

**Statement of
Environmental Effects
for
Multi Dwelling Development**

**5 North Street,
North
Tamworth (Lot
4 DP 666160)**

May 2025

Contents

1	Introduction	3
1.1	Purpose of this Statement of Environmental Effects.....	3
1.2	Ownership.....	3
2	Site and Context	3
2.1	Site Particulars	3
2.2	The Site	3
3	Proposed Development.....	4
3.1	Summary.....	4
3.2	Pre Development Application Meeting	4
4	Statutory Assessment.....	5
4.1	Environmental Planning and Assessment Act 1979	5
4.2	Integrated Development.....	6
4.3	Environmental Planning and Assessment Regulation 2021.....	6
4.4	State Environmental Planning Policies.....	6
5.6	Tamworth Regional Local Environmental Plan 2010	6
5.7	Draft Environmental Planning Instruments	7
5.8	Tamworth Regional Development Control Plan 2010	7
5.9	Developer Contributions.....	11
5	Likely Impacts of the Development.....	11
5.1	Environmental Impacts	11
6	Suitability of the Site	12
7	Submissions.....	12
8	Public Interest.....	12
9	Conclusion	12

1 Introduction

1.1 Purpose of this Statement of Environmental Effects

This Statement of Environmental Effects (SEE) accompanies a Development Application lodged to Tamworth Regional Council pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the construction of a multi dwelling development.

1.2 Ownership

The site is owned by Mr M Gillogly and Mrs B Gillogly.

2 Site and Context

2.1 Site Particulars

The following describes the site, location, zoning and context;

Lot/DP	Lot 4 DP 666160
Address	5 North Street, North Tamworth
Area	964.29m ²
Zoning	R1 – General Residential
Consent Authority	Tamworth Regional Council
Current Use	Dwelling house

2.2 The Site

The site is known as 5 North Street, North Tamworth (Lot 4 DP 666160) and is shown in **Figure 1**. The subject site is a generally a rectangular shape lot with a splayed north-west boundary. The site has an area of approximately 964.29m². The site includes an existing single storey dwelling and slopes from the north-east to the south-west at 2.4%. All services are available to the subject site. The surrounding area is largely characterised by low density residential dwellings, however medium density development, such as multi dwelling developments are becoming more prominent within the locality, including on the adjoining properties at 92 and 94 Marius Street.

The site is zoned R1 – General Residential under the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010) and is located in an established residential area. The subject site is not identified as containing flood prone or bushfire prone land.



Figure 1 - Aerial view of development site (5 North Street, North Tamworth)

3 Proposed Development

3.1 Summary

The proposed development seeks consent for a multi dwelling development which encompasses the renovation of the existing dwelling at the front and construction of an attached dual occupancy at the rear of the property. A detailed breakdown of the proposal is as follows;

- Unit 1 – Internal alterations comprising new ensuite, bathroom, kitchen and laundry. A Complying Development Certificate (CDC2025-0015) for internal alterations of the existing dwelling was approved by Tamworth Regional Council on 3 February 2025.
- Unit 2 – Includes a gross floor area of 115m² and comprises 2 bedrooms, 2 bathrooms, open plan kitchen/living/dining area, alfresco and single garage;
- Unit 3 – Includes a gross floor area of 148m² and comprises 3 bedrooms, 2 bathrooms, kitchen, open plan kitchen/living/dining area, alfresco and double garage; and
- Associated driveway and infrastructure work.

The proposed development does not involve subdivision.

3.2 Pre Development Application Meeting

A Pre DA Meeting was held with Council on 27 February 2025 in relation to a proposed multi dwelling development and community title subdivision development. The table below provides commentary on the items raised in the meeting:

Issue	Comment
Planning	<ul style="list-style-type: none"> • Private Open Space areas have been fenced. Refer to plans. • A landscape plan has been submitted. • Justification provided for departure to minimum required landscaping area per dwelling. Refer to TRDCP 2010 assessment. • A resource management plan has been submitted. • 5m³ storage has been provided in the private open space areas of each unit. Refer to plans. • The fence has been angled to provide improved visibility. • Subdivision no longer forms part of the development. • The development will be completed in a single stage. • The application will be notified in accordance with Council's Community Participation Plan 2019.
Building	<ul style="list-style-type: none"> • All buildings are setback 900mm from adjoining boundaries. Refer to plans.
Development Engineering	<ul style="list-style-type: none"> • The community title subdivision component has been removed from the development. Therefore, the sewer will be constructed in accordance with the plumbing code. • The section view of the stormwater strategy has been updated to correctly reflect the building heights. • A single driveway has been provided to service the development. Following further detailed design, the existing driveway is proposed to be retained and adjusted to cater for the proposed development. This is discussed in detail within the TRDCP 2010 assessment.

4 Statutory Assessment

4.1 Environmental Planning and Assessment Act 1979

This report assesses the proposal against the relevant statutory requirements of the EP&A Act, and other legislation, plans and policies as applicable. Section 4.15 of the Act outlines the relevant heads of consideration that must be considered when assessing a development proposal.

The following considerations have been made under section 4.15(1)(a):

- Environmental planning instruments, proposed instruments and development control plans that are relevant to the site or development are considered below.
- There are no known planning agreements applicable to the site; and
- The *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)* has been considered below.

The remaining matters for consideration under section 4.15(1)(b), (c), (d) and (e) are considered within sections 5, 6, 7 and 8 of this Statement.

4.2 Integrated Development

The proposed development is not integrated development.

4.3 Environmental Planning and Assessment Regulation 2021

This Statement has been prepared to address the requirements of Part 3 of the *EP&A Regulation 2021*.

4.4 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) are environmental planning instruments administered under the EP&A Act. SEPPs deal with issues considered to be of significance for the State and the people of NSW. In the determination of the development application, the consent authority will consider these matters pursuant to section 4.15(a)(i) of the EP&A Act. The SEPPs relevant to the proposed development, and the land on which the development is situated, are considered below.

4.4.1 State Environmental Planning Policy (Sustainable Buildings) 2022

The SEPP (Sustainable Buildings) 2022 incorporates the BASIX commitments relating to thermal performance and energy efficiency standards and applies to all residential developments (excluding alterations and additions less than \$50,000). The Policy applies to the proposed development and is supported by a BASIX Certificate, provided in the supporting documents.

4.4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of the SEPP applies to the whole state. Under Section 4.6, a consent authority must not grant consent to the carrying out of any development unless they have considered whether the land is contaminated.

The site has historically been utilised for residential purposes. The likelihood of the site being contaminated is considered low. All demolition works and removal of asbestos if uncovered, will be undertaken in accordance with AS2601: The demolition of structures. To this extent, the subject site is considered suitable for the proposed development.

5.6 Tamworth Regional Local Environmental Plan 2010

The *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)* outlines planning provisions which apply to the proposed development. The relevant provisions of the TRLEP 2010 are assessed below.

Clause	Comments	Complies
Clause 2.3 – Zone objectives and land use table	The site is zoned R1 – General Residential. Multi dwellings are permitted with consent in the zone. The proposed development satisfies the objectives of the zone by increasing housing diversity and meeting the housing needs of the community.	Y
Clause 7.1 – Earthworks	The proposed development includes earthworks to facilitate the development, however it is not considered these will have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	Y
Clause 7.6 – Development in flight path	The proposed development does not penetrate the Obstacle Height Limitation Surface height of 45m.	Y

5.7 Draft Environmental Planning Instruments

The Planning Proposal for the Phase 1 Review of the Tamworth Regional Local Environmental Plan (Phase 1 Planning Proposal) was placed on public exhibition between 05 June 2024 – 05 July 2024. Under the Phase 1 Planning Proposal the subject site will retain its existing R1 - General Residential zone and multi dwelling development will continue to be permissible with consent. The Phase 1 Planning Proposal does not amend any other planning controls which directly relate to the site or proposed development.

5.8 Tamworth Regional Development Control Plan 2010

The Tamworth Regional Development Control Plan 2010 (TRDCP 2010) outlines the design controls which will apply to this proposal. The TRDCP 2010 controls which apply to this development have been considered below.

Residential (Multi Dwelling) Development Controls		
Control	Comment	Complies
Building Setbacks	<u>Front Setback</u> The existing dwelling is setback 7.1m from the front boundary and the proposed attached dual occupancy at the rear 26m. This complies with TRDCP 2010. <u>Side and Rear Setback</u> All unit are setback greater than 1m from the side and rear boundary, therefore complying with TRDCP 2010.	Y
Density	The lot has a total site area of 964.29m ² . This results in a maximum dwelling density of 3 dwellings. The development complies with TRDCP 2010.	Y

Design	The proposed development is not located on a corner lot. The garage of the existing dwelling does not exceed 60% of the street elevation.	Y												
Utilities	A servicing strategy has been prepared by Kelly Covey Engineering. Water, sewer, electricity and telecommunications are readily available to the subject site. This will be extended or upgraded to service the proposed development. The site slopes away from the existing stormwater infrastructure (kerb and gutter) in North Street. The servicing strategy proposes to direct the roof water to the North Street kerb, with balance surface runoff being collected and discharged to the rear of the property via a level spreader.	Y												
Building Height	The highest point of unit 3 (highest unit height based on natural ground level) ceiling (3.1m) and ridge (5.8m) comply with the TRDCP 2010.	Y												
Site Coverage	The development results in a maximum site coverage of 63% which complies with the TRDCP 2010.	Y												
Privacy	The proposed development is single storey, however the location of private open space areas and adjoining habitable rooms has been considered in the design to minimise overlooking onto adjoining private open space areas.	Y												
Parking, Traffic and Access	<p><u>Parking</u></p> <p>The subject site is located in the mapped area of the TRDCP 2010 with an assessment carried out in the below table:</p> <table border="1"> <thead> <tr> <th>Unit</th><th>TRDCP</th><th>Proposed</th></tr> </thead> <tbody> <tr> <td>1 (3 bd)</td><td>1 space</td><td>1 enclosed and 1 unenclosed (stacked parking)</td></tr> <tr> <td>2 (2 bd)</td><td>1 space</td><td>1 enclosed</td></tr> <tr> <td>3 (3 bd)</td><td>1 space</td><td>2 enclosed</td></tr> </tbody> </table> <p>The submitted B99 swept paths demonstrate all parking spaces and maneuvering areas meet AS2890.1 Parking facilities Off Street Carparking. All parking areas are hardstand.</p> <p><u>Traffic/Access</u></p>	Unit	TRDCP	Proposed	1 (3 bd)	1 space	1 enclosed and 1 unenclosed (stacked parking)	2 (2 bd)	1 space	1 enclosed	3 (3 bd)	1 space	2 enclosed	Y/N
Unit	TRDCP	Proposed												
1 (3 bd)	1 space	1 enclosed and 1 unenclosed (stacked parking)												
2 (2 bd)	1 space	1 enclosed												
3 (3 bd)	1 space	2 enclosed												

	<p>Access to the site is constrained by the location of the existing driveway on an awkward corner at the intersection of Griffin Avenue and North Street. The existing driveway is non-compliant given it is less than 6m from the tangent point of the kerb return.</p> <p>It was discussed at the Pre DA Meeting incorporating a new driveway directly off North Street to service all three units. This has been investigated further, however it resulted in a less than desirable movement for future occupants trying to access the existing single garage associated with unit 1 (existing dwelling) and increase conflict with vehicles accessing the rear units.</p> <p>It is proposed to retain the existing driveway but widen the layback (6m) in the road reserve to provide access for unit 1 (existing dwelling) while enabling access to the rear units. This does result in the layback encroaching further towards the tangent point of the kerb return; however, it is considered a more appropriate option as it ensures line of sight along the driveway and the width ensures two vehicles can pass each other within the development. This is demonstrated on the swept path plan.</p> <p>It is acknowledged that this arrangement is non-compliant, however it is an existing layback currently in use and it is not considered the scale of this development (3 units) will significantly increase safety risk to existing road users.</p> <p>Finally, the proposed layback reduces the risk of damaging the established tree within the road reserve which was a possibility with the original driveway option directly off North Street.</p>			
Solar Access and Energy Efficiency	<p>A BASIX Certificate has been submitted with the application, which demonstrate compliance with SEPP (Sustainable Buildings) 2022.</p> <p>All dwellings are single storey, therefore shadow diagrams are not required.</p>			Y
Construction Waste Management	A resource and waste management plan has been submitted as part of this application.			Y
Ongoing Waste Storage	All waste storage facilities are located in the screened area away from public roads and neighboring properties to minimise visual impacts.			Y
Private Open Space	Unit	TRDCP	Proposed	Y
	1	35m2	69m2	

	2	35m2	50m2	
	3	45m2	45m2	
	All private open space is directly accessible from a living area.			
Vegetation/Landscaping	<p>A landscape plan has been submitted. Landscaping comprises a mixture of drought and frost tolerant species. It is proposed to plant new tree for each unit.</p> <p>A departure to the TRDCP 2010 is sought as on an individual dwelling basis units 2 and 3 are less than the 100m² per dwelling minimum requirement. Additional landscaping has been provided and medium sized trees will be planted in the private open space areas of each dwelling to provide shade and greenery.</p> <p>The proposed development includes 300m² landscaping across the entire site which meets the objective of the control.</p>			N
Outdoor Lighting	All outdoor lighting will comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting.			Y
Adaptability	This control does not apply as the development only involves 3 dwellings.			Y
Facilities	Letterboxes have been provided at the front boundary. Clothes drying facilities have been provided for each unit.			Y
Storage	A minimum 5m ³ of dedicated storage per dwelling has been provided.			Y
Water tanks	The water tanks are located behind the building line.			Y
Site Levels and Retaining Walls	The site plan includes existing and finished site levels. A retaining wall (700mm high) will be required to increase the height of the internal driveway to ensure stormwater and access requirements are achieved.			Y
Geology	The geology of the site has been considered. A soil classification test will be carried out as part of the construction certificate.			Y
Slope	The site slopes from the north-east to the south west. The cross fall across the site is approximately 1200mm.			Y
Bushfire Prone Land	The subject site is not identified as bushfire prone			Y
Environmental Effects	The proposal does not give rise to any unreasonable environmental impact which hasn't been addressed in this report.			Y
Soil and Erosion control	All soil and erosions measure will be implemented in accordance with the 'Blue Book'			Y
Noise	The proposal will generate noise during the construction phase. This will be controlled onsite and via conditions of			Y

			consent regarding hours of operation.	
Urban Heat Island Effect			The subject site is not located on the mapped urban heat island area. However, this has been considered by the planting of trees and the use of colours/materials to assist with cooling the dwellings.	Y

5.9 Developer Contributions

Development contributions will be calculated in accordance with the Tamworth Regional Council Section 7.11 Development Contributions Plan 2013.

5 Likely Impacts of the Development

5.1 Environmental Impacts

This section addresses all the likely impacts of the development in the locality, including impacts arising from the development, and impacts on the development in accordance with Section 4.15(1)(b) of the EP&A Act.

5.1.1 Design, context and visual impact

The proposed development will be compatible in terms of height, bulk and scale with surrounding developments within the area. The building design includes a variety of building materials and articulation to provide visual interest and to reduce the impact on the adjacent properties in terms of bulk, privacy and overshadowing. It is not considered the proposed development will dominate any perceived views enjoyed by others.

5.1.2 Noise and vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged occur during construction.

5.1.3 Waste

All waste will be deposited within the waste receptacle in accordance with the resource and waste management plan attached to this application.

5.1.4 Economic

The construction of the proposed development will provide employment opportunities in the locality and support the local building industry. This will create direct monetary input to the local economy and support employment in the locality.

There are no anticipated adverse economic impacts as a result of the proposed development.

5.1.5 Social

No safety, security for crime prevention measures are required as a result of the proposed development. The proposed development will not create any safety, security or crime concerns on or around the site. Additional residential development on the site will help to further enhance the passive surveillance and may contribute to increased safety and security in the area.

There are no anticipated adverse social impacts as a result of the proposed development.

6 Suitability of the Site

This section addresses the development in accordance with section 4.15(1)(c) of the Act. The site is considered suitable for the development for the following reasons:

- The proposed development is permissible within the R1 General Residential zone and is compatible with the objectives of the zone.
- The proposed development contributes to a mixture of housing diversity within the locality which is well located to services.
- The development can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding residential setting.

7 Submissions

This section addresses the development in accordance with section 4.15(1)(d) of the Act. It is understood this development application will be notified.

8 Public Interest

This section addresses the development in accordance with section 4.15(1)(e) of the Act. This development is considered in the public interest as it is consistent with the desired future character of the locality, will not result in adverse environmental impacts and will contribute to the delivery of alternate forms of housing within the locality.

9 Conclusion

This Statement has assessed the development against the requirements of Clause 4.15 of the EP&A Act and found that the development is permissible and consistent with the applicable policies and plans. The proposed development is recommended for approval.