

THREATENED SPECIES DEVELOPMENT PROPOSAL FOR PUBLIC COMMENT

The following development proposal has been submitted to Council and although not designated development under the Environmental Planning & Assessment Act, 1979 is notified as Threatened Species Development:

Portal Application Number	DA No.	Location	Proposal
PAN-423553	32/2024	LOT: 407 DP: 1206330, 13 Jinker Circuit CLARENCE TOWN Applicant: Perception Planning PTY LTD Owners: Mr M L & Mrs M L Irwin Consent Authority: Dungog Shire Council	DWELLING

The Development Application has been accompanied by a Biodiversity Development Assessment Report (BDAR), prepared in accordance with the Biodiversity Conservation Act 2016.

Details of the above proposal are available for inspection on the NSW Planning Portal website from **Friday 13 December 2024.**

<https://www.planningportal.nsw.gov.au/publications/exhibitions-and-publications/development-applications-exhibition>

Submissions can be made via the NSW Planning Portal until **Monday 3rd February 2025**. If you require assistance making a submission via the Planning Portal, please contact Council.

In accordance with *Section 10.4* of the *Environmental Planning & Assessment Act 1979*, a person who makes a public submission to Council in relation to this application is required to disclose all reportable political donations within two years prior to the submission being made and ending when the application is determined.

If the submission includes an objection to the proposal, the grounds of objection must be given. Council may also be obliged to release your submission as required by the *Government Information (Public Access) Act 2009* and the *Environmental Planning and Assessment Act 1979*.

Further, as stipulated in Council's Public Submissions Policy C1.19, Council will not place any weight on anonymous submissions when determining the respective development application.

**DUNGOG SHIRE COUNCIL
EXHIBITED COPY**

Commencement Date 13 December 2024

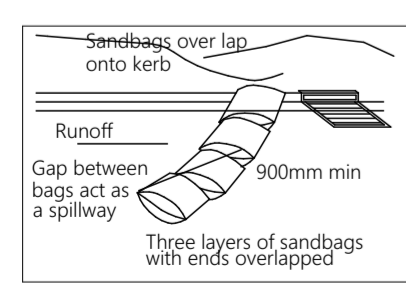
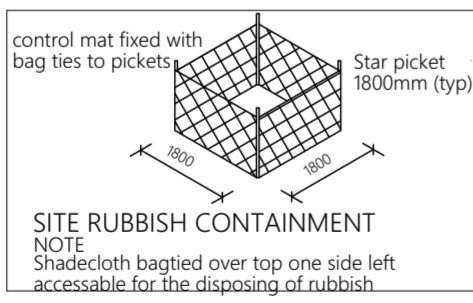
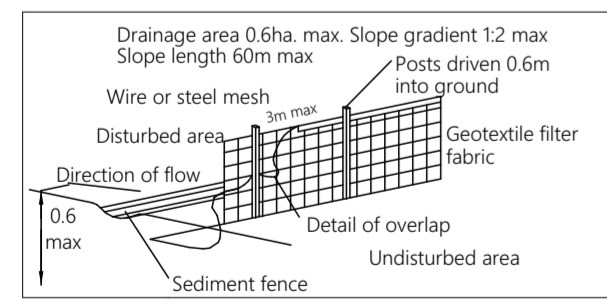
Closing Date 3 February 2025

GENERAL NOTES

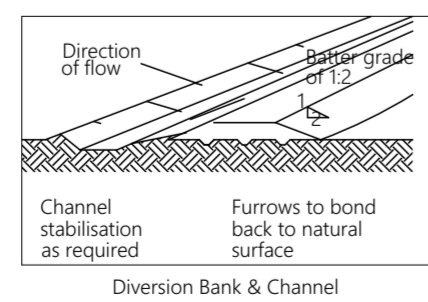
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3. REPORT ANY DISCREPANCIES TO THE DESIGNER.
4. DO NOT SCALE OFF THESE DRAWINGS.
5. THESE PLANS ARE TO BE READ TOGETHER WITH THE ENGINEERS DRAWINGS AND SPECIFICATION.
6. SCALES APPLY TO A3 SHEET.
7. THE BUILDER IS TO CHECK ALL FLOOR, CEILING AND ROOF LEVELS TO ENSURE THAT THE FINISHED ROOF HEIGHT DOES NOT EXCEED THE DA APPROVED RL & HEIGHT LIMIT.
8. A REGISTERED SURVEYOR IS TO SET OUT THE BUILDING & CONFIRM ALL LEVELS.
9. ALL STORMWATER TO BE CONFIRMED BY STORMWATER ENGINEERING.

LEGEND

- CONTOUR
- FENCE
- TEL ○ TELSTRA PIT
- S SEWER
- E ELECTRICITY
- W WATER MAIN
- T TELCOMMUNICATIONS
- EXISTING SHRUB/ TREE TO REMAIN
- EXISTING SHRUB/ TREE TO BE REMOVED
- 1 WASTE BIN DURING CONSTRUCTION ONLY
- 2 1.8m SQ x 1.2m HIGH SHADE CLOTH LINED AREA WITH LID AND STAR PICKETS DURING CONSTRUCTION ONLY



- NOTE**
- 1 No vehicle crossing or stockpiling of material on vegetation buffer.
 - 2 All sediment control structures to be inspected & maintained by site manager daily.
 - 3 All sediment retaining structures to be cleaned on reaching 50% storage capacity.
 - 4 All existing vegetation will be retained outside the construction site.
 - 5 Clean sediments from footpaths, driveways & roads daily.
 - 6 Roof drainage via sealed pipeline to street gutter on roof completion.



SITE PLAN
1:500



REV A	24/07/2024 - RFI - VEGETATION PLAN
ISSUE	DETAILS

SORENSEN DESIGN & PLANNING

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PROJECT: PROPOSED DWELLING AT 13 JINKER CIRCUIT, CLARENCE TOWN
CLIENT: IRWIN
TITLE: SITE PLAN PLAN
FILE: 2303457 DATE: 22/03/2024 SHEET: 1 OF 10
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GENERAL NOTES

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- W WATER MAIN
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- 2 1.8m SQ x 1.2m HIGH SHADE CLOTH LINED AREA WITH LID AND STAR PICKETS DURING CONSTRUCTION ONLY



 **VEGETATION PLAN**
1:500

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CLIENT: IRWIN	
TITLE: VEGETATION PLAN	
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BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

LEGEND

AW	AWNING WINDOW	DCSD	DOUBLE CAVITY SLIDING DOOR	M.H.	MANHOLE	VA	VANITY BASIN
BFD	BI-FOLD DOOR	DH	DOUBLE HUNG WINDOW	PLD	PANEL-LIFT DOOR	WB	WALL BASIN
CONC	CONCRETE	DP	DOWNPIPE	RD	ROLLER DOOR	WM	WASHING MACHINE
C.O.S.	CHECK ON SITE	FG	FIXED GLASS	REF	REFRIGERATOR	WC	WATER CLOSET
CPT	CARPET	f.w.	FLOOR WASTE	SD	SLIDING DOOR		
CSD	CAVITY SLIDING DOOR	GB	GLASS BLOCKS	s.d.	SMOKE DETECTOR		
CB	CORNER BASIN	gr.	EXHAUST GRILLE	SW	SLIDING WINDOW		
CT	COOKTOP	HWS	HOT WATER SYSTEM	SH	SHOWER		
CW	CASEMENT WINDOW	LW	LOUVRE WINDOW	TOW	TOP OF WALL		

LEGEND	
---	FLOOR/DECK LINE OVER OR UNDER
---	ROOFLINE OVER
---	EXISTING WALLS
---	PROPOSED WALLS



PROPOSED FLOOR PLAN
1:100



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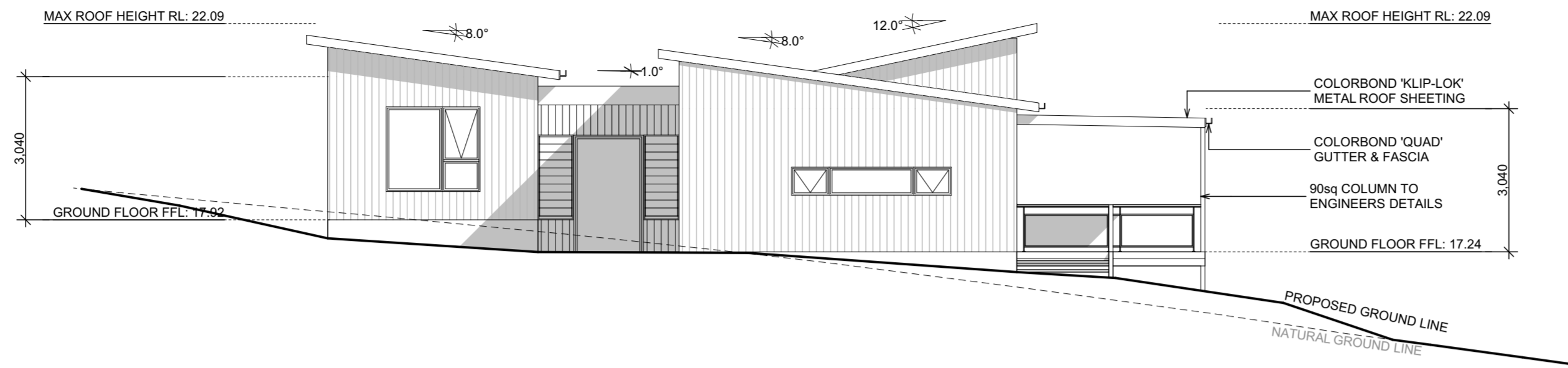
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CLIENT: IRWIN	
TITLE: PROPOSED FLOOR PLAN	
FILE 2303457	DATE 22/03/2024 SHEET: 3 OF 10
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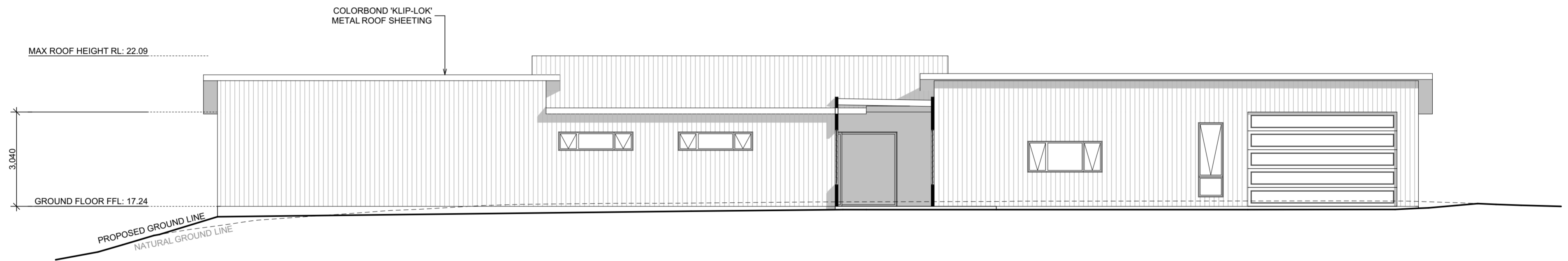
MATERIALS LEGEND

-  ROOF - COLORBOND 'KLIP-LOK' METAL ROOF SHEETING
-  WALL - COLORBOND 'KLIP-LOK' METAL WALL CLADDING
-  WINDOWS AND DOORS - ALUMINIUM FRAMED
-  COLORBOND 'QUAD' GUTTER & FASCIA



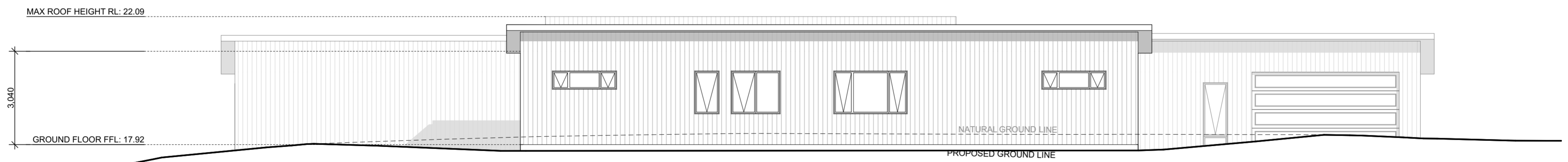
NORTH ELEVATION

1:100



EAST ELEVATION

1:100



EAST ELEVATION

1:100



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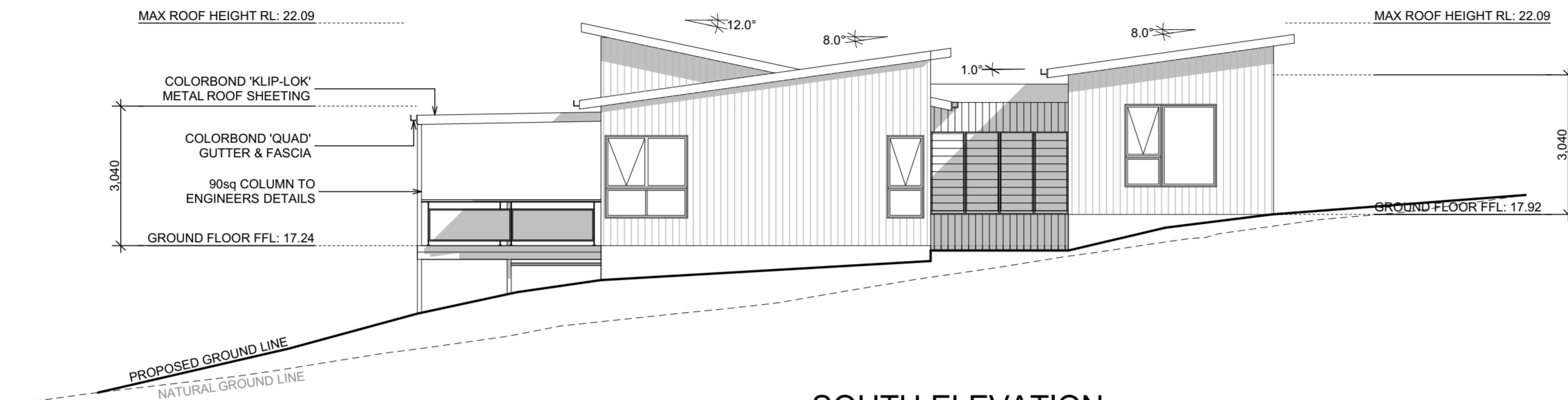
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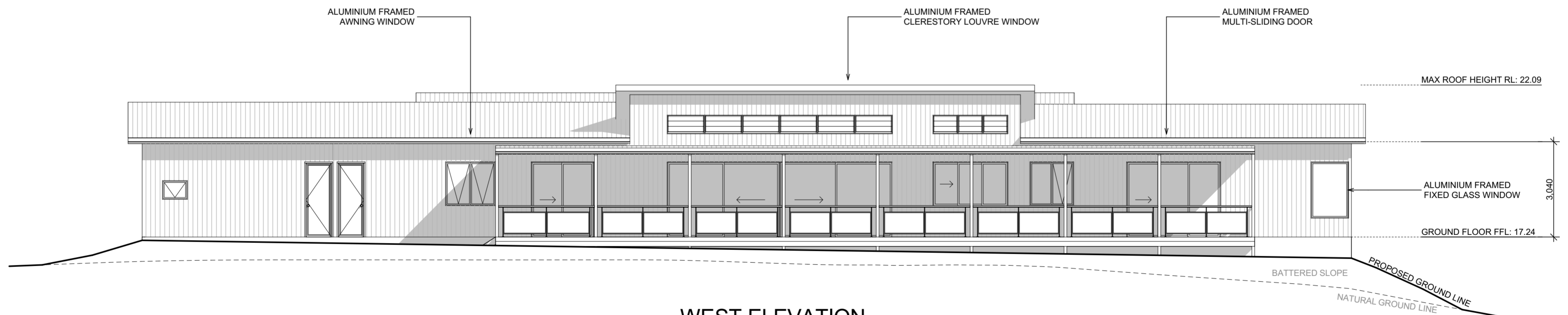
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CLIENT: IRWIN		
TITLE: ELEVATIONS NORTH + EAST		
FILE: 2303457	DATE: 22/03/2024	SHEET: 4 OF 10
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-  WINDOWS AND DOORS - ALUMINIUM FRAMED
-  COLORBOND 'QUAD' GUTTER & FASCIA



SOUTH ELEVATION
1:100



WEST ELEVATION
1:100







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ISSUE	DETAILS

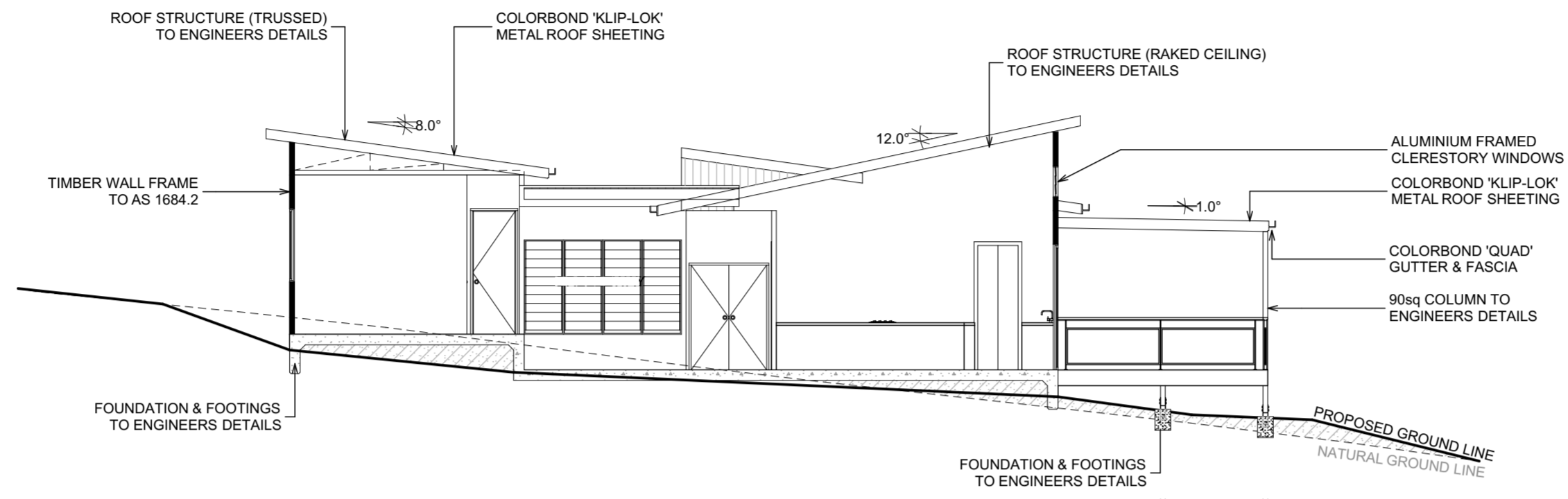
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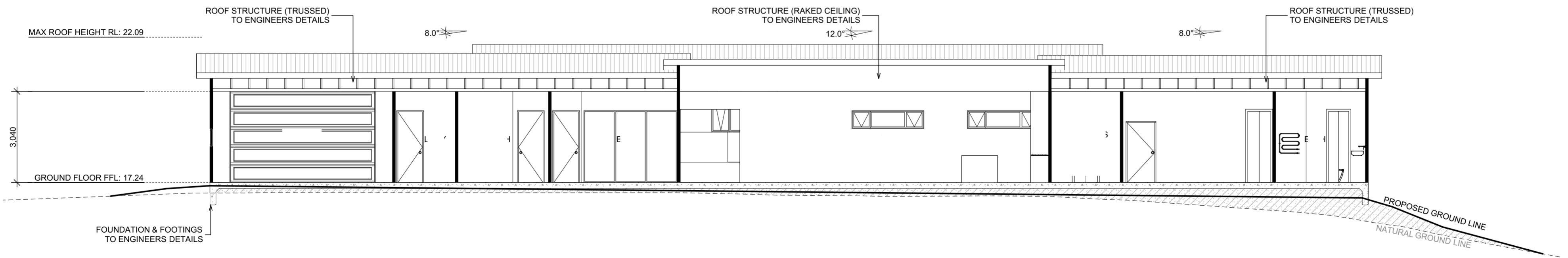
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CLIENT: IRWIN		
TITLE: ELEVATIONS SOUTH + WEST		
FILE: 2303457	DATE: 22/03/2024	SHEET: 5 OF 10
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-  WINDOWS AND DOORS - ALUMINIUM FRAMED
-  COLORBOND 'QUAD' GUTTER & FASCIA



SECTION A-A
1:100



SECTION B-B
1:100



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CLIENT: IRWIN		
TITLE: SECTIONS		
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SHADOW DIAGRAM
 1:500
 22 JUNE - 9AM SHADOW



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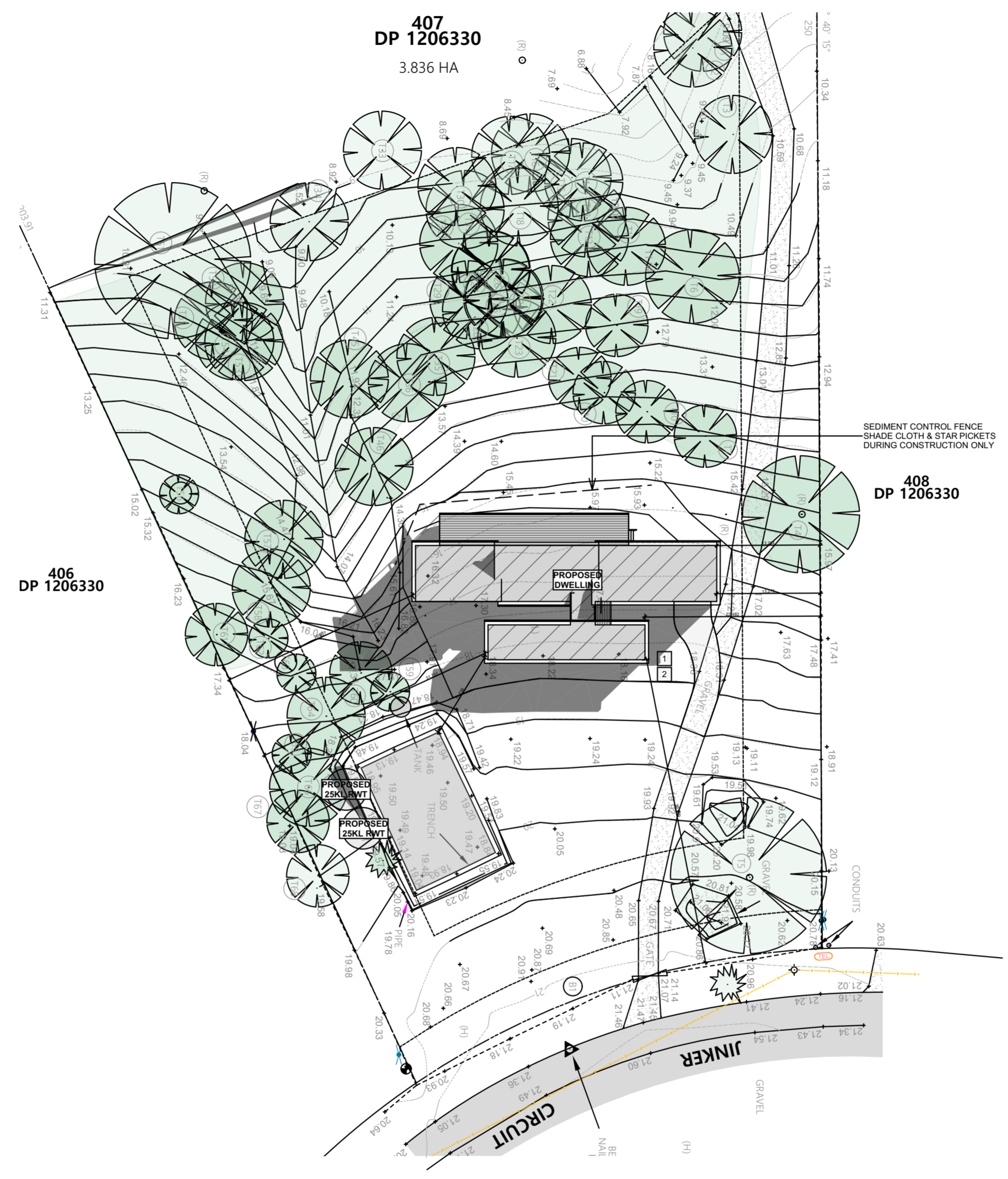
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PROJECT: PROPOSED DWELLING AT 13 JINKER CIRCUIT, CLARENCE TOWN		
CLIENT: IRWIN		
TITLE: SHADOW DIAGRAM: 9AM		
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SHADOW DIAGRAM
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 22 JUNE - 3PM SHADOW



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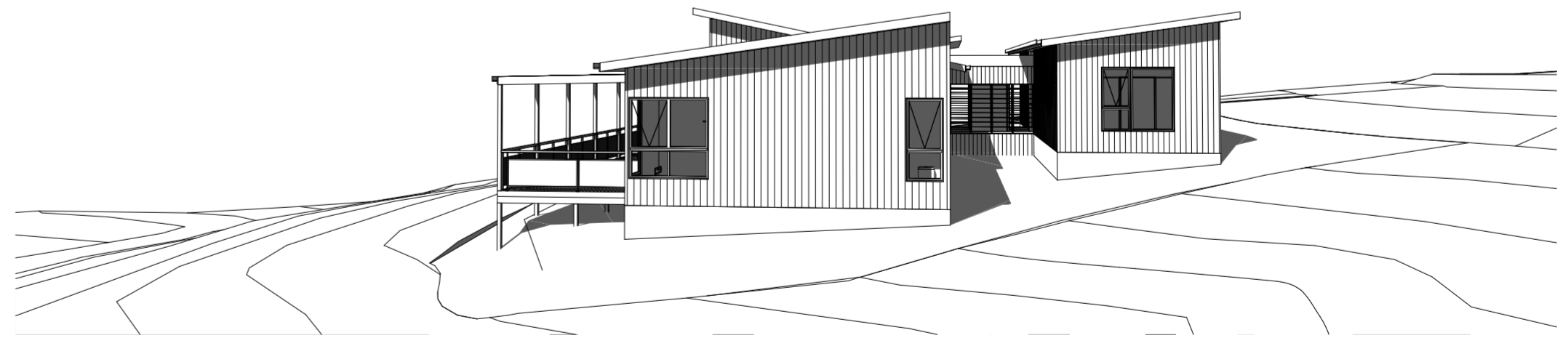
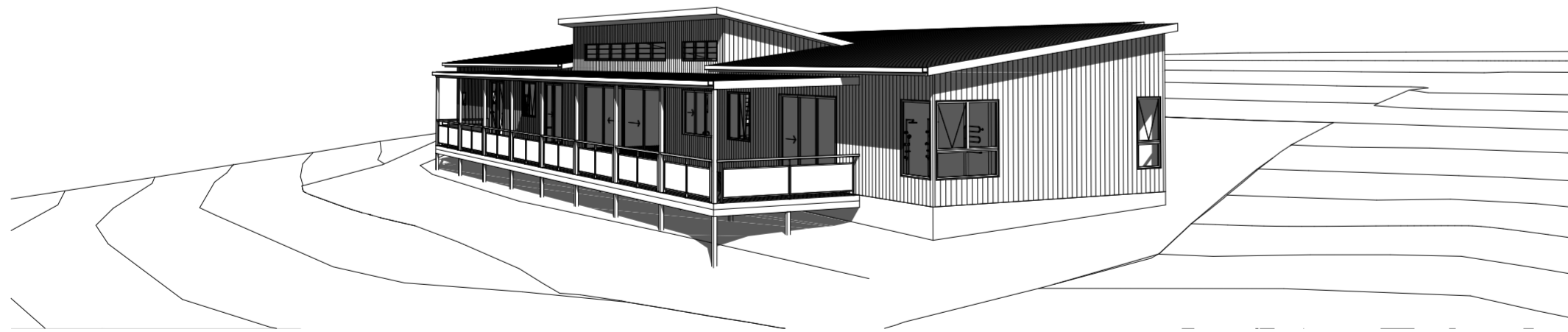
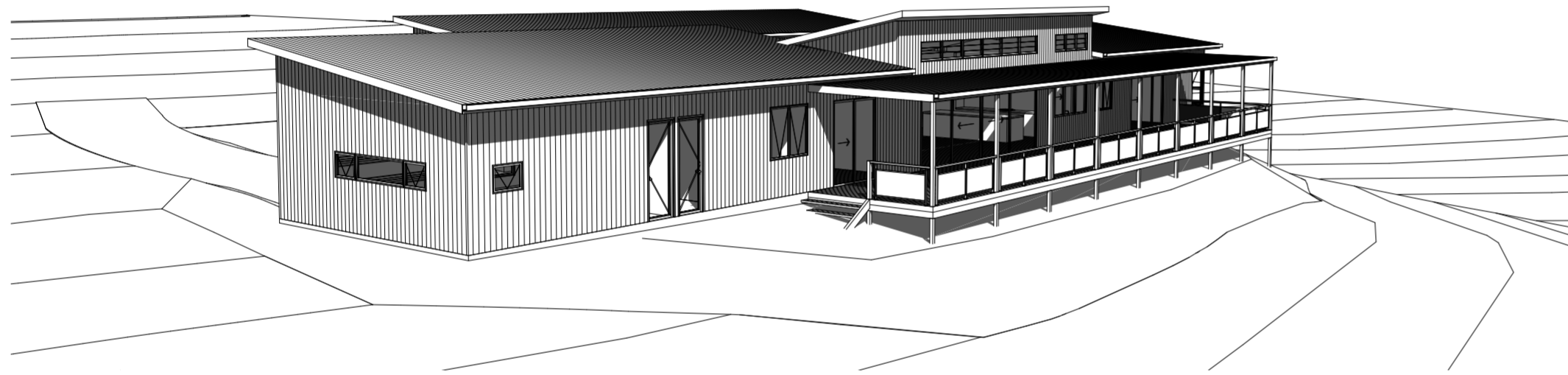
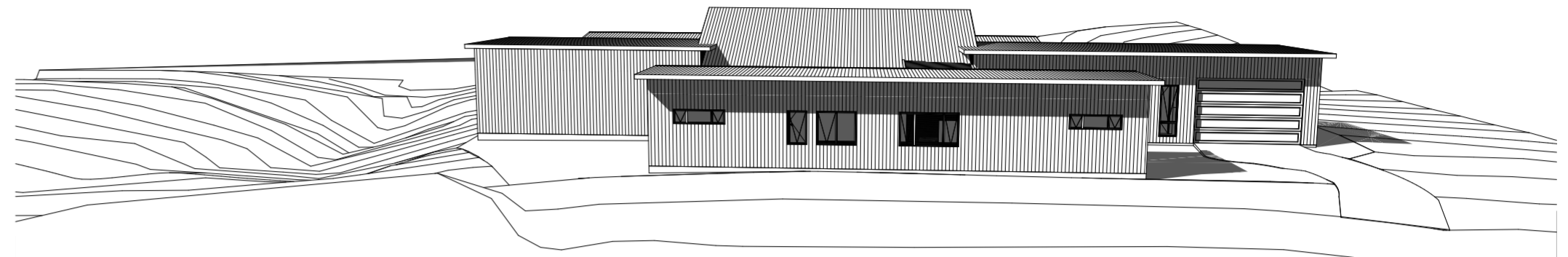
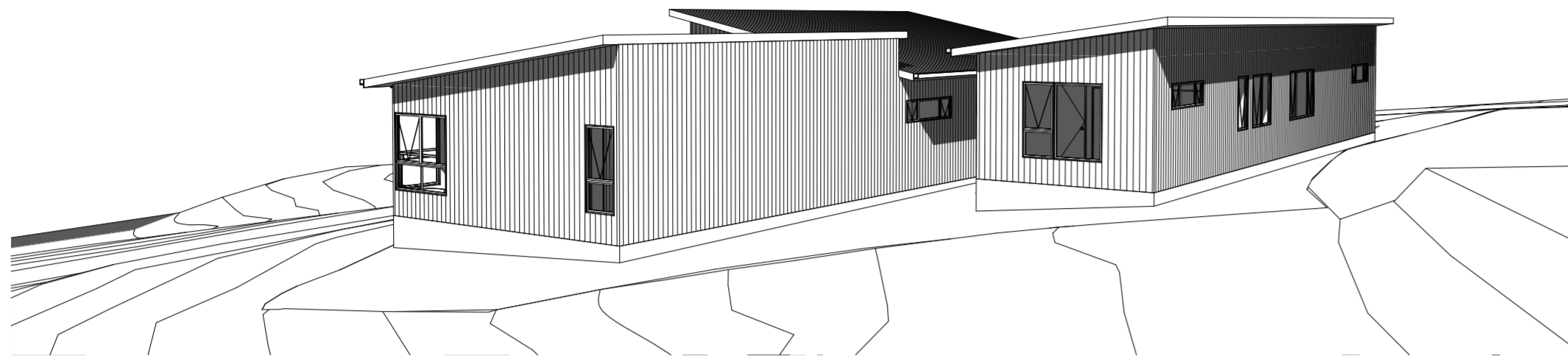
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PROJECT: PROPOSED DWELLING AT 13 JINKER CIRCUIT, CLARENCE TOWN		
CLIENT: IRWIN		
TITLE: PERSPECTIVES		
FILE: 2303457	DATE: 22/03/2024	SHEET: 10 OF 10
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STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED RESIDENTIAL DWELLING AND
WATER TANKS**

**AT 13 JINKER CIRCUIT, CLARENCE TOWN NSW
2321
(LOT 407, DP1206330)**

Gracie Jackel Town Planner PO Box 107 Clarence Town, NSW, 2321		Phone: 0413 124 933 Email: gracie@perceptionplanning.com.au		
PP Reference		J003935		
Prepared for (client)		Mitch and Michelle Irwin		
Document Versions and Control				
Statement of Environmental Effects, 13 Jinker Circuit, Clarence Town NSW 2321				
Version	Date	PP ref	Author	Reviewed by
1	13/02/2024	SEE – 13 Jinker Circuit	AP	GJ
Disclaimer: <p>This document may only be used for the purpose for which it was commissioned and in accordance with the contract between Perception Planning and the client. The scope of services by defined in consultation with the client by time and budgetary constraints imposed by the client, and the availability of reports and other data of the site. Changes to information, legislation and schedule are made on an ongoing basis and readers should obtain up to date information.</p> <p>Perception Planning accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report and its supporting material by any third party. Information provided is not identified to be suitable for a site specific assessment or legal advice in relation to any matter. Unauthorised use of this report in any form is prohibited.</p>				

EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Mitch and Michelle Irwin (**the client**) to prepare a Statement of Environmental Effects (SEE) for a residential dwelling. The subject lot of this application is 13 Jinker Circuit, Clarence Town identified as Lot 407 in DP1206330 (**the site**).

The characteristics of the proposed development includes:

- Two wings separated by entry and porch,
- Four bedrooms including main bedroom with walk in robe and ensuite,
- Two main bathrooms and separate powder room with W/C,
- Mud room/ laundry,
- Kitchen with butlers pantry,
- Open plan living and dining room,
- Rumpus adjoining study area and walk in linen cupboard,
- Two bay car garage,
- Deck.

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

- Dwelling houses are permissible within the zone R5 Large Lot Residential.
- No adverse impact on the existing character or amenity of the area will result.
- No significant adverse impact on the ecological values of the site is attributable to the proposed development.
- The proposed dwelling is consistent with the prevailing land use of the area, without burdening the essential services supply.
- The residential dwelling proposed by this application has been found to be consistent with the relevant LEP and DCP controls, where possible.

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

TERMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
BDAR	Biodiversity Development Assessment Report
EMA	Effluent Management Area
EPA	Environment Protection Authority
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
DA	Development Application
DCP	Development Control Plan
LGA	Local Government Area
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects

LIST OF FIGURES

Figure 1 -Site Locality Plan (eSpatial Planning Viewer, 2024).....	11
Figure 2 - Proposed Site Plan - (Sorensen Design, 2023).....	13
Figure 3 - Proposed Floor Plan (Sorensen Design, 2023).....	14
Figure 4 - Biodiversity Values Map (eSpatial Planning Viewer, 2024)	15
Figure 5 - Bushfire Prone Land (eSpatial Planning Viewer, 2024).....	18

LIST OF TABLES

Table 1 – Attachments.....	5
Table 2 - Integrated development	16

PLANS AND SUPPORTING DOCUMENTATION

This SEE is supported by the following plans and documentation:

Table 1 – Attachments

Attachment	Document	Prepared by	Reference
1	EP&A Regulation Compliance Table	Perception Planning	N/A
2	DCP Compliance Table	Perception Planning	Ref: J003935 Dated 13.02.24
3	Title and Deposited Plan	NSW Land Registry	Ref: 407/1206330 Dated 13.02.24
4	AHIMs Search Results	Perception Planning	Ref: J004168 Dated 13.02.24
5	Architectural Plans	Sorensen Design	Ref: 2303457 Dated 12.12.2023
6	Bushfire Assessment Report Performance Based Solution	Newcastle Bushfire Consulting	Ref: Lot 407 DP 1206330, 13 Jinker Circuit, Clarence Town Dated 14.07.23
7	Site Waste Management Plan	Perception Planning	Dated:
8	BYDA Search Results	Before You Dig Australia	Ref: 36027118 Dated: 13.02.24
9	BASIX Certificate and BASIX Stamped Plans	Evergreen Energy Consultants Pty Ltd	Ref: 0009208480 Dated: 30.1.24
10	Owners Consent	Client	N/A
11	Cost Estimate Report	Perception Planning	Dated

TABLE OF CONTENTS

EXECUTIVE SUMMARY	3
TERMS AND ABBREVIATIONS	4
LIST OF FIGURES	4
PLANS AND SUPPORTING DOCUMENTATION	5
TABLE OF CONTENTS	6
1 BACKGROUND	8
1.1 PURPOSE	8
1.2 SITE DETAILS.....	9
1.3 SITE DESCRIPTION	9
1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS.....	12
2 DESCRIPTION OF THE DEVELOPMENT.....	12
2.1 PROPOSED DEVELOPMENT	12
3 PLANNING CONTROLS.....	15
3.1 ACTS.....	15
3.1.1 Biodiversity Conservation Act 2016.....	15
3.1.2 Environmental Planning and Assessment Act 1979	16
3.1.3 Hunter Water Act 1991	17
3.1.4 Rural Fires Act 1991	17
3.1.5 Water Management Act 2000	18
3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)	19
3.2.1 SEPP (RESILIENCE AND HAZARDS) 2021	19
CHAPTER 4 – REMEDIATION OF LAND	19
3.2.2 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021.....	19
CHAPTER 2 - INFRASTRUCTURE	19
3.2.3 SEPP (Biodiversity and Conservation) 2021	20
3.2.4 SEPP (SUSTAINABLE BUILDINGS) 2022.....	20
3.3 LOCAL ENVIRONMENTAL PLAN (LEP)	21
3.4 DEVELOPMENT CONTROL PLAN (DCP)	24
4 LIKELY IMPACTS OF THE DEVELOPMENT	24
4.1 BUILT ENVIRONMENT	24
4.1.1 CONTEXT, SETTING AND VISUAL IMPACT	24
4.1.2 ACCESS, TRANSPORT AND TRAFFIC.....	24
4.1.3 PUBLIC DOMAIN	24
4.1.4 SERVICES	25

4.1.5	NOISE AND VIBRATION.....	25
4.2	NATURAL ENVIRONMENT.....	25
4.2.1	ECOLOGICAL.....	25
4.2.3	ARCHAEOLOGY.....	25
4.2.3	STORMWATER.....	25
4.3	SOCIAL AND ECONOMIC.....	25
4.3.1	SAFETY, SECURITY AND CRIME PREVENTION.....	26
5	SUITABILITY OF THE SITE.....	26
6	ANY SUBMISSIONS AND CONSULTATION.....	26
7	PUBLIC INTEREST.....	27
8	CONCLUSION.....	27

1 BACKGROUND

1.1 PURPOSE

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

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

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

The objectives of this SEE are as follows:

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

1.2 SITE DETAILS

Property Address	13 Jinker Circuit, Clarence Town NSW 2321
Lot and DP	Lot 407 DP1206330
Current Use	Vacant site with ancillary shed
Zoning	R5: Large Lot Residential, C3: Environmental Management
Size	3.836ha
Site Constraints	<ul style="list-style-type: none">• Drinking Water Catchment: Williams River• Biodiversity Values Map• Bushfire Prone Land - Vegetation Buffer, Vegetation Category 1, Vegetation Category 2• Acid Sulfate Soil – Class 3, Class 5• Minimum lot size – R5 Large Lot Residential: 8000m², C3 Environmental Management: 300 ha
Owner	Owner's consent has been provided on the Application Form for the DA.
DP and 88B Instrument	A building envelope restriction is shown on the DP, which restricts development to the eastern side of the site. A 5m easement for water supply following the eastern boundary is also present. A right of access 10m wide is present adjacent the Western boundary. The subject site is identified within the DP and Certificate of Title provided at ATTACHMENT 3 . These items do not restrict the proposed development on site.

1.3 SITE DESCRIPTION

The site is located at Lot 407 DP 1206330 Jinker Circuit, Clarence Town informally identified as 13 Jinker Circuit, shown in **FIGURE 1** ('the site') and has an area of 3.836ha. The surrounding locality includes other large lot residential development and is bound by Williams River to the West. The property is within the Dungog Local Government Area (LGA).

The site is currently a vacant residential lot however includes an existing approved shed in accordance with DA207/2020. The site contains significant coverage of mature vegetation, however the eastern portion of the site adjoining Jinker Circuit is relatively clear of vegetation. It is not proposed that any removal of trees or vegetation is required for the proposed development. The location of the proposed dwelling house demonstrates an even fall from the eastern side to western relatively even in topography however the contour of the site declines to the western boundary toward Williams River.

An existing approved shed is located within the building envelope to the south of the proposed dwelling house. The shed is utilised for the safe and secure storage of the landowners vehicles and equipment.

The site is identified as bushfire prone land – vegetation buffer, category 1, and category 2. The site is zoned R5: Large Lot Residential to the East, and C3: Environmental Management to the west, adjacent to Williams River. The proposed dwelling will be located within the R5 zoned portion of the site.

Direct vehicular access the site will be maintained from Jinker Circuit to the East of the site.



Figure 1 -Site Locality Plan (eSpatial Planning Viewer, 2024)

1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The Dungog Council Development Application Tracker website identifies the following applications pertaining to 13 Jinker Circuit Clarence Town:

Type	Application Number	Description	Determination
Construction Certificate	207/2020	Shed	Determined – Certificate Issued by Council (dated 10/05/2021)
Development Application	207/2020	Shed	Determined – Consent (dated 07/04/2021)
Occupation Certificate	207/2020	New Garage	In progress - Pending

2 DESCRIPTION OF THE DEVELOPMENT

2.1 PROPOSED DEVELOPMENT

The characteristics of the proposed development involves the construction of a residential dwelling including;

- Two wings separated by entry and porch,
- Four bedrooms including main bedroom with walk in robe and ensuite,
- Two main bathrooms and separate powder room with W/C,
- Mud room/ laundry,
- Kitchen with butlers pantry,
- Open plan living and dining room,
- Rumpus adjoining study area and walk in linen cupboard,
- Two bay car garage,
- Deck,
- Two water tanks each with a capacity of 25kL.

The proposed Site and Floor Plan is provided below in **FIGURE 2** and **3** and the architectural drawings attached at **ATTACHMENT 5**.

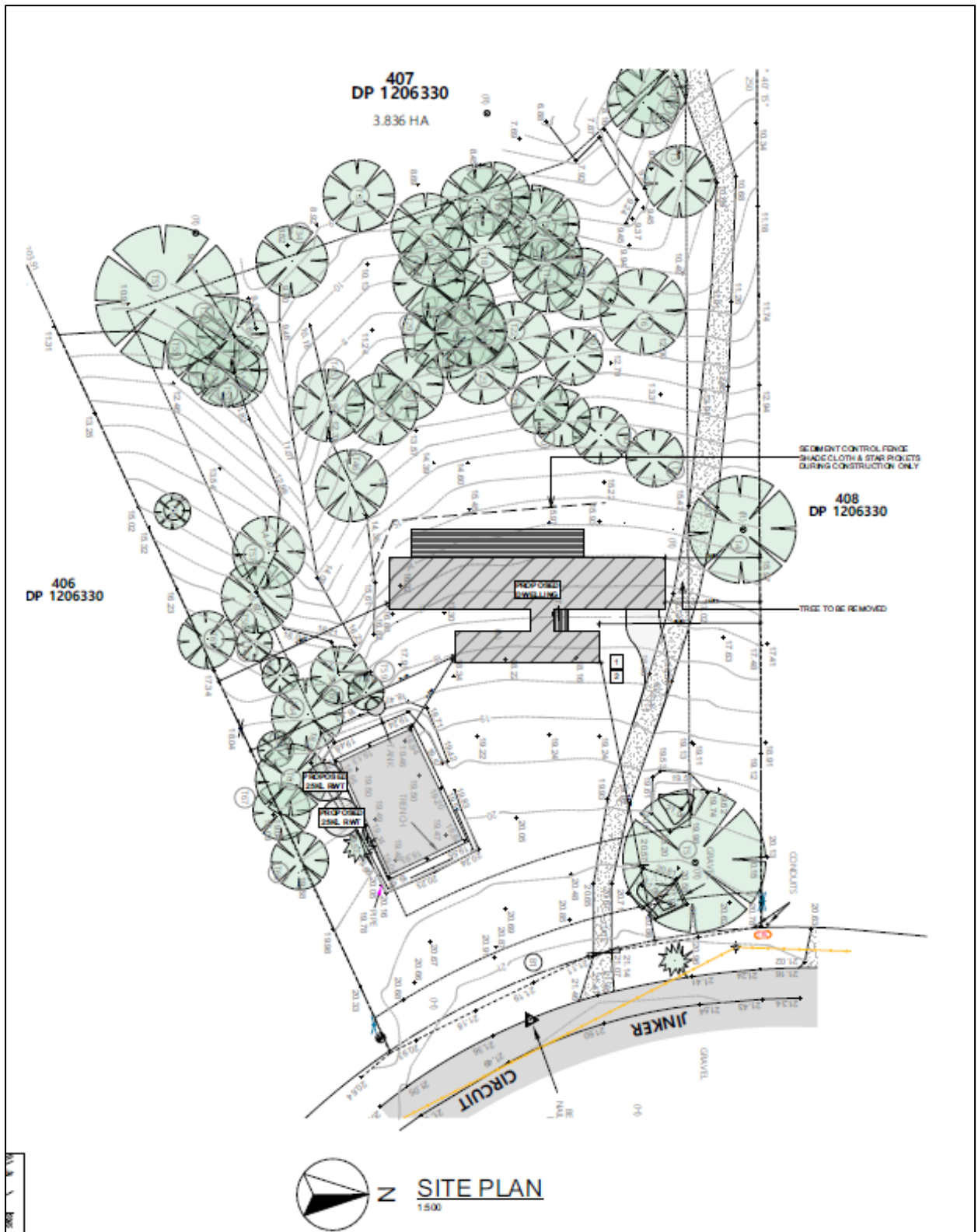


Figure 2 - Proposed Site Plan (Sorensen Design, 2023)

3 PLANNING CONTROLS

3.1 ACTS

The following Acts are considered relevant to the proposed development:

- *Biodiversity Conservation Act 2016*
- *Environmental Planning and Assessment 1979*
- *Hunter Water Act 1991*
- *Rural Fires Act 1997*
- *Water Management Act 2000*

3.1.1 Biodiversity Conservation Act 2016

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

Applicants are to supply evidence relating to the triggers for the Biodiversity Offsets Scheme (BOS) Threshold and the test of significance when submitting a development application to the consent authority.

The development site contains areas of biodiverse value, however, it is restricted to the southern handle (**Figure 5**). The proposed development does not propose removal of vegetation as per **ATTACHMENT X**. As such, the proposed dwelling is not anticipated to have any adverse effect on the area identified as having biodiverse value to the South-West. No further assessment of the Act is required.



Figure 4 - Biodiversity Values Map, (eSpatial Planning Viewer 2024)

3.1.2 Environmental Planning and Assessment Act 1979

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

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

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

Table 2 - Integrated development

Integrated development	Proposed Development	
Fisheries Management Act 1994	<ul style="list-style-type: none"> ▪ s 144 ▪ s 201 ▪ s 205 ▪ s 219 	N/A
Heritage Act 1977	<ul style="list-style-type: none"> ▪ s 58 	N/A
Coal Mine Subsidence Compensation Act 2017	<ul style="list-style-type: none"> ▪ s 22 	N/A – The site is not located within a Mine Subsidence Area.
Mining Act 1992	<ul style="list-style-type: none"> ▪ s 63, 64 	N/A
National Parks & Wildlife Act 1974 (as amended)	<ul style="list-style-type: none"> ▪ s 90 	N/A - Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.
Protection of the Environment Operations Act 1997	<ul style="list-style-type: none"> ▪ ss 43(a), 47, 55 ▪ ss 43(b), 48, 55 ▪ ss 43(d), 55, 122 	N/A
Roads Act 1993	<ul style="list-style-type: none"> ▪ s 138 	N/A

Rural Fires Act 1997	<ul style="list-style-type: none"> ▪ s 100B 	No – Whilst the site is identified as bushfire prone land the scale of the development does not require referral to RFS in accordance with Section 100B of the Rural Fires Act 1997. This application is accompanied by a Bushfire Assessment Report (BAR), provided at ATTACHMENT 6 .
Water Management Act 2000	<ul style="list-style-type: none"> ▪ ss 89, 90, 91 	No – the site adjoins Williams River however as the proposed dwelling is located more than 40m of the mapped watercourse referral to NRAR is not anticipated to be required.

- **Section 7.11 – Development Contributions**

Development contributions will be calculated and charged in accordance with the Dungog Local Infrastructure Contributions Plan 2019.

3.1.3 Hunter Water Act 1991

The subject site is located within the Williams River Drinking Water Catchment. The proposed development is minor in nature and will implement appropriate sediment and erosion control measures to ensure that no adverse impacts on the drinking water catchment occurs. A BYDA search conducted on 13 February 2024 identified that no Hunter Water assets are affected by the proposed development (**ATTACHMENT 9**).

3.1.4 Rural Fires Act 1991

The subject site is identified as bushfire prone land – vegetation buffer, vegetation category 1 and 2 as shown in **FIGURE 3** below. The proposed residential dwelling is not defined as integrated development and does not require referral to the NSW Rural Fire Service (RFS) requesting a Bushfire Safety Authority (BSA) under Section 100B of the Rural Fires Act 1997 and General Terms of Approval (GTA) under Division 4.8 of the EP&A Act. However, this application is accompanied by a Bushfire Assessment Report (BAR) addressing the requirements of Section 4.14 of the EP&A Act and Planning for Bushfire Protection, provided at **ATTACHMENT 6**.

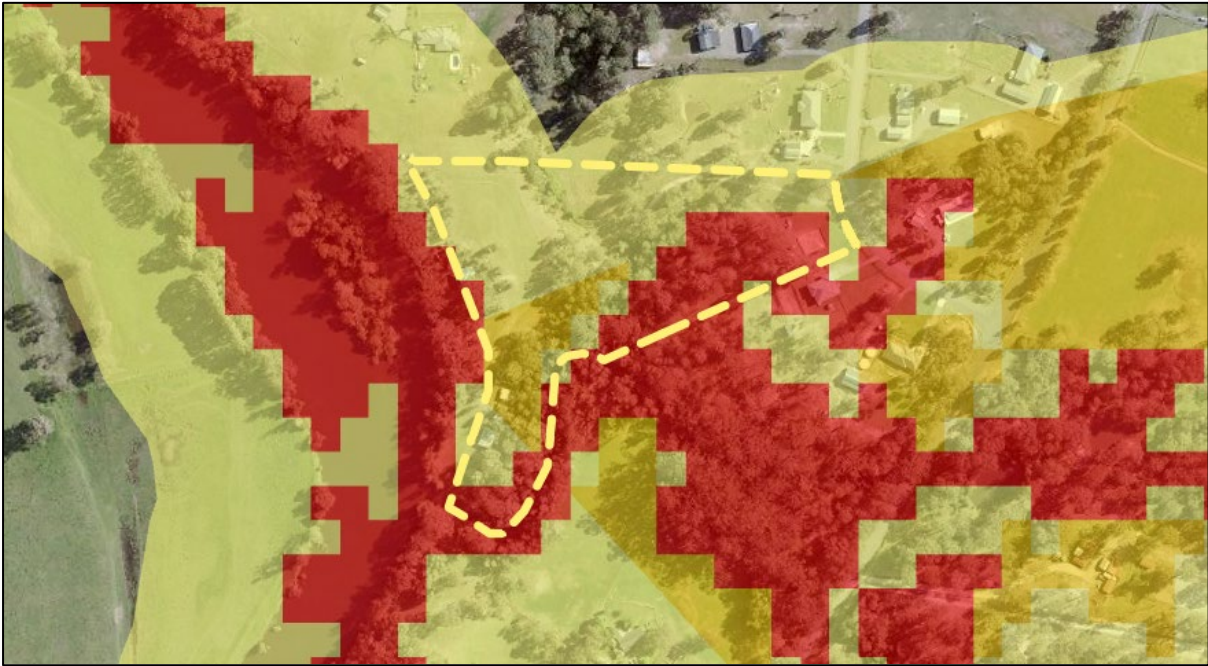


Figure 5 - Bushfire Prone Land (eSpatial Planning Viewer, 2024).

3.1.5 Water Management Act 2000

The site adjoins Williams River to the western boundary however the proposed dwelling is located more than 40m away as such minimising potential for adverse impact. Appropriate erosion and sediment controls measures will be implemented during construction to reduce contaminate runoff into the William River and associated drinking water catchment. To this effect, a referral is not required under Section 91 of WM Act for a controlled activity approval (integrated development).

3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

The following SEPPs are considered relevant to the proposed development:

- *SEPP (Resilience and Hazards) 2021*
- *SEPP (Transport and Infrastructure) 2021*
- *SEPP (Biodiversity and Conservation) 2021*
- *SEPP (Sustainable Buildings) 2022*

3.2.1 SEPP (RESILIENCE AND HAZARDS) 2021

CHAPTER 4 – REMEDIATION OF LAND

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

The site does not contain any signs of previous contaminating uses. As such a contamination assessment has not been completed for the proposed development.

The site is currently zoned R5 for large lot residential purposes, and C3 for environmental management purposes. Given the allotment is currently vacant with an ancillary structure, it is unlikely to be considered contaminated. To this extent, the subject site is land considered suitable for the proposed development and future residential occupation.

3.2.2 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

CHAPTER 2 - INFRASTRUCTURE

The purpose of this Chapter is to facilitate the effective delivery of infrastructure across the state and identifying matters to be considered in the assessment of developments adjacent to particular types of development.

Division 5, Subdivision 2 Development likely to affect an electricity transmission or distribution network

Section 2.48 – Determination of development applications – Other development

Penetration of the ground within 2m of underground electrical infrastructure triggers referral to electricity supply authority pursuant to Section 2.48(1)(a). Referral to the Electricity Supply Authority is not triggered for the proposed dwelling as there are no works proposed below 2m.

Division 12A, Subdivision 2 Development adjacent to pipeline corridors

Section 2.77 – Determination of development applications

The proposed development is not in the vicinity of a 'licenced' pipeline corridor as defined under Section 2.76 (2). Accordingly, the proposed development does not trigger referral to any pipeline operator pursuant to Section 2.76.

Division 17, Subdivision 2 Development in or adjacent to road corridors and road reservations

Jinker Circuit is identified as a local road dedicated to Dungog Council. As such, referral or Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.117, 2.118 and 2.119.

Section 2.122 – Traffic Generating Development

In accordance with Section 2.122, development listed in Schedule 3 is identified as traffic-generating development. The proposed development is not identified under Schedule 3 and therefore does not warrant referral to TfNSW. A traffic impact assessment is not considered necessary for the development.

3.2.3 SEPP (Biodiversity and Conservation) 2021

Chapter 4 – Koala Habitat Protection 2021

This chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. Section 4.4 and Schedule 2 of the SEPP identify the Dungog Local Government Area as land to which the policy applies and subject to the Central Coast Koala Management Area.

The key threats within the Central Coast Koala Management Area have been identified as:

- Habitat clearing and fragmentation;
- Vehicle strike and dog attack;
- Bushfire;
- Invasive plant species;
- Disease;
- Reduction in feed trees; and
- Sea level rise.

The proposed development does not involve the removal of vegetation. There is no impact identified on the koala habitat and the free-living population. Further assessment of this Chapter is not warranted.

3.2.4 SEPP (SUSTAINABLE BUILDINGS) 2022

The SEPP (Sustainable Buildings) 2022 commenced on 1 October 2023, and repealed the SEPP (Building Sustainability Index: BASIX) 2004.

The SEPP (Sustainable Buildings) 2022 incorporates the BASIX commitments relating to thermal performance and energy efficiency standards and applies to all residential developments (excluding alterations and additions less than \$50,000) and all non-residential developments, except those excluded in Chapter 3.1 of the policy.

Accordingly, the Policy applies to the proposed development and is supported by a BASIX Certificate and NatHERS assessment, provided at **ATTACHMENT 9 and ATTACHMENT 10**.

3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

The following parts of the Dungog LEP 2014 (DLEP) apply to the proposed development:

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

The subject site is zoned R5 Large Lot Residential and C3 Environmental Management. The proposed development includes the construction of a residential dwelling within the R5 parcel of the subject site, which is permissible with consent in the R5 zone.

The DLEP identifies the following objectives for the R5 zone:

- 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 isolate housing from existing intensive agriculture or future intensive agricultural areas.

The DLEP identifies the following objectives for the C3 zone:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To promote the rural amenity and scenic landscape values of the area and prevent the silhouetting of unsympathetic development on ridgelines.

The proposed development will provide a new dwelling opportunity on the site within the large lot residential setting. The proposed development will not result in a significant increase in the demand for public services and will not contribute to land use conflicts of the region. The proposed development is in alignment with the existing residential development of the locality and maintains the separation of intensive agricultural land and residential land. The proposed design is sympathetic to the existing visual amenity of the site and will not compromise the scenic value of the locality. As a result, the proposed development is anticipated to meet the objectives of the R5 zoning.

- **Clause 4.1 Minimum Lot Size**

The objective of this clause is to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area.

The prescribed minimum lot size under the DLEP 2014 for R5 zones is 8 000m². The proposed development is to occur within the R5 parcel of the subject site and has an area of 3.836ha therefore complying with the minimum lot size prescribed. It is also noted the prescribed minimum lot size under the DLEP 2014 for C3 zones is 300 ha. No further subdivision is proposed as a result of this application.

- **Clause 5.10 – Heritage conservation**

A search of the Aboriginal Heritage Information Services (AHIMS) database (13 February 2024) did not identify the subject site as containing any Aboriginal sites or places as shown in **ATTACHMENT 4**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person. In this regard, no further assessment against the requirements of Clause 5.10 is required.

- **Clause 5.16 – Subdivision of, or dwellings on, land in certain rural, residential or conservation zones**

The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses). The site contains a portion C3 Environmental Management zoned land to the western boundary.

It is acknowledged that the proposed siting of the dwelling is not located within the C3 zoned portion of the site. As such, the proposed development is anticipated to align with the existing residential dwelling development within the locality whilst maintaining the environmental management land to the rear of the site. No further assessment of this section is required.

- **Clause 5.21 – Flood Planning**

The site is not identified as flood prone land. As such no further assessment of this clause is required.

- **Clause 6.1 – Acid Sulfate Soils**

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils (ASS) and cause environmental damage. The site is identified as containing Class 3 and Class 5 acid sulfate soils. The proposed development will not incorporate earthworks that may significantly disturb ASS or lower the water table.

- **Clause 6.2 – Earthworks**

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. There are no significant earthworks proposed as part of the development. Minor earthworks are required for the preparation of the site for the proposed dwelling, it is not anticipated this will adversely affect the site.

- **Clause 6.4 – Stormwater Management**

The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. It is noted that there is no adjoining bushland to the subject site.

Rainwater runoff will be collected and stored in two proposed 25kL tanks to be located along the side of the existing shed on site. Additional runoff will be diverted to landscaped and grassed areas around the proposed dwelling (**ATTACHMENT 5**).

- **Clause 6.5 Drinking Water Catchments**

The objective of this clause is to protect drinking water catchment by minimising the adverse impacts of development on the quality and quantity of water entering the drinking water storages. The proposed development is located within an identified Drinking Water Catchment. Erosion and sediment provisions will be put in place during construction of the proposed dwelling to ensure that no adverse impacts affect the drinking water catchment.

- **Clause 6.6 Riparian land and watercourses**

The objective of this clause is to protect and maintain the water quality within watercourses and the stability of beds/banks of watercourses. The subject site adjoins Williams River to the west. It is acknowledged that the proposed dwelling house is located more than 40m from the top of the riverbank therefore no further assessment is required.

- **Clause 6.8 – Essential Services**

This clause specifies that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required.

- a) Site is not serviced by a reticulated water service, as such the site will rely on tank water for potable water supply.
- b) Electricity services are available for connection to the site.
- c) The site has available connection for telecommunications services.
- d) The site is not connected to reticulated sewerage. A Section 68 application will be submitted to formalise an onsite wastewater management system.
- a) Stormwater will be collected and stored in the proposed 25kL water tanks. In regard to any additional runoff, there are no anticipated adverse impacts on receiving environments or adjoining properties attributable to the proposal.

b) Access will be retained via the existing crossover from Jinker Circuit.

The Before You Dig Australia (BYDA) search results are provided at **ATTACHMENT 8**.

- **Clause 6.10 – Williams River Catchment**

The objective of this clause is to protect and improve the environmental quality of the Williams River Catchment. The subject site adjoins Williams River to the west of the site and is located within the Williams River catchment. Erosion and sediment provisions will be put in place during construction of the proposed dwelling to ensure that no adverse impacts affect the catchment.

3.4 DEVELOPMENT CONTROL PLAN (DCP)

Consideration of compliance and/or consistency with the relevant provisions of the Dungog DCP 2004 (amended 2020) is provided in the Table of Compliance provided at **ATTACHMENT 2**. The Table of Compliance identifies that the proposed development demonstrates compliance with the relevant provisions of the DCP or overarching objectives where variations are proposed.

4 LIKELY IMPACTS OF THE DEVELOPMENT

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

4.1 BUILT ENVIRONMENT

4.1.1 CONTEXT, SETTING AND VISUAL IMPACT

The proposed development involves the construction of a new residential dwelling and water tanks that is consistent with the prevailing large lot residential nature of the locality and is characteristic of other developments in both the local and wider community. There are no anticipated adverse impacts on the residential amenity or built environment as a result of the proposed development.

The proposed dwelling has been sited to reduce any additional visual impact on the site and surrounds.

4.1.2 ACCESS, TRANSPORT AND TRAFFIC

Access from Jinker Circuit will continue to service the site. Access is demonstrated in accordance with **ATTACHMENT 5**. The proposed dwelling will not result in significant additional traffic on site.

4.1.3 PUBLIC DOMAIN

The proposed development will not have any adverse impact on any public domain.

4.1.4 SERVICES

Electricity, telephone, and physical, legal and emergency service are available or can be made available to the site. The proposed dwelling will not unreasonably increase demand for these services. Potable water will be provided through two onsite water tanks each with a capacity of 25kL. A separate S68 application will be made to Council for the provision of an onsite wastewater management system.

4.1.5 NOISE AND VIBRATION

Construction noise associated with the construction of the dwelling development will be as per normal construction times and processes and will cease once construction is completed.

4.2 NATURAL ENVIRONMENT

4.2.1 ECOLOGICAL

The proposed development does not involve vegetation removal as part of the application. The site is identified as a bushfire prone land – vegetation buffer, category 1 and category 2. A Bushfire Assessment Report (BAR) has been prepared to address the effect of this rating on the proposed development (**ATTACHMENT 6**).

The western boundary of the site abuts the Williams River. As such erosion and sediment control measures will be implemented to reduce potential adverse impact. A small portion of land to the south of the site is identified as having biodiverse value. It is noted that the proposed development is minor in nature and is not located within the biodiverse area on site.

4.2.3 ARCHAEOLOGY

A search of the Aboriginal Heritage Information Services (AHIMS) database (13 February 2024) did not identify the subject site as containing any Aboriginal sites or places as shown in **ATTACHMENT 4**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.

4.2.3 STORMWATER

Stormwater will be managed on site with rainwater runoff to be collected and stored in a two 25kL water tanks. Additional runoff will be diverted to landscaped and grassed areas around the proposed dwelling. It is not anticipated that the dispersion of this rainwater will negatively impact receiving environments.

4.3 SOCIAL AND ECONOMIC

Social

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

- People's way of life (how they live, work, play and interact with one another on a day to day basis),

- Their culture (shared beliefs, customs and values), and
- Their community (its cohesion, stability, character, services and facilities).

The proposed development is for a residential dwelling house and water tanks. The result of this development is anticipated to have minimal social impacts. The site will be serviced by suitable facilities and services without resulting in significant additional burdening of the existing supply available within the area. The proposed development provides positive economic and social impacts by facilitating minor construction activity and the active ongoing management of the land.

The proposed development will result in a modern and fresh residential dwelling that services the needs of the property owners without impacting on the surrounding area and furthermore will not disadvantage or benefit any particular social group.

Economic

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

4.3.1 SAFETY, SECURITY AND CRIME PREVENTION

No safety or security measures for crime prevention measures are required as a result of the proposed development. The proposed development will not create any safety, security or crime concerns on or around the site.

5 SUITABILITY OF THE SITE

The proposed development is a suitable use of the site. The application includes all elements required under the relevant planning instruments and policies and there are no anticipated negative impacts on the locality as a result of the development. This development is permissible under the LEP and has addressed any relevant concerns through this SEE.

The proposed residential dwelling will not have any adverse impacts on surrounding properties or amenity of the locality. The proposal is within the public's best interest. To this extent, the site is suitable for development.

6 ANY SUBMISSIONS AND CONSULTATION

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

7 PUBLIC INTEREST

There are no tangible cumulative impacts arising from the proposal, given the small-scale nature and appropriateness of the development in conjunction with the existing lot. Cumulative impacts are positive in that the dwelling will ensure that the site can be utilized to its full potential whilst ensuring the impacts on the site and the surrounding area are minimal in nature. To this extent, the site is suitable for development and within the public interest.

8 CONCLUSION

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

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

- Dwelling houses are permissible within the zone R5 Large Lot Residential.
- No adverse impact on the existing character or amenity of the area will result.
- No significant adverse impact on the ecological values of the site is attributable to the proposed development.
- The proposed dwelling is consistent with the prevailing land use of the area, without burdening the essential services supply.
- The residential dwelling proposed by this application has been found to be consistent with the relevant LEP and DCP controls, where possible.

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

If we can provide any further information or clarity, please do not hesitate to contact us.



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EP&A REGULATION 2021 COMPLIANCE TABLE

A Development Application (DA) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is required under Section 4.12 (1) to meet the provisions of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) (EP&A Regulation) as detailed under Part 3, Division 1. **TABLE 1** below provides consideration of compliance against the relevant Section.

Further to Part 3 of the EP&A Regulation, a DA must contain the following information (as per Department of Planning, Infrastructure and Environment (DPIE) requirements dated March 2022):

- a) the name and address of the applicant
- b) a description of the development to be carried out
- c) the address, and formal particulars of title, of the land on which the development is to be carried out
- d) an indication as to whether the land is, or is part of, critical habitat
- e) an indication as to whether the development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, unless the development is taken to be development that is not likely to have such an effect because it is biodiversity compliant development
- f) the estimated cost of the development
- g) evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by the Regulation
- h) a list of the documents accompanying the application
- i) a Statement of Environmental Effects, unless identified as designated development which requires an Environmental Impact Statement.
- j) a site plan of the land.
- k) drawings of the development.

The above listed information has been provided to the consent authority through the approved form on the NSW Planning Portal.

Table 1: Assessment against Part 3 Division 1 of the EP&A Regulation 2021

No	Requirement	Response
22 Application of Part		
This part applies to all development applications.		
23 Persons who may make development applications		
1	A development application may be made by—	The application is made with the owners' consent, attached as an attachment to the SoEE.
1(a)	the owner of the land to which the development application relates, or	
1(b)	another person, with the consent of the owner of the land.	

2	The consent of the owner of the land is not required for a development application made by a public authority or for public notification development if the applicant complies with subsections (3) and (4).	Not applicable. The owner is not a public authority.
3	The applicant must give notice of the application—	Notification has been provided to the owner and is confirmed by the signature on the owner's consent form.
3(a)	(a) to the owner of the land before the application is made, or	
3(b)	(b) by publishing, no later than 14 days after the application is made, a notice in a newspaper circulating in the area in which the development will be carried out.	Not applicable. The owner has been notified.
4	If the applicant gives notice under subsection (3)(b), the applicant must also, no later than 14 days after the application is made—	Not applicable. The applicant is not a public authority.
4(a)	if the applicant is a public authority—publish the notice on the public authority's website, or	
4(b)	for public notification development—arrange for the consent authority to publish the notice on the NSW planning portal.	
5	A development application relating to land owned by a Local Aboriginal Land Council may be made only with the consent of the New South Wales Aboriginal Land Council.	Not applicable. The land is not owned by a LALC.
6	A lessee of Crown land may make a development application relating to Crown land only with the consent of the Crown.	Not applicable. The site is not Crown Land
7	The consent of the Crown is not required under subsection (6) for a development application for—	Not applicable. The site is not identified as Crown Land. The development application is not for State significant development.
7(a)	public notification development, or	
7(b)	other State significant development if the development application is made by a public authority.	
8	In this section— public authority includes an irrigation corporation, within the meaning of the <i>Water Management Act 2000</i> , that the Minister administering that Act has, by written order, declared to have the status of a public authority for the purposes of this section in relation to development of a kind specified in the order.	Noted.
24 Content development application		
1	A development application must—	The DA has been lodged via the NSW Planning Portal which is the approved form.
1(a)	be in the approved form, and	

1(b)	contain all the information and documents required by— (i) the approved form, and (ii) the Act or this Regulation, and	The DA contains the required mandatory documents required under Section 23 – 36 of the EP&A Regulation and in accordance with Table 1 of the document titled 'Application Requirements' prepared by the NSW Government dated March 2022 (Approved by the Planning Secretary's delegate on 28 February 2022). A summary of supplied mandatory documents is provided in TABLE 2 below.
1(c)	be submitted on the NSW planning portal.	The DA has been submitted through the NSW Planning Portal.
2	The fees payable for a development application are specified in Schedule 4 and determined in accordance with Part 13, including additional fees for integrated development, development requiring concurrence and designated development.	Fees will be paid upon issue from the Consent Authority.
3	A development application is lodged— (a) on the day on which the fees payable for the development application under this Regulation are paid, or (b) if the applicant is notified under Part 13 that no fee is required—on the day the applicant submitted the application on the NSW planning portal.	Noted
4	The applicant must be notified through the NSW planning portal that the development application has been lodged.	Noted
5	If the council is not the consent authority, the consent authority must give the council a copy of—	The Council is the consent authority.
5(a)	the development application, and	
5(b)	for designated development—the environmental impact statement.	
25 Information about concurrence or approvals		
25	A development application must contain the following information—	The proposed development does not require concurrence from any other consent authority.
25(a)	a list of the authorities — (i) from which concurrence must be obtained before the development may lawfully be carried out, and (ii) from which concurrence would have been required but for the Act, section 4.13(2A) or 4.41	
		The proposed development is not classified as State significant development.

25(b)	a list of the approvals of the kind referred to in the Act, section 4.46(1) that must be obtained before the development may lawfully be carried out.	The proposed development is not classified as Integrated Development under Section 4.46 of the EP&A Act.
26 Information about community housing, boarding houses, co-living housing		
26(1)	A development application for development permitted under State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 2 must specify the name of the registered community housing provider who will be managing the boarding house.	Not applicable. The development is not for community housing or a boarding house.
26(2)	A development application for development for the purposes of boarding houses or co-living housing must be accompanied by a copy of the plan of management.	Not applicable. The development is not for co-living housing.
27 BASIX development		
27(1)	A development application for BASIX development must be accompanied by—	BASIX Certificate is provided as ATT 9 for the proposed development.
1(a)	a relevant BASIX certificate for the development issued no earlier than 3 months before the day on which the development application is lodged, and	
1(b)	the other matters required by the BASIX certificate.	
27(2)	If the development involves the alteration of a BASIX building that contains more than 1 dwelling, a separate BASIX certificate is required for each dwelling.	
28 Development applications relating to Biodiversity Conservation Act 2016		
28(1)	A development application for biodiversity compliant development must contain the reason the development is biodiversity compliant development.	The development site is not located within an area of biodiverse value therefore no adverse impact has been identified on local biodiversity.
28(2)	A development application that is accompanied by a biodiversity development assessment report under the <i>Biodiversity Conservation Act 2016</i> must contain the biodiversity credits information.	Not applicable. The proposed development does not trigger a BDAR.
28(3)	A development application relating to land that is subject to a private land conservation agreement under the <i>Biodiversity Conservation Act 2016</i> must contain a description of the kind of agreement and the area to which it applies.	Not applicable. The development land is not subject to a private land conservation agreement.
28(4)	In this section— biodiversity compliant development means— (a) development to be carried out on biodiversity certified land under the Biodiversity Conservation Act 2016, or	Not applicable. The development is not subject to biodiversity compliant development.

	<p>(b) development to which the biodiversity certification conferred by the Threatened Species Conservation Act 1995, Schedule 7, Part 7 applies, or</p> <p>(c) development for which development consent is required under a biodiversity certified EPI, within the meaning of the Threatened Species Conservation Act 1995, Schedule 7, Part 8.</p>	
29 Residential apartment development		
29(1)	A development application that relates to residential apartment development must be accompanied by a statement by a qualified designer.	<p>Not applicable.</p> <p>The development is not a residential apartment.</p>
29(2)	<p>The statement must—</p> <p>(a) verify that the qualified designer designed, or directed the design of, the development, and</p> <p>(b) explain how the development addresses—</p> <p>(i) the design quality principles, and</p> <p>(ii) the objectives in Parts 3 and 4 of the Apartment Design Guide.</p>	<p>Not applicable.</p> <p>The development is not a residential apartment.</p>
29(3)	<p>If the development application is accompanied by a BASIX certificate for a building, the design quality principles do not need to be addressed to the extent to which they aim—</p> <p>(a) to reduce consumption of mains-supplied potable water or greenhouse gas emissions in the use of—</p> <p>(i) the building, or</p> <p>(ii) the land on which the building is located, or</p> <p>(b) to improve the thermal performance of the building.</p>	<p>Not applicable.</p> <p>The development is not a residential apartment.</p>
29(4)	The additional fee payable for a development application for residential apartment development that is referred to the relevant design review panel for advice is specified in Schedule 4.	<p>Not applicable.</p> <p>The development is not a residential apartment.</p>
30 Mining or petroleum development		
30(1)	This section applies to a development application that relates to mining or petroleum development on land—	<p>Not applicable.</p> <p>The proposed development is not for mining or petroleum development.</p>
1(a)	shown on the <i>Strategic Agricultural Land Map</i> , or	
1(b)	subject to a site verification certificate.	
2	The development application must be accompanied by—	<p>Not applicable.</p> <p>The proposed development is not for mining or petroleum development.</p>
2(a)	for development on land shown on the <i>Strategic Agricultural Land Map</i> as critical industry cluster	

	land—a current gateway certificate that applies to the development, or	
2(b)	for development on other land— (i) a current gateway certificate that applies to the development, or (ii) a site verification certificate that certifies that the land on which the development will be carried out is not biophysical strategic agricultural land.	
31 Other documents required for certain development applications		
1	A development application that relates to development for which consent under the <i>Wilderness Act 1987</i> is required must be accompanied by a copy of the consent.	Not applicable. The development application does not require consent under the <i>Wilderness Act 1987</i> .
2	A development application that relates to development for which a site compatibility certificate is required by a SEPP must be accompanied by the site compatibility certificate.	Not applicable. The proposed development does not require a site compatibility assessment.
3	A development application made under the Act, section 4.12(3) must be accompanied by the matters that would be required under the <i>Local Government Act 1993</i> , section 81 if approval were sought under that Act.	Not applicable. The proposed development is not a listed activity under Section 68 of the LG Act 1993.
4	A development application that relates to development on land in an Activation Precinct under <i>State Environmental Planning Policy (Precincts—Regional) 2021</i> , Chapter 3 must be accompanied by a current Activation Precinct certificate.	Not applicable. The development is not within an Activation Precinct.
5	Subsection (4) does not apply to a development application made by a public authority, other than the Development Corporation within the meaning of <i>State Environmental Planning Policy (Precincts—Regional) 2021</i> , Chapter 3.	Not applicable. The development is not within an Activation Precinct.
32 Extract of development application for erection of building		
1	If a development application relates to the erection of a building, an extract of the application must be published on the NSW planning portal.	The development is for the construction of a new structure.
2(a)	The extract must— identify the applicant and the land to which the application relates, and	The applicant and land have been identified on the NSW Planning Portal Application and within the Statement of Environmental Effects.
2(b)	contain a plan of the building that indicates the proposed height and external configuration of the site, if relevant for the development.	Plans have been provided which include the proposed subdivision and external configuration to allow

		the extract to be published on the NSW Planning Portal.
3	This section does not apply to the following—	The development is not exempt from extract.
3(a)	designated development	The development is not designated development.
3(b)	nominated integrated development	The development is not classified as integrated development that requires approval.
3(c)	threatened species development	The development does not impact upon threatened species which requires a species impact statement. The development is not threatened species development.
3(d)	Class 1 aquaculture development	The development is not for Class 1 aquaculture.
3(e)	State significant development	The development is not State significant development.
33 Concept development applications		
1	The information about the various stages of development, required by this Regulation to be included in a concept development application, may be deferred to a subsequent development application, with the approval of the consent authority.	Not applicable. The development is not a concept development as defined under the Act.
2	Section 29 applies in relation to a concept development application only if the application sets out detailed proposals for the development or part of the development.	Not applicable. The development is not a concept development as defined under the Act.
34 & 35 – Not applicable, as the development is not located in Sydney.		
36 Consent authority may request additional information from the applicant		
1	A consent authority that receives a development application may request additional information about the development from the applicant.	Noted
2	A consent authority may not request additional information in relation to building work or subdivision work if the information is required to accompany an application for a construction certificate or subdivision works certificate.	Noted
3	A consent authority's request must— (a) be made through the NSW planning portal, and	Noted

	<p>(b) specify a reasonable period within which the additional information must be given to the consent authority, and</p> <p>(c) specify the number of days in the assessment period that have elapsed, and</p> <p>(d) inform the applicant that the assessment period ceases to run, in accordance with Part 4, Division 4, during the period between—</p> <p>(i) the request, and</p> <p>(ii) the day on which the applicant provides the additional information or notifies, or is taken to have notified, the consent authority that the information will not be provided.</p>	
4	The applicant may, using the NSW planning portal, notify the consent authority that the applicant will not provide the additional information.	Noted
5	The applicant is taken to have notified the consent authority that the applicant will not provide the additional information if the applicant has not provided the information by the end of—	Noted
	<p>(a) the period specified under subsection (3)(b), or</p> <p>(b) a further period allowed by the consent authority.</p>	
6	In this section— additional information , in relation to a development application, means information the consent authority considers necessary to properly consider the development application.	Noted

Table 2: Mandatory documentation supplied to inform the development application

Applications that require or involve:	Requirement	Yes / No / Not Applicable
Arrangements before consent can be granted under an environmental planning instrument	Documentary evidence that such arrangements have been made	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Comment: This table forms part of the documentary evidence supporting the DA to enable granting of consent under the EP&A Act 1979 and EP&A Regulation 2021.
Building work to alter, expand or rebuild an existing building	A scaled plan of the existing building	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development plans are provided as ATT 5.
Change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwellinghouse and other than a temporary structure)	A list of the Category 1 fire safety provisions that currently apply to the existing building	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The application is not for the change of use of an existing building.
	A list of the Category 1 fire safety provisions that are to apply to the building following its change of use	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: As above.
Concurrence	A list of any authorities from which concurrence must be obtained before the development may lawfully be carried out or from which concurrence would have been required but for section 4.13(2A) or 4.41 of the Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Comment: A list of authorities which concurrence should be obtained are listed with the Statement of Environmental Effects.
	A statement by the applicant that the relevant matters in the	<input checked="" type="checkbox"/> Yes

	Development referrals guide have been considered	<input type="checkbox"/> No <input type="checkbox"/> Not Applicable Comment: Referral list has been generated in accordance with the development referrals guide.
Development involving mining for coal (within the meaning of section 380AA of the Mining Act 1992)	Documentary evidence that the applicant holds an authority under the Mining Act 1992 in respect of coal and the land concerned, or has the written consent of the holder of such an authority to make the development application	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development does not involve mining for coal.
Development referred to in State Environmental Planning Policy (Housing) 2021, clause 45(1)	Evidence or information demonstrating whether the development is likely to result in the loss of low-rental dwellings on the land to which the application relates during the relevant period, within the meaning of State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development does not impact the availability of affordable housing.
Development permitted under State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 2	The name of the registered community housing provider who will be managing the boarding house	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development is not for a boarding house.
Development for a boarding house or co-living house	A plan of management	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development is not for co-living housing.
Entertainment venues, function centres, pubs, registered clubs or restaurants	A statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development is not for an entertainment venue.

Erection of a building	An A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Comment: Please see ATT 5 for plans.
Integrated development	A list of any approvals of the kind referred to in section 4.46(1) of the Act that must be obtained before the development may lawfully be carried out	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable Comment: The development is not identified as integrated development.
	A statement by the applicant that the relevant matters in the Development referrals guide have been considered	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Comment: As above.
Land that is, or is part of, critical habitat or development that is likely to significantly affect threatened species, populations or ecological communities, or their habitats	A species impact statement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development is not on land that is part of critical habitat nor is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats.
Land that is in a wilderness area and is the subject of a wilderness protection agreement or conservation agreement within the meaning of the Wilderness Act 1987	A copy of the consent of the Minister for Energy and Environment to the carrying out of the development	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The land is not identified as being a wilderness area.
Manor houses or multi-dwelling houses (terraces) to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies	A statement, in the form approved by the Planning Secretary, by a qualified designer or a person accredited as a building designer by the Building Designers Association of Australia that—	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development is not for a manor house or multi-dwelling housing to which the SEPP applies.

	<p>i. verifies that the designer or person designed, or directed the design of, the development</p> <p>ii. addresses how the design is consistent with the relevant design criteria set out in the Low Rise Housing Diversity Design Guide</p>	
Subdivision	Preliminary engineering drawings of the work to be carried out	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: Subdivision is not proposed.
Temporary structure	Documentation that specifies the live and dead loads the temporary structure is designed to meet	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: The development is not a temporary structure.
	A list of any proposed fire safety measures to be provided in connection with the use of the temporary structure	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: As above.
	In the case of a temporary structure proposed to be used as an entertainment venue—a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with (if a performance solution, to meet the performance requirements, is to be used)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: As above.
	Documentation describing any accredited building product or system sought to be relied on	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable

	for the purposes of section 4.15(4) of the Act	Comment: As above.
	Copies of any compliance certificates to be relied on	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable Comment: As above.