

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

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

**39 BOWER BIRD CLOSE, VACY NSW 2421  
(LOT 10 DP 1077159)**

PREPARED FOR KAREN TURNER

PP Reference: **J004089**

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## EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Karen Turner (**the client**) to prepare a Statement of Environmental Effects (SEE) for a subdivision (one into two lots), over 39 Bower Bird Close, Vacy NSW 2421 (LOT 10 DP 1077159) (**the site**). The characteristics of the development include:

1. One into two lot Torrens title subdivision, including:
  - a. Proposed Lot 101 – 8060m<sup>2</sup> and will contain an existing dwelling and ancillary shed.
  - b. Proposed Lot 102 – 1.23ha and will be a vacant battle axe allotment.
2. Establishment of an additional driveway crossover and access handle for proposed Lot 102.
3. Proposed Lot 102 has been identified to contain a suitable building envelope, capable of siting a future dwelling.

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.
- 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

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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	N/A
2	DCP Compliance Table	Perception Planning	J004089 Dated: 15.03.2024
3	Title and Deposited Plan	NSW Land Registry	DP1077159
4	AHIMs Search Results	AHIMS Web Services	39 Bower Bird CI
5	DBYD Search Results	DBYD Australia	Job no: 36265659 Dated: 19.03.24
6	Proposed Subdivision Plan	David Cant Surveyors	23-230 Vacy Dated: 24.01.2024
7	Bushfire Assessment Report	Peak Land Management	Dated: 19.02.24
8	Civil Engineering Plan	DRB	Project no: 243355 Dated: 04.03.24
9	Onsite Wastewater Report	GSL Environmental	Job ref: 121424 Dated: 15.02.24
10	Hunter Water Stamped Plan	Hunter Water	Reference No: 114511 Dated: 20.03.24
11	Owner's Consent	Property Owner	Dated 20.03.24

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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 Karen Turner (**‘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>	39 Bower Bird Close, Vacy NSW, 2421
<b>Lot and DP</b>	LOT: 10 DP: 1077159
<b>Current Use</b>	Residential
<b>Zoning</b>	R5 – Large Lot Residential
<b>Size</b>	Total – 2.037ha
<b>Site Constraints</b>	<ul style="list-style-type: none"><li>• Bushfire prone land – Vegetation buffer and Vegetation Category 1</li><li>• Minimum lot size – 8000m<sup>2</sup></li></ul>
<b>Owner</b>	Owner's consent has been provided on the Application Form for the DA.
<b>DP and 88B Instrument</b>	Nothing on the DP or 88B instrument prohibits the proposed development. An existing restriction on the use of land (i.e. a building envelope) is identified within the DP provided at <b>APPENDIX 3</b> , this does not impact the subdivision application.

## 1.3 SITE DESCRIPTION

The site is located at 39 Bower Bird Close, Vacy NSW, 2421 shown in **FIGURE 1** ('the site') and has a total area of 2.037 ha (**FIGURE 2**). The site is located approximately 600m south-west of Vacy. The property is within the Dungog Local Government Area (LGA) and is zoned R5 – Large Lot Residential.

The site is a slightly irregular shape and is currently occupied by a single dwelling house, an ancillary shed and is sparsely populated by native vegetation. Access is obtained via a single point on Bower Bird Close. The site has a gradual slope which falls from Bower Bird Close on the southern boundary toward the northern (rear) boundary.

The site is located within a rural residential area and is surrounded by lots of a similar size comprising dwellings and ancillary development.



**Figure 1** – Satellite image of site and surrounds (Nearmap, 2024)

## 1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The site is currently occupied by a single dwelling house and an ancillary shed used for residential purposes. No previous approvals were found following a search of Port Stephens Council Development Application Tracker website. 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

1. One into two lot Torrens title subdivision, including:
  - a. Proposed Lot 101 – 8060m<sup>2</sup> and will contain an existing dwelling and ancillary shed.
  - b. Proposed Lot 102 – 1.23ha and will be a vacant battle axe allotment.
2. Establishment of an additional driveway crossover and access handle for proposed Lot 102.
3. Proposed Lot 102 has been identified to contain a suitable building envelope, capable of siting a future dwelling.

The proposed subdivision as designed is considered appropriate to provide an additional lot within the locality, whilst having a minimal impact. The battle-axe handle has been purposefully located to accommodate the existing structures and to make effective use of the space available on site.

The proposed Subdivision Plan is provided below in **FIGURE 2** and at **APPENDIX 6**.





## 3 PLANNING CONTROLS

### 3.1 ACTS

The following Acts are considered relevant to the proposed development:

- *Biodiversity Conservation Act 2016*
- *Environmental Planning and Assessment 1979*
- *Hunter Water Act 1991*
- *Rural Fires Act 1997*
- *Water Management Act 2000*

#### 3.1.1 Biodiversity Conservation Act 2016

The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. Applicants are to supply evidence relating to the triggers for the Biodiversity Offsets Scheme (BOS) Threshold and the test of significance when submitting a development application to the consent authority. Section 7.2 of the BC Act states that a development will 'significantly affect threatened species' if:

- a. it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or
- b. the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or
- c. it is carried out in a declared area of outstanding biodiversity value.

The subject site does not comprise any areas identified on the Biodiversity Values maps and no removal of vegetation is proposed as part of the proposed subdivision. As such, no further consideration of this act is required.

#### 3.1.2 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 SEE 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.

**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
<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>	No – Should any Aboriginal objects be uncovered during works; all works will cease in that location and contact shall be made with the appropriate person.
<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>	<p>Yes – The development incorporates subdivision for residential purposes, thus referral to the RFS as integrated development is required.</p> <p>The subject site is identified as bushfire prone, vegetation buffer.</p> <p>Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the consent authority:</p> <p style="padding-left: 40px;">(a) <i>is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the</i></p>

		<p><i>document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or</i></p> <p><i>(b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.</i></p> <p>A Bushfire Assessment Report (BAR) has been prepared and is provided at <b>APPENDIX 7</b> providing an assessment in accordance with PBP, Rural Fires Act 1997 (s100B) and/or Rural Fires Regulation 2013 (s46). The BAR concludes that the proposed development will satisfy the aims and objectives of PBP 2019 if the recommendations outlined in the report are adhered to.</p>
<b>Water Management Act 2000</b>	<ul style="list-style-type: none"> <li>▪ ss 89, 90, 91</li> </ul>	<p>No – The development will not occur within 40m of any mapped watercourse, therefore referral to the Natural Resource Access Regulator as integrated development is not required as part of this application.</p>

- **Section 7.11 – Development Contributions**

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

### **3.1.3 Hunter Water Act 1991**

The sites are within the operational area to which Hunter Water Act 1991 applies. As such, Hunter Water Corporation is the relevant water authority

The sites are not located within a Drinking Water Catchment. To this extent, referral to Hunter Water Corporation is not required.

A stamped plan from Hunter Water is provided as **APPENDIX 10**.

### 3.1.4 Rural Fires Act 1991

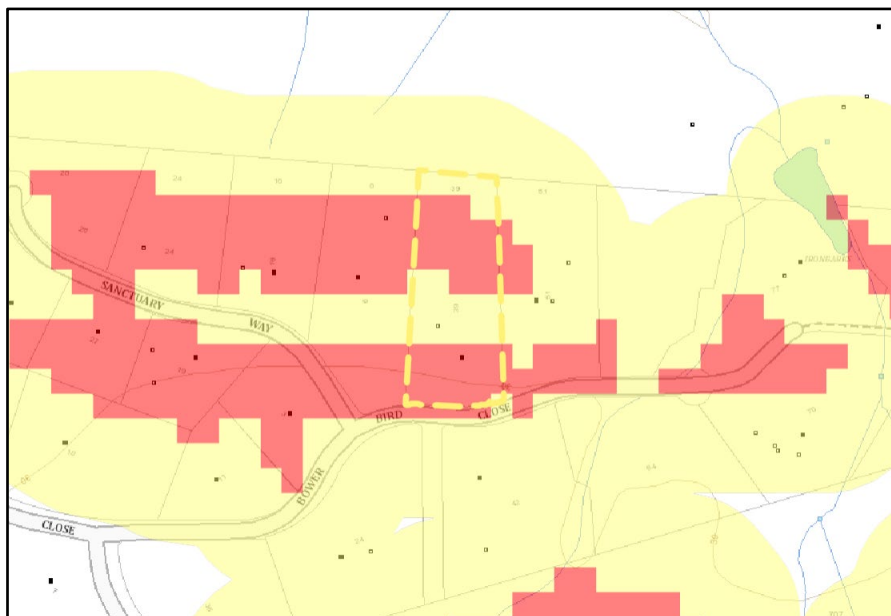
The subject site is identified as bushfire prone, vegetation category 1 and vegetation buffer as shown in **FIGURE 3** below.

As aforementioned in **TABLE 2**, the proposed development is defined as integrated development and requires referral to the NSW Rural Fire Service (RFS) requesting a Bushfire Safety Authority (BSA) under Section 100B of the *Rural Fires Act 1997* and General Terms of Approval (GTA) under Division 4.8 of the EP&A Act.

Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the consent authority:

- (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or*
- (b) *has been provided with a certificate by a person who is recognized by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

A Bushfire Assessment Report (BAR) has been prepared and is provided at Appendix 6, providing an assessment in accordance with PBP, Rural Fires Act 1997 (s100B) and/or Rural Fires Regulation 2013 (s46).



**Figure 3** – Bushfire Prone Land map (ePlanning Spatial Viewer, 2024)



a Bushfire Assessment report (BAR) has been prepared and has found that the development is consistent with the aims and objectives of the NSW RFS, 2019, 'Planning for Bushfire Protection'.

The Bushfire Assessment Report is provided as **APPENDIX 7**.

### **3.1.5 Water Management Act 2000**

The subject site is not located within a Drinking Water Catchment. No mapped waterways exist near or within 40m of the subject site. As such, the proposed development does not constitute a 'controlled activity' in accordance with the Water Management Act.

## **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*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

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

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

This Chapter provides a State-wide planning approach to the remediation of contaminated land. Under Section 4.6 a consent authority must not consent to the carrying out of development on land unless it has given consideration as to whether the land subject to the development is contaminated. Where the land is contaminated a consent authority must determine if the land is suitable in its contaminated state for the development, or alternatively determine that the land would be suitable once remediated.

Based on site history (residential use), no indication of gross contamination has been identified. Given the lack of observation of contamination associated with the site, the risk of contamination of the remainder of the site is considered low risk. The site is considered suitable for subdivision and resultant additional residential development.

### **3.2.2 SEPP (BIODIVERSITY AND CONSERVATION) 2021**

## **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 Dungog Local Government Area as land to which the policy applies and subject to the North Coast Koala Management Area.

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

- Habitat clearing and fragmentation;
- Vehicle strike and dog attack;

- Bushfire;
- Invasive plant species;
- Disease;
- Reduction in feed trees; and
- Sea level rise.

The Dungog Council has their Comprehensive Koala Plan of Management to support the viability of the free-living koala population. The proposed development does not include vegetation removal and as such there is no impact identified on koala habitat and the free-living population.

Further assessment of this Chapter is not warranted.

### **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 to identify matters to be considered in the assessment of developments adjacent to particular types of infrastructure.

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

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

The Lots created by the subdivision will be connected to underground reticulated electricity, connecting to the infrastructure within adjoining subdivision. Penetration of the ground within 2m of underground electrical infrastructure or an electricity distribution pole triggers referral to the electricity supply authority pursuant to Section 2.48(1)(a). Referral is also triggered for any development carried out within 5m of an exposed overhead electricity power line pursuant to Section 2.48(1)(b)(iii). As such, referral to the electricity supply authority is triggered given the location of the proposed access.

##### **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**

The proposed subdivision incorporates access from Bower Bird Close, which is identified as a local public road dedicated to Dungog Council. As such, referral to Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.117, 2.118 and 2.119.

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

In accordance with Section 2.122, development listed in Schedule 3 is identified as traffic-generating development. The proposed development is not identified under Schedule 3 and therefore does not warrant referral to TfNSW.

The proposed two lot subdivision is not identified as traffic generating development. The additional traffic movements generated by the development will have a minimal and acceptable impact on the surrounding road network and site access can operate with minimal delay or congestion. To this extent, the proposed development is not identified to have an adverse impact on road infrastructure.

## **3.3 LOCAL ENVIRONMENTAL PLAN (LEP)**

The following parts of the Dungog LEP 2014 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.*
- *To isolate housing from existing intensive agriculture or future intensive agricultural areas.*

The development proposes two rural lots of area 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, without adversely impacting the scenic quality of the rural setting. To this extent, the proposed development meets the objectives of the R5 zone.

- **Clause 2.6 – Subdivision**

Land to which this Plan applies may be subdivided, but only with development consent.

- **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 8000m<sup>2</sup>. The existing Lot is 2.037ha. The proposed subdivision (one into two lots) seeks to provide a revised layout such that both proposed lots will comply with the minimum lot size.

- **Clause 5.10 – Heritage conservation**

A search of the Aboriginal Heritage Information Services (AHIMS) database (14 March 2024) did not identify the subject site as containing any Aboriginal sites or places as shown in **APPENDIX 4**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

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 6.1 – Acid Sulfate Soils**

The objective of Clause 6.1 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 (ASS). Potential earthworks associated with any future dwelling on the subject site can be addressed through the subsequent development approval.

- **Clause 6.2 – Earthworks**

The application does not propose significant earthworks on the site.

Accordingly, the development complies with the requirements of this clause.

- **Clause 6.3 - Flood Planning**

The subject site is not identified by the LEP as containing flood prone land. The proposed building envelopes have been selected such that they are not subject to flooding.

- **Clause 6.8 – Essential Services**

The objective of clause 7.6 is to ensure that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*
- (e) *suitable vehicular access.*

A Dial Before You Dig (DBYD) request was completed with the results provided at **APPENDIX 5**. Essential services including electricity and telecommunications are available within the surrounding street network to be connected to the site and will be extended to

service the development in accordance with the relevant authorities' requirements. Formal access to the site from Bower Bird Close will be constructed in accordance with Council's requirements.

The supply of water and management of sewage for proposed Lot 102 will be managed on site through the provision of a rainwater tank and On-Site Sewage Management (OSSM) system for any future development. The Wastewater Report provided at **APPENDIX 9** demonstrates the feasibility of installing an OSSM system.

A Stormwater Management Plan has been designed to manage stormwater created as result of the development and is provided at **APPENDIX 8**. To this extent, the development is adequately serviced and meets the requirements of Clause 7.6.

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

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

## **4 LIKELY IMPACTS OF THE DEVELOPMENT**

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

### **4.1 BUILT ENVIRONMENT**

#### **4.1.1 CONTEXT, SETTING AND VISUAL IMPACT**

The proposed development achieves compliant minimum lot size and is consistent with the prevailing rural 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 rural amenity or built environment as a result of the proposed development.

The proposed building envelope and setback allows the potential future dwelling to have minimal visual impact on the site and surrounds from surrounding property and public roads.

#### **4.1.2 ACCESS, TRANSPORT AND TRAFFIC**

Both proposed lots will have direct access to Bower Bird Close. This development will result in a battle-axe subdivision arrangement. Any additional traffic generated by the proposed development would not create any adverse impact on the surrounding road network.

#### **4.1.3 PUBLIC DOMAIN**

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

#### 4.1.4 SERVICES

Electricity, telephone, and physical, legal and emergency service are available to the site. The proposed subdivision will not unreasonably increase demand of these services.

#### 4.1.5 NOISE AND VIBRATION

No construction is proposed as part of this development.

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

No removal of vegetation to facilitate the subdivision is required. It is not anticipated that the development will have a detrimental impact on the ecology on the site or the surrounding area.

#### 4.2.3 ARCHAEOLOGY

A search of the Aboriginal Heritage Information Services (AHIMS) database (15 March 2024) did not identify the subject site as containing any Aboriginal sites or places as shown in **APPENDIX 4**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

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

The proposed subdivision is consistent with the topography of the site. The proposed areas of the lot are such that stormwater management for A future dwelling can be accommodated by the site area. A Stormwater Management Plan has been prepared by DRB Consulting Engineers and is provided at **APPENDIX 8**.

### 4.3 SOCIAL AND ECONOMIC

#### Social

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

- People's way of life (how they live, work, play and interact with one another on a day-to-day basis),
- Their culture (shared beliefs, customs and values), and
- Their community (its cohesion, stability, character, services and facilities).

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

The proposed development:

- Will provide the potential to increase the numbers of residents within the locality and provide for additional diversity in housing stock within the Vacy area.
- Will not disadvantage or benefit any particular social group, rather will provide additional Lots for the development of housing to achieve the objectives and requirements of the Hunter Regional Plan 2041 and associated population and dwelling projection.
- Will enhance the cultural life of the community through increasing the number of residents within Vacy who will in turn contribute to cultural and community activities when available.
- Provides enhanced social and built infrastructure to positively benefit the new and existing population within the estate and adjoining areas.

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

### **Economic**

The construction of 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 for potential housing within the area will directly influence and enhance business and employment opportunities within the area. There are no anticipated adverse economic impacts as a result of the proposed development.

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

No safety, security or 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 area from the site and may contribute to increased safety and security in the area.

## **5 SUITABILITY OF THE SITE**

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

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

To this extent, the site is suitable for development.

## **6 ANY SUBMISSIONS AND CONSULTATION**

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

## **7 PUBLIC INTEREST**

The proposal represents the creation of rural residential lots compliant with the prescribed MLS 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 rural and residential nature of the land and is in keeping with the character of surrounding land uses and development.

The proposed development is in the public interest.

## **8 CONCLUSION**

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

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

- The proposed lot 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 MLS will directly benefit the community through providing additional dwelling entitlements. 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.



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