KELLEY COVEY
GROUP PTY LTD
Consulting Engineers

DECLARATION

Statement of Environmental Effects Prepared by:

Name:	Matthew Ferris
Qualifications:	Bachelor of Engineering (Civil)
	Advanced Diploma of Management
Company:	Kelley Covey Group Pty Ltd
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Development Application Proponent

Kelley Covey Group Pty Ltd

Land in respect of which the DA is made:

Lot 56, 57, 58 DP 1120933

Moore Creek, NSW 2340

Development Description: Proposed 103 Lot Subdivision

Declaration: We hereby certify that we have prepared the contents of this statement and to the best of our knowledge it is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

Signature: [redacted]

Name: Matthew Ferris (Project Manager – Kelley Covey Group)

Date: 27 October 2024

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APPENDICIES

1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Kelley Covey Group Pty Ltd (KCG) on behalf of [redacted] to accompany a development application for Lots 56, 57, 58 DP 1120933, located at 542 Moore Creek Road, Moore Creek.

Development consent is sought for the subdivision of Lots 56, 57 & 58 in DP 1120933 into 103 residential lots, each a minimum 2000m² in size. The proposed development includes the construction of all roads and services/utilities to support future dwelling construction including electrical and telecommunications, water, sewerage, and stormwater drainage infrastructure including pit/pipe networks and two stormwater detention basins to ensure that post-development stormwater runoff does not exceed pre-development runoff from the site. The project will be carried out in two stages, and the staging details will be outlined in subsequent sections of this report.

To assist Council in the assessment of this development, this SEE describes the site, its environs and the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under the Environmental Planning and Assessment Act 1979 and Councils local planning instruments. The following information and plans area provided:

- Site overview;
- Details of the Proposed Development;
- Planning & Environmental Assessment;
- Proposed Site/Lot Plan;

Please note that the dimensions and areas shown on all plans are approximate only and may be subject to development approval and detailed design.

Within this report, the following references apply;

1. "the site" refers collectively to the land including the following parcels; Lots 56, 57 & 58 in DP 1120933.
2. "Council" refers to Tamworth Regional Council.

2. Site Overview and Assessment

2.1 Site Details

- Property Description: Lots 56, 57 & 58 DP 1120933
Locality of Moore Creek
Parish of Woolomol
County of Inglis
- Property Address: 542 Upper Moore Creek Road, Moore Creek NSW.
- Registered Owner: Paul Patrick Maloney & Rhonda Ellen Maloney
- Applicant: Kelley Covey Group Pty Ltd
- Local Authority: Tamworth Regional Council
- Total Site Area: 33.56 Ha

2.2 Property Description

The subject land is a 33.56ha parcel located in Moore Creek, 8.0 km north of the Tamworth CBD. The site is bounded by Upper Moore Creek Road to the west, an unformed portion of Bournes Lane to the north, and rural/rural residential land to the south and east. The site comprises three lots (Lot 56, 57 & 58 DP 1120933) with a total area of 33.56 hectares.

The existing natural features of the site include grasslands, shrubs, and scattered trees on terrain ranging from moderate to steep slopes.

A natural watercourse, characterised as a gully with moderately-defined embankments and an ephemeral stream flow, traverses the northern portion of the site, discharging at the north-western corner to Bournes Lane. Two farm-type dams are situated on-stream within the natural watercourse. An existing sewer gravity main traverses the site in approximate alignment with the watercourse. Overhead low-voltage electrical transmission infrastructure also traverses the site.

An existing, vacant dwelling is located in the north-eastern corner of the site. The building is intended to be demolished as part of the development. Rural fencing denotes the external boundary of the site as well as some internal paddocks. There are no other structures on the site.

The local environment is characterised by low density, rural-residential developments interspersed with vacant and/or low density grazing farmland.

The site location and an aerial photograph are shown in Figures 1 and 2.

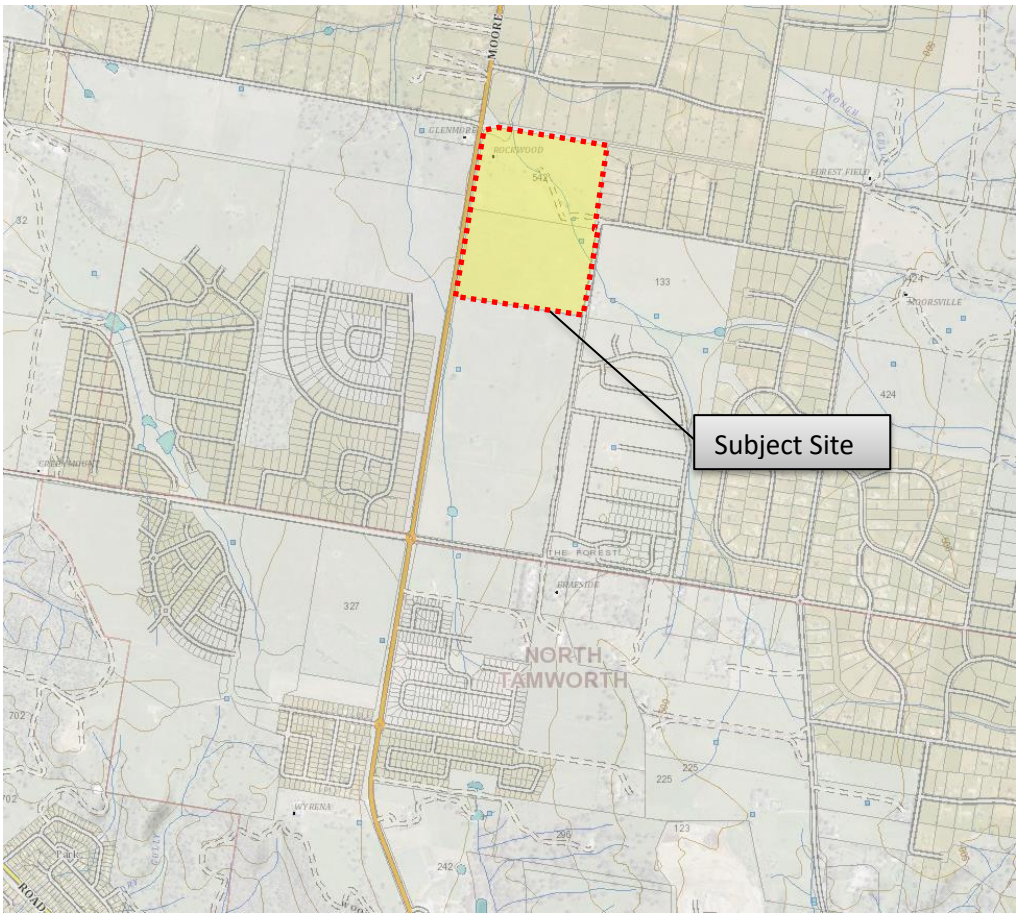

Figure 1. Site Location Plan *(Source: SIX Maps, retrieved 08 October 2024)*

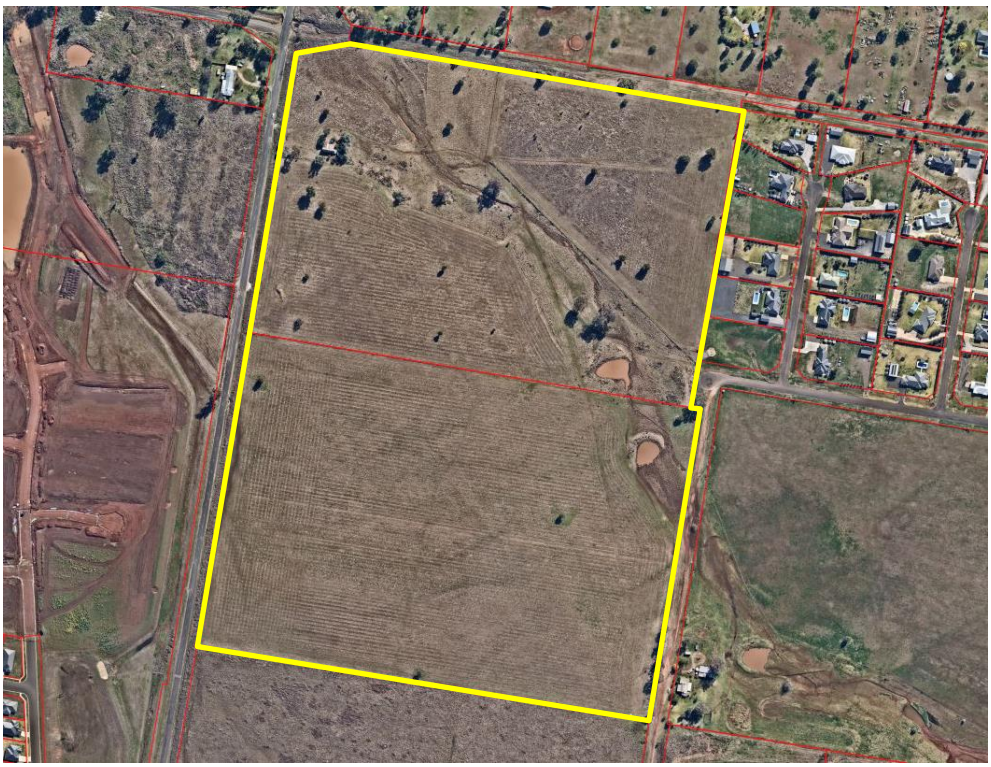

Figure 2. Aerial Photo of Site *(Source: NearMaps, retrieved 08 October 2024)*

2.3 Zoning and Planning Controls

Under the provisions of the Tamworth Regional Local Environment Plan 2010 (TRLEP 2010), the site is zoned as *R2 – Low Density Residential* as per Figure 3 below.

The objectives of the zone are as follows;

Zone R2 – Low Density Residential

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

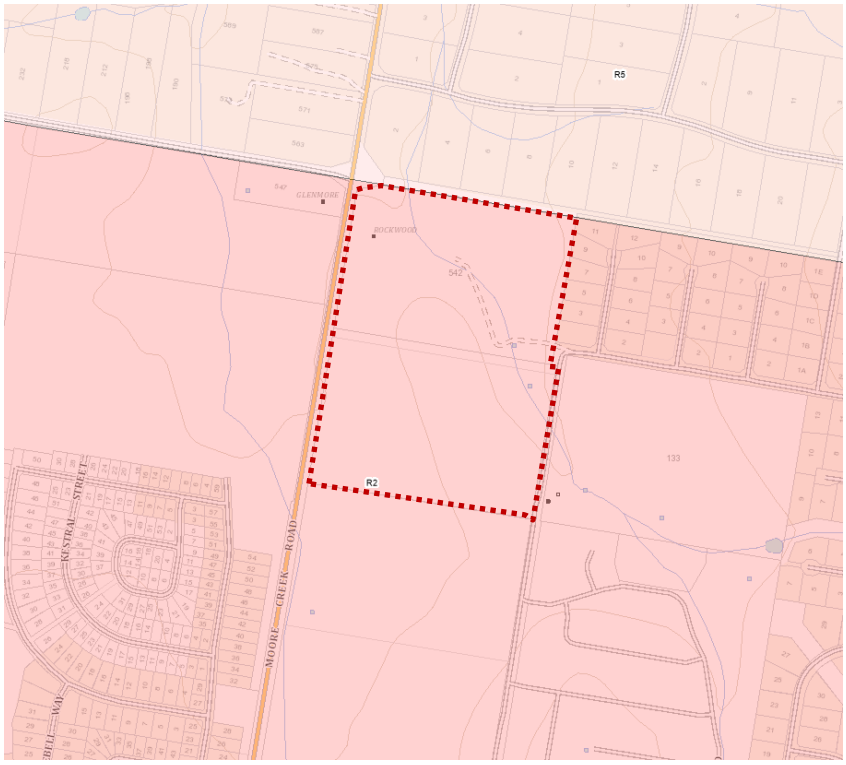

Figure 3. Site Zoning *(Source: NSW ePLanning Spatial Viewer, retrieved 08 October 2024)*

The Minimum Lot Size (MLS) is 2,000 square metres as per the MLS Map as per Figure 4 below;

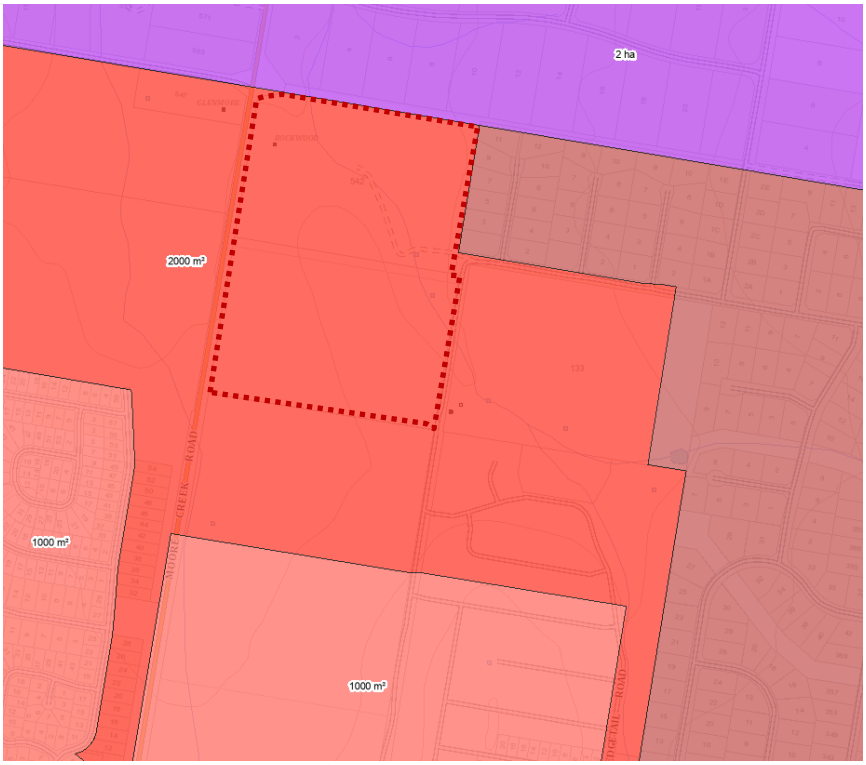

Figure 4. Minimum Lot Sizes *(Source: NSW ePLanning Spatial Viewer, retrieved 08 October 2024)*

A portion of the northern boundary of the lot is affected by a 30m Vegetation Buffer area as identified on the Bushfire Prone Land map, see Figure 5 below. This indicates that although the land itself is not

bushfire prone, it is located close enough to adjacent land that is bushfire prone to be affected by fire behaviour. Land within the Vegetation Buffer is required to be assessed for bushfire risk as per the NSW Rural Fire Service publication "*Planning for Bushfire Protection, 2019*".

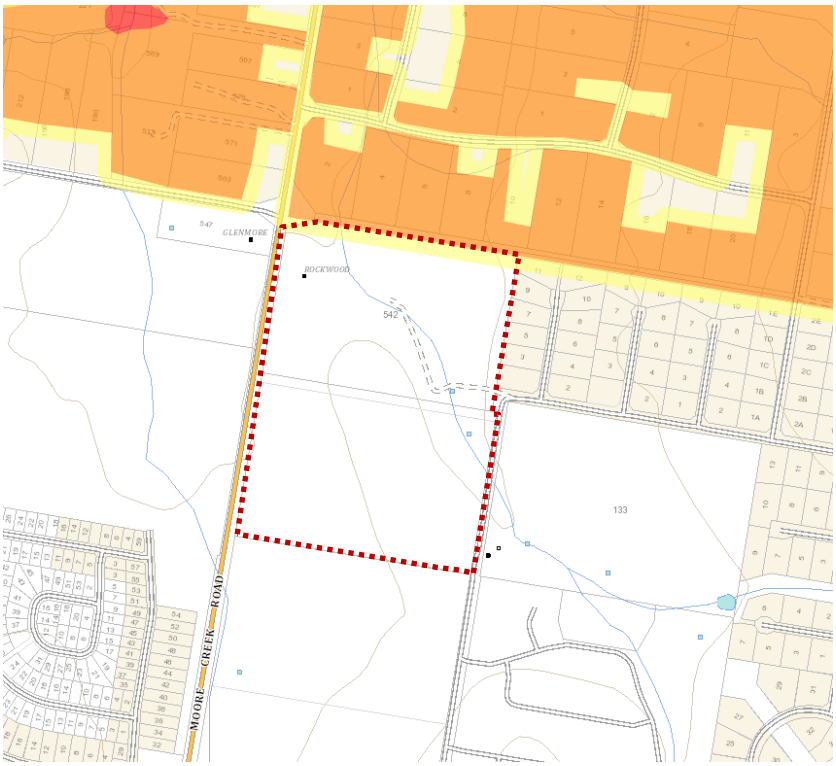

Figure 5. Bushfire Prone Land Map *(Source: NSW ePLanning Spatial Viewer, retrieved 08 October 2024)*

The property is not located within a Flood Planning Area (FPA), as per the Flood Planning map, however a natural watercourse traverses the property from the south-east to the north-west corner. The watercourse is defined as a third-order Strahler stream, and extends south-east of the site into the developed Forest Hills area, and discharges to the north-west and eventually to Moore Creek.

2.4 Site Access

The site is accessed from the western side via Upper Moore Creek Road, a two-lane, two-way bitumen-sealed road with a width of 7.0 metres, located within a 25.0-metre-wide road reserve. This road extends along the entire western boundary of the lot and will serve as the primary access for the proposed subdivision.

A secondary access point is provided via Bowdens Lane, another two-lane, two-way road with a sealed bitumen carriageway width of 8.80 metres within a 25.0-metre-wide road reserve. Bowdens Lane provides access to the adjacent rural-residential area and to Forest Road. A portion of the site is bounded by an unformed section of Bowdens Lane along the eastern boundary.

2.5 Existing and Previous Use

The site is currently used for low-intensity stock grazing, and previous use of the site has also been for agricultural purposes. A vacant and dilapidated dwelling is situated in the north-eastern corner of the site, which is scheduled for demolition as part of the construction works for the proposed subdivision.

The property has been extensively cleared and is currently unoccupied other than intermittent cattle grazing, as shown in Figure 6 below.

Figure 6. Aerial Image – Site and Existing Dwelling *(Source: NearMaps.com.au, retrieved 08 October 2024)*

2.6 Topography & Drainage

The site has a variable moderate to steep topography; a ridge line extends along the south-east/north-west direction with a high-point centrally located with an elevation of RL456.00. From the ridge line the land slopes in each direction, descending to the natural watercourse north-east of the ridge line and along a similar axis, as well as to the south, east and west. The watercourse drains to the lowest point in the north-west corner of RL436.30. The existing dwelling is located at an elevation of approximately RL438.50.

Generally, the site does not drain to a single point of discharge. Rather, the natural watercourse captures all run-off from the northern and eastern side of the ridge line, with the remainder of the site to the south and west of the ridge line draining towards Upper Moore Creek Road. Figure 7 below indicates the general topography and slope of the site.

The riparian corridor is classified as a Class 3 Strahler stream as per the definition described in the Department of Planning and Environment Fact Sheet – *Controlled Activities – Guidelines for riparian corridors on waterfront land.*

The topography and drainage plan below includes the defined watercourse and embankment definitions (interpreted from topographical data), as well as a 30m vegetated riparian zone width.

A Waterway Crossing Assessment was completed by Stephen Cotter, Senior Ecologist in November 2024. The assessment described the riparian corridor as follows;

> *The un-named watercourse that flows through the eastern part of the property is a highly degraded waterway. This waterway is included in the NSW named stream database and as such the required roadworks for the connector road for the eastern precinct of residential lots shall constitute a controlled activity under the Water Management Act (WM Act) and will require approval from the Department of Primary Industries Office of Water.*
>
> *The watercourse has been impacted by past land uses, livestock grazing and clearing of almost all native tree and shrub vegetation from within the buffer to the watercourse. This has led to*

extensive erosion, channel bank instability and overbank flooding of the low-lying areas of the property.

A copy of the Waterway Crossing Assessment is included in Appendix A.

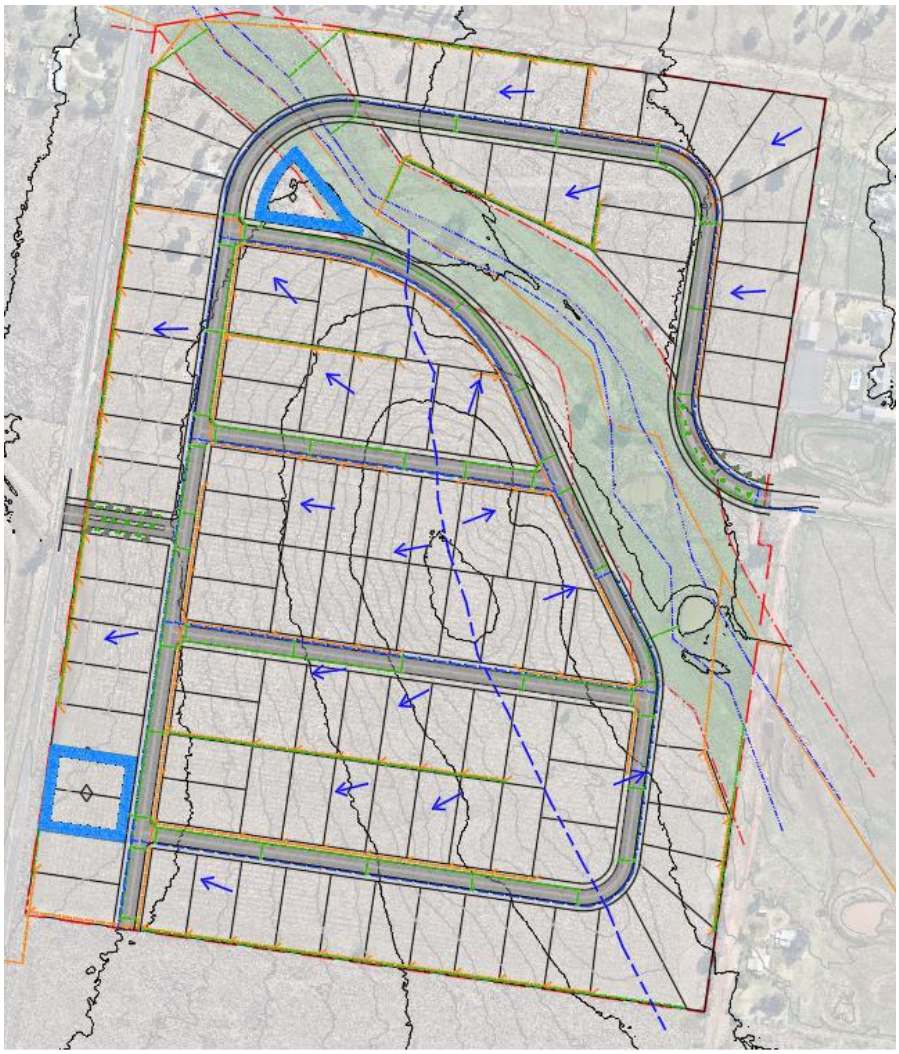

Figure 7 – General topography and drainage plan, including indicative riparian corridor

2.7 Existing Site Utilities and Services

The site is located within the Hills Plains residential development area and is serviced by all typical services and utilities, including reticulated water and sewer, underground electrical distribution and telecommunications, and natural gas.

Reticulated water is provided from an existing main in Bowdens Lane to the east, and there are also two trunk mains located in Bournes Lane and Upper Moore Creek Road supplying water to the broader Hills Plain area.

An existing sewer main traverses the site approximately in alignment with the natural watercourse. The sewer main carries sewerage load from a large catchment of Forest Hills to the south and east, eventually discharging to the Pump Station on Bournes Lane. A second sewer main providing connectivity to the site is located in Upper Moore Creek Road and carries flows from the Moore Creek Gardens and Windmill Hill Estate development areas to the west and south. Connectivity to each of these mains to service the proposed development is considered feasible.

Stormwater management in the area generally consists of natural gullies and watercourses supplemented by open swales and table drains that capture and convey runoff to existing watercourses. Several stormwater detention basins upstream of the site control discharges to the natural watercourse traversing the site, which itself discharges into a twin-cell box culvert in the north-western corner of the lot at the intersection of Bournes Lane and Upper Moore Creek Road. The adjacent Moore Creek Gardens residential area to the west has extensive stormwater management controls in place, including multiple large detention basins connected by open swales running parallel to Upper Moore Creek Road. Drainage within road reserves is typically constructed swales and table drains. Figure 8 below is an excerpt from the TRC GIS Mapping (retrieved 15 August 2024).

Figure 8 – TRC GIS Mapping (source: webmaps.tamworth.nsw.gov.au)

2.8 Contamination and Salinity

A preliminary contamination assessment has been completed by EnviroScience Solutions (Ref: 40579-R01-Rev 01 dated 25 October 2024) to determine the suitability of the site for residential development and to assess if further investigation and/or remediation is required. The assessment concluded that;

> *"The available site history indicates that the site has previously been used for rural residential purposes and stock grazing, and as such, the site generally presents a low environmental risk.*
>
> *The identified sources of contamination include the soil stockpile located on the central western boundary of the site, the house, and three waste stockpiles to the east of the house. No potential off-site sources of contamination were identified.*
>
> *If the recommendations are followed, the site is suitable for use as a low-density residential development, in accordance with the zoning – R2 (Low-Density Residential)."*

A copy of the report, including the recommendations mentioned above, is included in Appendix B.

2.9 Aboriginal/Non-Aboriginal Heritage

An extensive search of the NSW Department of Environment and Heritage - Aboriginal Heritage and Information Management System (AHIMS) on-line database confirmed that there are four (4) sites of Aboriginal significance in the vicinity of the site (See Appendix C). However, these sites are located outside the boundaries of the study area and will not be affected both during and after the construction of the subdivision works. The closest

The site is not listed in Schedule 5 – Environmental Heritage of the TRLEP 2010 and is therefore not considered to contain any items or sites of historical significance.

2.10 Flora and Fauna Assessment

A Biodiversity Assessment Report was prepared by Stephen Cotter, Senior Ecologist in October 2024. The assessment described existing flora and fauna environment as follows;

> *The biodiversity assessment of the property indicated that the land is highly modified by past land use and does not contain a native vegetation community. The grasses are dominated by pasture species consistent with livestock grazing (rye, fescue, clover and chicory).*
>
> *No threatened flora species that have been recorded in the local area were considered to have a moderate likelihood of occurrence on the project site based on available habitat. Based on regional records, reports and the presence of suitable habitat, a total of eight threatened fauna species were identified with the potential to occur within the search area of the proposal site. The habitat assessment field surveys assessed that none of the threatened fauna have a 'moderate' or greater likelihood to utilise habitat available within the site, with each requiring tree hollows to nest or roost; mature vegetation for foraging or access to water.*
>
> *No threatened species were observed or inferred from proxy evidence as part of the survey and assessment.*
>
> A copy of the Biodiversity Assessment Report is included in Appendix D.

3. Proposed Development

3.1 General Description and Site Context

The proposed development seeks approval for the subdivision of three existing lots (Lot 56, 57, 58 DP 1120933) into 103 individual residential lots, each with a minimum area of 2000 m², as well as a residual drainage reserve encompassing the existing riparian corridor. The development is proposed to have access off Upper Moore Creek Road, generally aligning with the proposed intersection location identified in the Tamworth Regional Development Control Plan – Hills Plain DCP Map (Ref: TRDCP Rev 17), and will also have access from the east via an extension of Bowdens Lane.

The site layout and lot orientation will be sympathetic to the natural topography, in particular the natural watercourse traversing the site and the ridge line axis and resultant slopes. A 30m riparian corridor buffer has been identified and all proposed lots will be located outside this buffer. The internal road layout has been designed to optimise lot geometry and orientation, and with consideration given to connectivity to gravity-dependent services such as stormwater drainage and sewer. The riparian corridor and 30m buffer will present landscaping and passive open space opportunities and will promote an extensive pedestrian and family-friendly corridor.

Lot geometry will mirror that of other 2,000 square metre developments in the Hills Plain area, featuring rectangular lots with lot frontages typically 33-40m wide and depths 50-60m. This geometry allows for the construction of the popular acreage-style homes with sufficient rear yard area for a shed, swimming pool and landscaped areas. These lots and dwelling configurations are highly-sought after in Tamworth and are a popular choice for growing families.

To further support the desirability for families, extensive pedestrian connectivity via a footpath network and large areas of open space along the riparian corridor will provide opportunities for family gatherings, active play and passive recreation. Road widths will allow for sharing of the trafficable space by cars and bicycles alike, and street trees will reduce heat island effects and encourage outdoor recreation whilst providing essential habitat and nesting areas for birds and other wildlife.

The development standards will mirror those of the adjacent Eagle View Estate and Moore Creek Gardens, including infrastructure and services typically attributed to urban developments such as asphalt-surfaced roads with kerb and gutter, footpaths and street lighting. Each lot will be connected to the reticulated water supply, gravity sewer system and stormwater network. The site is within the NBN coverage map, and the type of coverage provided will be determined during detailed design and negotiations with NBN Co. Below-ground electrical connections will be provided.

Stormwater management will be addressed through kerb and gutter and typical pit/pipe networks, discharging into stormwater detention basins to ensure post-development runoff does not exceed pre-development flows.

A plan of the proposed subdivision is included in Appendix E.

3.2 Staging

The development is proposed to be completed in two stages;

- *Stage 1* will include all lots and associated infrastructure located north of the proposed intersection with Upper Moore Creek Road, and will importantly include the main connections to existing water and sewer utilities, construction of stormwater detention structures and internal road connectivity with both proposed external road intersection/connection points;
- *Stage 2* will include all lots and associated infrastructure south of the proposed intersection with Upper Moore Creek Road.

A Staging Plan is included in Appendix F.

3.3 Site Servicing

This section is supplemented by the Servicing Strategy Plans included in Appendix G.

a) Access and Public Roads

The internal road network will be designed based on local road hierarchy and a Road Design Standard RDS2 as per the Tamworth Regional Council Engineering Minimum Standards for Subdivisions and Developments (the Minimum Standards), and will include the construction of two-lane, two-way asphalt surfaced roads nominally 11m wide (as per Table 2-C of the Minimum Standards), generally within a 20-metre-wide road reserve, providing two access points to the existing road network: one from Upper Moore Creek Road and another connecting to Bowdens Lane.

The roads will be constructed with kerb and gutter providing overland flowpaths for stormwater drainage, and the road verges will host each of the required services and utilities.

At the entrance from Upper Moore Creek Road, it is proposed to include a central landscaped median for the internal road, providing an attractive landscaped entrance feature signalling arrival to the estate.

The intersection with Upper Moore Creek Road itself will require upgrading, and a detailed assessment of the impacts of traffic generated by the development and the proposed intersection treatments are included in the Traffic Impact Assessment in Appendix H.

At the connection to Bowdens Lane a transition will be required from the rural-type road standard of that area to the urban-styled roads in the estate. Another landscaped central-median entrance feature will assist that transition and again denote arrival to the estate.

The design of pavements for the internal roads and external intersections will be determined during the detailed design work for Subdivision Works Certificate approval.

A road crossing of the riparian corridor will be necessary, and will require the construction of a drainage structure, likely a multi-cell box culvert, to span the watercourse and provide sufficient waterway area. Consultation with both Council and NSW DPEI Water will be required in the design and construction of the waterway crossing.

b) Water Supply/Connectivity

Connectivity to the reticulated water supply will likely be from the existing main located in Bowdens Lane, and will be reticulated throughout the site as per the design requirements of the Minimum Standards. Council will be consulted on detailed design elements of the water mains as part of the detailed design work for Subdivision Works Certificate approval, and will be in accordance with Chapter 3 of the Minimum Standards.

c) Sewer Connectivity

Connectivity to the existing gravity sewer network will be at one or more of the manholes located on the existing sewer main that follows the natural watercourse across the site. Where connectivity to that sewer line for Stage 2 lots cannot be achieved due to topography constraints, the existing sewer main in Upper Moore Creek Road, with a manhole located immediately adjacent to the south-western corner of the site, may be relied upon to provide a gravity connection for that stage. Council will be consulted on detailed design elements of the sewer network as part of the detailed design work for Subdivision Works Certificate approval, and will be in accordance with Chapter 4 of the Minimum Standards.

d) Stormwater Drainage

Stormwater runoff and discharge across the site can be broadly divided into two sub-catchments – one either side of the ridge line crossing the site diagonally from north-west to south-east. In each case, stormwater management will be achieved with a typical urban-style pit and pipe network collecting and conveying runoff from minor events, supplemented by overland flow paths within the roadways for major storm events.

Runoff from each sub-catchment will be directed to a stormwater detention basin, expected to be battered earthworks structures, where it will be retained and discharged such that the post-developed runoff flow rate does not exceed the pre-developed runoff rate for a range of storm. The stormwater network and the detention basins will be designed and constructed as per Chapter 2 of the Minimum Standards.

The discharge point from the basin for runoff collected north of the ridge line will be the existing natural watercourse running parallel to the ridge line and exiting the site in the north-west corner. The discharge for the southern basin will be the existing swale drains in Upper Moore Creek Road.

An existing stormwater detention basin is located immediately adjacent to the site in Bowdens Lane, and currently overflows into the development site. The stormwater drainage design will need to allow for collection and conveyance of overflows from this basin as part of the detailed design.

The proposed road crossing of the natural watercourse will require a waterway structure (likely a multi-cell box culvert) to allow flows in the watercourse to continue unimpeded. The detailed design of this structure will be in accordance with the Minimum Standards and the Austroads Guide to Road Design.

e) Telecommunications & Electricity

Each lot will be connected to an extended underground electricity network as per Essential Energy requirements. The number and location of pad-mounted substations will be determined during the detailed electrical design phase. The electrical network will also include street lighting.

The site is within the NBN Co coverage map, and each lot is proposed to have connectivity to NBN Co. The type and extent of coverage will be determined during the detailed design phase and in consultation with NBN Co.

f) Natural Gas

The site is within the APA Group Central Ranges Pipeline natural gas reticulation area, and the network currently extends to the existing rural-residential lots located immediately to the east in Bowdens Lane. The provision of natural gas to each lot will be negotiated with APA Group.

3.4 Waste Management

Waste generated by the proposed development includes all materials that are to be discarded during the demolition, excavation, and general construction phases. All waste from the proposed development is to be handled, stored, and disposed of in an environmentally responsible and regulatory-compliant manner.

Clearly marked bins and containers will be used to segregate different types of waste at the point of generation. Temporary storage areas will be designated for hazardous and non-hazardous waste, ensuring they are covered and contained to prevent contamination and exposure. Additionally, special containers will be used for hazardous waste, with appropriate labelling and secure storage to prevent contamination.

The disposal of waste will generally be as per the table below;

Description of Waste	Waste Disposal Method	Location of Disposal
Excavated soil	It is expected that a balanced cut/fill earthworks model will be adopted whereby no soil is removed from the site.	N/A
Existing dwelling demolition waste and asbestos containing materials stockpiles	A Class B (non-friable) licensed asbestos removalist will be engaged to remove the ACM from the house and the waste stockpiles to the east of the site, and correctly dispose it in the Tamworth Waste Management Facility.	Tamworth Waste Management Facility
General construction waste/packaging	General construction waste and packaging will be stored in construction/skip bins before being transported to the Tamworth Waste Management Centre.	Forest Road Waste Management Facility

The site is within the Tamworth City waste collection area, and dwellings constructed in the development will have access to waste collection services provided by Council's service provider.

4. Potential Impacts of the Development

4.1 Traffic Generation and Impact

Traffic generated by the development will consist primarily of light vehicles utilised by residents of dwellings typical of residential developments, however during construction works (both of the subdivision itself and of the subsequent dwellings and ancillary structures) an elevated percentage of heavy vehicles will use both the internal roads and the connecting road in Upper Moore Creek Road, Bowdens Lane and Forest Road.

The RTA Guide to Traffic Generating Developments (2002) suggests, for dwelling houses, the following trip generation rates apply;

- Daily Vehicle Trips: 9.0 per dwelling;
- Weekday Peak Hour Vehicle Trips: 0.85 per dwelling.

For 103 lots proposed in the development that will have access via Upper Moore Creek Road and Bowdens Lane, this results in the following trip generation;

- Daily Vehicle Trips: 927;
- Weekday Peak Hour Vehicle Trips: 88 trips.

The impact of the proposed development on the local traffic environment has been considered in a Traffic Impact Assessment prepared by Kelley Covey Group (Ref: 57884Rpt). The report describes existing traffic conditions, previous traffic studies, current traffic surveys, and provides an analysis of traffic modelling under both current and proposed conditions using SIDRA software. The analysis considers trip distributions, additional traffic volumes, and other relevant factors. The assessment concludes that;

> *"Intersection analysis using SIDRA modelling software included a site analysis of the proposed development and Moore Creek Road intersection and the proposed development and Bowdens Lane intersection. The results of the modelling indicate that the current Level of Service of both lanes in Upper Moore Creek Road and Bowdens Lane will not decrease from the current Level of*

Service LoS "A" as a result of the development. The degree of saturation (DoS) levels of lanes and the intersection indicate significant residual capacity even after completion of the development, and the speed efficiency of the network will be relatively unchanged.

Application of the warrants for intersection treatments as described in Austroads indicate that the development can be accommodated by a BAR/BAL treatment, however the intersection is on the threshold of a CHR(S)/AUL(S) treatment and will cross that boundary within approximately five (5) years of the site being fully developed. We encourage Council to consider any future planning for improvements to Upper Moore Creek Road when determining which intersection treatment to impose on the development (if any)."

The connection to Bowdens Lane involves an extension of the road on the existing alignment only and will not require any intersection treatment. A copy of the Traffic Impact Assessment is included in Appendix H.

4.2 Heritage

The site is not listed or described in Schedule 5 of the TRLEP as containing any items or places of heritage significance. A review of the AHIMS online database, including an extensive search, confirmed the presence of four (4) Aboriginal heritage sites near the study area (refer to Appendix C).

However, each of these sites are situated outside the project boundary and are not expected to be impacted either during or following the subdivision construction. There are no items of European heritage located on the site, and the development is not considered to impact on any heritage value within the area.

Protocols will be put in place during construction to guide contractors on the identification, preservation and protection of any heritage items discovered during the works in accordance the National Parks and Wildlife Act and the NSW Heritage Act, as appropriate.

4.3 Flora and Fauna

The Biodiversity Assessment Report prepared by Stephen Cotter concluded the following with regards to the potential impacts of the development;

The assessment of significance of the likely impact of the development indicated through avoidance of clearing of existing trees within the drainage buffer, no threatened species are likely to be at risk of local extinction.

The proposed development shall have little or no impact on any threatened species or community in the local area.

The report made the following recommendations regarding the preservation of existing flora and fauna;

- *Avoid any clearing of native species within the drainage buffer.*
- *Boundary fencing to all lots should be encouraged to consist of plain wire strands or other methods but exclude use of barbed wire that may harm to fauna.*
- *Encourage replanting of native tree and shrub species in the landscaping for future dwellings to improve available habitat for native species.*
- *Implement disinfection protocols for personnel / equipment when working within the drainage buffer to avoid infesting potential amphibian fauna.*

4.4 Watercourses and Riparian Corridors

A Waterway Crossing and Roadworks Assessment Report and Vegetation Management Plan have been prepared by Stephen Cotter. Each report includes recommendations and mitigation measures

to protect, maintain and repair any damage to the riparian corridor both during and after construction of the subdivision.

Additionally, the prepared site layout includes a 60m wide Vegetation Riparian Zone, and only permitted activities will be undertaken within the zone as defined and described in *Department of Planning and Environment Fact Sheet – Controlled Activities – Guidelines for riparian corridors on waterfront land*, 2022. The proposed road crossing of the watercourse will be designed and constructed as per the *Department of Planning and Environment Fact Sheet – Controlled Activities – Guidelines for watercourse crossings on riparian land*, 2022.

4.5 Air Quality

Short term air quality impacts from the proposed development will be limited to the emissions generated by construction vehicles and equipment during the subdivision works, as well as the dust generated by vehicle movement, excavation and earthworks, and material handling during construction phase.

The air quality impacts can be adequately managed as per the NSW Department of Environment and Heritage *Air Quality Guidance Note – Construction Site*, and includes the following mitigation measures:

- Regularly watering down construction areas and access roads to reduce dust generation;
- Using dust screens around the construction site to minimise the spread of dust to surrounding areas;
- Minimising idling times for construction vehicles and machinery to reduce emissions;
- Proper maintenance and tuning of construction machinery;

Long term air quality impacts from the proposed development will consist of the increased traffic emissions associated with the new residences. However, roads will be adequately designed to avoid traffic congestion and the impact from idling vehicles to air quality. Long term air quality impacts are considered to be non-threatening to the surrounding environment.

4.6 Noise and Vibration Emissions

Short-term noise impacts will be limited to general construction-generated noise, including the use of earthworks machinery, power tools and manual tools. Noise and vibration impacts will be assessed, monitored and mitigated in accordance with the NSW EPA *Draft Construction Noise Guideline, 202*0.

Long-term noise impacts will be limited to traffic generated by the proposed subdivision as well as the future dwellings and are considered to be comparable to that of the existing surrounding environment and land uses.

4.7 Impact on Neighbouring Properties

Subdivision of the site will generate additional traffic volumes on the local roads. However, the traffic analysis prepared by Kelley Covey Group (Refer to 57884rpt), shows that the existing roads have sufficient capacity to accommodate the increased volume of vehicles, with the Level of Service (LoS) remaining essentially unchanged. Refer to the report for further assessment and recommendations.

Air quality and noise and vibration emissions to neighbouring properties have been addressed in Sections 4.5 and 4.6 of this document.

Potential light spill from street lights, car headlights and dwelling lighting over adjacent properties is mitigated by the dispersion of light over the large lot sizes, the expected mature vegetation/tree cover and by the use of efficient and focused LED lighting for street lighting. The focal point for headlights at each vehicle access/egress point are existing roadways and stormwater detention basins – dwellings are not directly impacted.

Potential changes to local drainage patterns will be addressed by constructing two stormwater detention basins to ensure that post-development flows do not exceed pre-development runoff levels and to ensure that all runoff, both internally and externally, has a safe and efficient overland flow path.

4.8 Visual Amenity

The proposed development will implement targeted landscaping features, including mature tree plantings at access/egress points, landscaping and improvements to the riparian corridor outer vegetation zone, and internal street tree planting to create a visually appealing residential development with minimum environmental footprint.

The subdivision and future dwelling construction will blend seamlessly into adjacent developments such as Eagle View Estate and Moore Creek Gardens, and will maintain and broaden the general low-impact family-oriented amenity of the Hills Plain area. The large lot size will help to retain the rural-residential nature of the area and the extensive riparian corridor will preserve the sense of space and reduce the intensification impact of the development.

4.9 Natural Hazards

The site is located within a Bush Fire Prone Area (note that the site is impacted by a 30m Vegetation Buffer only), and the impact of this designation on the proposed development at the site has been assessed in the Bushfire Assessment Report prepared by Kelley Covey Group (Ref: 57987rpt). The assessment concludes that;

> *"The vegetation identified as being a potential bushfire hazard is located on a 30-metre-wide fringe adjoining the northern boundary of the site, upslope of the proposed roads and potentially future dwellings.*
>
> *A required Asset Protection Zone (APZ) for the subdivision was determined from Appendix 1 of Planning for Bush Fire Protection 2019. The Zone extends 10m from the existing northern boundary towards the south. The proposed lots are large enough that any future building footprints can meet the minimum required Asset Protection Zone as detailed in Appendix 1 of PBP. However, existing residential development along the northern boundary of the site, which falls within the hazard zone classified as Vegetation Category 3 as per the Bushfire Prone Land Map from the TRLEP 2010, can be considered as areas of "Low threat vegetation" according to Section A1.10 of Appendix 1 of the NSW Rural Fire Service's Planning for Bush Fire Protection 2019, and as such the requirement to assess the site under PBP is not considered necessary.*
>
> *The design of the site, including lot and road layouts, and the provision of future services (water, gas and electricity) generally meets the requirements of Chapter 5 of PBP 2019. In accordance with the bushfire safety measures contained in this report, and consideration of the site-specific bushfire risk assessment it is our opinion that the site has the capacity to comply with the relevant specifications and requirements of Planning for Bush Fire Protection 2019."*

A copy of the Bushfire Assessment Report is included in Appendix I.

Due to the size of the lots and the potential for dwellings to be located a significant distance from the existing bushfire hazard, the nomination of BAL levels for individual lots is not considered appropriate at subdivision stage. Assessment of BAL requirements for each lot should be undertaken for each proposed dwelling in future depending on the proposed use of the land.

The incorporation of stormwater detention structures in the development will reduce the likelihood of concentrated runoff resulting from the development causing flooding downstream. The existing watercourse and riparian corridor will be retained and preserved, ensuring that the flow capacity and general characteristics of the waterway are maintained.

4.10 Social Impact

The proposed subdivision will have positive social impacts, including the creation of a new community and the expansion of the broader Hills Plain residential community. By providing new housing opportunities, it will attract a diverse range of residents, potentially boosting local economic activity and supporting nearby businesses and services. Additionally, the development will also improve local infrastructure, such as roads and utilities, benefiting both new and existing residents.

The proposed development aligns with the strategies described in the Tamworth Local Strategic Planning Statement (Blueprint 100) of reaching a population of 100,000 residents by 2041 by contributing to the supply of land for housing, and in particular housing that is attractive to families.

The supply of land for housing within an existing developed area can help to optimise the use of existing infrastructure elements such as roads, water and sewer, whilst also growing the ratepayer base to generate additional income for capital and recurrent investment in Council infrastructure and services. The efficient use of infrastructure, particularly in the growth area of Hills Plains, is an identified priority of Blueprint 100 (Priority 2.2), and the supply of 2,000 square metre lots directly addresses the shortfall in supply of land as per Table 1.1 of the LSPS.

4.11 Economic Development

Construction of a residential subdivision has a significant positive economic impact for the local community, during both construction of the subdivision initially, followed by the resultant construction of dwellings and then in the long-term by the occupation by economic activity of future residents.

Construction of the subdivision infrastructure will require engagement of local contractors and service providers, including earthworks contractors, concrete suppliers and construction crews, plumbing and electrical contractors as well as surveying, engineering and design consultants.

Construction of dwellings involves a range of suppliers, tradespersons and professionals, which are a major contributor and driver of the local economy.

Once completed, the resultant residents will stimulate the local economy, attracting new businesses and supporting existing ones. Additionally, the increased housing supply could also help meet demand, stabilising housing prices and supporting broader regional growth.

5. 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 controls. The assessment of the proposal will be in accordance with the following planning instruments:

- Environmental Planning and Assessment Act 1979;
- Biodiversity Conservation Act, 2016 (BC Act);
- Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act);
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008;
- State Environmental Planning Policy (Housing) 2021;
- State Environmental Planning Policy (Industry and Employment) 2021;
- State Environmental Planning Policy (Planning Systems) 2021;
- State Environmental Planning Policy (Primary Production) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Resources and Energy) 2021;
- State Environmental Planning Policy (Sustainable Buildings) 2022;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- Tamworth Regional Local Environmental Plan 2010 (LEP);
- Tamworth Regional Development Control Plan 2010 (DCP);
- Tamworth Regional Local Strategic Planning Statement (LSPS – Blueprint 100, 2020);
- New England North West Regional Plan, 2041

5.1 Environmental Planning and Assessment Act 1979

- *Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 requires consideration of: (b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

This Statement of Environmental Effects gives careful consideration to the impacts of the proposed development on both the natural and built environment as well as social and economic impacts.

- *Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 requires consideration of: (c) the suitability of the site for the development*

The proposed development meets the objectives of the R2 - Low Density Residential Zone as per the Tamworth Regional Local Environmental Plan (TRLEP 2020), which are: “To provide for the housing needs of the community within a low density residential environment” and “To enable other land uses that provide facilities or services to meet the day to day needs of residents”.

- *Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979 requires consideration of: (d) any submissions made in accordance with this Act or the regulations* – we anticipate this application will be exhibited publicly, and will respond to any submissions as required.

- *Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 requires consideration of: (e) the public interest* – The proposed development aligns with the objectives of the TRLEP, the LSPS (Blueprint 100) and the New England North-West Regional Plan. Each of these documents and strategies have been prepared with the public interest as a key consideration.

5.2 Biodiversity Conservation Act, 2016

Part 7 of the Act describes the procedures and requirements for biodiversity assessment and approvals for developments. Section 7.3 details a five-part test for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats.

The Biodiversity Assessment report prepared by Stephen Cotter concluded the following with regards to the test of significance;

> *The assessment of significance of the likely impact of the development indicated through avoidance of clearing of existing trees within the drainage buffer, no threatened species are likely to be at risk of local extinction.*
>
> *The proposed development shall have little or no impact on any threatened species or community in the local area.*

In that regard, a biodiversity development assessment report (BDAR) as per Section 7.7(2) of the Act is not required.

The Section 10.7 Certificates for each lot state that; "*The land is not identified in an area of outstanding biodiversity value under the BC Act,"* and therefore Part 3 of the Act does not apply.

5.3 Environmental Protection and Biodiversity Conservation Act, 1999 (EPBC Act)

Under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) a referral is required to the Australian Government for proposed actions that have the potential to significantly impact on matters of national environmental significance or the environment of Commonwealth land. This includes impacts to threatened species, communities and migratory species listed under the EPBC Act.

The Biodiversity Assessment report prepared by Stephen Cotter concluded that;

> *The existing vegetation on the property was not identified as representative of any recognised Plant Community Type, but represents a highly modified landscape impacted by a long period of agricultural activities.*

and,

> *None of the listed migratory species were recorded on site during the field survey. The proposed works are unlikely to impact on any area considered to be 'important habitat' for migratory species, or likely to impact a significant proportion of a migratory population.*

Referral under the provisions of the EPBC Act is therefore not required.

5.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Part 2 of the SEPP details the requirements for clearing vegetation in non-rural areas. Section 2.7 states the following;

> *(4) A permit is not required under this Chapter for the removal of vegetation that the council is satisfied—*
>
> *(a) is dying or dead, and*
>
> *(b) is not required as the habitat of native animals.*

The Biodiversity Assessment Report concluded that no threatened flora species that have been recorded in the local area were considered to have a moderate likelihood of occurrence on the project site based on available habitat, and so a permit is not required for the removal of vegetation.

Chapter 4 of the SEPP addresses the protection of Koala Habitat, and Part 4.2 of the Chapter details the assessment methods required to be undertaken. An assessment under this part of the SEPP was

included in the Biodiversity Assessment report prepared by Stephen Cotter. The assessment concluded that;

> *Koalas have not been recorded in the local area and no suitable koala feed trees occur on the property. The proposed development will have little or no impact on any koala habitat and a separate report is not required to address any impact to koala habitat for this development.*

5.5 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The proposed development does not meet the definitions or thresholds of exempt or complying development, and therefore this SEPP does not apply.

5.6 State Environmental Planning Policy (Housing) 2021

The proposed development (subdivision) does not involve the construction of any dwellings, and as such this policy does not apply. It is anticipated that the future development of lots created by this subdivision may invoke some provisions of this policy, including diverse housing.

5.7 State Environmental Planning Policy (Industry and Employment) 2021

The proposed development does not involve the erection of any new signage, nor is it located within the Western Sydney employment area, and as such this policy does not apply.

5.8 State Environmental Planning Policy (Planning Systems) 2021

The proposed development is not listed as a State Significant Development as per Schedule 1 or Schedule 2 of this policy, nor is it listed as State Significant Infrastructure under Schedule 3.

The proposed development is not considered a Regionally Significant Development as per Schedule 6 of this policy.

The land is not owned by an Aboriginal Land Council, and as such Chapter 3 of the policy does not apply.

5.9 State Environmental Planning Policy (Primary Production) 2021

The proposed subdivision development does not involve primary production or aquaculture activities. Therefore, the specific aims of this SEPP related to primary production, aquaculture, and agricultural land are not applicable. The Tamworth Regional Local Environmental Plan (TRLEP) is not listed in Part 6 as an EPI to which any Schedule applies.

5.10 State Environmental Planning Policy (Resilience and Hazards) 2021

The proposed subdivision is not located in a Coastal Zone, and does not meet the definition of ***hazardous or offensive industry*** as per Section 3.2 of the SEPP.

The Preliminary Site Investigation and report prepared by EnviroScience Solutions investigated the site for potential contamination as per Section 4.6 of the SEPP, and has made recommendations for remediation of identified areas. These recommendations will be followed prior to construction works associated with the subdivision commence.

The report concluded that a detailed site investigation is not considered necessary.

5.11 State Environmental Planning Policy (Resources and Energy) 2021

The proposed development does not involve mining, petroleum production, or extractive industries, and it does not involve the transport of materials related to mining or extractive industry, and as such this SEPP is not applicable.

5.12 State Environmental Planning Policy (Sustainable Buildings) 2022

The proposed development does not involve the erection of a building, and as such this policy does not apply. However, the principles of minimising environmental impact and enhancing energy efficiency have been considered in the layout and orientation of lots as part of this development, thereby assisting future dwelling owners comply with the requirements of this policy.

5.13 State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposed subdivision will likely generate impacts on council-related infrastructure or services, such as roads, water supply capacity, and sewerage drainage capacity, however these impacts are not considered to be substantial, and have been known and allowed for by Council as part of strategic planning for the Hills Plain development area. Notwithstanding, Council have been consulted during the preparation of this application (a pre-development meeting held) and no issues of significance were raised.

The development proposes less than 200 lots and is not proposed to connect to a classified road, and therefore is not considered to be a traffic generating development as per Schedule 3 of this policy.

Development consent is sought for all roads, utilities and services proposed by this subdivision.

5.14 Tamworth Regional Local Environment Plan (LEP) 2010

The proposed development is defined as "subdivision" which is not specifically listed as either permitted without consent or prohibited under *R2 – Low Density Residential* zones as per the Tamworth Regional Local Environment Plan 2010, and is therefore considered to be "permitted with consent". The development is generally consistent with the objectives of the zone, which include the following;

Zone R2 – Low Density Residential

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The size of all the lots created comply with the Minimum Lot Size (MLS) requirements for the zone.

5.15 Tamworth Regional Development Control Plan 2010 (DCP).

The proposal is assessed against the Subdivision Controls of the TRDCP 2010 (Version 17), as follows;

5.15.1 Servicing Strategy and Preliminary Engineering Designs

A servicing strategy is included in Appendix G of this document, outlining the provision of essential services such as water, sewerage, electricity, and communications, as well as stormwater management and detention on the site. This strategy complies with the Engineering Minimum Standards for Subdivisions and Developments as required by Tamworth Regional Council, ensuring that all infrastructure is designed and implemented to meet local regulations and support the needs of the proposed development.

5.15.2 Water

The proposed subdivision is located within the Development Services Plan (DSP) for water, and will be supplied with reticulated water by extension of the existing network, located in both Bowdens Lane and along Upper Moore Creek Road.

The detailed design of the water network, including minimum static head requirements, will be completed in consultation with TRC during the SWC application design process.

5.15.3 Sewer

The proposed subdivision will be serviced by a gravity sewer system, which will discharge into the existing sewer main located along the northern boundary of the site. This system will be designed to ensure efficient wastewater management for the development, adhering to Council's engineering standards and seamlessly integrating with the existing infrastructure.

5.15.4 Stormwater Drainage

Stormwater management will consist of typical pit/pipe networks for minor system (1 in 5 year) storm events, with overland flowpaths within roadways catering for the major system (1 in 100 year) storm events.

Stormwater detention at each discharge location will ensure that post-developed flows discharging from the site will not exceed the pre-developed flows.

Inter-allotment drains will be provided for all lots that do not drain naturally to a road or public reserve.

The design of internal roads will involve constructing a box culvert structure over the existing natural watercourse to provide road access from Upper Moore Creek Road to the lots in the north-east whilst maintaining flow capacity within the waterway.

The existing riparian zone along the gully will otherwise not be affected by the development.

5.15.5 Telecommunications

The subdivision is within the NBN Co. coverage area, and the type and extent of coverage will be determined in consultation with NBN Co during the detailed design phase of the works.

5.15.6 Electricity

The subdivision will be serviced by underground electrical infrastructure nominally located in the road verge. The development will also include street lighting. Detailed design of the electrical infrastructure will be undertaken in consultation with Essential Energy during the detailed design phase of the works.

5.15.7 Lot Size

Each of the proposed lots meet to the minimum lot size of 2000m^2 as per the TRLEP2010 Lot Size Map.

5.15.8 Battle-axed Shaped Lots

The proposed subdivision layout does not include battle-axed shaped lots. Lots located within each of the corners of the existing site area are proposed to have a minimum lot frontage width without the need for battle-axe type arrangements.

5.15.9 Road Network Design

A Traffic Impact Assessment (TIA) has been prepared by this office (Ref: 57884rpt), and is included in Appendix H. The TIA addresses each of the points listed in this section of the DCP.

5.15.10 Staged Subdivision

It is proposed to construct the development in two stages, as per Section 3.2 of this document and as detailed in the subdivision staging plan in Appendix F.

5.15.11 Future Development

None of the lots created by the proposed subdivision are intended for future dual occupancy, multi dwelling housing, or future subdivisions.

5.15.1 Cul-de-sac

The proposed site and road layout does not include any cul-de-sacs.

5.15.1 Site Levels and Retaining Walls

It is acknowledged that the site has undulating topography, however the larger lot size typically avoids the requirement for retaining walls in favour of battered slopes between lots and dwellings. It is not intended to construct any retaining walls as part of the subdivision construction works.

5.15.1 Geology

The detailed design of roads, pavements and pipeline infrastructure will involve geotechnical investigations and reporting of the local soil profile. Based on our previous experience in the Hills Plain area it is possible that highly reactive soils may be present, however erosive and saline soils are unlikely.

5.15.2 Landscaping Plan

Landscaping plans of the proposed subdivision have been included in Appendix G of this document.

5.15.3 Environmental Values Locality Map

The Vegetation Management Plan prepared by Stephen Cotter describes and maps areas of existing environmental values and describes methods of avoidance, minimisation and mitigation to maintain the value of these areas. These areas are primarily located in the existing riparian corridor.

5.15.4 Biodiversity Protection

The Biodiversity Assessment Report, Waterways Crossing Report and Vegetation Management Plan, each prepared by Stephen Cotter, address each of the issues identified in this section of the DCP. Copies of each report are included as annexures to this SEE.

5.15.5 Site Access

The design of the proposed subdivision ensures that all lots have public road access from both Upper Moore Creek Road and Bowdens Lane.

No access to arterial or sub-arterial roads is proposed.

5.15.1 Lot Orientation

The geometry and orientation of lots has been designed to create opportunities to site dwellings to maximise solar access for future dwellings. The larger lot size largely eliminates the potential for cumulative overshadowing impacts of future dwellings.

5.15.1 Open Space

Specific areas of open space have not been nominated, rather it is intended to embellish the existing riparian outer vegetation zone with native trees and shrubs to provide multiple zones of open space providing opportunities for passive recreation, pedestrian thoroughfares and cycling routes. Each of the lots will be connected to this vegetation zone with a concrete footpath, providing a safe, off-road access. The vegetation zone is ideally located centrally across the site and will become a focal point of the development. All vegetation work within the riparian corridor will be in accordance with the recommendations in the Vegetation Management Plan.

5.15.2 Construction Waste Management

Waste management from the proposed development has been assessed in Section 3.4 of this document. It is intended to prepare a balanced cut/fill earthworks model to reduce the amount of soil, earth and topsoil required to be imported/exported from the site.

Asbestos containing material (ACM) generated by the demolition of the existing dwelling will be removed as per regulatory requirements by licensed asbestos removal contractor. General construction waste will be collected, stored on site and disposed of at the Forest Road Waste Transfer Station or recycled as appropriate.

5.15.3 Garbage Collection

The proposed subdivision's road design, with a nominal width of 11 metres, will comfortably accommodate the movements of service vehicles, including waste collection trucks. Each of the roads will be asphalt surfaced and the road verges will be wide enough for the kerbside placement of garbage bins without impeding pedestrian thoroughfares.

5.15.1 Community Title Subdivision

The proposed development does not involve Community Title Subdivision.

5.15.2 Contamination

A preliminary site investigation, including potential contamination assessment was undertaken by EnviroScience Solutions in October 2024. The assessment concluded that;

"If the recommendations are followed, the site is suitable for use as a low-density residential development, in accordance with the zoning – R2 (Low-Density Residential)."

5.15.3 Road Widths

The site layout includes nominal 11m wide internal roads within a nominal 20-metre-wide road reserve, providing two access points to the external road network: one from Upper Moore Creek Road and another connecting to Bowdens Lane. The roads will be classified as Local Roads as per Table 2-B of the Minimum Standards, and will be designed as per RDS1/RDS2 design standard as per Table 2-A of the Minimum Standards.

5.15.4 Environmental Effects

The potential impacts of the proposed development have been addressed in Chapter 4 of this document. Based on the assessment of planning and environmental issues in the above report, we do not believe there are any issues in terms of site suitability for the proposed development.

5.15.1 Soil and Erosion Control

The site layout has been designed to mange runoff via overland flowpaths using road corridors. A balanced cut/fill earthworks model is proposed to reduce the extent of earthworks disturbance required and to minimise the need for importing/exporting soil and topsoil material.

An Erosion and Sediment Control plan prepared in accordance with The Blue Book will be prepared with the detailed design drawings to accompany an application for Subdivision Works Certificate.

5.15.2 Noise

Noise and vibration emissions from the proposed development during construction and long-term occupation phases have been assessed in Section 4.6 of this document.

5.15.3 Aboriginal Cultural Heritage

The site is not listed or described in Schedule 5 of the TRLEP as a heritage item, and a review of the AHIMS online database confirmed the presence of four (4) Aboriginal heritage sites in the vicinity of the study area (refer to Appendix C).

An extensive search of the AHIMS database confirmed that none of these sites are located within the project boundary and will not be impacted both during and following the subdivision construction.

There are no items of European heritage located on the site, and the development is not considered to impact on any heritage value within the area.

5.16 Tamworth Local Strategic Planning Statement 2020 (Blueprint 100)

The proposed development aligns with the strategy of the Tamworth Local Strategic Planning Statement (Blueprint 100) of reaching a population of 100,000 residents by 2041 by contributing to the supply of land for housing, and in particular the supply of 2,000 square metre lots directly addresses the observed demand for land as per Table 1.1 of the LSPS.

The supply of land for housing within an existing developed area can help to optimise the use of existing infrastructure elements such as roads, water and sewer, whilst also growing the ratepayer base to generate additional income for capital and recurrent investment in Council infrastructure and services. The efficient use of infrastructure, particularly in the growth area of Hills Plains, is an identified priority of Blueprint 100 (Priority 2.2).

The proposed development utilises existing traffic corridors to the Tamworth CBD, and does not require substantial investment in infrastructure to provide connectivity to utilities and services.

The anticipated lower per/m^2 price for land in this area (compared to land in the CBD) provides for a more affordable housing choice without compromising amenity or access to the city, another key goal of Blueprint 100.

5.17 New England North-West Regional Plan, 2041

The proposed subdivision directly addresses Objective 13 of the New England North-West Regional Plan by providing for "*well located housing options to meet demand*". The plan states;

> *"A mix of well-planned infill, greenfield and rural residential locations will be essential. When developing local housing strategies, infill housing is to be prioritised as it takes advantage of existing infrastructure and services and is a more sustainable option. Infill development increases the viability of public and active transport and education facilities, while protecting valuable agricultural and environmental land. Local shopping centres also benefit from proximity to a larger base of customers."*

The proposed subdivision can be considered to meet the definition of infill development – it does not require any substantive infrastructure upgrades or extensions and utilises existing road networks, services and utilities connections.

The preservation and improvement of the riparian corridor outer vegetation zone also meets the goal of Objective 18 of the Plan; "*Public spaces and green infrastructure support connected, inclusive and healthy communities*". The plan states;

> *"Green infrastructure is the network of green space, natural systems and semi-natural systems that support sustainable communities and include waterways, bushland, tree canopy and open spaces that are strategically planned, designed and managed to support a good quality of life in an urban environment. Prioritising and integrating green infrastructure with development and the public realm is important for liveable and sustainable places."*

The riparian corridor and outer vegetation area can be viewed as an asset for the development, allowing for the creation of an extended network of protected natural green space.

6. Recommendation

On behalf of Atlus Property Pty Ltd, we recommend Tamworth Regional Council grant approval to the Development Application for the proposed subdivision of Lots 56, 57, 58 DP 1120933, located at 542 Moore Creek Road, Moore Creek.

A detailed assessment of the proposal against the requirements of all relevant environmental planning instruments has been completed, and in our opinion the proposal satisfies all statutory and planning objectives and requirements, and we request that Council advises us of their favourable determination subject to the inclusion of reasonable and relevant conditions.

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.

Yours faithfully

KELLEY COVEY GROUP

[redacted]

Matthew Ferris
Senior Engineer
B Eng, Ad Dip Mgt.

Appendix A –Waterway Crossing and Vegetation Management Plans (prepared by Stephen Cotter)

Appendix B – Preliminary Site Investigation (prepared by EnviroScience Solutions)

Appendix C – AHIMS Reports (Basic and Extensive)

Appendix D – Biodiversity Assessment Report (Prepared by Stephen Cotter)

Appendix E – Proposed Subdivision Layout

Appendix F – Subdivision Staging Plan

Appendix G – Servicing Strategies

Appendix H – Traffic Impact Assessment