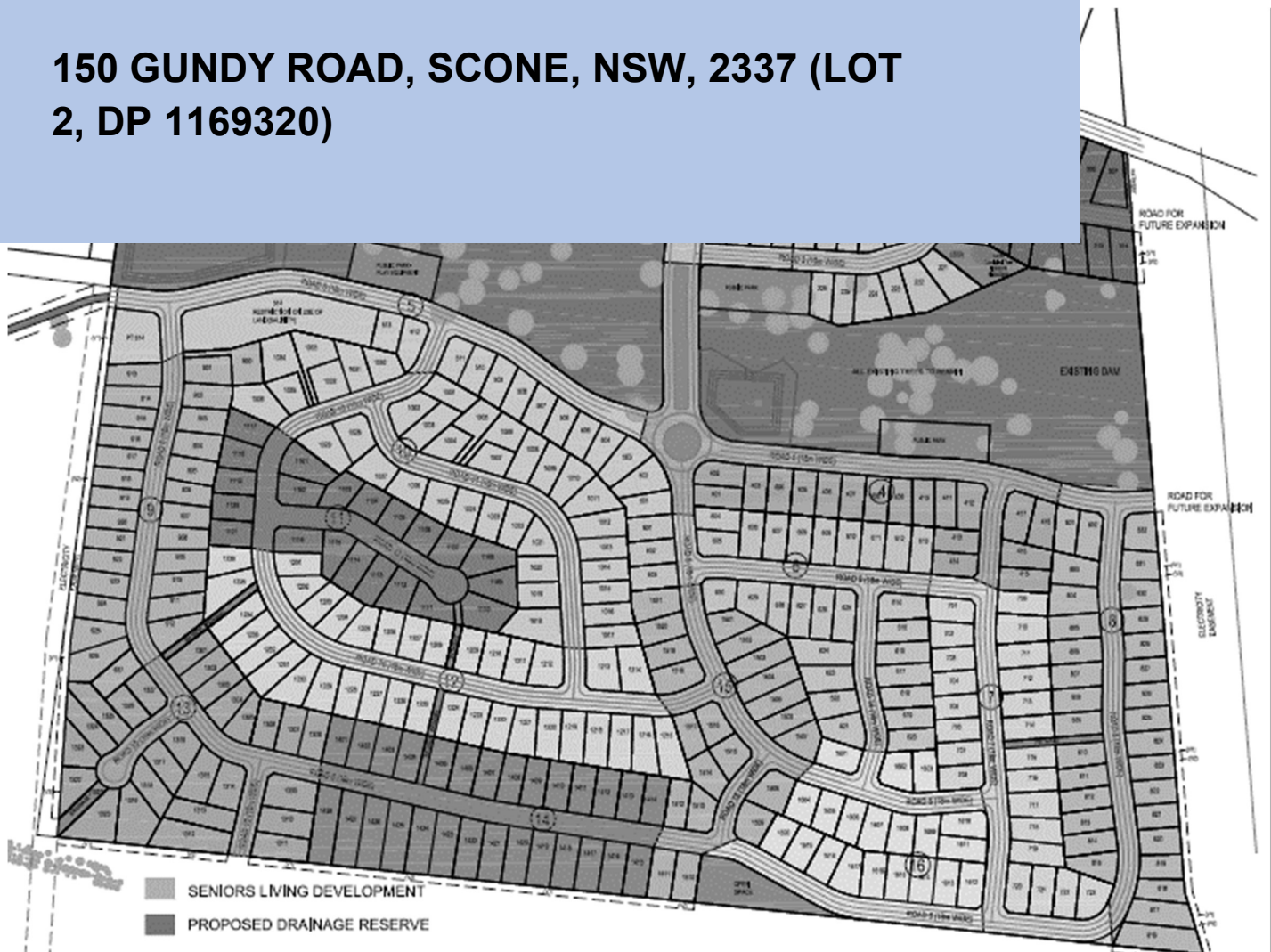


150 GUNDY ROAD, SCONE, NSW, 2337 (LOT 2, DP 1169320)



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Prepared for (client)	Charles David Pty Ltd			
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EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Charles David Pty Ltd (the client) to prepare a Statement of Environmental Effects (SEE) for a Torrens title subdivision (one into 392 lots over 16 stages), at 150 Gundy Rd, Scone, 2327 (LOT: 2 DP: 1169320) ('the site').

This application is lodged for conduct of review of the determination by the Consent Authority (Upper Hunter Shire Council) made on 30 September 2020 by the HRPP under DA 163/2017. It is requested that the consent authority review the Determination made 30 September 2020 under s 8.3 EPA Act. The Determination cannot be reviewed after the period within which any appeal may be made to the NSWLEC has expired if no appeal has been made (s 8.3(2)). The period in which an appeal may be instituted, applying to this matter under the extended period during Covid, is 12 months after 30 September 2020, i.e., by 30 September 2021: s 8.10.

The characteristics of the development include:

- a. Removal of vegetation.
- b. One into 392 Lot Torrens title subdivision implemented over sixteen (16) stages, including Lots ranging in size between 450m² and 992m². The size and shape of each Lot has been designed to accommodate future residential development. The Lots and associated development will be implemented / delivered in stages.
- c. Civil works including internal roads, stormwater detention basins, open space area and internal parks.
- d. Construction of stormwater infrastructure within street network per stage, to discharge into the basins located towards the northern property boundary catering for on-site detention and water quality requirements. As noted above, all stormwater basins will be constructed by stage five, with subsequent stages connecting to the associated basin as they are released, as detailed within the stormwater drainage plan and report.
- e. Access to the subdivision will be from Gundy Road.
- f. Stages 1, 2 and 3 are located on the northern side of the stream adjacent to Gundy Road.
- g. The remainder of the stages are located on the southern side of the stream. A road crossing with reinforced concrete box culverts is proposed to span the stream to the southern side of the development.

The key reasons why the proposed development is appropriate are as follows;

- The proposed subdivision is permissible on the site with consent, with all Lots meeting the minimum Lot size requirement;
- No adverse impact on the existing character or amenity of the area will result;
- The proposed subdivision is consistent with the layout of the existing area and subdivision, without burdening the essential services supply;
- The stormwater management solution can be designed and provided in accordance with Council's Development Controls and Water Sensitive Urban Design Principles;

- The development has been designed to reduce the extent of vegetation removal and provides recommendations for vegetation protection during construction;
- Future dwellings can be constructed to achieve the required acoustic compliance;
- The Lot layout and reduced yield proposed appropriately responds to the constraints of the land and interfaces of the site, consistent with the desired layout provided by Council for the St Aubin's Estate; and
- Subdivision of the land will directly benefit the community through providing a additional developable and saleable lots which are largely unconstrained to meet the housing needs of the growing community population.

The SEE will expand on those matters that have been summarised above to assist Council in completing a detailed assessment of the proposal development.

TERMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
BC Act	Biodiversity Conservation Act
DA	Development Application
DCP	Development Control Plan
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
FFAR	Flora and Fauna Assessment Report
HRPP	Hunter and Central Coast Regional Planning Panel
LEP	Local Environmental Plan
LGA	Local Government Area
PSI	Preliminary Site Investigation
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects
TIA	Traffic Impact Assessment

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PLANS AND SUPPORTING DOCUMENTATION

This SEE is supported by the following plans and documentation:

Appendix	Document	Prepared by	Reference
1	EP&A Regulation Compliance Table	Perception Planning	N/A
2	DCP Compliance Assessment	Perception Planning	Ref: J002230, Rev 1, dated: 27/08/21
3	Deposited Plan 1169320	N/A	N/A
4	HRPP Determination	HRPP	N/A
5	Design Statement	MM Hyndes Bailey & Co.	Ref: 217133, Ver: M, dated 26/08/21
6	Proposed Plans	MM Hyndes Bailey & Co.	Ref: 217133, Ver: M, dated 21/07/21
7	Landscape Plan	GSP	Ref: 200221, Rev: B, dated 26/08/2021
8	Acoustic Report	RAPT Consulting	Ref: 2220272, dated 20.09.19
9	Stormwater Plan	Acor Consultants	Ref: NSW202732, Rev: 01, dated 19 August 2021
10	Plan of Management for Drainage Reserve	Kleinfelder	Ref: NCA21R125970, dated 11 June 2021
11	Traffic Assessment Report	SECA Solution	Ref: P0965, Rev: 03, dated 16 November 2017
12	Bushfire Assessment Report	FireBird Eco	Ref: Lot 2 Gundy Rd, Scone
13	Aboriginal Cultural Heritage Archaeology Due Diligence Assessment	Insite Heritage	November 2017
14	Geotechnical Site Investigation	Valley Civilab	Ref: P1303, Rev: 0, dated 20/11/2017
15	Preliminary Site Investigation	Valley Civilab	Ref: P1303, dated 20/11/2017
16	Salinity Modelling Report	GHD	Ref: 2219760-20348, dated 26 June 2020

17	Groundwater Salinity Assessment: Preliminary Fieldwork Findings	Martens	Ref: 2108371JC02V01.docx, dated 30 August 2021
18	Crime Prevention through Environmental Design Report	Octagon Planning	Ref: 1707, dated November 2017
19	Flora and Fauna Assessment Report	Kleinfelder	Ref: NCA21R125969, dated 9 June 2021
20	Sewer Drainage Strategy	MM Hyndes Bailey & Co.	Dated November 2017
21	Water Supply Report	MM Hyndes Bailey & Co.	Dated 9/11/2017
22	Detailed Response to HRPP Matters	Perception Planning	Ref: J002230
23	Land Use Conflict Risk Assessment Report	Perception Planning	Ref: J002231, Ver: 2, dated 31/08/21
24	Draft 88B Instrument	MM Hyndes Bailey & Co.	N/A

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1 BACKGROUND

1.1 PURPOSE

The purpose of this Statement of Environmental Effects (SEE) is to assist Council in their assessment and determination and to assist the community in understanding the proposed development.

This SEE has been prepared in coordination with Charles David Pty Ltd (**‘the client’**) and other sub-consultants to demonstrate the relevant matters associated with in the proposed development. The SEE examines the existing development and site location, how the proposed development relates to the location and the environment, as well as the planning merits of the development with respect to the relevant legislation, regulation and other requirements. The SEE examines the applicable site attributes and the specifics of the development proposal that are appropriate to the development application stage. The SEE seeks to provide all the relevant data to give a suitable level of certainty to the consent authority that the proposal has a positive impact on the immediate area and the wider surrounds.

This SEE has been prepared in accordance with best practice principles, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure’s (now the Department of Planning, Infrastructure and Environment) guide to the *Environmental Planning and Assessment Act* (EP&A Act) 1979 (s4.15).

The objectives of this SEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s; and
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.

1.2 SITE DETAILS

Property Address	150 Gundy Road, Scone, NSW, 2337
Lot and DP	LOT: 2 DP1169320
Current Use	Vacant land
Zoning	R1 – General Residential
Size	57.5 ha
Site Constraints	Floor Space Ratio – 0.5:1 Height of Buildings – 8.5ha Bushfire prone land – vegetation category buffer and 3.
Owner	Owner's consent has been provided on the Application Form for the DA.
DP and 88B Instrument	Nothing on the DP or 88B instrument prohibits the proposed development. No existing easements are identified within the DP provided at Appendix 3 .

1.3 SITE DESCRIPTION

The subject site is known as 150 Gundy Road, Scone, and can be legally identified as Lot 2 DP1169320 (**'the site'**). The site is located within the Upper Hunter LGA and measures approximately 57ha in size. The subject site is vacant of development, and consists mainly of cleared grasslands/pastureland, with scattered native vegetation and trees. Legal access to the subject site is currently via Gundy Road. The site is located within the St Aubin's Estate, Scone.

The site also contains an identified blue-line watercourse within the northern portion of the site, which connects two dams at opposite ends of the site (east and west). The surrounding environment consists primarily of cleared grazing land, with residential development located to the north of Gundy Road. An aged care facility has recently been developed immediately to the north/north-west of the subject lot.

The northern section of the site grades at approximately 4% from the northeast to the southwest towards the stream. The levels on site for the northern section range from approximate RL 226m AHD at the northeast boundary to RL 214m AHD at the southwest boundary at the stream.

Most of the southern section of the site grades at approximately 5% from the southeast to the northwest towards the stream. There is a crest in the southern section of the site that runs from east to west which means that a small section of the southern area grades to the southwest. The levels for the southern section range from approximately RL 243m AHD at the southeast boundary to RL 208m AHD at the northwest boundary at the stream and RL 215m AHD at the southwest boundary. Photos of the site are provided below in **Photo 1 – 3**.

Figure 1 - Locality Plan (Source: NSW Spatial Viewer, 2021)





Photo 1 - Site looking from the rear towards existing residential development to the north. Remnant vegetation pictured, located in the open space area proposed.



Photo 2 - Site looking to the north-west towards existing residential development and remnant vegetation on-site



Photo 3 - Site looking towards the north-east, towards adjacent rural land

1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The site is currently vacant, with scattered vegetation located throughout. A Development Application (DA) was lodged with Upper Hunter Shire Council in 2017 for a 423 Lot Residential Subdivision under DA 163/2017. The DA was refused by the Hunter and Central Coast Regional Planning Panel (HRPP) on 30 September 2020 (**Appendix 4**).

The key issues of the DA identified by the HRPP relate to:

- Adequacy of salinity assessments – there are two (2) differing opinions
- Ecological outcomes – acceptability and finality
- Acceptability of the stormwater management solution
- Rural and environmental interface
- Urban design – lot layout and configuration, open space, amount and location.

This SoEE supports the Development Application, lodged under Section 8.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), seeking to review the determination made by the HRPP on 30 September 2020. Please refer to further analysis of Section 8.2 of the EP&A Act under Section 3.1.1 of this SoEE and within **Appendix 22**.

Table 1 below provides a summary of how this application responds to the key issues and matters raised by the HRPP which led to their determination.

Table 1 - Response to HRPP reasons for refusal

No.	HRPP Issue	Response
1	<p>SALINITY</p> <p>The Panel has been informed that the types of models that should be used included:</p> <ol style="list-style-type: none"> CLASSU3M-1D Catchment salinity models <ol style="list-style-type: none"> 2CSalt CAT SOURCE model. 	<p>Revised Salinity Modelling and associated Review has been undertaken, with the reports provided at Appendix 16 and 17. Martens have been engaged to undertake a groundwater salinity assessment for the development, to address the JRPP comments provided. The letter provided at Appendix 17 provides an overview of the scope of work undertaken to date and expected time frame for groundwater monitoring, modelling, and reporting to address the JRPP comments. In summary, the findings of the additional assessment prepared by Martens is anticipated to be completed by the end of December 2021. Lodgement of this application is required prior to completion of these works to maintain the appeal rights. It is therefore respectfully requested that in anticipation of the report, all other matters pertaining to development assessment occurs.</p>
2	<p>Ecological Outcomes</p> <ol style="list-style-type: none"> The cost management of the regime (drainage reserve) is also a concern, we need guidance on the costs associated that would be dedicated to council Basins A & B are sitting in existing vegetation – extent of tree loss is unacceptable and results in an unnecessary loss of hollow bearing trees. Ecology report lacks finality. 	<ul style="list-style-type: none"> The cost of reserve maintenance varies depending on the maintenance schedule required. Guidance from Council is sought on this matter, given the basin will be dedicated to Council post construction. <p>A revised FFAR and PoM is provided at Appendix 19 and Appendix 10, prepared by Kleinfelder.</p> <ul style="list-style-type: none"> The detention basin layout has been amended to avoid the removal of the hollow bearing trees. The FFAR includes further assessment on the finality around nest box locations. As detailed within Section 3.1.1 of this report, the FFAR demonstrates that the proposed subdivision design is suitable, with impacts having the ability to be minimised. Recommendations are proposed to minimise impacts during vegetation removal stage.

3	<p>Stormwater Management</p> <ol style="list-style-type: none"> 1. Detention basins are impervious and at a low grade meaning there is scope that the flow will be uncontrolled, resulting in water still ending up in the environment. 2. The drainage reserve should have road frontages and not be closed off and at the rear of sites. 	<p>A revised Stormwater Management Plan and associated Report is provided at Appendix 9, prepared by Acor. The plan demonstrates that discharge will not be uncontrolled (i.e., sufficient detention).</p> <p>The three detention basins proposed have been designed and located to primarily adjoin the road network.</p>
4	<p>Urban Design</p> <ol style="list-style-type: none"> 1. The design of the subdivision where 2/3 of the drainage reserve is to rear yards does not provide an integrated open space system, the drainage reserve should have road frontage 2. Open space plan less than the DCP, there is no reason a new subdivision cannot comply. 	<p>A revised Subdivision Plan is provided at Appendix 9 and Landscape Plan provided at Appendix 7, noting the following:</p> <ol style="list-style-type: none"> 1. Revision of layout such that a significant proportion of the lots front open space or rural aspect. 2. Number of lots reduced from 423 to 392 average lot size 825m² being 37% larger than minimum lot size 600m². 3. The number of battle axe allotments reduced. 4. Lots removed from areas fronting drainage reserve to increase the retention of hollow bearing trees 5. Number of parks increased from 3 to 5 with a minimum area of 2500m² as per DCP (except park lot 220 1575m² which is intended as passive space to protect aboriginal tree). 6. Lots in area of higher salinity area removed from DA. 7. Inclusion of design statement as to principles as why it is the best layout for the site and local situation.
5	<p>Rural and Environmental Interface</p> <ol style="list-style-type: none"> 1. Even if parts cannot be accessed for biodiversity reasons, it should still provide for outlook and visual amenity for the broader subdivision, as 	<p>The revised subdivision plan and landscape plan include:</p> <ol style="list-style-type: none"> 1. Pedestrian linkages and cycling facilities between pocket parks and detention basins open space. This is further detailed on the

	<p>well as lineal walkways and cycling facilities on its interface.</p> <p>2. There should be a transition area between the edge/zone and the rural land.</p>	<p>pedestrian and cycleway plan provided within the plan set at Appendix 6.</p> <p>2. A landscape strip has been included between zone edge and rural land. Fencing along this interface will be rural in form, inclusive of post and wire. A restriction on the use of land, prohibiting colourbond fencing is acceptable.</p>
6	<p>Bushfire Management</p> <p>The integration of bushfire recommendations was unresolved.</p>	<p>Fuel load management in the reserve has been revised to be consistent with the ecology report and associated recommendations.</p>
7	<p>Emergency Access Road</p> <p>An emergency access road has been requested by Council engineers, it is notable that the Owners is also the proprietor of the adjacent land, has the RMS to be consulted on existing gateway?</p>	<ul style="list-style-type: none"> • TfNSW will be consulted throughout the Section 8.2 application assessment process, as the development is identified as integrated to TfNSW. • Owner's consent has been provided by the adjoining landowner consenting to the creation of Right of Carriage/Easement over the adjoining land to the highway. • An Emergency Access Road Plan is provided within the plan set at Appendix 6.
8	<p>Acoustic Report</p> <p>Prior to commencement of the consent the proponent must submit an acoustic assessment. Where noise attenuation measures are required a restriction on the use of land shall be registered.</p>	<p>An Acoustic Report is provided at Appendix 8. Based on the results of the assessment, it is expected compliance with all noise goals for internal use for future dwellings can be achieved provided design measures similar to what has been outlined in Section 4.1 of the report are investigated and implemented. This section notes that based on the predicted results, windows with direct line of sight to traffic noise, sleeping area / bedroom would need to attenuate at least 18 dB(A) of the traffic noise (53 calculated - 35 acceptable). The façade of any living areas would need to attenuate at least 17 dB(A) (57 – 40).</p>

2 DESCRIPTION OF THE DEVELOPMENT

2.1 PROPOSED DEVELOPMENT

This application forms the SoEE of the Section 8.2 Review Application. It is requested that the consent authority review the Determination made 30 September 2020 under s 8.3 EPA Act. The Determination cannot be reviewed after the period within which any appeal may be made to the NSWLEC has expired if no appeal has been made (s 8.3(2)).

The period in which an appeal may be instituted, applying to this matter under the extended period during Covid, is 12 months after 30 September 2020, i.e., by 30 September 2021: s 8.10.

The objective of the proposed development is to obtain development consent for a Torrens title subdivision (one into 392 lots over 16 stages). The characteristics of the development include:

- a. Removal of vegetation.
- b. One into 392 Lot Torrens title subdivision implemented over sixteen (16) stages, including Lots ranging in size between 450m² and 992m². The size and shape of each Lot has been designed to accommodate future residential development. The Lots and associated development will be implemented / delivered in stages, including:

STAGE	LOTS	AVG. AREA
1	21	891
2	25	841
3	14	894
4	18	770
5	13	765
6	30	789
7	23	798
8	32	802
9	28	795
10	36	827
11	21	810
12	36	836
13	26	899
14	28	903
15	21	827
16	20	758
TOTAL	392	825

c. Civil works including:

- **Stage 1** – partial construction of main road (R) R1 (30m wide) and associated intersection with Gundy Rd, partial construction of internal R2 and R3 (18m wide) to service 21 Lots. Stormwater basin one and park one will be delivered within this stage.
- **Stage 2** – partial construction of R2 and R3 to service 25 Lots and delivery of pocket park (inclusive of Aboriginal Tree).
- **Stage 3** – extension of R2 and R3 to service 14 Lots.
- **Stage 4** – extension of R1, construction of roundabout and partial construction of R4 (18m wide) to service 18 Lots. Stormwater basin two and park two will be delivered within this stage.
- **Stage 5** – extension of R5 and partial construction of R10 (18m wide) to service 13 Lots and provision of emergency egress road (gravel) to the west, towards New England Highway. Stormwater basin three and park three will be delivered within this stage.
- **Stage 6** – partial construction of R6 and extension of internal roads (18m wide) to service 30 Lots.
- **Stage 7** – extension of internal roads (18m wide) to service 23 Lots, and construction of internal pathway 6m wide.
- **Stage 8** – extension of internal roads (18m wide) to service 32 Lots, with road abutting boundary to provide residential expansion opportunity to the east, and construction of internal pathway 6m wide.
- **Stage 9** – partial construction of R9 (18m wide) to service 28 Lots.
- **Stage 10** – partial construction of R10 and R11 (18m wide) to service 36 Lots.
- **Stage 11** – extension of R10 and construction of R12 (cul-de-sac) to service 21 Lots and construction of internal pathway (6m wide).
- **Stage 12** – extension of R10 and construction of internal pathway (6m wide).
- **Stage 13** – partial construction of R13 (cul-de-sac) and R14 to service 26 Lots, construction of internal pathway (6m wide) and drainage easement.
- **Stage 14** – extension of R9 to service 28 Lots and construction of internal pathway.
- **Stage 15** – internal road extensions to service 21 Lots.
- **Stage 16** – internal road extensions to service 20 Lots and open space.
- Construction of stormwater infrastructure within street network per stage, to discharge into the basins located towards the northern property boundary catering for on-site detention and water quality requirements. As noted above, all stormwater basins will be constructed by stage five, with subsequent stages connecting to the associated basin as they are released, as detailed within the stormwater drainage plan and report.

d. Access to the subdivision will be from Gundy Road.

e. Stages 1, 2 and 3 are located on the northern side of the stream adjacent to Gundy Road.

- f. The remainder of the stages are located on the southern side of the stream. A road crossing with reinforced concrete box culverts is proposed to span the stream to the southern side of the development.

The Subdivision Plan is provided in **Figure 2** below and at **Appendix 6**. Key changes to the Subdivision Layout in response to the HRPP reasons for refusal include:

- Revision of layout such that a significant proportion of the lots front open space or rural aspect.
- Number of lots reduced from 423 to 392 average lot size 825m² being 37% larger than minimum lot size 600m².
- The number of battle axe allotments reduced.
- Lots removed from areas fronting drainage reserve to increase the retention of hollow bearing trees
- Number of parks increased from 3 to 5 with a minimum area of 2500m² as per DCP (except park lot 220 1575m² which is intended as passive space to protect aboriginal tree).
- Lots in area of higher salinity area removed from DA.



Figure 2 - Proposed subdivision plan (MM Hyndes, 2021)

3 PLANNING CONTROLS

3.1 ACTS

The following Acts are considered relevant to the proposed development and are discussed in further detail below.

- *Environmental Planning and Assessment Act 1979*
- *Biodiversity Conservation Act 2016*
- *Water Management Act 2000*
- *Roads Act 1993*
- *Rural Fires Act 1997*

3.1.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the principal planning and development legislation in NSW and is applicable to the proposed development. Section 4.15 of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15 are addressed in further detail in separate sections of this SEE below.

- **Section 4.46 – What is integrated development?**

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the approvals listed within **Table 2** below.

- **Section 7.11 – Development Contributions**

Development contributions will be charged in accordance with the Upper Hunter Shire Council Section 94 Contribution Plan 2017. The contributions will be payable prior to the issue of the subdivision certificate for each stage.

- **Section 8.2 – Determinations and decisions subject to review**

This application is lodged for conduct of review of the determination by the Consent Authority (Upper Hunter Shire Council) made on 30 September 2020 by the HRPP under DA 163/2017. It is requested that the consent authority review the Determination made 30 September 2020 under s 8.3 EPA Act. The Determination cannot be reviewed after the period within which any appeal may be made to the NSWLEC has expired if no appeal has been made (s 8.3(2)).

The period in which an appeal may be instituted, applying to this matter under the extended period during Covid, is 12 months after 30 September 2020, i.e., by 30 September 2021: s 8.10.

The applicant has or will have prior to 30 September 2021 lodged an appeal with the NSWLEC. The lodgement of such an appeal preserves the jurisdiction of the Panel to conduct a review of the Determination under s 8.3. The applicant will ask the NSWLEC to defer progressing, and particularly disposing of, the appeal before the court until there has been a determination by the Panel on Review. Please refer to **Appendix 27** for further information on how this application and associated documentation responds to the matters identified by the HRPP.

In accordance with subclause (3), in requesting this review, the proposed development (the subject of the original application for development consent) has been amended to address the concerns of the HRPP. It is understood that the consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development. The development remains substantially the same, resulting in a Torrens title residential subdivision, of generally the same layout as originally proposed. A reduction in Lot yield has occurred to respond to the salinity constraints of the land and to ensure Lot sizes can adequately cater for the construction of future dwellings.

3.1.2 Biodiversity Conservation Act 2016

The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

A Fauna and Flora Assessment Report (FFAR) has been prepared by Kleinfelder in support of the proposed development and is provided at **Appendix 19**. The BC Act commenced on the 25th of August 2017, repealing the Threatened Species Conservation Act (TSC Act). However, as per Section 29 of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, former planning provisions continue to apply to pending and lodged Part 4 assessments lodged prior to the 25th of November 2017. This assessment constitutes an amendment / appeal to an existing Development Application lodged to the Upper Hunter Shire Council on 22 November 2017. Therefore, amendments detailed within the FFAR have been undertaken in accordance with the TSC Act as stated within Section 2.1.3 of the FFAR. Despite this, threatened species, populations, and ecological communities have also been assessed in accordance with current conservation status under relevant legislation (i.e., the BC Act, and EPBC Act, as detailed within the FFAR.

The proposed development will require the removal of 1.21 ha of woodland vegetation PCT 618 – White Box x Grey Box - red gum - Rough-barked Apple grassy woodland on rich soils on hills in the upper Hunter Valley, Box-Gum Grassy Woodland CEEC under the BC Act and EPBC Act, and removal of 13 hollow-bearing trees (including one dead stag). The proposed development will also require the removal of 40.86 ha of derived grassland PCT 618 (Box-Gum Grassy Woodland CEEC under the BC Act). The FFAR concludes that the proposed development is unlikely to cause a significant impact to any threatened species, populations or ecological communities listed under the BC Act. An assessment of significance determined that significant impacts to commonwealth listed threatened species are unlikely. However, an EPBC referral to the Commonwealth Minister for the Environment is required to

assess the significance of proposed impacts to the Commonwealth listed Box-Gum Grassy Woodland CEEC.

Avoidance and mitigation measures have been presented within the FFAR to reduce potential impacts to biodiversity values within the site and the environment. A Plan of Management (PoM) for retained vegetation within the Drainage Reserve has been developed to support the proposed DA and is provided at **Appendix 10**.

3.1.3 Water Management Act 2000

The site also contains an identified blue-line watercourse within the northern portion of the site, which connects two dams at opposite ends of the site (east and west). As the proposed development is located within 40m of waterfront land, the proposal required referral to the NSW Natural Resources Access Regulator for concurrence.

3.1.4 Roads Act 1993

The site requires the provision of a new intersection connecting to Gundy Road. The access to the subject site will be constructed to the Australian Standards and Councils requirements. The intersection is subject to approval under *Section 138 of the Roads Act 1993*, which will occur prior to the issue of a subdivision works certificate.

3.1.5 Rural Fires Act 1997

Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the consent authority:

- (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or*
- (b) *has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The subject site is identified as bushfire prone, vegetation category 3 and buffer. The development includes a subdivision that will result in land that can lawfully be used for residential purposes, and therefore requires referral to the NSW Rural Fire Service as 'integrated development', requesting the issue of a Bushfire Safety Authority.

A Bushfire Assessment Report (BAR) has been prepared in accordance with 'Planning for Bushfire Protection' 2019 (PBP) and is provided at **Appendix 12** to enable referral to the NSW RFS.

Table 2 - Integrated development

Integrated development	Proposed Development	
Fisheries Management Act 1994	<ul style="list-style-type: none"> ▪ s 144 ▪ s 201 ▪ s 205 ▪ s 219 	N/A
Heritage Act 1977	<ul style="list-style-type: none"> ▪ s 58 	N/A
Coal Mine Subsidence Compensation Act 2017	<ul style="list-style-type: none"> ▪ s 22 	N/A – The site is not located within a Mine Subsidence Area.
Mining Act 1992	<ul style="list-style-type: none"> ▪ s 63, 64 	N/A
National Parks & Wildlife Act 1974 (as amended)	<ul style="list-style-type: none"> ▪ s 90 	<p>No – Development is not integrated development in respect of an Aboriginal heritage impact permit required under Part 6 of the National Parks and Wildlife Act 1974 unless –</p> <ul style="list-style-type: none"> a. an Aboriginal object referred to in that Part is known, immediately before the development application is made, to exist on the land to which the development application applies, or b. the land to which the development application applies is an Aboriginal place within the meaning of that Act immediately before the development application is made <p>A desktop search was undertaken of the NSW State Heritage Inventory and Council's Heritage Register. The search concluded that the site is not located within proximity to any State or Local heritage items and is not located in or near a heritage conservation area.</p>

		<p>An Aboriginal Heritage Due Diligence (DD) assessment has been prepared and is provided at Appendix 13. As part of this assessment, a search of the Aboriginal Heritage Information Management Systems (AHIMS) was undertaken which identified two (2) Aboriginal sites within 50km of the site. Specifically, an open camp site northeast of Scone and a possible modified tree located immediately north of the subject site. The AHIMS GDA coordinates plot the site as located within the study area however ground truthing located the modified tree on the lot to the north.</p> <p>As part of the assessment, a field survey was conducted with Wannaruah Local Aboriginal Land Council (WLALC) which concluded a possible modified tree was located on the site. The proposed development has been designed to avoid this tree and for the tree to be incorporated into open space. No other Aboriginal objects were located by the field survey.</p>
Protection of the Environment Operations Act 1997	<ul style="list-style-type: none"> ▪ ss 43(a), 47, 55 ▪ ss 43(b), 48, 55 ▪ ss 43(d), 55, 122 	N/A
Roads Act 1993	<ul style="list-style-type: none"> ▪ s 138 	N/A
Rural Fires Act 1997	<ul style="list-style-type: none"> ▪ s 100B 	Yes – The proposed development is defined as integrated development and requires consent from the RFS, as noted above.
Water Management Act 2000	<ul style="list-style-type: none"> ▪ ss 89, 90, 91 	Yes – Given development will occur within 40m of the mapped watercourse, referral to the Natural Resource Access Regulator as integrated development is required as part of this application.

3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

All State Environmental Planning Policies (SEPPs) have been considered. The following SEPPs are considered relevant to the proposed development and are discussed in further detail below.

- *State Environmental Planning Policy No 55 – Remediation of Land*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (Koala Habitat Protection) 2021*

3.2.1 SEPP No.55 – Remediation of Land

SEPP No.55 provides a State-wide planning approach to the remediation of contaminated land. Clause 7 of SEPP No.55 provides that a consent authority must not consent to the carrying out of development on land unless it has given consideration to whether the land subject to the development is contaminated. Where the land is contaminated a consent authority must determine if the land is suitable in its contaminated state for the development, or alternatively determine that the land would be suitable once remediated.

A Preliminary Site Investigation was undertaken on the subject site by Valley Civilab Pty Ltd in order to develop an understanding of the potential risks to human and/or environmental health relating to potential contamination of the subject site. This report was lodged with the original DA and continues to be relevant to this Section 8.2 Application. The assessment methodology included a data review to develop an understanding of the previous uses of the site, and a site visit. A review of the NSW EPA Contaminated Land Record of Notices was undertaken by Valley Civilab in November 2017 which identified that the site is not subject to regulation by the NSW EPA under section 60 of the *Contaminated Land Management (CLM) Act 1997* and similarly that there are no sites within the surrounding area subject to regulation under the *CLM Act 1997*. A review of the NSW EPA List of Contaminated Sites was also undertaken in November 2017, which identified that the site has not been notified to the EPA as a contaminated site and similarly that there are no sites within the surrounding area that have been notified. The key findings of the assessment include:

- 1) *Potential contamination sources associated with the sites historical land uses are limited based on the apparent lack of current and former infrastructures;*
- 2) *Visible signs of residual contamination were not observed during the site inspection; and*
- 3) *Potential residual contamination in shallow soil from farming/agricultural activities is unlikely to pose a risk to future receptors.*

Taking the conclusions made within the PSI, the subject site is suitable for the proposed development and the objectives of SEPP No.55 have been satisfied. Refer to **Appendix 15** for further detail.

3.2.2 SEPP (Infrastructure) 2008

Pursuant to Schedule 3 of this SEPP, the proposed subdivision incorporates more than 200 Lots and therefore is defined as traffic generating development. As such, referral to Transport for NSW (TfNSW) is required as part of this development.

A Traffic Impact Assessment has been undertaken to support the proposed development. This report was lodged with the original DA and continues to be relevant to this Section 8.2 Application. This assessment concluded that the proposal should be approved on traffic and access grounds, stating:

‘The additional traffic movements generated by the development will have an acceptable impact upon the local road network and the traffic movements associated with the development can be accommodated within the existing New England Highway / Gundy Road intersection. Recommended improvements associated with this development consist of improved pedestrian and cyclist connections funded as part of the S94 contributions assigned to the subject site and a new access onto Gundy Road from the subject site’.

Given the reduced Lot numbers proposed as part of this Section 8.2 application, the conclusions made within the TIA remain applicable, if not reduced impacts will be seen.

The proposed development is not in the vicinity of a pipeline corridor and therefore does not trigger referral to any pipeline operator pursuant to Section 66C. The site will be connected to electricity prior to the issue of a subdivision certificate, with designs provided prior to the issue of a subdivision works certificate. Referral to the electricity supply authority pursuant to Section 45(1)(b)(iii) will likely occur as part of this application.

3.2.3 SEPP 44 – (Koala Habitat Protection)

As noted above, this application constitutes an amendment / appeal to an existing DA lodged to the Upper Hunter Shire Council on 22 November 2017. Therefore, amendments detailed within the FFAR have been undertaken in accordance with the TSC Act and other repealed legislation including SEPP 44.

SEPP 44 encourages the proper conservation and management of areas of natural vegetation that provide habitat for Koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. The initial Koala assessment was undertaken prior to the repeal of SEPP 44, and as such, still applies to this assessment. Under SEPP 44, the identification of Potential Koala habitat and Core Koala habitat is outlined. The FFAR concludes the following:

- The vegetation within the site is dominated by *Eucalyptus ‘albemol’* and *Eucalyptus melliodora* (Yellow Box). *Eucalyptus ‘albemol’* was identified within the site representing greater than 15% of the trees which is listed under Schedule 2 (Koala Feed Tree Species) of SEPP 44. Therefore, the site meets the definition of ‘Potential Koala Habitat’ as defined by SEPP 44.

- No evidence or sightings of Koalas (*Phascolarctos cinereus*) were recorded within the site.
- A BioNet atlas search was conducted and there were no records within a 5kms of the site. There was one record approximately 6.5km to the South-West which was found along a riparian corridor in back in 2016.
- Due to the distance and highly fragmented habitat present within the area and the site, it is concluded that the site would not constitute 'Core Koala Habitat' as defined by SEPP 44.

No further provisions of the SEPP 44 apply to the site; thus, it is taken that SEPP 44 has been satisfied in this regard.

3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

The following parts of the Upper Hunter LEP 2013 apply to the proposed development:

- **Clause 2.3 – Zone Objectives and Land Use Table**

The subject site is zoned R1 General Residential. The proposed development includes a Torrens title subdivision, which is permissible with consent in the zone in accordance with Clause 2.6 below.

The Land Use Table of the LEP identifies the following objectives for the R1 zone:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The development provides additional Lots within the locality of Scone, to accommodate future residential accommodation within a general residential environment that caters for the housing needs of the community, whilst protecting and enhancing the existing residential amenity and character of the area. The proposed subdivision is considered to meet these objectives by providing a range of lot sizes and subsequent housing types and densities for the immediate and surrounding communities. Overall, the proposed development is consistent with surrounding development within the area and provides a large subdivision for future residential development of a range of types. To this extent, the proposed development meets the objectives of the R1 zone.

- **Clause 2.6 – Subdivision**

The application includes subdivision, resulting in 392 Torrens title lots at the conclusion of the development which is permissible under this clause.

- **Clause 4.1 – Minimum Lot Size**

The objective of this clause applicable to the proposed development is to ensure that lot sizes are able to accommodate development that is suitable for its purpose and that it is

consistent with the relevant development controls. The size of any lot resulting from the subdivision of land to which this clause applies is not to be less than the minimum size shown on the lot size map in relation to that land.

The minimum lot size in relation to the subject site is 600m², with resulting lots of the proposed subdivision meeting this minimum. The proposed lots are suitable for their intended residential purpose and are consistent with the development controls, as detailed within the DCP section of this report.

- **Clause 6.7 – Airspace Operations**

The subject site is located within an area identified as being within an Obstacle Limitation Surface. Under Clause 6.7 of the LEP, the objectives of this clause include:

- (a) to provide for the effective and ongoing operation of the Scone Memorial Aerodrome by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,*
- (b) to protect the community from undue risk from that operation.*

Overall, it is considered that the proposed development will not penetrate the Limitation or Operations Surface.

- **Clause 5.10 – Heritage conservation**

A desktop search was undertaken of the NSW State Heritage Inventory and Council's Heritage Register. The search concluded that the site is not located within proximity to any State or Local heritage items and is not located in or near a heritage conservation area.

An Aboriginal Heritage Due Diligence (DD) assessment has been prepared and is provided at **Appendix 13**. As part of this assessment, a search of the Aboriginal Heritage Information Management Systems (AHIMS) was undertaken which identified two (2) Aboriginal sites within 50km of the site. Specifically, an open camp site northeast of Scone and a possible modified tree located immediately north of the subject site. The AHIMS GDA coordinates plot the site as located within the study area however ground truthing located the modified tree on the lot to the north.

As part of the assessment, a field survey was conducted with Wannaruah Local Aboriginal Land Council (WLALC) which concluded a possible modified tree was located on the site. The proposed development has been designed to avoid this tree and for the tree to be incorporated into open space. No other Aboriginal objects were located by the field survey.

The assessment concluded that *'the proposed development will not impact on any identified items of Aboriginal heritage as no items were identified by this assessment. The possible modified tree will be conserved in-situ and if any potential impact on the tree is proposed the modification should be assessed by an arborist to determine the modifications origin'*.

In this regard, no further assessment against the requirements of clause 5.10 is required.

- **Clause 7.2 – Earthworks**

The application proposes earthworks on the site to establish infrastructure (internal roads, stormwater drainage and essential services). Earthworks will also be required following vegetation removal and will incorporate balanced cut and fill across the entire site to achieve a level building platform whilst ensuring no negative impact on the site or adjoining sites.

Due to the topography of the site, the preconstruction erosion and sediment controls will be limited to stabilized site access, sediment fence and a temporary sediment basin until the initial bulk earthworks is undertaken. The proposed water quality basins will be used as a sediment basin while construction is being undertaken. During the construction phase of the development, the erosion and sediment controls will consist of installed sediment fence, a constructed sediment basin, gully pit sediment barriers and permanent rock outlet scour protection.

Any material that is proposed to be imported or exported from the subject site will consist of Virgin Excavated Natural Materials (VENM), Excavated Natural Materials (ENM) or other certified material. Any earthworks conducted at the site should be controlled in accordance with AS3798-2007 and guided by the recommendations detailed within the Geotechnical Report provided at **Appendix 14**. Accordingly, the development complies with the requirements of this clause.

3.4 DEVELOPMENT CONTROL PLAN (DCP)

Consideration of compliance and/or consistency with the relevant provisions of the Upper Hunter Development Control Plan 2015 (UHDGP 2015) is provided in the DCP Compliance Assessment Report provided at **Appendix 2**. The Assessment identifies that the proposed development demonstrates compliance with the relevant provisions of the DCP or overarching objectives where variations are proposed.

4 LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the proposed development and constraints affecting the subject site have been explored throughout this SEE. The following sections detail the major potential impacts and constraints in greater detail, in accordance with Section 4.15(1) of the EP&A Act 1979.

4.1 BUILT ENVIRONMENT

4.1.1 CONTEXT, SETTING AND VISUAL IMPACT

The proposed development will reinforce the residential nature of the locality and is characteristic of other developments in both the local and wider community, consistent with the intended development of St Aubins Estate. The application includes relevant construction methods and services such as an on-site stormwater management system that will prevent adverse impacts on adjoining properties. The proposal addresses the street and provides logical and convenient connections to the road network and pedestrian facilities in the locality.

A Land Use Conflict Risk Assessment (LUCRA) has been prepared and is provided at **Appendix 23**. The LUCRA concludes that the proposed subdivision of land will allow for the

intended Torrens title low impact residential housing development on the land. Residential development of the site is not likely to significantly impact the environment or surrounding land use, or significantly impact rural land availability. Residential development and zoning are current to the north of the site, and thus the proposal will merely be adding to this land use. Further, due to the size and existing zoning of the site, intensive primary production is unlikely, and the opportunity for productive and sustainable agricultural development is considered limited. The proposal is of minor significance to the rural land.

The Upper Hunter Land Use Strategy 2017 adopts the land use principle of limiting opportunities for rural living to appropriate locations that are easily accessible to established towns and villages. This development is located easily accessible to the largest township in the Upper Hunter LGA (Scone). A key outcome of the strategy is to facilitate residential growth while protecting agricultural lands. The proposal is consistent with this outcome because it would increase dwelling capacity in an area already zoned for rural residential development.

There are no anticipated adverse impacts on the built environment as a result of the proposed development.

4.1.2 ACCESS, TRANSPORT AND TRAFFIC

A Traffic Impact Assessment has been undertaken to support the proposed development. This report was lodged with the original DA and continues to be relevant to this Section 8.2 Application. This assessment concluded that that the proposal should be approved on traffic and access grounds, stating:

'The additional traffic movements generated by the development will have an acceptable impact upon the local road network and the traffic movements associated with the development can be accommodated within the existing New England Highway / Gundy Road intersection. Recommended improvements associated with this development consist of improved pedestrian and cyclist connections funded as part of the S94 contributions assigned to the subject site and a new access onto Gundy Road from the subject site'.

Given the reduced Lot numbers proposed as part of this Section 8.2 application, the conclusions made within the TIA remain applicable.

The proposed development is to be accessed via Gundy Road, which is the current and legal access to the subject site. Minor upgrades are proposed at the entrance of the site to ensure a safe access and egress for all vehicles. The internal roadways have been designed to ensure accessibility and manoeuvrability throughout the site and to each individual lot. The proposed lots are of a suitable size to encourage maximum off-street parking, with driveway access to be designed during future individual dwelling applications.

4.1.3 PUBLIC DOMAIN

The proposed development will not have an impact on any public domain. The development contributions derived from this development will provide infrastructure and public domain improvements in accordance with the Upper Hunter Shire Council Development Contributions Framework.

4.1.4 SERVICES

The subject site has the ability to be serviced by reticulated water and sewer as demonstrated within the strategies submitted with this application. Electricity and telecommunications infrastructure are available within the immediate locality and will be extended to service the proposed development without burdening the public supply. In addition, the application demonstrates that stormwater drainage resulting from future roof and hard stand areas can be catered for in accordance with Council's requirements.

4.1.5 NOISE AND VIBRATION

Construction noise will be as per normal construction times and processes and will cease once construction is completed. An Acoustic Report is provided at **Appendix 8**. Based on the results of the assessment, it is expected compliance with all noise goals for internal use for future dwellings can be achieved provided design measures similar to what has been outlined in Section 4.1 of the report are investigated and implemented. This section notes that based on the predicted results, windows of dwellings with direct line of sight to traffic noise, sleeping area / bedroom would need to attenuate at least 18 dB(A) of the traffic noise (53 calculated - 35 acceptable). The façade of any living areas would need to attenuate at least 17 dB(A) (57 – 40).

4.2 NATURAL ENVIRONMENT

4.2.1 ECOLOGICAL

The proposed development includes a stormwater water system that manages stormwater in accordance with Council's quantity and quality requirements. In addition, the installation and maintenance of erosion and sedimentation controls will occur during construction. The proposed development will require the removal of 1.21 ha of woodland vegetation PCT 618 – White Box x Grey Box - red gum - Rough-barked Apple grassy woodland on rich soils on hills in the upper Hunter Valley, Box-Gum Grassy Woodland CEEC under the BC Act and EPBC Act, and removal of 13 hollow-bearing trees (including one dead stag). The proposed development will also require the removal of 40.86 ha of derived grassland PCT 618 (Box-Gum Grassy Woodland CEEC under the BC Act). The FFAR concludes that the proposed development is unlikely to cause a significant impact to any threatened species, populations or ecological communities listed under the BC Act. An assessment of significance determined that significant impacts to commonwealth listed threatened species are unlikely. However, an EPBC referral to the Commonwealth Minister for the Environment is required to assess the significance of proposed impacts to the Commonwealth listed Box-Gum Grassy Woodland CEEC.

Avoidance and mitigation measures have been presented within the FFAR to reduce potential impacts to biodiversity values within the Subject Site and the environment. A Plan

of Management (PoM) for retained vegetation within the Study Area (the “Drainage Reserve”) has been developed to support the proposed DA and is provided.

4.2.2 LANDSCAPING

A landscaping plan is provided at **Appendix 7**, identifying the overall planting strategy for the subdivision, incorporating street trees, median strip and open space mass planting. A landscape buffer is provided along the cadastral line between the R1 and RU4 Zone to achieve a positive interface between the two zones and associated transition. This area is proposed to be maintained via the imposition of a restriction on the use of land, burdening Lot: 2 DP1237000 and benefiting Upper Hunter Shire Council. A draft 88B instrument setting out the terms of the easement is provided at **Appendix 24**.

4.2.3 ARCHAEOLOGY

An Aboriginal Heritage Due Diligence (DD) assessment has been prepared and is provided at **Appendix 13**. As part of this assessment, a search of the Aboriginal Heritage Information Management Systems (AHIMS) was undertaken which identified two (2) Aboriginal sites within 50km of the site. Specifically, an open camp site northeast of Scone and a possible modified tree located immediately north of the subject site. The AHIMS GDA coordinates plot the site as located within the study area however ground truthing located the modified tree on the lot to the north.

As part of the assessment, a field survey was conducted with Wannaruah Local Aboriginal Land Council (WLALC) which concluded a possible modified tree was located on the site. The proposed development has been designed to avoid this tree and for the tree to be incorporated into open space. No other Aboriginal objects were located by the field survey.

The assessment concluded that *‘the proposed development will not impact on any identified items of Aboriginal heritage as no items were identified by this assessment. The possible modified tree will be conserved in-situ and if any potential impact on the tree is proposed the modification should be assessed by an arborist to determine the modifications origin’*.

4.2.4 STORMWATER

A Stormwater Management Report has been prepared in support of the development by Acor and provided at **Appendix 9**. The overall stormwater strategy includes:

- Minor system stormwater conveyance for the development will be via a traditional pit and pipe system. The minor stormwater system will have the capacity to convey the peak flows from a 20% AEP storm event.
- Major system stormwater conveyance for the proposed development will be via overland flow. This will be via traditional trunk drainage utilising the road carriage way and footpath. The major stormwater system will have the capacity to convey the peak flows from a 1% AEP storm event, containing flows within the road reserve and limiting velocity depth product to or below 0.4 m²/s.
- The stormwater quality treatment train consist of three parts; rainwater tanks, Ecosol GPTs and bioretention basins (located within the northern portion of the site).

- Approximately 9.2 hectares of the southern catchment of the site currently drains to the southwest. With the proposed development, this area will be reduced to approximately 4.9 hectares. The post developed flows have increased compared to the predeveloped flows due to the increased fraction impervious of 75% for the proposed development. As there is no downstream development that can be impacted by this small flow increase, a detention basin to reduce the flows will not be provided at this location. This strategy was previously agreed to by council.

The Stormwater Report concludes that the proposed stormwater attenuation measures will result in no increase in flows or negative impacts to surrounding properties as a result of the development.

4.2.5 SALINITY

A Geotechnical Assessment was undertaken for the purposes of a site classification, salinity assessment and infiltration testing for the proposed development. The Geotechnical Assessment identified that the site soil classification is highly sodic, thus a Salinity Report has been prepared by GHD, provided at **Appendix 16**. Martens have been engaged to undertake a groundwater salinity assessment for the development, to address the JRPP comments provided. The letter provided at **Appendix 17** provides an overview of the scope of work undertaken to date and expected time frame for groundwater monitoring, modelling, and reporting to address the JRPP comments. In summary, the findings of the additional assessment prepared by Martens is anticipated to be completed by the end of December 2021. The letter provides that site soils are characterised as generally consisting of clayey topsoils overlying high plasticity residual clays. Substratum layer depths vary across the site. No significant areas of fill were identified during the intrusive investigations. Weathered bedrock encountered was comprised of shale, sandstone and conglomerate.

Lodgement of this application is required prior to completion of these works to maintain the appeal rights. It is therefore respectfully requested that in anticipation of the report, all other matters pertaining to development assessment occurs.

4.3 SOCIAL AND ECONOMIC

Social

Social impact is best defined by (Armour 1992) that describes changes that occur in:

- People's way of life (how they live, work, play and interact with one another on a day to day basis),
- Their culture (shared beliefs, customs and values), and
- Their community (its cohesion, stability, character, services and facilities).

The proposed development provides additional Torrens Title Lots within the Scone locality, which will provide the ability for construction of additional housing to service the needs of the community. The subdivision will be serviced by suitable facilities and services without burdening the existing supply available within the area.

The proposed development:

- Will increase the numbers of residents within the locality, consistent with the general aims of the R1 Zone,
- Will not disadvantage or benefit any particular social group, rather will provide additional Lots for the development of housing to achieve the objectives and requirements of the Upper Hunter Land Use Strategy and associated population and dwelling projection.
- Will enhance the cultural life of the community through increasing the number of residents within Scone who will in turn contribute to cultural and community activities when available.
- Will not create areas of insecurity or risk for occupants or pedestrians through adequately designed roads and public transport links.
- Will provide the opportunity to increase housing diversity within the wider Upper Hunter area and provides for greater housing choice.
- Provides cohesive links with the adjoining estate and wider area to ensure social connectivity and cohesion is achieved.
- Provides enhanced social and built infrastructure to positively benefit the new and existing population within the estate and adjoining areas.

There are no anticipated adverse economic impacts as a result of the proposed development, rather it is considered the proposal will contribute positively to the social elements of the locality through an increase in residents. The proposed development is not out of character with the existing urban context, will not involve an increased risk to public safety and will not threaten the existing sense of community, identity or cohesiveness, rather will contribute to the increase of these aspects in the locality.

Economic

The construction of the proposed development will provide employment opportunities in the locality and support the local building and development industries. This will have direct monetary input to the local economy, and the increased number of residents in the locality will provide ongoing economic input through daily living activities.

The increase in housing within the area will directly influence and enhance business and employment opportunities within the area. There are no anticipated adverse economic impacts as a result of the proposed development.

4.3.1 SAFETY, SECURITY AND CRIME PREVENTION

No safety, security or 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 of the adjoining streets from the site and may contribute to increased safety and security in the area. A Crime Prevention through Environmental Design Report is provided at **Appendix 18**.

5 SUITABILITY OF THE SITE

The subject site is located within the St Aubins Estate, Scone locality map. The vision for St Aubins is to create a high quality residential development that facilitates the orderly growth of the Scone town site. Residential streets will be interconnected and legible to establish safe local streets and convenient access in and out of the development area. Within the overall development, sites have been earmarked for residential and seniors living purposes. This is to encourage the establishment of social infrastructure and activities that build a sense of community strength. Riparian areas will be preserved, and management facilities will be provided to ensure minimal environmental impacts result from the residential development. A connected pedestrian and cycling pathway network will align with the riparian corridors and connect to existing pathways in Scone.

The application design includes all elements required under the relevant planning instruments and policies, particularly Chapter 13a – St Aubin's Estate of the DCP, and there are no anticipated negative impacts on the locality as a result of the development. Where variations are proposed, suitable justification has been provided within the relevant Section to demonstrate consistency with the locality and land development on adjoining boundaries.

To this extent, the site is suitable for development.

6 ANY SUBMISSIONS AND CONSULTATION

As part of the DA consideration process it is envisaged Council may place the proposal on public exhibition and send neighbor notification letters to adjoining or adjacent properties.

7 PUBLIC INTEREST

The proposal represents additional residential Lots to accommodate residential development in the locality to service the needs of the community, whilst not anticipated to have any significant adverse impacts on surrounding properties or the amenity of the locality.

The proposed development reinforces the residential nature of the land and is in keeping with the character of surrounding developments.

The proposed development is in the public interest.

8 CONCLUSION

This SEE has shown that the development is within the public interest, from a social, economic and environmental perspective. The proposed subdivision development is the most suitable option for the development of the site. Any relevant matters have been addressed through this SEE.

The key reasons why the proposed development is appropriate are as follows;

- The proposed subdivision is permissible on the site with consent, with all Lots meeting the minimum Lot size requirement;

- No adverse impact on the existing character or amenity of the area will result;
- The proposed subdivision is consistent with the layout of the existing area and subdivision, without burdening the essential services supply;
- The stormwater management solution can be designed and provided in accordance with Council's Development Controls and Water Sensitive Urban Design Principles;
- The development has been designed to reduce the extent of vegetation removal and provides recommendations for vegetation protection during construction;
- Future dwellings can be constructed to achieve the required acoustic compliance;
- The Lot layout and reduced yield proposed appropriately responds to the constraints of the land and interfaces of the site, consistent with the desired layout provided by Council for the St Aubin's Estate; and
- Subdivision of the land will directly benefit the community through providing a additional developable and saleable lots which are largely unconstrained to meet the housing needs of the growing community population.

It is considered that the proposal will have no significant impacts on the surrounding properties to that it is likely to adversely affect their enjoyment or amenity. We look forward to Councils determination of this matter.

If we can provide any further information or clarity, please don't hesitate to contact us.



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