

JINDER LUTHERAN CHURCH

PROPOSED 23 LOT SUBDIVISION

STATEMENT OF ENVIRONMENTAL EFFECTS

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Premise

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Prepared By		Reviewed By		Authorised By	
Jenna Amos	JA	David Walker		David Walker	

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1. INTRODUCTION

Premise has been commissioned by Jindera Lutheran Church to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) for a proposed 23 lot Torrens Title subdivision at 152 Pioneer Drive and 214-224 Pioneer Drive, Jindera, NSW. The site is located in the Greater Hume Shire Council Local Government Area (LGA) and within the Murray region.

This Statement of Environmental Effects (SEE) has been prepared pursuant to the relevant provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and *Environmental Planning and Assessment Regulation 2021* (EP&A 2021) to assess the environmental impacts of the proposed development on the site.

The SEE is provided in the following format.

- > **Section 2** of this report provides a description of the subject site and its locality.
- > **Section 3** outlines the proposed development.
- > **Section 4** details the planning framework applicable to the subject site and proposed development.
- > **Section 5** identifies the impacts of the proposed development.
- > **Section 6** provides a conclusion to the SEE.

2. THE SITE & ITS LOCALITY

2.1 Local Context

Jindera is a small town in the South West Slopes section of the Murray region of New South Wales. It is located within the Greater Hume Shire Council LGA, 15 km north of Albury, approximately 550 km south west of Sydney and 340 km north east of Melbourne. The site is located within the western portion of the Jindera township and forms the western-most extent of the RU5 Village zoning. It is located approximately 800 metres west of Urana Road, a regional road providing connectivity within the township and to Albury to the south.

2.2 The Site

The site is located at 152 Pioneer Drive and 214-224 Pioneer Drive, Jindera, and is legally identified as Lot 1 DP1280834 and Lot 66 DP1195450. The site is irregular in shape and has an area of approximately 22.5 hectares (Ha). It is bound by Adams Street to the north, Jindera Street to the east, Pioneer Drive to the south and a single RU4 Primary Production zoned property which contains a single dwelling and ancillary development. The site is located in the Parish of Jindera in the County of Goulburn.

The site is zoned a combination of RU5 Village and RU4 Primary Production Small Lots and is devoid of development. The Bethlehem Lutheran Cemetery, a Locally Significant Heritage Item, is located on Lot 1 DP562571, to the south west of the site.

The site contains significant groundcover vegetation and stands of trees, particularly within the south eastern portion. Historical aerial imagery suggests part of the site has been utilised for horse agistment purposes.

Surrounding land to the north is also zoned a combination of RU5 Village and RU4 Primary Production Small Lots with the RU5 portion containing St John's Lutheran Primary School. Land to the east is zoned RU5 Village and contains small development single dwelling allotments. Land to the south is zoned a combination of R2 Low Density Residential and R5 Large Lot Residential with the R2 zoned portion containing a number of developed and undeveloped residential allotments. The R5 zoned land features limited development, including three single dwellings and ancillary development. Land adjoining the western boundary of the site consists of a single property containing a single dwelling and ancillary development together with the Lutheran Church to the south-west.

A small portion of the north western extent of Lot 66 DP1195450 of the site is identified as bushfire prone land, while the eastern portion is identified as being flood prone land.

The locality is shown in **Figure 1** and a close up image of the site is shown in **Figure 2**.

Figure 1 – The Site Locality



Source: Nearmap

Figure 2 – The Subject Site



Source: Nearmap

3. THE DEVELOPMENT

The development would be concentrated within the eastern portion of the site in part of the RU5 Village zoned area. As shown in the accompanying development plans the development proposes subdivision of the site into 23 Torrens Title allotments including 21 residential allotments, a residue allotment and a drainage reserve. The proposed drainage reserve has been designed in accordance with the Jindera Flood Mitigation Channel Design Report dated March 2021, prepared by Dryside Engineering for Council. A new road would be constructed to provide access to the subdivision in the form of a service road with two new accesses provided to the new road from Jindera Street to the east. The new road would have a road reserve width of 15m, with the carriageway measuring 7m wide. It would include kerb and guttering and would terminate in a cul-de-sac head at both northern and southern extents.

The residential lots would range in size from 819 sqm to 2336 sqm with the drainage reserve having an area of 1.48 Ha. The remaining portion of Lot 66 DP1195450 would be created into a residue allotment. Lot 1 DP562571 which contains the Bethlehem Lutheran Cemetery, identified in the LEP as a Locally Significant Heritage Item, would remain unchanged by the proposal.

Infrastructure and utilities are located within the vicinity of the site which can be extended and augmented as necessary at the developers cost to service the lots.

4. STATUTORY PLANNING FRAMEWORK

4.1 Objectives of the Environmental Planning and Assessment Act

The objectives of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) are as follows:

- (a) *To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *To promote the orderly and economic use and development of land,*
- (d) *To promote the delivery and maintenance of affordable housing,*
- (e) *To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*

- (g) *To promote good design and amenity of the built environment,*
- (h) *To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *To provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is consistent with the above objectives, with particular reference to objectives (b), (c), (d), (e) and (j).

4.2 Section 1.7 of the EP&A Act

Section 1.7 of the EP&A Act provides that the EP&A Act has effect subject to the provisions of Part 7 of the *Biodiversity Conservation Act 2016* (the BC Act) and Part 7A of the *Fisheries Management Act 1994* (the Fisheries Act).

Subsection 7.2(1) in Part 7 of the BC Act provides the three triggers for development or activities to be considered as “likely to significantly affect threatened species”. Under subsection 7.7(2) of the BC Act, the development application is required to be accompanied by a development assessment report (BDAR) if it meets one or more of conditions for “likely to significantly affect threatened species”.

The proposed development is considered against the three triggers in Table 1 below.

Table 1 – Section 7.2 of the BC Act

Test		Assessment
(a)	it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	A search of the Bionet Atlas identified both flora threatened ecological communities and the potential for vulnerable and endangered fauna within the site.
(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	The development exceeds the biodiversity offsets scheme threshold due to the minimum subdivision lot size being less than 1 Ha and the area of proposed native vegetation clearing being more than 0.25 Ha.
(c)	it is carried out in a declared area of outstanding biodiversity value.	The site is not identified as a declared area of outstanding biodiversity value.

Given the assessment within **Table 1** the development has the potential to affect threatened species and as such a BDAR is required to be undertaken. A BDAR, prepared by Red Gum Environmental accompanies this report as **Appendix B** and is considered further on in this report.

4.3 Integrated development

By reference to Section 4.46 of the EP&A Act, the application represents integrated development on the basis that a controlled activity approval is required under Section 90 of the *Water Management Act 2000*. A mapped watercourse is located in the eastern extent of the site that will be impacted by the development. This mapped watercourse serves a stormwater management function and upstream of the site has been shaped to accommodate flows during a storm event.

The development proposal involves the realignment of this watercourse as recommended by the adopted Jindera Floodplain Risk Management Study.

This is further discussed in **Section 4.5.1.7**.

The proposed drainage channel will be designed to accommodate a design flow of 23 m³/s, and would feature a bed width of 2.5 m, depth of 1.4 m, batters of 6:1 and a longitudinal grade of 0.5%. This design accommodates vegetation, which would be installed to the satisfaction of Council and DPE Water.

4.4 Subordinate Legislation

The EP&A Act facilitates the preparation of subordinate legislation and policy, consisting of:

- Environmental Planning Instruments (EPIs) (including State Environmental Planning Policies (SEPP)), Local Environmental Plans (LEP), and deemed EPIs; and
- Development Control Plans (DCP).

In relation to the proposed development, the relevant subordinate legislation and policy includes:

- *Greater Hume Local Environmental Plan 2012 (the LEP)*.
- *State Environmental Planning Policy (Resilience and Hazards) 2021 (the Hazards SEPP)*.
- *Greater Hume Development Control Plan 2013 (the DCP)*.

These policies and legislation will be discussed below in **Section 4.4**.

4.5 Planning Instruments

4.5.1 GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 (LEP)

The LEP is the applicable local environmental plan applying to the land.

4.5.1.1 Land Use Zoning

The site is located within land zoned a combination of RU5 Village and RU4 Primary production Small Lots under clause 2.1 of the LEP. The objectives of the RU5 zone are considered in **Table 2** and the objectives of the RU4 zone are considered in **Table 3**.

Table 2 – RU5 Village zone objectives

Objective	Comment
To provide for a range of land uses, services and facilities that are associated with a rural village.	The proposal is consistent with this objective as it will provide additional lots within the zone capable of residential development in future.
To protect the amenity of residents	The proposal is consistent with this objective as it will not result in detrimental impacts on amenity of surrounding residents.

Table 3 – RU4 Primary production Small Lots zone objectives

Objective	Comment
To enable sustainable primary industry and other compatible land uses.	The proposal consistent with this objective as it will not alter the existing size of the RU4 portion of the site.
To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.	This objective is not relevant to the proposal however the proposal is not inconsistent with this objective.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The proposal will not result in conflicts between land uses within this zone and land use in adjoining zones as the use of RU4 portion of the land will not be developed or altered by the proposal.

4.5.1.2 Clause 2.6 Subdivision

Clause 2.6 of the LEP states that development consent is required to subdivide land associated with the LEP. This application seeks consent for the subdivision proposal in accordance with this clause.

4.5.1.3 Clause 4.1 Minimum subdivision lot size

The minimum subdivision lot size (MLS) of the RU5 Village zoned development area of the site is 600 sqm. All lots proposed within the RU5 portion of the site are a minimum of 819 sqm and therefore consistent with this clause.

The MLS of the RU4 Primary Production Small Lots Village zoned development area of the site is 8 Ha. The proposal will result in the creation of a residue lot containing the RU4 zones portion of the land. This lot will have an area of approximately 18.08 Ha. The proposal is therefore consistent with this clause.

4.5.1.4 Clause 4.2 Rural subdivision

This clause applies to the development due to the RU4 Primary production Small Lots zoning. The proposal does not, however, propose a lot within this zone which would be a size less than that identified in the Lot Size Map for the site.

4.5.1.5 Clause 5.10 Heritage conservation

Development consent is required for subdivision of land on which a heritage item is located. This clause applies to the development as Lot 1 DP562571, to the west of the site, is identified in Schedule 5 of the LEP as Item I127, the Bethlehem Lutheran Cemetery. This lot does not form part of the application site and will not be altered by the proposal as the development is located within the eastern portion of the site, over 300 m east of the heritage item.

Due to the distance between the heritage item and the development area it is considered that the proposal will not have any effect on the heritage significance of the item, nor will a heritage management document be required.

4.5.1.6 Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

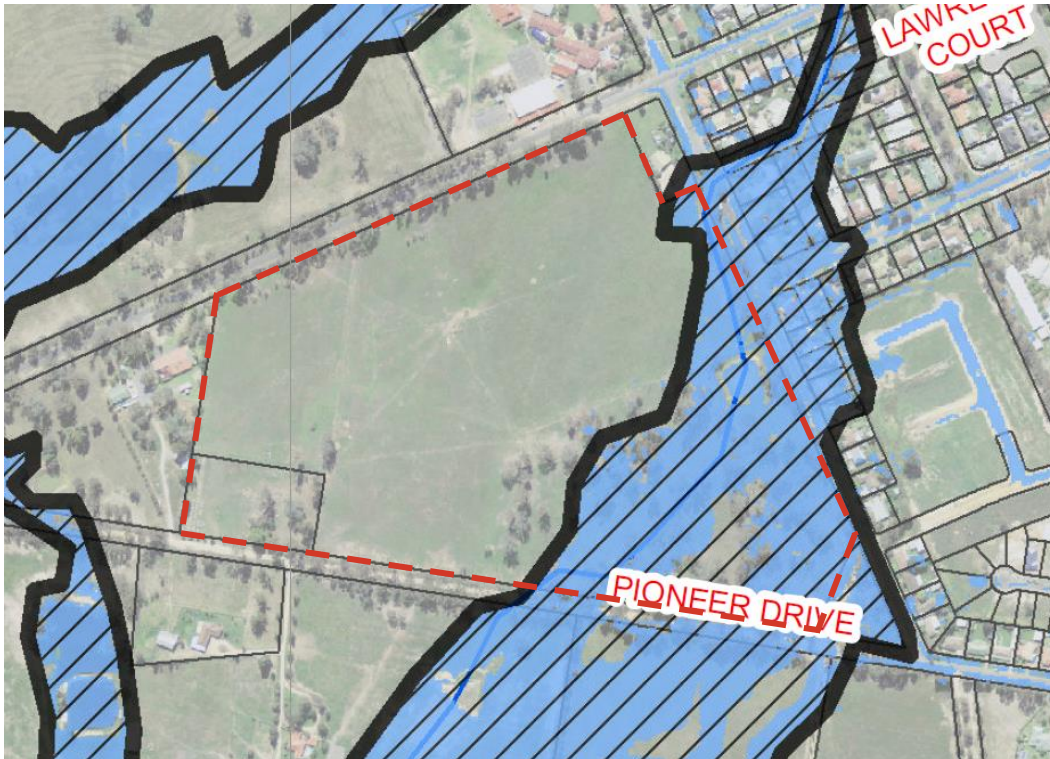
This clause applies to the site due to its RU4 Primary Production Small Lots zoning. The objective of this clause is to minimise potential land use conflicts between existing and proposed development on land in the rural, residential or conservation zones concerned, particularly between residential land uses and other rural land uses. The RU4 portion of the site will be located within a residue allotment created by the development and therefore this portion of the site is not being subdivided for the purposes of a dwelling or for the erection of a dwelling.

4.5.1.7 Clause 5.21 Flood planning

The site is partly identified as Flood Planning Area according to the Greater Hume Shire Council (GHSC) Jindera Floodplain Risk Management Study as identified in **Figure 3**.



Figure 3 - Flood Planning Area mapping of site

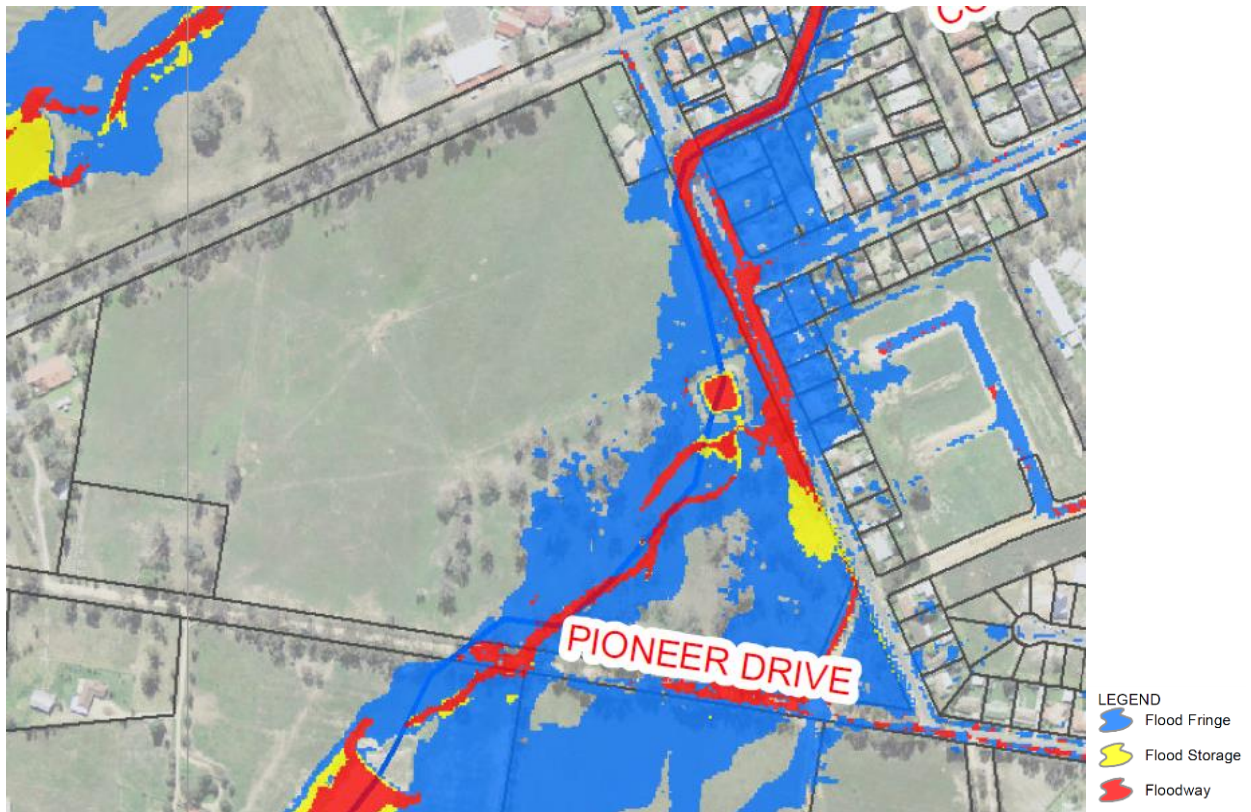


Source: Extract of Figure A1 of the GHSC Jindera Floodplain Risk Management Study

Although the site is partly identified as Flood Planning Area, the GHSC Jindera Floodplain Risk Management Study identifies the category of flood over the site alongside the flood hazard category – refer **Figure 4** and **Figure 5**.

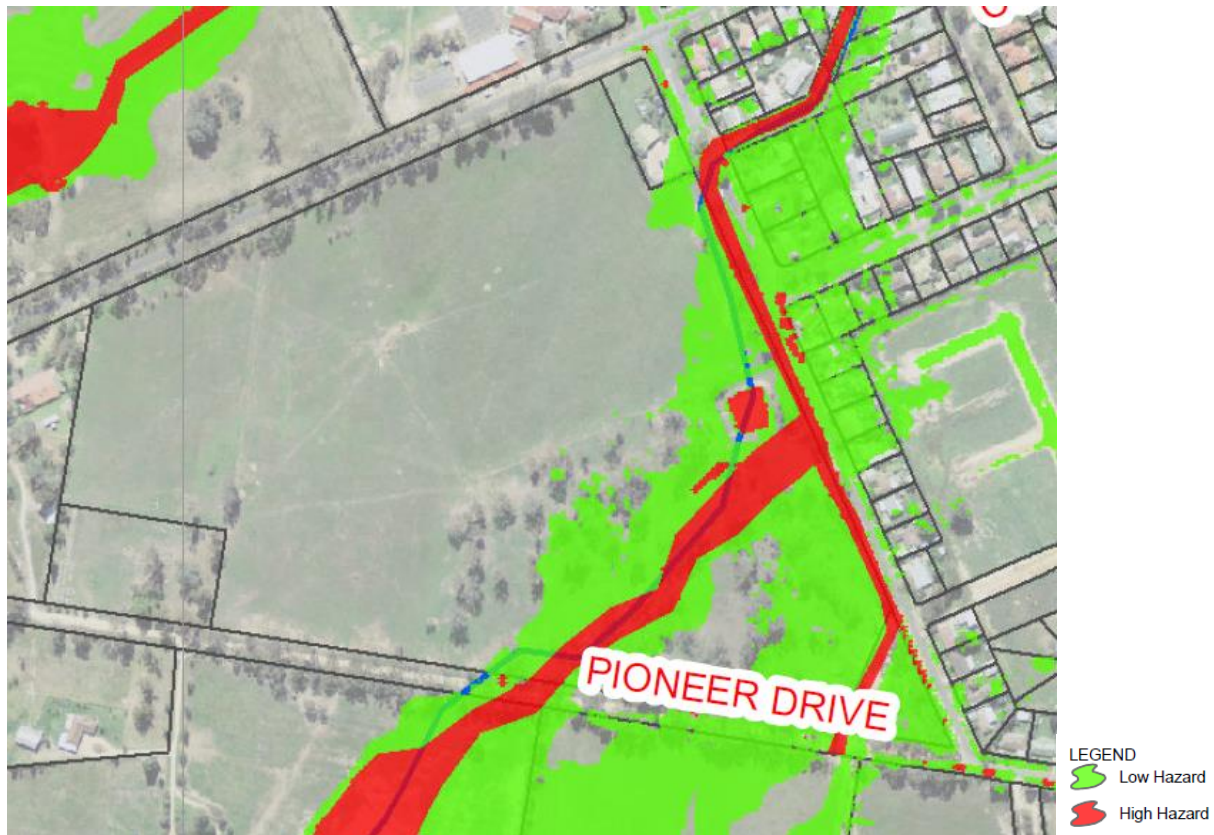
The flood category over the site is identified as a combination of Flood Fringe, Flood Storage and Floodway with the majority of the site being identified as Flood Fringe. The flood hazard category over the site is identified as being mostly low hazard with distinct portions of high hazard associated with the existing creek line traversing the eastern portion of the site.

Figure 4 - Flood Category mapping of site



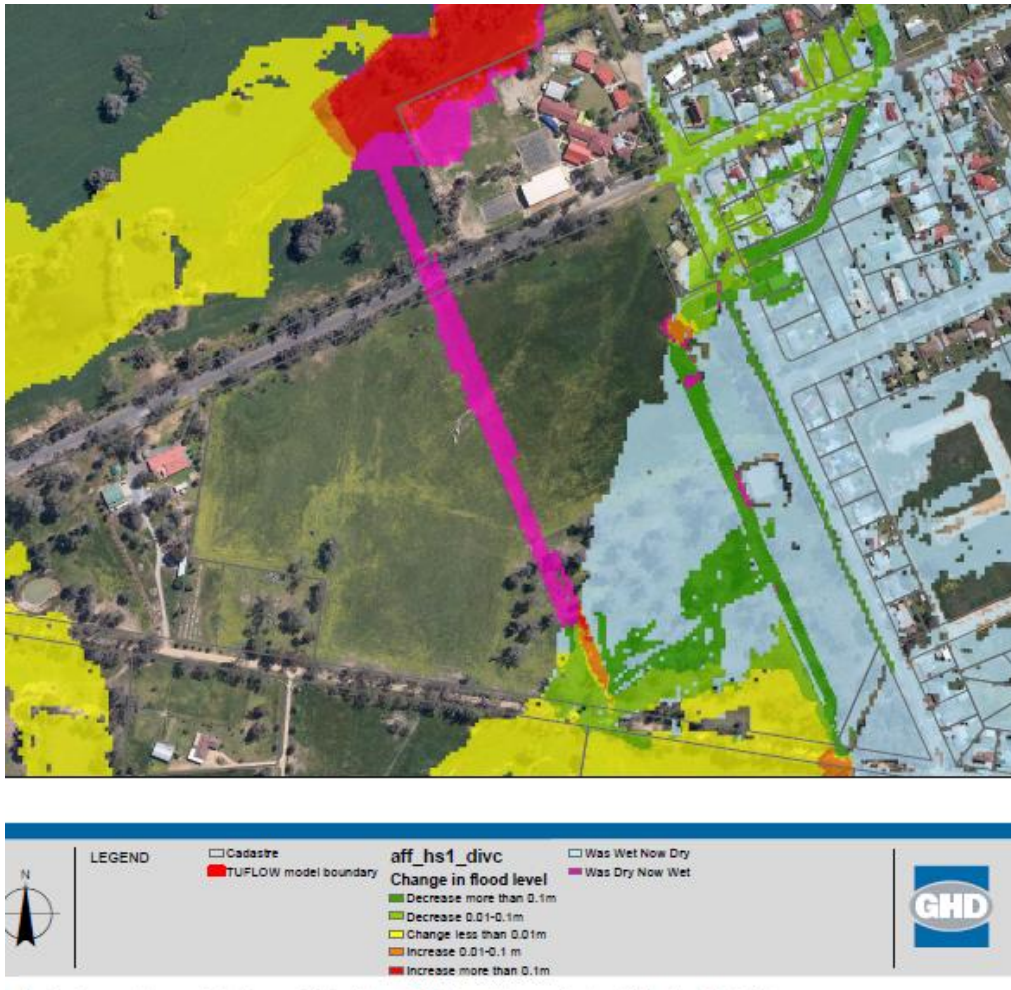
Source: Extract of Figure A2 of the GHSC Jindera Floodplain Risk Management Study

Figure 5 – Flood Hazard Category mapping of site



Source: Extract of Figure A3 of the GHSC Jindera Floodplain Risk Management Study

The proposal includes suitable piped drainage infrastructure within the new road, as well as a drainage reserve designed in accordance with the Jindera Flood Mitigation Channel Design Report dated March 2021 prepared by Dryside Engineering for Council. The purpose of this channel is to improve flood mitigation function in the locality. An outcome of providing the channel is that the flood categories identified in **Figure 4** hazard areas identified in **Figure 5** are alleviated. **Figure 6** shows the outcome of the channel installation and confirms that the areas of the site previously mapped as wet would remain dry in the 1% event as a result of the proposed works.

Figure 6 – Watson Street drain extension and diversion channel change in 100 year flood level

It is therefore considered that the development, subject to the completion of the proposed mitigation works, is compatible with the flood function and behaviour on the land, and will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties. The development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and incorporates appropriate measures to manage risk to life in the event of a flood. The development will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

4.5.1.8 Clause 6.1 Earthworks

The proposed subdivision requires earthworks for which consent is required as per this clause. The earthworks will be undertaken to for subdivision infrastructure construction and to facilitate utility servicing to the proposed lots as required.

The earthworks are unlikely to disrupt or have any detrimental effect on existing drainage patterns and soil stability in the locality, nor will they detrimentally affect the likely future use or redevelopment of the land. The earthworks will not affect existing and likely amenity of adjoining properties as works will only be carried out during approved construction hours.

Relics are unlikely to be disturbed by the works and adverse impacts on waterways, drinking water catchments or environmentally sensitive areas is unlikely. All appropriate measures will be taken to avoid and minimise any potential adverse impacts of the development.

Fill is not anticipated to be required to facilitate service installation. Material excavated on the site is not anticipated to be of poor quality however if poor quality material is identified during utility installation, this will be contained and removed from the site to an appropriately licensed waste facility as required by applicable legislation, standards and policies.

Appropriate soil and erosion control measures will be put in place prior to works being undertaken on the site and will be inspected and maintained during works to ensure potential impacts of the development are minimised.

4.5.1.9 Clause 6.2 Terrestrial Biodiversity

The south eastern portion of the site is identified as "Biodiversity" on the Terrestrial Biodiversity Map – refer **Figure 7**. As described in previous sections of this report, the development has the potential to affect threatened species and as such a BDAR has been prepared by Red Gum Environmental in relation to the development - refer **Appendix B**.

In relation to this clause, Council is required to consider whether the development is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land and or on the importance of the vegetation on the land to the habitat and survival of native fauna. It is also required to consider whether the development is likely to have any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and any adverse impact on the habitat elements providing connectivity on the land. Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development must also be considered.

The BDAR assessed the development footprint area of the site only being an area of 4.14 Ha. The development area was identified to contain 1.07 hectares of exotic vegetation dominated by annual grasses, exotic herbs and woody weeds and 2.97 hectares of native vegetation, with 2.82 Ha of this to be cleared. The entire 2.82 Ha of native vegetation to be cleared was classified as *Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277)*. The BDAR calculated fifty-five ecosystem credits to be required to offset the development. The BDAR noted that PCT 277 is representative of the NSW Threatened Ecological Community (TEC) *White Box Yellow Box Blakely's Red Gum Woodland and Derived Native Grassland*, which is listed as Critically Endangered Ecological Community (CEEC) under the *Biodiversity Conservation Act 2016* (BC Act). The proposed development and associated clearing of vegetation does not represent a serious or irreversible impact.

Avoidance of impacts has been demonstrated through refinement of design by comparison to an earlier proposal including:

- > The development site has been moved to and confined to the eastern extent of the site to avoid hollow bearing trees located in the west of the site;
- > Development of a new service road reduces impacts to extent road side vegetation on Jindera Street;
- > A reserve containing significant vegetation will be established within the drain area;
- > Development has been avoided in the south of the site, avoiding significant vegetation;
- > Trees within the proposed drain area will be retained where possible (noting that impact to this area has been assumed and offset, but some retention of trees is expected).

Figure 7 – Terrestrial biodiversity mapping of site



Source: NSW Planning Portal Spatial Viewer

4.5.1.10 Clause 6.7 Essential services

Reticulated water mains are located within the vicinity of the site within the Pioneer Drive road reserve to the south. A new main will be constructed to connect to the existing infrastructure and service the proposed new lots.

Essential Energy electrical infrastructure is located within the Jindera Street and Pioneer Drive road reserves and is able to be augmented as necessary to service the proposed lots. Any network upgrades required to service the proposal will be funded by the developer.

Reticulated sewer mains are located within the Pioneer Drive road reserve to the south. A new sewer main will be constructed to connect to the existing infrastructure and service the proposed new lots.

The new lots will drain to the kerb and gutter within the new road, which will drain south to the existing junction pits and floodway located south of the site.

Suitable vehicular access is able to be provided from Jindera Street to the east to the proposed new service road which will provide access to the new lots.

4.5.2 **STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021**

4.5.2.1 Chapter 4 Remediation of land

Chapter 4 refers to the remediation of land which is required to be considered by Council in relation to the development. Clause 4.4 of this chapter advises that Council must not grant consent for a development on land unless it has considered whether the land is contaminated. Should the land be contaminated, Council must be satisfied that the land is suitable in its contaminated state, or will be suitable after remediation, for the purpose of the development.

A search of the NSW EPA contaminated lands record database on 12 March 2024 did not identify any contaminated land within the Greater Hume Shire Council LGA.

The site is vacant and undeveloped, containing a range of vegetation, particularly within the south eastern portion. Historical aerial imagery suggests part of the site has been utilised for horse agistment purposes. A preliminary desktop investigation of the site was undertaken, and it is considered that the site is unlikely to be contaminated due to its current and previous uses. Aerial imagery appears to suggest historical use of part of the site for horse agistment and therefore application of chemicals is unlikely. It is considered that the site is suitable for the proposed development with no further investigation being necessary. The subdivision will not increase the contamination risk to the site, nor does the existing site pose a risk to the environment or potential land users.

4.5.3 GREATER HUME DEVELOPMENT CONTROL PLAN 2013

The Greater Hume Development Control Plan 2013 (DCP) applies to the site. **Appendix C** provides a summary of relevant matters raised via the DCP together with an assessment of project specific compliance.

The development is compliant with all relevant provisions of the Development Control Plan.

5. IMPACT ASSESSMENT

Pursuant to clause 24 of the EP&A Regulation, this section outlines the environmental impacts of the proposed development and any measures required to protect the environment or lessen the harm to the environment.

The impacts have been identified through an assessment of the proposed development against the provisions of Section 4.15(1)(b) of the EP&A Act and the *Application Requirements* (Department of Planning and Environment 2022).

This section also addresses the consideration at Section 4.15(c) and Section 4.15(e) of the Act that relate to the suitability of the site for the development and the public interest.

5.1 Context and Setting

The proposed subdivision will provide additional lots within the Village zone in the Jindera township suitable for residential development in future of similar form of lots to the east. The site is located within the western extent of the Village zone with similar sized Village lots utilised for residential purposes located to the east, and larger lots utilised for residential purposes located to the south. Primary Production Small Lots properties are located to the west however as only the eastern portion of the site is being developed by the proposal, there is a large buffer between the site and these land uses. The proposal considered to be consistent with the existing village fringe context and setting.

5.2 Heritage

The adjacent lot, Lot 1 DP562571, is mapped as containing the Bethlehem Lutheran Cemetery which is identified in Schedule 5 of the LEP as item I127 with Local Heritage Significance. As described in **Section 4.5.1.5**, the heritage item and its containing lot will not be altered by the proposal with the development being located over 300 m east of the heritage item.

The site is not mapped as adjoining any other heritage items under the LEP nor is it located within a heritage conservation area. There are no heritage items of state significance listed under the State Heritage Register (SHR) on or within proximity to the site.

A search of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken on 11 March 2024 with a buffer of 1km to determine the presence of any known Aboriginal cultural



heritage. The search identified two items located within the 1km buffer area to the north of the site. These mapped sites are well clear of the subject site.

The site has been zoned for the proposed purpose and has been the subject of previous approved development applications for residential and subdivision purposes. The site has been assessed as being suitable for development as referenced by previous consents applying to the land and thus it can be concluded that the site remains suitable.

The proposed development is therefore not anticipated to result in detrimental impacts to historic/European or Aboriginal heritage and may therefore proceed with caution.

5.3 Other Land Resources

The development will have no impact on other land resources.

5.4 Water

Part of the site is identified in the GHSC Jindera Floodplain Risk Management Study as being subject to 100 year ARI flooding. As described in **Section 4.5.1.7**, the development proposed mitigation works including a drainage reserve which has been designed in accordance with the Jindera Flood Mitigation Channel Design Report dated March 2021 prepared by Dryside Engineering for Council.

The eastern portion of the site is traversed by a mapped watercourse and the development will be undertaken in this area of the site. As such the proposal will require a Controlled Activity Approval be obtained prior to construction in accordance with the *Water Management Act 2000*. The works in this locality will be subject to development and design in accordance with the relevant DPE Water guidelines for development of waterfront land. There is sufficient available land to accommodate this outcome.

All lots will be connected to the reticulated sewerage network as described in previous sections of this report. Stormwater infrastructure is also proposed to manage stormwater disposal of the lots via the proposed channel.

It is not anticipated that the development will result in detrimental impacts on water resources.

5.5 Flora and Fauna

The development entails the clearing of native vegetation in excess of the BC Act clearing threshold, and as such, a biodiversity development assessment report has been prepared by Redgum Environmental Consulting - attached as **Appendix B**.

This is discussed in detail in **Section 4.5.1.9**.

As a result of the project, a credit liability of 55 eco-system credits will need to be discharged prior to the development commencing. This would occur through payment into the biodiversity offset fund.

Targeted searches for candidate fauna species did not identify any species as occurring on the site or in the immediate vicinity. Subject to the discharge of the credit liability, the requirements of the BC Act and Section 1.7 of the EP&A Act are met and the project may proceed.

5.6 Utilities

As described previously in this report, all necessary utilities and infrastructure are located within the vicinity of the site and are able to be augmented as required to service the development.

The project plans at **Appendix A** provide the proposed alignment of reticulated Council services which would be extended to meet the needs of the development. The site is zoned for the proposed purpose and will trigger the payment of headworks contributions in accordance with Council's developer servicing plan, that address the additional impacts to Council's services network.

Non Council utilities would be extended in accordance with the requirements of those utility operators.

5.7 Air Quality

The project provides for the residential subdivision of the land. As such, the operational use of the land for a residential purpose is unlikely to lead air quality and odour impacts. Further to this, there are no known odour or air quality impacts within the area which would impact on the proposed development.

There is the potential for dust generation during utility augmentation and associated earthworks however this will be managed by applicable dust suppression measures as necessary and through the implementation of standard construction management measures.

5.8 Noise and Vibration

Existing noise levels at the site are consistent with the urban location and surrounding large lot residential area. Noise and vibration impacts will be limited to construction activities and will be mitigated through implementation of the following:

- > Works will be restricted to approved construction hours only;
- > Plant and equipment will be well maintained to ensure it is not making excessive noise;
- > Reversing of vehicles that are fitted with reversing beepers will be minimised; and
- > Machinery will be switched off when not in use.

Noise and vibration impacts will be limited to the utility provision phase of the development only. Once the lots are created there will be no additional noise or vibration impacts above what would be expected within a rural location and large lot residential area.

5.9 Access, Traffic and Transport

The proposal provides for the development of a service road to provide legal access to the proposed lots, and this has been agreed with Council as a method of minimising and avoiding unnecessary biodiversity impacts to the land. The road will be built to Council's standards and dedicated as a public asset.

The local traffic environment is capable of receiving the anticipated traffic volumes associated with the proposed subdivision, noting the land has been zoned and identified for residential development, and the land has been the subject of a previous subdivision approval.

It is considered that the proposal will not result in detrimental impacts on traffic and transport in the locality or wider area.

5.10 Waste

Works will be required in relation to utility augmentation and provision to the development. Any waste generated by these works will be managed and disposed of in accordance with Council requirements, as well as with any other applicable policies, standards and legislation.

5.11 Hazards

Whilst part of the site is identified as bushfire prone or flood prone land by reference to available information, the part of the site proposed for subdivision is not detrimentally impacted.

Specifically, the land proposed for subdivision is not mapped as bushfire prone and therefore the development of future lots does not trigger a need for a bushfire safety authority. Future dwellings are outside of the mapped hazard area.

The site is mapped flood liable however the proposed channel mitigation works are consistent with Council's adopted floodplain risk management plan and will result in a reduction in flood affectation such that the development land is no longer likely to be impacted by flooding. This has a benefit to the subject site and future dwellings, but also to the broader community through the delivery of strategically identified flood mitigation works.

The site, nor any sites within the vicinity, are identified as being contaminated or potentially contaminated land as identified in previous sections of this report.

5.12 Social Impact

As defined by the NSW Government Office on Social Policy, social impacts are significant events experienced by people as changes in one or more of the following are experienced:

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



The proposed development results in a positive social impact to the community as the subdivision allows for additional residential accommodation development in the future, in turn increasing housing opportunities within the location.

5.12.1 ECONOMIC IMPACT

There is a short-term economic benefit expected as a result of this development due to expenditure and employment of local contractors for utility servicing activities.

Long-term economic impacts are anticipated due to creation of an additional large residential lot which will facilitate an increased population within the LGA and therefore an increase in expenditure within the local area by people living and working within the locality.

5.12.2 SUITABILITY OF THE SITE

The site is a suitable location for the proposed subdivision as it is of sufficient size and located within an appropriate zone for future residential development to be facilitated. It is also surrounded by lots of similar size and compatible development. The site has access to all necessary utilities and infrastructure to support lot creation and future dwelling development of the newly created lot.

5.12.3 PUBLIC INTEREST

The development is considered to be in the public interest as it will result in the creation of additional residential lots within the locality capable of supporting dwelling houses at a time of limited residential availability locally, regionally and nationally.

6. CONCLUSION

This SEE report has been prepared in support of a Development Application (DA) for a 23 lot Torrens Title subdivision of part of 152 Pioneer Drive and 214-224 Pioneer Drive, Jindera, NSW. The proposal has been assessed against the relevant planning provisions applicable to the proposed subdivision and is considered to be permissible for the following reasons:

- > The proposal is consistent with the objectives and relevant clauses of the LEP;
- > The proposal is consistent with the relevant objectives and controls of the DCP;
- > The proposal will result in the creation of residential lots capable of accommodating future dwelling houses; and
- > The proposal would not result in any significant adverse environmental impacts on the site or in the areas surrounding the site.

As demonstrated throughout this report the development is permissible with consent subject to a merits assessment.



APPENDIX A

PROJECT PLANS



APPENDIX B

BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT



APPENDIX C
DCP COMPLIANCE TABLE



Chapter 6. Subdivision			
Part	Objectives / Controls	Assessment	Compliance?
6.1 Staging	All controls	Staging is not proposed.	N/A
6.2 Movement network	General		
	1. Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	The proposed new road complies with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	Y
	2. All development for subdivision must comply with the Council's standards for road design.	The proposed new road complies with Council's standards for road design.	Y
	3. For lots fronting a main road, access shall be from a secondary road where the opportunity exists.	Secondary road access is not possible.	Y
	4. All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.	All lots will have frontage to and access from the proposed new public road.	Y
	5. Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.	Noted.	Y
6.3 Lot design	General		
	1. Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	The proposed lots have been designed to comply with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	Y
	2. Multi-lot subdivisions should provide for a range of lot sizes.	The lots range in size from 819 sqm to 2,336 sqm.	Y

Chapter 6. Subdivision			
Part	Objectives / Controls	Assessment	Compliance?
	3. Lots are to be provided with legal and practical public road access.	All lots will have frontage to and access from the proposed new public road.	Y
	4. Lots are to be designed to accommodate the type of development envisaged. Irregular shaped lots or lots too small will be regarded by Council as incompatible with objectives for this standard.	The lots have been designed to accommodate various types of residential development, with none considered to be irregularly shaped or too small to support such development.	Y
	Residential 5. For battleaxe allotments a minimum width of the access handle is to be 4.5m.	Battleaxe lots are not proposed.	N/A
	6. Lots are to be able to contain a rectangular building envelope measuring 10 metres by 15 metres, suitable for the erection of a dwelling	All lots are of sufficient size to accommodate the specified building envelope size as demonstrated in the accompanying plans.	Y
	7. Lots are to be designed to maximise solar access.	All lots have been designed to maximise solar access.	Y
6.4 Infrastructure and services	General 1. Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards	Infrastructure and services are able to be provided to comply with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	Y
	Higher density and Average density, Lower density and Rural living 2. Where a reticulated external potable water supply is provided, all lots shall be connected.	Reticulated external potable water supply is provided, and all lots shall be connected.	Y

Chapter 6. Subdivision			
Part	Objectives / Controls	Assessment	Compliance?
	Higher density and Average density. 3. Where a reticulated external sewerage system is provided, all lots shall be connected.	Reticulated external sewerage system is provided, and all lots shall be connected.	Y
6.5 Hazards	General 1. On land mapped as bushfire prone, compliance with the NSW Rural Fire Service guide Planning for Bushfire Protection (2006).	The north western portion of the site is identified as bushfire prone land being Category 2 and Vegetation Buffer. This is however located over 270 m west of the development location on the site and as such there are no bushfire protection measures which must be put in place in accordance with the PBP.	Y
	2. On land considered by Council to potentially being subjected to flooding, an investigation of the land as to the flood risk and consideration of the Floodplain Development Manual: the management of flood liable land (2005).	Flooding has been considered in Section 4.5.1.7 of this report and the development is considered to be in accordance with the Floodplain Development Manual: the management of flood liable land (2005).	Y
	3. On land that is, or has previously been used for a potentially contaminating activity, an investigation of the land in accordance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land. An investigation should be in accordance with the process detailed in the State Government's Managing Land	As described in Section 4.5.2.1 , there is no evidence to suggest the site has been utilised previously for a potentially contaminating activity.	Y
6.6 Site management	General	The site will be managed in compliance with the	Y

Chapter 6. Subdivision			
Part	Objectives / Controls	Assessment	Compliance?
	1. Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	
	2. Compliance with Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils	The site will be managed in compliance with Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils	Y

Chapter 8. Flood liable land			
Part	Objectives / Controls	Assessment	Compliance?
All	All	Flooding has been described in Section 4.5.1.7 and the development is considered to be compatible with the flood risk of the land.	Y

