

A photograph showing a person's hand pointing at a survey map spread out on a wooden table. The person is wearing a black watch and a ring. The map shows various lots and boundaries. The text 'DEVELOPMENT APPLICATION STATEMENT OF ENVIRONMENTAL EFFECTS' is overlaid on the image.

DEVELOPMENT APPLICATION STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Subdivision of Lot 10 DP 250141 (N⁰⁹)
Scott Street, Khancoban
To Create Six New Residential Allotments.

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Ref: DA087

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1. THE PROPOSAL

It is proposed to undertake the subdivision of lot 10 DP250141 (N^o9) Scott Street Khancoban to create six new residential allotments. The subject land is located within the existing village area of Khancoban.

The subject land has an area of approximately 7090m² and has a direct frontage to Scott Street and an unnamed street running along the northern boundary in the village area of Khancoban. The land is relatively level and falls gently to the south. The subject land is vacant.

The subject property is zoned, Zone RU5 Village under the provisions of the Tumbarumba Local Environmental Plan (TLEP) 2010 and the proposed subdivision is permissible with the consent of the Council.

In addition to this Statement of Environmental Effects (SEE) the following documentation has been submitted with the Development Application through the Planning Portal:

- Site Survey plan showing contours, proposed lot boundaries, dimensions, areas, and proposed easement.
- AHIMS results.

The subdivision will create the following lots:

- Lot A – Approximately area of 2200m² is vacant and gain access via the unnamed road along the northern boundary.
- Lot B – Approximately area of 820m² is vacant and gain access via the unnamed road along the northern boundary.
- Lot C- Approximately 830m², is vacant and has frontage to both Scott Street and the unnamed road along the northern boundary
- Lot D- approximately 1070m², is vacant and has direct frontage to Scott Street.
- Lot E – Approximately 1060m², is vacant and has direct frontage to Scott Street.

- Lot F – Approximately 1070m², is vacant and has direct frontage to Scott Street.

The concept subdivision plan shows the existing easement to drain water and for water supply created by DP250141 being retained in proposed lot A. The concept plan also shows proposed easements to cater for stormwater and the provision of reticulated sewer within the development. Proposed lot C can connect to the existing sewer main in Scott Street without the need for an easement.

The proposed development is not considered to be a “designated” nor “integrated” development and is considered to be a sound use of unused vacant and serviced residential land within the village of Khancoban.

2. SPECIFIC ISSUES

2.1 ADJOINING DEVELOPMENT

The subject land is located within the village area of Khancoban and the subject property and surrounding and nearby lands are all zoned Zone RU5, Village. The property to the south contains the Khancoban Roadhouse and the Khancoban Alpine Inn is directly opposite in Scott Street. The other lands are all residential or vacant.

2.2 ACCESS

The subject land has dual access with frontage to both Scott Street and the unnamed road along the northern boundary. Both frontages are bitumen sealed with kerb and gutter in place. Access to all proposed lots will be from either of these road frontages.

2.3 SERVICES

- Sewer – all lots will be connected to the Council’s reticulated sewer mains.
- Water – all lots will be connected to the Council’s reticulated water mains.
- Electricity – all lots will be connected to underground reticulated electricity.
- Stormwater – Inter allotment drainage will be provided for lots B, D, E and F. Lot A will connect to the existing stormwater system and Lot C will discharge to the Scott Street drainage system.

2.4 FLORA AND FAUNA

The State Government Biodiversity Values Mapping along with the Council's LEP mapping for Natural Resources Sensitivity Biodiversity Mapping have been reviewed and the property contains no areas mapped within these documents. We consider the proposal has no adverse impacts on the existing habitat values for the site and as such a Species Impact Statement is not required.

2.5 AHIMS RESULTS

This office undertook an AHIMS search for this address and the results showed no Aboriginal sites or Aboriginal places recorded or declared on or near 9 Scott Street, Khancoban. A copy of the search results is provided with the DA in the Planning Portal.

2.6 TUMBARUMBA LEP 2010

As part of the determination process Council must consider the relevant Clauses of the TLEP 2010 applicable to this proposal. Our comments in relation to the specific Clauses are as follows:

- Clause 2.3 *Zone Objectives*

The subject land is zoned Zone RU5 Village and our comments in relation to the listed objectives of this zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.

Our comment - the subdivision provides additional land stock to provide for the continued growth of the village of Khancoban and its services and facilities.

- To ensure that development is undertaken in a manner that minimises impacts on adjoining properties.

Our comment -the subdivision creates lots that are larger than the minimum lot size within the village area of Khancoban. Existing developments in proximity to this site are surrounded by lands all zone Zone RU5 and these proposed lots will have no significant adverse impact on existing or future development on surrounding or nearby lands.

We consider the proposed development to be compatible with the

objectives of the zone.

- Clause 2.6 *Subdivision Consent Requirements*

This clause permits the subdivision of land but only with development consent unless it is exempt. As this development is not exempt, we seek the consent of the Council to undertake the subdivision as proposed.

- Clause 4.1 *Minimum Subdivision Lot Size*

The proposed subdivision creates lots ranging from 820m² to 2200m² all of which are greater in area than TLEP 2010 lot size mapping, which shows a minimum lot size of 450m² for this property.

As a result, we consider the proposal to be compliant with Clause 4.1 (3).

In conclusion, we consider the proposal is compliant with the relevant Clauses of the TLEP 2010.

2.7 SNOWY VALLEYS DCP 2024

As the TLEP 2010 applies to this land the Snowy Valleys DCP applies to any development proposed.

The following are our comments and responses to the various sections of the SVDCP 2024 applicable to this development:

- * Chapter 3 - Requirements Applying to All Types of Development.
 - 3.1 Objectives – this proposal has considered the two listed objectives in its design.
 - 3.2 Development Controls
 - 3.2.1 Vehicle Access - access to all proposed lots will comply.
 - 3.2.2 Bushfire – N/A
 - 3.2.3 Car Parking – N/A at subdivision stage
 - 3.2.4 Construction over Council land and services - any such works will have the appropriate applications made.
 - 3.2.5 Contaminated Land – there are no known previous uses that would suggest the land is potentially contaminated.
 - 3.2.6 Cut and Fill – the proposal does not include any cut or fill exceeding 1.0 meter above or below existing ground level.
 - 3.2.7 Demolition – N/A to this proposal
 - 3.2.8 Development Near Electrical Easements – N/A to this proposal.
 - 3.2.9 Erosion and Sediment Control – these details will be included in future applications for the Subdivision Works Certificate and Roads Act approval.
 - 3.2.10 Flooding – N/A to this proposal
 - 3.2.11 Heritage – N/A to this proposal
 - 3.2.12 Landscaping – N/A to this proposal
 - 3.2.13 Onsite Wastewater Management - N/A to this proposal
 - 3.2.14 Provision of Services – Refer to Section 2.3 of this SEE
 - 3.2.15 Retaining Walls - N/A to this proposal
 - 3.2.16 Safe by Design – N/A at subdivision stage
 - 3.2.17 Stormwater/ roof Water Management – Refer to Section 2.3

of this SEE.

* Chapter 9 - Subdivision

- 9.1 Objectives – the three objectives listed have all been considered in the design of this subdivision.
- 9.2 Definitions – advisory
- 9.3 Greenfield Residential Subdivision – N/A as this proposal is considered a “brownfield” development or infill.
- 9.4 Infill Residential Development
 - 9.4.1 General Controls – this proposal is consistent with the general controls.
 - 9.4.2 Smaller Lot Controls – all proposed lots are greater than 750m² in area
- 9.5 N/A
- 9.6 N/A
- 9.7 N/A
- 9.8 N/A

In conclusion, we consider this Development Application is compliant with the requirements of the SVDCP 2024.

3. STATUTORY CONSIDERATIONS

3.0 SECTION 4.15

Section 4.15 of the Environmental Planning and Assessment (EP&A) Act 1979 specifies the matters, which a consent authority must consider when determining a development application. Section 4.15 provides:

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:*
 - (i) any environmental planning instrument, and*
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) any development control plan, and*
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

Our comments in relation to this particular proposal against the various matters for consideration are as follows:

3.1 SECTION 4.15 1(a)

- * Section 4.15 1(a)(0) – the provisions of any environmental planning instrument.

- * **State Environmental Planning Policies (SEPP)**

- SEPP (Biodiversity and Conservation)2021 – refer to Section 2.4 of this SEE.
 - SEPP (Resilience and Hazards) 2021 – the subject lands are within the village of Khancoban and there have been no known contaminating land uses undertaken.

- * **Local Strategic Planning Statement (2020- 2040)**

- We consider this proposal is consistent with the Local Strategic Planning Statement 2020- 2040

- * **Tumbarumba LEP 2010**

The subject property is zoned Zone RU5, Village under the provisions of the TLEP 2010. The relevant sections of TLEP 2010 are considered in Section 2.6 of this SEE.

- * Section 4.15 (1)(a)(ii) – any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority.

- **Proposed Environmental Planning Instruments**

There are no draft environmental planning instruments that impact upon this proposal.

- * Section 4.15(1)(1)(iii) – any development control plan.

The Snowy Valleys Development Control Plan (DCP) 2024. Our comments in relation to the relevant chapters of DCP 2024 are included in Section 2.7 of this SEE.

- * Section 4.15(1)(1)(iiia) – any planning agreement entered into under S7.4

There are no planning agreements that impact upon this proposal.

- * Section 4.15(1)(a)(iv) – the matters prescribed by regulation The matters prescribed by the regulations include:

- s.92.1(b) Orders made pursuant to Schedule 7 of the EP&A Act – no provisions relating to paper subdivisions are applicable.

3.2 SECTION 4.15(1)(b)

- * Section 4.15 (1)(b) – the likely impacts of the development.

- **Context and setting** – the proposed development is in keeping with nearby developments. The subdivision will not have any adverse impacts on the amenity of the neighbourhood.
- **Access, transport and traffic** – the surrounding road network is capable of servicing the proposed development.
- **Public Domain** – the proposal has no adverse impact on any areas of the public domain. When viewed from the adjoining road network, the development is consistent with the existing village landscape.
- **Heritage** – N/A.
- **Other land resources** – there are no known adverse impacts in this regard.

- **Water** – drainage from the site will be directed to existing drainage infrastructure
- **Utilities** – electricity services are available.
- **Soils** – No adverse impacts in this regard.
- **Air and microclimate** – the development will not alter the existing air quality or microclimate.
- **Flora and fauna** – the proposal does not alter existing habitat values for the site and as such we consider a Species Impact Statement is not required.
- **Waste** – to be collected on-site by the Council’s Waste collection service.
- **Energy** – the development does not place unreasonable demands upon the provision of energy.
- **Noise and vibration** – the development is not impacted upon by noise or vibration.
- **Natural hazards** – N/A
- **Technological hazards** – the development will not create risks from technological hazards.
- **Safety, security, and crime prevention** – no adverse impacts are expected in this regard.
- **Social impact in the locality** – this adjoins an established area and no adverse impacts are expected.
- **Economic impact in the locality** – no adverse economic impacts are created as a result of this proposal.
- **Site design and internal design** – the design of this development considers existing development, infrastructure and site constraints.
- **Construction** – no adverse impact.

- **Cumulative impacts** – the development has no adverse cumulative impacts and is in keeping with the permissible development pattern.

3.3 SECTION 4.15 (1)(c)

- * Section 4.15 (1)(c) – the suitability of the site for this development. The suitability of the site for this development has been established by the environmental assessment of the site from which the development has been designed. The proposal is site responsive and satisfies legislative requirements.

3.4 SECTION 4.15 (1)(d)

- * Section 4.15 (1)(d) – any submission made in accordance with the Act or Regulations.
No submissions made.

3.5 SECTION 4.15 (1)(e)

- * Section 4.15 (1)(e) – the public interest.
It is considered that the development as proposed has no adverse impact on public interest.

4. CONCLUSION

This Development Application requests approval for five additional residential lots within the established village area of Khancoban. The following documentation has been used to prepare this SEE.

- EP&A Act 1979
- TLEP 2010
- SVDCP 2013
- Relevant State Environmental Planning Policies

We consider the proposal to be compliant with the abovementioned planning documents and their relative legislative requirements. These along with the information provided with the DA show that the proposal is a sustainable development and should be supported by Council.

Should Council require any additional information or clarification in relation to any specific issue, please do not hesitate to contact Denis Atkinson of this office.