

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

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**TORRENS TITLE SUBDIVISION (ONE  
INTO TWO LOTS) AND ASSOCIATED  
VEGETATION REMOVAL FOR SEWER  
EXTENSION**

**20 PACIFIC VIEW DRIVE, HALLIDAYS POINT,  
NSW, 2430 (LOT 40, DP 259168)**

Jordan Long Town Planner PO Box 107 Clarence Town, NSW, 2321		Phone: 0475 713 934 Email: <a href="mailto:jordan@perceptionplanning.com.au">jordan@perceptionplanning.com.au</a>		
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## EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Tracey and Jeffrey Lloyd (**the client**) to prepare a Statement of Environmental Effects (SEE) for a Torrens title subdivision (one into two lots) and associated vegetation removal for sewer extension at 20 Pacific View Drive, Hallidays Point, NSW, 2430 (LOT: 40 DP259168 (**the site**)).

The characteristics of the development include:

### 1. Proposed subdivision (one into two lots)

The proposed lots will have the following lot sizes:

- a. Proposed Lot 1 – 4005m<sup>2</sup>
- b. Proposed Lot 2 – 4817m<sup>2</sup>

Refer to the Proposed Subdivision Plan provided as **ATTACHMENT 8** and **ATTACHMENT 9**.

### 2. Associated vegetation removal for sewer extension

6 trees along the Northeastern boundary at the rear of the site are proposed to be removed to accommodate for the extension of the sewer services to service the new proposed Lot 1.

Refer to the Arborist Report provided as **ATTACHMENT 11**.

### 3. Extension of sewer service to Proposed Lot 1

The existing sewer service is to be extended to service proposed Lot 1.

Refer to the Proposed Sewer Extension and Water Relocation Design provided as **ATTACHMENT 10**.

### 4. Relocation of water service to existing dwelling

The existing water service to the existing dwelling on proposed Lot 2 is to be relocated to be wholly located within proposed Lot 2.

Refer to the Proposed Sewer Extension and Water Relocation Design provided as **ATTACHMENT 10**.

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

- The proposed subdivision is permissible on the site with consent, with both lots meeting the minimum lot size requirement.
- No adverse impact on the existing character or amenity of the area will result;
- No adverse impact on the ecological values of the site is attributable to the proposed development; and

- The proposed subdivision is consistent with the character of the existing area, without burdening the essential services supply.

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
EMA	Effluent Management Area
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
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects

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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	J004051 20/02/2024
2	DCP Compliance Table	Perception Planning	J004051 20/02/2024 V2
3	Certificate of Title	NSW Land Registry	40/-/259168 11/08/2023
4	Deposited Plan	NSW Land Registry	40/-/259168 11/09/2023
5	AHIMS Search Results	OEH	12/10/2023
6	BYDA Search Results	BYDA	12/10/2023
7	Survey	Earth Surveying	Ref: 170026_1 12/09/2023
8	Proposed Subdivision Plan	Earth Surveying	Ref: 170026 15/10/2023
9	Proposed Subdivision Plan Over Survey	Earth Surveying	Ref: 170026_1 12/09/2023
10	Proposed Sewer Extension and Water Relocation Design	Earth Surveying	
11	Arborist Report	Abacus Tree Services	16/02/2024
12	Owners Consent	Owner	11/12/2023
13	Site Waste Management Plan	Perception Planning	J004051 20/02/2024
14	Cost Estimate Report	Perception Planning	J004051 20/02/2024
15	Stormwater Management Plan	Perception Planning	J004051 20/02/2024

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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 Tracey and Jeffrey Lloyd (**‘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>	20 Pacific View Drive, Hallidays Point, NSW, 2430
<b>Lot and DP</b>	LOT: 40 DP259168
<b>Current Use</b>	Residential - Existing dwelling with swimming pool, shed, and driveway
<b>Zoning</b>	R5 – Large Lot Residential
<b>Size</b>	Total – 8815m <sup>2</sup>
<b>Site Constraints</b>	<ul style="list-style-type: none"><li>• Height of Buildings – 8.5m</li><li>• Minimum lot size – 4000m<sup>2</sup></li></ul>
<b>Owner</b>	Owner's consent has been provided as <b>ATTACHMENT 12</b> .
<b>DP and 88B Instrument</b>	Nothing on the DP or 88B instrument prohibits the proposed development. The Certificate of Title and Deposited Plan are attached as <b>ATTACHMENT 3</b> and <b>ATTACHMENT 4</b> .

## 1.3 SITE DESCRIPTION

The site is located at 20 Pacific View Drive, Hallidays Point, NSW, 2430 shown in (**'the site'**) and has a total area of 8815m<sup>2</sup> (**FIGURE 1**). The site is located within an existing residential area, approximately 5km West of Black Head. The property is within the Mid Coast (Greater Taree LEP) Local Government Area (LGA).

The site currently contains an existing dwelling with an associated swimming pool, shed, and driveway. Access is facilitated via a dual point driveway on Jacaranda Close. The property is zoned R5: Large Lot Residential. The existing Lot is sized 8815m<sup>2</sup>. The site has a gentle slope and contains areas of scattered vegetation and managed gardens throughout.



*Figure 1 - Locality Map (NSW Planning Portal, Spatial Viewer 2023)*

## 1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The site currently contains an existing dwelling with associated swimming pool, shed, and driveway.

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 characteristics of the development include:

#### 1. Proposed subdivision (one into two lots)

The proposed lots will have the following lot sizes:

- a. Proposed Lot 1 – 4005m<sup>2</sup>
- b. Proposed Lot 2 – 4817m<sup>2</sup>

Both proposed lots have been identified to each contain a suitable building envelope capable of siting future dwellings in accordance with DCP controls, with proposed Lot 2 already containing an existing dwelling. Access to each proposed lot will be as follows:

- a. Proposed Lot 1 – TBC upon future development.
- b. Proposed Lot 2 – Existing dual point driveway to Jacaranda Close.

The proposed Subdivision Plan is provided in **ATTACHMENTS 8 and 9** and **FIGURES 2 - 3**.

#### 2. Associated vegetation removal for sewer extension

6 trees along the Northeastern boundary at the rear of the site are proposed to be removed to accommodate for the extension of the sewer services to service the new proposed Lot 1.

Refer to the Arborist Report provided as **ATTACHMENT 11**.

#### 3. Extension of sewer service to Proposed Lot 1

The existing sewer service is to be extended to service proposed Lot 1.

Refer to the Proposed Sewer Extension and Water Relocation Design provided as **ATTACHMENT 10**.

#### **4. Relocation of water service to existing dwelling**

The existing water service to the existing dwelling on proposed Lot 2 is to be relocated to be wholly located within proposed Lot 2.

Refer to the Proposed Sewer Extension and Water Relocation Design provided as **ATTACHMENT 10**.



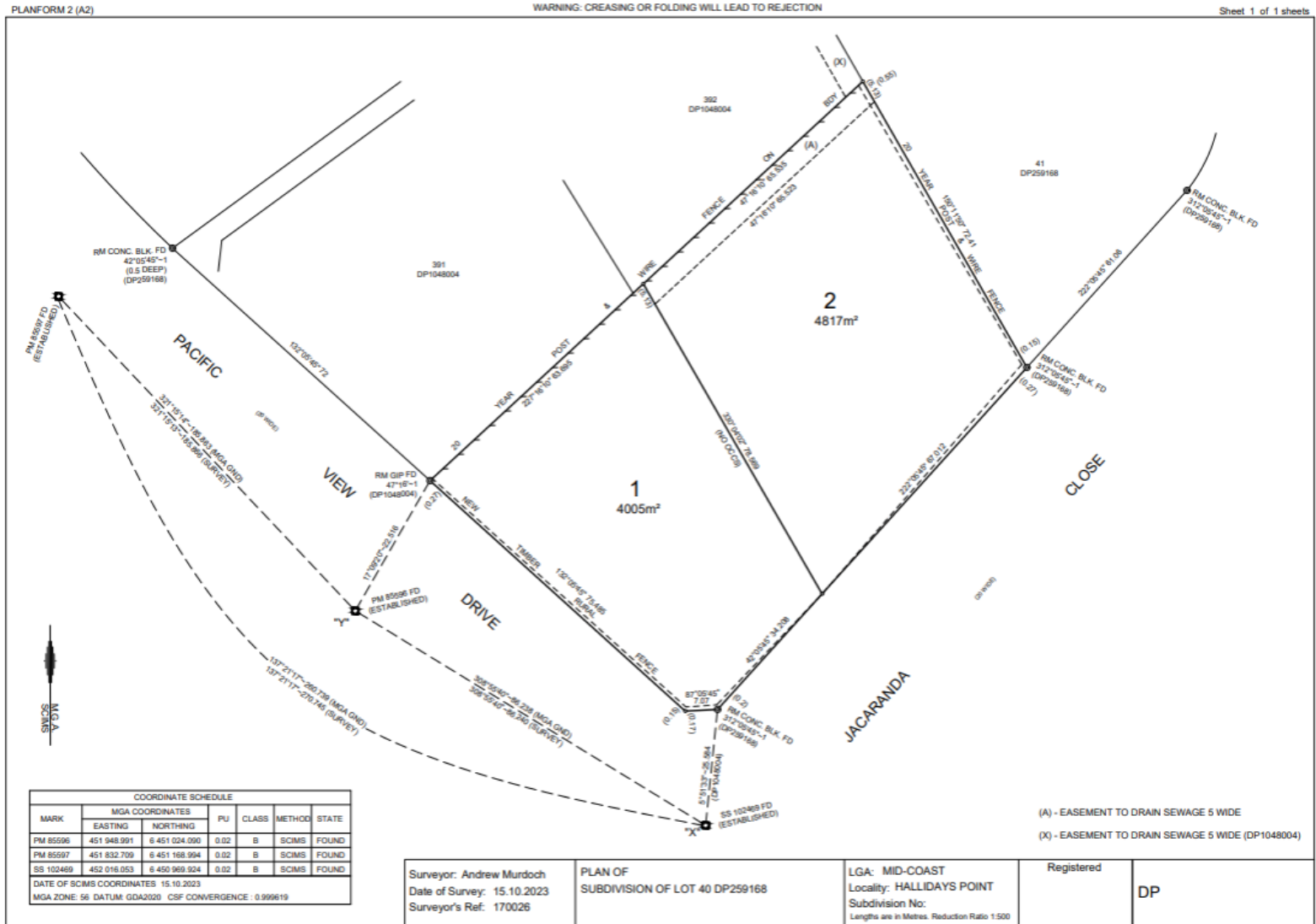


Figure 2 - Proposed Subdivision Plan (Earth Surveying 2023)

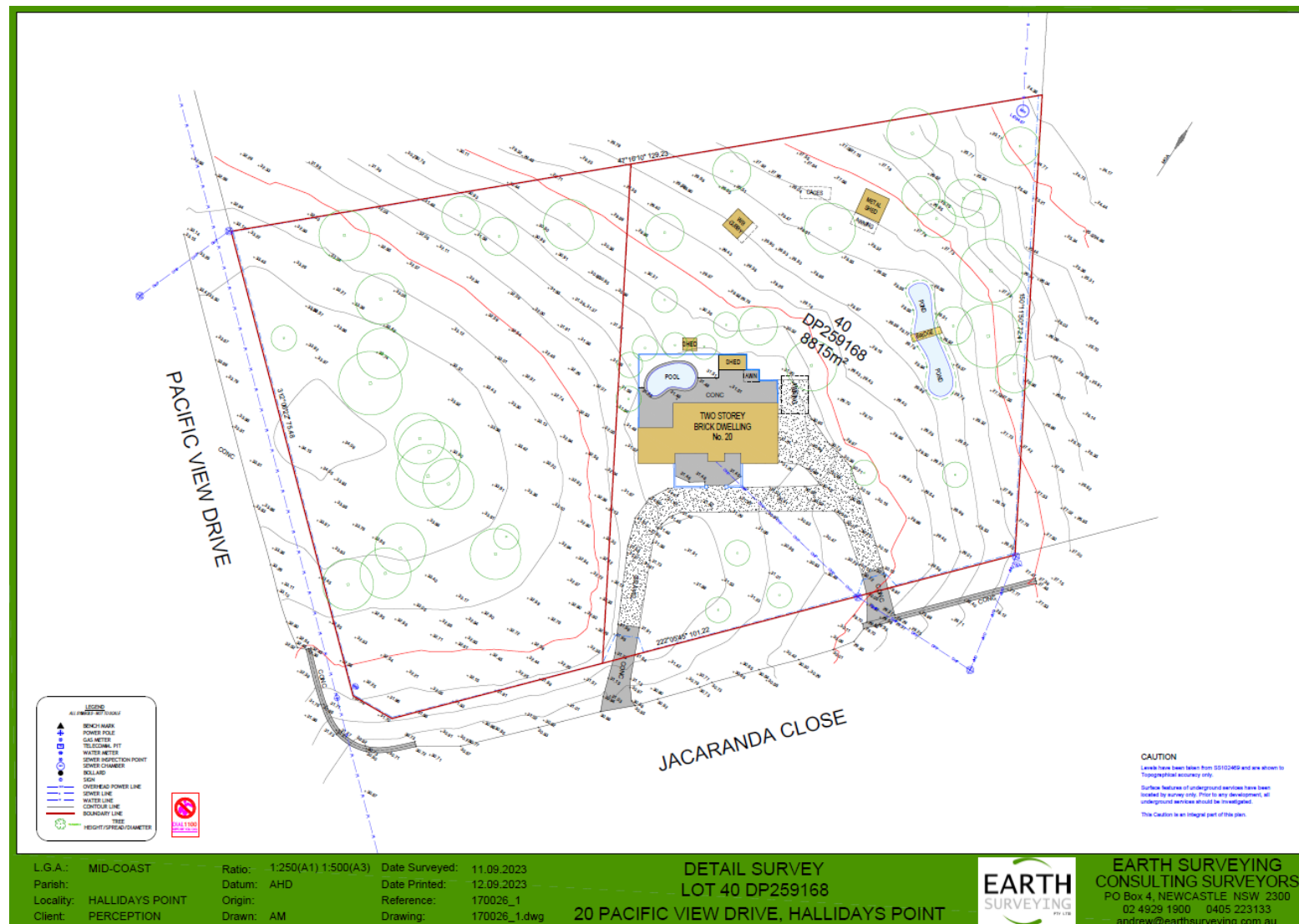


Figure 3 - Proposed Subdivision Plan (Earth Surveying 2023)

## 3 PLANNING CONTROLS

### 3.1 ACTS

The following Acts are considered relevant to the proposed development:

- *Environmental Planning and Assessment Act*
- *Rural Fires Act 1997*
- *Biodiversity Conservation Act 2016*
- *Roads Act 1993*
- *Water Management Act 2000*

#### 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 not classified as integrated development.

**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 – an interim heritage order or listing on the State Heritage Register does not affect the site (comprising a place, building, work, relic, moveable object, precinct, or land).
<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 – The site is not identified as a heritage item, nor within a heritage conservation area. An AHIMS search, contained in <b>ATTACHMENT 5</b> was conducted on 12 October 2023. The search did not identify any Aboriginal sites or places within a 50m buffer of the site. Given the disturbed nature of the locality is unlikely that the development would uncover any Aboriginal artifacts or relics. In the event that an item is unearthed, all works are to cease, and the appropriate authority notified.
<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>	N/A – The site is not bushfire prone.
<b>Water Management Act 2000</b>	<ul style="list-style-type: none"> <li>▪ ss 89, 90, 91</li> </ul>	N/A – Not within 40m of the mapped watercourse applicable under this Act.

- **Section 7.11 – Development Contributions**

Development contributions will be calculated and charged in accordance with the Mid Coast Council City Wide Infrastructure Contributions Plan.

### **3.1.2 RURAL FIRES ACT 1997**

The property is not identified as bushfire prone land (**FIGURE 4**). As such referral to the Rural Fires Service is not triggered under Section 100B of the Rural Fires Act 1997.

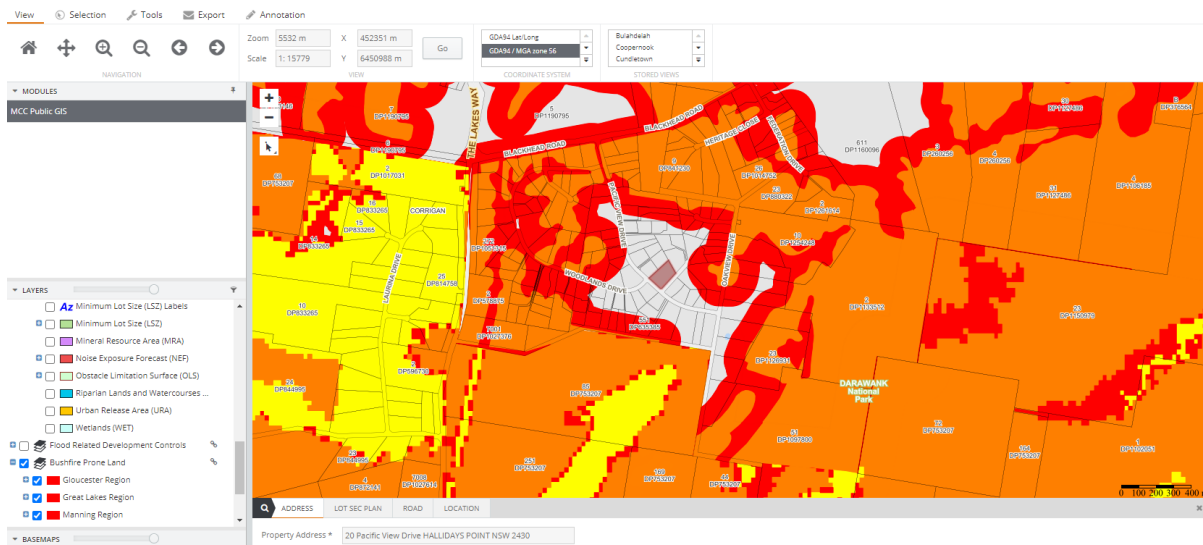


Figure 4 - Bushfire Mapping (Mid Coast IntraMaps 2023)

### 3.1.3 BIODIVERSITY CONSERVATION ACT 2016

The purpose of this 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 any areas of vegetation as well as riparian areas identified on the Biodiversity Values Map (**FIGURE 5**) as land with high biodiversity value and sensitive to impacts from development and clearing. The areas of likely future building envelopes are not located within any areas of high biodiversity value, as can be seen below.

6 trees along the Northeastern boundary at the rear of the site are proposed to be removed to accommodate for the extension of the sewer services to service the new proposed Lot 1.

Refer to the Arborist Plan attached as **ATTACHMENT 11**.

The vegetation removal is below 0.25ha and therefore does not trigger the threshold to require a BDAR. Considering the site location and quality of vegetation, it is not anticipated that the proposed vegetation removal would have significant ecological impacts. To this extent, an ecologist report has not been commissioned.



Figure 5 - Biodiversity (Biodiversity Values Map and Threshold Tool 2023)

### 3.1.4 ROADS ACT 1993

Pacific View Drive and Jacaranda Close are identified as local government roads, accordingly, referral to Transport for NSW is not required under Section 138 of the Roads Act 1993. All vehicles will be able to move onto and off each site in a forward direction. As such the development is not anticipated to compromise road safety. Furthermore, there are sufficient sightlines available to allow safe egress from each stage in a low trafficked environment.

### 3.1.5 WATER MANAGEMENT ACT 2000

The subject site is not located within a Drinking Water Catchment pursuant to the LEP. No physical works will take place within 40m of any body of water, nor will the development have a lasting impact on any watercourses or waterbodies on site. No further assessment of the Water Management Act is required.

## 3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

The following SEPPs are considered relevant to the proposed development:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
  - *Chapter 2 – Coastal Management*
  - *Chapter 4 – Remediation of Land*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
  - *Chapter 2 – Vegetation in non-rural areas*
  - *Chapter 4 – Koala Habitat Protection 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
  - *Chapter 2 – Infrastructure*

### **3.2.1 SEPP (Resilience and Hazards) 2021 –**

#### **CHAPTER 4 – REMEDIATION OF LAND**

This Chapter applies to the whole state. Under Section 4.6, a consent authority must not grant consent to the carrying out of any development unless they have considered whether the land is contaminated.

The site is currently zoned for residential purposes. Considering the historic use for the site has been ongoing as residential, it is not expected or known that surrounding locality has the potential to be contaminated. To this extent, the future allotment is land considered suitable for the proposed development.

### **3.2.2 SEPP (Biodiversity and Conservation) 2021 –**

#### **CHAPTER 2 – VEGETATION IN NON-RURAL AREAS**

The aim of this Chapter is to protect the biodiversity values of trees and other vegetation in non-rural areas. Pursuant to Section 2.3, land zoned R5 Large Lot Residential is land to which this Chapter applies. 6 trees are proposed to be removed on the site as part of the development.

In accordance with Councils Vegetation Management Policy, the proposed tree removal requires approval via this Development Application.

The proposed development requires the removal of vegetation. As detailed under the assessment of the *Biodiversity Conservation Act 2016* the proposed development is not considered to substantially impact upon biodiversity or ecological values of the site or the locality. To this extent the vegetation removal is considered appropriate to enable the development.

#### **CHAPTER 4 – KOALA HABITAT PROTECTION 2021**

This Policy 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 Mid Coast 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.

However, pursuant to Section 4.4 the site is below 1ha and accordingly the Chapter does not apply to the development. Despite this, considering the urban nature of the allotment and the distance for substantial bush area that is likely to provide habitat to Koala's, the proposed

vegetation removal is considered to have minimal impact on koala habitat and their ability to forage.

To this extent, no impact is identified on koala habitat and the free-living population.

### **3.2.3 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021**

#### **CHAPTER 2 – INFRASTRUCTURE**

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***

The subject site is currently serviced by reticulated water, sewer, and electricity services. All services are available to the site and all services will be extended to service the proposed new lot.

Penetration of the ground within 2m of underground electrical infrastructure triggers referral the electricity supply authority is triggered pursuant to Section 2.48(1)(a). It is not anticipated that referral to the electricity authority is warranted in this instance.

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

###### ***Section 2.76 – 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**

Pacific View Drive and Jacaranda Close are identified as local public roads dedicated to Mid Coast Council (**FIGURE 6** below). 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.

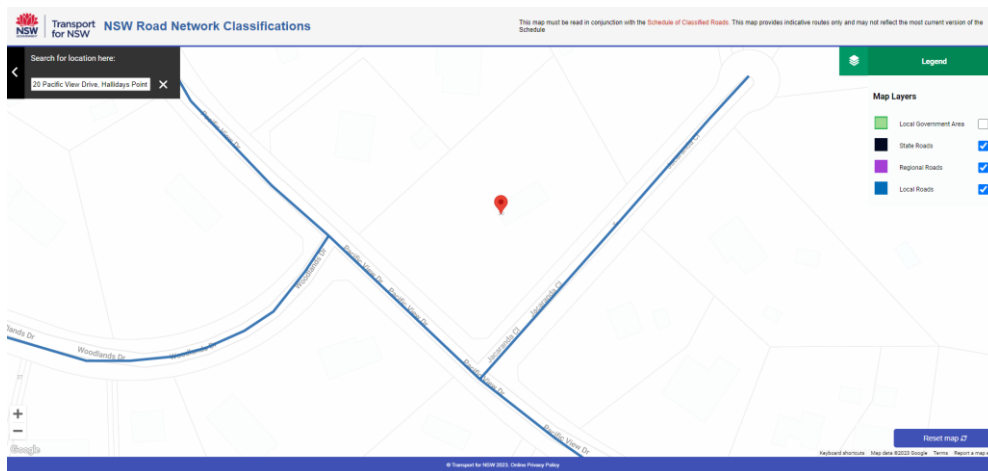


Figure 6 – NSW Road Network Classifications (Transport for NSW 2023)

### 3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

The following parts of the Greater Taree LEP 2010 apply to the proposed development:

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

The subject site is zoned R5: Large Lot Residential. The proposed development includes a Torrens title subdivision, which is permissible with consent in the zone in accordance with Clause 2.6 below.

The Land Use Table of the LEP identifies the following objectives for the R5 zone:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

R5 Land Use Table
<p>2. <u>Permitted without Consent</u></p> <p>Extensive agriculture; Home occupations</p>
<p>3. <u>Permitted with Consent</u></p> <p>Bed and breakfast accommodation; Dual occupancies (attached); Dwelling houses; Environmental protection works; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Roads; Tank-based aquaculture; Water supply systems</p>
<p>4. <u>Prohibited</u></p> <p>Any other development not specified in item 2 or 3</p>



**Permissibility:** The proposed Torrens title subdivision within the R5 is permitted, as set out within Clause 2.6 of the LEP.

The development proposes two lots of compliant minimum lot size, capable of lawfully accommodating future residential accommodation. The proposal is consistent with the prevailing development type and will provide for the housing needs of the community, whilst enabling the proper and orderly development of the urban area. To this extent, the proposed development meets the objectives of the R5 zone.

- **Clause 4.1 – Minimum Lot Size**

The objective of this clause applicable to the proposed development is to ensure that lot sizes are able to accommodate development that is suitable for its purpose and that it is consistent with the relevant development controls. The size of any lot resulting from the subdivision of land to which this clause applies is not to be less than the minimum size shown on the lot size map in relation to that land.

The minimum lot size in relation to the subject site is 4000m<sup>2</sup>. The existing Lot is 8815m<sup>2</sup>. The proposed subdivision (one into two lots) seeks to provide two lots of compliant size.

The proposed lots will have the following lot sizes:

- Proposed Lot 1 – 4005m<sup>2</sup>
- Proposed Lot 2 – 4817m<sup>2</sup>

- **Clause 4.1A – Subdivision of certain residential lots**

Development consent must not be granted to the subdivision of the following land unless the consent authority is satisfied that each lot to be created by the subdivision will be connected to a reticulated water and sewerage system:

- (a) land in Zone RU5 Village,
- (b) land in Zone R5 Large Lot Residential that is shown on the Lot Size Map as having a minimum lot size of 4,000 square metres,
- (c) land in Zone R1 General Residential,
- (d) land in Zone R2 Low Density Residential.

As the site is currently connected to reticulated water and sewer services, this clause is satisfied. The water and sewer network will be extended to service Proposed Lot 1.

- **Clause 4.3 – Height of buildings**

The objectives of this clause are as follows:

- (a) to ensure that the height of a building is appropriate for the site,
- (b) to ensure that the height of a building complements the streetscape or rural character of the area in which the building is constructed.

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. As no building works are proposed, this clause is satisfied.

The existing dwelling on Proposed Lot 2 maintains compliance with the building height limit of 8.5m. Any future development on the site will need to comply with the building height limit of 8.5m.

- **Clause 4.4 – Floor space ratio**

The objectives of this clause are as follows—

- (a) to ensure that the density, bulk and scale of development is appropriate for a site,
- (b) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located.

The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. As no building works are proposed, this clause is satisfied. Additionally, the site has no maximum floor space ratio specified by the LEP.

- **Clause 5.10 – Heritage conservation**

A search of the Aboriginal Heritage Information Services (AHIMS) database (12 October 2023) did not identify the subject site as containing any Aboriginal sites or places as shown in **ATTACHMENT 5**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person. In this regard, no further assessment against the requirements of clause 5.10 is required.

- **Clause 5.21 – Flood Planning**

The site is not identified as flood prone land (**FIGURE 7**). Mid Coast Council Online Mapping identifies the site as 'Flood Control Unknown' and 'PMF Flood Control Unknown'. Refer to **FIGURES 8** and **9** below. As the site is not identified as flood prone land, this Clause is not considered applicable.

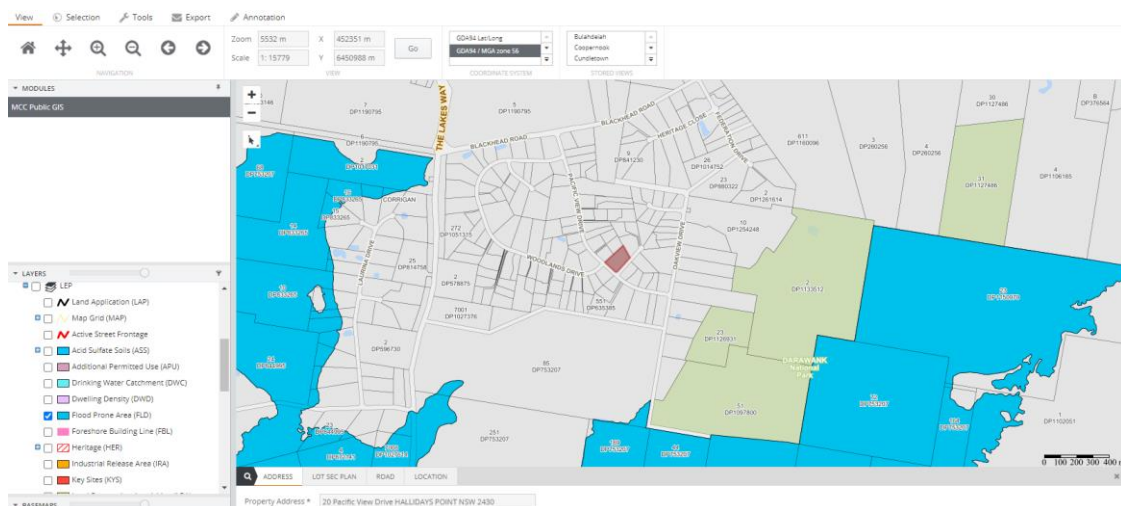


Figure 7 – Flood Prone Area (Mid Coast Council IntraMaps 2023)



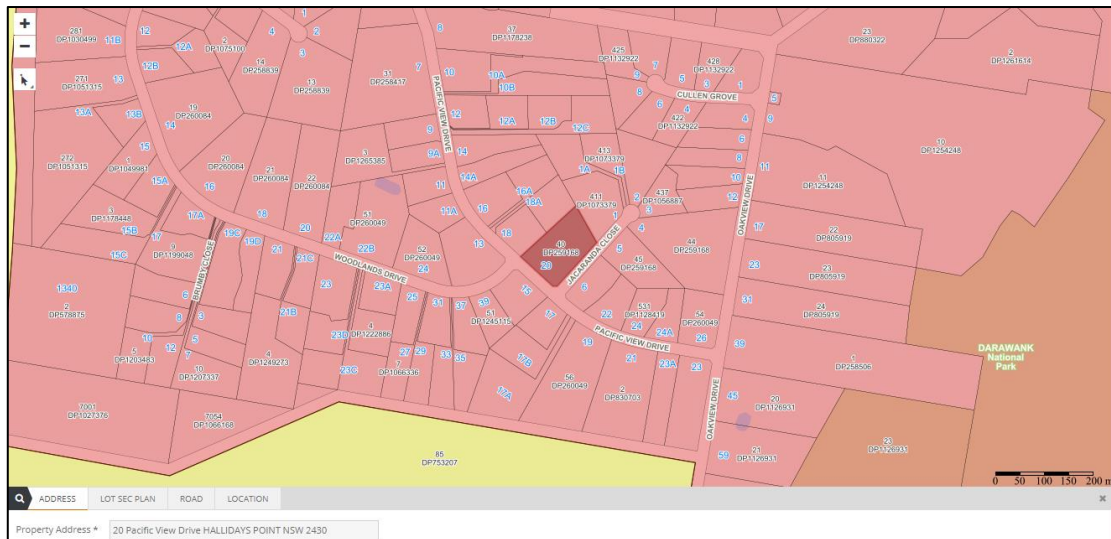


Figure 8 – Flood Control Unknown (Mid Coast Council IntraMaps 2023)

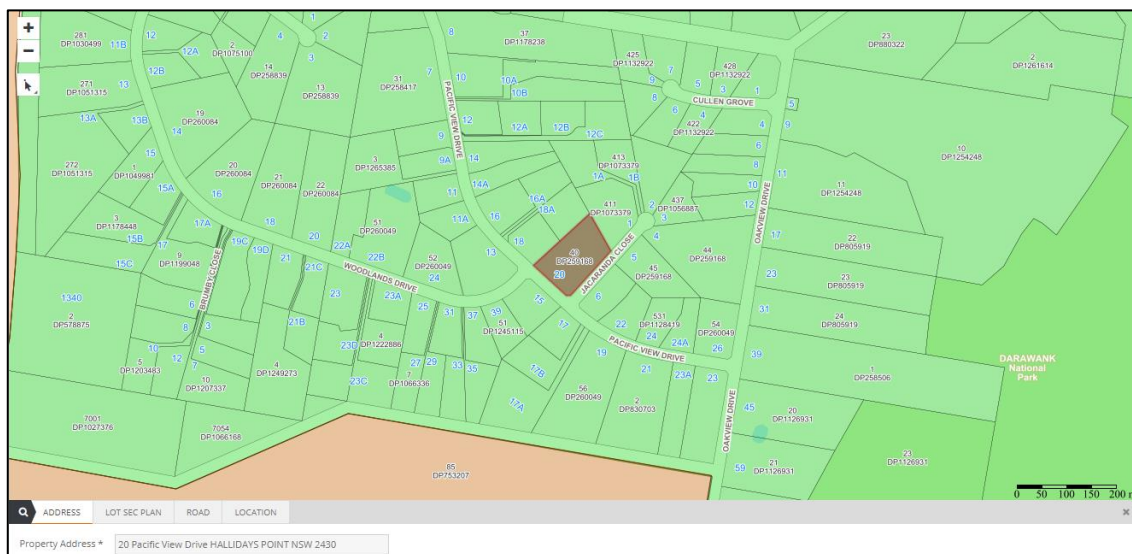


Figure 9 - PMF Flood Control Unknown (Mid Coast Council IntraMaps 2023)

- **Clause 5.22 – Special flood considerations**

The site is not identified as flood prone land, as detailed above.

- **Clause 7.1 - Acid Sulfate Soils**

The objective of Clause 7.1 is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The site is not identified to contain Acid Sulfate Soils (**FIGURE 10** below). Potential earthworks associated with any future dwelling on the subject site can be addressed through the subsequent development approval.

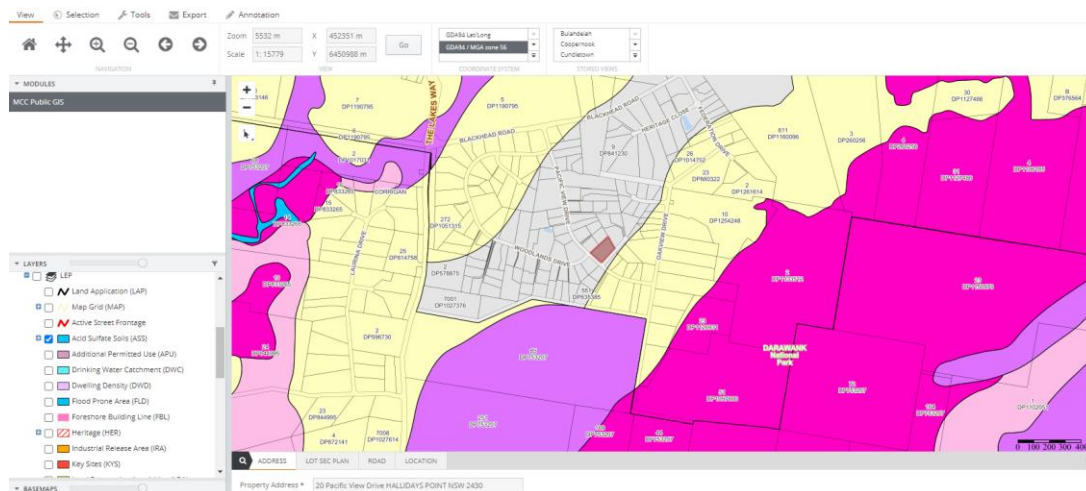


Figure 10 - Acid Sulphate Soils (Mid Coast IntraMaps 2023)

- **Clause 7.3 – Earthworks**

The application does not propose significant earthworks on the site. Earthworks will be limited to minor excavation for tree removal and trenching associated with the proposed sewer extension at the rear of the site. Accordingly, the development complies with the requirements of this clause.

- **Clause 7.11 – Essential Services**

Electricity, telecommunications, reticulated water, and reticulated sewer services are available to the site, and will be extended to service the proposed Lot 1.

The existing sewer service is to be extended to service proposed Lot 1.

The existing water service to the existing dwelling on proposed Lot 2 is to be relocated to be wholly located within proposed Lot 2.

Refer to the Proposed Sewer Extension and Water Relocation Design provided as **ATTACHMENT 10**.

Refer to BYDA Search Results provided as **ATTACHMENT 6**. The proposed subdivision will not unreasonably increase demand for these services.

## 3.4 DEVELOPMENT CONTROL PLAN (DCP)

### 3.4.1 GREATER TAREE DCP 2010

Consideration of compliance and/or consistency with the relevant provisions of the Greater Taree DCP 2010 is provided in the Table of Compliance provided at **ATTACHMENT 2**. The Table of Compliance identifies that the proposed development demonstrates full compliance with the relevant provisions of the DCP controls and overarching objectives.

## 3.5 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

Section 4.15(1)(a)(ii) requires the consent authority to consider:

*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 (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).*

At the time of lodgement of this development application there were no draft environmental planning instruments that are relevant to the proposed development or subject site; that should be considered as part of this development application.

## 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 achieves compliant minimum lot size and is consistent with the prevailing nature of the locality and is characteristic of other developments in both the local and wider community. There are no anticipated adverse impacts on the urban amenity or built environment as a result of the proposed development.

#### 4.1.2 ACCESS, TRANSPORT AND TRAFFIC

Access to each proposed lot will be as follows:

- a. Proposed Lot 1 – TBC upon future development.
- b. Proposed Lot 2 – Existing driveway to Jacaranda Close.

#### 4.1.3 PUBLIC DOMAIN

The proposed development will not have any adverse impact on any public domain.

#### 4.1.4 SERVICES

Electricity, telecommunications, reticulated water, and reticulated sewer services are available to the site, and will be extended to service the proposed Lot 1. The proposed subdivision will not unreasonably increase demand of these services.

#### 4.1.5 NOISE AND VIBRATION

No incompatible or adverse noise impacts have been identified as unacceptable in this location. Adverse vibrational impacts are not anticipated.

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

## 4.2 NATURAL ENVIRONMENT

### 4.2.1 ECOLOGICAL

6 trees along the Northeastern boundary at the rear of the site are proposed to be removed to accommodate for the extension of the sewer services to service the new proposed Lot 1.

Refer to the Arborist Report provided as **ATTACHMENT 11**.

Vegetation removal will be limited to areas along the proposed sewer extension at the rear of the site, however there is no impact identified on koala habitat and the free-living population.

It is not anticipated that the development will have a detrimental impact on the ecology on the site or the surrounding area. The site is located within an area to which the Mid Coast Council Vegetation Management Policy applies (**FIGURE 11** below).

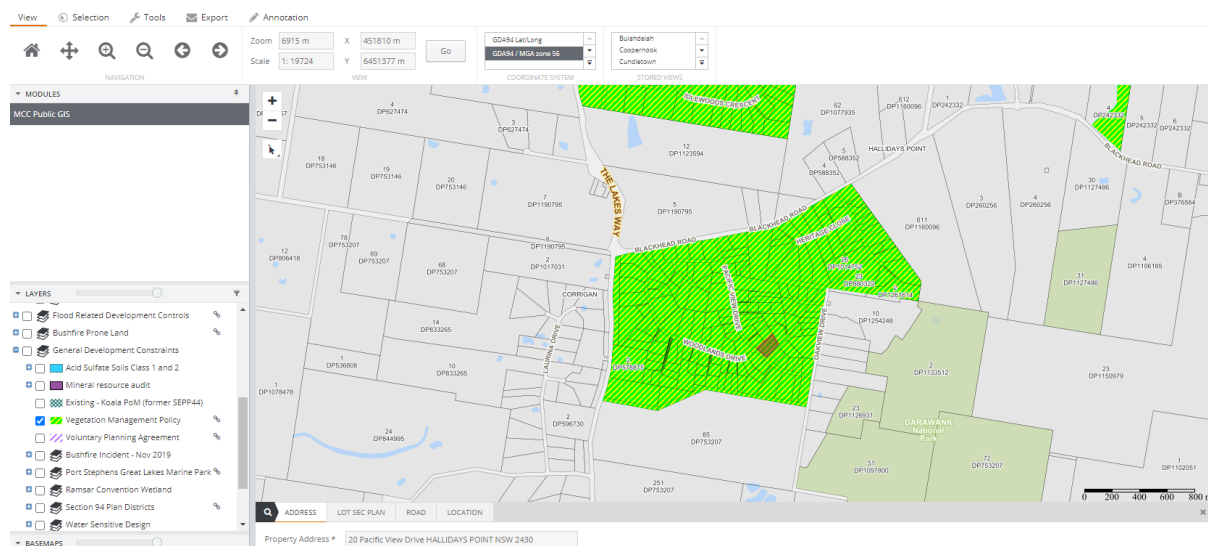


Figure 11 - Vegetation Management Policy (Mid Coast IntraMaps 2023)

### 4.2.2 ARCHAEOLOGY

A search of the Aboriginal Heritage Information Services (AHIMS) database (12 October 2023) did not identify the subject site as containing any Aboriginal sites or places as shown in **ATTACHMENT 5**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.

### 4.2.3 STORMWATER

Future development, including stormwater considerations associated with the proposed new Lot will need to be designed in accordance with Council standards and site constraints. Refer to the Stormwater Management Plan attached as **ATTACHMENT 15**.

## 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 provides an additional lot with dwelling entitlement in the Hallidays Point area and will facilitate demand for the construction of additional housing to service the needs of the community. The proposed development will be serviced by suitable facilities and services without burdening the existing supply available within the area. Utilities are available and suitable for connection by the development proposal.

The proposed development:

- Will increase the number of residents within the locality, consistent with the general objectives of the zone;
- Will not disadvantage or benefit any particular social group, rather will provide an additional residential lot to achieve the objectives and requirements of the Hunter Regional Plan 2036 and associated population and dwelling projection;
- Will enhance the cultural life of the community through increasing the number of residents within Hallidays Point area who will in turn contribute to cultural and community activities when available;
- Will not create areas of insecurity or risk for occupants;
- Will provide the opportunity to increase housing diversity within the wider area and provides for greater housing choice; and
- Provides enhanced social and built infrastructure to positively benefit the new and existing population within the locality and adjoining areas.

There are no anticipated adverse social 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 urban 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 proposed development will provide employment opportunities in the locality and support the local building and development industries. This will have direct monetary input to the local economy, and the increased number of residents in the locality will provide ongoing economic input through daily living activities.

The increase in housing opportunities within the area will directly influence and enhance business and employment opportunities in and around 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 are 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 and subsequent habitation of the site will help to further enhance the passive surveillance of the adjoining areas from the site and may contribute to increased safety and security in the area.

#### **4.4 SUITABILITY OF THE SITE**

The subject site is located within an existing residential area and is relatively clear of vegetation. The site has access to all relevant services and the proposed development makes good use of the available land within the Mid Coast LGA (Manning Region).

The application design includes all elements required under the relevant planning instruments and policies, and the Greater Taree DCP 2010, and there are no anticipated negative impacts on the locality as a result of the development.

To this extent, the site is suitable for development.

#### **4.5 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.

#### **4.6 PUBLIC INTEREST**

The proposal represents the creation of a new residential lot compliant with the prescribed minimum lot size to accommodate residential development in the locality to service the needs of the community. This is consistent with the zone objectives and surrounding land uses and is not anticipated to have any adverse impacts on surrounding properties or the amenity of the locality. The proposed development remains consistent with the residential nature of the land and is in keeping with the character of surrounding land uses and existing development. The proposed development is in the public interest.

### **5 CONCLUSION**

This SEE has shown that the development is within the public interest, from a social, economic and environmental perspective. The proposed one into two lot subdivision development is a 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 both proposed lots meeting the minimum lot size requirement;
- No adverse impact on the existing character or amenity of the area will result;

- No adverse impact on the ecological values of the site is attributable to the proposed development;
- The proposed subdivision is consistent with the land use and layout of the existing area, without burdening the essential services supply;
- The subdivision of the land to create lots of compliant lot size will directly benefit the community through providing an additional dwelling entitlement. The proposed lots contain identified building envelopes which are largely unconstrained to meet the housing needs of the growing community population.

It is considered that the proposal will have no 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.



Perception Planning Pty Ltd.  
PO Box 107,  
Clarence Town, NSW, 2321  
Phone: 0437 195 267  
Email: [admin@perceptionplanning.com.au](mailto:admin@perceptionplanning.com.au)