

**ENVIRONMENTAL SERVICES REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON MONDAY, 9 JULY 2012**



09) **SUCCESSFUL GRANT APPLICATION FOR AUSTRALIAN GOVERNMENT AS PART OF THE COMMUNITY ENERGY EFFICIENCY PROGRAM (CEEP)**  
(Director Environmental Services)

**RECOMMENDED:**

1. That Council note the successful grant application, under the CEEP, for energy efficiency upgrades in Council's Administration Building.

**REPORT**

An application was made for CEEP grant funding, as a member of CENTROC, to retrofit reverse cycle air conditioning; replace all interior light fittings with energy efficient alternatives, install occupancy sensors to meeting rooms, stores and toilets; split lighting groups into smaller areas for better control and install power boards, with in-line isolation switches, at work stations to enable safe and accessible turning off of desktop computers and monitors.

There is an anticipated annual energy consumption reduction of 30%.

**BUDGET IMPLICATIONS**

There is a cash and in-kind contribution cost to Council and this is within the existing budget.

**POLICY IMPLICATIONS**

There are no policy implications identified at this time.

**Attachments**

Nil

10) **PROPOSED BULKY WASTE CLEAN UP**  
(Director Environmental Services)

**RECOMMENDED:**

1. That Council receive the report for information.

**REPORT**

The proposed bulky waste clean up in Blayney Shire Council area, for all properties currently getting a weekly domestic service, will be carried out during 6-10 August 2012.

A public notice will be published, by JR Richards and Sons, in the Blayney Chronicle (see attachment) and brochures (see attachment) will be made available to households, also by JR Richards and Sons.

**BUDGET IMPLICATIONS**

There are no costs to Council and this is within the existing budget.

**POLICY IMPLICATIONS**

There are no policy implications at this time.

**Attachments**

- |   |                           |         |
|---|---------------------------|---------|
| 1 | Bulky Waste Advertisement | 1 Page  |
| 2 | Bulky Waste Brochure      | 2 Pages |

11) **POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN  
(PIRMP) FOR BLAYNEY WASTE DISPOSAL DEPOT**  
(Director Environmental Services)

**RECOMMENDED:**

1. That Council note for information the requirement for a PIRMP and the engagement to develop the Plan through NetWaste.

**REPORT**

The NSW EPA recently announced amendments to the Protection of the Environment Operations Act 1997 (POEO Act) through the Protection of the Environment Legislation Amendment Act 2011. The Act introduces changes to improve the way pollution incidents are reported and managed.

The majority of changes apply to the holders of Environment Protection Licenses (EPL) under the POEO Act, with licensed landfills being such premises.

Changes to the requirements include:

1. Pollution incident notification;
2. Duty to prepare and implement pollution incident response management plans; and
3. Publish monitoring results.

A number of matters will need consideration, including;

- a description of the hazards to human health or the environment;
- the likelihood of any such hazards occurring;
- details of the pre-emptive action to be taken to minimise or prevent any risk of harm to human health or the environment;
- an inventory of potential pollutants on the premises;
- the names, positions and 24-hour contact details of those key individuals who are responsible for activating the plan and are authorised to notify relevant authorities and are responsible for managing the response to a pollution incident;
- the contact details of each relevant authority referred to in section 148 of the Act.

A plan is also to be made publicly available in a prominent position on Council's website or by providing a copy of the plan, without charge, to any person who makes a written request for a copy.

Basic requirements for publishing monitoring results are:

- Must publish or make data available within 14 days of receiving data or a specific request for data;
- If licensee maintains website, then data must be made available in a prominent position on the website;
- If licensee does not maintain website then they must provide copy of data at no charge to any person requesting (written request) a copy; and

- The data must be published in accordance with requirements as set out in OEH document (OEH 2012/0263 March 2012).

Through NetWaste, participating Councils, sought quotation to prepare the PIRMPs and Geolyse (Orange) were successful in being the endorsed supplier.

NetWaste offered to support funding of the cost, to the sum of \$20,650 (plus GST) and this resulted in Blayney Shire Council being only responsible for \$3,000 (plus GST) contribution to the cost.

**BUDGET IMPLICATIONS**

There is a cost to Council for preparation of this plan and this will be absorbed within the existing budget.

**POLICY IMPLICATIONS**

There are no policy implications identified at this time.

**Attachments**

Nil

- 12) **MODIFICATION OF DEVELOPMENT CONSENT NO.203/2007 - NINE (9) LOT SUBDIVISION AT 665 FOREST REEFS ROAD, FOREST REEFS**  
(Director Environmental Services)

**RECOMMENDED:**

1. That Council note the submissions made in regard to the proposed modification, and that Council consent to the modification of Development Application No.203/2007 subject to the following conditions of consent :
  
1. The determination shall be regarded as being in accordance with the particulars and endorsed plans set out and described in Development Application No. 2007/203 registered in Council's records as of the 26 June 2007, and the details as modified by application dated 15 December 2010, except where varied by any or all of the following conditions issued as part of this consent. Any additional development not subject to this approval shall require the further consent of Council.

**STATUTORY**

**REASON: To comply with legislative statutory requirements.**

2. That documentary evidence be provided to Council that arrangements have been made with Essential Energy for the supply of electricity.
3. That documentary evidence be provided to Council that arrangements have been made with the relevant telecommunications authority for the provision of telephone services.
4. That an original plan of subdivision be submitted for Council's registration.
5. That a Subdivision Certificate be submitted to Council.
6. That all Certificates issued in relation to the development are to be submitted to Council.

**INFRASTRUCTURE**

**REASON: To comply with Council's requirements for the provision of infrastructure.**

7. That any road widening or land resumption required for public road purposes be undertaken at no cost to Council.

**CONSTRUCTION**

**REASON: To comply with Council's policy and requirements for the provision of access.**

8. That the access point to the new lots be determined in consultation with Council.
9. That the accesses to all proposed lots are to be

- constructed to Council's rural access standard with bitumen seal as per the *WBC Guidelines for Engineering Works* prior to the issue of the Subdivision Certificate.
10. That all accesses are to be designed and constructed to provide all weather access to the subject land. If the 1% Annual Exceedance Probability storm cannot be catered for with piped drainage, the over road flow must have a velocity depth of less than 0.7m<sup>2</sup>/s.
  11. That bitumen shoulder widening to Council standard be provided on both sides of the proposed road at the intersection of the proposed road and Forest Reefs Road for a school bus stopping area.
  12. The applicant is to arrange an inspection of the development and civil works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

A	Road Construction	Excavation and trimming of subgrade; After compaction of sub-base; After compaction of base, and prior to sealing; Pavement test results (prior to surfacing); Road pavement surfacing;
B	Drainage	After laying pipes prior to backfill; Pits after rendering openings and installing step irons
C	Accesses	Prior to commencement of excavation works; After compaction of base and prior to sealing; Road pavement surfacing;
D	All development works	Practical completion.

13. Prior to the issue of a Subdivision Certificate, the applicant is to lodge a bond with Council equal to 5% of the total civil construction costs at practical completion to be held by Council for a minimum period of twelve (12) months.
14. The applicant is to submit three (3) copies of engineering plans, specifications and calculations in relation to conditions 9, 10, 11, 21 and 22 for approval prior to the issue of the Construction Certificate. The works are to comply with WBC Guidelines to Engineering Works
15. Prior to the issue of a Subdivision Certificate, the applicant is to submit an electronic copy of the works as executed for the works required by conditions 9, 10, 11, 21 and 22 in Autocad 2000 format. Further the works are to comply with WBC Guidelines to Engineering Works
16. The applicant is to obtain a Construction Certificate from Council certifying that the proposed works are in accordance with the WBC Guidelines for Engineering Works prior to any subdivision works commencing.
17. As Principal Certifying Authority, Council will issue

- compliance certificates at satisfactory completion of the following stages of work:
- a. Road works
  - b. Stormwater
  - c. Access
18. Inspection fees are to be paid based on the constructed road length of the unnamed lane, prior to issue of Construction Certificate, in accordance with Council's Fees and Charges Schedule.
  19. That full engineering design plans be submitted to Council for approval prior to the issue of the Construction Certificate for:
    - a. Road works
    - b. Stormwater
    - c. Access
  20. That works as executed plans for road, drainage and sewer be submitted to Council, prior to the issue of the Subdivision Certificate.
  21. That the proposed road be constructed to Council's Rural Local Access standard at full cost to the applicant. All work is to comply with the *WBC Guidelines for Engineering Works* and be completed prior to the issue of the Subdivision Certificate.
  22. That the intersection with Forest Reefs Road be constructed to Roads and Maritime Service's BAR/BAL standard with sight distance provided for a 100km/h design speed. All work is to comply with the *WBC Guidelines for Engineering Works* and be completed prior to the issue of the Subdivision certificate.
  23. That the applicant be invited to submit suitable suggestions for the naming of the proposed road.
  24. That any damage to Council's footpath, road or other land being restored in accordance with Council's specifications. Contact Council's Works and Services Department.
  25. That no materials or machinery to be used in the construction of the building shall be stored or stacked on Council's footpath, nature strip or roadway.
  26. That there be no burning of waste material, felled trees or other material on the site.
  27. No building envelope will be provided for within the proposed 1%AEP Flood Extent as identified in Geolyse DWG. 01A\_EV06 of the Flood Study.
  28. Prior to the issue of the Construction Certificate, the applicant will provide Council with revised plans identifying the proposed new building envelopes to be located wholly outside the proposed 1% AEP Flood Extent.
  29. Prior to issue of the Subdivision Certificate, the applicant will provide Council with an original plan of subdivision, identifying the revised building envelopes.
  30. That the onsite effluent disposal application areas are to



be located in a flood free area as identified in Geolyse Dwg. 01A\_EV06 of the Flood Study.

31. The developer is to relocate, if necessary, at the developer's cost, any utility services.
32. The designated number plates shall be obtained from Council and erected in accordance with the *Specifications for Erection of Street Address Numbers* as supplied by Council.

Written notification is to be provided to Council indicating rural addressing numbers have been erected. This letter is to be supplied to Council or the Principal Certifying Authority PRIOR to the issue of the subdivision certificate.

33. Construction work must only be carried out within the following times:  
 Monday to Friday: 7am to 7pm.  
 Saturday: 8am to 1pm  
 No work is to be carried out on Sunday or Public Holidays  
 Note: The principal contractor shall be responsible to instruct and control their sub-contractors regarding the hours of work.

#### **SECTION 94 CONTRIBUTION**

**REASON: To comply with Council's policy for a contribution towards headworks.**

34. That the applicant contribute \$20,231 towards headworks. The amount applicable will be dependent upon the date on which payment is made and will be **as per Council's adopted fees and charges for the financial year in which payment is made**. The cost of the applicable headworks (7 additional lots) during the 2011/2012 financial year is as follows:

BSC1	Rural Roads (sealed)	\$14,106.00
BSC 8	Bushfire	\$ 2,387.00
BSC 10	Community Facilities	\$ 3,738.00

Payment is to be made to the issue of a subdivision certificate.

#### **ENVIRONMENTAL**

**REASON: To comply with Council's statutory requirements.**

35. That the applicant installs, prior to the commencement of works, adequate sediment and erosion controls in accordance with Council's Erosion and Sediment Control Policy (copy attached).
36. The developer is to obtain a clear Noxious Weeds Certificate under Section 735 of the Local Government Act 1993. A copy of the Certificate is to be provided to Council prior to the issue of the Subdivision Certificate.
37. That detailed landscape plans be submitted to and approved by Council prior to the issue of the Subdivision

Certificate, with appropriate species specified by a qualified horticulturalist.

The approved landscaping is to be completed prior to the issue of the Subdivision Certificate.

The landscaping plans shall include a vegetation buffer along the southern boundaries of Lots 2, 3 and 4, and along the eastern boundary of Lot 1.

38. Dust suppression measures shall be undertaken during the construction phase to minimize drift of dust onto adjoining properties.

### **STOCK PROOF FENCING**

**REASON: To ensure agricultural activities are not impacted upon.**

39. All boundaries shall be constructed with stock and dog proof fencing, to be undertaken prior to the release of a Subdivision Certificate.

### **REPORT**

<b>Applicant:</b>	Saunders & Staniforth
<b>Owner:</b>	L G Aubrey
<b>Application No:</b>	DA203/2007
<b>Zone:</b>	7(a) Environment Protection (Scenic)
<b>Date Modification Received:</b>	13 April 2012
<b>Assessment No:</b>	145-02231.5
<b>Property:</b>	665 Forest Reefs Road, Forest Reefs
<b>Proposed Development:</b>	Nine (9) Lot Subdivision

### **BACKGROUND**

Council has received an application to modify development consent No. 203/2007 for a nine (9) Lot Subdivision at 665 Forest Reefs Road, Forest Reefs.

The original development consent was lodged in 2007 for a rural small holdings subdivision in the 7(a) Environment Protection Zone (Scenic). The application at the time was accompanied by a Koala Habitat Assessment and On-Site Wastewater Management Assessments. The development was approved in 2009.

The current modification was lodged on 15 December 2010, and additional information was requested by Council in 2011. This information was received and Council is in a position to deal with the application.

The property is located on the southern side of Forest Reefs Road about 4km west of Forest Reefs, and comprises gently undulating cleared grazing land with a northerly aspect.

The current modification relates to a minor amendment to the subdivision layout, in order to create an adequate buffer treatment along the southern boundary, and the introduction of Lot 4 into the design.

Subsequently this has meant a renumbering of the lots in the subdivision.

Council also had concerns in regard to the configuration of the lots and compliance with the minimum lot size. The modification also relates to the transfer of 6,600 square metres into the adjoining Lot 8 DP 1123512.

**Section 79C Assessment:**

**(a)(i) the provisions of any environmental planning instrument**

*State Environmental Planning Policy (Rural Lands)*

SEPP (Rural Lands) 2008 applies to this development. The SEPP outlines principles related to subdivision in rural zones.

***Rural Subdivision Principles***

- (a) *the minimisation of rural land fragmentation,*
- (b) *the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,*
- (c) *the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,*
- (d) *the consideration of the natural and physical constraints and opportunities of land,*
- (e) *ensuring that planning for dwelling opportunities takes account of those constraints.*

The land is zoned 1(c) Rural Small Holdings which states a minimum lot size of 2 hectares. The proposal has designed each allotment to meet this requirement. Potential land use conflicts would be dealt with by utilising buffers as outlined in the Blayney Development Control Plan No. 3 – Rural Residential Development, subclause 'Buffers'.

The impact of the development on existing agricultural holdings is considered minimal and issues raised can be addressed, as outlined in later sections of this report.

The consideration of rural residential land in regard to supply, and any natural or physical constraints and opportunities has been addressed under the formulation of Council's LEP 1998, and will be further addressed under the LEP review process.

***Matters to be considered for rural subdivisions or rural dwellings***

- (a) The existing uses and approved uses of land in the vicinity of the development  
**Comment:** The land is currently utilised for minor agricultural purposes, for livestock grazing. A number of improvements are located on the land including dwelling and shed on Lot 3, fencing and dams. Surrounding development comprises established rural small holdings.
- (b) Whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be

preferred and the predominant land uses in the vicinity of the development

**Comment:** The land use proposed is similar in nature to existing predominant development in the area, therefore impact is not expected to be significant. Issues raised through the notification process have been considered in a later section of this report in an effort to alleviate concerns from the community.

- (c) Whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b)

**Comment:** The development would be of a similar nature to existing development therefore it is unlikely that landuse conflict would be significant. Issues raised through the notification process have been considered in a later section of this report in an effort to alleviate concerns from the community.

- (d) If the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone.

**Comment:** The land is situated in the 1(c) Rural Small Holdings zone.

- (e) Any measures proposed by the applicant to avoid or minimize any incompatibility referred to in paragraphs (c) or (d).

**Comment:** The applicant seeks to provide a number of measures to minimize potential landuse conflict, and the modification will not change previous mitigation measures. This includes:

- Careful selection of home sites away from water courses and other water bodies
- Use of land space/vegetation buffers to provide a barrier between landuses
- Installation of appropriate on-site effluent systems to protect water quality
- Conditioning any development consent with regard to fencing
- Effective and appropriate access and servicing to each allotment
- Control over hours of operation for construction works
- Effective erosion and sediment control measures during construction works

#### Regional Environmental Plans (REP)

No REPs are relevant.

#### Local Environmental Plan (LEP)

The proposal is permissible in the 1(c) Rural Small Holdings Zone as outlined in the Blayney Local Environmental Plan 1998. The objectives of the zone are considered as follows:

- (a) To promote development of land identified as suitable for rural residential or small holding development.

**Comment:** The subdivision design is in line with the objectives of the Small Rural Holdings Zone, and the nature of existing surrounding development. The boundary adjustment enables the 6600sqm area of land to be incorporated into an existing parcel.

- (b) To identify land suitable for future urban development, and for development for other non-agricultural purposes, in accordance with the needs for that development.  
**Comment:** The development is not for urban development or non-agricultural purposes.
- (c) To allow a range of rural living styles in appropriate locations within the zone.  
**Comment:** The proposal allows for the establishment of rural small holding development, a need identified within the current planning instruments, in the context of landuses in the Blayney rural community.

### **Clause 10 General considerations for development within the rural and environment protection zones**

The general requirements are considered as follows:

- (a) The present use of the land, the potential use of the land for the purpose of agriculture and the potential of any land which is prime crop and pasture land for sustained agricultural production.  
**Comment:** The land is proposed for rural small holdings in accordance with the provisions of the zone. This may allow for minor agriculture to occur. Sustained agricultural production is not appropriate for this zone.
- (b) Vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the quality and stability of water courses and ground water storage and riparian rights)  
**Comment:** Impact on these resources is minimized through attention to erosion and sediment control during earthworks, and the measures set down in the geotechnical reports for effluent disposal, to protect water quality and soil stability. No land clearing is required for the development, and the proposed modification would allow a more logical use of the land.
- (c) The future recovery from known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive materials.  
**Comment:** It is not expected that there would be any significant impact on these resources from the development. The NSW Office of Trade and Investment were contacted originally and their response indicated no particular concerns.
- (d) The protection of areas of significance for nature conservation or of high scenic recreational value, and of places and buildings of archaeological or heritage significance, including Aboriginal relics and places  
**Comment:** There are no such known significant areas, places or buildings relevant to this development.
- (e) The cost of providing, extending and maintaining public amenities and services to the site of the proposed development  
**Comment:** The cost of any service enhancement to cater for this development would be borne by the developer in terms of on ground works and/or Sec 94 contributions for rural roads, bushfire services and community facilities. The modification would not require any further extension of services.

- (f) Future expansion of settlements in the locality  
**Comment:** The proposed development is likely to have a minor impact on settlement expansion, in light of new residents in put into the local economy of Millthorpe.
- (g) Council must also consider the effect of the proposed development on adjoining land and other land in the locality.  
**Comment:** The adjoining land in this vicinity comprises subdivision of a similar nature, rural small holdings. Stock grazing is the most common landuse – sheep, cattle and alpacas. Adjoining residents have been notified and submissions received. The issues raised have been addressed by the developer and are considered elsewhere in this report.

### **Clause 11 Subdivision of land generally**

Council must consider the following matters in regard to this zone:

- (a) The primary purpose for which each allotment to be created by the subdivision is intended to be used  
**Comment:** The proposed landuse is for rural residential.
- (b) Whether any allotment to be created by the subdivision is intended to be used primarily for the purpose of agriculture  
**Comment:** No allotments are proposed primarily for agriculture.
- (c) Whether a dwelling is intended to be erected on any allotment to be created by the subdivision and the approximate location of any such dwelling  
**Comment:** All allotments are proposed for the erection of dwellings, except Lot 3 where the existing dwelling is located. The location of building envelopes is depicted on the subdivision plan as submitted to Council.
- (d) Whether any proposed allotment contains an existing dwelling house and the location of any such dwelling house.  
**Comment:** The proposed Lot 3 contains the existing dwelling and associated outbuildings.

### **Clause 15 Subdivision for the purpose of dwelling houses in Zone No 1(c)**

The Council must not consider the subdivision of land in this zone unless all lots are at least 2ha and intended for the purpose of a dwelling house. In this case the lots range from 2ha to 4.2ha.

The provisions of this Clause are considered as follows:

- (a) The land capability (including soil resources and soil stability), natural constraints and hazards of the land to be subdivided in relation to the density of the allotments proposed to be created,  
**Comment:** The allotments to be created are in keeping with the objectives of the zone, to minimize impact from natural constraints and hazards, and to have regard for land capability. Onsite effluent management studies have been provided which outline the suitability of the site for the development and the systems which would apply. The existing easement for power line which passes through the land restricts the design of the subdivision and the location of building envelopes.

- (b) The desirability of providing a range and mixture of allotments sizes,  
**Comment:** The development provides all lots from 2ha to 4.2ha. The surrounding land provides a range of lot sizes within other rural small holding settlement.
- (c) Whether the design of each allotment to be created by the subdivision is satisfactory for the economic provision of services and the physical suitability for the on-site disposal of wastes,  
**Comment:** The development is shown to be capable of effective on site disposal of waste through the geotechnical reports provided. The cost of service provision would be borne by the developer through on ground works and/or Sec94 contributions for roads, bushfire and community services. No further service extension is required by the modification.
- (d) The capability of the land to accommodate septic disposal of household waste,  
**Comment:** The geotechnical reports provided illustrate that the development is capable of effective on site disposal of waste.
- (e) The standard and capacity of public roads serving the land relative to the likely volume of the traffic to be generated as a consequence of the density of the proposed development, and the means available to improve roads to a standard appropriate to the level of traffic likely to be generated,  
**Comment:** Public roads to service the development would be upgraded to accommodate the increase of traffic and population to the area, through on ground works and Sec94 contributions for roads.
- (f) The availability of other similar kinds of services and social services relative to the likely demand for these services and costs of their provision,  
**Comment:** Service provision would be covered through Sec94 contributions for roads, community facilities and bushfire services. Connection to communication services and electricity are detailed as conditions of consent.
- (g) The purpose for which the land is to be used after subdivision.  
**Comment:** Following subdivision the land would be utilised for rural residential purposes in accordance with the zone objectives.

**(a)(ii) the provisions of any draft environmental planning instrument**  
Draft Blayney Local Environmental Plan 2012 (Draft BLEP)

The proposed development was lodged prior the Draft Blayney LEP endorsement on 2 February 2012, and therefore the Draft LEP does not need to be considered.

**(a)(iii) any development control plans**

Development Control Plan (DCP) No. 3 – Rural Residential Development

The DCP outlines matters for consideration when assessing a development application on land that is identified as being a 1(c) Rural Residential Zone.

**MATTERS FOR CONSIDERATION**

***4.1 General Subdivision Layout***

- Size and shape of the allotments are suitable to accommodate a dwelling, associated structures, driveways, landscaping, water tanks and

onsite effluent disposal area, without impact on adjoining lands. The plans of the subdivision show a clear building envelope for each of the allotments.

- Boundaries of the subdivision follow existing fence lines on all external boundaries.
- Dwelling Sites have been identified in building envelopes on the site plans, which allow flexibility for future orientation of dwellings. Each site including the new Lot 4 can cater for on-site effluent disposal. Each site would have particular siting requirements for future dwellings as regards cut and fill.
- Variation of allotment size, shapes and type have been taken into consideration. The allotments on the western side of the subdivision are all of similar size but are of varying shapes. The allotments vary from 2 hectares to 4.2 hectares.
- Newly created subdivisions should design allotments to be an average of 3 - 4 hectares. The average allotment size for the proposed subdivision is 2.47 hectares. Adjoining existing subdivision caters for a wider variety of lot sizes.

#### *4.2 Buffers*

Adjoining landuse is similar in nature to the proposed development. However, a 20m buffer is provided between the building envelope on Lot 4, where it borders the 1(a) zone to the south, to minimise the impacts of both agricultural activities in the 1(a) zone and rural residential activities in the rural small holdings zone. This includes influences such as odour, noise, dust and chemical spray drift. The buffer would be planted out with vegetation in accordance with the buffer planting detail provided on the modification plan.

#### *4.3 Erosion and Sediment Control*

Any earthworks would be carried out in accordance with sediment and erosion control best practice management to minimise impacts on water quality and soil stability. A sediment and erosion control plan would be submitted as a condition of consent.

#### *4.4 Roads and Access*

All new road and access provision would be in accordance with the standards as set down within the DCP as regards sealing, construction standards and design speed (80kph). A full set of engineering plans, specifications and calculations would be submitted to Council as a condition of consent, to comply with the WBC Guidelines for Engineering Works.

Roads and road reserves should be fenced to stock proof standard, and all new entrances should be recessed and contain adequate drainage.

#### *4.5 Waste Water*

The developer has provided geotechnical reports for each proposed new allotment, which give options for land application and treatment systems. Site assessments under these reports were carried out using the Australian Standard 1547:2000 *On-site domestic wastewater management*, and the Environment and Health Protection Guidelines *On-site sewage management*



for single households (1998). Council is satisfied that each of the proposed lots would be able to carry out effective on-site disposal of effluent and waste water.

#### 4.6 Water

All new dwellings would provide adequate on-site water supply for domestic usage and fire fighting purposes, not less than 22,000 litres, with a minimum of 10,000 for fire fighting purposes. Collection and storage facilities would comply with Australian Drinking Water Guidelines, *Guidelines on the use of Rainwater Tanks*. Any bores for domestic supply should be tested for suitability prior to use.

#### 4.7 Flora and Fauna

From the information available and that provided by the developer, there are no known matters relating to flora and fauna which are relevant to the proposed development. The original development application included a Koala Habitat Assessment to determine the existence of koala in the vicinity. The Study concluded that the site did not constitute a potential koala habitat and the development will not have a significant effect on koala populations.

#### 4.8 Buildings

No building work is proposed by this development application. Details of any future building work (dwellings) on the land would be required to be submitted to Council for approval.

#### 4.9 Utility Services

The developer would bear the cost of utility service enhancement, and conditions of consent would require confirmation from the electricity and telephone authorities that the services are available and adequate for the development.

#### 4.10 Section 94 Contributions

The developer would be required through conditions of consent to undertake Sec 94 contributions for roads, community facilities, and bush fire services.

#### 4.11

As a condition of consent the developer would be asked to consult with the relevant weeds authority in regard to weed control and management.

#### **(a) (iv) any matters prescribed by the regulations**

Clause 92 of the *Environmental Planning and Assessment Act 2000* prescribes certain matters that must be considered by Council in determining a development application. There are no relevant prescribed matters that would apply to this proposal.

**(b) the likely impacts of the development****Context and Setting**

The proposed development is located within an existing rural residential zone, adjoining the 1(a) zone in the south. Other surrounding development is largely rural small holdings.

The proposed development fits within the existing setting and is proposed to be undertaken in line with the objectives of the zone, having regard for protection of agricultural activities in the adjoining rural zone.

The modification seeks to introduce one additional allotment within the bounds of the development site, thus adjusting the internal allotment boundaries to suit.

The modification also seeks to transfer of 6,600 square metres into the adjoining Lot 8 DP 1123512.

**Access, Transport and Traffic**

The proposed development includes the construction and dedication of a new road to serve the subdivision. The new road would feed off Forest Reefs Road and would serve Lots 4, 5, 6, 7 and 8. As indicated on the subdivision plan, the new road would be constructed to Council's requirements, that is, in line with the requirements of the *WBC Guidelines for Engineering Works*, to minimise traffic impacts and cater for the safety of the travelling public.

Lots 1, 2 and 3 would be served by a Right of Way off Forest Reefs Road. Traffic numbers in the locality would be expected to increase gradually as the land is settled. Forest Reefs Road is a two lane sealed road. Council's Engineer has assessed the proposal and the local roads, and has determined that the local road system is adequate for the proposed development, subject to construction of entrances into each new lot, construction of the new road and the ROW to council's requirements, and the payment of Sec94 contributions for ongoing maintenance and upkeep of Council roads.

**Utilities**

The development would require telephone and electrical utility connection. The cost of utility enhancement would be borne by the developer, and confirmation that the services are available and adequate for the development would be required from the relevant authorities as a condition of consent.

**Heritage**

There are no particular known heritage matters relevant to this proposal.

**Other Land Resources**

The NSW Office of Trade and Mineral Resources were contacted in regard to mineral resources in the area. Their response indicated that they had no objections to the proposal.

**Water, Soil, Air and Microclimate**

Water quality, soil stability, air quality and therefore microclimate protection would be achieved through attention to effective erosion and sediment control measures and dust control during construction, and installation of onsite effluent systems with future dwellings. Stormwater would be dissipated into the local drainage system incorporating erosion and sediment control measures, drainage infrastructure and scour protection.

**Flora and Fauna**

There are no particular known matters relating to flora or fauna which would apply to this development. The site has been largely disturbed through past agricultural activities, and the Koala Habitat Assessment indicated that the site did not constitute a potential koala habitat and the development will not have a significant effect on koala populations.

**Waste**

Waste materials from the construction phase would include domestic waste and spoil. Domestic waste would be collected and stored on site for off-site disposal at an approved waste facility. Construction waste may include topsoil, rock, vegetation etc. These would be stockpiled on site for possible reuse in rehabilitation measures. Any surplus would be removed to an approved waste facility.

Waste water would be treated through onsite effluent systems relating to future dwellings on the land, in accordance with the geotechnical reports submitted.

**Natural Hazards**

There are no particular known natural hazards applicable to this development, other than possible flooding. A small drainage line traverses the site and can cause minor inundation across lower sections of the site during rainfall events. A Flood Study submitted with the original application indicated that the land is generally flood free, with the exception of the building envelopes in the northern sections of the subdivision. The developer has redesigned the subdivision previously to address this issue, and the proposed modification does not alter the impacts.

**Technological Hazards**

There are no particular known technological hazards applicable to this development. Installation of appropriate effluent disposal systems would alleviate risk to groundwater.

**Safety, Security and Crime Prevention**

There are no particular matters relating to safety, security and crime prevention that are relevant to this development.

**Social and Economic Impact on the locality**

The proposed development would provide opportunities for rural living, conveniently located in close proximity to Forest Reefs and Blayney. Negative impacts are unlikely to be significant, given the environmental safeguards as

discussed elsewhere in this report, relating to waste management, road construction, service provision, buffer protection and fencing requirements. In the short term, hours of operation, along with sediment, erosion and dust control will protect local amenity during construction.

**Construction**

The construction works required for this development will relate to the construction of roads, entrances and servicing. Impacts of these will be minimized through limiting the hours of operation, sediment and erosion control measures, dust control and suppression and effective traffic control.

**Site Design and Internal Design**

The design of the subdivision has had regard for the topography and constraints applicable to the land, with a view to the creation of lots that drain well into local stormwater channels, and dwelling sites that enable flexibility for orientation and solar opportunities, and protect the surrounding lands from landuse conflict. The creation of Lot 4 does not significantly impact upon this situation.

**Cumulative Impacts**

The cumulative impact overall is the subdivision of land in an infill situation in a location within an existing small rural holding settlement pattern. The land was zoned with the intention of eventual full take-up of land for these purposes within the zone, with long term impacts considered as part of the strategic process that originally defined the zone.

**(b) suitability of the site for the development**

The subject land is considered to be suitable for the proposed development.

**(c) any submissions made in accordance with this Act or the regulations**

The modification application was lodged on 15 December 2010 and was notified to adjoining land owners on 21 December 2010, five (5) submissions were received.

The submissions have outlined a number of concerns, and responses are offered as follows:

ISSUE	COUNCIL RESPONSE
Over development of the site	The subject land is zoned 1(c) Rural Small Holdings. The proposed development meets the objectives of this zone.
Development being allowed on flood prone land	A Flood Study provided by the applicant has shown that all lots are able to be provided with flood free building envelopes, and the developer was to provide a revised subdivision plan to reflect this in relation to the northern lots
The 6,600sqm lot is too small and should be refused. Should be offered to a neighbor as a boundary adjustment	This land is now to be attached to the existing Lot 8 DP 1123512 as a boundary adjustment
Lot 4 is not suitable for a dwelling. It is low lying and not suitable for housing construction due to water inundation	The Flood Study provided did not indicate any significant issues in relation to this land, and a building envelope has been drawn up

	accordingly.
A 20m buffer should be provided along the whole of the southern boundary, to the 1(a) zone	All building envelopes along the southern boundary are at least 20m from the boundary, and therefore dwellings would potentially be located further away again
Horticultural advice should dictate the species to be planted in this type of soil.	The developer has sought advice in regard to the buffer plantings, and any other plantings would be the responsibility of each individual future landowner
Access to Lots 2, 3 should not be across Lot 1, due to a dangerous corner on Forest Reefs Road, and the extra vehicles and rubbish bins	Council's engineer has assessed the development and is satisfied with the access arrangements, subject to some upgrading work at the intersection with Forest Reefs Road
Flood waters could impact on the operation of septic tanks, which could over flow onto adjoining land.	The Flood Study and the geotechnical reports submitted have had regard for this issue and Council is satisfied that there are no longer any significant constraints
There is no detail relating to the creek crossing on the new road	Any crossing would be constructed in accordance with Council's requirements, to a rural local access standard
Should be a buffer to the land to the east of Lot 1	The building envelope on Lot 1 is set back 20m from the boundary, and the existing dwelling on Lot 21 DP 1000756 is located approximately 60m away from the boundary fence
The dwelling on Lot 21 DP 1000756 is not shown.	The dwelling on Lot 21 is shown on the aerial photograph submitted
The dwelling on Lot 1 DP 1000756 could be affected by flooding from the new road construction	The road construction standards should prevent the flow of stormwater onto adjoining properties
Can a caveat be placed on this subdivision preventing motor bikes and other noisy vehicles, as there are shift workers in the vicinity?	This is a matter for the developer, not for Council
The intersection of the new road with Forest Reefs is in a dangerous location, too close to the dangerous intersection of the Spring Terrace Road, and also to a bad corner	Council's engineer has assessed the development and is satisfied with the access arrangements
How will the school bus stop safely and negotiate the new road?	Council's engineer has required shoulder widening on the new road near the intersection for a school bus stopping area
How will the subdivision affect the local drainage system, especially the location of the new road?	The new road would be constructed in accordance with Council's requirements, to a rural local access standard
The water ponding issues appear to have been addressed, but will need ongoing monitoring	Council requirements are able to address the movement of stormwater as a result of road construction, and monitoring would occur as part of Council's works program
The speed limits, police presence and signage along Forest Reefs Road and other local roads need attention	This is a police matter
Council should consider the impacts on sustainability and preservation of agricultural land	The subject land is zoned 1(c) Rural Small Holdings. The proposed development meets the objectives of this zone, which is land zoned specifically for rural small holdings
Council should consider this type of subdivision on poorer soils	The subject land is zoned 1(c) Rural Small Holdings. The proposed development meets the objectives of this zone, which is on land

	assessed under the Blayney LEP 1998 as suitable for this type of development
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**(d) the public interest**

The public interest is recognised by Council's consideration and notification of the application, and the subsequent receipt of submissions.

**BUDGET IMPLICATIONS**

There are not budget implications for Council associated with this report.

**POLICY IMPLICATIONS**

There are no policy implications for Council associated with this report.

**Attachments**

- 1 Statement of Environmental Effects and Set of Plans 15 Pages

**BLAYNEY SHIRE COUNCIL – BULKY WASTE CLEAN UP****6<sup>th</sup> August to 10<sup>th</sup> August 2012**

Blayney Shire Council is providing a Kerbside Bulky Waste only Clean Up for all residents currently receiving a waste and recycling collection service.

Please place your Bulky Waste neatly next to the edge of the kerb and not blocking the footpath. It is important to separate your metals from other waste and secure items to avoid windblown littering.

Residents are requested to put your Bulky Waste out on **Sunday 5<sup>th</sup> August**.

The volume of Bulky Waste collected from any one property shall not exceed two (2) cubic metres or more than 1 standard (6'x4') level box trailer and which can be reasonably removed by two people.

**ACCEPTABLE ITEMS:** Bulky Waste includes larger items of household waste.

- Household appliances and Whitegoods (all doors **must** be removed)
- Household furniture, painted wooden products and fittings
- Mattresses
- Pottery, ceramics and chinaware
- Minor building products
- Metal Waste (sorted separately and tins must be empty of any liquid.)
- Other **bulky** household items
- Items must be able to be handled by two people
- Loose items must be bundled or contained (**Not in plastic bags**)

**UNACCEPTABLE ITEMS: These materials will NOT be collected**

- Trade, industrial and shop wastes. This includes items such as plumbing fixtures, water tanks, tiling (both floor and wall) wrecked motor vehicles, motor vehicle parts and tyres
- Building and Demolition materials, concrete and bricks
- Household hazardous wastes such as paints, asbestos sheeting, solvents, chemicals, cleaners and unwanted medicines
- Lengths of material longer than 1.8 metres (excluding mattresses)
- Material which cannot be reasonably removed by two people
- Batteries
- Liquids of any sort
- Garden Organics

The Contractor and Council have the right to reject any material that they consider unacceptable.

**Enquiries ~ JR RICHARDS & SONS ~ 1300 725 415**



**BULKY WASTE  
CLEAN-UP  
BLAYNEY SHIRE COUNCIL  
RESIDENCES ONLY**



**6 - 10 August 2012  
TO THE HOUSEHOLDER**



# BULKY WASTE CLEAN-UP

Blayney Shire Council is providing a Bulky Waste Only Clean Up. This will allow collection of larger items and will enable items suitable for recycling to be diverted from landfill thereby maximising the life of this valuable resource.

## Who is the service for?

All Blayney Shire Council residents currently receiving a waste and recycling collection service.

## When does it happen?

Collections will commence on **Monday 6th August** so please put your Bulky Waste out on **Sunday 5th August**.

## Where do I put it?

Please place your Bulky Waste neatly next to the edge of the kerb and not blocking the footpath at your normal collection point. It is also important to separate your metal from all other Bulky Waste and secure all items to avoid windblown littering.

## How much can I put out?

The volume of Bulky Waste collected from any one property shall not exceed two cubic metres or more than 1 standard (6'x4') level box trailer.

## What's acceptable?

**Bulky Waste includes larger items of household waste.**

### Acceptable items are:

- Household appliances and Whitegoods (all doors must be removed).
- Household furniture, painted wooden products and fittings
- Mattresses
- Pottery, ceramics and chinaware
- Minor building products
- Metal Waste (sorted separately and tins must be empty of any liquid)
- Other bulky household items
- Items must be able to be handled by two people
- Loose items must be bundled or contained

## Unacceptable Items!

These materials will NOT be collected:

- Trade, industrial and shop waste. This includes items such as plumbing fixtures, water tanks, tiling (both floor and wall) wrecked motor vehicles, motor vehicle parts and tyres
- Building and Demolition materials, concrete and bricks
- Household hazardous wastes such as paints, asbestos, solvents, chemicals, cleaners and unwanted medicines
- Lengths of material longer than 1.8 metres (excluding mattresses)
- Material which cannot be reasonably removed by two people
- Liquids of any sort
- Batteries
- Garden Organics such as lawn clippings, garden prunings tree branches etc.

The Contractor and Council have the right to reject any material that they consider unacceptable.

If you have any problems or require additional information, please contact:

 **JR RICHARDS & SONS**  
CUSTOMER SERVICE  
1300 725 415





**Saunders & Staniforth**  
PROPERTY & PLANNING CONSULTANTS

**MODIFICATION TO  
DEVELOPMENT APPLICATION  
203/2007**

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**PROPOSED NINE (9) LOT SUBDIVISION**

**665 Forest Reefs Road FOREST REEFS**

178b Lords Place, Orange NSW 2800  
T 02 6362 1880 F 02 6362 1881  
E [valplan@ssvaluers.com.au](mailto:valplan@ssvaluers.com.au)  
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Also specialising in Valuations

665 Forest Reefs Road, FOREST REEFS



## **DEVELOPMENT APPLICATION**

### **Subdivision of Lots 7 & 8 DP 1123512 665 Forest Reefs Road, FOREST REEFS**

#### **1.0 OVERVIEW**

Saunders and Staniforth Valuers and Planning Consultants has been engaged by Craig and Lisa Aubrey to prepare a statement of environmental effects to support a development application to Blayney Shire Council for the subdivision of 665 Forest Reefs Road, Forest Reefs south west of Millthorpe and east of Forest Reefs to create nine allotments.

The applicant intends to continue to reside in the existing dwelling and sell the rural residential allotments over time. Lot 9 has been created and sold already identified as lot 8 in DP 1123512.

The modification also relates to the transfer of 6600 square metres into lot 8 held by Mr & Mrs Taylor.

#### **2.0 APPLICANT**

The applicant is: Mr C & L Aubrey  
665 Forest Reefs Road  
FOREST REEFS NSW 2798

#### **3.0 OWNER**

The owner is: Mr C & L Aubrey  
665 Forest Reefs Road  
FOREST REEFS NSW 2798

Mr S & O Taylor  
715 Forest Reefs Road  
FOREST REEFS NSW 2798

665 Forest Reefs Road, FOREST REEFS



#### **4.0 SUBJECT LAND**

##### **4.1 Location and Land Description**

The subject property is located on the southern side of Forest Reefs Road located approximately 4 kilometres west of Forest Reefs.

The subject property is irregular in shape in shape and is approx 26 hectares. The land comprises gently undulating cleared grazing slopes with an appealing northerly aspect.

#### **5.0 PROPOSED DEVELOPMENT**

The proposal relates to the subdivision of the existing title into nine (9) holdings, being:-

Proposed lot 1	4.2 hectares
Proposed lot 2	2.00 hectares
Proposed lot 3	2.67 hectares
Proposed lot 4	2.04 hectares
Proposed lot 5	2.02 hectares
Proposed lot 6	2.24 hectares
Proposed lot 7	2.43 hectares
Proposed lot 8	2.14 hectares
Lot 9 (currently lot 8)	6.44 hectares

Refer to attached subdivision plan.

Improvements upon lot 3 include the existing rendered brick dwelling and garage. A dwelling and shed are located upon the existing lot 8 to be renamed lot 9.

#### **6.0 PLANNING REQUIREMENTS**

In determining the application, Council is required to consider the relevant matters identified under section 79C(1) of the Environmental Planning and Assessment Act, 1979. This section forms the basis of our assessment below.

665 Forest Reefs Road, FOREST REEFS



## 7.0 PROPOSED SECTION 96 MODIFICATION

The proposed modification is made to development consent DA 203/2007 essentially relates to amendments to the subdivision layout. The proposed modification does not result in a substantial alteration to the subdivision design in terms of environmental impact, road design or infrastructure.

The submitted plans provided by Saunders & Staniforth are attached for Council's consideration.

The modification largely relates to the creation of proposed lot 4 of 2.04 hectares along the southern side of the property.

As discussed with Council's Paul O'Brien, the main area for consideration relates to an adequate provision for buffer treatment along the southern boundary.

The proposed modification of development consent DA 203/2007 may be considered in accordance with Clause 96 (1A)

### **96 Modification of consents—generally**

#### *(1A) Modifications involving minimal environmental impact*

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) it has notified the application in accordance with:*
  - (i) the regulations, if the regulations so require, or*
  - (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

*Subsections (1), (2) and (5) do not apply to such a modification.*

665 Forest Reefs Road, FOREST REEFS



The proposed modification may be considered for approval under the provisions of the above clause specified in the Environmental Planning and Assessment Act, 1979 as amended.

The proposed changes to the approved layout may be considered.

### **7.1 Provisions of Environmental Planning Instruments [Section 79C(1)(a)(i)]**

Blayney Local Environmental Plan 1998 requires under Clause 15, that land zoned 1(c) Rural Small Holdings may be subdivided to create rural residential allotments being of 2 hectares or more in area.

Clause 15 of the LEP states:

#### **15. Subdivision for the purposes of dwelling houses in Zone No. 1(c)**

(1) *The Council shall not consent to an application to subdivide land within Zone No.1(c) unless each allotment intended to be created primarily for the purposes of a dwelling-house has an area of 2 hectares or more.*

(2) *The Council must not grant consent to the subdivision of land within Zone No 1(c) unless it has made an assessment of:*

- (a) *the land capability (including soil resources and soil stability), natural constraints and hazards of the land to be subdivided in relation to the density of the allotments proposed to be created, and*
- (b) *the desirability of providing a range and mixture of allotment sizes, and*
- (c) *whether the design of each allotment to be created by the subdivision is satisfactory for the economic provision of services and the physical suitability for on-site disposal of wastes, and*
- (d) *the capability of the land to accommodate septic disposal of household waste, and*
- (e) *the standard and capacity of public roads serving the land relative to the likely volume of traffic to be generated as a consequence of the density of the proposed development, and the means available to improve roads to a standard appropriate to the level of traffic likely to be generated, and*
- (f) *the availability of other similar kinds of services and social services relative to the likely demand for those services and costs of their provision, and*
- (g) *the purpose for which the land is to be used after subdivision.*

665 Forest Reefs Road, FOREST REEFS



It is submitted that the proposed subdivision is consistent with the broad objectives and specific requirements of Blayney LEP 1998 and the above specific requirements of clause 15.

No State or regional planning instruments are specifically relevant to the proposed subdivision with the exception of State Environmental Planning Policy No. 44 – Koala Habitat Protection. The subdivision is considered appropriate in this regard on the following grounds:-

- The property is typically altered for agricultural grazing purposes.
- No property does not contain any significant native timber species therefore not providing significant koala habitat.

## **7.2 Provisions of Draft Environmental Planning Instruments [Section 79C(1)(a)(ii)]**

There are no known draft regional, state or local environmental planning instruments that affect the subject property.

## **7.3 Provisions of Development Control Plans [Section 79C(1)(a)(iii)]**

Council's DCP No. 3 Rural Residential Development applies to the subject property.

Matters for consideration under section 4 in the DCP No 3 are discussed below:

## **7.4 General Subdivision Layout**

The overall size, shape and layout of the eight allotments is compatible with existing landform and location of existing improvements and fence lines where possible.

Suitable dwelling sites exist upon proposed lots 1, 2, 4, 5, 6, 7, 8 and 9 to maximise solar access, views and to minimise cut and fill.

665 Forest Reefs Road, FOREST REEFS



### **7.5 Buffers**

Adequate physical separation by distance and the location of existing vegetation around the existing dwelling provide an adequate buffer between the proposed allotments. No significant biological or environmental buffer is justified to separate the development from any adjoining industrial or mining activity or the like.

The proposed building envelopes have been appropriately designed to comply with the 40 metre setback requirement from a formed watercourse.

Further treatment is proposed in the vicinity of proposed lot 4 to address the DCP 3, showing a planted area of 20 metres width. This area has been appropriately designed to provide a suitable filter from any adverse agricultural practices on the adjoining land to the south. This area is currently used for general grazing only. The proposed mix of Eucalypt, Wattle and Acacia plantings provide an effective buffer plus sufficient width for maintenance as shown.

### **7.6 Erosion and Sediment Control**

Erosion and sediment control will occur as part of approved road access and intersection works to be approved in accordance with Council's engineering and subdivision standards. Appropriate conditions of development consent can be applied to the Notice of Determination.

### **7.7 Road Access and Services**

The subject property is connected to conventional power to existing improvements located within proposed lot 3. Power access to proposed lots 1, 2, 4, 5, 6 7 and 8 will be available and can be managed as a standard condition of development consent. Vehicular access to proposed lots will be designed with a new cul-de-sac with lot 1 having two options using the existing battleaxe arm or via the proposed cul-de-sac.

Following discussions with Council staff, the position of the proposed cul-de-sac and sufficiently staggered by 100 metres from Spring Terrace Road to enable safe intersection location with suitable sight distance in both directions. The standard of access to proposed lot 1 should remain unchanged within the existing access arm to serve one lot only.

The proposed road width and Forest Reefs Road intersection design will be designed in accordance with RB1 specifications shown in diagrams 5, 6 and 4.9.7 of DCP No 3.

Overland stormwater flow follows natural drainage lines and roadside drainage contours. The proposed subdivision will not adversely impact upon drainage in the immediate locality.



665 Forest Reefs Road, FOREST REEFS



### **7.8 Waste Water**

Adequate area is available upon the eight allotments for adequate disposal of effluent and waste water without close proximity to any natural drainage lines, bores, rocky outcrops or adjoining property boundaries.

Standard septic waste disposal facilities are connected to the main dwelling upon proposed lot 3. Standard septic disposal soil tests will be undertaken and can be managed as a standard condition of development consent.

### **7.9 Water**

Water provision for both the existing dwellings upon lot 3 and future dwellings will be provided at the Construction Certificate stage in accordance with Council's DCP No 3 as a source of household and bush fire control. The 22 000 litre minimum requirement can be complied with at the dwelling approval stage upon proposed lots 1, 2, 4, 5, 6, 7 and 8.

There are adequate rainwater storage tanks upon lot 3 to service the existing dwelling. Specific hose and tank requirements for fire fighting as detailed in the DCP No 3 and can be managed at the DA approval stage for any future dwelling upon lots 1, 2, 4, 5, 6, 7 and 8.

### **7.10 Flora and Fauna**

The existing cleared grazing characteristics of the remaining natural environment have significantly affected native flora and fauna in the Forest Reefs/Millthorpe rural locality. The proposed subdivision does not involve the disturbance of creek lines or substantial vegetation clearing and will therefore not significantly alter the status quo.

The subdivision is considered appropriate in this regard on the following grounds:-

- The property is typically altered for agricultural grazing purposes.
- No property does not contain any significant native timber species therefore not providing significant koala habitat.

### **7.11 Utility Services**

Telephone and power subdivision certificates can be made available prior to subdivision release.

665 Forest Reefs Road, FOREST REEFS



### **7.12 Section 94 Contributions**

The required contributions will be included in Council's Notice of Determination recognising the seven additional dwelling entitlements created by the subdivision and relevant additional demand for public facilities created by the subdivision.

### **7.13 Noxious Weeds**

There are no major weed infestations upon the property. No weed problems will be passed on to any future landholders of proposed allotments.

### **7.14 Matters Prescribed by the Regulations [Section 79C(1)(a)(iv)]**

There are no specific matters for consideration which relate to the proposal as prescribed under Section 92 of the Environmental Planning and Assessment Regulation 2000.

### **7.15 The Likely Impacts of the Development [Section 79C(1)(b)]**

The likely impacts of the overall proposal will largely relate to minor drainage issues and will not create significant additional traffic impact – 28 additional daily movements. The standard of sealed rural road in the locality is considered adequate to service the locality with sight distance compliant with Section 4.4 of Councils DCP No 3.

The proposed subdivision is generally sympathetic to the location of existing improvements and the immediate landform characteristics. The proposed subdivision will not increase the intensity of environmental impact in the immediate locality.

665 Forest Reefs Road, FOREST REEFS



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**7.16 The Suitability of the Site for Development  
[Section 79C(1)(c)]**

The subject subdivision is considered suitable on the basis that the existing use of the land, that is, for residential purposes. The general rural grazing land use of the locality will not be significantly altered by the proposed subdivision.

There are no adverse physical limitations to the existing use of the land. The use of the land will not be significantly altered by the proposed rural residential subdivision with lots 3 and 9 containing the existing rural dwellings.

The location of existing utility services will not be adversely affected by the proposed subdivision. The proposed rural residential lots will contain all existing services related to the existing and future rural dwellings.

The proposed subdivision will not adversely affect stormwater drainage with water flowing to the northern section of the site over existing overland drainage channels.

**7.17 Any Submissions Made in Accordance with this Act or  
the Regulations [Section 79C(1)(d)]**

Under Council Policy the Council is required to place the proposed subdivision on public exhibition.

**7.18 The Public Interest [Section 79C(1)(e)]**

The proposed subdivision does not adversely impact on the public interest on the basis that the subdivision will not adversely alter the existing use of the land.

665 Forest Reefs Road, FOREST REEFS

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## **8.0 SUMMARY**

The proposed subdivision could be supported by Council on the following grounds:

- The proposed subdivision is permissible in the 1(c) Rural Small Holdings zone.
- The proposal is supported under the items of consideration specified under Section 79 (c) of the Environmental Planning and Assessment Act, 1979.
- Minor environmental impact.
- Council's ability to impose relevant conditions of consent relating to access and drainage where appropriate.
- Net traffic increase being only 32 vehicles per day on average.

We trust the above information satisfies Council's requirements.

Yours faithfully

**Andrew Saunders**  
Saunders and Staniforth Valuers – Property and Planning Consultants



Proposed modification





