



STATEMENT OF ENVIRONMENTAL EFFECTS

Arcadia Estate (East)

Residential Subdivision

Lot 1 & 2 DP 1213875 and Lot 1 DP 233288

Burgmanns Lane South Tamworth NSW 2340

Revision: **B**

Project: **C19 291**

Report No: **164 Rpt**

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CSO ENGINEERS Pty Ltd
Taminda Business & Lifestyle Park
Level 2
10/1a Wirraway Street
Tamworth NSW 2340
0418 385 515
www.csoengineers.com

Email: mail@csoengineers.com

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3.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by CSO Engineers on behalf of Maximum Yield & Burkes Gully Investments Pty Ltd to accompany a Development Application for Lots 1 & 2 in DP 1213875 in Burgmanns Lane and Lot 1 in DP 233288, located at No's 136-144 Bylong Road, South Tamworth. The subject land forms the eastern section of the Arcadia Estate residential land precinct.

The Arcadia site is located in the southern extent of the suburb of Hillvue, Tamworth and is identified as a key future residential release area in the *New England Northwest Regional Plan 2041, Blueprint 100* which is the *Tamworth Regional Local Strategic Planning Statement (LSPS) 2020. Blueprint 100 - Part 1 and Part 2* were adopted by Council in 2020.

Development consent is sought for a residential subdivision comprising of the following components:

Subdivision to create:

- 921 Torrens Title allotments ranging from 450m² to 1200m².
- District Park.
- Burkes Gully drainage reserve & recreation area.

Civil works including:

- Earthworks & site grading.
- Estate access & intersection with Bylong Road.
- Internal roads including traffic management, signage & calming treatments.
- Internal pedestrian paths & shareways.
- Service infrastructure including stormwater, sewer, and water reticulation.
- Stormwater management structures.
- Electrical & NBN infrastructure.

Landscaping works including the provision of:

- Street trees.
- Public park amenities.
- Rehabilitation of the Burkes Gully drainage reserve.
- Entrance feature.

To assist Council in the assessment of this development, this SEE describes the site, its environs, and the proposed development, and provides an assessment of the proposal pursuant to provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, Clause 24 of the *Environmental Planning and Assessment Regulation 2021*, and Tamworth Regional Council's local planning instruments and development controls. This following information is provided to support the development proposal:

- Section 4 - Site overview.
- Section 5 – Description of Proposed Development.
- Section 6 - Planning & Environmental Assessment.
- Section 7 – Report Summation.

This SEE should be read in conjunction with the supporting documentation listed below:

Appendix	Document	Consultant	Date & Revision
A	Deposited Plan		
B	Subdivision Master Plan	CSO Engineers	Rev A Sheets G001-G002
C	Subdivision Road Network Plan	CSO Engineers	Rev A Sheet G003
D	Subdivision Footpath & Shareway Plan	CSO Engineers	Rev A Sheet G004
E	Arcadia East Transport Impact Assessment	Stantec	Rev A May 2023
F	Servicing Strategy Plan Set	CSO Engineers	Rev A Sheets S01-S15
G	Stormwater Management Strategy	Premise	Rev A July 2023
H	Landscape Master Plan	Terras Landscaping Architects	Rev A June 2023
I	Street Tree Plan	CSO Engineers	Rev A Sheet G005
J	Flora & Fauna Assessment Arcadia Development & Addendum.	theenvirofactor	Dec 2015
K	Arcadia Access Roadway Biodiversity Assessment Report	Moss Environmental	January 2022
L	Preliminary Site Investigation	Moss Environmental	January 2022 Rev 1
M	Road Noise Assessment	Muller Acoustic Consulting	22 November 2022 -V1
N	Aboriginal Cultural Heritage Assessment	Area Environmental & Heritage Consultants	Feb 2023
O	Arcadia East Entrance Feature Plan	Singles Drafting	June 2023 Rev01

The dimensions and areas shown on the plans are approximate only and are subject to development approval and detailed survey & design.

Within this report, references to “the site” mean the land to which this DA relates, and “Council” refers to Tamworth Regional Council.

4.0 SITE OVERVIEW

4.1 Development Details

Item	Description
Property Identification	Lots 1&2 DP1213875 (Site A) and Lot 1 in DP 233288 (Site B)
Registered Owner	Maximum Yield & Burkes Gully Investments Pty Ltd
Property Address	Burgmanns Lane & 136-144 Bylong Road, South Tamworth 2340
Applicant	CSO Engineers Pty Ltd mail@csoengineers.com
Local Authority	Tamworth Regional Council
Total Site Area/Perimeter	122 Ha/5.22 km
Land Zoning	<ul style="list-style-type: none"> Site A - R1 General Residential & R2 Low Density Residential (Lots 1&2 DP1213875). Site B - R5 Large Lot Residential (Lot 1 in DP 233288).



Figure 1 - Arcadia Estate Subject Land (Source; TRLEP 2010 Planning Proposal)

4.2 Property Description

As shown in Figure 2, the subject site is located off Burgmanns Lane in South Tamworth, approximately 6.0 km south of the Tamworth CBD and forms the eastern section of the Arcadia Estate residential land precinct.

As shown in the Aerial Photo in Figure 3, the main body of the site (Site A) is currently undeveloped agricultural land with built improvements including internal fencing, farm tracks, a set of stock yards and a water tank. Five dams have been constructed on the site, four of which are located within Burkes Gully. The allotment off Bylong Road (Site B) has a steel shed and is currently being used for storage of building materials.

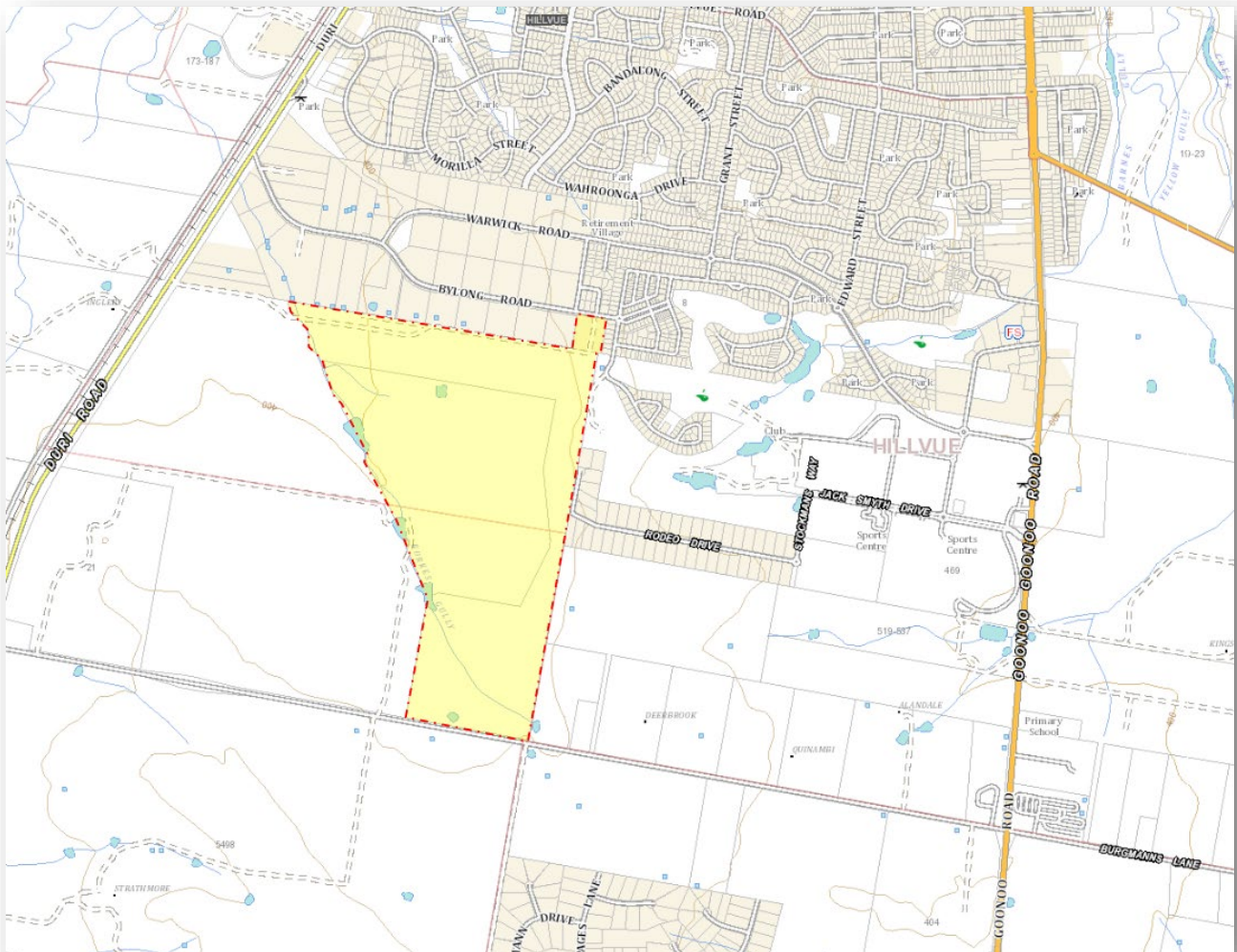


Figure 2 - Site Location – Burgmanns Lane South Tamworth (Source; LPI SIX MAPS 15/05/23)

The surrounding area includes a mixture of residential, recreational, and agricultural (small lots) land uses comprising the following:

- North - The northern boundary of the site comprises large residential lot's fronting Bylong Road.
- South - Burgmanns Lane forms the southern boundary of the site. Land further south includes primary production small lots and further south are residential large lots in the suburb of Kingswood.
- East - The northern half of the eastern boundary borders the Longyard Golf Course and residential properties on Rodeo Drive and Peak drive. The southern half are vacant are primary production lots with isolated buildings.
- West- Burkes Gully and Lot 6 DP 1211122 forms the western boundary of the site. Lot 6 is currently grazing land and is currently being assessed as the western portion of Arcadia residential development. Further west is the Duri Road, northern rail line and Warral Road.



Figure 3 - Aerial Photo (Source; LPI SIX MAPS 05/05/23)

The subject site is currently burdened with a number of existing easements that are registered against the land title. Easements are shown in the Deposited Plan included as Appendix A and include right of carriageways and easements for stormwater and transmission services.

As shown in Figure 3, a 11 KVA high voltage (HV) transmission line crosses the western portion of the site in a north-south direction. There are no plans to relocate or bury this line as part of the development proposal.

4.3 Vegetation

The project site is dominated by a mixture of grass species and improved pastures for livestock grazing.

Scattered eucalypt species are present over the site and small areas of more intact woodland occur towards the northern end of Burke's Gully, and within Lot 1 in DP 233288 off Bylong Road. Lot 1 will be the initial access point for the Arcadia east subdivision.

4.4 Topography and Drainage

The landform is gently undulating, sloping from both east and west towards Burkes Gully. Natural surface levels over the project site range from AHD 421.6m to 398.5m with the grades ranging from 2.1% to 5.3%.

Burkes Gully is classed as a first-order tributary of the Timbumburi Creek which is located approximately 1.1km from the site's western boundary.

The site has a series of contour banks used for previous cropping activities which drain to constructed dams both within and away from Burkes Gully. Where not directed by contour banks, drainage is generally via sheet flow to Burkes Gully. Soil erosion is widespread along the gully and dam overflows.

4.5 Past Land Use

Historically, the site has been extensively cleared for grazing and cultivation leaving only improved pastures with scattered trees over much of the area. Contour banks & fencing readily identify areas that have been historically cropped and grazed.

At the time of this report the project area was being grazed by cattle and horses. A detailed search of previous land use activities has been included in the *Preliminary Site Investigation Report* included as Appendix L.

5.0 PROPOSED DEVELOPMENT

5.1 Proposed Residential Subdivision

Development consent is sought for the subdivision of the site to create 921 Torrens Title residential lots with associated road and servicing infrastructure. The proposed *Subdivision Master Plan* is shown in Figure 4 and summarised in Table 1 below.

Table 1 - Development Proposal Summary	
Development Item	Description
Subdivision to create 921 Torrens Title Lots	The proposal provides a range of allotments including small Lots between 450m ² to 550m ² , medium Lots between 551m ² to 700m ² and large lots > 700m ²
Subdivision to create a Drainage Reserve along Burkes Gully.	Includes Burkes Gully Riparian Zone including stormwater detention basins.
Subdivision to create one (1) Public Park	District Park to be designed to a Level 1 Standard.
Public roads	Internal roads including: <ul style="list-style-type: none">• Collector 25m Reserve with 13m.• Local 20m reserve with 11m pavement.• Local 20m reserve with 9m pavement.• Private laneways.
Internal pedestrian footpaths & shareways	The provision of pedestrian paths (1.2m wide) and shareways (2.5m wide) to provide connectivity with local commercial and recreation areas as well as surrounding development.
Site earthworks & regrading	To facilitate site drainage and lot buildability.
Service Infrastructure	To provide stormwater, sewer, water, and utility services to new allotments.
Stormwater Management	Including seven (7) offline stormwater detention basins located along Burkes Gully.
Landscaping	Including street trees, entrance feature, park amenities and recreation nodes in Burkes Gully.
Rehabilitation of Burkes Gully Public Reserve	To regenerate the site with native vegetation and provide opportunities for public recreation.

The proposed *Subdivision Master Plan* for Arcadia east is included as Appendix B. The overall layout is consistent with the Arcadia Structure Plan as detailed in the site-specific development control plans prepared for the estate (Ref: *Tamworth Regional Development Control Plan 2010 Step 4 (TRDCP)*).

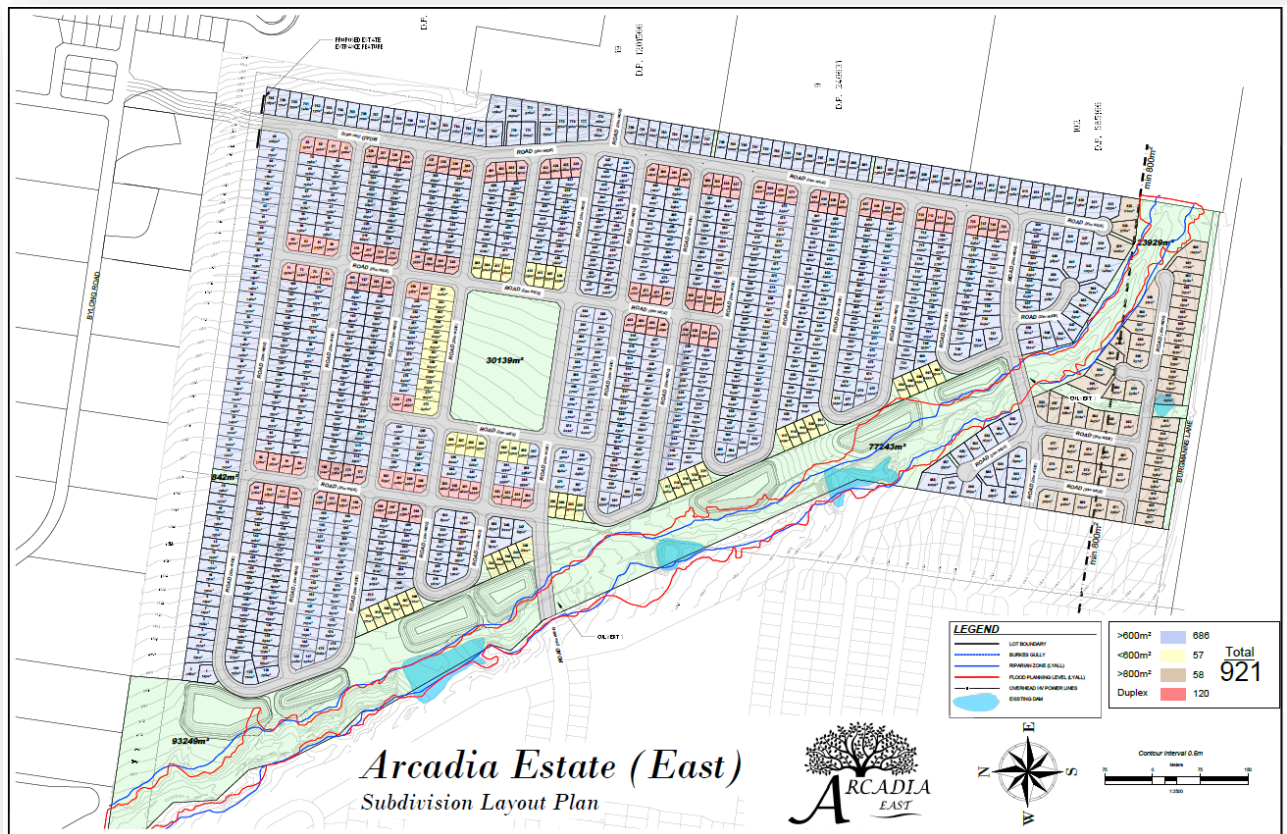


Figure 4 - Proposed Subdivision Master Plan

5.2 Development Staging

The Arcadia east development will commence with the construction of the intersection and link road to Bylong Road in the northeast corner of the site and continue down the northern boundary in stages of approximately 30-40 allotments. Construction staging will then extend southwards through the development. The extent of each stage will be determined by market conditions at the time of construction.

Subdivision Works Certificates (SWC) encompassing the construction of roads, public reserves, service infrastructure and stormwater management will be submitted for Council approval with each stage of works.

5.3 Roads & Access

5.3.1 Site Access

The initial stages of Arcadia east will have access to Bylong Road which consists of a two-way road configured with one traffic lane in each direction. The pavement is currently 7.0 metres wide within a 20-metre road reserve. There are now development controls that require road widening works with subdivision development in Bylong Road to facilitate the expected increase in traffic (Refer Section 6.5.1).

In later stages, access will be via the internal collector roads to Rodeo Drive in the east, and then through the Arcadia west development to Burgmanns Lane in the south and Duri Road to the east.

The overall impact of the Arcadia precinct on the surrounding road network has been assessed in previous reports undertaken as part of Councils Arcadia Estate Rezoning Proposal 2021. The previous reports are outlined below:

- *Tamworth Strategic Transport Model (TSTM)* (Initial report prepared in 2017 and revised in 2019/2020) – The report provided strategic modelling outlining the impacts of future growth in the Tamworth region.

- *Arcadia Traffic Modelling Update Strategic and Intersection Modelling Transport Impact Assessment* (11 February 2022) – This report provided an assessment of the traffic impacts of the overall Arcadia Estate on the external road network. In regard to road connectivity associated with this proposal, traffic modelling undertaken as part of the impact assessment have shown the proposed access to Bylong Road will consist of a priority-controlled T-junction arrangement and is expected to operate at a satisfactory level with average delays of less than six seconds for all years and future scenarios. Similarly, the future Rodeo Drive access intersection will also operate at a satisfactory level under the priority-controlled T-Junction arrangement. There are no connections to Burgmann's Lane proposed with this application.

5.3.2 Internal Road Network

The proposed internal road hierarchy is shown in the *Subdivision Road Network Plan* included as Appendix C and comprises the following road configurations:

- Collector Roads with a 13-metre carriageway in a 25-metre reserve.
- Local access streets with 11m and 9m carriageways in a 20-metre reserve.
- Private laneways to medium density lots exclusive for vehicular and garage access.

All proposed internal roads are consistent with road layout and hierarchy as illustrated in the site-specific development controls for Arcadia Estate (TRDCP 2010 Step 4). The layout is based on the more traditional grid formation which provides for ease of access and connectivity to commercial and public reserves within the site and between neighbouring developed areas. The layout also facilitates major event drainage through the site with straight thoroughfares to Burkes Gully, being the ultimate point of discharge.

Internal roads are bisected by cross streets and where the road lengths exceed 250 metres, it is proposed to use Local Area Traffic Management (LATM) devices as detailed in *Austroads Guide To Traffic Management Part 8: Local Street Management* to reduce speeds and increase pedestrian/bicycle safety. Treatments will be considered in consultation with Council and be detailed with each staged Subdivision Works Certificate (SWC). Options may include but not be limited to the following:

- Horizontal deflection devices including lane narrowing/kerb extensions, slow points, and mid-block treatments.
- Vertical deflection devices such as flat top road humps and raised pavements.

The likely locations of proposed LATM devices are shown on the *Road Network Plan* included as Appendix C.

In consultation with Councils Transport Department, it was requested that further assessment be carried out on the internal road layout, with particular emphasis on the proposed internal intersection treatments along the central collector roads. The *Arcadia East Residential Subdivision Traffic Impact Assessment* (Stantec July 2023) included as Appendix D, was commissioned to provide this information. The report used SIDRA modelling at key internal intersections based on traffic volumes provided in previous reports (Refer Section 5.3.1). The following results were obtained:

- *Proposed new roads have been designed in accordance site specific development controls prescribed in the TRDCP 2010, and all proposed lots will be afforded direct access to street frontage.*
- *Traffic modelling confirms that the key intersection within the Arcadia East precinct would operate well at Level of Service A under the proposed give-way controlled arrangement, with minimal delays and queuing for all approaches.*
- *Considering this key intersection is expected to operate well under typical give-way control, it is similarly expected that all other intersections within the Arcadia East precinct would also operate well under similar arrangements given comparatively less traffic through those intersections.*

5.3.3 Internal Pedestrian Network

The proposed location of the 2.5 metre share-way and 1.2-metre-wide footpaths are shown in the *Subdivision Footpath & Shareway Plan* included as Appendix D. Pedestrian and cycleway links have been provided throughout the estate which connect to the public open space areas (District Park & Burkes Gully) and the wider network.

The location of the paths promotes walking and cycling opportunities throughout the site and aligns with the site-specific development controls shown in the Arcadia Estate Road Network Plan (TRDCP 2010 Step 4).

5.4 Service Strategy

The development site is not currently connected to either water or sewer mains, however these services are to be constructed by Council prior to subdivision works commencing. The proposed strategy for sewer and water services to Arcadia east have been undertaken in accordance with Councils Arcadia Estate Rezoning Proposal 2021 and accompanying reports including the *Bylong & Warwick Road and Arcadia Development Wastewater Servicing Strategy* (Hunter H2O September 2020) and the *Water Servicing Strategy* (TRC November 2021).

The proposed servicing strategy for Arcadia east, including water, sewer and stormwater infrastructure are shown in the *Service Strategy Plans* included as Appendix F. A separate *Stormwater Management Strategy* included as Appendix G, has been commissioned to locate and size the onsite detention requirements for the development and provide for controlled discharge to Burkes Gully. Further details for each service are listed below:

5.4.1 Water Supply

The Water Service Plans for Arcadia east development are included as Sheets SS11- SS15 in Appendix F and are consistent with the water services strategy for the Arcadia Estate as reproduced in Figure 5 below. Council will be constructing a 375mm trunk main from Duri Road, from which a 300mm main will be extended through the site from Warrah Drive. The 300mm trunk main will loop through the site via Bylong Road and continue through to the western precinct.

Individual lot connections will be provided directly off the new mains. The proposed water reticulation will be designed and constructed in accordance with Council's current *Engineering Standards for Subdivisions and Development*.

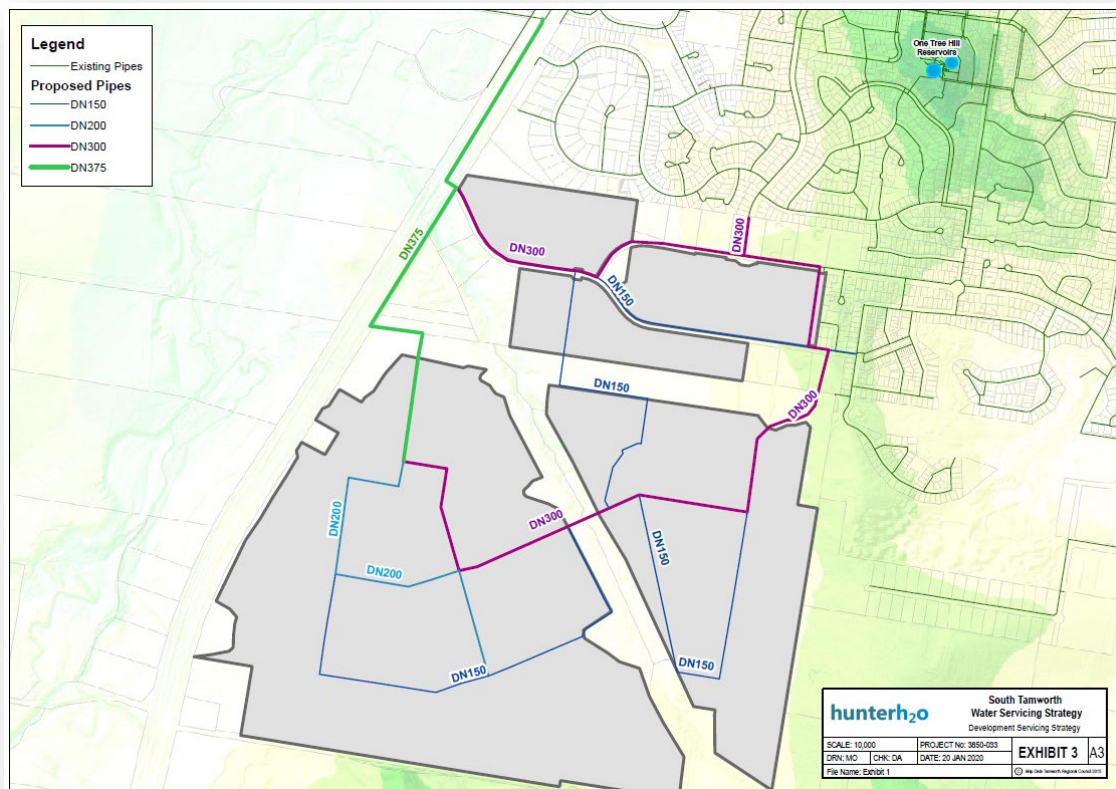


Figure 5 - Water Service Strategy (Water Servicing Strategy TRC November 2021).

5.4.2 Sewerage

The proposed Sewer Service Plans for Arcadia east are included as Sheets SS06-SS10 in Appendix F and have been designed in accordance with the Arcadia Estate Sewer Lead-In Strategy reproduced in Figure 6.

Councils will be constructing a new trunk main from Duri Road and provide a connection to the Arcadia Estate on both sides of Burkes Gully in the northeast of the site.

The internal system will include a series of gravity mains in both the street verge and in 3-metre easements along rear boundaries that will connect to the 225mm trunk main running down the edge of the Burkes Gully corridor. Based on the proposed Equivalent Tenements (ETs) shown in the Lead-In Strategy Plan (Refer Figure 6), the capacity of Councils sewer mains will be sufficient for the proposed residential development. The ETs generated from the development and likely pipe grades are detailed on the Service Plans referenced in Appendix F.

The proposed sewer system will be constructed to facilitate the staged construction of works and will be designed in accordance with Councils current *Engineering Standards for Subdivisions and Development*.

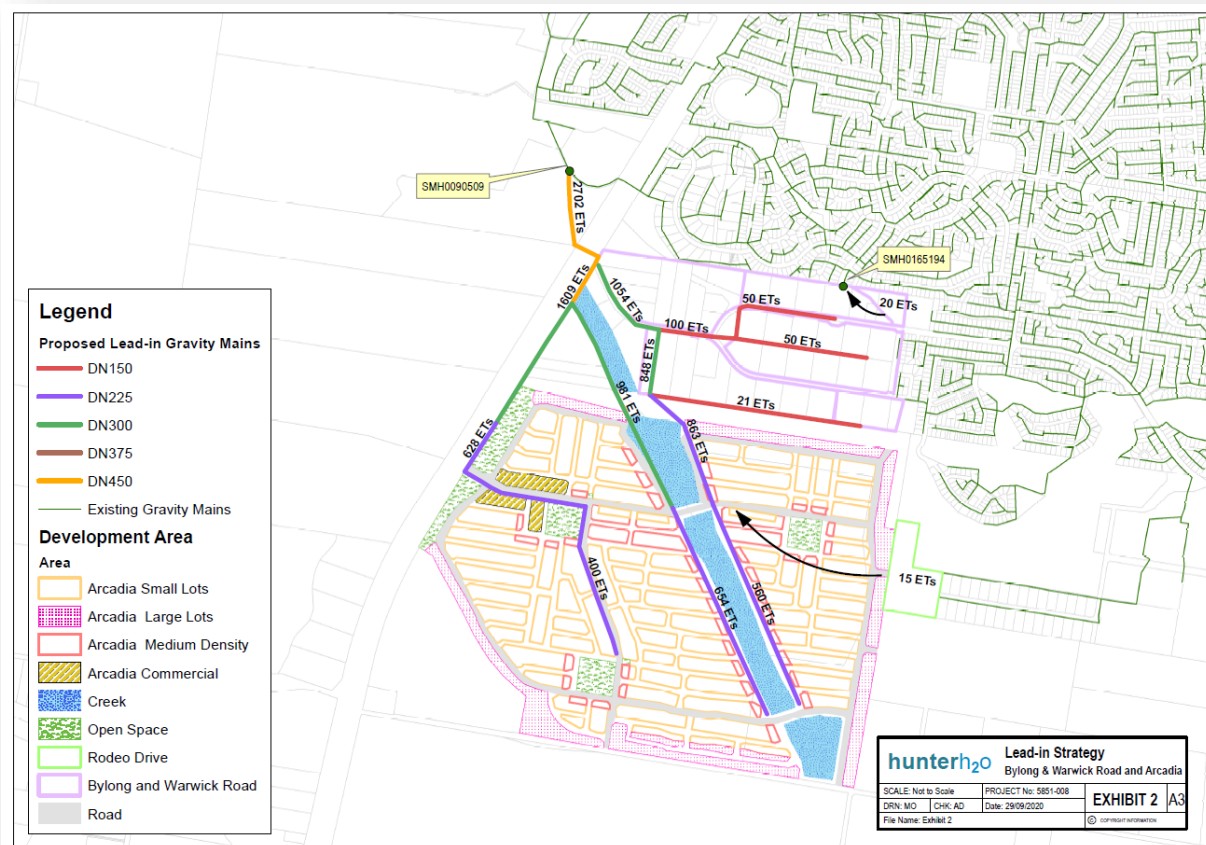


Figure 6 - Sewer Service Lead-In Strategy (Source Arcadia Development Wastewater Servicing Strategy Hunter H2O September 2020).

5.4.3 Stormwater Management

The proposed stormwater drainage system is shown in Sheets SS01 – SS05 in Appendix F, and the site *Stormwater Management Strategy* is included separately as Appendix G. The drainage system has been designed to convey stormwater generated off the built development into Burkes Gully as the ultimate point of discharge for the development. The main objectives adopted for stormwater management at the site are to:

- Provide safe and efficient stormwater conveyance through the subdivision.
- Limit peak post development flows to pre-development flows.
- Protect the natural downstream drainage systems against the impacts of sediment and erosion.

The proposed internal drainage system will be designed and constructed in accordance with Council's *Engineering Guidelines for Subdivisions and Developments*, such that minor flows will be conveyed within an underground piped system and major flows will be conveyed in roads and designated overflow channels.

The subdivision layout provides for both piped and overland flows to be directed into seven (7) off-line detention basins which will discharge to Burkes Gully via low flow pipes and high-level overflow weirs.

The detention required for the section of the development located on the western side of Burkes Gully will be offset within the basins to be constructed on the eastern side of the gully. The discharge points will be designed with adequate erosion protection and be incorporated in the overall rehabilitation works proposed for the extent of Burkes Gully. Details of the basins are included in the *Stormwater Management Strategy* in Appendix G rehabilitation works are shown in the *Landscaping Master Plan* in Appendix H.

5.4.4 Telecommunications & Electricity

Underground telecommunications and electricity services currently serve the surrounding locality. Based on preliminary consultation with a Level 3 Accredited Service Provider (L3ASP), it is anticipated that this surrounding infrastructure can be readily extended to service the future requirements of the proposed subdivision. Separate electricity and communication designs will be provided with the application for Subdivision Works Certificate (SWC) for each stage of civil works.

5.5 Burkes Gully Reserve & Public Park

The development proposal includes a 3 Ha district park, street trees and rehabilitation work within the Burkes Gully reserve. *Landscape Master Plans* showing the proposed works within Burkes Gully and the district park have been provided as Appendix H.

It is proposed to utilise the Burkes Gully and series of offline detention basins for passive recreation, including footpaths & shareways, shelter, picnic, and BBQ facilities. Consistent with recommendations from the environmental reports undertaken for the development application (Refer Section 5.6), the works in Burkes Gully will aim to conserve existing trees and rehabilitate existing bank and gully erosion with replacement planting of native trees and grasslands.

The proposed District Park will be constructed to a Level 1 standard as per Councils Open Space Management Guide and include off street planting, toilets, playground equipment, communal areas, shelters & tables, and BBQ facilities. Details are illustrated in the *District Park Master Plan* included in Appendix H.

Street trees will be provided for all streets, with the proposed species, planting maturity and expected height detailed in the *Street Tree Plan* included separately as Appendix I.

5.6 Environmental Considerations

5.6.1 Flora & Fauna (Arcadia Estate Envirofactor 2015)

A *Flora & Fauna Assessment* has been undertaken by ‘theenvirofactor’ as part of Councils Arcadia Rezoning proposal in 2021 to provide an assessment of potential impacts of the development proposal on flora and fauna, especially in regard to critical habitats, threatened species, populations and ecological communities, or their habitats. The Assessment has been included as Appendix J.

The report identified the majority of the site as being highly disturbed, having been extensively cleared for cropping and grazing and/or modified by pasture improvement and weed invasion. Vegetation on the site comprises derived grassland dominated by introduced species with and without isolated overstorey trees. Only 4.5 ha of the project area, located in the northern section of Burkes Gully supports remnant woodland, including White Box, Blakely's Red Gum, and Yellow Box eucalypt species.

It was determined that the proposed rezoning of the lands for residential purposes was unlikely to have any significant impact in relation to the *Environmental Protection and Biodiversity Conservation (EPBC) Act 1999* or *Threatened Species Conservation (TSC) Act 1995*.

It was recommended that the development could progress without any further investigation into the ecology of the subject site providing all works are restricted to previously cleared and/or modified land (i.e., Areas of derived grassland) and mitigation recommendations as outlined in the report are implemented.

Following the report's findings, the areas of remnant woodland and derived grassland within Burkes Gully and the surrounding transmission easements are to be maintained and rehabilitated as part of the proposed development.

An addendum to the Flora & Fauna Assessment (Refer Appendix J) was commissioned by Council due to modifications to the proposed development, as well as legislative changes that had occurred in the intervening years with regard to threatened species and ecological communities. The conclusion of this addendum is that no significant impact will result for any NSW or Commonwealth listed threatened species or ecological communities as a consequence of the revised 2019 Arcadia residential subdivision plan. The proposed development proposal does not impact on the area to be protected and rehabilitated including the 4 ha of remnant woodland and derived grasslands in the Burkes Gully and northern transmission easement.

5.6.2 Flora & Fauna (Lot 1 DP 233 288 / 136-144 Bylong Road Hillview)

As detailed in *Section 5.3.1 Site Access*, the development proposal will require an intersection and access road through Lot 1 DP 233288 to connect to Bylong Road in the northeast. The proposed entry road is located along the western boundary of the lot in order to form a priority-controlled T-junction, centrally located between the existing intersections at Darien Avenue and Gabriella Way with Bylong Road. The access road to Arcadia east is classed as a collector road and will consist of a 13m pavement within a 25-metre reserve.

The proposed access road will require the removal of 29 trees, the majority of which are juvenile White Box species that do not contain viable hollows for wildlife. Consequently, an additional *Biodiversity Assessment Report (BAR)* was undertaken by Moss Environmental to consider all matters affecting or likely to affect the environment as a result of the construction of the access road through Lot 1 DP 233288. The report has been included as Appendix K and shows the location of the proposed entry road through the subject lot.

The allotment is mostly flat with a ground layer that is dominated by non-native grasses, scattered shrubs, and scattered White Box trees within a woodland that is in poor condition due to extensive clearing for agricultural use, and urban development.

The previous *Flora and Fauna Assessment Report* (Refer Appendix J & Section 5.5.1) found that a Threatened Ecological Community (TEC), White Box Yellow Box Blakely's Red Gum Woodland, and derived native grassland was present on site. However, the subsequent study identified that the Whitebox woodland and derived grassland present is in a highly degraded nature that doesn't meet the definition of this particular

TEC. The proposed development involves the minor clearing of an already fragmented land parcel which will result in minor impact to the area.

The report concludes that by implementing the key recommendations, safeguards, and mitigation measures as recommended, will minimise, or remove the potential impacts during construction, ensuring that the proposed access road will not significantly adversely impact upon the environment and will not result in any significant impacts on matters of state and national environmental significance. It is concluded that the development of the lot satisfies the requirements of relevant Commonwealth, State and Local environmental legislation and is supported from an ecological perspective.

5.6.3 Flood Prone Land

The subject site is identified as containing flood prone land which is restricted to Burkes Gully. The shape and extent of the area affected by stormwater is heavily influenced by the existing “online” farm dams which tend to spill out around the dam walls.

The extent of the existing Flood Planning Area (FPA) will be largely modified as a result of the future development of the site and has been considered in Councils rezoning application for the Arcadia Estate. Lyall & Associates (L&A) were commissioned by Council to prepare the *Arcadia Estate Subdivision Integrated Stormwater and Floodplain Management Strategy (ISFMS)* report in November 2015. The purpose of this study was to develop a strategy to manage adverse impacts of the proposed subdivision development on flooding, stream erosion and water quality. The objectives of the study were:

- (i) To develop a detention basin strategy which limits peak flows in the receiving drainage lines to no larger than those under present day conditions.
- (ii) To define the extent of the Flood Planning Area (FPA).
- (iii) To identify the extent of drainage reserves that will be required to control runoff entering or leaving Arcadia Estate.
- (iv) To provide recommendations for the retention of stormwater pollutants.
- (v) To manage the impact of increased urbanisation on stream stability.
- (vi) To define the extent of riparian corridors that will need to be preserved in accordance with “Guidelines for Controlled Activities for Riparian Corridors on Waterfront Land” (Department of Planning & Environment- Water).

A copy of the ISFMS is included in the *Stormwater Management Strategy* in Appendix G. Figure S2 from the ISFMS is reproduced as Figure 7 below and shows the indicative extent of land required for flooding and drainage, comprising the Flood Planning Area (FPA), riparian corridors and the footprints of eight detention basins which are required to control the rate of flow discharging to the receiving drainage lines.

The subdivision layout as proposed (Refer *Subdivision Master Plan* in Appendix B) has considered the findings presented in the ISFMS and is consistent with the Flood Planning Levels and the riparian corridors as defined in the Lyall report.

The location and footprint of the detention basins as shown in the *Subdivision Master Plan* (Appendix B) have been based on modelling undertaken by Premise Pty Ltd, the results of which are presented in the *Stormwater Management Strategy* submitted as Appendix G.

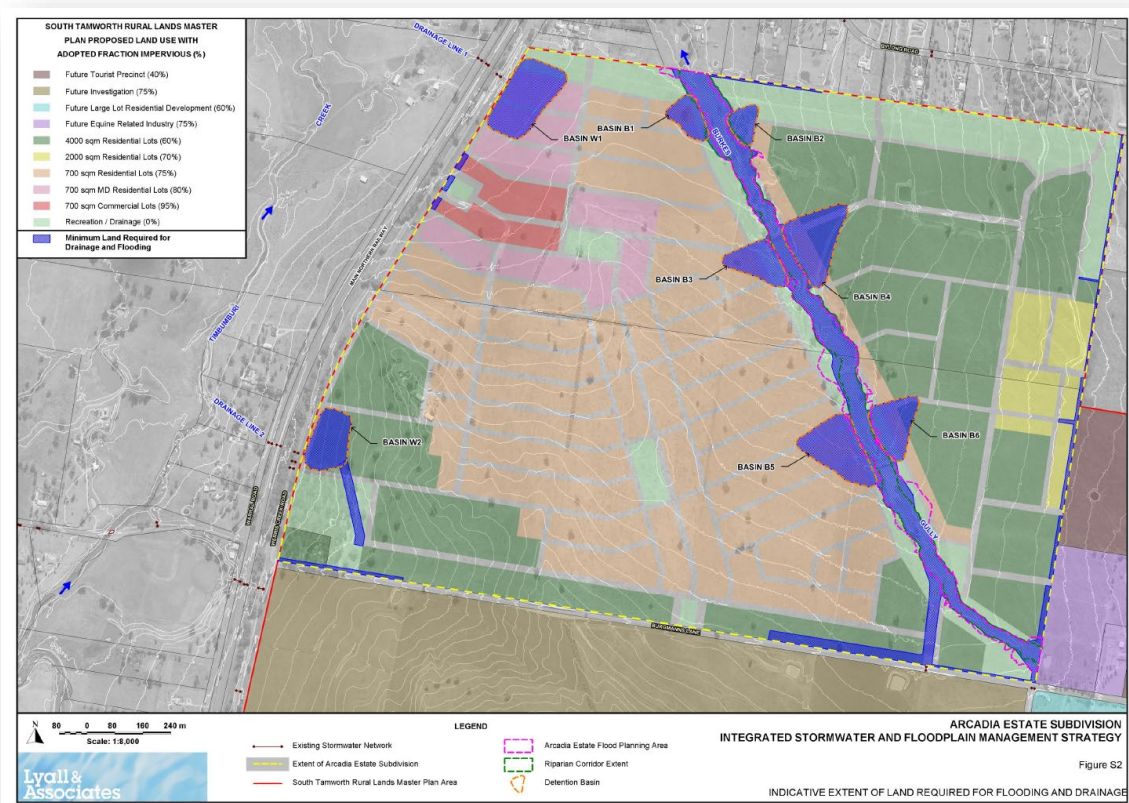


Figure 7 - Lyall & Associates Arcadia Estate Subdivision Integrated Stormwater and Floodplain Management Strategy (Figure S2)

5.6.4 Land Contamination & Salinity

The subject site is not listed as an investigation area within the meaning of the Contaminated Land Management Act 1997. Nevertheless, a *Preliminary Site Investigation* (PSI) was undertaken for the Arcadia East proposal to review the site history and to collect soil and water samples to identify if there have been historical activities on the site that have the potential to cause contamination, to identify contaminants of potential concern and to inform on the need for additional investigations. This investigation was also tasked to assess the possible extent of salinity occurrence on the site. The report was conducted by Moss Environmental and is included as Appendix L.

Investigations were undertaken on the 15-16th November 2022 and samples were taken for laboratory testing. The soil sampling and analysis part of this investigation was undertaken in accordance with currently accepted guidelines in New South Wales including:

- *New South Wales Environment Protection Authority Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (2000).*
- *National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 2013 Health Based Investigation Levels (HILS).* These guidelines provide a reference for a variety of exposure settings including residential, commercial, and industrial land uses. The soils at this site have been assessed in comparison with NEPM HIL Level A, which provides guideline levels for 'standard' residential development.

Analytical results from the laboratory show that all soil analytes including salinity were below the threshold values for industry accepted guidelines for residential use (*NEPM 2013 Residential A*). Surface water results were also below all assessment criteria for the proposed land use.

The report concludes that there is an overall low potential of contaminants and salinity across site. The site is unlikely to have been negatively impacted from historical and recent development activities, and that progression to Detailed Site Investigation (DSI) is unwarranted.

5.6.5 Acoustic Assessment

The Arcadia east development bounds Burgmanns Lane along its southern boundary for approximately 505 metres (Refer *Subdivision Master Plan* Appendix B). As part of the *Tamworth City Wide Transport Model* (TCWTM), Burgmanns Lane is earmarked to be upgraded as part of the Western Freight Link (WFL), which is the proposed link connecting the New England Highway with the Oxley Highway via Burgmanns Lane and Country Road. The WFL will divert traffic including heavy freight heavy vehicles around Tamworth City Centre, alleviating traffic congestion.

Due to the residential dwellings backing onto Burgmanns Lane, a *Road Noise Assessment* has been undertaken by Muller Acoustic Consulting to assess road traffic noise to future residential allotments from Burgmanns Lane including the assessment of future traffic flows. The report is included as Appendix M.

Background noise logging was completed to quantify existing noise levels and theoretical assessment of road traffic noise was carried out to predict levels at the future lots within the project site. Road traffic noise predictions identified that internal noise levels are predicted to meet the design sound levels at each of the proposed residential allotments for dwellings constructed of standard building elements for all assessed scenarios with the exception of the south boundary allotments during the worst case 2030-PC05 future traffic flows.

For the southernmost allotments during 2030 future traffic flows, additional mitigation measures such as Category 2 residential building treatments or boundary fences should be considered. The *Subdivision Master Plan* shown in Appendix B includes a 10m buffer along the Burgmanns Lane boundary and the intent is to provide a vegetated buffer strip and a 1.8 metre boundary fence generally consistent with the interface shown below in Figure 8 below.

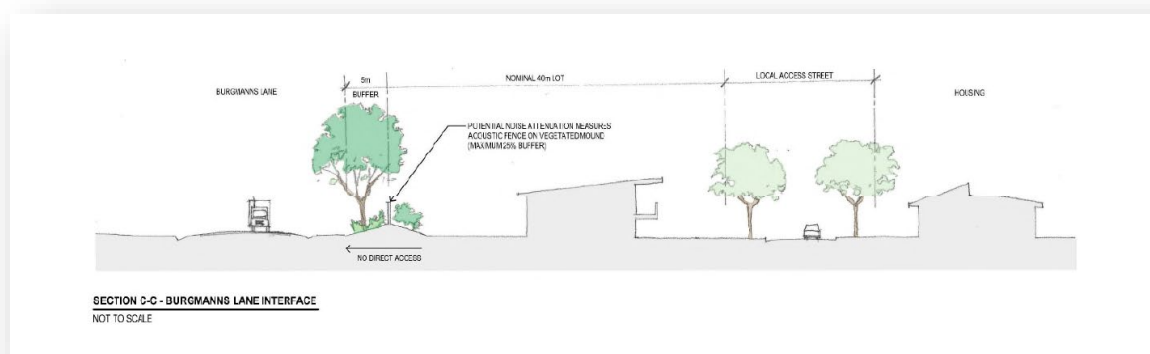


Figure 8 - Burgmanns Lane Interface (Source Arcadia Residential Land Release Structure Plan Feb 2022).

5.6.6 Bushfire

The site is not identified as bushfire prone land in Councils Bushfire mapping. A bushfire assessment was not considered to be necessary.

5.7 Heritage Considerations

5.7.1 Aboriginal Heritage

As a part of the Tamworth Regional Council's *South Tamworth Rural Lands Master Development Plan*, a *Due Diligence Cultural Heritage Assessment* report was undertaken by Everick in 2014 that included the Arcadia site. The report identified 15 aboriginal sites within the Arcadia precinct including 12 artefacts scatters and three culturally modified (scar) trees with artefacts. The report noted that there were no cultural heritage impediments to the proposed rezoning, however it was recommended that further heritage works be conducted at the development application stage and that an Aboriginal Heritage Impact Permit (AHIP) will be required for any works that may impact on the recorded Aboriginal Sites.

Following from these recommendations, an additional *Archaeological Survey Report and Aboriginal Cultural Heritage Assessment (ACHAR)* was prepared by Area Consultants Pty Ltd (2023) for the Arcadia east site and the report is included as Appendix N.

Two archaeological surveys were conducted for the proposal. The first survey was conducted over two days from 7 to 8 September 2022 with representatives from the *Tamworth Local Aboriginal Land Council* LALC and a secondary survey was conducted on 23 November 2022 with representatives from the *Gomerai People's Registered Native Title Applicants* (Tamworth Culture and Heritage Committee). One artefact scatter and three isolated stone artefacts were recorded during the first survey.

Based on the assessment, a series of recommendations were provided that include the requirement to obtain an AHIP for sites that cannot be avoided for the development. Other measures include the need to consult with Registered Aboriginal Parties (RAPs) for the collection and management of artefacts and sites identified in the investigation.

The proposed residential development will adhere to the recommendations in the report and all protective measures will be undertaken in accord with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2011a).

5.7.2 European Heritage

A search of the *Tamworth Regional Local Environmental Plan 2010 Heritage Map* identified that the subject site is not deemed to have any heritage classification.

A further literature review and site inspection carried as part of the ACHAR did not identify any items or places of potential historic heritage significance within the development site. It was recommended in the report that no further historic heritage assessment be required for future development applications within the development area.

6.0 ASSESSMENT OF ENVIRONMENTAL & PLANNING INSTRUMENTS

A thorough investigation of the site has been undertaken to identify relevant constraints and opportunities for the proposed residential development. This section contains our assessment of the potential environmental impacts of the proposed development in consideration of relevant legislation and local planning instruments as outlined below:

- *Environmental Planning & Assessment Act (EPA Act) 1979*
- *Other Acts*
- *State Environmental Planning Policy (SEPPS)*
- *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)*
- *Tamworth Regional Development Control Plan 2010 (TRDCP 2010)*
 - *Step 2 Subdivision Controls*
 - *Step 3 General Development Specifications*
 - *Step 4 Site Specific – Arcadia Estate*

6.1 *Environmental Planning and Assessment Act 1979*

6.1.1 Section 1.3 EPA Act Objectives

The relevant planning legislation in New South Wales (NSW) is the *Environmental Planning & Assessment Act 1979 (EP&A Act As amended)*. The objectives are defined in Section 1.3 (EP&A Act) are:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development, and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental, and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities, and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The Arcadia site is identified as a key future residential release area in *New England Northwest Regional Plan 2036, Blueprint 100 (Part 1-2)* which is the *Tamworth Regional Local Strategic Planning Statement (LSPS) 2020*. The site was rezoned in 2021 to amend the zoning, minimum lot size, floor space ratio and lot size provisions applying to the Arcadia Estate.

The proposed subdivision of Arcadia east as provided in this statement is consistent with the aims of the strategic planning and rezoning undertaken for the site and as a consequence, is considered to meet the overall objectives of the EPA Act. The proposal facilitates the effective use of the land by promoting housing

diversity, high quality urban design, green spaces, and recreation facilities to meet the demands of future residents.

6.1.2 Section 1.7 - Application of Part 7 of Biodiversity Conservation Act 2016

Section 1.7 of the EP&A Act requires consideration of whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats as a result of the proposed development.

The Flora & Fauna Assessment (Refer Appendix J) that have been undertaken for the rezoning and development application are considered to have met the provisions of Section 1.7 of the Act. The reports have determined the proposed rezoning of the lands for residential purposes was unlikely to have any significant impact in relation to the *Environmental Protection and Biodiversity Conservation (EPBC) Act 1999* or *Threatened Species Conservation (TSC) Act 1995*.

It was recommended that the proposed residential development could progress without any further investigation into the ecology of the subject site provided all development is restricted to previously cleared and/or modified land (i.e., areas of derived grassland) and mitigation recommendations as outlined in this report are implemented.

6.1.3 Section 4.15 - Evaluation

This section details matters required by the consent authority to consider in determining a development application including but not limited to:

- *The provision of any environmental planning instrument, and any development control plan that apply to the land to which the development application relates,*
- *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- *The suitability of the site for the development,*
- *The public interest.*

This SEE describes the site, its environs, and the proposed development, and provides an assessment of the proposal pursuant to provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, and Tamworth Regional Council's local planning instruments and development controls. The report details the likely environmental, social impacts of the development and the suitability of the site for a residential subdivision. The information in the SEE is considered to meet the provisions of Section 4.15 of the Act and is considered to be sufficient for Council to determine the application.

6.2 Integrated Development

Consideration was afforded to other legislation, including legislation concerning whether the proposal is integrated development. Integrated development is development that, in order for it to be carried out, requires development consent and one or more approvals under the following NSW Acts:

- *Fisheries Management Act 1994.*
- *Heritage Act 1977.*
- *Coal Mine Subsidence Compensation Act 2017.*
- *Mining Act 1992.*
- *National Parks and Wildlife Act 1974.*

- *Petroleum (Onshore) Act 1991.*
- *Protection of the Environment Operations Act 1997.*
- *Roads Act 1993.*
- *Rural Fires Act 1997.*
- *Water Management Act 2000.*

Under *Section 4.46 of the EP& A Act 1979 (as amended)*, it is our interpretation that the proposed development **is** regarded as integrated and will require referral to NSW State Government departments in regard to the following Acts:

6.2.1 National Parks & Wildlife Act 1974

The relevant objective of this Act includes the conservation of objects, places, or features (including biological diversity) of cultural value within the landscape, including places, objects, and features of significance to Aboriginal people.

Based on the findings from the *Aboriginal Cultural Heritage Assessment (ACHAR)* carried out for the site (Refer Section 5.71 and Appendix N), a series of recommendations were provided that include the requirement to obtain an Aboriginal Heritage Impact Permit (AHIP) for sites that cannot be avoided for the development. Other measures include the need to consult with Registered Aboriginal Parties (RAPS) for the collection and management of artefacts and sites identified in the investigation.

6.2.2 Water Management Act 2000

As defined by the *Water Management Act 2000 (WM Act)*, waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake, or estuary. Similarly, controlled activities refer to work or action done on waterfront land. These activities must be designed in a way to protect our waterways and ensure minimal harm as a result of the work carried out on the land.

Controlled activities carried out in, on, or under waterfront land are regulated by the *WM Act* and are administered by the *NSW Department of Planning & Environment (DPE)*. The DPE is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out the controlled activity.

Burkes Gully is classified as a 1st order water course type and will therefore require a Controlled Activity Approval from DPE for the stormwater management, rehabilitation and earthworks proposed for the water course and surrounding riparian zone. All proposed works will be designed and constructed in accordance with the *Guidelines for Controlled Activities on waterfront land*.

6.3 State Environmental Planning Policies (SEPPs)

State and local planning legislation and policies set the rules that control what development can occur on land. State Environmental Planning Policies (SEPPs) apply across the state while Local Environmental Plans (LEPs) set planning rules for each local government area.

The following SEPPs are triggered by the proposed development.

6.3.1 SEPP (Resilience & Hazards) 2021 – Remediation of Land

This policy requires consideration of whether land is suitable for a proposed use having regard to any known or potentially contaminating land use activities, as follows:

Clause 7: Contamination and need for remediation to be considered in determining development applications.

The development site is not listed on the NSW Environment Protection Authority's online register of Records under *Section 58 of the Contaminated Land Management Act 1997*. Further investigation carried out on the site (Refer *Preliminary Site Investigation (PSI)* in Appendix L) indicates the site is unlikely to have been negatively impacted from historical and recent development activities.

The report concludes that the site is not likely to be contaminated and is not likely to pose a risk to human health and is regarded as suitable for the proposed development.

If any (at present unknown) contamination comes to light during site works, the appropriate actions shall be taken in accordance with the SEPP, work health and safety and environmental protocols to address any issues relating to human health and environmental protection.

6.3.2 SEPP (Industry & Employment) 2021 – Chapter 3 Advertising & Signage

An entrance feature is proposed to define the Arcadia East residential estate from the surrounding development in Hillview and around the Longyard Golf Course. In accordance with Chapter 3 of the *SEPP (Industry & Employment) 2021*, the proposed entrance feature will:

- be compatible with the desired amenity and future visual character of an area.
- provide effective communication in suitable locations; and
- be of high quality and finish.

As shown in the *Subdivision Master Plan* (Appendix B) and Figure 9, the entry feature will be located within Lot 2 DP 1213875 before the residential buildings and will comprise the following elements:

- Steel pylons (Rusted finish).
- Sheet metal signage.
- Landscaping.

Further construction details are provided in the *Entrance Feature Plan* included as Appendix O.



Figure 9 - Proposed Arcadia East Entrance Feature

The proposed signage is deemed compliant with *SEPP (Industry & Employment) 2021* Assessment Criteria Schedule 1 as follows:

Schedule 1: Assessment Criteria – Advertising and Signage

Assessment Criteria	Design Requirement	Development Compliance
1 Character of Area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed feature is consistent with the zoning and desired future character of the area. The feature is only for the purposes delineating the new estate.
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Proposed signage is consistent with entrance features in similar residential precincts in the Tamworth region.
2 Special Areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes, or residential areas?	No, the proposal does not detract from any amenity or visual quality of sensitive areas.
3 Views and Vistas	Does the proposal obscure or compromise important views?	No
	Does the proposal dominate the skyline and reduce the quality of vistas?	No
	Does the proposal respect the viewing rights of other advertisers?	Yes, there is no impact on surrounding businesses or dwellings.
4 Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes, the proposed entrance feature is consistent with this scale of development and in line with similar structures on surrounding estates.

	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Yes, the proposed sign identifies the new residential precinct and contributes the current landscape using natural building products and landscaping.
	Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Not applicable. There is no other signage proposed.
	Does the proposal screen unsightliness?	Yes. The entrance feature will take the focus away from the overhead powerlines in the area.
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No
	Does the proposal require ongoing vegetation management?	No. Landscaping will consist of low maintenance species suitable to the Tamworth climate extremes.
5 Site and Building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	Yes. Proposed signage consistent with the type and scale of development.
	Does the proposal respect important features of the site or building, or both	Yes. Proposed signage consistent with the type and scale of development.
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes, the proposed feature uses natural building elements and landscaping compatible with internal signage layout is consistent with development franchise.
6 Associated devices and logos with advertisements and advertising structures	Have any safety devices, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	NA
7 Illumination	Would illumination result in unacceptable glare?	No. No illumination proposed.
	Would illumination affect safety for pedestrians, vehicles, or aircraft?	NA
	Would illumination detract from the amenity of any residence or other form of accommodation?	NA
	Can the intensity of the illumination be adjusted, if necessary?	NA.
	Is the illumination subject to a curfew?	NA.
8 Safety	Would the proposal reduce the safety for any public road?	No. the proposal feature will be set away from the road verge so as to not impair traffic site lines or pedestrian/bicycle access.
	Would the proposal reduce the safety for pedestrians or bicyclists?	No. The feature will not interfere with proposed share way.
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No. the proposal feature will be set away from the road verge so as to not impair traffic site lines or pedestrian/bicycle access.

6.3.3 SEPP (Planning Systems)2021

Under the provisions of Section 2.19(1) and Schedule 6 of State Environmental Planning Policy (Planning Systems) the proposal would be declared regionally significant development, as the capital investment value would exceed \$30 million, and therefore be determined by the Northern Regional Planning Panel.

6.3.4 SEPP (Transport & Infrastructure) 2021

Under the provision of *Clause 2.122 & Schedule 3 of SEPP (Transport and Infrastructure) 2021*, land subdivision developments over 200 allotments with an opening to a public road are regarded as traffic generating developments and must be referred to Transport for NSW (TfNSW) for consideration. The proposal includes 921 allotment and will be initially connected to Bylong Road and Rodeo Drive in later stages as detailed in Section 5.3 of this report and the *Traffic Impact Report* included as Appendix D. It is anticipated the reports undertaken for this proposal will be adequate for a favourable assessment from TfNSW.

6.4 Tamworth Regional Local Environmental Plan 2010 (TREL P 2010)

The TRLEP 2010 aims to make local environmental planning provisions for land in the Tamworth Regional Council area in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act. The following clauses of the TRLEP have been considered with this proposal:

6.4.1 Land Zoning

Under the provisions of the *TRLEP 2010*, the following zones apply to the proposed development site:

- **Site A** - R1 General Residential & R2 Low Density Residential (Lots 1&2 DP1213875).
- **Site B** - R5 Large Lot Residential (Lot 1 in DP 233288).

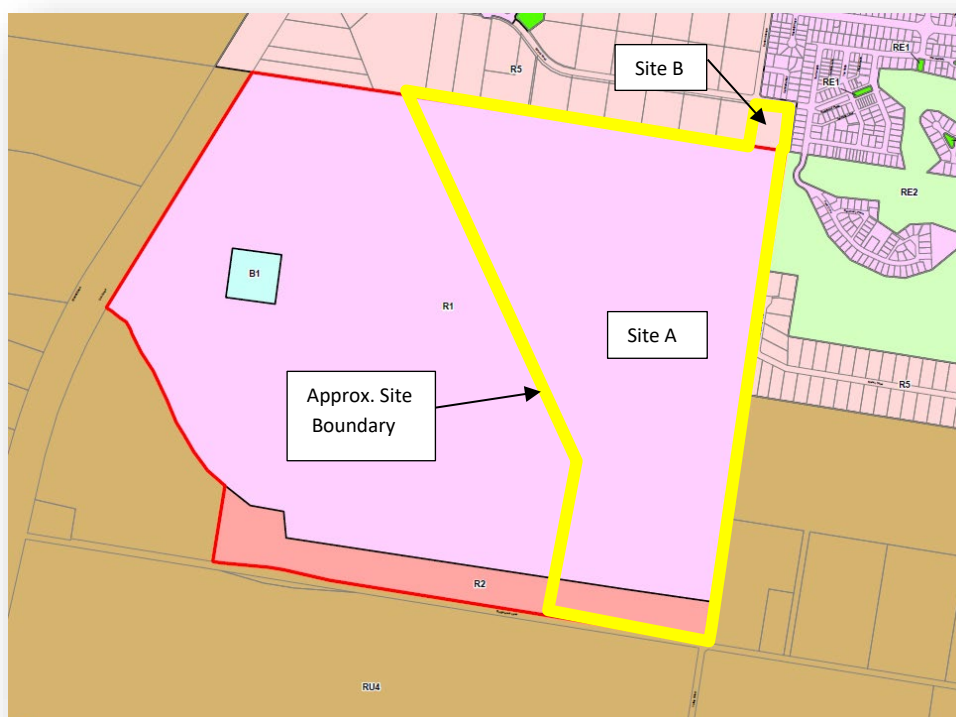


Figure 10 - Land Zoning Map 4C (Source; Tamworth Regional Local Environmental Plan 2010)

The objectives of each relevant zone are provided below in Table 2.

Table 2 -TRLEP 2010 Zone Objectives		
Site	Zone	Objectives
A	R1 General Residential	<ul style="list-style-type: none"> • 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.
A	R2 Low Density Residential	<ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents
B	R5 Large Lot Residential	<ul style="list-style-type: none"> • 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. • To provide a mix of housing that supports and encourages neighbouring equine-related facilities and is compatible with surrounding land uses and activities

Under the provisions stated in TREL P 2010, the proposed subdivision is considered to be permissible with consent.

6.4.2 Minimum Lot Size

In accordance with *Clause 4.1A of the TREL P 2010*, the following minimum lot sizes apply (Refer Figure 11):

Site A – Site A encompasses the residential development area and includes two lot size areas: Area G (450m²) and Area S (800m²).

Site B – Site B includes the proposed access road from Bylong Road passes through to Site A. The minimum lot size for this allotment is 7000m² (Area X) and is not applicable to this development application.

The lots sizes as demonstrated in the *Subdivision Master Plan* included as Appendix B are consistent with Councils Minimum Lot Size Map 4C.



Figure 11 - Lot Size Map 4C (Source; Tamworth Regional Local Environmental Plan 2010)

6.5 Tamworth Regional Development Control Plans 2010

The *Tamworth Development Control Plan 2010* provides the key criteria for specific types of development that occurs in the Tamworth Regional Local Government area. The aims of the plan are to:

- Define development standards that deliver the outcomes desired by the community and Council.
- Provide clear and concise development guidelines for various form of development.
- Expedite development approvals by providing clear direction on Councils intent and criteria, and
- Provide certainty of development outcomes for developers and the community.

Development controls relevant to the proposal include:

- Step 2: Subdivision Controls
- Step 3 Environmental Controls
- Step 4: Site Specific Requirements – Arcadia Estate
- Other Development Controls

The relevant subdivision and site-specific environmental controls are addressed in the following sections.

6.5.1 Step 2 Subdivision Development Controls

Only development controls applicable to the proposed development are reproduced in this table.

'Deemed to Satisfy' Controls	Design Requirement	Development Compliance (Y-Yes, N-No, C – Yes with Conditions, NA – Not Applicable to Proposal)
Plan of Subdivision	<i>A registered surveyor must prepare a suitable plan showing the proposed subdivision for submission with a Development Application for Strata and Community Title subdivisions.</i>	Y- Subdivision Master Plans are provided as Appendix B.
Service Strategy	<i>The provision of a service strategy (sewer, water & stormwater) in accordance with Councils Engineering Guidelines for Subdivisions & Developments.</i>	Y- A service design strategy for water, sewer and stormwater is included as Appendix F and specific service details are provided in Section 5.4. The strategy has been undertaken with due consideration of the capacity of existing infrastructure and in accord with specialist reports undertaken for the <i>Tamworth Regional Council Arcadia Planning Proposal 2021</i> . Utility design will be undertaken with application for SWC for each stage of construction.
	<i>The strategy shall include evidence that the developer has consulted with the Water Supply Authority in relation to the availability and capacity of the existing water and sewer networks consistent with the likely future use of the land.</i>	Y- A service design strategy for water, sewer and stormwater is included as Appendix F and specific service details are provided in Section 5.4. The Strategy has been provided with due consideration of the capacity of existing infrastructure and in accord with specialist water & sewer reports undertaken for the <i>Tamworth Regional Council Arcadia Planning Proposal 2021</i> .
	<i>The strategy shall include evidence that the developer has consulted with TRC Regional Services to obtain available information in relation to stormwater catchments, capacities, and preferred solutions.</i>	Y- The stormwater strategy has been prepared in accordance with the <i>Arcadia Estate Subdivision Integrated Stormwater and Floodplain Management Strategy (ISFMS)</i> report prepared by Lyall Associates. Refer to Section 5.6.3 and the Stormwater Management Report included as Appendix G.
	<i>For new estates this shall include nomination of a maximum number of equivalent tenements that will be serviced by the infrastructure.</i>	Y- Equivalent tenements are detailed on the Sewer Servicing Plans (SS06-SS10) included in Appendix F.
	<i>Where the verge is proposed to be less than the minimum width specified by Council's Engineering Design Guidelines for Subdivisions and Developments, a drawing of the road reserve demonstrating that all services and utilities will fit within the alternative width must be provided.</i>	NA – No changes are proposed to road formations as detailed in the Site-specific development controls for Arcadia Estate.
Sewer	<i>The servicing strategy including preliminary engineering designs shall identify the method of providing sewer to the proposed lots in accordance with the Council's Engineering Guidelines for Subdivision and Development.</i>	Y – Gravity sewer can be provided to the site in accord with the <i>Arcadia Wastewater Strategy</i> undertaken for the TRC Arcadia rezoning proposal. Refer to Sewer Strategy Plans (SS06-SS10) including in Appendix F and detail provided in Section 5.4.2.
	<i>Residential lots are to be serviced by gravity sewer. Detail of any lot filling required to achieve minimum grade shall be provided.</i>	Y – Refer to Sewer Strategy Plans including in Appendix F and detail provided in Section 5.4.2. Based on land grades, there is minimal filling required to provide minimum grades. This will be confirmed with the SWC application for each stage.

Sewer	<i>The area within proposed lots shall be capable of being serviced by gravity sewer</i>	Y – Refer to Sewer Strategy Plans (SS06-SS10) including in Appendix F and detail provided in Section 5.4.2.
Sewer	<i>Reticulated sewer is required where the Lot Size Map specifies a minimum lot size of up to and including 4000m2</i>	NA
	<i>On-site sewer management facilities will be required when developing lots where the Lot Size Map specifies a minimum area of 1 hectare or greater</i>	NA
Water	<i>The provision of a water supply system in accordance with Councils Engineering Guidelines for Subdivisions & Developments.</i>	Y- A water supply system is proposed for the site in accord with the <i>Arcadia Water Servicing Strategy</i> undertaken for the 2021 Rezoning proposal. Details are provided in Section 5.4.1 and Servicing Strategy Plans Sheets (SS11-SS15) included as Appendix F.
	<i>Reticulated water (public utility supply) will not be available to development in areas outside of those areas modelled in the latest water servicing strategy.</i>	NA
	<i>Reticulated water (public utility supply) is to be supplied to subdivisions where the Lot Size Map specifies a minimum lot size of up to and including 2 hectares unless the Table below provides exclusion to this requirement.</i>	Noted. Reticulated water supply mains are being constructed by Council for future connection.
	<i>The servicing strategy should give consideration to recommended minimum static head required at the meter location for each allotment, when service reservoir is 1/3 depleted, in accordance with the following: Tamworth 28metres.</i>	Y- The water service proposed for the site is consistent with the <i>Arcadia Water Servicing Strategy</i> undertaken for the Arcadia Development as part of the 2021 Planning Proposal.
Stormwater Drainage	<i>The servicing strategy, including preliminary engineering designs shall include consideration of flows up to the 1 in 100-year ARI for existing natural flow, existing developed flow, and post developed flow.</i>	Y- The site stormwater strategy is detailed in Section 5.4.3 and shown in Sheets (SS01-SS05) in Appendix F. The management of 100-year flow to Burkes Gully is considered in the Stormwater Management Report included as Appendix D.
	<i>Minor flows are to be designed to a 1 in 5-year ARI.</i>	Y – Detailed stormwater design will be undertaken with the SWC for each stage of development and will be in accordance with Councils current <i>Engineering Standards for Subdivisions & Developments</i> .
	<i>Locations of major flows are to be defined to a designated overland flow path up to 100-year ARI. Where the path traverses, private property, it shall be dedicated as a drainage reserve UNLESS a natural drainage line (as indicated by a blue line on the topographic map).</i>	Y- Major flows generated by the development will be controlled in public roads and designated reserves through to the Burkes Gully. Burkes Gully is identified as a 1 st Order Riparian Water course. Details are provided in Section 5.4.3 and the Stormwater Management Report included as Appendix G.
	<i>Detention basins are not a preferred solution.</i>	C- Onsite detention basins are required for the proposal as determined by the Lyall Flood Study (Refer Section 5.6.3). Details are provided in Section 5.4.3 and the Stormwater Management Report included as Appendix G.
	<i>Where drainage is required to the rear of the lot, inter-allotment drainage shall be located in easements in favour of the upstream properties benefitted by the easement.</i>	Y- Interallotment drainage will be provided within designated easement to all lots with rear drainage. Refer to Section 5.4.3 and Servicing Strategy Plan sheets (SS01-SS05) included in Appendix F.

Stormwater Drainage	<i>Lot layout and easements are to be established so that no future development will rely upon pump-out, infiltration systems or any other method other than connection to the gravity piped system.</i>	Y- Interlotment drainage will be provided within designated easements to all lots with rear drainage. Refer to Section 5.4.3 and Servicing Strategy Plan sheets (SS01-SS05) included in Appendix F.
Telecommunications	<i>Telecommunications are to be for each lot in a subdivision in accordance with the requirements of the provider.</i>	Y- Local services will be extended to provide communication access. Refer Section 5.4.4.
Electricity	<i>The subdivision is to be serviced by underground electricity where the lot size is a minimum of up to and including 2 hectares.</i>	Y - Local services will be extended to provide underground electrical supply. Refer Section 5.4.4.
Lot Size	<i>Minimum Lot Size in accordance with the relevant TRLEP 2010 Lot Size Map.</i>	Y – Refer to Section 6.4.2 for proposal compliance.
	<i>Lots to accommodate building envelope of 10 x 15m.</i>	Y-Design requirement achieved. - All proposed lots can accommodate the minimum building envelope as specified.
	<i>Easements do not encumber more than 10% of the lot.</i>	Y- Design requirement achieved - All proposed easements within lots will not exceed the minimum limit specified.
Battle-Axe Shaped Lots	<i>Minimum area 800 m2 excluding access corridors.</i>	Y - Design requirement achieved - All proposed battle-axe lots will exceed min lot size specified. Refer Subdivision Master Plan in Appendix B.
	<i>Access handles minimum width 4.5 m, 3.0 metres of which to be sealed</i>	Y - Design requirement achieved - All proposed battle-axe handles will have the minimum width specified and be sealed with subdivision construction. Refer Subdivision Master Plan in Appendix B.
	<i>The topography of the site may require installation of kerbing to manage overland stormwater.</i>	Noted – The requirement for kerbing will be assessed with the civil design of each stage of the development.
	<i>Battle-axe lots in zone R1 must share a common boundary with a public reserve of at least 15 metres in length. This control does not apply to dual occupancy or multi dwelling housing developments.</i>	Y - Proposed battle-axe lots are located in the southern section of the development and share a boundary with a reserve. All proposed battle-axe lots are substantially larger than required to facilitate boundary separation.
	<i>No more than two Torrens Title lots to share a battle-axe handle access.</i>	Y - Design requirement achieved. Refer Subdivision Master Plan in Appendix B.
Road Network Design	<i>A Traffic Impact Assessment is to include an assessment of the proposed subdivision and its impacts on the adjacent existing road network.</i>	Y- Traffic impact has been assessed with the <i>Arcadia Traffic Modelling Update Strategic and Intersection Modelling Transport Impact Assessment</i> (11 February 2022) – Assessment of the traffic impacts of the overall Arcadia Estate on the external road network. The proposed road design will not adversely impact on the local road network and operation of the connection intersection. Details are included in Section 5.3.1.
	<i>Road hierarchy shall be defined.</i>	Y- The road hierarchy is detailed in Section 5.3.2 and shown in Road Network Plan included as Appendix C.
	<i>Road network design should include consideration of vehicular, pedestrian and cyclist safety. This should include the restricted/controlled use of four-way intersections, the standards for staggered-T intersections, the speed environment created by the road network and the risk to safety created by the design.</i>	Y - Design requirements achieved. The road design is consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls. Refer Subdivision Plan Appendix B. Traffic management at intersections will be detailed with the application for SWC in each stage of development.
	<i>Residential subdivision must incorporate appropriate facilities and opportunities for pedestrian and bicycle movement.</i>	Y - Design requirements achieved. Pedestrian & shared paths as shown in the Shareway & Footpath Plan in Appendix D are consistent with the Public Open Space Plan provided in the site-specific development controls.

Road Network Design	<i>The alignment, width and design standard for roads shall be in accordance with Councils Engineering Guidelines for Subdivisions and Development.</i>	Y - Design requirements achieved. Refer to Section 5.3.2 & Subdivision Road Network Plan in Appendix C. The road formations are consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls.
	<i>Kerb & Gutter is required where minimum lot size of up to and including 2000m2.</i>	Y - Design requirements achieved. Refer to Section 5.3.2 & Subdivision Road Network Plan in Appendix C.
	<i>The road pavement requirement will be determined on vehicle movements and with consideration to the existing development and character of the locality.</i>	Y- Control Noted. Pavement design will be undertaken with the application of staged Subdivision Works Certificates (SWC).
	<i>Where a proposed allotment adjoins both an existing road and a new road within a subdivision, the existing road must be upgraded to the standard nominated by Council's Engineering Design Guidelines for Subdivisions and Developments.</i>	Y- Internal roads and intersections will be constructed at the connection point to existing roads. Works associated with the intersections to existing will be detailed with the SCW for the relevant stage of construction.
	<i>A road within a residential subdivision servicing 15 lots or more must include a constructed pedestrian footpath.</i>	Y - Design requirements achieved. Pedestrian & shared paths provided consistent with the Public Open Space Plan provided in the site-specific development controls. Refer to the Subdivision Shareway & Footpath Plan included as Appendix D.
	<i>Subdivision layouts shall make provision for road connection to adjoining undeveloped land.</i>	Y - Design requirements achieved. The road connections are consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls. Refer Subdivision Plan Appendix B
	<i>Subdivision design shall ensure that individual allotments are within 400 metres walking distance of a collector road.</i>	C - The road layout is consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls. Refer Subdivision Master Plan in Appendix B
	<i>Roads to be designed having regard to both the topography of the site and the requirements of stormwater overland flow path.</i>	Y - Design requirements achieved. The road layout provides for major flow conveyance direct to Burkes Gully and is consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls. Refer Subdivision Master Plan in Appendix B
Staged Subdivision	<i>Subdivision Staging to be identified and manner in which staging of all infrastructures will occur.</i>	Y- Proposed staging sequence detailed in Section 5.2.
Cul-De-Sac	<i>Design must accommodate stormwater drainage flow paths.</i>	Y - Design requirements achieved. An overland flow path has been provided for cul-de-sacs where required. Refer Service Strategy Plan Appendix F.
	<i>Cul-de-sac bowl to be minimum radius of 10 metres.</i>	Y - Design requirements achieved. Cul-de-sac design is compliant with minimum radius.
	<i>Alternate cul-de-sac configuration is not permitted, eg. "hammerhead" or "Y" shapes.</i>	NA
	<i>Temporary cul-de-sac heads should be within the road reserve. They are not permitted to be located within private property</i>	Y- Development control noted.
Landscaping	<i>Landscaping of new subdivisions to include street tree planting of suitable species.</i>	Y - Design requirements achieved. Refer Street Tree Plan in Appendix I.
	<i>Provision of Landscape Plans for all dual use drainage reserves.</i>	Y - Design requirements achieved. Refer Landscape Plans in Appendix H including Burkes Gully rehabilitation.
Site Access	<i>Public road access is required to all lots.</i>	Y- Design requirement achieved – Refer Subdivision Master Plan in Appendix B.

Site Access	<i>No direct access to arterial or sub-arterial roads shall be permitted where alternatives are available.</i>	Y - Design requirements achieved. The road design is consistent with the Arcadia Structure Plan as provided in the Arcadia site-specific development controls. Refer Subdivision Master Plan in Appendix B.
Lot Orientation	<i>Lot access to provide for solar access and minimise overshadowing.</i>	Lot sizes are in excess of minimum and building overshadowing should not seriously impact on the development.
	<i>Where residential subdivision involves a road running north-south, allotments are to be designed to provide solar access for future development.</i>	NA – Proposed Road layout is based on east west layout. Lots are of sufficient size to achieve minimum solar access requirements.
Open Space	<i>Open space provision within residential subdivision will be determined compliance with the provisions of the Section 94 Plan or Site-Specific Design Criteria.</i>	Y – Designated parks and opens space in reserve areas have been provided in accord with Public Open Space Plan provided in the site-specific development controls.
	<i>Where required, subdivision design must provide open space achieving the following criteria:</i> a) <i>Minimum area of 0.5 Ha</i> b) <i>Buffered from Main roads and identified hazards.</i> c) <i>Safely accessible by pedestrian and cycleway links</i> d) <i>To maximise connectivity between open space</i> e) <i>Walkable access to highest number of the population</i> f) <i>High passive surveillance opportunities</i> g) <i>Minimum slope, and</i> h) <i>Provide complimentary uses of open space (drainage, conservation, cycle ways etc.) that ensures ongoing usability.</i>	Y - Design requirements achieved. The Open Space provided with the proposed development is consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls. Refer Subdivision Plan Appendix B and Pathways Plan in Appendix D.
Vegetation	<i>The design shall accommodate the retention of significant trees and vegetation.</i>	Y- All remnant areas of native woodland are to be retained within designated reserve areas in accord with the Flora & Fauna Assessment undertaken for the proposal. Refer Appendix J and Section 5.6.1.
Garbage Collection	<i>Road design must accommodate the legal movement of garbage collection vehicles.</i>	Y - Design requirements achieved. The road layout and formation are consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls. Detailed road design will be provided with each staged application for SWC. Refer Subdivision Master Plan Appendix B.
	<i>Allotments are to allow for placement of garbage receptacles for collection within the alignment of that lot</i>	Y - Design requirements achieved. The road layout and formation are consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls.
	<i>Temporary turning facilities shall be provided to facilitate garbage collection services.</i>	Control Noted. To be provided with each staged application for SWC.
Contamination	<i>All subdivision development applications are to include consideration of potential land contamination.</i>	The site has a low potential for site contamination. Refer Section 6.5 and Preliminary Contamination Report included as Appendix F.
Road Widths	<i>Road widths are specified in the Engineering Design Guidelines for Subdivision and Development.</i>	Y - Design requirements achieved. Proposed road formations are consistent with the Arcadia Structure Plan as provided in the Site-Specific development controls.

Bylong Road	<i>Subdivision plans are to provide adequate space for future road upgrade works including o Approximately 5-8 metre widening of sections of Warwick Road and Bylong Road. o Intersection upgrades along Warwick Road. o Intersection upgrades along Bylong Road.</i>	Y – It is not proposed to subdivide Lot 1 DP 233288 located on Bylong Road, however the proposed intersection through the allotment will be constructed in accord with the Arcadia Traffic Modelling Update Strategic and Intersection Modelling Transport Impact Assessment undertaken for the TRC Arcadia Planning proposal. Refer to Section 5.3.1. <i>If required, road widening will be undertaken as part of the intersection construction for the extent of the allotment (Lot 1 DP233288) only and will be detailed with the SWC applicable to the stage.</i>
Bylong Road	<i>All lots within the Arcadia and Bylong Road Precinct are to be serviced by reticulated water in accordance with the Development Servicing Plan.</i>	Y- Reticulated water is to be extended through Lot 1 DP 233288 in accordance with the Arcadia Water Servicing Strategy. Refer Section 5.4.1 and Servicing Strategy Plans in Appendix F.
	<i>All lots within the Arcadia and Bylong Road Precinct are to be serviced by connection to reticulated sewer in accordance with the Development Servicing Plan.</i>	Y- Reticulated sewer is to be extended to Lot 1 DP 233288 as part of the development proposal. Refer Section 5.4.2 and Servicing Strategy Plans in Appendix F.
	<i>Subdivision plans need to provide infrastructure that makes provision for future downstream development in accordance with the adopted Stormwater Management Strategy.</i>	Y- Stormwater infrastructure has been extended to Lot 1 DP 233288 as part of the access road for the development. Refer Section 5.4.3 and Servicing Strategy Plans in Appendix F.

6.5.2 Step 3 Environmental Controls

'Deemed to Satisfy' Controls	Design Requirement	Development Compliance
Environmental Effects	<p><i>The application documentation shall identify any potential environmental impacts of the development and demonstrate how they will be mitigated. These impacts may relate to:</i></p> <ul style="list-style-type: none"> <i>a) Traffic</i> <i>b) Flood liability</i> <i>c) Slope</i> <i>d) Construction impacts</i> <i>e) Solid and Liquid Waste</i> <i>f) Air quality (odour and pollution)</i> <i>g) Noise emissions</i> <i>h) Water quality</i> <i>i) Sustainability</i> 	<ul style="list-style-type: none"> a) Traffic – A Traffic Impact Assessment has been carried out with the TRC Rezoning Proposal carried out in 2021. Details of the traffic assessment undertaken for Arcadia Estate are included in Section 5.3. The assessment indicates that with the intersection treatments specified, the existing road network can cater for the increased traffic generation. In this regard, we believe the traffic generated by the development is not considered to compromise the safety or function of the surrounding road network or result in any adverse impacts upon adjoining properties. b) Flood Liability – The potential of flood liability is addressed in Section 5.6.3 and in the Stormwater Management Report included as Appendix G. c) Slope – Site topography is detailed in Section 4.4. The site is generally undulating with grade to Burkes Gully between 2.1-5.3%. There is no evidence of unstable landforms, and the site is not considered to be subject to slip or subsidence.

<p>Environmental Effects</p>		<p>d) Construction Impacts – The construction of the proposed subdivision development will be undertaken by a qualified civil construction company with a demonstrated commitment to quality, safety, and environmental work practices.</p> <p>Construction activities have the potential to generate adverse impacts through construction traffic, noise, surface water and land degradation and dust. In this regard, the following mitigation measures are proposed to ameliorate any adverse impacts:</p> <ul style="list-style-type: none"> • Preparation of a sediment control plan prior to construction and implementation of the plan throughout all phases of construction activity. • The adoption of appropriate soil erosion control measures. This would include techniques such as minimising the area of disturbance at any given time, diverting clean runoff away from disturbed areas, treatment of dirty runoff using sediment basins, traps and filters installed to engineering design standards and rehabilitating disturbed areas as soon as practicable following construction. • Preparation and implementation of a traffic management plan during construction works. • All plant and equipment would be operated and maintained in accordance with the manufacturer's specifications. • Works would be undertaken in accordance with standard daytime hours recommended by Council: that is, 0700-1700 Monday to Friday and 0800-1300 on Saturday, with no works on Sunday or Public Holidays. Any variation to these hours would first be negotiated in consultation with Council and adjoining landowners. • Undertake strategic watering as required and stabilise exposed surfaces with a vegetative cover as soon as is practicable. • Any damage sustained to Council infrastructure during construction will be the responsibility of the site building contractor to repair at no cost to Council. <p>Details of traffic management and sediment & erosion control will be included with the SWC and be specific for each stage of development.</p> <p>e) Solid and Liquid Waste – It will be the civil contractor's responsibility waste generated from construction activities. Waste will be disposed to Council Waste Management Facilities.</p> <p>f) Air Quality (odour and pollution) – Earthworks during initial construction will generate dust which will be monitored on site and suppressed using water carts as necessary. It is not anticipated odour is an issue with civil construction and that pollution will be managed appropriately once initial earthworks are completed.</p> <p>g) Noise Emissions - The standard construction hours proposed and the surrounding locality are such that the proposed development does not pose any significant impacts in terms of acoustic amenity upon neighbouring properties. All construction activities will be in accordance with the working hours prescribed by Council. Potential noise issues with post construction allotments bounding Burgmanns Lane have been in addressed in Section 5.6.5.</p>
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		<p>h) Water Quality – Water runoff to Burkes Gully will be managed in accordance with the sediment and erosion control measures that will be detailed with the SWC for each stage of works.</p> <p>i) Sustainability – It is intended that the proposed subdivision design will implement measures such as (but not limited to):</p> <ul style="list-style-type: none"> ○ Provide a lot layout to maximise solar access to dwellings. ○ Cater for the safe and efficient passage of stormwater through the site, ○ Provide for efficient vehicle access to residential allotments. ○ Protect, maintain & rehabilitate native vegetation where possible. ○
Soil Erosion and Control	<i>Runoff shall be managed to prevent any land degradation including offsite sedimentation.</i>	Controls will be maintained during and post construction to limit any potential sedimentation of stormwater runoff from the development. Details will be provided with the SWC for each stage of construction.
	<i>Reference shall be made to the NSW Governments Managing urban stormwater: soils and construction, Volume 1 (available from Landcom), commonly referred to as “The Blue Book”.</i>	The likelihood of erosion and sedimentation during construction will be managed in accordance with the NSW Governments publication “ <i>Managing Urban Stormwater: Soils & Construction Vol. 1 (The Blue Book)</i> ” and the Erosion and Sediment Control Plan to be submitted with the SWC with each stage of construction.
	<i>Cut and fill will be minimised, and the site stabilised during and after construction.</i>	Any cut and fill will be kept to a minimum and the site stabilised during and after construction. Details will be provided with the application for SWC with each stage of construction.
	<i>Arrangements in place to prompt revegetation of earthworks to minimise erosion.</i>	Where necessary revegetation of earthworks will be conducted to minimise erosion. Details will be provided with application for SWC with each stage of construction.
Vegetation	<i>Development design shall accommodate the retention of any significant trees and vegetation.</i>	With reference to the Flora & Fauna reports undertaken for the development, the subdivision layout will retain important areas of remnant woodland, derived grasslands, and scattered trees where possible. Refer Section 5.6.1 for detail.
Waste Management	<i>General waste storage and collection arrangements shall be specified.</i>	General waste storage and collection arrangements shall be managed by the civil contractor during construction and the development will be serviced by Councils roadside garbage collection service on registration of allotments.
Noise	<i>Where relevant, applications are to contain information about likely noise generation and the method of mitigation.</i>	Noted. Construction noise will be addressed with the SWC for each stage of construction and potential noise issues with post construction allotments bounding Burgmanns Lane have been in addressed in Section 5.6.5 and the Road Noise Assessment included as Appendix M.
Geology	<i>The design process must consider the potential impact of erosive soils, saline soils, soils of low wet strength, highly reactive soils and steep slopes. document how these constraints are addressed.</i>	<p>A site geotechnical investigation will be undertaken prior to foundation design to ascertain the nature and adequacy of existing soil conditions for each proposed commercial development.</p> <p>Design of the building structure will be in accordance with the designated site classification, relevant Australian Standards and Councils <i>Engineering Guidelines for Subdivisions and Developments</i> and will be carried out by qualified structural engineers.</p>

6.5.3 Step 4 Site Specific Development Controls - Arcadia Estate

This section identifies specific development controls relating to development in the Arcadia residential precinct.

'Deemed to Satisfy' Controls	Design Requirement	Development Compliance (Y-Yes, N-No, C – Yes with Conditions, NA – Not Applicable to Proposal)
Subdivision	<i>Subdivision proposals must be generally consistent with the prevailing subdivision pattern as shown in Figures 1 and 2.</i>	Y-The proposed subdivision layout is consistent with the structure and orientation figures referenced. See Subdivision Master Plan included as Appendix B.
	<i>Where residential development adjoins land zoned RE1 Public Recreation or a drainage/natural corridor (Burkes Gully Corridor), lots are to be designed to enable a future dwelling to front the open space or Burkes Gully Corridor.</i>	Y- All proposed allotments as shown in the Subdivision Master Plan (Appendix B) are orientated to maximise the view and access to the Burkes Gully and the proposed District Park.
	<i>For optimal orientation of future residential dwellings, any subdivision must be generally consistent with Figures 1 and 2.</i>	Y-The proposed subdivision layout and lot orientation is consistent with the figures referenced. See Subdivision Master Plan included as Appendix B.
	<i>Where smaller lots are proposed they are encouraged be located close to the neighbourhood centre, public transport or adjacent to high amenity areas such as the Burkes Gully corridor or parks.</i>	Y-The proposed subdivision layout provides a significant proportion of smaller lots close to collector roads, district park and the Burkes Gully reserve. See Subdivision Master Plan included as Appendix B.
	<i>An alternative lot orientation may be considered where other amenities such as views and outlook over open space are available, and the design demonstrates appropriate solar access and overshadowing outcomes on adjoining lots.</i>	NA- The layout is generally consistent the structure and orientation figures referenced. See Subdivision Master Plan included as Appendix B.
	<i>All corner lots should be an adequate size to cater for a dual occupancy development.</i>	Y- Corner lots as shown in the Subdivision Plan in Appendix B shaded red, have been shown as two lots to clarify density and ET calculations. The lots are suitable to accommodate duplex housing types as per Figure 4 in the site-specific controls.
Density	<i>All applications for residential subdivision and the construction of residential buildings are to demonstrate that the development meets or contributes to the net minimum residential density of 10 dwellings / hectare.</i>	Noted: The Subdivision Master Plan as shown in Appendix B provides opportunity for duplex, integrated and medium density housing types such that the minimum residential density will be achievable over the site. It is noted that available as per the sewer capacity may affect density calculations.
	<i>A variety of lot sizes and housing types are encouraged to be developed throughout the area to cater for the growing needs of the community.</i>	Y- A variety of lot sizes are available including corner lots and lots fronting public parks and reserves that offer opportunities for a range of housing types.
Compact Lots	<i>This section of the DCP applies where development for medium density is proposed in areas identified in the structure plan as "compact lots" and has an area less than the minimum lot size shown on the lot size map of Tamworth Regional Council Local Environmental Plan 2010.</i>	Noted. Future development proposals for medium density developments will be designed against the controls as detailed in this section of the DCP and will be the subject of separate development applications.
Dual Occupancy & Multi Dwelling Development.	<i>Any dual occupancy or multi dwelling development outside of the nominated compact lot will be required to comply with the applicable Development Control's Chapter.</i>	Noted. Future development proposals for dual occupancy and multi dwelling developments will be designed against the applicable controls as detailed. They will be the subject of separate development applications.

Corner Lots	<i>All corner lots are to be designed for a dual occupancy development.</i>	Y- Corner lots as shown in the Subdivision Master Plan in Appendix B shaded red, have been shown as two lots to clarify density and ET calculations. The lots are suitable to accommodate duplex housing types as per Figure 4 in the site-specific controls.
	<i>All dual occupancy development on corner lots are to suitably address and provide access from separate street frontages.</i>	Y- Corner lots throughout the development have been split to allow for access from different street frontages. See Subdivision Master Plan included as Appendix B.
Traffic, Access & Road Network	<i>The road layout and hierarchy of the street network must be generally consistent with Figures 6-13.</i>	Y- The proposed layout and hierarchy is consistent with the site-specific controls. Refer Subdivision Master Plan Appendix B and Subdivision Road Network Plan in Appendix C. Traffic management devices will be implemented with the staged applications for SWC.
	<i>Figure 6 identifies key intersections with the treatments for the identified intersections to be determined in consultation with Council staff to ensure a functional road network.</i>	Y – The Traffic Impact Assessment included as Appendix E addresses the likely traffic and performance of key internal intersections as identified. Intersection treatments will be designed in consultation with Council at the respective application for SWC.
	<i>Figure 6 identifies local roads which are to be 11m wide. This is based on anticipated traffic volumes, proximity to open space and neighbourhood centre. Council will only vary this where it can be demonstrated a reduced pavement width (9m wide) will not have an adverse impact on the traffic network. All other local roads can either be 11m or 9m wide.</i>	Y – The proposed road hierarchy as shown in the Road Network Plan Appendix C is consistent with Figure 6. Roads with significant 100-year flows have been detailed as 11m pavement which will be confirmed with detailed design for each stage.
	<i>No Local Roads are to be longer than 250 metres without an intersection and/or traffic calming treatment.</i>	Y – It is proposed implement Local Area Traffic Management (LATM) tools as detailed <i>Austrroads Guide to Traffic Management Part 8 (Local Street Management)</i> in roads > 250m. Locations for LATM devices are shown in the Road Network Plan included as Appendix C and will include vertical & horizontal deflection devices, signs and line marking treatments. Refer Section 5.3.2 for further detail.
	<i>Traffic calming measures are to be implemented in suitable locations to reduce vehicle speeds. Traffic calming measures include passive measures such as narrowing, minimising widths of road pavements, designation of slow speed streets and use of rumble strips at pedestrian crossing points and intersections.</i>	Y – Locations for LATM devices are shown in the Road Network Plan included as Appendix C and will include vertical & horizontal deflection devices, signs and line marking treatments. Refer Section 5.3.2 for further detail.
	<i>Where two Local Road Type B (9m Carriageway) intersect each other, it must be identified how on-street parking will be managed to ensure that service vehicles can operate unimpeded.</i>	Y - The proposed layout and hierarchy is consistent with the site-specific controls. The adequacy of intersections for design traffic (Inc. service vehicles) will be detailed with the application for Subdivision Works Certificate (SWC) for each stage of construction.
	<i>The principle of water sensitive urban design are to be considered in the road network for any new streets.</i>	Y - The proposed road layout and hierarchy is consistent with the site-specific controls. WSUD features have been considered within the Stormwater Management Plan (Appendix G) and the Burkes Gully Landscaping Plan (Appendix H) to protect and rehabilitate the natural water course from the expected increase in runoff generated from the development.
	<i>The intersection treatments for the identified key intersections shall be designed in consultation with Council staff to ensure a functional road network.</i>	Y – The Traffic Impact Assessment included as Appendix E was undertaken in consultation with Councils Transport Team and addresses the likely traffic and performance of key internal intersections as identified. Further consultation will occur with the relevant staged applications for SWC.

Traffic, Access & Road Network	<i>Direct individual lot access onto Werris Creek Road/Duri Road and Burgmanns Lane is not permitted.</i>	Y – All access form allotments bounding Burgmanns Lane are via the internal road network. Refer Subdivision Master Plan Appendix B.
	<i>Persons creating allotments adjoining Burgmanns Lane are required to create restrictions on the use of land under Section 88B of the Conveyancing Act 1919 to legally deny direct vehicular access onto Burgmanns Lane.</i>	Noted – This will be undertaken with the application for the Subdivision Certificate for each stage of works.
Laneways	<i>All lots adjoining a laneway are to exclusively use the laneway for vehicular/garage access.</i>	Y – Proposed laneways are identified on the Road Network Plan (Appendix C) and will be for access to likely integrated housing lots located along Burkes Gully and the district park.
	<i>Persons creating allotments adjoining a laneway are required to create a restriction on the use of land under Section 88B of the Conveyancing Act 1919 to legally deny direct vehicular access onto any other road.</i>	Noted – This will be undertaken with the application for the Subdivision Certificate for each stage of works.
	<i>All lot boundaries adjoining the laneway are to be defined by fencing or built form. The garage setback to the laneway is minimal (0.5 m) to allow overhanging eaves to remain in the lot without creating spaces where people park illegally in front of garages and/or on the laneway.</i>	Noted: Control to be addressed with individual development applications for each allotment.
Pedestrian & Cycleways	<i>Cycleways, shareways and other pedestrian facilities are to be generally consistent with Figure 14.</i>	Y- Proposed pathways are consistent with Figure 14 and are demonstrated on the Subdivision Footpath & Shareway Plan included as Appendix D.
Public Open Space	<i>Any subdivision development will require Public Open Space provisions in accordance with Figure 8 and the Arcadia Section 7.11 Contributions Plan.</i>	Y – The proposed subdivision open space is consistent with Figure 14 and is demonstrated in the Subdivision Layout included as Appendix B.
	<i>Parks are to be generally located in accordance with Figure 14 and should include: o 2 parks to be located in western section each with an area of 2.5ha; and o 1 park to be located in eastern section with an area of 3ha</i>	Y – The proposed Public Park in Arcadia east has an area of 3.1 Ha. Concept details are provided in the Landscaping Plan included in Appendix H.
	<i>Any subdivision development will require Public Open Space provisions in accordance with the Arcadia Section 7.11 Contributions Plan.</i>	Control Noted.
	<i>Areas surrounding the public open space and Burkes Gully corridor are encouraged to include provisions which would contribute to the amenity, such as a café or the like.</i>	Control Noted. It is anticipated that development applications of this type will be considered as the subdivision progresses to the stages bounding the reserve and district park.
	<i>Stormwater detention and retention basins will be considered in areas designated as Public Open Space where the active and passive use of the space will not be diminished.</i>	Y – Stormwater detention requirements have been detailed in the Stormwater Management Strategy included as Appendix G. Detailed design will be provided with the application of SWC for each stage of construction.
Landscape & Trees	<i>A Landscape Plan must be submitted as part of lodgement of a development application for subdivision or medium density development.</i>	Y – Refer to Landscape Master Plans included as Appendix H and the Street Tree Plan submitted as Appendix I.
	<i>A Landscape Plan must detail the species selected, maturity at planting, location and ultimate height.</i>	Y – Details of proposed tree species are included in Landscape Master Plans included as Appendix H and the Street Tree Plan submitted as Appendix I.

Landscape & Trees	<i>Street trees are required for all streets and each lot as shown in Figure 7. Council's Urban Street Tree Management Plan is a guide for suitable tree species selection.</i>	Y – Details of proposed street trees are provided in the Street Tree Plan submitted as Appendix I.
	<i>Development applications for future dwellings located around the perimeter of Arcadia Estate are to include landscaping treatments to assist in providing buffers to adjoining land uses.</i>	Control Noted. To be addressed with the development applications for relevant allotments.
Burkes Gully	<i>The Burkes Gully corridor must be generally consistent with Figures 15 and 16.</i>	Y- It is proposed to rehabilitate the Burkes Gully corridor generally consistent with Figures 15 & 16. Details of the Burkes Gully rehabilitation works are provided in the Landscaping Master Plans included as Appendix H.
	<i>The Burkes Gully corridor must have a minimum width of 100m for its entirety. This is measured 50m either side of the Burkes Gully ephemeral drainage line.</i>	<p>N – It is proposed to deviate from the 100m width for the section of corridor from the southern road crossing to the southern boundary (Refer Subdivision Master Plan Appendix B). The width of the corridor south of the road crossing is approximately 50-65 metres wide in this portion of the corridor. Justification for the deviation from this control are detailed below:</p> <ol style="list-style-type: none"> 1. This control does not consider the reserve required for the major catchment from lands to the south of Burgmanns Lane which is directed through the southern section of the development via the major road culvert under Burgmanns Lane. This flow path is not acknowledged as part of the Burkes Gully Corridor as defined in the DCP Arcadia Structure Plan (Figure 1). The reserve required for this drainage line is approximately 25m wide and will be included as a part of the overall drainage reserve and will be rehabilitated as a public reserve as part of the development proposal. 2. The overall length of the Burkes Gully Corridor is approximately 2000m. Accordingly, the total area made up of a 100m corridor (50m either side of the channel) is 20 hectares. The corridor currently provided between the east and west subdivision proposals is between 150-180m wide and has a total area of approximately 30.1ha so the overall land area provided through the corridor is well in excess of the minimum required for this control. 3. This reduced section of corridor is more than sufficient for flows generated from the upstream catchment to the east and is in excess of the land required for the Riparian Zone and Flood Planning Limit as defined by the Lyall Flood Study. 4. There's is no detention required in this section of the corridor, so the width as shown is considered to be more than sufficient to provide for areas for rehabilitation of native vegetation and opportunities for passive recreation as required in other development controls.

Burkes Gully	<i>The 100m minimum width does not take into consideration the placement of the offline basins wholly within the 100m wide corridor. It will be likely in some location's basins will be partially located outside of the corridor which will assist in providing greater amenity by reducing a "gun barrel" effect.</i>	Y – Stormwater detention for Arcadia east requires the construction of seven (7) offline basins that are partially located outside of the 100m corridor limits. Details are provided in the Stormwater Management Strategy included as Appendix G.
	<i>Basins along the Burkes Gully corridor shall be designed to maximise usable passive recreational area and to maintain continuity of pedestrian access.</i>	Y- Use of the basins for passive recreation has been considered in the proposal. Details are provided in the Landscaping Master Plan submitted as Appendix H.
	<i>Stormwater basins adjacent to Burkes Gully must be designed as offline structures</i>	Y- All proposed basins are designed as offline. Refer to the Stormwater Management Strategy submitted as Appendix G for details.
	<i>All roads are to be located outside of the Burkes Gully corridor.</i>	Y – With the exception of the crossings, all roads are consistent with the Arcadia Structure Plan (Figure 1) and are located outside of the Burkes Gully Corridor.
	<i>The use of Burkes Gully as passive recreation is encouraged, and details of footpaths, cycleways, seating, and other facilities are to be shown on the submitted plans</i>	Y- Rehabilitation works within Burkes Gully will include opportunities for passive recreation. Details are provided in the Landscaping Master Plan submitted as Appendix H.
	<i>Existing trees must be retained within Burkes Gully corridor. Council will only consider the removal of a tree under exceptional circumstances where it can be demonstrated that all other options have been exhausted.</i>	Y- In accord with the Flora & Fauna Assessments submitted as Appendix J, the areas of remnant woodland and scattered trees are to be maintained through Burkes Corridor and replacement tree planting is a significant part of the proposed gully rehabilitation works. In the event that select trees are required to be removed for civil construction of roads and basins, this will be documented with the SWC for the respective stage of development.
Drainage	<i>Basins and spillways are to be designed to minimise risk to downstream properties in the event of overtopping or failure.</i>	Y- All basins are located as an end-of-line treatment before discharge to Burkes Gully. Discharge will be via controlled low flow pipes and major flow weirs. Details are provided in the Stormwater Management Strategy submitted as Appendix G.
	<i>Basins and spillways are to be designed to minimise risk to downstream properties in the event of overtopping or failure.</i>	Y- Preliminary designs of basins have been undertaken in accordance with Councils <i>Engineering Standards for Subdivisions & Developments</i> . Details are provided in the Stormwater Management Strategy submitted as Appendix G.
Water	<i>All lots must be serviced by reticulated water in accordance with the Development Servicing Plan.</i>	Y- A water supply system is proposed for the site in accord with the <i>Arcadia Water Servicing Strategy</i> undertaken for the 2021 rezoning proposal. Details are provided in Section 5.4.1 and Servicing Strategy Plans Sheets SS11-15 included as Appendix F.
	<i>The south-west corner (hatched blue in Figure 1) cannot be supplied with mains water above the 425m contour. The design of these lots will need to ensure a portion of the future lots are below the 425m contour to suitably site a water meter. The remainder of the lot would be serviced via private pump system.</i>	NA – Not located in subdivision area.
Sewer	<i>All lots must be serviced by gravity connection to reticulated sewer in accordance with the Development Servicing Plan.</i>	Y – Gravity sewer can be provided to the site in accord with the <i>Arcadia Wastewater Strategy</i> undertaken for the TRC Arcadia rezoning proposal. Refer to Sewer Strategy Plans SS6-10 including in Appendix F and detail provided in Section 5.4.2.
	<i>A sewer pump station and low-pressure sewer systems would not be supported by Council for the provision of sewer services for the Arcadia Estate.</i>	NA

Sewer	<i>The south-west corner (hatched red in the Structure Plan) has sewer servicing constraints.</i>	NA – Outside of subdivision area.
Significant Woodland Vegetation	<i>Removal of vegetation within the Burkes Gully corridor identified as Significant Woodland Vegetation will only be considered if supported by a report prepared by a suitably qualified ecologist and arborist.</i>	Y – In accord with the Flora & Fauna Assessments submitted as Appendix J, it is the intention of the proposal to maintain the existing stands of woodland within Burkes Gully. If, as stated that select trees require removal with construction, required details will be provided with the application for SWC for the relevant stage of construction.
	<i>Any activities that may impact on the integrity of the habitat vegetation including under-storey clearing must be avoided.</i>	Y – In accord with the Flora & Fauna Assessments submitted as Appendix J, it is the intention of the proposal to maintain the existing stands of woodland within Burkes Gully.
Soil/Ground water Vulnerability	<i>Some areas within the precinct may be affected by the presence of groundwater vulnerability and potential soil salinity which can result in the corrosion of concrete, as well as the deterioration of metal, masonry, and bituminous structures/products.</i>	Noted – An investigation of potential soil salinity has been included with the Preliminary Site Investigation submitted as Appendix L.
	<i>Further analysis may be required from a suitably qualified person indicating that consideration has been given to the possible of groundwater vulnerability in the structural design and construction of future development within the area.</i>	Noted – In the event of ground water being detected in staged construction, further analysis will be undertaken for the structural design of dwellings.
Aboriginal Cultural heritage Significance	<i>Indigenous heritage items, including culturally modified trees (scarred), have been identified as being located within the Arcadia Estate. This may limit development within these locations which are to be kept clear of any works, road works or residential development. Appropriate respectful management of the sites will be required.</i>	Y- An Aboriginal Cultural Heritage Assessment Report (ACHAR) submitted as Appendix N has been prepared, in conjunction with site inspections undertaken by AREA and Registered Aboriginal Parties (RAPs). Where items would be impacted by the development footprint, an AHIP is required.
	<i>Consultation with the Tamworth Aboriginal Lands Council shall be undertaken prior to any works commencing within the area.</i>	Y- Consultation has occurred with the RAPS as part of the ACHAR Report prepared for the submission. All recommendations of the ACHAR will be undertaken prior to the commencement of staged construction works. Refer Appendix N.
Acoustic Control	<i>An acoustic report from a suitably qualified acoustic engineer must be submitted with a development application for any subdivision of lots along Burgmanns Lane. The report must take into consideration Burgmanns Lane forming part of the future Western Freight Link (Figure 17).</i>	Y- Refer Road Noise Report submitted as Appendix M.
	<i>Development of lots adjoining Burgmanns Lane should comply with AS3671 Acoustics – Road traffic noise intrusions – Building siting and construction.</i>	Y- Refer details provided in the Road Noise Report submitted as Appendix M.
Fencing	<i>Various provisions.</i>	NA - All fencing approvals will be the subject of individual lot development applications.

Environment	<i>Existing trees are to be incorporated within the lots. Dwelling configurations and ground level should ensure existing tree health and longevity.</i>	C – Existing trees will be preserved in parks, reserves and easements where not impacted upon by civil construction. Trees will be preserved within lots but given the number of smaller allotments, it is not practical to commit to incorporating trees within lots with the likely clash with dwellings and service infrastructure.
	<i>The principle of water sensitive urban design are to be considered as part of any development.</i>	Y - WSUD features have been considered within the Stormwater Management Plan (Appendix G) and the Burkes Gully Landscaping Plan (Appendix H) to protect and rehabilitate the natural water course from the expected increase in runoff generated from the development.
Neighbourhood Centre	<i>Various provisions.</i>	NA – Not relevant to this submission.

6.6 Social & Economic Impacts

There are a range of positive economic and social benefits anticipated as a result of the Arcadia east development proposal. These benefits are a consequence of the investment in and construction of the residential estate and the emphasis on future housing choice and quality of urban design. The proposed subdivision encourages variations in lot size, dwelling types, dwelling density, and floor space ratios to increase housing affordability, improve infrastructure provision and facilitate better access to community facilities and services.

The proposal includes the rehabilitation of Burkes Gully and a District Park that will provide well-designed green infrastructure that will temper the urban environment, and promotes active living, health, and wellbeing. Green public spaces allow communities to gather and form meaningful connections with their neighbours (Greener Places, Government Architect, 2020). In addition, these spaces improve mental health, quality of life and childhood development, and reduces stress.

As defined by the NSW Government Office on Social Policy, social impacts are significant events experienced by people as changes in one or more of the following are experienced:

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

It is considered the proposed development would not result in adverse changes to any of these factors.

7.0 SUMMATION

7.1 Suitability of the Proposal

The proposed subdivision of Arcadia east is considered to be suitable for the location for the following reasons:

- Provides a mixture of housing, lot sizes and densities to cater for the growing needs of the community.
- Enables enable other land uses that provide facilities or services to meet the day to day needs of residents.
- Provides for a high standard of street amenity and ease of access to commercial and public reserves within the site and between neighbouring developed areas.
- Water, sewer, and utility services can be readily extended through the site in accordance with strategic planning and Councils *Engineering Standards for Subdivision & Developments*.
- Provides for the safe and efficient conveyance of stormwater through the built environment.
- Acts to manage adverse impacts of the proposed subdivision development on flooding, stream erosion and water quality.

- Conserve existing trees and rehabilitate existing bank and gully erosion with replacement planting of native trees and grasslands in Burkes Gully.
- Provides opportunities for public recreation and amenity with the rehabilitation of Burkes Gully and the provision of a district park with a range of recreation amenities.
- Is sympathetic to areas of Aboriginal cultural heritage significance.

7.2 Conclusion

Development consent is sought to create 921 residential allotments and the construction of public parks, reserves, roads and associated utility and servicing infrastructure.

The Arcadia site is located in the southern extent of the suburb of Hillvue, Tamworth and is identified as a key future residential release area within the *Tamworth Regional Local Strategic Planning Statement (LSPS) Blueprint 100*.

The development meets the overall objectives of the LSPS and will provide housing needs for the community through a variety of housing types and densities. The proposed residential development is consistent with land zoning and the site-specific development controls applying to the site.

The social and economic impacts of the proposal are considered to provide a positive outcome for the local area with respect to additional housing opportunities, conservation of the natural environment and the provision of parks and reserves for a range of recreational uses.

Based on determination of similar residential developments and the assessment of potential environmental impacts in the above report, we do not believe there are any issues in terms of site suitability, and that the proposal satisfies the statutory planning controls which apply to the site.

If any additional information is required to assist with the assessment of this Development Application, please do not hesitate to contact our Tamworth office at your earliest convenience.

APPENDIX A - DEPOSITED PLAN

APPENDIX B - SUBDIVISION MASTER PLANS

(CSO ENGINEERS)

APPENDIX C- SUBDIVISION ROAD NETWORK PLAN

(CSO ENGINEERS)

APPENDIX D - SUBDIVISION FOOTPATH & SHAREWAY PLAN

(CSO ENGINEERS)

APPENDIX E - ARCADIA EAST TRAFFIC IMPACT ASSESSMENT

(STANTEC)

APPENDIX F - SERVICE STRATEGY PLAN

(CSO ENGINEERS)

APPENDIX G - STORMWATER MANAGEMENT REPORT

(PREMISE)

APPENDIX H – LANDSCAPE MASTERPLANS

(TERRAS LANDSCAPING ARCHITECTS)

APPENDIX I - SUBDIVISION STREET TREE PLAN

(CSO ENGINEERS)

APPENDIX J - FLORA & FAUNA ASSESSMENT & ADDENDUM

(THE ENVIROFACTOR)

APPENDIX K - ARCADIA ACCESS ROADWAY BIODIVERSITY ASSESSMENT REPORT

(MOSS ENVIRONMENTAL)

APPENDIX L - PRELIMINARY SITE INVESTIGATION

(MOSS ENVIRONMENTAL)

APPENDIX M - ROAD NOISE ASSESSMENT

(MULLER ACOUSTIC CONSULTING)

APPENDIX N - ABORIGINAL CULTURAL HERITAGE ASSESSMENT

(AREA ENVIRONMENTAL CONSULTANTS)

APPENDIX O - ARCADIA EAST ENTRANCE FEATURE

(SINGLES DRAFTING)
