

STATEMENT OF ENVIRONMENTAL EFFECTS

Application to Modify DA 0238-2015/MOD 2024-0078

Lot 888 in DP 1302688
Windmill Hill Residential Estate
Browns Lane NORTH TAMWORTH NSW 2340

Revision: A

Project: C24810 Windmill Hill Mod No. 6

Report No: 186rpt



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APPENDIX B: Approved Plan of Subdivision MOD2024/0078 (CSO C23730 Subdivision Layout Plan Sheet G01 RevB)

APPENDIX C: Proposed Service Plan (CSO C24810 Subdivision Service Plan Sheet G02 Rev A)

APPENDIX D: Windmill Hill Estate Water Reticulation Strategy

APPENDIX E: Bushfire Assessment Report -Windmill Hill Estate (Hunter Bushfire Services)

1.0 Introduction

This Statement of Environmental Effects (SEE) has been prepared by CSO Engineers on behalf of Marloelle Pty Ltd to accompany an application to Modify **DA 0238-2015/ MOD2024-0078.**

To assist Council in the assessment of this Modification, this SEE describes the proposed changes, and provides an assessment of the proposal under the Environmental Planning and Assessment Act 1979 (EP&A 1979) and Tamworth Regional Council's local planning instruments.

The dimensions and areas shown on the plans are approximate only and are subject to development approval and detailed survey & design.

Within this report, references to "the site" mean the land to which this DA relates, and "Council" refers to Tamworth Regional Council.

Site Description

Property Identification: Lot 888 in DP 1302688

Registered Owner

Property Address: Verdelho Drive North Tamworth 2340

Applicant: CSO Engineers Pty Ltd

• Local Authority: Tamworth Regional Council

2.2 Zoning

Under the provisions of the *Tamworth Regional Local Environmental Plan 2010*, the development site is zoned: **R1 General Residential**

2.0 PROPOSED MODIFICATION

3.1 Proposed Modification

In accordance with Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, it is requested that the development consent DA 0238/2015-MOD 2024/0078 be amended to match that shown in the Proposed Plan of Subdivision included as Appendix A (Ref CSO Engineers C24810 Subdivision Layout Plan Sheet G001 Rev A).

For reference, the approved Subdivision Layout Plan for MOD2024-0078 (Ref: CSO Engineers C23730 Subdivision Layout Plan Sheet G001 Rev B) is included as Appendix B.

There are no proposed changes to perimeter boundaries in the residual Lot (888 DP 1302688). The proposed modifications include the following:

Consolidation of lots in the southern portion of proposed Stage 15 to facilitate the creation
of a large lot for a future dwelling in Lot 703 DP 1260451. The changes reflect the need to
provide access and desired clearance to adjoining boundaries.

The original dwelling was approved under DA 0988/2005 and the Construction Certificate (CC0007/2011) was issued on 7th July 2010. Construction has substantially commenced with the installation of building footings in Lot 703 DP 1260451.

- General road realignments to improve lot configuration and accessibility. Local roundabouts
 are proposed at 4-way intersections in Chardonnay Drive in Stages 15 and 18. These
 arrangements will also promote traffic calming for vehicles accessing Verdelho Drive, being
 the collector road for the estate.
- Inclusion of two large lots in Stages 15 (Lot 1520) and Stage 18 (Lot 1819) to provide options for future medium density housing.
- The number of lots per stage has been increased to meet current market demand.
- The total number of lots in the estate has decreased as per the following table:

DA 0238/2015 - Stages 6 to 21		
Stage	No. of Lots	
Stages 6-12 (Registered)	148	
Commercial Centre (Registered)	5	
Stage 13 (Under Construction)	30	
Stage 14	33	
Stage 15	36	
Stage 16	36	
Stage 17	34	
Stage 18	28	
Stage 19	23	
Stage 20	35	
Stage 21(Future Subdivision)	1	
Total	409	

Road hierarchy and formation widths have remained as per previous development approvals and include the following:

- Local Roads 18 metre reserve and 11-metre-wide pavement.
- Access Road 17 metre reserve and 7 metre-wide -pavement.
- Modified Perimeter Road 15m wide reserve and 9m pavement.

3.2 Proposed Service Strategy

Servicing arrangements to facilitate the proposed changes have been shown in the Subdivision Service Plan included as Appendix C (*Ref: CSO Engineers Service Plan C24810 Subdivision Service Plan Sheet S001 Rev A*).

The proposed changes are consistent with the original DA approval (DA 0238/2015) and subsequent modifications. Specific service comments are detailed below:

Sewer: The sewer strategy remains consistent with the original DA approval. There are no changes to the overall strategy and there is no increase in Equivalent Tenements to the connection points provided at existing stages.

Stormwater: Stormwater catchments have remained as per the original modelling with the separate catchments to the northwest and northeast delineated by Lambrusco Way. The northwestern detention basin is to be constructed in Stage 17, being the first stage of this catchment.

The consolidation of Lot 1530 in Stage 15, to create a large Lot for a single dwelling, will decrease the impermeable catchment area to the north-east by approximately 0.836 Ha with the reduction in small residential lots and roads in the southern portion of the development bounding Lot 703 DP1260451. There are no changes proposed to the existing detention system in this regard.

Water: Water servicing arrangements are substantially the same as per the previously approved Water Reticulation Strategy. A copy is included as Appendix D.

It is proposed to loop the 300mm DICL main back to Browns Lane through the northwest detention basin reserve from the existing stub end in Chardonnay Drive in Stage 5.

3.0 ASSESSMENT OF ENVIRONMENTAL & PLANNING INSTRUMENTS

This section contains our assessment of the potential environmental impacts of the proposed development in consideration of relevant legislation and local planning instruments:

- Environmental Planning & Assessment Act (EP&A Act 1979)
- Other Acts
- State Environmental Planning Policy (SEPPS)
- Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)
- Tamworth Regional Development Control Plan 2010 (TRDCP 2010)
 - Step 2 Subdivision Controls
 - Step 3 General Development Specifications

4.1 Other Acts

Consideration was afforded to other legislation in the original consent with referrals to the NSW Natural Resource Access Regulator (NRAR) and the NSW Rural Fire Service NSWRFS.

It is our interpretation that the proposed modification will not result in any changes to existing NRAR General Terms of Approval as there is no changes proposed to any works in the riparian zone. Further commentary is provided in Section 4.5.5.

In regard to the Bush Fire Safety Authority issued by NSW RFS, a new Bushfire Assessment Report has been undertaken and is included as Appendix E. Further commentary is included in Section 4.5.4.

4.2 State Environmental Planning Policies

No State Environmental Planning Polices are considered to be applicable to the proposed modification.

4.3 Tamworth Regional Local Environmental Plan 2010 (TRELP 2010)

4.3.1 Zoning

The subject land is zoned R1 General Residential

The objectives of this zone under the Tamworth Regional Local Environment Plan (TRLEP) 2010 are:

- To provide for the housing needs of the community
- To provide for a variety of housing types and densities.
- To enable other land uses that provides facilities or services to meet the day to day needs of residents.

The proposed modification is considered to meet the objectives of the R1 Zone and is permissible under the provisions stated in TRELP 2010.

4.4 Tamworth Regional Development Control Plans 2010

The *Tamworth Development Control Plan 2010* provides the key criteria for specific types of development that occurs in the Tamworth Regional Local Government area. Development controls relevant to the proposal include:

- Step 2: Subdivision Controls
- Environmental Controls
- Other Development Controls

The relevant subdivision and site-specific environmental controls are addressed in the following sections.

4.4.1 Step 2 Subdivision Development Controls

'Deemed to Satisfy' Controls Design Requirement		Development Compliance	
		Control compliant: Refer Service Strategy Plan included as Appendix C. The strategy as shown is consistent with previous approvals and connections provided in constructed stages.	
Sewer	The provision of gravity sewer system in accordance with Councils Engineering Guidelines for Subdivisions & Developments.	Control compliant: Refer Service Strategy Plan included as Appendix C.	
Water	The provision of a water supply system in accordance with Councils Engineering Guidelines for Subdivisions & Developments.	Control compliant: Refer Service Strategy Plan included as Appendix C. The proposed strategy is generally consistent with the original layout included as Appendix D. The 300mm main is looped back to Bowns Lane adjacent to the future detention basin.	
Stormwater Drainage	The provision of stormwater infrastructure for minor and major flows in accordance with Australian Rainfall & Runoff 1998 and Councils Engineering Guidelines for Subdivisions & Developments.	Control compliant: Refer Service Strategy Plan included as Appendix C. There is no change to catchments previously approved. An overall reduction of hardstand area has occurred with the loss of roads and dwelling Lots in Stage 15. There are no proposed changes to the existing detention system.	
	Locations of major flows are to be defined to a designated overland flow path up to 100-year ARI. Where the path traverses, private property, it shall be dedicated as a drainage reserve UNLESS a natural drainage line (as indicated by a blue line on the topographic map).	Control compliant: There are no proposed changes to major flows to the constructed detention system.	
	Measures to control stormwater flow and water quality are required.	Control compliant: There are no changes proposed to DA approved stormwater strategy.	
	Detention basins are not a preferred solution.	Not applicable. Detention basins have been viewed as necessary in previous development approvals.	
	Where drainage is required to the rear of the lot, inter-allotment drainage shall be located in easements in favour of the upstream properties benefitted by the easement.	Control compliant: Refer Service Strategy Plan included as Appendix C.	
	Lot layout and easements are to be established so that no future development will rely upon pump-out, infiltration systems or any other method other than connection to the gravity piped system.	Control compliant: Refer Service Strategy Plan included as Appendix C.	
Telecommunications	Provision of underground telecommunications.	Local services will be extended to provide communication access.	
Electricity	The subdivision is to be serviced by underground electricity where the lot size is a minimum of up to and including 2 hectares.	Local services will be extended to provide underground electrical supply.	

Lot Size	Minimum Lot Size in accordance with the relevant TRLEP 2010 Lot Size Map.	Conforming: 600m ² minimum achieved.	
	Lots to accommodate building envelope of 10 x 15m.	Design requirement achieved All proposed lots can accommodate the minimum building envelope as specified.	
	Easements do not encumber more than 10% of the lot.	Design compliant. Refer Subdivision Plan Appendix A.	
Battle-Axe Shaped Lots	Minimum area 800 m²	Design compliant. Refer Subdivision Plan Appendix A.	
	Access handles minimum width 4.5 m	Design compliant. Refer Subdivision Plan Appendix A.	
	Battle-axe lots to share a common boundary with a public reserve of at least 15metres in length.	Design Compliant. Refer Subdivision Plan Appendix A.	
	No more than two Torrens Title lots to share a battle-axe handle access.	Design compliant. Refer Subdivision Plan Appendix A.	
Road Network Design	A Traffic Impact Assessment is to include an assessment of the proposed subdivision and its impacts on the adjacent existing road network.	Not applicable. No changes proposed to previously approved road network.	
	Road hierarchy shall be defined.	Design compliant. No changes proposed to previously approved road network.	
Road Network Design	Road network design should include consideration of vehicular, pedestrian and cyclist safety. This should include the restricted/controlled use of 4-way intersections, the standards for staggered T-intersections, the speed environment created by the road network and the risk to safety created by the design.	Design compliant. No changes proposed to previously approved road network. The control of 4-way intersections has been addressed. Refer Subdivision Plan Appendix A.	
	Residential subdivision must incorporate appropriate facilities and opportunities for pedestrian and bicycle movement.	Design compliant. No changes proposed to previously approved road network.	
	The alignment, width and design standard for roads shall be in accordance with Councils Engineering Guidelines for Subdivisions and Development.	Not compliant. No changes proposed to previously approved road network.	
	Kerb & Gutter is required where minimum lot size of up to and including 2000m ² .	Not applicable. No changes proposed to approved road network.	
	The road pavement requirement will be determined on vehicle movements and with consideration to the existing development and character of the locality.	Design compliant. No changes proposed to previously approved road network.	
	A road within a residential subdivision servicing 15 lots or more must include a constructed pedestrian footpath.	Design compliant. No changes proposed to previously approved road network.	
Road Network Design	Subdivision layouts shall make provision for road connection to adjoining undeveloped land.	Design compliant. No changes proposed to previously approved road network.	

	Subdivision design shall ensure that individual allotments are within 400 metres walking distance of a collector road.	Design compliant. No changes proposed to previously approved road network.
	Roads to be designed having regard to both the topography of the site and the requirements of stormwater overland flow path.	Design compliant. No changes proposed to previously approved road network.
Staged Subdivision	Subdivision Staging to be identified and manner in which staging of all infrastructures will occur.	Design compliant. Staging is compatible with proposed service strategy. Refer Appendix C.
Cul-De-Sac	Design must accommodate stormwater drainage flow paths.	Control compliant: Refer Subdivision Layout Plan Appendix A.
	Minimum radius of 10 metres.	Design Compliant. Standard cul-de-sac radius designed as per TRC Engineering standards.
Landscaping	Landscaping of new subdivisions to include street tree planting of suitable species.	Design compliant: Landscaping will be provided to Councils Engineering Standards.
	Provision of Landscape Plans for all dual use drainage reserves.	Not applicable.
Site Access	Public road access is required to all lots.	Design requirement achieved – Refer proposed Plan of Subdivision Appendix A.
	No direct access to arterial or sub-arterial roads shall be permitted where alternatives are available.	Design requirement achieved – Refer proposed Plan of Subdivision Appendix A.
Lot Orientation	Lot access to provide for solar access and minimise overshadowing.	Design requirement achieved – Refer proposed Plan of Subdivision Appendix A.
Open space provision within residential subdivision will be determined compliance with the provisions of the Section 94 Plan or Site-Specific Design Criteria.		Not applicable. Section 94 Contributions to be payable with development.
	Where required, subdivision design must provide open space achieving the following criteria: a) Minimum area of 0.5 Ha b) Buffered from Main roads and identified hazards c) Safely accessible by pedestrian and cycleway links d) To maximise connectivity between open space e) Walkable access to highest number of the population f) High passive surveillance opportunities g) Minimum slope, and h) Provide complimentary uses of open space (drainage, conservation, cycle ways etc.) that ensures ongoing usability.	Not applicable
Vegetation	The design shall accommodate the retention of significant trees and vegetation.	Not applicable. No trees to be removed with the proposed subdivision.

Garbage Collection	Provide for legal movements of collection vehicles and placement of roadside garbage receptacles for collection within the alignment of that lot.	Design requirement achieved – Refer proposed Plan of Subdivision Appendix A.
	Temporary turning facilities shall be provided to facilitate garbage collection services.	Design requirement achieved – Refer proposed Plan of Subdivision Appendix A.
Contamination	Consideration of potential site contamination.	Site contamination has been addressed for the estate in the original development assessment (DA 0238/2015)
Road Widths		Design Compliant with previous approval.

4.4.2 Environmental Controls

'Deemed to Satisfy' Controls	Design Requirement	Development Compliance
Environmental Effects	The application documentation shall identify any potential environmental	a) Traffic – Not applicable to proposed Modification.
	impacts of the development and demonstrate how they will be mitigated.	b) Flood Liability – The site of the modification is not flood prone.
	These impacts may relate to: a) Traffic	c) Slope – The site grades gently to the north. The site is not considered to be subject to slip or subsidence.
	 b) Flood liability c) Slope d) Construction impacts e) Solid and Liquid Waste 	 d) Construction Impacts – The construction of the proposed subdivision development will be undertaken by a qualified civil construction company with a demonstrated commitment to quality, safety and environmental work practices.
	f) Air quality (odour and pollution) g) Noise emissions	e) Solid and Liquid Waste – As required any solid waste from construction activities will be disposed to Council Waste Management Facilities by site civil contractor.
	h) Water quality i) Sustainability	f) Air Quality (odour and pollution) – If required, earthworks during initial construction will generate dust which will be monitored on site and suppressed using water carts as necessary. It is not anticipated that pollution will be issue once initial earthworks are completed.
		g) Noise Emissions - The standard construction hours proposed and the surrounding locality are such that the proposed development does not pose any significant impacts in terms of acoustic amenity upon neighbouring properties. All construction activities will be in accordance with the working hours prescribed by Council.
		h) Water Quality – To be managed in accordance with the sediment and erosion control measures detail below.

Environmental Effects		 i) Sustainability – It is intended that the proposed subdivision design will implement measures such as (but not limited to): Provide a lot layout to maximise solar access to dwellings. Cater for the safe and efficient passage of stormwater through the site, Provide for efficient vehicle access to residential allotments.
Soil Erosion and Control	Runoff shall be managed to prevent any land degradation including offsite sedimentation.	Controls will be maintained during and post construction to limit any potential sedimentation of stormwater runoff from the development.
	Reference shall be made to the NSW Governments Managing urban stormwater: soils and construction, Volume 1 (available from Landcom), commonly referred to as "The Blue Book".	The likelihood of erosion and sedimentation during construction will be managed in accordance with the NSW Governments publication "Managing Urban Stormwater: Soils & Construction Vol. 1 (The Blue Book) and the Erosion and Sediment Control Plan to be submitted with the Application for the Construction Certificate.
Soil Erosion and Control	Cut and fill will be minimised, and the site stabilised during and after construction.	Any cut and fill will be kept to a minimum and the site stabilised during and after construction as required.
	Arrangements in place to prompt revegetation of earthworks to minimise erosion.	Where necessary revegetation of earthworks will be conducted to minimise erosion.
Vegetation	Development design shall accommodate the retention of any significant trees and vegetation.	No trees are to be removed with this application.
Waste Management	General waste storage and collection arrangements shall be specified.	General waste storage and collection arrangements shall be detailed by the contractor during construction and the development will be serviced by Councils roadside garbage collection.
Noise	Where relevant, applications are to contain information about likely noise generation and the method of mitigation.	Refer to part g) of the Environmental effects section above.
Geology	The design process must give consideration to the potential impact of erosive soils, saline soils, soils of low wet strength, highly reactive soils and steep slopes and document how these constraints are addressed.	Not considered necessary for the land subdivision. A site geotechnical investigation will be undertaken prior to foundation design to ascertain the nature and adequacy of existing soil conditions for development application for the future use of the site. Design of the building structure will be in accordance with the designated site classification, relevant Australian Standards and Councils Engineering Standards for Subdivisions and Developments and will be carried out by qualified structural engineers.

4.5 Environmental Considerations

4.5.1 Flora & Fauna

Flora and Fauna assessments were undertaken for the full site and was assessed under DA 0238/2015. No changes are proposed to the development area as previously assessed and approved. The proposed modification will have no effect on threatened species, populations or ecological communities or their habitats.

4.5.2 Flood Prone Land

The subject site of the modification is not Flood prone in accord with the Tamworth LEP 2010 Flood Mapping.

4.5.3 Land Contamination

A Preliminary Site Contamination Assessment was undertaken for the full site and was assessed under DA 0238/2015. No changes are proposed in the modification which will trigger further assessment and there have been no activities since the previous approval that may be construed as having the potential to cause land contamination.

4.5.4 Bushfire

The existing DA (DA0238/2015 MOD 2024-0078) is subject to the Bush Fire Safety Authority issued by the NSW Rural Fire Service (Ref DA202015-00059-S4.55-1, dated 3rd March 2022).

A new Bushfire Report has been prepared by Hunter Bushfire Services to accompany the modification proposal (Refer Appendix E). The report has been prepared in accordance with Clause 44 of the Rural Fires Regulation 2013 (RF Regulation) and satisfies the requirements for a bushfire safety authority under Section 100B of the Rural Fires Act 1997 (Rf Act). The report concludes the proposal is able to meet all relevant performance requirements via acceptable solutions in accordance with the current reference document; Planning for Bush Fire Protection 2019.

4.5.5 Waterfront land

The existing DA (DA0238/2015 MOD 2024-0078) is subject to the General Terms of Approval (GTAs) issued by the NSW Natural Resource Access Regulator (NRAR) (Ref IDAS-2021-10223, dated 3rd March 2022.

The changes proposed in this modification do not include any works in the prescribed riparian zones assessed in previous approvals and do not affect the General Terms Of Agreement (GTA) or Controlled Activity Approval. The modification does not warrant further assessment from NRAR.

4.0 RECOMMENDATION

Development consent is sought to modify **DA 0238-2015/MOD 2024-0078** Windmill Hill Residential Subdivision. The proposed changes are in response to current market demand and are generally consistent with previous approvals.

The proposed modification is consistent with land zoning and surrounding development in the Windmill Hill Residential Estate.

Based on determination of DA (0238/2015 MOD2024-0078) and previous modifications on the same, and the assessment of potential environmental impacts in the above report, we do not believe there are any issues in terms of site suitability, and that the proposal satisfies the statutory planning controls which apply to the site.

If any additional information is required to assist with the assessment of this Development Application, please do not hesitate to contact our Tamworth office at your earliest convenience.









