



**SRD**  
**LAND CONSULTING**

# STATEMENT OF ENVIRONMENTAL EFFECTS



## SUBDIVISION

**LOT 2 DP 882910,**

**2605 MURRINGO ROAD, MURRINGO**

August 2024

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## INTRODUCTION

### 1.1. THIS REPORT

This statement provides an opinion, in addition to relevant information for the consent authority to assess and determine the subject development application including the following:

- A site analysis of the site and surrounding lands;
- Description of the proposed development;
- Evaluation of the proposed development against legislative and policy framework;
- Conclusion.

The Statement of Environmental Effects is prepared in accordance with Schedule 1 of Environmental Planning and Assessment Regulation 2000 for the purposes of demonstrating that the environmental impact of development has been considered against the relevant controls and to outline steps to be undertaken to protect the environment or to mitigate any potential harm, if necessary.

The development proposal is local as defined by the Environmental Planning and Assessment Act 1979 ('EPAA') and as such the Hilltops Council is the consent authority.

### 1.2. THE PROPOENT

The site is privately owned freehold land, held by John Donaldson who is the applicant for this development.

### 1.3. PROJECT LOCATION

The site is located at 2605 Murringo Road, Murringo. The holding is approximately 50.44ha in total. The property is located on the Western Edge of the village of Murringo.

### 1.4. DESCRIPTION OF DEVELOPMENT SITE

The site is located in a RU5 – Village Zone and an RU 1 – Primary Production Zone under the Hilltops Local Environmental Plan 2022. Lot2 DP 882910 currently has 2 dwelling and associated infrastructure. The lot is listed on the Local Heritage Register (Schedule 5 of LEP – Item I178 Marengo Station Homestead).

The site is accessed off Murringo Road and Calabash Street, which is a sealed council road.

The land is relatively flat.

The nearest private receptors on neighbouring properties are dwellings to the west and north-east.







## 2. THE DEVELOPMENT

### 2.1 OBJECTIVES AND OVERVIEW OF THE DEVELOPMENT

The objective of the proposed development is to obtain development consent for a 3 lot Subdivision at 2605 Murringo Road, Murringo (the site). This development is enabled through the LEP and DCP.

### 2.2 DEVELOPMENT OPTIONS

A review of the alternative uses for the site identified the following:

1. Do nothing and leave the site as it is

By doing nothing and leaving the site as it is there are no additional benefits to the site or the surrounding area.

2. Lodge an application for the proposed subdivision

This second option is reflective of the landowner's interests and takes into account the relevant environmental planning regulations and features of the site. The proposed development will facilitate better development on the site to achieve better outcomes for the owner and wider community.

It is considered that by lodging an application for the proposed subdivision is in the best interest of the owner but also for the surrounding locality as it will help provide additional residential options to allow diversity of the residents.

### 2.3 STAGING

This development is not intended to be a staged development.



### 3 STATUTORY CONTEXT

The following Acts and planning instruments are considered relevant to the proposal.

#### 3.1 RELEVANT LEGISLATION (ACTS AND REGULATIONS)

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##### 3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The relevant sections of the Environmental Planning and Assessment Act 1979 (EPA & A Act) is s4.15 – Evaluation. This is addressed later in this SoEE.

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##### 3.1.2 BIODIVERSITY CONSERVATION ACT 2016

No vegetation is proposed to be removed. There is part of the site mapped as Biodiversity Values on the Biodiversity Values Mapping, this land is the Riparian Zone and will not be disturbed by this proposal.

The new subdivision boundaries are along existing fence lines.

The site also shows previous history of agricultural use (cropping and crazing) particularly within the area of proposed Lot 3 that could contain a future dwelling. Any native grasslands would be highly disturbed by this use.

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##### 3.1.3 LOCAL GOVERNMENT ACT 1993

No Section 68 application will not be required for this application.

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##### 3.1.4 ROADS ACT 1993

The application will be required an approval under the Roads Act 1993 for an entranceway to proposed Lot 3.

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##### 3.1.5 STATE ENVIRONMENTAL PLANNING POLICIES (SEPP'S)

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###### 3.1.5.1 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

This State Environmental Planning Policy (SEPP) does apply to the lot.

Koala Habit protection applies to the site; however the new subdivision boundaries are along existing fence lines. The existing trees are not proposed to be removed or harmed in anyway.

The site also shows previous history of intensive agricultural use (cropping) particularly within the area of proposed Lot 3 that could contain a future dwelling. Any native grasslands would be highly disturbed by this use.

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### 3.1.6 HILLTOPS LOCAL ENVIRONMENTAL PLAN 2022

The site is zoned RU5 ‘Village’ and RU1 ‘Primary Production’ under provisions of the Hilltops Local Environmental Plan 2022 (HLEP 2022). The proposed development relates to a subdivision.

Objectives of the RU5 ‘Village’ zone are as follows:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To ensure that development is sustainable and does not unreasonably increase the demand for public services or public facilities.
- To promote and encourage development that will strengthen the character and economies of Hilltops villages.
- To enable a range of development, including diverse housing forms and complementary business uses taking into account the distinct character of each village.

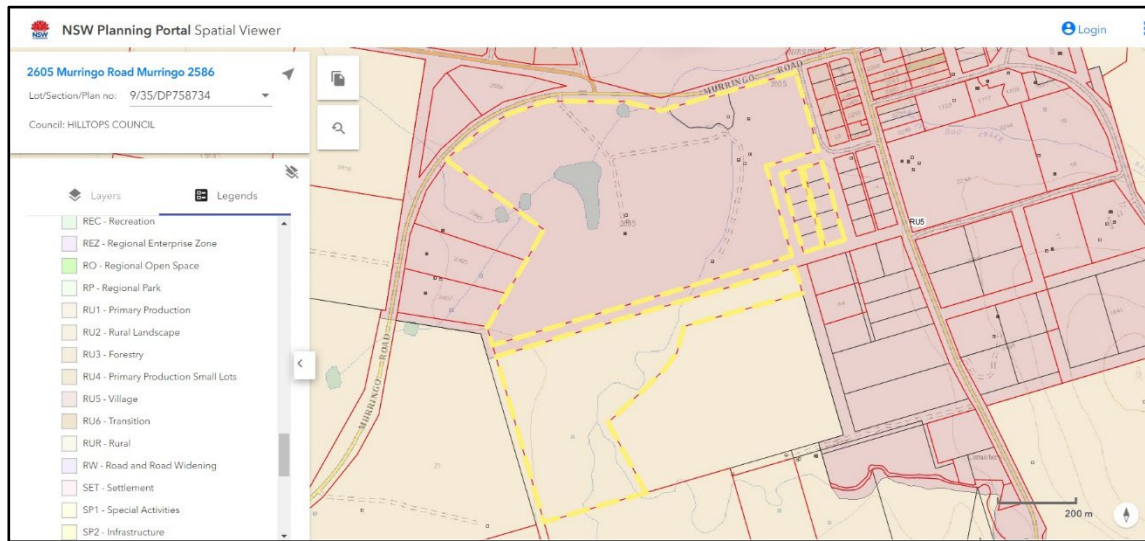
The objectives of the RU1 ‘Primary Production’ Zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage competitive rural production and associated economic development by maintaining and enhancing—
  - (a) local and regional transport and communications connectivity, and
  - (b) accessibility to national and global supply chains.
- To maintain areas of high conservation value vegetation.
- To encourage development that is in accordance with sound management and land capability practices, and that takes into account the natural resources of the locality.
- To protect and enhance the water quality of receiving watercourses and groundwater systems and to reduce land degradation.

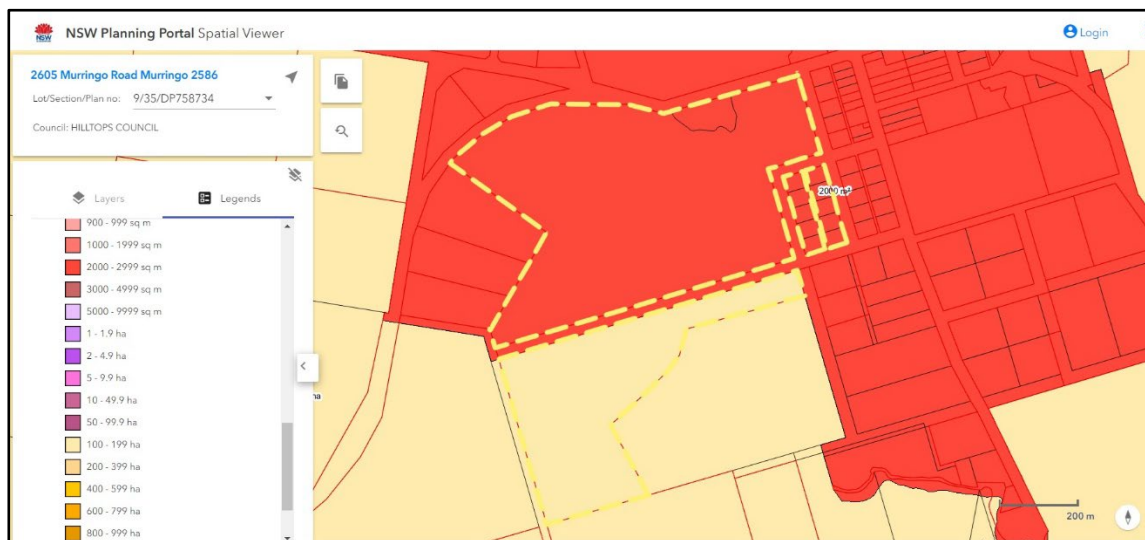
- To encourage the development of non-agricultural land uses that are compatible with the character of the zone and sustain high quality rural amenity.

Comment – The development is in keeping with the objectives of both zones.

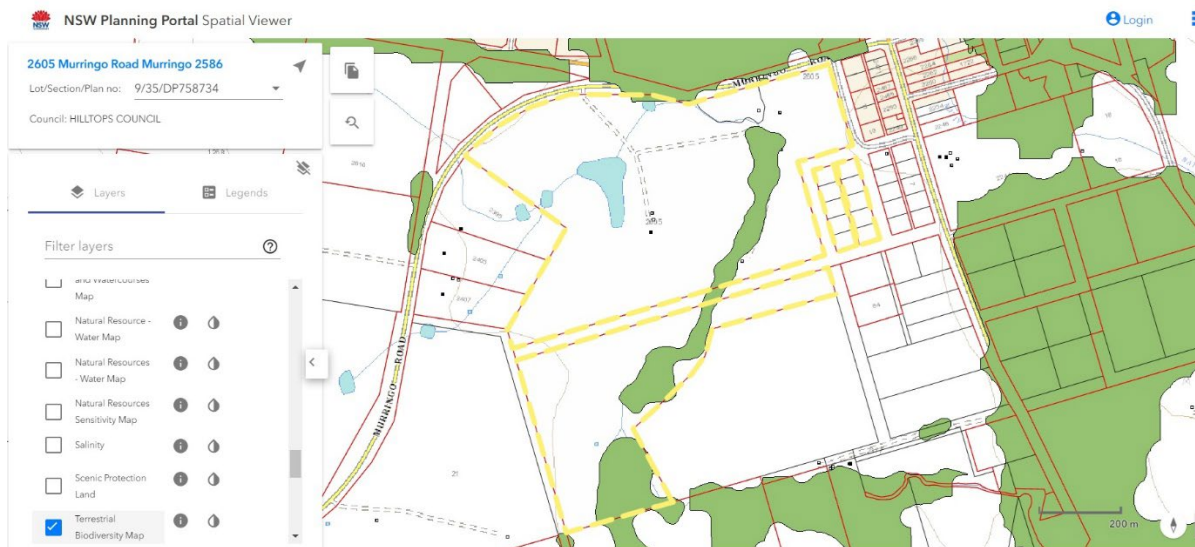
The relevant provisions of the LEP are addressed in Appendix A of this report.



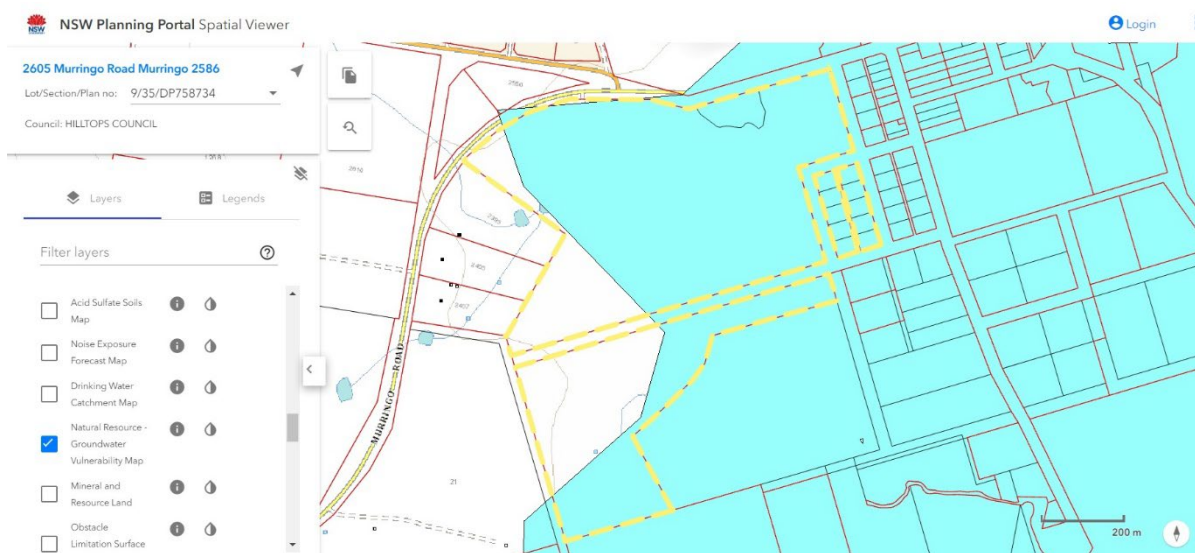
Zoning Map (Source: NSW Planning Portal)



Minimum Lot Size Map (Source: NSW Planning Portal)



Biodiversity Map (Source: NSW Planning)



Groundwater Vulnerability (Source: NSW Planning)



Biodiversity Vales Map (Source: NSW Planning)

### 3.1.7 YOUNG DEVELOPMENT CONTROL PLAN 2011

The relevant provisions of the Young Development Control Plan 2011 are addressed in the Table in Appendix B of this report.

### 3.1.8 YOUNG DEVELOPER CONTRIBUTIONS PLAN

The development is considered part of the section 94 area and contributions may apply.



## 4 CONSULTATION WITH COUNCIL AND GOVERNMENT AGENCIES

Preliminary consultation with Government Agencies has not been undertaken.

### 4.1 HILLTOPS COUNCIL

Preliminary Discussions have not been held with Hilltops Council to discuss the broad issues to be addressed in the development application.

### 4.2 GENERAL AND COMMUNITY CONSULTATION

Preliminary consultation has not been undertaken with adjoining property owners and industry members as part of the preparation of this application and the statutory public exhibition requirements under the Environmental Planning and Assessment Act 1979. Further consultation will be undertaken by the Council in the form of Advertisement and Notification as required by the EP&A Act and Council's Policies.

## 5 SITE CHARACTERISTICS AND KEY DEVELOPMENT ISSUES

### 5.1 LIKELY DEVELOPMENT IMPACTS

Section 4.15 – (1) Matters for consideration – general of the Environmental Planning and Assessment Act 1979 states:

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
  - iv. 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
  - v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
  - vi. any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the 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.

### 5.2 CONTEXT AND SETTING

The proposed development has demonstrated consistency with the surrounding locality through the environmental planning framework and site features that have informed the proposed development. The proposed development will have a minimal visual impact on the locality, however that impact is not considered to be detrimental to the area and is in line with the existing surrounds and other similar developments within the local area.

### 5.3 VISUAL IMPACT

The development will not negatively impact on the visual amenity of the locality through the appropriate sitting, size and design of the development. Due to the open nature of the locality the site is visible from all aspects.

### 5.4 PRIVACY AND OVERSHADOWING

The development is for a 3-lot rural residential subdivision. There are neighbours adjoining the allotment, however, it is not anticipated that this proposal will result in the loss of privacy or overshadowing for those neighbours.

### 5.5 ACCESS, TRAFFIC AND PARKING

Access to the development is via Murringo Road and Calabash Streets, a new lot entrance is proposed for proposed Lot 3 as part of this application. Lots 1 & 2 have existing dwellings and existing accesses. There is sufficient area within the allotments for parking and manoeuvring of vehicles within the lot.

### 5.6 ARCHAEOLOGY

A search of AHIMS has been completed and found no sites or items of significance, a copy of the search is attached.

### 5.7 HERITAGE

The site is listed as a Heritage Item on Schedule 5 of the Hilltops Local Environmental Plan 2022 – Item I178. A heritage assessment has been undertaken and accompanies this application.

The report makes the following recommendations: *The recommendation of this assessment is that the proposed subdivision of the existing property known as Marengo identified as Lot 2 in DP 882910 be carried out substantially in line with the proposed allotment alignments and subdivision as proposed by SRD land and documented in their provisional subdivision plan reference 40239.*

*That conditions be added to the 88b instrument of subdivision preventing development in the eastern portion of the proposed lot 3 along the eastern portion immediately adjacent to the homestead in order to maintain the vistas from Calabash Street. Additional conditions of the 88b instrument should prevent placement of sheds and associated new outbuildings and other significant structures to the Eastern portion of the proposed lot 2 thereby ensuring the retention of the existing landscape setting of the homestead.*

## 5.8 SERVICES

The site does not have reticulated water, or sewer. There is access to electricity at the road frontage. Lots 1 & 2 have existing services, lot 3 will require all services.

## 5.9 LANDSCAPING

Lots 1 & 2 have existing dwellings and infrastructure, with extensive landscaping surrounding. Proposed Lot 3 will have a new dwelling in the future that will be landscaped accordingly.

## 5.10 BUSHFIRE

The site is not identified as Bushfire Prone Land.

## 5.11 NOISE AND VIBRATION

No potential for noise or vibration impacts have been identified. Construction noise will be as per normal construction times/processes.

## 5.12 ECOLOGY

The proposed subdivision does not require the removal of vegetation, boundaries are either already fenced or are along natural resource lines (Murringo Creek), the site has been disturbed by extensive agricultural use (cropping and grazing).

## 5.13 SAFETY, SECURITY AND CRIME PREVENTION

No safety, security for crime prevention measures required.

## 5.14 WATER MANAGEMENT

Stormwater management will remain as existing. Sediment and Erosion Control will be implemented as per standard practices.

## 5.15 FLOODING

The site is not located within a flood prone area.

## 5.16 EROSION AND SEDIMENT CONTROL

Erosion and Sediment Controls including sediment fencing and/or hay bales would be installed at the downslope sections of the development sites until vegetation is re-established in areas affected by construction works and not retained as hardstand.

## 5.17 SOCIAL AND ECONOMIC ASSESSMENT

The development would not result in any direct social or economic impact other than to provide support for the continued agriculture use of the land.

#### 5.18 SITE SUITABILITY AND THE PUBLIC INTEREST

The proposed development is considered to be a suitable use of the site. This development is permissible under the LEP and has addressed any relevant concerns through this SoEE. The proposal is considered to be within the public interest.

## 6 CONCLUSION

This SoEE has shown that the development is within the public interest, both socially, economically and environmentally. The proposed subdivision is the most suitable option for the development of the site. Any relevant matters have been addressed through this SoEE.

The key reasons why the proposed is acceptable includes;

- The proposed development is permissible through the LEP.
- The proposed development will have a positive impact on the site and the surrounding community
- Care has been taken to design and locate the lots to ensure that it is sympathetic to the site and the surrounding areas.

It is considered that the proposal will have no significant 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 don't hesitate to contact us.



<b>Requirement</b>	<b>Proposed/Comments</b>	<b>Compliance</b>
<b>Clause 1.2 Aims of the Plan</b>		
<p>(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,</p> <p>(a) to advance the environmental, economic and social goals of Hilltops,</p> <p>(b) to provide for the lifestyles sought by current and future residents of Hilltops, including by providing for the following—</p> <ul style="list-style-type: none"> <li>(i) the rural lifestyle and liveability of Hilltops communities,</li> <li>(ii) connected, safe and accessible communities,</li> <li>(iii) diverse and affordable housing options,</li> <li>(iv) timely and efficient provision of infrastructure,</li> <li>(v) sustainable building design and energy efficiency,</li> </ul> <p>(c) to build and sustain healthy, diverse and empowered communities that actively participate in planning and managing their future, including by providing for the following—</p> <ul style="list-style-type: none"> <li>(i) social infrastructure that is appropriately planned and located in response to demand and demographic change,</li> <li>(ii) the protection and enhancement of cultural heritage values,</li> <li>(iii) land management practices that support sustainable outcomes, including water efficiency,</li> </ul>	<p>The development satisfies the aims of the plan by:</p> <ul style="list-style-type: none"> <li>• Provides for the rural lifestyle and liveability of the Murringo Community;</li> <li>• Diverse and affordable housing options;</li> <li>• Protects Cultural Heritage;</li> <li>• Protects the natural environment.</li> </ul>	✓

<p>(iv) the siting and arrangement of land uses for development in response to climate change,</p> <p>(v) the planning of development to manage emissions,</p> <p>(vi) planning decisions that recognise the basic needs and expectations of diverse community members,</p> <p>(d) to facilitate a strong and diverse economy by providing a range of services and opportunities for residents and investors, including by providing for the following—</p> <p>(i) the protection of employment lands and rural lands from incompatible land uses to enhance productivity over time,</p> <p>(ii) accessibility to expand markets for economic activity,</p> <p>(iii) economic activity, value adding opportunities and job creation,</p> <p>(iv) long-term sustainable productivity and intensive agriculture, subject to consideration of soil types, topography and environmental impact,</p> <p>(v) major infrastructure projects,</p> <p>(vi) innovative renewable energy projects,</p> <p>(e) to recognise and sustain the diverse natural environment and natural resources that support the liveability and economic productivity of Hilltops, including by providing for the following—</p> <p>(i) the avoidance of further development in areas with a high exposure to natural hazards,</p>		
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<p>(ii) the minimisation of alterations to natural systems, including natural flow regimes and floodplain connectivity, through effective management of riparian environments,</p> <p>(iii) the retention and protection of remnant vegetation,</p> <p>(iv) the revegetation of endemic vegetation to sustain natural resource values, reduce the impact of invasive weeds and increase biodiversity,</p> <p>(v) buffers and setbacks to minimise the impact of conflicting land uses and environmental values, including potential impacts on noise, water, biosecurity and air quality,</p> <p>(vi) the management of water on a sustainable and total water cycle basis to provide sufficient quantity and quality of water for consumption, while protecting biodiversity and the health of ecosystems.</p>		
<b>Landuse Table</b>		
<p>Zone RU5 Village</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> <li>• To provide for a range of land uses, services and facilities that are associated with a rural village.</li> <li>• To ensure that development is sustainable and does not unreasonably increase the demand for public services or public facilities.</li> <li>• To promote and encourage development that will strengthen the character and economies of Hilltops villages.</li> <li>• To enable a range of development, including diverse housing forms and complementary business uses</li> </ul>	<p>The proposed development satisfies the objectives of both the zones.</p>	

<p>taking into account the distinct character of each village.</p> <p>RU1 – Primary Production Objectives of the Zone</p> <ul style="list-style-type: none"> <li>• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>• To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>• To minimise the fragmentation and alienation of resource lands.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To encourage competitive rural production and associated economic development by maintaining and enhancing— <ul style="list-style-type: none"> <li>(a) local and regional transport and communications connectivity, and</li> <li>(b) accessibility to national and global supply chains.</li> </ul> </li> <li>• To maintain areas of high conservation value vegetation.</li> <li>• To encourage development that is in accordance with sound management and land capability practices, and that takes into account the natural resources of the locality.</li> <li>• To protect and enhance the water quality of receiving watercourses and groundwater systems and to reduce land degradation.</li> <li>• To encourage the development of non-agricultural land uses that are compatible with the character of the zone and sustain high quality rural amenity.</li> </ul>		
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4.1 Minimum Subdivision Lots Size		
<p>(1) The objectives of this clause are as follows—</p> <p>(a) for residential land—</p> <p>(i) to ensure land use and development are undertaken on appropriately sized parcels of land, and</p> <p>(ii) to ensure sufficient land area to promote high levels of residential amenity, and</p> <p>(iii) to ensure new lots are adequately serviced with town water supply and a reticulated sewer network, with an effective way of disposing of domestic waste, and</p> <p>(iv) to create lot sizes and arrangements that—</p> <p>(A) support the efficient provision and management of roads and services, and</p> <p>(B) align with existing and proposed development layouts in the neighbourhood, and</p> <p>(C) minimise adverse impacts on the amenity and productivity of adjoining development,</p> <p>(b) for semi-rural land and rural villages—</p> <p>(i) to ensure land use and development are undertaken on appropriately sized parcels of land, and</p> <p>(ii) to ensure sufficient land area to promote high levels of amenity, and</p> <p>(iii) to ensure new lots have adequate land area for on-site sewer management or are able to connect to a reticulated sewer network, and</p> <p>(iv) to create lots that—</p> <p>(A) are compatible with the existing predominant lot pattern</p>	<p>The lots satisfy the minimum lot size requirements for both zones.</p>	

<p>or desired future layout of the locality, and</p> <p>(B) minimise adverse impacts on the amenity and productivity of adjoining primary production lands,</p> <p>(c) for rural land—</p> <p>(i) to ensure land use and development are undertaken on appropriately sized parcels of land, and</p> <p>(ii) to facilitate the orderly and economic use and development of rural lands for rural and related purposes, and</p> <p>(iii) to prevent fragmentation of primary production agricultural land, and</p> <p>(iv) to sustain primary production and natural resource values, and</p> <p>(v) to minimise potential for land use conflict between primary production land uses and other land uses, and</p> <p>(vi) to protect supply chains for primary production land uses including natural resources and access to markets.</p> <p>(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.</p> <p>(3) The size of any lot resulting from a 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.</p> <p>(4) This clause does not apply in relation to the subdivision of any land—</p> <p>(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or</p>		
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(b) by any kind of subdivision under the Community Land Development Act 2021.		
<b>5.10 Heritage Conservation</b>		
<p>(2) Requirement for consent Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p>	<p>The site is listed as a Heritage Item on Schedule 5 of the Hilltops Local Environmental Plan 2022 – Item 1178.</p> <p>A heritage assessment has been undertaken and accompanies this application.</p> <p>The report makes the following recommendations: <i>The recommendation of this assessment is that the proposed subdivision of the existing property known as marengo identified as Lot 2 in DP 882910 be carried out substantially in line with the proposed allotment alignments and subdivision as proposed by SRD land and documented in their provisional subdivision plan reference 40239.</i></p> <p><i>That conditions be added to the 88b instrument of subdivision preventing development in the eastern portion of the proposed lot 3 along the eastern portion immediately adjacent to the homestead in order to maintain the vistas from Calabash Street. Additional conditions of the 88b instrument should prevent placement of sheds and associated new outbuildings and other significant structures to the Eastern portion of the proposed lot 2 thereby ensuring the retention of the existing landscape setting of the homestead.</i></p>	

<p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>		
<p><b>6.3 Terrestrial Biodiversity</b></p>		
<p>(1) The objective of this clause is to maintain and enhance terrestrial biodiversity by—</p> <p>(a) protecting native fauna and flora, and</p> <p>(b) protecting the ecological processes necessary for their continued existence, and</p> <p>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</p> <p>(2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.</p> <p>(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—</p> <p>(a) whether the development is likely to have—</p> <p>(i) an adverse impact on the habitat, condition, ecological value and significance of threatened species, populations or ecological communities on the land, and</p> <p>(ii) an adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) the potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) an adverse impact on a regionally significant species of fauna or flora, or habitat, and</p>	<p>A Biodiversity Assessment has not been undertaken.</p> <p>The subdivision boundaries are along existing fence lines, no vegetation removal or disturbance is required to undertake the development.</p> <p>The site also shows previous history of agricultural use (cropping and crazing) particularly within the area of proposed Lot 3 that could contain a future dwelling. Any native grasslands would be highly disturbed by this use.</p>	

<p>(iv) an adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) appropriate measures to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—</p> <p>(a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or</p> <p>(b) if a significant adverse environmental impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise the impact, or</p> <p>(c) if a significant adverse environmental impact cannot be minimised—the development will be managed to mitigate the impact.</p>		
<b>6.5 Groundwater Vulnerability</b>		
<p>(1) The objectives of this clause are as follows—</p> <p>(a) to maintain the hydrological functions of key groundwater systems,</p> <p>(b) to protect vulnerable groundwater resources from depletion and contamination as a result of development.</p> <p>(2) This clause applies to land identified as “Groundwater vulnerable” on the Groundwater Vulnerability Map.</p> <p>(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider the following—</p>	<p>The proposed subdivision will not impact Groundwater.</p> <p>The lots either have existing dwellings and onsite disposal systems or are large enough to safely dispose of effluent without impacting on groundwater.</p> <p>Lot 3 is greater than 1ha and does not require an onsite waste water assessment report.</p>	

<p>(a) the likelihood of groundwater contamination from the development, including from on-site storage or disposal of solid or liquid waste and chemicals,</p> <p>(b) adverse impacts the development may have on groundwater dependent ecosystems,</p> <p>(c) the cumulative impact the development may have on groundwater, including impacts on nearby groundwater extraction for a potable water supply or stock water supply,</p> <p>(d) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied—</p> <p>(a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or</p> <p>(b) if a significant adverse environmental impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise the impact, or</p> <p>(c) if a significant adverse environmental impact cannot be minimised—the development will be managed to mitigate the impact.</p>		
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Requirement	Proposed/Comments	Compliance
<b>1.1 Introduction</b>		
<p>The objectives of the plan are:</p> <p>(a) To provide detailed provision for regulating development;</p> <p>(b) To protect and improve the environment;</p> <p>(c) To protect and improve amenity and design of development;</p> <p>(d) To conserve, protect and enhance environmental heritage;</p> <p>(e) To encourage a diversity of housing to meet the needs of the residents; and</p> <p>(f) To facilitate development that is environmentally sustainable.</p>	The proposed development satisfies the objectives.	✓
<b>Section 5.1 Subdivision in the Rural Zones RU1, RU4 and E3</b>		
<b>Performance Outcomes</b>	<b>Acceptable Solutions</b>	
PSD1.1 All created allotments have legal and practical access including alternative emergency access as may be required by the development;	ASD1.1 Each allotment created has legal access to a public road or Crown Road (duly formed or upgraded for the purpose) either through direct frontage, a right-of-way arrangement, or by consolidation with an existing allotment that has such access;	The zone boundary aligns with a crown road that splits the parent lot. The portions of proposed lots 1 & 3 that contain RU1 land do not have formed access to a formed road, only the unopened crown road. They currently do not need legal access to this portion of the lot. Their main lot accesses fall within the RU5 portion of the lots and is either formed and existing or will be required to be constructed as part of the subdivision. Lot 2 is

		wholly within the RU5 zone and has existing access.
	<p>ASD1.2.2 For lots created with the right to apply for a dwelling:</p> <p>a) Access is provided to a non-classified road where possible, and in accordance with Council's Engineering Subdivision and Development guidelines;</p> <p>b) Where access to a classified road is necessary, this is provided in accordance with RTA standards for access to a rural dwelling;</p> <p>c) Street numbering is provided in accordance with the rural addressing scheme;</p> <p>d) Any electricity services are provided by way of overhead wiring;</p> <p>e) Where land has been identified as former orchard or other potentially contaminate landuse, a report from a suitably qualified consultant is submitted to Council demonstrating that the land is suitable for the intended use;</p> <p>f) Separation distances are consistent with Section 2.1.5 Table 2.1.</p>	<p>Access is either existing for lots 1 &amp; 2 or will be constructed for proposed Lot 3. The accessways all fall within the RU5 portions of the lots.</p> <p>Street Numbering will be in accordance with Council policy.</p> <p>Electricity will be provided to each lot as per Council requirements.</p>
	<p>ASD1.2.3 Standard of construction for roads built and roads fronted or other road network facilities are provided as part of the development application, such standards to incorporate:</p> <ul style="list-style-type: none"> <li>• Minimum formed road width 8m;</li> <li>• Minimum sealed carriageway width 7m;</li> </ul> <p>Subdivisions exceeding 25 lots shall: have their main</p>	No new road required.



	subdivision service road connect to the existing road network in at least two (2) locations.	
<b>Section 5.2 Subdivision in the General Residential Zone (R1) and Village Zone (RU5)</b>		
<b>Performance Outcomes</b>	<b>Acceptable Solutions</b>	
PSD2.1 All intersections shall be designed for safe traffic management;	ASD2.1 Subdivision layouts: Avoid four-way intersections, and provide a minimum spacing between intersections of 40m (may be 20m for minor access roads and cul de sacs);	No new roads required
PSD2.2 Minimise the use of cul-de-sacs, and where these are provided provide adequate minimum frontages to facilitate reasonable access and dwelling construction;	ASD2.2 Avoid cul-de-sacs if possible;	No cul-de-sacs proposed
PSD2.3 Provide road widths that are consistent with the character of the Young Township or the village concerned, within a logical hierarchy of roads;	ASD2.3.1 Provide minimum road carriageway widths as follows: ☐ Cul-de-sac or minor access road (up to 15 dwellings) – 9m☐ ☐ Local Street (15-100 dwellings) – 11m☐ Collector (above 100-300 dwellings)☐ – 12m; ASD2.3.2 Provide verges to each side of road carriageways as follows: ☐ Cul-de-sac or minor access road (up to 15 dwellings) – 4.5m <ul style="list-style-type: none"> <li>Local Street (15-100 dwellings) – 4.5m;</li> <li>Collector (above 100-300 dwellings)– 4.5m;</li> </ul> ASD2.3.3 Road Construction: <ul style="list-style-type: none"> <li>All roads created as a part of the subdivision are sealed and provided with kerb and guttering, and are</li> </ul>	No new roads required

	<p>designed and constructed in accordance with Council's Engineering Guidelines for Subdivision and Development.</p> <ul style="list-style-type: none"> <li>• All existing street shoulders adjacent to the subdivision are sealed and provided with kerb and guttering</li> <li>• All roads created as a part of the subdivision are dedicated to Council to become public roads.</li> <li>• Any street and advisory signs that are required are manufactured, located and erected in accordance with Council's Engineering Guidelines for Subdivision and Development.</li> </ul>	
PSD2.4 Minimise allotments; the use of battle-axe	ASD2.4 Have no more than 5% battle-axe allotments;	No battle axe lots
PSD2.5 Avoid long dead-end streets, so as to optimise access by service and emergency vehicles;	<p>ASD2.5.1 Have cul-de-sacs accessing no more than 15 dwellings;</p> <p>ASD2.5.2 Provide, where feasible, two access points for subdivisions of over 30 allotments (compulsory for subdivisions of over 200 allotments);</p>	<p>No cul-de-sacs proposed</p> <p>Subdivision is for 3 lots</p>
PSD2.6 Respond to natural features of the site, including grades, watercourses, aspect and soil types;	<p>ASD2.6.1 Orientate at least 70% of allotments north-south or east-west;</p> <p>ASD2.6.2 Provide larger allotments on south-facing slopes;</p> <p>ASD2.6.3</p>	<p>Lot 3 is large enough for a dwelling to be sited with good solar orientation</p> <p>Lot is relatively flat.</p>

	Provide a minimum lot width of 20m where cross-grades of allotments exceed 10%, or where lots are east- west;	Lot has sufficient width
	ASD2.6.4 Where terracing of cross-grade lots is required to provide level building envelopes, such terracing is provided by the developer, with the engineering design of retaining walls certified by an experienced practicing structural engineer and the geotechnical stability of sites is certified by a qualified and experienced geotechnical engineer;	No terracing required
PSD2.7 Provide, where necessary, public open space of usable size, grades and shape, conveniently located to serve the residents of the subdivision OR alternatively contribute to the upgrading of public open space in the vicinity and/or access to that space in accordance with any contributions plan that may be in force;	ASD2.7.1 Maintain natural watercourses and incorporate within open space areas; ASD2.7.2 Provide 10% of land as public open space for subdivisions of 30 allotments or more, or, alternatively contribute an equivalent amount (costed at residential land value) for open space purchase and/or embellishment and/or access to open space in the vicinity;	Subdivision has been designed around the watercourses on site, which will remain wholly within lots 1 & 3.  No need for public open space, subdivision is for 3 lots only.
PSD2.8 Locate building envelopes so that there is an equitable distribution of views; To ensure that Site Design (undeveloped allotments) provides for;	ASD2.8.1 Arrange layout so as to maximise access to existing views for both existing and proposed allotments;	Lots have sufficient size to maximise views.
PSD2.9.1 An energy efficient dwelling house and any ancillary buildings and facilities	PSD2.9.1 An average lot size of 700m <sup>2</sup> and a minimum lot size of 650m <sup>2</sup> is achieved or exceeded;	Lots are well over minimum lots size for the zone.

<p>PSD2.9.2 Outdoor landscaping and recreation space</p>	<p>PSD2.9.2 All allotments can accommodate a building envelope of 16m x 9m; such building envelope to be no closer than 1m to any side or rear boundary, or 6m to the front boundary, and located so that an 8m high dwelling on the envelope would not overshadow an existing dwelling so as to overshadow more than 50% of their private open space or north-facing roof between 9am and 3pm on 21st June; Note: Building envelopes need not be implemented by way of an 88B instrument, however if the developer chooses to do so, such restriction will be endorsed by Council;</p>	<p>Lot 3 is the only lot without an existing dwelling. The lot is of sufficient size to enable a building envelope of 16 x 9.</p> <p>The lot has sufficient area to allow for a solar passive dwelling.</p>
<p>PSD2.9.3 Outdoor service space</p>	<p>ASD2.9.3 At least 70% of allotments are oriented within 15 degrees of north- south or east-west, with the majority of allotments being oriented north- south;</p>	<p>Lot has sufficient size to allow for a future dwelling to be oriented to be solar passive</p>
<p>PSD2.9.4 Onsite car parking</p>	<p>ASD2.9.4 All allotments have a minimum width of 18m at a point 6m back from the front boundary except east-west orientated lots (i.e. within 15 degrees of east-west) which have a minimum width of 20m at that same point;</p>	<p>Lot has sufficient width.</p>
<p>PSD2.9.5 Buffering allowance from sensitive or offensive uses</p>		
<p>PSD2.10 Vehicular access is provided to and from the site</p>	<p>ASD2.10 Where battle-axe allotments are provided, no more than</p>	<p>No Battle-axe lots</p>

	two such allotments may be serviced by a shared driveway;	
<b>Servicing</b>	<b>Servicing</b>	
PSD2.11 Site servicing, including any easements that may be required, and disposal of sewage and waste water	<p>ASD2.11.1 Power is provided in the form of underground services, in accordance with Country Energy Requirements;</p> <p>ASD2.11.2 Street lighting is provided in accordance with the requirements of Country Energy;</p> <p>ASD2.11.3 A layback is provided to each allotment created, consistent with the parking and access chapter of this DCP OR roll-over kerb is provided.</p> <p>ASD2.11.4 All allotments created are provided with a sewer connection, the connection to which is designed and constructed in accordance with Council's Engineering Guidelines for Subdivision and Development OR where sewer is not available, are able to satisfy the requirements of Council's On Site Management Plan for waste water disposal.</p> <p>ASD2.11.5 All allotments created are provided with a connection point to Council's water mains, the connection to which is designed and constructed in accordance with Council's Engineering Guidelines for Subdivision and Development.</p>	<p>Power exists to proposed lots 1 &amp; 2 and will be extended to proposed lot 3.</p> <p>If there is streetlighting existing within Murringo then it will be extended if required.</p> <p>A layback or other entrance will be provided to proposed lot 3.</p> <p>Murringo is not serviced.</p> <p>Murringo is not serviced.</p>

	<p>ASD2.11.6 All allotments created are drained directly to the street drainage system or to receiving waters OR are drained to the street system or receiving waters via an inter-allotment drainage system constructed in accordance with Council's Engineering Guidelines for Subdivision and Development. Note: inter-allotment drainage would be required for all allotments with a cross-fall where any portion of the allotment drains through an adjoining allotment, or where the allotment drains away from the street;</p>	Stormwater will drain as existing.
	<p>ASD2.11.7 Written confirmation is provided by a telecommunications carrier stating that facilities are available to each allotment or that otherwise suitable arrangements have been made.</p>	NBN will be extended as required.
	<p>ASD2.11.8 Written confirmation is provided by the natural gas company stating that facilities are available to each allotment or that otherwise suitable arrangements have been made.</p>	No natural gas in Murringo
	<p>ASD2.11.9 Easements are provided wherever necessary to permit unrestricted access for sewerage, water and drainage purposes. Note: easement widths provide at least 1m</p>	Easements will be provided where necessary.

	<p>clear access either side of the facility protected by the easement.</p> <p>ASD2.11.10 Development contributes, if required, headworks and/or development servicing plan charges. Note: Contact should be made with Council's Utilities Services Division to determine these charges, which are payable prior to the release of any Construction Certificate.</p>	<p>Development contributions will be paid in accordance with the relevant plans.</p>
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