
Statement of Environmental Effects

Proposed Development | **Dwelling, including Boundary Adjustment**

Property Address | **13-15 Dawson Street, Melinga NSW 2430**

Property Owner | **R Farrell**

Lot/DP | **Lots 28 & 29 DP 6720**

5 December 2024

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1. Summary

1.1. Overview

This proposal seeks development consent for a boundary adjustment to consolidate two (2) rural allotments located at 13 and 15 Dawson Street, Melinga. The proposal also seeks consent for the construction of a new dwelling on the proposed consolidated lot.

The proposed development is consistent with the objectives of the Greater Taree Local Environmental Plan 2010, however seeks a variation to a development standard pursuant to clause 4.6 variation to allow the erection of a dwelling upon land that does not possess a dwelling entitlement.

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.

1.3. Background

A concept for the proposed development was presented to MidCoast Council's Development Assessment Panel at a pre-lodgement meeting held on 3 September 2024. Council advised that a development application would need to be accompanied by a clause 4.6 request to vary development standard, as well as a wastewater report. The proposal would be required to consider the site's constraints including bushfire, wastewater disposal and access.

No previous building or development approvals have been issued on either of the allotments.

2. Site Description

2.1. Site Details & Description

Property Address:	13-15 Dawson Street MELINGA NSW 2430
Land Description:	Lot 28 & 29 DP6720
Zoning:	RU1 –Primary Production Zone
Site Area:	Total Area 4086m ²
Owner:	R Farrell

The subject land (the ‘site’) comprises land described as Lots 28 & 29 DP 6720 and is located at 13-15 Dawson Street, Melinga NSW 2430. The allotments are located approximately 10km north-east of Taree, the nearest regional centre.

The allotments are zoned RU1 Primary Production under the provisions of the Greater Taree Local Environmental Plan (LEP) 2010 and have a combined site area of approximately 4086m².

The regular shaped lots are bound by Dawson Street along their south-western (front) boundary. Surrounding land in all directions comprise similar sized rural zoned allotments. A large RU4 zoned parcel of land is located to the south of the site.

The site is predominately vacant with only ancillary structures, associated with the existing dwelling at 11 Dawson Street, comprising dog kennels (domestic use only) and fencing within Lot 28.

The land is characterised by an open grassland with a relatively level landform. The land comprises a gentle fall of 2% from west to east across the site. Vegetation on the site consists of grasslands.

The site is classified as being bushfire prone land, however is not identified as being flood prone. A locality map and landuse zoning map depicting the subject land is provided in Figures 1 and 2 below.



Figure 1 – Site Locality Plan [source: Midcoast Council online mapping]



Figure 2 – Site Landuse Zoning Map

[source: Midcoast Council online mapping]

2.2. Site Context and Surrounding Area

Melinga is a small rural settlement located between Taree and Lansdowne, on the NSW Midnorth Coast. The settlement of Melinga is located on the eastern side of Lansdowne Road, a local road which extends north from Taree within the Midcoast Council Local Government area. Development in the locality predominately consists of single dwellings on small parcels of rural zoned land within a grid-style layout. The settlement is surrounded by rural lands containing agricultural activities.

The settlement comprises thirty-six (36) small rural zoned lots ranging in size from 1296m² – 5240m². The majority of these lots are vacant with thirteen (13) lots within the settlement containing established dwellings.

Allotments within the Melinga settlement are accessed via two unsealed local roads, Dawson Street and Station Street, and Lansdowne Road which is the main sealed road which runs north-south through the settlement. The lots have access to reticulated power and a domestic waste services. No connection to reticulated water or sewer is available within the settlement.

The subject site is located at the eastern end of Dawson Street. Plates 1 and 2 depicts the existing site conditions and context associated with the development site. Plate 3 depicts the conditions of Lot 28 and 29.



Plate 1 – Looking East along Dawson Street from its intersection with Lansdown Road



Plate 2 – Looking West along Dawson Street from the frontage of 11 Dawson Street, Melinga



Plate 3 – 13-15 Dawson Street Melinga, Looking North from the Dawson Street frontage

2.3. Topography, Soils Characteristics and Vegetation

The landform comprises a relatively flat landform with a gentle fall across the site from the south-west to north-east, with an average slope of 2%.

The predominant site soils are characterised by moderately deep, imperfectly drained Brown Kursols on well to imperfectly drained side slopes. Topsoils in this location comprise brownish black earthy loam, brown hard setting bleached loam and brown prismatic clay subsoils.

The allotment is not identified as containing Acid Sulfate Soils, pursuant to Acid Sulfate Soils (ASS) maps contained within the Greater Taree Local Environmental Plan 2010. However soil analysis undertaken as part of the Wastewater Assessment Report prepared by Rosewood Environmental in **Appendix B**, identified the presence of ASS. This report provides mitigation measures to manage ASS during construction.

Vegetation on the site comprises only grasses. The site contains one tree on the south-western boundary of Lot 28, adjacent to the street frontage.

2.4. 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.

2.5. Essential Services

The subject land has access to reticulated electricity supply along the Dawson Street frontage, to which the existing dwelling on adjoining Lot 27 (11 Dawson Street) is connected.

The site does not have access to reticulate water or sewage services. As detailed in **Appendix B**, the proposed dwelling is capable of connecting to water tanks for the supply of domestic water and an onsite wastewater system.

The site is currently provisioned with a domestic waste collection service.

2.6. Easements and Restrictions on Title

The subject allotment is unburdened by any easements or restrictions on title.

2.7. Site Access

The site gains legal access directly from Dawson Street, however the existing road adjacent to the boundary is currently unformed. Plates 4-6 below depict the existing conditions within the Dawson Street road reserve, adjacent to the frontage of 11-15 Dawson Street.

Suitable sight distances >100m are available in a westerly direction from the frontages of these properties.



Plate 4 – Existing road conditions and access to 11 Dawson Street



Plate 5 – Existing site conditions of Dawson Street, adjacent to the frontage of 11-15 Dawson Street



Plate 6 – Existing site conditions of Dawson Street, adjacent to the frontage of 15 Dawson Street

2.8. Hazards

2.8.1. Bushfire Hazard

The site is identified as being mapped as bushfire prone land on maps held by Council and the NSW Rural Fire Service. A map depicting the subject land within the bushfire prone area is provided in Figure 3 below.



Figure 3 – Bushfire Prone Land Map

[source: MidCoast Council online mapping]

2.8.2. Flooding

The site is not identified as being within a “flood planning area” as defined by Greater Taree LEP and on maps held by Council.

2.9. Heritage

2.9.1. European Heritage

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

2.9.2. Aboriginal Heritage

An AHIMS search for the site did not identify any Aboriginal sites or places on the land. The site is not known to be an area of significance for local indigenous people.

3. Proposed Development

3.1. Proposal overview

The proposal seeks consent for a boundary adjustment to consolidate Lots 28 and 29. Consent is also being sought for the construction of a single dwelling on the proposed consolidated lot.

A Plan of Subdivision for the consolidated lot and architectural plans for the proposed dwelling are provided in **Appendix A**. A description of each element of the proposal is detailed below.

3.2. Lot consolidation

In order to provide a usable building envelope and to conform to the settlement pattern in the surrounding area, it is proposed that Lots 28 and 29 be consolidated. The proposed new lot will allow for a dwelling to be centrally located on the site and ensure the proposed dwelling is suitably setback from the street frontage and side boundaries.

Given the site is not connected to reticulated sewage, the proposed dwelling is reliant upon an onsite wastewater treatment system. This system will require a sizeable land application area to be accommodated within the proposed lot.

The proposed consolidated lot will comprise an area of 4046m².

3.3. Dwelling

The proposed dwelling will be located in the southern portion of the consolidated lot. The dwelling is a conventional style home comprising four (4) bedrooms, two (2) bathrooms, open plans living, kitchen and dining areas, rumpus room, media room and a separate water closet. The proposed dwelling has a gross floor area of approximately 214.6m².

The built form is single storey and includes a covered patio area extending from the northern elevation. The proposed dwelling includes an attached garage which will accommodate two (2) vehicles.

The proposed dwelling is constructed using slab on ground construction with hip and gabled pitched roof design. Materials include brickwork, timber posts and metal roof sheeting.

3.3.1. Extension of Dawson Street

The site has existing legal access to Dawson Street along its south-western boundary, however this section of Dawson Street is unformed and does not provide suitable physical vehicle access to the site.

The proposed development seeks to formally extend the roadway, adjacent to existing Lot 28. The proposed road extension comprises a length of approximately 28m from the end of the existing formed roadway, extending just past the new driveway associated with the proposed dwelling. The proposed road extension will be constructed to Council Aus-Spec Standards, comprising an unsealed surface consistent with the existing finished surface of Dawson Street.

The existing unformed road reserve in Dawson Street adjacent to Lot 28 contains grasses and scattered trees. Minor tree removal is required to facilitate the extension of the roadway.

An open stormwater culvert is located on the southern side of Dawson Street. The proposed road extension will be designed to fall surface water to this culvert and extend the culvert if required.

Vehicle access to the proposed dwelling will be via a proposed driveway extending adjacent to the western corner of the site at the Dawson Street frontage. Both the internal driveway and external driveway crossover will be formed to Council's rural driveway standard.

It's anticipated that further road design will be submitted for these works, subject to a Public Engineer Works Permits, to be approved by Council should consent for the proposed development be granted.

3.4. Services

The proposed consolidated lot will be capable of connecting to reticulated electricity and a domestic water supply will be provided via tank water. The proposed new lot is also capable of being provisioned with a domestic waste collection service.

Onsite sewage management

The proposed consolidated lot will have sufficient space to accommodate an onsite wastewater management system. A detailed Wastewater Management Report, prepared by Rosewood Environmental Consultants, is provided in **Appendix B**. This report demonstrates the capability of the proposed allotment to comply with the relevant wastewater requirements for onsite wastewater management.

Appendix E of the Greater Taree DCP 2010 contains the *Greater Taree Council's Development Assessment Framework (GTC DAF) for On Site Sewage Management*. The DAF provides opportunities for a streamlined development assessment process for development applications, including development that involves an increase in building entitlements on unsewered sites. It is noted that in recent times the amalgamated Midcoast Council has prepared a *Development Assessment Framework (MCC DAF, 2020)* however this has not yet been formally adopted by Council.

The DAF framework establishes “*baseline standards for unsewered development that, where adopted, will provide Council with a high degree of confidence that (subject to correct operation and management) on-site systems will not cause detrimental impacts on ecosystems or human health*” (GTC DAF, 2012).

Figure 4 below shows the subject site mapped as having a “HIGH” and “VERY HIGH” hazard level pursuant to not the GTC DAF (2012) and MCC DAF (2020). This is likely due to the highly erodible soils, presence of run on and seepage and low permeable clay soils.

The proposed dwelling will be serviced by an AWTS to treat wastewater to a secondary treatment level, with a subsurface irrigation area comprising 295m².

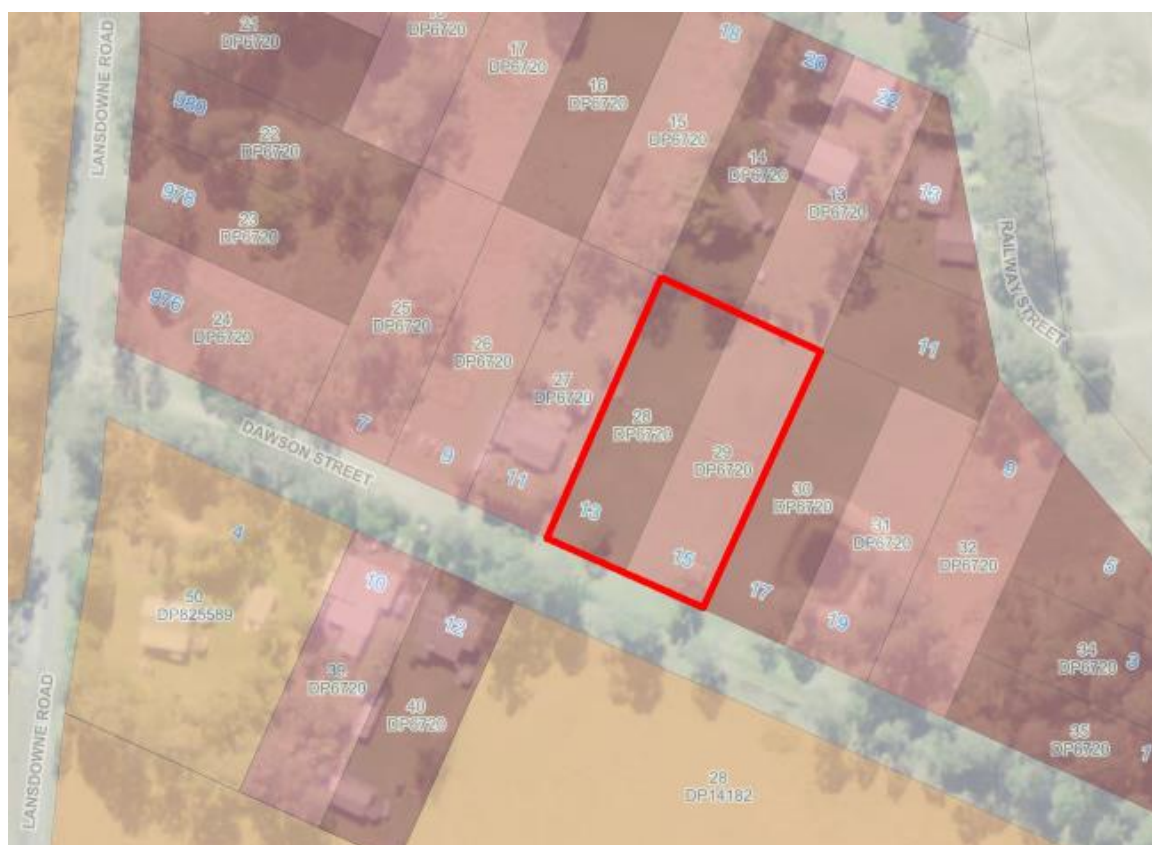


Figure 4 – Map showing the site as “High” and “Very high” hazard, pursuant to Council’s DAP Hazard Mapping
[source: Midcoast Council online mapping]

4. Planning Controls & Environmental Assessment

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

The objects of the EP&A Act 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 good design that is undertaken with careful consideration of the site's constraints. 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 identified as being bushfire prone land. A bushfire assessment considering the bushfire hazards has been prepared using the NSW Rural Fire Service's Building in Bushfire Prone Area Single Dwellings Application Kit and is provided in **Appendix E**. The bushfire assessment provides consideration of the proposal against the deemed to satisfy requirements of the NSW Rural Fire Services' Planning for Bushfire Protection 2019 guideline (PBP).

The assessment determines vegetation within the 140m of the dwelling to the north, west and south predominately comprise managed lands and remnant low threat vegetation. Suitable setback distances are available from the vegetation to the east, which is located 73m from the eastern elevation of the proposed dwelling. This would result in a BAL 12.5 level of construction for the eastern side of the proposed dwelling.

However this area of forest vegetation is considered to meet the exclusion requirements of Section A1.10 Low Threat Vegetation of the PBP. This area of forest comprises a single area of vegetation less than 1 hectare in area and greater than 100 metres separation from other areas of Category 1 or 2 vegetation. As such the BAL requirements of AS3959 are not required for this proposal. Figure 5 below depicts the area of forest vegetation to the east of the site comprising an area of 9,880m².



Figure 5 – Aerial image showing forest vegetation within 140m east of the dwelling, comprising an area <1ha.
[source: Google Earth]

4.3. State Environmental Planning Policies

4.3.1. State Environmental Planning Policy (BASIX) 2004

The *State Environmental Planning Policy (BASIX) 2004* is applicable to the proposal. A BASIX and NatHERS certificate for the proposed dwelling is provided in **Appendix C**. The certificate demonstrates compliance with the provisions and targets for thermal comfort, and water and energy efficiency as established by the SEPP.

4.4. Local Environmental Plan

4.4.1. Greater Taree Local Environmental Plan (LEP) 2010

The subject land is zoned RU1 Primary Production zone pursuant to the provisions of the Greater Taree Local Environmental Plan 2010 (LEP). The proposed development demonstrates compatibility with the predominant land use in the surrounding area. The average site area of allotments within the Melinga settlement is 2600m². The majority of all allotments within the Melinga settlement, including the subject site, are incompatible with the objectives of the RU1 zone which 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 permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.*
- *To maintain the rural landscape character of the land.*
- *To protect and enhance the native flora, fauna and biodiversity links.*
- *To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity.*

The existing land, due to its scale and site characteristics is not capable of supporting primary production activities. The land is already fragmented, with dwellings established on surrounding lands. The proposed development will not give rise to any matters associated with land use conflict.

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

Development standard	Comments
4.1 Minimum Subdivision Lot Size	<p>Allowable: 40ha</p> <p>Proposed: 4086m²</p> <p>The proposed subdivision (lot consolidation) does not comply with clause 4.1.</p> <p>See Appendix D- Clause 4.6 Variation to Development Standards</p>
4.2A Erection of dwelling houses on land in certain rural and conservation zones	<p>The proposed dwelling is on rural zoned land and does not meet the requirements of Clause 4.2A.</p> <p>See Appendix D- Clause 4.6 Variation to Development Standards</p>
4.3 Height of Buildings	N/A
4.4 Floor Space Ratio	N/A
4.6 Variation to Development Standards	<p>The proposed development seeks a variation to the clause 4.1 and 4.2A.</p> <p>See Appendix D- Clause 4.6 Variation to Development Standards</p>
5.21 Flood Planning	The subject land is not identified as being flood prone.
7.1 Acid sulfate soils	The site is not mapped as containing potential Acid Sulfate Soils. However soil analysis undertaken as part of the Wastewater Assessment Report in Appendix B identifies the presents of ASS. This report provides mitigation measures to manage the ASS during construction.
7.3 Earthworks	<p>Minor earthworks are required for the extension of the public road, and the foundations for the proposed dwelling.</p> <p>The proposed development will not impact on the stability of adjoining lands. Suitable measures will be undertaken to mitigate any potential impacts of erosion during construction.</p>

7.11 Essential services	The site is capable of being provisioned by all essential services including onsite sewage management, reticulate electricity and potable water via tanks.
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4.5. Development Control Plan

4.5.1. Greater Taree Development Control Plan 2010

The Greater Taree Development Control Plan 2010 (DCP) makes detailed provisions which are applicable to proposed development. The proposed development is consistent with the objectives of the DCP and is generally compliant with relevant provisions.

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

4.5.1.1. Part C- Subdivision Requirements

General Requirements	
C3.1 Site Hazards	<p>The site is not subject to flooding and is not identified as contaminated land.</p> <p>The site is classified as bushfire prone land being located within the 30m buffer area of Category 3 vegetation.</p> <p>The proposal will not necessitate the removal of any significant vegetation.</p>
C3.2 Road design and construction	The proposal includes a small extension to Dawson Street. These works are located wholly within the existing road reserve which is owned and managed by Council.
C3.3 Filling and levelling	Earthworks are required for the extension of the public road, and foundations for the proposed dwelling. No significant earthworks are required for the consolidation of lots 28 and 29.
Filling and levelling shall not adversely affect adjoining land and shall be carried out to Council's satisfaction, as indicated on approved engineering plans.	Earthworks will not impact on adjoining lands. Earthworks will be predominately carried out within the road reserve and will be subject to additional approvals, should consent be granted for the proposal.
Levels shall generally be adjusted so that lots drain to the street and/or the stormwater drainage system.	Stormwater drainage will be included within the road design to ensure surface water from the road is conveyed

Where required, a system of inter-allotment drainage shall be installed to prevent ponding of water, or intensification of runoff on the adjacent land.	<p>to Council's stormwater drainage infrastructure in Dawson Street. No inter-allotment drainage is proposed.</p> <p>Suitable engineering drawings will be provided subject to the PEWP.</p> <p>The proposal ensures that there will be no impact from stormwater to adjacent properties.</p>
Erosion control and sediment control principles shall be implemented in accordance with Part G of this DCP.	Erosion and Sediment Control Plans will be provided with an application for a Subdivision Works Certificate, prior to the construction of the road.
C3.4 Services	The site is capable of connecting to all essential services including water, sewer and electricity.
All lots to be created in unsewered areas must be provided with suitable means of effluent disposal in accordance with the requirements of Council's Onsite Sewage Development Assessment Framework (DAF 2012) in Appendix E.	<p>The site is mapped as a "very high hazard" area pursuant to Councils DAF in Appendix E of the DCP. A minimum of 4000m² of useable land is required for the subdivision of land in unsewered areas.</p> <p>A detailed wastewater report has been provided in Appendix B which demonstrates the new lot's capacity to manage wastewater.</p>
Adequate buffers should be maintained between utilities and houses to protect residential amenity and health	Consideration has been given to ensuring the proposed new allotment contains a building envelop with suitable buffers to protect residential amenity and health of occupants.
The provision of utility services should not detrimentally impact on the landscape character of an area, or detrimentally impact vegetation corridors.	Utility services associated with the proposed new lot will be located in trenches and will not be detrimental to the landscape.
C3.5 Drainage	<p>The land is suitable site that is can adequate dispose of stormwater onsite via a level spreader.</p> <p>The proposed subdivision will not result in any water quantity or water quality impacts.</p>

C3.6 Existing development and heritage	The proposed subdivision is not located within a heritage conservation area. The subdivision conforms with the subdivision pattern of the surrounding area.
C3.7 Environmental protection	<p>The proposal does not require the removal of any significant vegetation. The site predominately comprises grasses. A few scatter remnant trees, in poor health, located within the road reserve will be removed to extend the road.</p> <p>It is unlikely any significant ecological impacts will be attributable to the proposed consultation of lots.</p>
C3.8 Landscaping	No landscaping has been proposed for the development, consistent with the existing streetscape.
C4.1 Residential subdivision – The proposed boundary adjustment is on RU1 zone, subject to assessment via C4.2, however given the nature of the proposed subdivision, an assessment of C4.1 has been undertaken below.	
Site frontage shall be sufficient to permit vehicular and pedestrian access to the site.	The site frontage of the proposed lot will provide suitable vehicle access and maintain the existing amenity of the streetscape.
Lots shall be of suitable dimension and orientation to ensure good solar access to future development. On roads running north-south, lots may need to be widened to provide for solar access and prevent overshadowing of dwellings and private open space	The proposed allotment has been designed and orientated to ensure suitable solar access for the proposed dwelling. Living spaces can easily achieve passive solar access.
Residential development will only be considered where reticulated water and sewerage is available to the proposed subdivision.	The proposed boundary adjustment is located in a rural area with no access to reticulated water and sewer. The proposed lot is capable of being provisioned with water via tank supply and an onsite sewerage management system.
Each lot should have a depth to frontage ratio sufficient to avoid the possibility of 'gun barrel' type development and permit development to respond to particular site circumstances such as orientation, topography etc.	The proposed allotment is designed with sufficient dimensions, including a suitable width for street frontage.

Lots should be designed to allow the construction of a dwelling with a maximum cut or fill of 1m from the natural ground level.	The site contains a gentle slope of 2%. The proposed lot is capable of achieving a level building platform without the need for excessive cut and fill.
C4.2 Rural and Environmental Areas	
Subdivision of escarpments, ridges, and other visually interesting places should be managed in such a way that the visual impact rising from development on newly created allotments is minimal.	N/A -The proposed boundary adjustment is not located on an escarpment of prominent ridge. The development will not result in any adverse visual impacts upon the surrounding area.
A maximum of three (3) allotments may gain access from a right of carriageway. A right of carriageway will only be acceptable	N/A – No right of carriageways proposed.
A frontage of not less than 200m shall be provided to any arterial road.	N/A -The proposed lot is not located on an arterial road.

4.5.1.2. Part D- Environmental Requirements

D1 Coastline management	The site is not identified as being within a 'Coastal Hazard Area'.
D2 Environmental buffers	The site is not identified as being within a mapped environmental buffer.
D3 Earthworks, Erosion and Sedimentation	<p>The proposal will not result any significant excavation works.</p> <p>Erosion and sediment control measures will be implemented before and during any construction works associated with the proposed development.</p>

4.5.1.3. Part G- Car Parking and Access Requirements

General Requirements	
Car parking spaces will not be permitted closer than 3m to the street alignment in residential areas and 6m to the street alignment in industrial areas. Wherever practical a minimum	The car parking space associated with the proposed dwelling will be located 15.6m from the street frontage.

3m set back will also be applied in commercial areas.	
The minimum width of an enclosed garage shall be 3m. The garage opening may be a minimum of 2.6m provided the width is sufficient to allow convenient access to and from the garage in accordance with the design car turning path.	The proposed garage is 6.5m wide.
Combined entry/exit driveways are to have a minimum width of 6m and singular driveways (separate entry/exit ways) are to have a minimum width of 4m, unless otherwise specified.	The proposed dwelling will be accessible via a separate 4m wide driveway, extending from Dawson Street.
Hardstand areas should be minimised, but where used shall be concrete or bitumen and, where soil conditions and vehicular traffic permit, be substantially constructed using semi-pervious materials.	A Hard stand area is proposed within the front setback to establish a suitable turning circle for bushfire and emergency vehicles. The proposed hard stand will be constructed to Council's rural driveway standard.
G1.1 Location of Driveways	
<p>A vehicular driveway, entry and/or exit, which crosses the edge of the carriageway and the property boundary, shall:</p> <ul style="list-style-type: none"> a. Be clear of all obstructions which may prevent drivers from having a timely view of pedestrians; b. Be located such that any vehicle turning from the street into it or into the street from it can be readily seen by the driver of an approaching vehicle in the street; c. Be constructed in accordance with Australian Standard AS2890.1 Parking Facilities – Off Street Car Parking. 	<p>The proposed driveway associated with the proposed dwelling has been located to comply with these provisions.</p> <p>A suitable line of sight of >100m distance in a westerly direction is available from driveway at the street frontage and is clear of obstructions.</p>
G1.3 Parking requirements for Specific land uses	
Any new consent or consent to alter, enlarge, convert or increase the capacity of any building or the use of any land shall make provision for off-	The proposal makes provision for two (2) car space accessed via a 4m wide driveway.

street vehicular parking in accordance with the table.

Dwelling = 1 space behind building line and a minimum 3m wide driveway.

4.5.1.4. Part H- Residential Requirements

H2 Primary residential requirements	
H2.1 Site coverage and lot requirements	The maximum site coverage of the development will be significantly less than 65%.
H2.2 Building setbacks	The proposed dwelling is consistent with the objectives specific for residential building setback.
H2.3 Building height	
The lowest floor level of all development shall not be greater than 1m above natural ground levels at any point.	N/A -The proposed dwelling is single storey with a floor level <1m above ground level.
In areas mapped as having a permitted building height of 8m or 8.5m, development shall contain not more than two storeys at any given point	The proposed dwelling is single storey and does not exceed 8.5m in height above the existing ground level.
In areas mapped as having a permitted building height of 8m or 8.5m, the maximum height to the point of intersection of wall and eaves lines is to be 6m above the corresponding lowest storey at any point along the line of external walls.	The proposed dwelling is consistent with this provision.
H2.4 Car Parking and Access	
Garages and driveways do not dominate the street facade of the development.	The proposed garage associated with the dwelling has been designed to ensure it will not dominate the street façade. The garage is suitable setback from the street frontage.
Hardstand areas should be minimised and, where soil conditions permit, be substantially constructed using semi-pervious materials to reduce water run-off and increase soil absorption.	Hard stand areas associated with proposed driveway will be constructed to Council's rural driveway standard.

Design for vehicle access and parking should in every instance take into account: <ul style="list-style-type: none"> • The size and number of dwellings proposed • The provision of on-site car parking that is easily accessible by visitors • The effect of sloping land in reducing parking opportunities • The safety of pedestrians, cyclists and vehicles • Efficient use of car spaces and access ways including manoeuvrability for vehicles between the street and the lot. 	The proposed dwelling is consistent with this provision.
Driveways in all cases are to be at least 3m wide and include an internal radius of 4m at the point where there is a change in direction. Applicants are also referred to the AS 2890.1 Off Street Car Parking Greater Taree DCP 2010	The proposed driveway is 4m wide and is consistent with this provision. Additional provisions have been made to allow for access to the site for RFS Cat 1 vehicle and manoeuvring within the site.
H2.5 Private open space	Private open space (POS) areas associated with the proposed dwelling is connected to a living zone within the dwelling. The POS area will gain adequate solar access and ensure privacy for occupants within a usable area.
H2.6 Solar access and overshadowing	The proposed dwelling will not result in any significant overshadowing on adjoining lands. A minimum of 3 hours of solar access for adjoining lands will be provided in winter months.
H2.7 Acoustic and visual privacy	There is not likely to be any significant visual or acoustic privacy impacts associated with the proposal.
H2.8 Views	The proposed development is setback 15.6m from the street frontage and not likely to cause any significant impediments on existing views and vistas.
H2.9 Safety, security and entrances	The proposed development raises no adverse safety and security issues.
H2.10 Front Fencing	No front fencing is proposed as part of this proposal.
H3.1 One and two storey single detached dwellings	
The minimum primary street boundary setback is 5m. However, where	The proposed dwelling is located 15.6m from the primary street frontage.

adjacent residential development is closer to the front boundary	
Side and rear setbacks are to be a minimum of 900mm for single storey development	The proposed dwelling is single storey and setback >900mm from side boundaries.
The garage door (regardless of the frontage of the site) shall achieve a minimum setback of 5m from the relevant street frontage.	The proposed garage is located >5m from the primary street frontage.
Car parking is to be provided at the rate of 2 off street parking spaces	The proposed dwelling provides 2 car parking spaces within an attached garage.
A minimum of 80m ² of private open space directly linked to the principal living areas, with minimum dimensions of 6m x 4m is to be provided.	Private open space (POS) areas associated with the proposed dwelling will occupy an area >80m ² .
H4.1 Ancillary Development	
All ancillary structures and outbuildings should be of a quality construction and have minimal visual impact on adjoining properties.	The proposed detached shed will be constructed of steel, dark grey in colour and located in the rear yard behind the dwelling. The shed will have minimal visual impact on adjoining lands.
Ancillary structures and outbuildings are to be positioned to optimise backyard space and may not be located within the required soft soil landscaping requirement.	The proposed detached shed is located on a rural allotment and will not impact on rear yard space.
Ancillary structures and outbuildings are to be single storey.	The proposed detached shed is single storey with an overall height of 4.34m.
The maximum wall height for ancillary structures and outbuildings is 3m and the roof height is not to exceed 4.8m at any given point.	The proposed detached shed has a wall height of 3.6m with an overall height of 4.34m. A minor variation is sought to this provision which is considered reasonable given the structure is located at the rear of the dwelling and will have minimal visual impact on the streetscape. The proposed shed is consistent with existing ancillary development in the area.

4.5.1.5. Part J- Rural and Environmental Zone Requirements

Development standard	Comments
J1.1 General	
Rural development must not reduce the potential of the land for agricultural production.	The proposed development has been suitably setback from boundaries and will not conflict with any agricultural activities on adjoining lands. The site itself also has no potential for agricultural production.
Rural development is not considered appropriate where the slope exceeds 18°	The proposed development is not located on a landform which exceeds a slope of 18 degrees.
Development affecting sites of high scenic value and visual prominence: <ul style="list-style-type: none"> • Are to include screening and be constructed of suitable materials to complement the landscape; and • may not be constructed of highly reflective materials 	The development site comprises a relatively level landform and will not create any adverse impacts on the scenic amenity of the area. The dwelling is suitably setback from the street frontage and all boundaries.
All development in rural locations will require a suitable system for the treatment and disposal of effluent in accordance with Council's Onsite Sewage Development Assessment Framework (DAF 2012).	The proposed development will be connected to an onsite wastewater system compliant with Councils requirements. A wastewater report is provided in Appendix B .
J1.2 Building Setbacks	
The minimum front street/road setback is 20m.	The proposed dwelling is setback 15.6m from the street frontage. A variation is sought to this provision given the setback conforms to similar setbacks to existing dwelling on adjoining lands. The scale of the site is not typically of rural zoned allotments. As such the reduced setback is consistent with the streetscape and character of the Melinga settlement.
Side and rear setbacks are to be a minimum of 10m.	The proposed dwelling is setback approximately 12.5m from the western (side) boundary, 15.8m from the eastern (side) boundary and 50.8m from the northern (rear) boundary.

J1.3 Car Parking and Access	
Garages and driveways do not dominate the character development.	The proposed dwelling includes an attached garage which is setback from the road frontage and will not dominate the character of the development.
Adequate space shall be provided for the safe manoeuvring and access of cars and heavy vehicles and shall demonstrate that such manoeuvring area is sufficient for the likely traffic requirement	The proposed car spaces are compliant with AS2890.1 and will provide for safe manoeuvring to/from and within the site.
All vehicles are to enter and exit the site in a forward direction.	The proposed access and car space arrangements will ensure all vehicles and enter and leave the site in a forward direction.
J2.1 Rural Dwellings	
Buildings in all rural zones shall provide a minimum front setback of 20m	<p>The proposed development is setback 15.6m from the street frontage.</p> <p>A variation is sought to this provision given the setback conforms to similar setbacks to existing dwelling on adjoining lands. The scale of the site is not typically of rural zoned allotments. As such the reduced setback is consistent with the streetscape and character of the Melinga settlement.</p>
Buildings in all rural zones shall provide a minimum side and rear setback of 10m	<p>The proposed dwelling is suitably setback from the site and rear boundaries.</p> <p>The proposed detached shed will be located 3m from the side (western) lot boundary. A variation is sought to allow a minor encroachment on the western side boundary. The proposed variation will not impact on the amenity, privacy or overshadowing of adjoining site users.</p>
Dwellings must be located to minimise the removal of existing vegetation.	The allotment has previously been cleared of trees. No vegetation requires removal.
Buildings should be visually unobtrusive in the overall landscape.	The proposed development has been suitably setback from all boundaries and has been designed to fit within the landscape. The proposal will not be visually obtrusive.

Buildings should complement the characteristics of the landform. Cut and fill shall be kept to a minimum.	Minimal earthworks are required for footings and services. The proposal will not result in excavation depths in exceedance of 0.5m. The development will not alter the existing landform.
The roofline of buildings should reflect the land profile within the vicinity of the development	The proposed development incorporates a conventional roof design. The dwelling is well balance and will complement the existing rural character of the area. External materials have been chosen to blend with the existing landscape.
All outbuildings must be ancillary to an approved use on the land on which it is situated	The proposed development includes a detached shed for storage of personal equipment and other household item. A shed is proposed ancillary the dwelling,
External wall cladding to outbuildings shall be of masonry, colorbond sheet metal or other approved material compatible with authorised existing development on the site and the character of the immediate environment.	External materials have been chosen to blend with the existing landscape which comprise masonry, colorbond and timber.
Roof cladding to outbuildings shall be of tiles, colorbond sheet metal or other approved material compatible with authorised existing development on the site and the character of the immediate environment.	The proposed shed will comprises metal cladding and roofing to complement the proposed dwelling.
The colours of roof and wall cladding shall be generally low reflective neutral/earth tones, compatible with authorised existing development on the site and environmentally sensitive, so as to minimise any possible adverse impact on the amenity of the area.	External materials have been chosen to blend with the existing landscape and will comprise masonry, colorbond and timber in earth tone/neutral colours.
The maximum floor area for rural outbuildings not used for the purposes of agriculture is 500m ²	The proposed detached shed will have a floor area comprising 72m ² .
On unsewered sites, effluent and household wastewater is to be	The proposed development will be connected to an onsite wastewater system compliant with Councils

disposed in accordance with Appendix E.	requirements. A wastewater report is provided in Appendix B.
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5. Likely Impacts

5.1. Social and Economic Impacts

The proposal involves the consolidation of two small rural zoned allotments and the construction of a new dwelling on the newly formed allotment. The development is a small green field development which is likely to have a positive socio-economic impact through its contribution to additional housing in Melinga.

The proposed development is unlikely to generate any adverse socio-economic impacts.

5.2. Environmental and Ecological Impact

The proposed development has been designed to minimise environmental disturbance by adopting effective safeguards to protect soil stability and water quality. The proposed development has been located and design to avoid and minimise earthworks. Some minor tree removal will be required for the extension of the roadway.

The proposal is unlikely to have a significant impact on nearby waterways, threatened species or endangered ecological communities in the local area.

5.3. Traffic & Noise

Suitable access is proposed for the new allotment via a small extension to Dawson Street adjacent to the frontage of 13 Dawson Street. The proposed driveway possesses adequate site distances from the property boundary.

The proposed development will not generate a significant increase in traffic movements. The proposed dwelling incorporates sufficient onsite car parking, compliant with Council's planning provisions.

The proposed development will not contribute to any significant long term noise generating aspects to the surrounding area, with the exception of temporary noise during the construction of the essential services.

6. Site Suitability & Public Interest

The site is considered suitable to accommodate the proposed development. The proposed new lot will have access to all essential services and will not impact upon the environment or amenity of adjoining lands. The proposed development is consistent with the objectives of all relevant legislative planning controls and is considered to be within the public interest.

7. Conclusion

Development consent is sought for a boundary adjustment to consolidate two small rural zoned allotments within the small rural settlement of Melinga. The proposal also includes the construction of a new dwelling on the consolidated lot.

The proposed development has been designed to minimise environmental disturbance and has been sensitively designed to conform to the attributes and development patterns of the surrounding area.

The proposal is compliant with the objectives of the Greater Taree LEP 2010, however seeks a variation to development standards, pursuant to the provisions of Clause 4.6 of the LEP. The variation is to allow the subdivision of land which does not comply with the minimum lot size requirements subject to Clause 4.1. A variation is also sought to clause 4.2A for the erection of a dwelling on rural zoned land. Justification for these variations has been provided in Appendix D which demonstrates that strict adherence to the development standards is considered unreasonable and unnecessary, given the site-specific parameters and merits of the proposal.

The proposal is consistent with the objectives and provisions of the Greater Taree DCP 2010 and relevant SEPP's, and is compatible with the character of the local area.

As demonstrated by this document, the proposed development is unlikely to have any significant environmental impacts with regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Appendix A Subdivision Plan and Plans for Proposed Dwelling

See attached

Appendix B Wastewater Management Report

See attached

Appendix C BASIX for Proposed Dwelling

See attached

Appendix D Variation to Development Standards Report

See attached

Appendix E Bushfire Assessment Report

See attached