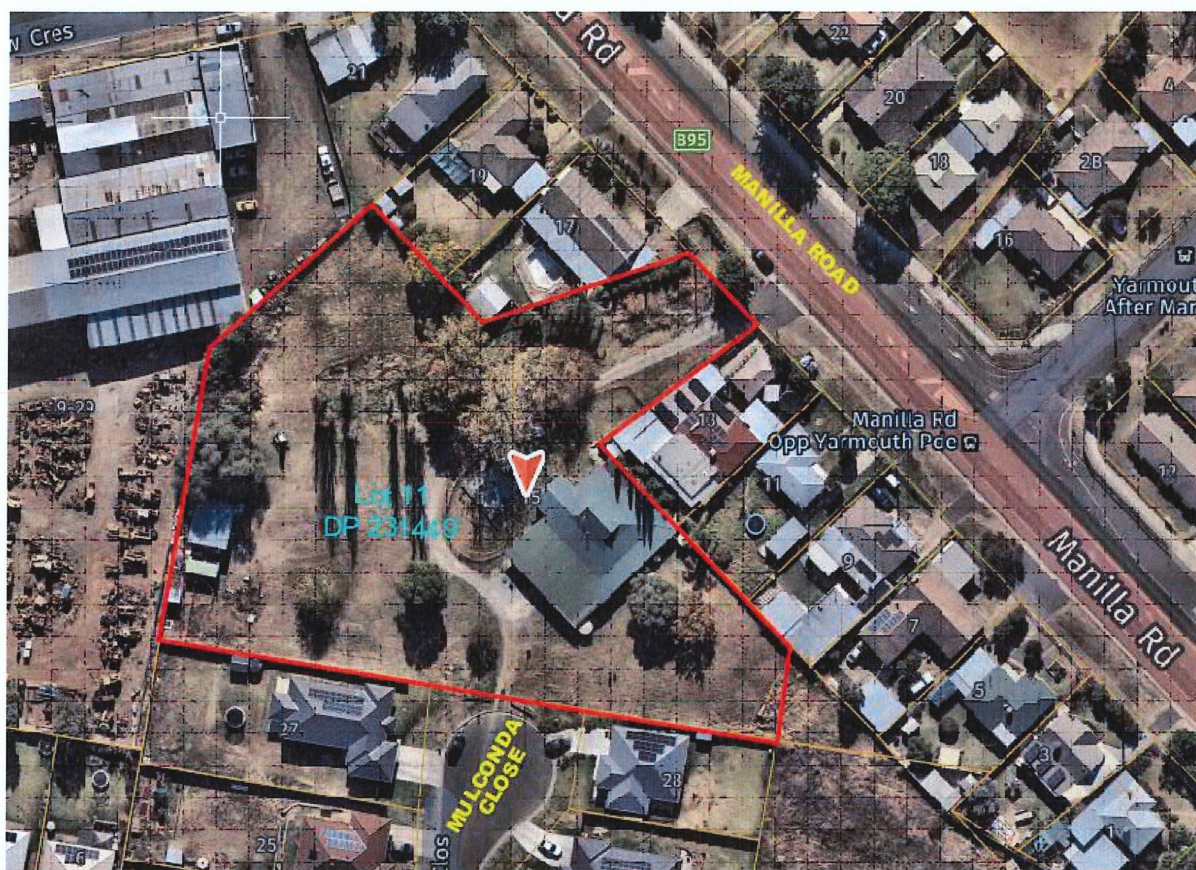


Figure 1

### 1.3 The Proponent

Bath Stewart Associates has been engaged by [REDACTED] to prepare this SoEE in support of a development application seeking approval for the staged construction and community title subdivision of the development.

As requested in the 'Consent of Owner Form' and endorsed by the land owner all correspondence is to be sent c/- PO Box 403 Tamworth 2340.



## 2.0 THE PROPOSAL

### 2.1 Proposed Development

It is our client's intention to construct eleven architecturally designed dwellings in a variety of layouts upon the subject land. The characteristics of the proposed dwellings and lots are outlined below:

| Unit | Lot | Type           | Internal Building Area | Bedrooms | Garage     | Open Space                  | Lot Area            |
|------|-----|----------------|------------------------|----------|------------|-----------------------------|---------------------|
| 1    | 2   | Detached       | 199m <sup>2</sup>      | 4        | 2 Encl.    | 60m <sup>2</sup> South      | 309.2m <sup>2</sup> |
| 2    | 6   | Detached       | 199m <sup>2</sup>      | 4        | 2 Encl.    | 60m <sup>2</sup> South      | 357.4m <sup>2</sup> |
| 3    | 7   | Attached       | 178m <sup>2</sup>      | 3        | 2 Encl.    | 60m <sup>2</sup> South      | 291.0m <sup>2</sup> |
| 4    | 8   | Attached       | 178m <sup>2</sup>      | 3        | 2 Encl.    | 60m <sup>2</sup> South      | 322.2m <sup>2</sup> |
| 5    | 9   | Detached       | 179m <sup>2</sup>      | 4        | 2 Encl.    | 78m <sup>2</sup> West       | 312.4m <sup>2</sup> |
| 6    | 10  | Detached       | 218m <sup>2</sup>      | 4        | 2 Encl.    | 60m <sup>2</sup> North      | 501.7m <sup>2</sup> |
| 7    | 11  | Detached       | 199m <sup>2</sup>      | 4        | 2 Encl.    | 60m <sup>2</sup> North/West | 332.5m <sup>2</sup> |
| 8    | 12  | Detached       | 199m <sup>2</sup>      | 4        | 2 Encl.    | 65m <sup>2</sup> North/East | 317.5m <sup>2</sup> |
| 9    | 5   | Detached       | 199m <sup>2</sup>      | 4        | 2 Encl.    | 56m <sup>2</sup> North/East | 345.5m <sup>2</sup> |
| 10   | 4   | Detached       | 199m <sup>2</sup>      | 4        | 2 Encl.    | 75m <sup>2</sup> South      | 501.1m <sup>2</sup> |
| 11   | 3   | Detached       | 199m <sup>2</sup>      | 4        | 2 Enclosed | 60m <sup>2</sup> South      | 372.4m <sup>2</sup> |
| NA   | 1   | Community Land | NA                     | NA       | NA         | NA                          | 3226m <sup>2</sup>  |



The dwellings are proposed to be constructed from a mixture of materials and finishes, as outlined in the Architectural Plans located in Appendix C.

It is proposed that the community land will include:

- All general driveways and accessways
- Footway providing access to Manilla Road
- Large amounts of open green space
- Covered community BBQ area
- Drainage Channel conveying upstream water through the site.
- Six shared visitor parking spaces
- Mailbox's for the community scheme as well as the individual units
- Entrance gates and green embellishments

Figure 2 below is an aerial view of the proposed development site plan.

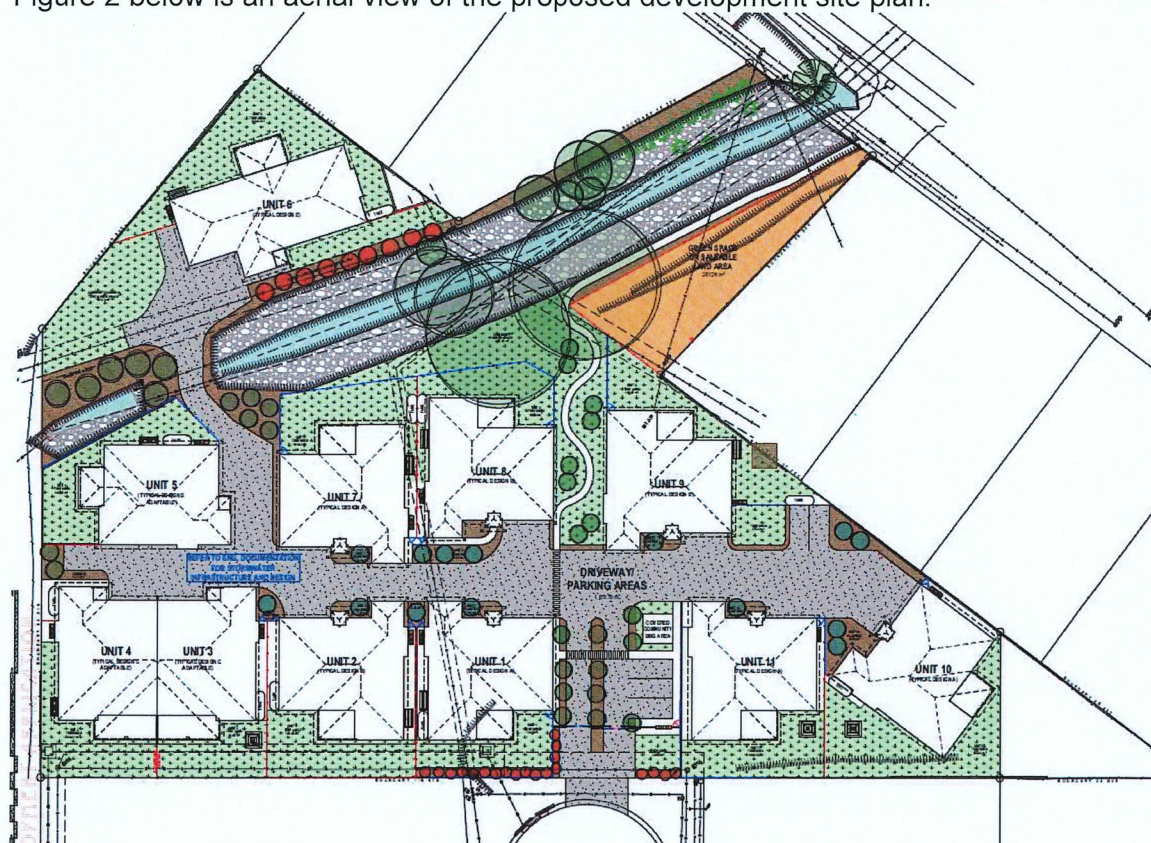


Figure 2 - Site plan – proposed development



## 2.2 Development Staging

Our client anticipates that at this point in time the land will be developed in multiple stages. It is proposed that the initial demolition of the existing building will be carried as Preliminary Stage 1, and then the construction stages will be completed as outlined below:

| Stage | Construct                | Register                           |
|-------|--------------------------|------------------------------------|
| 1     | Dwelling 1 + 11          | Lot 2 + 3 + Community Lot 1        |
| 2     | Dwelling 10              | Lot 4 + Expand Community Lot 1     |
| 3     | Dwelling 9               | Lot 5                              |
| 4     | Dwelling 2               | Lot 6 + Expand Community Lot 1     |
| 5     | Dwelling 3 + 4           | Lot 7 + 8 + Expand Community Lot 1 |
| 6     | Dwelling 5               | Lot 9 + Expand Community Lot 1     |
| 7     | Dwelling 6               | Lot 10 + Expand Community Lot 1    |
| 8     | Develop Drainage Channel |                                    |
| 9     | Dwelling 7               | Lot 11 + Expand Community Lot 1    |
| 10    | Dwelling 8               | Lot 12 + Expand Community Lot 1    |

We would like to reserve the right to complete the development in any order pending on the economic conditions of the time, providing that the continuity of services is not adversely impacted.

We do not envisage that the occupation certificate or subdivision certificate for each stage should be dependent on the other. This will provide the developer with some flexibility in the timing of development.

## 2.3 Infrastructure & Servicing

### 2.3.1 Electricity, Telecommunications, Water and Sewer Supply

Servicing diagrams indicate that electricity, water, sewer and telecommunications services are readily available to service the proposed development. A preliminary servicing strategy is included in the engineering plans in Appendix D.



### **2.3.2 Access**

Residential vehicular access will be solely provided from the Mulconda Close entrance, during construction and post construction phases of the development. Upon completion of Stage 1, construction traffic will solely utilise the Manilla Road entrance until completion of the project.

The project also allows for a footway to access the public transport and community facilities located along the Manilla Road corridor.

The proposed staging has been designed to allow for the ingress and egress of the construction traffic via Manilla Road. This has been done to further reduce impacts on the existing residences along the Mulconda Close and Johnson Street access corridors during the construction process.

In summary, the development has been architecturally designed to ensure that the proposal is sympathetic to the size and shape of the subject land, privacy of each of the dwellings as well as the existing surrounding development. We are proposing to utilise the Community Development legislation, not in an effort to squeeze more dwellings in, but to allow for the efficient use of the peculiar shaped parent parcel. The proposed lot sized are relatively large in comparison to many other Community and Strata developments, this will provide our residents with a feeling of space among the community owned gardens. It is our opinion that the development will help improve the overall feel and liveability of the surrounding locality by providing a vibrant community scheme as the last piece in the puzzle to finalise the development of the Mulconda precinct.



### **3.0 PLANNING CONSIDERATIONS**

#### **3.1 Commonwealth Legislation**

##### **3.1.1 Environment Protection and Biodiversity Conservation Act 1999**

The *Environment Protection and Biodiversity Conservation Act* 1999 (EPBC Act) is administered by the Commonwealth Department of the Environment and provides a legal framework to protect and manage nationally important flora, fauna, ecological communities and heritage places defined as matters of national environmental significance. An action that “has, will have or is likely to have a significant impact on a matter of National Environmental Significance” may not be undertaken without prior approval from the Commonwealth Minister, in accordance with Part 9 of the EPBC Act.

A Protected Matters Report under the EPBC Act was not performed in relation to the subject site due to the site being heavily cleared and devoid of any significant native flora or fauna. The site has been utilised for residential purposes and is highly degraded. Moreover, the proposed development is considered to have no impact on migratory fauna.

Historic aerial imagery located in Appendix F indicates that the site has experienced high degradation activities over a long period of time.

There are no known items of heritage significance associated with the subject site.

#### **3.2 NSW State Legislation**

##### **3.2.1 Environmental Planning and Assessment Act 1979 (EPAA)**

The EPAA is the principal piece of legislation overseeing the assessment and determination of development proposals in NSW. It aims to encourage the proper management, development and conservation of resources, the protection of the environment, and ecologically sustainable development.

##### **3.2.2 The Biodiversity Conservation Act 2016**

The *Biodiversity Conservation Act* 2016 (BC Act) is administered by the NSW State Government Office of Environment and Heritage. The BC Act provides a legal framework to protect and manage biodiversity at a regional and State scale. Clearing of native vegetation which is considered likely to have a significant effect on threatened species is captured within the BC Act and subject to assessment in accordance with the Biodiversity Offset Scheme (BOS).

The BOS applies to developments captured by Part 4 of the EPAA that exceed the BOS threshold, are likely to have a significant effect on threatened species in accordance with the “test of significance” or occur in areas of Outstanding Biodiversity Value.

Given the nature and location of the subject lands no further assessments are thought to be required under the provisions of the BC Act.



### 3.2.3 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) are legal Environmental Planning Instruments (EPIs) prepared by the Minister to address issues significant to the State and people of NSW. The proposed development is considered to be consistent with the aims or objectives of any SEPP.

We refer to the following State Environmental Planning Policies that may be applicable to the subject lands.

| NUMBER | PLANNING POLICY                               | RELEVANCE      |
|--------|---|----------------|
|        | Biodiversity and Conservation 2021            | Not relevant   |
|        | Building Sustainability Index: BASIX 2004     | Not relevant   |
|        | Exempt & Complying Development Codes 2008     | Not relevant   |
|        | Housing 2021                                  | Not relevant   |
|        | Industry and Employment 2021                  | Not Relevant   |
|        | Planning Systems 2021                         | Not relevant   |
|        | Primary Production 2021                       | Not relevant   |
|        | Resilience and Hazards 2021                   | See Commentary |
|        | Resources and Energy 2021                     | Not relevant   |
|        | Transport and Infrastructure 2021             | Not relevant   |
|        | Biodiversity and Conservation 2021            | Not Relevant   |
| No. 65 | Design & Quality Residential Flat Development | Not relevant   |

Table 1. SEPP Table



#### **4.0 SEPP COMMENTARY BIODIVERSITY AND CONSERVATION 2021**

The SEPP *Biodiversity and Hazards 2021* contains several arms, however only those listed below are deemed relevant to this application:

##### **Chapter 2 – Vegetation in Non-Rural Areas**

The aims of this chapter are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

By virtue of *Part 2.3(b)* of the said chapter, any land designated under an environmental planning instrument as **Zone R1 – General Residential** is defined as a *non-rural* area of the state.

The subject lands are located well within the town limits of Oxley Vale and do not provide any connectivity to or from the surrounding natural environment. Historical aerial imagery of the surrounding development may be viewed in Appendix F, this further confirms the fact that the site has long been cleared of any significant stands of vegetation, and has been held in a highly degraded state since.

As this minor development proposal will not lead to the clearing or destruction of any vegetation deemed to be sensitive, then it is readily apparent that it does not generate the need to obtain a permit or approval under this Chapter.

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

The aims of this chapter are 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.

Inspection of the aerial imagery provided in Appendix F indicates that the site was cleared by at least the early 1980's and has not held any significant vegetation since. Current site inspections confirm that any current vegetation is in an environmentally degraded state and does not harbour any sign of a Koala population. This, in addition to the fact that the site is well remote from any other stands of native trees, it is our view that this development will have low or no impact on koalas or koala habitat and no further koala assessment is warranted.

#### **RESILIENCE AND HAZARDS 2021**

The SEPP *Resilience and Hazards 2021* contains three arms, however only those deemed relevant are discussed below:



#### **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, with particular aims to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment and applied to the whole state of New South Wales.

It is thought that the existing dwelling does have asbestos materials used in its construction, in the form of conventional hardy plank type sheeting. As this is generally deemed to be safe whilst in its entirety, it is proposed that asbestos materials be suitably dealt with by the contractor tasked with the demolition of the dwelling in the opening stage of the development.

Aerial imagery, located in Appendix F, indicates that the subject lands has experienced long term residential occupation. There is no visible evidence that the land is contaminated, or that if there is any contamination that it is significant enough as to require remediation prior to this development taking place.

It is our opinion that no further investigation is necessary.



### 3.3 Land Use Zoning – Local Environmental Plan

The subject lot is zoned R1 General Residential in accordance with the provisions of the *Tamworth Regional Local Environmental Plan 2010*.

The objectives of the R1 zone are as follows:

| OBJECTIVES OF THE ZONE   | COMMENTS   |
|--|--|
| To provide for the housing needs of the community.   | Consistent with the objective. The proposed development will facilitate residential housing in a location which is both suitable and appropriate for such.   |
| To provide for a variety of housing types and densities.   | The subject application aims to develop residential land which will provide additional housing opportunities. The specific proposal will result in a medium density development in the form of a mix of detached and attached housing. |
| To enable other land uses that provide facilities or services to meet the day to day needs of residents. | The proposal is for the development of lands zoned for residential purposes. The proposal is fully compliant with this objective.  |

Table 2. Zoning Table

### 3.4 Permissibility

The proposed development will result in the staged development of eleven residential dwellings within a small community scheme, this being permissible in the zone. The proposal is commensurate with the aims and objectives of the zone. Moreover, it is considered that the proposed development is consistent with the character of the surrounding urban residential development.



### 3.5 Development Control Plan

The *Tamworth Regional Development Control Plan 2010* (TRDCP 2010) is applicable to the subject land.

An assessment against the relevant Controls found in the said DCP is provided below. Importantly it is considered that the proposed development either complies, or can readily comply, with the relevant parts of the DCP guideline:-

| Multi Dwelling Controls | Comments  |
|-------------------------|---|
| Building Setbacks       | <p>Setbacks from the front of the dwellings to the community title boundaries are not relevant to this control.</p> <p>The setbacks from all dwellings are outlined in the architectural drawing, located in Appendix B. All proposed setbacks meet the requirements as set out in this control document.</p> <p>The access from Mulconda Close will be embellished with plantings and setback fencing which will markedly improve the streetscape.</p> |
| Density                 | The proposed development includes 11 dwellings upon a development allotment of 7410m <sup>2</sup> giving a density of 673m <sup>2</sup> per dwelling. This control is satisfied.  |
| Design                  | The development has been architecturally designed ensuring that all design aspects of the development have been carefully managed. Proposed dwellings 1 to 11 meet this control.  |
| Utilities               | The provision of utilities is outlined in Section 2 of this statement, whilst the servicing strategy may be found in the engineering drawings located in Appendix D.  |
| Building Height         | The proposed dwellings are single storey and do not exceed the maximum height requirements  |
| Privacy                 | Not applicable  |
| Solar Access            | Not Applicable  |
| Parking                 | The proposed development includes 8 x 4 bed dwellings as well as 3 x 3 bed dwellings. Each dwelling includes the provision of two enclosed car spaces whilst the community property allows for an additional 6 visitor spaces. This control is satisfied.   |
| Access                  | Access provisions have been discussed in Section 2. Vehicle Swept Paths have been provided in the engineering design plans located in Appendix D.   |



|                    |   |
|--------------------|---|
| Private Open Space | Private Open Space provisions have been illustrated in the Architectural Plans located in Appendix C. The POS provided by the architects meet the control for each and every dwelling.  |
| Landscaping        | The architectural plans indicate that in excess of 1600m <sup>2</sup> have been proposed as green space for the development. This is well in excess of the requirement set out by this control.   |
| Outdoor Lighting   | Outdoor lighting designs have not been completed at this stage of the project. Should it be proposed, appropriate designs will be provided to TRC for review.   |
| Adaptability       | Units 3, 4 and 5 are capable of being converted to adaptable housing. This control has been met.  |
| Facilities         | Individual garbage bins will be stored at the side of each dwelling, as indicated in the architectural drawings. An area will be identified as a central pickup for the bins within the community area of the development. It is not proposed to place the bins within the Mulconda Close road reserve. |
| Storage            | Each dwelling enjoys either 5m <sup>3</sup> of dedicated storage space as required by this control.   |
| Water Tanks        | It is proposed to install a single 5000l standalone water tank for each of the dwellings. The proposed development is deemed to satisfy this requirement & ask that you refer to the BASIX certificate provided to Council and the relevant site plan.  |



| Subdivision Controls                  | Comments   |
|---------------------------------------|--|
| <b>Plans of Subdivision</b>           | A draft community plan has been prepared by a Registered Surveyor and may be found in Annexure G   |
| <b>Servicing Strategy</b>             | The provision of services is outlined in Section 2 and further illustrated in the Servicing Strategy located in Annexure D.  |
| <b>Sewer</b>                          | The provision of services is outlined in Section 2 and further illustrated in the Servicing Strategy located in Annexure D.  |
| <b>Water</b>                          | The provision of services is outlined in Section 2 and further illustrated in the Servicing Strategy located in Annexure D.  |
| <b>Stormwater</b>                     | The provision of services is outlined in Section 2 and further illustrated in the Servicing Strategy located in Annexure D.  |
| <b>Telecommunications</b>             | The provision of services is outlined in Section 2.  |
| <b>Electricity</b>                    | The provision of services is outlined in Section 2.  |
| <b>Lot Size</b>                       | Not relevant to this proposal.   |
| <b>Battle-axe shaped lots</b>         | Not relevant to this proposal.   |
| <b>Road Network Design</b>            | Not relevant to this proposal.   |
| <b>Staged Subdivision</b>             | Staging is discussed in Section 2.   |
| <b>Landscaping</b>                    | Not relevant to this proposal.   |
| <b>Site Access</b>                    | Access arrangements are discussed in Section 2.  |
| <b>Lot Orientation</b>                | Not relevant to this development.  |
| <b>Open Space</b>                     | Not relevant to this development.  |
| <b>Vegetation</b>                     | The proposed development does not necessitate the removal of any significant tracts of vegetation to facilitate the proposal. The site is not considered to contain any endangered or significant native or non-native vegetation or vegetation corridors.   |
| <b>Garbage Collection</b>             | It is proposed that the residents of dwellings 1 through 11 will be responsible to transfer their garbage bins to a central collection point, proposed to be located within the sites entrance from Mulconda Close.<br>The truck collecting the communities receptacles will be able to complete a turning manoeuvre to ensure that ingress and egress of the site is completed in a forward motion. It is not proposed for the central garbage collection point to be screened as the bins will only be located at the location point on the day of collection. |
| <b>Community Title Subdivision</b>    | The proposed development includes a shared barbeque area, open green space and pathways for the use of the whole community. This control is deemed to be satisfied.  |
| <b>Contamination</b>                  | The subject lot is not known to be contaminated, see Section 3.3 further discussion.   |
| <b>Road Widths</b>                    | Not relevant to this development.  |
| <b>Development near Poultry Farms</b> | Not relevant to this development.  |
| <b>Bylong Road</b>                    | Not relevant to this development.  |



### **3.6 Integrated Development**

The proposed dwelling construction does not constitute “integrated development” under the provisions of Section 4.46 of the *Environmental Planning & Assessment Act 1979* (EPAA).

### **3.7 Local Provisions**

Reference is made to Tamworth Regional LEP 2010 Flight Training Path Map OLS\_004C, which indicates the subject site lies within the pale yellow coloured area that identifies structures are limited to 45 metres above ground level.

The development is fully compliant



#### **4.0 ENVIRONMENTAL CONSIDERATIONS**

Appropriate consideration has been given to the potential impact of this proposal on the existing environment, its locality and the surrounding populace. It is considered that this development will have a negligible environmental impact and will not generate any significant conflicts with the surrounding neighbourhood.

Items considered include those matters set out under Section 4.15 of the Environmental Planning & Assessment Act 1979. A summary of the major points of that consideration follows:

##### **4.1 The Provisions of:**

Any Environmental Planning Instrument

The proposed development is considered compatible with the objectives pertaining to the R1 General Residential zone which is applicable to the site.

##### **4.1.1 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority**

Not relevant to this development application.

##### **4.1.2 The Provisions of any Development Control Plan**

Please make reference to Section 3.6 of this statement.

##### **4.1.3 Any planning agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under section 7.4**

There are no planning agreements or draft planning agreements offered by the developer in relation to this proposed development.

##### **4.1.4 The regulations (to the extent that they prescribe matters for the purposes of this paragraph)**

The provisions of the *Environmental Planning and Assessment Regulation 2000* are not applicable to this development.



## **4.2 Likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.**

### **4.2.1 Land use conflicts**

The proposed development is considered unlikely to result in any land use conflicts. The development is considered suitable and appropriate for the location.

### **4.2.2 Land contamination**

There are no known issues with regard to land contamination, the site is not known to be contaminated.

### **4.2.3 Water resources**

There is no evidence to suggest the proposed development will have an impact on the conservation of water resources including the flow and quality of surface water, groundwater, flooding and drainage.

### **4.2.4 Soil**

The proposed development is considered unlikely to generate negative soil impacts, site erosion, land degradation, salinity or risk of subsidence or land slip.

### **4.2.5 Flora & Fauna**

No specific study has been undertaken as it is held that the circumstances of this matter do not require such. The subject development proposes the construction of a single dwelling house and associated improvements. There is no evidence to suggest that the subject land includes or comprises critical habitat or is within a conservation area. Furthermore, the proposed development will not require the clearing of any trees or other significant native vegetation.

### **4.2.6 Natural hazards**

According to Council's records *'the land is not affected by a policy adopted by Council and any other public authority that has been notified to Council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils'*

The existing lot is not considered to be flood prone.

It is considered that the proposal will not contribute to any heightened risk of the site being impacted upon by natural hazards.



#### **4.2.7 Heritage significance**

There are no known items of environmental or cultural heritage situated on the subject land. The subject site has experienced significant disturbance in recent years. We are of the opinion that if any items of cultural significance did exist, within the boundaries of the subject land, these items would have incurred significant disturbance since the original land grant.

#### **4.2.8 Visual and Noise Impact**

We do not believe that the proposed development will generate any negative impacts in terms of visual & acoustic privacy, overshadowing or views.

#### **4.2.9 Access**

See Section 2 for further details with regard to access.

#### **4.2.10 Traffic**

The proposed development is unlikely to generate any noticeable impact on the existing local road network. The proposed development has a density of one dwelling per 670m<sup>2</sup>, being in line with the Minimum Lot Size of the current zoning for the subject lands. As such the proposal is not seeking any additional density to what would generally be expected of such a site given its general residential zoning. This proposal is not seeking to extend the existing road network as the internal roads will be under the ownership of the community association. No further investigation is deemed to be warranted.

#### **4.2.11 Servicing**

In accordance with Section 2.6 issues with regard to servicing have been addressed accordingly.

#### **4.2.12 Social & economic impacts**

Neither the social nor economic fabric of the locality will be adversely impacted by the proposed development.

There is no evidence to suggest that the proposal will detrimentally affect the amenity or utilisation of lands within the surrounding neighbourhood.



#### **4.3 The Suitability of the site for the development**

The site is considered suitable for the development due to the following factors:

- The proposal meets the aims and objectives of the relevant zonings and clauses contained in the TRLEP 2010;
- The existing allotment has adequate access to and from the existing local road network;
- The proposal will not lead to any significant increased demands on existing road infrastructure, recreational or public lands, available utility services, air quality or noise levels, other than those expected in relation to land zoned for residential development;
- The proposal will not generate any significant environmental or socio-economic impacts; and
- To our knowledge there are no hazardous land uses or activities nearby.
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#### **4.4 Submissions made in accordance with The Act or Regulations**

We are not aware of any such submissions.

#### **4.5 The Public Interest**

The proposed development satisfies the public interest by ensuring that land zoned for residential purposes is utilised to its potential. Furthermore, the proposed development complies with the objectives of the current zoning requirements and associated development standards.



## 5.0 RECOMMENDATION

On behalf of the proponents of the subject lands, we recommend that Council grant approval proposed development on Lot 11 in DP231449, 15 Manilla Road, North Tamworth.

There does not appear to be any significant issues in terms of suitability or permissibility which would prevent approval of this development. We ask that Council forward advice on their determination with regard to this application at the earliest opportunity. Should you require any further information in relation to this Statement of Environmental Effects please contact the applicant in the first instance.

Yours Faithfully,

BATH, STEWART ASSOCIATES

per: John Herdegen

Registered Surveyor