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Statement of Environmental Effects

Proposed two (2) lot subdivision

Lot 551 DP 635385

17A Pacific View Drive, Hallidays Point

May 2025

Final

Prepared for
Mr T Williams

Project No: 24338

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1. INTRODUCTION

This Statement of Environmental Effects has been prepared in relation to a proposed two (2) lot subdivision of land at Lot 551 DP 635385, 17A Pacific View Drive, Hallidays Point.

The proposed development is local development and subject to assessment under Part 4 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The development is also integrated development, requiring a Bushfire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

The purpose of this Statement of Environmental Effects (SoEE) is to describe the proposed development and consider the potential environmental impacts of that development having regard to the matters for consideration under Section 4.15 of the EP&A Act.

1.1 Site Details

Address	17A Pacific View Drive, Hallidays Point
Lot / DP	Lot 551 DP 635385
Area	1.034 hectares
Current Uses	Dwelling House
Local EPI	Greater Taree Local Environmental Plan 2010
Zoning	R5 – Large Lot Residential

1.2 Site Description

The site is a battle-axe allotment on the southern side of Pacific View Drive, approximately 250 metres west of the intersection with Oakview Drive and 45 metres east of the intersection with Jacaranda Close.

The site has an area of approximately 1.034 ha and contains an existing dwelling house and detached carport in the northern part of the site.

A site locality map is at Figure 1.1.



Figure 1.1: Site Locality Map

1.2.1 Topography and Drainage

The site has a southern aspect with a gradual fall from Pacific View Drive (approx. 26m AHD) toward the southern boundary (approx. 9.5m AHD). Within the southern part of the site, the land has a gentle slope at approximately 5 degrees.

Review of NSW hydro line spatial data indicates that the site does not contain any mapped watercourses for the purposes of the *Water Management Regulation 2000*.

While stormwater presently disperses via overland flow toward the southern part of the site, it is understood that works are in progress to install drainage swales to manage stormwater runoff from recent benching and earthworks surrounding the existing dwelling. The drainage works are expected to involve construction of a landscaped berm around the benched area and existing dwelling, as reflected in the post development Stormwater Strategy (LSW, 2025) that accompanies the DA (refer to Section 4.3).

Construction of the landscape berm is expected to be completed prior to commencement of any subdivision construction works and does not form part of the proposed development.

1.2.2 Vegetation

Land within the site is largely managed as mown grass in conjunction with residential use (Photo 1.2).

Native vegetation is limited to six (6) isolated trees (Spotted Gum, *Eucalyptus maculata*) in the southern part of the site and approximately fourteen (14) trees within the access handle containing the existing driveway (Photo 1.1).

1.2.3 Surrounding Land Uses

Land to the north, east and west is occupied by similar large lot residential development containing established dwellings. An unformed road reserve (containing Homestead fire trail) adjoins the southern boundary separating the site from a large parcel of vegetated land that is contiguous with Darawank Nature Reserve.

1.2.4 Services and Infrastructure

Table 1.1 summarises the services and infrastructure available to the site.

Table 1.1: Services

Service	Availability
Access	Physical and legal access to the site is available via a battle-axe handle from Pacific View Drive. Pacific View Drive is a bitumen-sealed, two-lane road (Photo 1.3). The existing driveway has a gravel surface extending to a carport and open parking area at the eastern end of the existing dwelling (Photo 1.1).
Water	The site is serviced by reticulated water with PVC water mains located at the site frontage in Pacific View Drive.
Sewer	The site is in the Mid-Coast Council sewer district. An existing gravity sewer main traverses the site adjacent to the southern boundary (Photo 1.4).
Electricity	Overhead power is available in Pacific View Drive. Underground power is then provided from Pacific View Drive to the dwelling site via the access handle.
NBN and Communications	The site is serviced by National Broadband Network (NBN) fixed line infrastructure. It is understood that service availability would include Fibre to the Premise (FTTP) for new residential lots.

1.2.5 Site Photographs



Photo 1.1: Looking north from within the site towards Pacific View Drive showing the existing battle-axe handle and site access



Photo 1.2: Looking north-west from the southern boundary of the site across proposed Lot 5512 and showing the existing dwelling on the land to be retained on proposed Lot 5511



Photo 1.3: Looking east along Pacific View Drive at the site frontage



Photo 1.4: Looking east along the southern boundary showing neighbouring land at 19 Pacific View Drive

1.3 The Proposed Development

1.3.1 Subdivision

The proposed development involves the subdivision of existing Lot 551 DP 635385 into two (2) lots as follows:

- Proposed Lot 5511 – comprising the northern part of the site, with an area of approximately 4954m². Proposed Lot 5511 will retain the existing dwelling on the land with existing vehicular access via the shared battle-axe handle.
- Proposed Lot 5512 – comprising the southern part of the site, with an area of approximately 5390m². Proposed Lot 5512 will be vacant and have vehicular access from the shared battle-axe handle from Pacific View Drive.

The proposed subdivision is shown on a plan by LSW Surveyors, *Proposed subdivision of Lot 551 DP635385 17A Pacific View Drive, Hallidays Point* (Issue A, dated 07/02/2025). An extract of the subdivision plan is at Figure 1.2 on the following page.

1.3.2 Ancillary and Civil works

The proposed subdivision will require the following works:

- Upgrading of the existing property access road (shared driveway) to provide a 4m wide all-weather surface to achieve the acceptable solutions of *Planning for Bush Fire Protection 2019*.
- Construction of turning head and new driveway entry to the existing dwelling to be retained on proposed Lot 5511.
- Construction of a stormwater diversion swale within the access handle, and discharging as level spreader at the south-eastern corner of proposed Lot 5512 (refer to Stormwater Strategy);
- Installation of underground electricity, and water services from Pacific View Drive; and
- Installation of new sewer connection (traversing proposed Lot 5512) servicing the existing dwelling on proposed Lot 5511. The existing sewer junction would be retained to service future development on proposed Lot 5512.

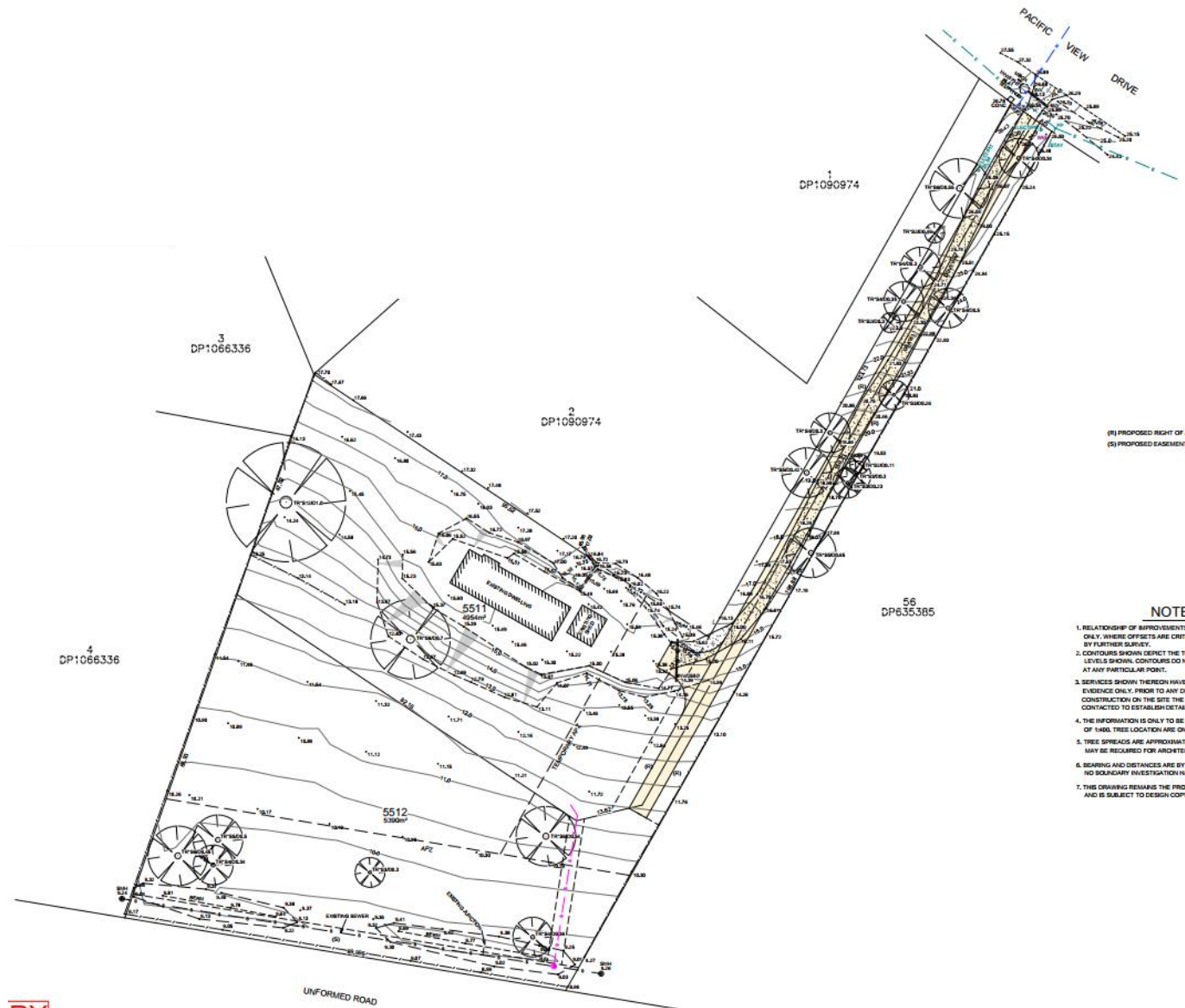


Figure 1.2: Extract of Proposed Subdivision Plan (Source: LSW Surveyors). Not to scale.

2. PLANNING PROVISIONS

2.1 Environmental Planning and Assessment Act 1979 and Regulation 2022

The provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) relate to the assessment of development and activities in NSW.

The proposed development is local development and subject to assessment under Part 4 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

This Statement considers the proposed development on economic, social and environmental grounds and takes into consideration the objectives of the EP&A Act. In this respect, the proposed development represents an orderly and economic use of available residential zoned land.

2.1.1 Integrated Development

Section 4.46 of the EP&A Act relates to Integrated Development. Integrated Development is development that, for it to be carried out, requires development consent and one or more additional approvals. In this case, an additional approval is required from the NSW Rural Fire Service under Section 100B of the *Rural Fires Act 1997* (RF Act).

A bushfire assessment has been prepared (ABAC, 2025) which addresses the relevant points as listed in Clause 45 of the *Rural Fires Regulation 2022* as necessary to obtain a bushfire safety authority for the development.

2.2 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) provides protection to threatened species, ecological communities and critical habitat in NSW. The BC Act, together with the Biodiversity Conservation Regulation 2017, establishes a framework to avoid, minimise and offset impacts on biodiversity from development through the Biodiversity Offsets Scheme (BOS).

As described in Section 4.1 below, the proposal would not result in the direct loss of any native vegetation and would not exceed the area clearing thresholds for entry to the BOS. Furthermore, the proposed development is unlikely to have a significant impact on any threatened species or communities listed under the BC Act when considered under the BC Act assessment of significance.

2.3 State Environmental Planning Policies

State Environmental Planning Policies that may be relevant to the proposal are considered in Table 2.1.

Table 2.1: Summary of State Environmental Planning Policies

SEPP / Chapter	Relevance to the proposal
State Environmental Planning Policy (Resilience and Hazards) 2021	
Chapter 2 – Coastal Management	The site is not mapped as a Coastal Management Area and is not subject to any development controls for the purposes of Chapter 2 of the SEPP.
Chapter 3 – Hazardous and Offensive Development	The proposed development does not involve potentially hazardous or offensive development.
Chapter 4 – Remediation of Land	The site is a residential allotment and contains an existing dwelling in the northern part of the land. The proposal retains the existing residential use and there are no apparent sources of contamination that would warrant further assessment under Chapter 4.
Other SEPPs	
State Environmental Planning Policy (Biodiversity Conservation) 2021	<p>Chapter 4 (Koala Habitat Protection) of the BC SEPP applies to land zoned <i>R5 – Large Lot Residential</i> in the Mid-Coast Local Government Area with an area ≥ 1 hectare.</p> <p>No approved Koala Plan of management applies to the land. Clause 4.9(3) of the BC SEPP provides that “if the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application”.</p> <p>The proposed subdivision does not necessitate the removal of any trees for the purposes of providing suitable dwelling sites on proposed Lot 5512 and does not further fragment koala habitat in the locality. The proposal will therefore have “low or no impact on koalas or koala habitat” and the preparation of a koala assessment report is not required.</p>

SEPP / Chapter	Relevance to the proposal
State Environmental Planning Policy (Planning Systems) 2021	N/A. The site is not a State Significant Development Site for the purposes of Schedule 2 of the SEPP. The proposal is not of a type, size or capacity that would be considered State or regionally significant development as described in Schedules 1 and 6 of the SEPP.
State Environmental Planning Policy (Transport & Infrastructure) 2021	The proposal will not impact any powerline easements for the purposes of Division 5 of the SEPP. The proposed development will not exceed thresholds for traffic-generating development under traffic Schedule 3 of the SEPP, with the land the subject of the DA having previously been part of an approved subdivision.

2.4 Greater Taree Local Environmental Plan 2010

The site is in the Mid-Coast Local Government Area and the relevant local environmental plan is the *Greater Taree Local Environment Plan 2010* (LEP). The site is zoned R5 Large Lot Residential under the LEP.

The proposal is for subdivision and is permitted with consent pursuant to Clause 2.6 of the LEP and relevant development standards.

Clause 2.3(2) of the LEP provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the R5 zone are:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposal provides a subdivision design which will facilitate residential housing in a rural residential setting, consistent with surrounding rural residential/large lot residential allotments. The proposal will have minimal environmental impact and will have minimal (if any) impact on the scenic quality of the locality.

The proposal is located within an existing rural residential estate and is unlikely to affect the development of urban areas in the future or unreasonably increase demand for public services or facilities. The proposal is consistent with an expected pattern of development for land within the R5 zone and will not cause conflict between land uses in the zone and adjoining land uses.

The proposal is consistent with the objectives of the R5 zone.

2.4.1 Development Standards

Table 2.2 summarises the relevant development controls applying to the site.

Table 2.2: LEP Compliance Table

Development Control	Control	Proposal
4.1 Minimum Lot Size	Minimum 4,000m ²	On completion of the proposed subdivision, the proposed lots will have approximate lot sizes as follows: <ul style="list-style-type: none"> Proposed Lot 5511 - 4954m². Proposed Lot 5512 - 5390m².
4.1A Subdivision of Certain Residential Lots	Proposed lots must be connected to reticulated water and sewerage systems.	Reticulated water and sewer are available to the site and each proposed lot will be connected to reticulated water and sewer.
4.6 Exception to development standards	Flexibility to development standards	N/A. The proposal does not seek any variations to development standards.
5.10 Heritage	Consideration of objectives	N/A. The site (and existing building) is not listed as an item of environmental heritage. The site is not in proximity to any listed items.
7.1 Acid Sulfate Soils	Class 5	The eastern part of the site (including the access handle) is mapped as containing Class 5 Acid Sulfate Soils. The proposal does not involve works below 5 metres AHD and is unlikely to result in the lowering of the water table. No ASS management plan is required.
7.3 Earthworks	Consideration of objectives	The proposed subdivision will involve only minor earthworks ancillary to the proposal, mostly to do with driveway upgrades, servicing and trenching. The proposal is consistent with the objective of Clause 7.3.
7.11 Essential Services	The following services that are <u>essential</u> for the development are available or adequate arrangements have been made to make them available: (a) the supply of water	The site has access to reticulated water.

Development Control	Control	Proposal
	(b) the supply of electricity	Overhead electricity is available in Pacific View Drive and will be extended to proposed Lot 5512 via underground power.
	(c) the disposal and management of sewage	An existing sewer main traverses the southern part of the site. Each proposed lot is capable of connecting to the existing sewer main. Easements for drainage of sewerage would be created over proposed Lot 5512 benefiting Lot 5511.
	(d) stormwater drainage or on-site conservation	<p>Stormwater will be managed in accordance with the stormwater strategy which accompanies the Development Application, including the incorporation of water sensitive design measures to ensure that post development loads of Gross Pollutants are to be reduced to 90%; and TSS, TN and TP are to be reduced to less than or equal to pre-developed pollutant loads.</p> <p>The strategy also achieves objectives for water quantity, with attenuation of post-development peak discharges to maintain existing flows for all storm events up to and including the 1% AEP rainfall event.</p> <p>Any future development on proposed Lot 5512 will be managed within the respective allotment via rainwater tanks and swales, before discharging as overland flow in a controlled manner.</p>
	(e) suitable vehicular access	The proposed lots will be accessed via the existing battle-axe handle from Pacific View Drive.

2.5 Greater Taree Development Control Plan 2010

Greater Taree Development Control Plan 2010 (DCP) applies to the proposed development.

2.5.1 DCP Part C – Subdivision Requirements

Part C3 of Greater Taree Development Control Plan 2010 (DCP) provides design guidance and standards for subdivision in all zones. Compliance with the controls of Part C3 of the DCP are summarised in Table 2.3.

Table 2.3: Summary of Environmental Considerations

DCP Section		Relationship of development to criteria
C3.1	Site Hazards	
1.	<i>Where roads and other engineering works are to be carried out, engineering plans must be lodged with the application. For detailed engineering and construction requirements for subdivision, reference should be made to Council's Auspec Development Specification. Applicants are advised to consult with Council's engineers prior to lodging an application.</i>	No new roads are proposed under this development application. Access is to be via the existing battle-axe handle from Pacific View Drive which will be upgraded to achieve the requirements of Planning for Bush Fire Protection 2019 (4m wide all-weather surface).
2.	<i>Should the subdivision be likely to have an impact on any threatened species, populations or ecological communities, a Species Impact Statement will be required. A 7-part test will be required to be submitted with the subdivision application to indicate likely ecological impacts.</i>	The proposal does not result in any removal of native vegetation that would provide habitat for threatened species, populations or communities listed under the BC Act or EPBC Act. Further biodiversity impact assessment is not warranted.
3.	<i>Where native vegetation is to be impacted, an ecological assessment, carried out by a qualified ecologist, is to be submitted with the application and the relevant approvals are to be sought.</i>	As per above row. The proposal does not involve removal of any native vegetation.
4.	<i>Where a subdivision proposal is located on bushfire prone land, the applicant shall comply with Planning for Bush Fire Protection Guidelines produced by the NSW Rural Fire Service.</i>	A Bushfire Assessment (ABAC, 2025) accompanies the development application.
5.	<i>Where a subdivision proposal requires an on-site sewage management system to dispose of effluent, the applicant shall comply with the Development Assessment Framework in Appendix E.</i>	N/A. The site is connected to reticulated sewerage.

DCP Section	Relationship of development to criteria
6. <i>The establishment of asset protection zones within environmental zones shall be avoided.</i>	All asset protection zones (APZs) will be within the development site.
7. <i>Where a subdivision proposal is on land identified as being potentially subject to landslip, the applicant shall engage a geotechnical consultant to prepare a report on the viability of subdividing the land.</i>	The land is not identified as being potentially subject to landslip.
8. <i>In areas suspected to contain contaminated land, Council may require the completion of a preliminary site investigation prior to considering an application to subdivide. Should contamination be found, Council will require a detailed site investigation carried out in accordance with the Department of Environment and Climate Change guidelines for Consultants Reporting on Contaminated Land, followed by any remedial action plan, validation and monitoring as required. A site audit statement prepared by an accredited site auditor will be required on completion of remediation.</i>	The land is not identified as being contaminated.
9. <i>In areas subject to flooding and inundation, subdivision of land will not be permitted where any lot to be created will be fully inundated by a 1% flood and the creation of such a lot will create potential for increased intensity of development on flood prone land. In assessing whether or not land will be wholly inundated by 1% flood, Council will disregard any proposals for filling that land.</i>	The land within the site is not known to be subject to flooding or inundation under EPI flood planning maps.
10. <i>In areas subject to coastal hazard, subdivision design shall take into account the likelihood of short and long-term coastal recession, and dune transmigration.</i>	The subject site is not affected by coastal hazards or erosion.
C3.2 Road design and construction	
1. <i>Road and access way construction should take account of existing topography, vegetation, open space systems and natural constraints. Cut and fill should be minimised, and vegetation retained wherever practicable.</i>	No new road is proposed under this development application. Access is to be via the existing battle-axe handle from Pacific View Drive. The existing access traverses relatively flat land with minimal constraints for upgrading. Existing trees appear capable of being retained and minimal (if any) cut and fill would be required to upgrade that access in accordance with the recommendations of the Bushfire Assessment.
2. <i>In cases where the road is to serve a dual function, i.e., where the road may be required to act as a drainage floodway, flows should be</i>	N/A

DCP Section	Relationship of development to criteria
3.	<p>Unless specified elsewhere in this Part, the configuration of roads shall accord with Council's Auspec Design Specification and other approved standards referenced therein. Pavement widths, depths and similar requirements are contained in this document.</p> <p>No new road is proposed under this development application.</p> <p>Access is to be via the existing battle-axe handle from Pacific View Drive.</p>
4.	<p>Streets should not operate as through traffic routes for externally generated traffic.</p> <p>There are no new streets to be created via the proposal and no potential for creation of any through traffic route.</p>
5.	<p>Access from individual lots to major roads should be minimised. The use of minor roads for such access is desirable wherever practicable.</p> <p>While Pacific View Drive is not a major road, access to the proposed allotments will be available via the existing battle-axe handle from Pacific View Drive.</p>
6.	<p>The applicant shall be responsible for connecting new to existing road construction. Where a subdivision adjoins an existing road of a standard less than Council's current standard, full-width or half-width plus 3m road pavement construction, kerbing, footpath, and ancillary drainage shall be provided along the full length of the frontage to approved standards.</p> <p>If Council identifies any works which might be required at the site frontage to Pacific View Drive, it is assumed that any such works will be included as conditions of any development consent.</p>
7.	<p>All roads to be dedicated to Council are to be constructed to Auspec Design Specification Standards.</p> <p>The proposal does not involve any new road construction and/or dedication of any roads to Council.</p>
8.	<p>Roads and lots should be located so that residential dwellings are not subjected to unacceptable traffic noise.</p> <p>Traffic within the site will be limited to existing and future residents' vehicles. There is no potential for unacceptable traffic noise impacts on future residential buildings on the proposed allotments or neighbouring allotments.</p>
9.	<p>Street name signs shall be erected at the junction of all roads in the subdivision in accordance with Council's guidelines. Proposed street names shall be submitted to Council for approval prior to use.</p> <p>N/A. The proposal does not involve any new road construction.</p>
10.	<p>The road network should facilitate walking and cycling within the neighbourhood and pedestrian and cycleway connections to local activity centres.</p> <p>N/A. No new roads proposed.</p>
11.	<p>The alignment of footpaths should allow safe and convenient use by pedestrians and cyclists and should be variable enough to accommodate trees and other significant features.</p> <p>N/A. No new public roads/footpaths proposed.</p>

DCP Section		Relationship of development to criteria
12.	<i>Pedestrian and cyclist paths should be constructed to provide a stable and attractive surface for projected users which is easily maintained and meets the criteria of Crime Protection Through Environmental Design (CPTD).</i>	N/A. No pedestrian or cycle paths proposed.
13.	<i>Bus routes and stops to be provided in accordance with the required standards.</i>	N/A
C3.3 Filling and Levelling		
1.	<i>Siteworks are to be planned to allow topsoil to be stripped, stockpiled and reused on the site. No soil is to be removed from the site without consent.</i>	There are no bulk earthworks that would necessitate stripping and reuse of top soils. No removal of soil is expected.
2.	<i>Filling and levelling shall not adversely affect adjoining land and shall be carried out to Council's satisfaction, as indicated on approved engineering plans.</i>	The proposed subdivision does not require any filling or levelling for the purposes of creating building envelopes. Any filling and levelling is limited to the construction/upgrading of the vehicular access and does not have potential for adverse impacts to adjoining properties.
3.	<i>The quality of laying and compaction of fill will be required to meet Council's engineering standards. Geotechnical certification may be required to indicate compliance with Council's engineering standards and relevant Australian Standards.</i>	No filling is required to create suitable dwelling sites.
4.	<i>Levels shall generally be adjusted so that lots drain to the street and/or the stormwater drainage system. Where required, a system of inter-allotment drainage shall be installed to prevent ponding of water, or intensification of runoff onto adjacent land.</i>	The site naturally grades toward bushland to the south with minimal potential for intensification of runoff to adjoining land.
5.	<i>Cutting and filling should be planned to minimise damage or disturbance to existing vegetation.</i>	The current proposal is unlikely to have any impact on existing vegetation.
6.	<i>Erosion control and sediment control principles shall be implemented in accordance with Part G of this DCP.</i>	An erosion and sediment control plan will be prepared for the proposal subject to conditions of consent.
C3.4 Services		
1.	<i>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.</i>	N/A. The proposed subdivision will be connected to reticulated sewer.

DCP Section	Relationship of development to criteria
2. <i>Reticulated water and sewerage services shall be provided to all lots within Urban (with the exception of lots in zone R5 shown on the lot size maps as having a minimum lot size of 10,000m² or 15,000m²) and Industrial and Commercial areas.</i>	The proposed lots will be connected to reticulated water and sewerage in accordance with the requirements of Mid-Coast Council.
3. <i>In Rural, Environmental and R5 Large Lot Residential areas shown on the lot size maps as having a minimum lot size of 15000m², each lot shall be capable of supporting a suitable onsite sewage management system in accordance with the requirements of Council's Onsite Sewage Development Assessment Framework (DAF 2012) in Appendix E.</i>	N/A. The proposed lots are not located in an area shown on the lot size maps as having a minimum lot size of 10,000m ² or 15,000m ² .
4. <i>Reticulated electricity supply shall be made available to all lots. Underground power shall be provided to all lots in urban, commercial, and industrial areas.</i>	Overhead electricity is available in Pacific View Drive. Each lot will be provided with underground electricity supply.
5. <i>Provision of written evidence of compliance with the requirements of all relevant service authorities shall be supplied by the applicant prior to release of SWC or subdivision certificate, as may be appropriate.</i>	This is a matter relevant to an SWC or subdivision certificate.
6. <i>Compatible public utility services should be located in common trenches so as to minimise the land required, soil erosion and the cost of providing the services.</i>	Services would be located in the access handle from Pacific View Drive.
7. <i>Adequate buffers should be maintained between utilities and houses to protect residential amenity and health.</i>	There are no utilities that would warrant buffers to maintain residential amenity and health.
8. <i>The provision of utility services should not detrimentally impact on the landscape character of an area, or detrimentally impact vegetation corridors.</i>	There are no proposed utilities that could impact on the landscape character of an area.
C3.5 Drainage	
1. <i>Drainage systems shall be designed and constructed in accordance with Council's Auspec 1 Design Specification. Natural drainage systems should be incorporated into designs where possible.</i>	The development application is accompanied by a Stormwater Strategy (LSW, 2025) detailing proposed natural drainage systems.
2. <i>The major system must be able to accommodate the ARI=1:100 year and meet the safety criteria of the current Australian Rainfall & Runoff (AR&A) Guidelines. If capacity is limited in some way, the</i>	Drainage designs are to be prepared in accordance with Council specifications with details to accompany the SWC application.

DCP Section	Relationship of development to criteria
<p>3. <i>Drainage from subdivision sites should be consistent in both water quality and quantity terms with the predevelopment stormwater patterns, i.e., neutral or no net increase in water quality and quantity (this clause overrules Table 4.2 in Council's Stormwater Management Plan 2000).</i></p>	<p>The DA is accompanied by a Stormwater Strategy (LSW, 2025) that assesses pre and post-development water quality. The assessment notes that stormwater will be treated by a combination of traditional drainage measures, as well as water sensitive urban design (WSUD) techniques to achieve Council's stormwater quality management objectives.</p> <p>The strategy concludes that the Water Sensitive Design Strategy would meet or exceed the water quality and quantity objectives for the site.</p> <p>The locality, size and details of the proposed stormwater treatment measures are detailed on the stormwater strategy plan (LSW, 2025).</p>
<p>4. <i>Water quality in watercourses near subdivisions is to be protected by way of appropriate structures and/or filter mechanisms.</i></p>	<p>There are no mapped watercourses within the proposed subdivision site. The closest mapped watercourse is located approximately 180m west of the subject site.</p>
<p>5. <i>Drainage systems should be designed so as to ensure safety and minimise the likelihood of stormwater inundation of existing and future dwellings.</i></p>	<p>The drainage strategy provides for the appropriate management of stormwater to minimise any stormwater impacts.</p>
<p>6. <i>Adequate provision should be made for measures during construction to ensure that the landform is stabilised and erosion controlled.</i></p>	<p>An erosion and sediment control plan will be prepared for the proposal subject to conditions of consent.</p>
<p>7. <i>Where subdivisions drain either directly or indirectly into natural waterways, careful consideration of the impact of the development on erosion, pollution and sediment loading will be required.</i></p>	<p>The development application is accompanied by a Stormwater Strategy (LSW, 2025). The stormwater strategy provides for management of stormwater from the proposed subdivision to minimise potential for erosion, pollution or sediment loading.</p>
<p>8. <i>Easements to drain water shall be created over drainage channels, pipelines and associated works located within the proposed allotments. Proposals may require the creation of easements over downstream properties for drainage purposes.</i></p>	<p>Easement for drainage of stormwater will be created over any inter-allotment drains as necessary.</p>
<p>9. <i>Pump systems will not be permitted for other than underground car parking in large sites.</i></p>	<p>N/A.</p>
<p>10. <i>Drainage reserves may be required over natural and artificial watercourses.</i></p>	<p>No public drainage reserves are proposed.</p>

DCP Section	Relationship of development to criteria
<p>11. <i>Consideration will be given to the likely effects of flooding in determining any application. Land will generally be required to be filled to the General Flood Planning Level. Any development shall conform to Part E of this DCP and particular flood management plans where relevant.</i></p>	<p>N/A. The land within the site is not mapped as being within a flood planning area for the purposes of the LEP.</p>
<p>12. <i>Works as executed drawings are to be supplied upon completion of works.</i></p>	<p>Noted.</p>
<p>13. <i>Erosion control and sediment control principles shall be implemented in accordance with Part G of this DCP and details to be provided at the Engineering design stage in accordance with the principles outlined in the publication Managing Urban Stormwater, Soils and Construction issued by the Department of Housing (commonly known as the Blue Book).</i></p>	<p>An erosion and sediment control (ESC) plan will be prepared for the proposal subject to conditions of consent. Any ESC plan will be subject to any applicable principles in the Blue Book publication.</p>
<p>14. <i>Integrated water cycle management and water sensitive urban design principles shall be incorporated into the drainage design.</i></p>	<p>The DA is accompanied by a Stormwater Strategy (LSW, 2025) that assesses pre and post-development water quality. The assessment notes that stormwater will be treated by a combination of traditional drainage measures, as well as water sensitive urban design (WSUD) techniques to achieve Council's stormwater quality management objectives.</p>
<p>15. <i>Drainage from existing dwellings to the subdivision shall be allowed for in the design by way of interlot drainage and easements.</i></p>	<p>Any easements will be created as necessary.</p>
<p>C3.6 Existing Development and Heritage</p>	
<p>1. <i>Subdivision design is to take into account and integrate with the location of adjoining development and surrounding subdivision patterns, especially adjoining residential development, in the design of roads, open space and in the location of lots. Where there is an established street setback pattern or streetscape, this is to be followed.</i></p>	<p>The proposed subdivision is consistent with existing rural residential development/subdivision in the surrounding locality.</p> <p>The subdivision pattern is consistent with surrounding development and the relevant objectives of the R5 – Large Lot Residential zone.</p>
<p>2. <i>Subdivision is to be designed to be able to integrate and connect with future adjoining land subdivisions.</i></p>	<p>As above.</p>
<p>3. <i>Landscape buffers or like features shall be incorporated within subdivision design to provide separation between land uses where conflict may arise.</i></p>	<p>There are no conflicting land uses that might warrant landscape buffers.</p>

DCP Section	Relationship of development to criteria
4. <i>Subdivision should be sympathetically designed to minimise the impact on heritage items of the subject land or adjoining lands.</i>	There are no heritage items on the site or surrounding land that would warrant specific design features.
5. <i>Subdivisions should be sympathetically designed to ensure that the existing heritage value of the streetscape and character of the area is maintained.</i>	As above.
6. <i>Adequate curtilage is to be provided around heritage items to provide an appropriate buffer.</i>	As above.
7. <i>A subdivision proposal on land within a conservation area and/or on land which contains, or is adjacent to, an item of environmental, Aboriginal or European heritage, should illustrate the means proposed to preserve and protect such items. In this respect a heritage impact statement should accompany the application.</i>	The proposal is not located in a conservation area and there are no known items of Aboriginal heritage.
C3.7 Environmental Protection	
1. <i>Vegetation cover should be retained wherever practicable.</i>	Any erosion and sediment control (ESC) plan prepared for the proposal will consider retention of vegetation cover within the land during any construction works.
2. <i>Vegetation should be enhanced where it forms a link to other bushland areas, buffer zones, wildlife corridors and the like.</i>	Vegetation within the site does not form any link with these areas.
3. <i>Allowance for the movement of fauna species on sites should be maximised to maintain biological diversity.</i>	As above.
4. <i>Vegetation which is scenically and environmentally significant should be retained.</i>	There is no vegetation on the site that is scenically and/or environmentally significant.
5. <i>Vegetation which adds to the soil stability of the land should be retained.</i>	Any erosion and sediment control (ESC) plan prepared for the proposal will consider retention of vegetation cover within the land during any construction works.
6. <i>All subdivision proposals should be designed so as to minimise fragmentation of bushland.</i>	The proposed subdivision will not result in any fragmentation of bushland.
7. <i>Opportunities for revegetation will be pursued as part of the subdivision process as a trade-off for site development and as a means of value-adding to the environment. In particular, revegetation of any existing creeks, streams and drainage lines, or repair and revegetation of eroded or otherwise degraded areas, should be considered.</i>	The site does not include any degraded areas.

DCP Section		Relationship of development to criteria
8.	<i>Degraded areas are to be rehabilitated as part of the subdivision.</i>	The site does not include any degraded areas and no rehabilitation is likely to be required as a result of the proposed development.
9.	<i>Watercourses and drainage lines to be retained as part of the subdivision scheme and to be stabilised and revegetated with appropriate native species.</i>	No watercourses traverse the site.
10.	<i>Environmentally sensitive areas are to be preserved and enhanced with appropriate native vegetation and buffers where necessary.</i>	N/A. No environmentally sensitive areas have been identified within the site.
C3.8 Landscaping		
1.	<i>The overall design of any subdivision, whether residential or rural residential, should set aside open space which incorporates existing trees where practical.</i>	The site of the subdivision is in the R5 – Large Lot Residential zone. Both proposed residential lots have an area >4000m ² , with sufficient areas available in each proposed allotment for open space and retention of trees.
2.	<i>Housing sites should be confined to below ridgelines, so as not to become the dominant feature of the landscape.</i>	N/A. No ridgelines.
3.	<i>Flat cleared land should be set aside for active recreation.</i>	Public recreation areas are not included in the proposal.
4.	<i>In approving a subdivision application, Council may require the lodgement of a Landscape Plan to the satisfaction of Council and the undertaking of works as documented therein. These plantings shall be continuously maintained for a minimum of twelve (12) months.</i>	Sufficient areas will be available in each proposed residential allotment for landscaping in conjunction with future dwellings.
5.	<i>Every new residential lot shall include street tree details in the landscaping plan.</i>	The site is a battle-axe lot. No street trees would be required in Pacific View Drive.
C4.1 Residential Subdivision		
1.	<i>Site frontage shall be sufficient to permit vehicular and pedestrian access to the site.</i>	The site is directly accessed via an existing battle-axe handle from Pacific View Drive. Upgrades to the existing battle-axe handle will be subject to conditions of consent.
2.	<i>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.</i>	The proposed lots are large residential allotments with areas and dimensions sufficient to provide suitable solar access to any future residential buildings.
3.	<i>Residential development will only be considered where reticulated water and</i>	Reticulated water and sewerage is available to the site and proposed subdivision.

DCP Section	Relationship of development to criteria
4.	<p><i>sewerage is available to the proposed subdivision.</i></p> <p><i>Each lot should have a depth to frontage ratio sufficient to avoid the possibility of 'gunbarrel' type development and permit development to respond to particular site circumstances such as orientation, topography, etc.</i></p>
5.	<p><i>Lots should be designed to allow the construction of a dwelling with a maximum cut or fill of 1m from the natural ground level.</i></p> <p>The proposed lots are large residential allotments with size and dimensions sufficient to facilitate the construction of future residential buildings with less than 1 metre cut/fill.</p>
6.	<p><i>Where land slopes are generally greater than 5%, road and lot designs should provide for dwellings to be generally parallel with the contours to minimise earthworks.</i></p> <p>There is no road construction involved in the proposal. Any future residential buildings/dwellings will be subject to separate development applications.</p>
7.	<p><i>Lot sizes should be increased where sites are steep or contain significant landscape features including watercourses and easements.</i></p> <p>N/A.</p>
8.	<p><i>Battle-axe lots will only be permitted where the size of the lot (excluding the access handle) has a minimum area of 650m². Where a reduced lot size is proposed for a battle-axe block (less than 650m²) the applicant will need to demonstrate that all other performance criteria relevant to amenity and access can be met.</i></p> <p>The proposed lots will have areas of at least 4,000m².</p>
9.	<p><i>Only one battle-axe lot is to be created behind any full frontage lot as illustrated in Figure 3.</i></p> <p>N/A. There will be no change to the existing access except for upgrading consistent with the conditions of consent.</p>
10.	<p><i>Access to a single battle-axe lot shall have a minimum width of 4m.</i></p> <p>As above.</p>
11.	<p><i>Access to two battle-axe shaped lots, when combined, shall have a minimum width of 5m.</i></p> <p>The existing battle-axe handle has a minimum width of 5m. No changes are required to service the proposed lots.</p>
12.	<p><i>Where greater than two (2) allotments are to gain access from a shared driveway a community title arrangement should be entered into to create the roadway as a Community Lot.</i></p> <p>N/A.</p>

2.5.2 DCP Part D – Environmental Requirements

Part D of *Greater Taree Development Control Plan 2010* (DCP) provides design guidance and standards for environmental requirements in all zones. Compliance with the controls of Part D of the DCP are summarised in Table 2.4.

Table 2.4: Summary of Environmental Considerations

DCP Section		Relationship of development to criteria
D1	Coastal Management	The site is not identified as having risks and hazards associated with coastal processes identified in Part D1 of the DCP.
D2	Environmental Buffers	The site is not located in any environmental buffers identified in Part D2 of the DCP.
D3	Earthworks, Erosion and Sedimentation	<p>D3.1 Earthworks</p> <p>The proposed subdivision will involve only minor earthworks ancillary to the proposal, mostly associated with servicing.</p> <p>D3.2 Erosion and Sediment Control</p> <p>General safeguards will include implementing appropriate erosion and sediment control measures during construction. Erosion and Sediment Control measures will be maintained and adapted as necessary for any construction works associated with subdivision construction works.</p> <p>It is expected that conditions of consent would include requirements for ESCP for the proposed subdivision achieving the relevant performance criteria in Section D3.2.</p>
D4	Vegetation Management	The proposal is unlikely to have any impact on existing vegetation. Any trees located within proposed Lot 5512 are capable of being retained in conjunction with the construction of a future dwelling on that land.

3. PLANNING AGREEMENTS UNDER SECTION 7.4 OF THE EP&A ACT

The site is not affected by any registered Planning Agreements for the purposes of Section 7.4 of the EP&A Act. Furthermore, the developer has not offered to enter into any Planning Agreements relating to the land or proposed development.

4. LIKELY ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACTS

4.1 Ecological Impacts

The site contains an existing dwelling which will be retained within proposed Lot 5511. As such, the creation of proposed Lot 5511 does not have the potential to result in any additional ecological impacts, compared to the existing use of the land, as a result of tree removal or changes to land use.

Proposed Lot 5512 will occupy the southern part of the site which is presently (and historically) maintained as mown exotic grasses / lawn. Proposed Lot 5512 also contains six (6) trees (Spotted Gum, *Eucalyptus maculata*), each located within the area of the site that is recommended to be burdened by a restriction to prevent the erection of a dwelling (as an Asset Protection Zone). The existing trees are unlikely to require removal for the purposes of constructing a dwelling in the future and are capable of being retained within the APZ.



Photo 3.1: Existing trees located within proposed Lot 5512 which would be retained in the proposed subdivision

4.2 Bushfire

As the proposed development involves subdivision of bushfire prone land that could lawfully be used for residential purposes, it is subject to the provisions of Section 100B (Bushfire Safety Authorities) of the *Rural Fires Act 1997*.

A Bushfire Assessment (ABAC, 2025) has been prepared for the proposed development and considers the proposal in relation to *Planning for Bush Fire Protection 2019* (PBP).

APZs for the subdivision have been recommended in line with the minimum separation distances for residential subdivision as per Table A1.12.3 of PBP. The provision of APZs within the site boundaries will ensure future residential building(s) on the proposed residential allotments will be exposed to radiant heat levels $\leq 29\text{kW/m}^2$.

The assessment concludes that the proposal will be consistent with relevant acceptable solutions and performance criteria of PBP subject to implementation of bushfire protection measures that include:

- Provision of APZs (25m wide) providing separation between hazards to the south of the site and any future dwellings on proposed Lot 5512;
- Maintaining the site (excluding the access handle) to the standard of an APZ;
- Upgrading the existing driveway in accordance with the acceptable solutions of PBP, including provision of a turning head at the existing dwelling; and
- Upgrading the existing dwelling to improve ember protection.

4.3 Stormwater Impacts

The stormwater management arrangements for the proposed development are detailed in the *Stormwater Strategy for Proposed Subdivision of Lot 551 DP635385 Pacific View Drive, Hallidays Point* prepared by LSW Surveyors (Issue 1, dated February 2025). The strategy assesses pre and post-development water quality using MUSIC stormwater modelling.

The assessment notes that stormwater will be treated by a combination of traditional drainage measures – as well as water sensitive urban design (WSUD) techniques – to achieve Council's stormwater quality management objectives for the site, which are:

“post development loads of Gross Pollutants are to be reduced to 90%, and TSS, TN and TP are to be reduced to less than or equal to pre-developed pollutant loads” (i.e., “neutral or beneficial effect on water quality”).

The strategy concludes that the Water Sensitive Design Strategy would meet or exceed the water quality objectives. The average annual pollutant export loads are summarised in Table 4 of the Stormwater Strategy by LSW, reproduced in Figure 2.1.

Pollutant	Proposed Development Catchment			
	Existing Site Load (kg/yr)	Developed Site Load (without treatment) (kg/yr)	Developed Site Load (with treatment) (kg/yr)	% Reduction
Gross Pollutants	19.9	43.0	0	100
TSS	1010	776	440	43.2
TP	4.44	4.52	4.00	11.5
TN	10.6	12.4	10.4	15.7

Figure 3.1: Annual Average Pollutant Export Loads (Source: LSW)

The Stormwater Strategy notes that roof water from the existing dwelling and shed on proposed Lot 5511, and any future dwelling on proposed Lot 5512, will be captured by a 20kL rainwater tank utilised for part re-use and stormwater detention.

According to the Strategy, any overtopping of this captured roof water, as well as other impervious areas such as patios and paths, etc., will discharge to a small on-lot bioretention basin. Once the capacity of the basins are exceeded, flows will grade to a series of grassed swales/berms directed towards the southern part of the site (Figure 3.2).

Statement of Environmental Effects (24338): Proposed two (2) lot subdivision
17A Pacific View Drive, Hallidays Point

4.4 Impacts and Mitigation Summary

Table 3.1 below provides a summary of potential environmental impacts and mitigation measures.

Table 3.1: Potential Environmental Impact Summary

Matter	Potential Impact and Mitigation Measures
Drainage	The stormwater management arrangements for the proposed development are detailed in the Stormwater Strategy prepared by LSW (February 2025). As discussed in Section 4.3 above, the proposed development is capable of achieving DCP objectives for post-development stormwater quality and quantity through on-lot treatment of stormwater from roof areas of existing and proposed dwellings.
Air Quality & Climate Change	<p>The proposal will not have any potential for adverse air quality impacts following construction. Any construction dust impacts would be short term and would be capable of being effectively mitigated through construction environmental management plans.</p> <p>Any future residential building(s) on the proposed allotments will be the subject of separate development applications, subject to BASIX targets for energy efficiency, etc.</p>
Flora & Fauna	As discussed in Section 4.1 above, the proposal is unlikely to have any impact on existing native vegetation. Flora and fauna impacts are capable of being effectively mitigated through standard conditions of consent.
Environmental Heritage	The site does not contain any items of environmental heritage. No further mitigation measures are necessary.
Traffic	Pacific View Drive is a public road with a bitumen-sealed surface. Traffic associated with the additional allotment, and future residential development thereon, will be accommodated by the existing road network.
Noise	The proposed subdivision will not give rise to any significant adverse noise impacts. Standard conditions of consent are capable of mitigating construction noise impacts.
Soils and contamination	<p>The site is a residential allotment and contains an existing dwelling.</p> <p>The land is not identified as contaminated land nor land under investigation in relation to potential contamination. There is no information to suggest that contaminating activities have occurred on the land and the land appears suitable for the proposed development.</p>
Aboriginal Cultural Heritage	<p>The Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (the Code) (DECCW, 2010) assists individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and to determine whether they should apply for consent in the form of an Aboriginal Heritage Impact Permit (AHIP).</p> <p>A search of AHIMS concludes that there are no known records of Aboriginal sites or places within the immediate vicinity of the subject site. Having regard to the</p>

Matter	Potential Impact and Mitigation Measures
	considerations in the Code, it is considered that the presence of artefacts and/or sites of Aboriginal heritage value would be highly unlikely.
Bushfire	<p>The land within the site and surrounds is mapped as bushfire prone land for the purposes of Section 10.3 of the EP&A Act.</p> <p>A Bushfire Assessment (ABAC, 2025) has been prepared for the proposed development and considers the proposal in relation to <i>Planning for Bush Fire Protection 2019</i> and the relevant requirements for obtaining a Bush Fire Safety Authority under Section 100B of the <i>Rural Fires Act 1997</i>.</p>
Social & economic	The development will not have potential for any adverse social and economic impacts.

5. SUITABILITY OF THE SITE & THE PUBLIC INTEREST

The site is suitable for the proposed development and is serviced by all essential infrastructure including water, sewer and electricity. The proposed development does not raise any issues contrary to the public interest.

6. CONCLUSION

The proposed development involves the subdivision of land described as Lot 551 DP 635385, 17A Pacific View Drive, Hallidays Point into two (2) Torrens title allotments.

Proposed Lot 5511 comprises the northern (front) part of the site and will have a total area of approximately 4954m². The existing dwelling will be retained within proposed Lot 5511 with existing vehicular access via the battle-axe handle from Pacific View Drive.

Proposed Lot 5512 comprises the southern (rear) part of the site and will have a total area of approximately 5390m². Proposed Lot 5512 will be vacant land and have vehicular access from the shared battle-axe handle from Pacific View Drive

The proposed development is consistent with the objectives of the zone and relevant clauses of *Greater Taree Development Control Plan* (LEP).

The proposed development is generally consistent with the relevant controls and objectives in *Greater Taree Development Control Plan 2010* (DCP).

As the proposed development involves subdivision of bushfire prone land that could lawfully be used for residential purposes, the proposal is subject to the provisions of Section 100B (*Bush fire safety authorities*) of the *Rural Fires Act 1997*. A Bushfire Assessment has been prepared for the proposed development and accompanies the development application. The proposal is consistent with the relevant provisions of PBP subject to providing the recommended Bushfire Protection Measures.

The development is unlikely to have any significant adverse environmental impacts on the site or surrounding land. Matters relating to water quality, access, natural hazards and biodiversity may be effectively mitigated through conditions of consent. The site is suitable for the proposed development and the proposal is consistent with the public interest.