
Statement of Environmental Effects

Proposed Development | **Boundary Adjustment**

Property Address | **291 Thunderbolts Way & 9 Dangar Road GLOUCESTER NSW 2422**

Lot/DP | **Lot 252 DP 707512 & Lot 47 DP 1267740**

Property Owners | **J M Dixon**

11 November 2024

Table of Contents

1. Summary	4
1.1. Overview	4
1.2. Scope of Report	4
2. Site Description	4
2.1. Site Details & Description	4
2.2. Site Context and Surrounding Area	6
2.3. Hazards	6
2.3.1. Bushfire Hazard	6
2.3.2. Flooding	7
2.4. Topography, Soils Characteristics and Vegetation	7
2.5. Contaminated Land	8
2.6. Essential Services	8
2.7. Easements and Restrictions on Title	8
2.8. Site Access	8
2.9. Heritage	9
2.9.1. European Heritage	9
2.9.2. Aboriginal Heritage	9
3. Proposed Development	10
3.1. Proposal overview	10
3.2. Boundary Adjustment	10
4. Planning Controls & Environmental Assessment	11
4.1. Environmental Planning and Assessment (EP&A) Act 1979	11
4.2. Rural Fires Act 1997	11
4.3. State Environmental Planning Policies	12
4.4. Local Environmental Plan	12
4.4.1. Gloucester Local Environmental Plan 2010	12
4.5. Development Control Plan	13
4.5.1. Gloucester Development Control Plan 2010	13
5. Likely Impacts	15
5.1. Environmental, Social and Economic	15
6. Site Suitability & Public Interest	15
7. Conclusion	16

Appendix A Plan of Subdivision	17
Appendix B Bushfire Assessment Report.....	18

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1. Summary

1.1. Overview

This proposal seeks consent for a boundary adjustment between two (2) lots in Gloucester. The subject allotments comprise vacant land zoned R5 Large Lot Residential and C3 Environmental Management. The proposed boundary adjustment is intended to facilitate the future rural residential subdivision of Lot 252, which will be subject to a future development application.

The proposed boundary adjustment will realign the boundaries between the subject lots to establish a secondary access road to Lot 252, being a 20m wide corridor, which will connect the land to Dangar Road.

1.2. Scope of Report

This Statement of Environmental Effects has been prepared to accompany the development application for the proposed development and provides information as required by the *Environmental Planning and Assessment Act 1979* (EP&A Act) to assist in the assessment of the proposal. This document addresses matters that are to be considered by the consent authority under the provisions of clause 4.15 of the EP&A Act.

2. Site Description

2.1. Site Details & Description

Property Address:	291 Thunderbolts Way & 9 Dangar Road GLOUCESTER NSW 2422
Land Description:	Lot 252 DP 707512 & Lot 47 DP 1267740
Zoning:	R5 Large Lot Residential, C3 Environmental Management
Site Area:	Lot 252 = 198.8ha, Lot 47 = 5676m ² . Total 199.37 ha
Owner:	Jim Dixon

The subject land (“the site”) comprises land described as Lot 252 DP 707512, located at 291 Thunderbolts Way Gloucester and Lot 47 DP 1267740 located at 9 Dangar Road Gloucester.

Lot 252 is a large rural allotment which comprises an area of approximately 198.8 hectares. The allotment is an irregular shaped allotment which has been predominantly cleared and used historically for grazing. The landform is undulating with a small portion of land in the western area of the allotment containing a steeper landform with remnant forest vegetation. Given the characteristics of the landform, this site contains several natural drainage lines and watercourse that flow east towards the Gloucester River. This allotment contains no structures.

Lot 252 land is boundary by Thunderbolts Way along its eastern boundary. Large rural allotments adjoin the land to the north and west. A rural residential estate is located on land to the south. Several of the allotments within this residential estate remain undeveloped. The south-eastern portion of Lot 252 is zoned R5 Large Lot Residential pursuant to the Gloucester Local Environmental Plan 2010 (LEP). The remaining northern and western portions of the land are zoned C3 Environmental Management

Lot 47 comprises an area of approximately 5676m² and adjoins Lot 252 along its north-western boundary. This allotment is located on the northern edge of an established rural residential estate. Lot 47 is an irregular shaped allotment and is zoned R5 Large Lot Residential pursuant to the Gloucester Local Environmental Plan 2010 (LEP). The landform comprises a gentle slope of 8% across the site falling from west to east. This allotment contains no structures and the vegetation on the site consists of grasses.

A locality map and land use zoning map depicting the development site are provided in Figures 1 and 2 below.



Figure 1 –Site Locality Plan (Lot 252 DP 707512 & Lot 47 DP 1267740)

[source: Midcoast Council online mapping]

[source: MidCoast Council online mapping]

The site is not identified as being located within a designated flood planning area pursuant to the local planning controls.

Lot 252 comprises an extensive slope located in the western portion of the site. The land descends steeply from an elevation of 400m in the far western corner of the site falling in a south-easterly direction. The landform in the western part of the site comprises varying slopes which are characterised by gully lines that drain to low-lying land to the east, adjacent to the eastern and southern boundaries.

The western portion of Lot 252 is characterised by densely forested vegetation communities on steep inaccessible sloping landforms. The central and eastern portions of the site are predominantly cleared and have been modified for pasture, with an undulating landform comprising scattered trees.

The landform within Lot 47 comprises a gentle slope of 8% falling from west to east over the site. Vegetation within Lot 47 comprises only grasses.

The site is not identified as containing potential Acid Sulfate Soils.

2.5. Contaminated Land

The site is not known to be contaminated. No potentially contaminating activities or developments are known to have previously occurred on the land.

2.6. Essential Services

Lot 252 is currently not connected to any services. Lot 47 is located in an area which is currently serviceable by Council's reticulated water and sewer, as well as reticulated power.

Lot 47 has access to Council's domestic waste collection service..

2.7. Easements and Restrictions on Title

Lot 47 is burdened by an easement for underground power. The site does not comprise any restriction to user or rights of carriageway.

Lot 252 is burdened by an existing right of carriageway (ROW) adjacent to its southern boundary. The ROW benefits Lots 1-3 DP 286289 which adjoin the Lot 252 to the south-west.

Neither site is burdened by easements for sewer, water or drainage.

2.8. Site Access

Lot 252 currently possess legal or physical access via an existing driveway extending from its Thunderbolts Way frontage, along its eastern boundary.

Lot 47 obtains legal access from its Danger Road frontage, along its southern-western boundary. No driveway has been constructed to service this lot, however the site is capable of obtaining physical access at the property's frontage.

2.9. Heritage

2.9.1. European Heritage

There are no items of European heritage listed as being present on the land. The subject land is not located within a heritage conservation area.

2.9.2. Aboriginal Heritage

An AHIMS search for the site does not identify any Aboriginal sites or places on the land or within 200m of the site.

3. Proposed Development

3.1. Proposal overview

The proposed development seeks consent to adjust the boundaries between two (2) adjoining allotments. The proposal will realign the boundaries between Lot 252 and Lot 47 to create a 20m wide corridor along the eastern portion of Lot 47, establishing a road frontage for Lot 252 to Dangar Road.

The corridor is required to provide a secondary road access, necessary to facilitate the future residential subdivision of Lot 252. Previous discussions with Council on the future development of Lot 252 have identified that no access will be permitted from Thunderbolts Way. Access to the future residential subdivision is to be obtained via the existing local road network.

Plans detailing the proposed boundary adjustment are provided in **Appendix A**.

3.2. Boundary Adjustment

The proposed boundary adjustment will alter the configuration and size of existing Lot 47 and Lot 252.

Lot 47 is identified as Proposed Lot 471 on the draft Plan of Subdivision in Appendix A. A 20m wide portion of the existing lot, adjacent to the eastern boundary, will be transferred to Proposed Lot 472.

Lot 252 is identified as Proposed Lot 472 on the draft Plan of Subdivision in Appendix A. This lot will remain substantially the same, with the addition of a 20m wide handle extending from its southern boundary, through existing Lot 47.

The following table provides details of the proposed lots:

Existing Lot Number	Existing Site Area	Proposed Lot Number	Proposed Site Area	Land zoning	Existing Development
47	5676m ²	471	4251m ²	R5 Large Lot Residential	Vacant
252	198.8 ha	472	198.9ha	R5 Large Lot Residential, C3 Environmental Management.	Vacant

Future development on Proposed Lot 472 will be subject to a separate development approval.

4. Planning Controls & Environmental Assessment

4.1. Environmental Planning and Assessment (EP&A) Act 1979

The objects of the Environmental Planning and Assessment (EP&A) Act 1979 are:

- (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 objects of the EP&A Act and will promote orderly and economic use and development of the land. The proposal promotes good design and amenity of the built environment, whilst ensuring careful consideration of the environmental values of the site. The assessment below provides justification for the development against the relevant matters that must be taken into consideration by the determining authority.

4.2. Rural Fires Act 1997

The site is mapped as bushfire prone. Section 100B of the Rural Fires Act 1997 requires that a bushfire safety authority must be obtained before undertaking the development of bushfire prone land resulting in the subdivision of land.

A Bushfire Assessment Report prepared by Bushfire Planning Australia is included at **Appendix B**. This report addresses Clause 44 of the Rural Fires Regulation 2013 to obtain a bushfire safety authority for the development.

No dwellings are proposed as part of this development. The report makes the following key recommendations to enable the proposed development to maintain an acceptable level or risk to the adjoining properties on Dangar Road:

- 1. All existing surface fuel (grass) within Proposed Lot 471 shall be regularly maintained to ensure the height of the vegetation does not exceed 100mm; and*
- 2. Consideration should be given to landscaping and fuel loads on site to decrease potential fire hazards on site.*

The assessment demonstrates that the proposed development is consistent with the performance criteria detailed in Planning for Bush Fire Protection 2019.

4.3. State Environmental Planning Policies

There are no State Environmental Planning Policies applicable to the proposed development.

4.4. Local Environmental Plan

4.4.1. Gloucester Local Environmental Plan 2010

The site is zoned R5 Large Lot Residential and C3 Environmental Management zone pursuant to the provisions of the Gloucester Local Environmental Plan 2010 (LEP). The proposed boundary adjustment is defined as a “subdivision” and is permissible with consent. The proposed development is considered to be consistent with the objectives of both zones and compliant with all provisions of the LEP.

Detailed consideration of the relevant provisions of the LEP is provided below:

Development standard	Comments
4.1 Minimum Lot Size R5 zone: 4000m2 C3 Zone: 40ha	Existing Lot 47 = 5676m2 Existing Lot 252 = 198.8ha Proposed Lot 471 = 4285m2 Proposed Lot 472 = 198.9ha

4.2A Erection of dwelling houses on land in certain rural and conservation zones	N/A- No existing dwellings on either lot
4.3 Height of Buildings	Allowable: N/A Proposed: N/A
4.4 Floor Space Ratio	Allowable: N/A Proposed: N/A
5.16 Subdivision or dwellings on land in certain rural zones	<p>The proposed boundary adjustment is compatible with the surrounding land use, which predominately comprises single dwellings on rural lifestyle allotments.</p> <p>The proposed subdivision does not involve the immediate construction of dwellings on the land and will not impact on the scenic amenity or character of the rural area.</p> <p>The proposed boundary adjustment will not result in any adverse impacts to the existing agricultural activities currently undertaken on the land and adjoining lands.</p>
5.21 Flood Planning	N/A -The site is not identified as being prone to flooding.
6.4 Earthworks	N/A - The proposed development is for a boundary adjustment and does not involve any earthworks.
6.7 Restrictions on certain development in RU1 and C3	N/A - The site does not involve the erection of tourist facilities or residential accommodation.

4.5. Development Control Plan

4.5.1. Gloucester Development Control Plan 2010

The Gloucester Development Control Plan 2010 (DCP) makes detailed provisions which are applicable to subdivision developments. The DCP however does not provide provisions specific to boundary adjustments. Notwithstanding, consideration of the relevant provisions of Section 4.4 *Subdivision of Land Development Guidelines* of the DCP is provided below:

4.5.1.1. Section 4.4- Subdivision of Land Development Guidelines Zones RU1, RU5, R1, R2, R3, R5, B2, B4, IN1, IN3, SP1, SP2, RE1, RE2, E2 and E3

DCP Section	Comments
7.2 Rural Residential Subdivision	
<p>All rural residential subdivisions shall be provided with the following services:</p> <ul style="list-style-type: none"> • Mains power supply to be provided to the satisfaction of the supply authority. • Telecommunications to be provided to the satisfaction of the supply authority. • Where a subdivision is to create multiple allotments and electricity mains power is required to be extended to service the development – underground power is required to be provided along the street frontage. • The developer will provide street lighting connected to the grid, unless an alternative approved solar power service is provided. • A drainage system to remove stormwater and drainage retention systems for high rain fall events. • Water and sewerage pipes, meters and service lines shall be provided to each existing and new allotment created to comply with the local water and sewerage authority requirements. 	<p>The proposed boundary adjustment does not seek to create any new residential lots or opportunities for dwelling entitlements. Proposed Lot 471 currently has access to all reticulated services. These services will be extended to the future residential subdivision of proposed Lot 472, subject to a separate development application.</p>
<p>7.4 Service Access</p> <p>Where access to the development is required through a separate allotment an easement will be required to be created to the service provider's requirements.</p>	<p>Proposed Lot 472 will obtain direct access to a public road (Dangar Road) as a result of the proposed boundary adjacent.</p> <p>The existing ROW through proposed Lot 472 to Lots 1-3 DP 286289 will be retained.</p> <p>The existing easement for underground power will be retained within the proposed handle for Lot 472.</p>
<p>7.5 Easements</p> <p>Easements shall be created for all service provisions to the supply authorities' requirements. Where necessary all</p>	<p>The existing easement for underground power will be retained in the proposed handle for Lot 472.</p> <p>The future residential subdivision of proposed Lot 472 will consider the need for future easements, if</p>

services should be (if possible) located within one easement.	required. Its anticipated services will be predominately located within the road network associated with the subdivision and dedicated to Council.
<p><i>Site Frontage and Lot Dimensions</i></p> <p>Subdivision must be designed to provide each lot with appropriate dimensions to enable the sitting and construction of a dwelling and ancillary outbuildings, the provision of private outdoor space, convenient vehicle access and parking and to permit solar access.</p>	<p>The DCP identifies no minimum site frontage dimensions for lots in residential areas. Proposed Lot 471 will maintain appropriate lot dimensions for siting of a dwelling and ancillary buildings. Proposed Lot 471 will comprise a regular lot shape and suitable orientation for the provision of private outdoor space and vehicle access.</p>

5. Likely Impacts

5.1. Environmental, Social and Economic

The proposed boundary adjustment is intended to assist in facilitating the future subdivision of the Proposed Lot 472 for residential subdivision and use. The proposal will ensure both lots maintains their respective minimum lot sizes, and will not result in any physical works on either site.

Each lot currently possesses a dwelling entitlement. The proposal will not result in any additional opportunities for the erection of dwellings on either lot.

The proposed boundary adjustment will not result in any significant adverse environmental impacts on either lot and will not result in any adverse social or economic impacts to surrounding lands.

6. Site Suitability & Public Interest

As demonstrated above, the site is considered suitable to support the proposed development. The proposed boundary adjustment has been suitably designed to ensure minimal impact upon the environment and amenity of adjoining lands.

The proposed development is consistent with the objectives and provisions of the Gloucester Taree LEP 2010 and is considered to be within the public interest.

7. Conclusion

The proposed development seeks consent to modify the boundary between two (2) existing lots north of Gloucester. The proposed boundary adjustment is necessary for establishing a secondary road frontage for Lot 252 and connectivity to the local road network.

The proposal is compliant with the objectives and relevant provisions of the Gloucester LEP 2010 and is consistent with the relevant provisions of the Gloucester DCP 2010. The proposed development does not seek any variations to Council's development controls or standards.

The proposed development does not require any physical works to the land and will not adversely impact the environmental, social or economic values of the land or adjoining lands.

As demonstrated by this document, the proposed development is suitable development for the subject land and is compliant with all matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Appendix A Plan of Subdivision

See Attached

Appendix B Bushfire Assessment Report

See Attached