


**Statement of Environmental Effects**  
**for the Proposed Subdivision, 209 Robertson**  
**Road, being Lot 3 DP1206488, SPRING FLAT**

prepared for  
**Mr P CONSADINE**

**December 2020**



**ATLAS**  
**ENVIRONMENT & PLANNING**

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#### VERSION AND AMENDMENT CONTROL HISTORY

VERSION	DATE	DESCRIPTION	QA/QC
001	OCT 2020	DRAFT FOR CLIENT REVIEW	CLIENT
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Appendix A – Plans Of The Proposal

Appendix B – AHIMS Search Results

Appendix C - Copies of Correspondence

Appendix D – Traffic Statement prepared by Triaxial Consulting Pty Ltd.



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# 1 INTRODUCTION

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## 1.1 OVERVIEW

The proposed development involves a subdivision of one existing lot with the purpose to create vacant residential lots of min. 2000m<sup>2</sup> pursuant to clause 4.1 of the Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012). Atlas Environment and Planning has been engaged by Mr Peter Consadine, to prepare a Statement of Environmental Effects to describe the proposed Torrens title subdivision and assess the potential impacts of the proposal to support a development application.

This subdivision, creating 25 large residential lots, will facilitate the development and future occupation of the land in accordance with the zone objectives. The land was the subject of the Mid-Western Regional Local Environmental Plan 2012 (Amendment No 12). This amendment facilitated the change of the minimum lot size from 4000m<sup>2</sup> to 2000m<sup>2</sup>. The proposed layout is consistent with the development concept provided at the time of the LEP amendment, however has been refined to reduce environmental impacts (esp. in relation to clearing of woodland vegetation located within Plenty Road reserve) and to achieve acceptable design based on current guidelines in relation to the subdivision layout to account for overhead electricity lines in the vicinity of the development.

Plans supporting this application demonstrate how the proposed layout relates to the lot boundaries, existing built infrastructure and interaction with the neighbouring residential estates and the riparian corridor. The land has frontage to Robertson Road as a battle-axe lot and to Plenty Road, which connects to Broadhead Road. A new cul-de-sac road is proposed to service the new vacant lots within the subdivision.

The offset and buffer from the associated riparian corridor were determined as part of the subdivision of the Broadhead Estate and creation of a Drainage Reserve associated with Sawpit Gully. This subdivision proposes to dedicate some additional land into the riparian buffer as drainage reserve in lieu of area being required for a new detention basin.

Supporting Documents:

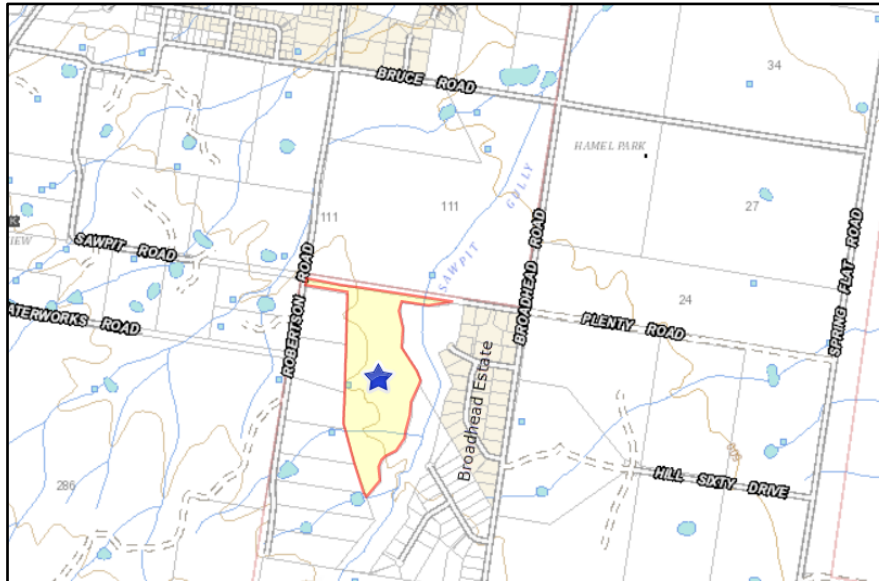
- Appendix A - Plans of the Proposal.
- Appendix B – AHIMS Search Results.
- Appendix C – Copies of Correspondence.
- Appendix D – Traffic Report prepared by Triaxial Consulting Pty Ltd.



## 2 BACKGROUND

### 2.1 SITE IDENTIFICATION

The site is located approximately 4.2km south from the Mudgee Post Office. The land is bound by established Low Density Residential development (min. 2ha lots) located west of the subject land in Robertson Road. Land to the east is also developed for Low Density Residential living (Broadhead Estate). The location of the subject land is shown below in **Figure 1**.



**Figure 1: Site Location – 209 Robertson Road, MUDGEE**

*Source: (NSW Government Land and Property Information - six maps viewer).*

**Owners:** Mr Peter Consadine

**Property Description:** The subject land is current vacant grazing land. The land is cleared of tall vegetation for the most part, however the road corridor associated with Plenty Road is identified as having ecological significance (though it is not mapped in the LEP as Terrestrial biodiversity sensitive land).

**Site address:** 209 Robertson Road, Spring Flat.

**Land description:** Lot 3 DP1206488.





### 3 EXISTING SITE CONDITIONS

The area is characterised by the setting of the larger low density residential lots with outlooks of the surrounding treed slopes in the backdrop to Mudgee and a developing rural residential setting broadly located in the southern interface of the Mudgee town ship and the rural surrounds. Prior to progression of the proposed development concept, a site analysis was carried out to identify any site issues. Photos of current site conditions are provided below.



**Plate 1: View looking to west of development site from near existing detention basin**



**Plate 2: Significant woodland vegetation occurs in the Plenty Road reserve**



In summary the following is noted:

- The minimum lot size was amended with the gazettal of the Mid-Western Regional Local Environmental Plan (Amendment 12) and a subdivision concept had previously been prepared.
- The development site does not have any excessive slopes. The slope of the land has been considered and larger lots have been proposed to facilitate good variety in building opportunities. Though the land contains mapped visually sensitive land, the land is already developed for rural residential lots upslope of the subject land and the treed backdrop will not be affected.
- The residential zoned land contains one internal first order watercourse draining to Saw Pit Gully.
- The land does not have any rocky outcrops. Known Aboriginal heritage items are recorded and are accounted for in the development concept. No artefacts will need to be destroyed for the subdivision (hence a Permit pursuant to s90 of the NPW Act is not sought). It is noted that three sites are located within the visually sensitive mapped land and is unlikely to be disturbed for future buildings.
- The development site is partially mapped Bushfire Prone Land i.e. a small section of proposed Lot 1 is mapped buffer (i.e. battle-axe handle to Robertson St). This is not relied upon for access.





## 4 THE PROPOSAL

### 4.1 DESCRIPTION OF THE DEVELOPMENT

The proposed development is a Torrens title subdivision. A copy of the proposed plan (3 sheets) is provided in **Appendix A**. The subdivision can occur with development consent in accordance with the provisions of the Mid-Western Regional Local Environmental Plan 2012 (MWR LEP 2012) (see clause 4.1). As depicted in the plate below, the development site has been cleared in the past and is located between the drainage reserve created as part of Broadview Estate (Sawpit Gully) and the existing developed 2ha lots along Robertson Road.

#### 4.1.1 Services

The land is able to be serviced to Council standards. In this regard it is noted:

Pre- lodgement discussion has been carried out with Mid-Western Regional Council staff, Transgrid staff, and Level 3 Accredited Electrical Designer to ascertain Essential Energy design requirements. All works are to be carried out in accordance to TransGrid's Easement Guidelines, TransGrid Fencing Guidelines and Workcover's Code of Practice 2006 – 'Work Near Overhead Powerlines'.

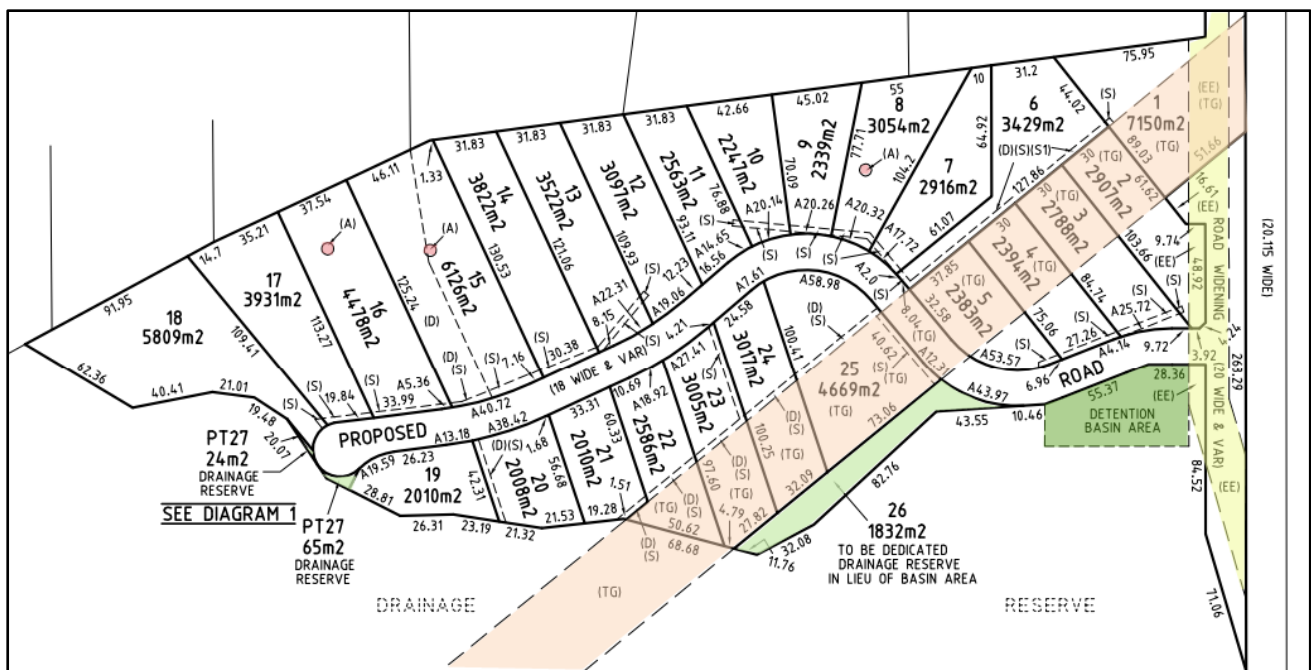


Figure 2: Excerpt Proposed Subdivision Plan prepared by Jabek Pty Ltd

Easements and restrictions are noted on the plan of proposed subdivision. Proposed services are noted on the plan:

- Service Conduits
- Stormwater Drainage
- NBN Telecommunications



- Overhead Powerlines (existing) – Power Poles are located on the plan.
- Underground power supply (proposed to new lots)
- Sewerage Mains
- Water Mains
- Concrete roll over kerb to proposed new road (min 18 wide).

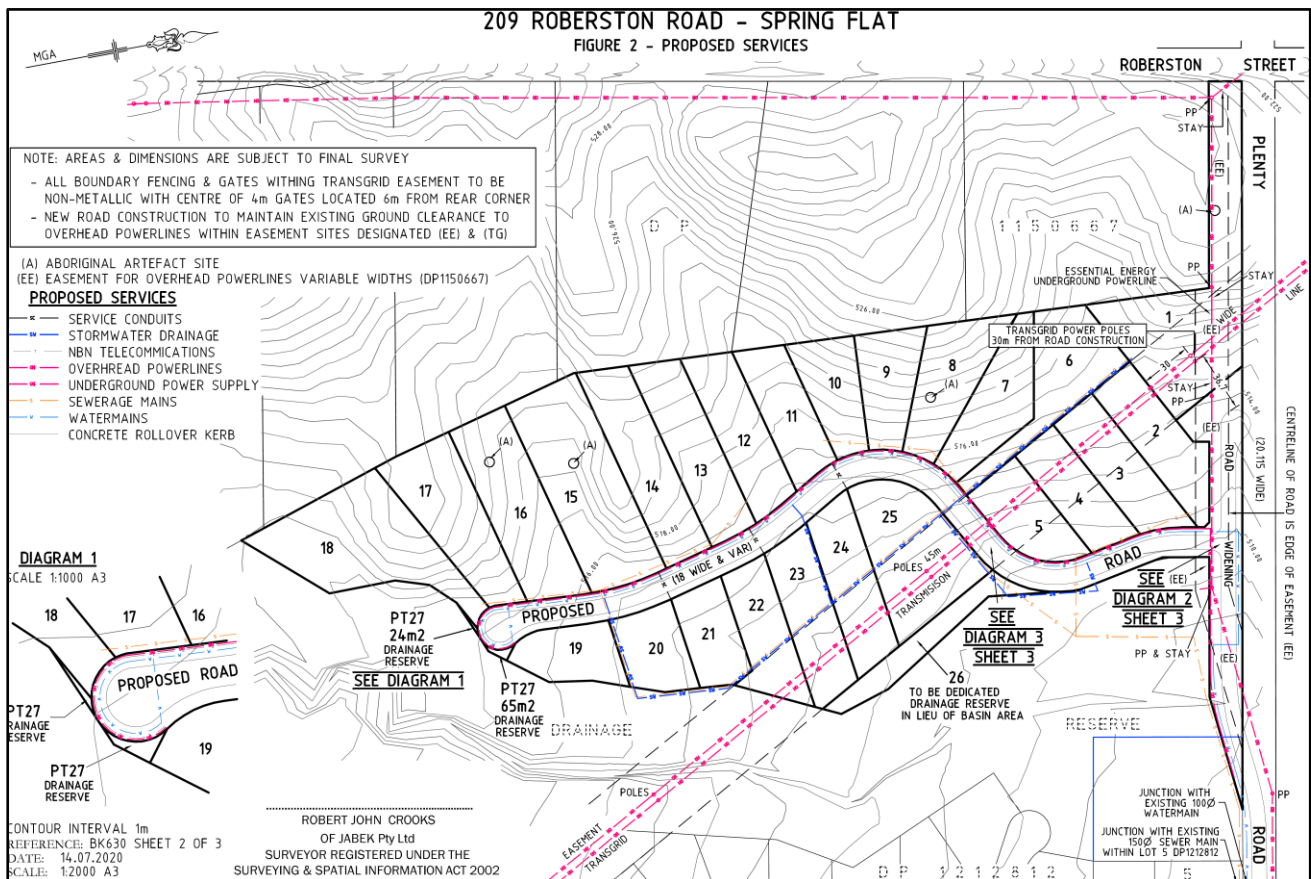


Figure 3: Excerpt Plan of Proposed Services prepared by Jabek Pty Ltd

(Also, reference should be made to the details in Triaxial Consulting plans TX14774.00 – Sheets C1.00 through C8.00).



## 5 LEGISLATIVE CONTEXT

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### 5.1 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016*, together with the *Biodiversity Conservation Regulation 2017*, outlines the framework for addressing impacts on biodiversity from development and clearing. The Biodiversity Offsets Scheme applies to local development (assessed under Part 4 of the Environmental Planning and Assessment Act 1979) that triggers the Biodiversity Offsets Scheme threshold or is likely to significantly affect threatened species based on the test of significance in section 7.3 of the *Biodiversity Conservation Act 2016*.

The Biodiversity Assessment Method (BAM) is the assessment manual that outlines how an accredited person assesses impacts on biodiversity at development sites. The assessor documents the results of the biodiversity assessment in a Biodiversity Development Assessment Report (BDAR). A proponent must provide the BDAR to the approval authority as part of their development, major project proposal, or clearing application.

The Biodiversity Offsets Scheme Threshold is a test used to determine when is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method (the BAM) to assess the impacts of a proposal.

The threshold has two elements:

1. Whether the amount of native vegetation being cleared exceeds a threshold area.
2. Whether the impacts occur on an area mapped on the Biodiversity Values map published by the Minister for the Environment.

If clearing and other impacts exceeds either trigger, the Biodiversity Offset Scheme applies to the proposed development.

The land has been grazed and improved in the residential area of the development. Significant native vegetation occurs in vicinity to the development land:

- There are occurrences of Ausfeld's Wattle - Approximately 35 *Acacia ausfeldii* (Ausfeld's Wattle) plants, a listed threatened species under the NSW Biodiversity Conservation Act 2016 located between Robertson Rd and the Transgrid powerline easement.
- Box Gum Woodland (comprising Blakely's Red Gum – White Box grassy woodland), a listed Endangered Ecological Community under the NSW Biodiversity Conservation Act 2016 and Critically Endangered Ecological Community under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 located between the Transgrid powerline easement heading east towards Broadhead Rd (approximately 0.2 ha).

In pre-lodgement stages with identification of the terrestrial biodiversity constraint, the spatial survey of the road reserve was carried out and amendment to the road design was carried out to avoid removal of all trees on Plenty Road. Amended designs were also discussed in terms of servicing.

Mapped terrestrial biodiversity sensitive land pursuant to Sensitivity Biodiversity Map - Sheet BIO\_006 MWR LEP 2012 does not occur within the development site. With the avoidance of clearing of the significant vegetation, the biodiversity offset scheme is not triggered.



## 5.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1976.

This Statement of Environmental Effects aims to assist in this consideration. Further assessment of relevant LEP and SEPPs are addressed below.

### 5.2.1 Integrated Development

Part 4 Division 4.8 Section 4.46 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) outlines what is 'Integrated Development'. This development is not 'integrated' as referred in the Act.

The following is noted:

*Roads Act 1993*                      s 138                      consent to—

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road

(3) Development is not integrated development in respect of the consent required under section 138 of the *Roads Act 1993* if, in order for the development to be carried out, it requires the development consent of a council and the approval of the same council.

**Comment** – MWRC is the relevant Roads Authority – it is envisaged relevant approval pursuant to s138 will be required as a condition of consent for the proposed road works in Plenty Road and for the new road work.

*Rural Fires Act 1997*                      s 100B                      authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes

**Comment** – For the most part, the land subject to new residential lots is not mapped as bushfire prone land. One corner of the proposed Lot 1 is touched by the buffer zone. The development can comply with Planning For Bushfire Protection 2019.

*Water Management Act 2000*                      ss 89, 90, 91                      water use approval, water management work approval or activity approval under Part 3 of Chapter 3.



**Comment** – The first order watercourse located within proposed Lot 15 is contained within an easement (D) which allows an appropriate riparian buffer. No works are proposed within vicinity of the drainage line west of the proposed road. However, the new road will assist in managing the overland drainage. Stormwater drainage and easement is shown to the east of the proposed new road connecting to the established drainage easement of Saw Pit Gully.

The existing eastern lot boundary was determined with the neighbouring development and creation of drainage reserve along Saw Pit Gully. 'Guidelines for controlled activities on waterfront land' Natural Resources Access Regulator, NSW Department of Industry; INT19/15607, have been referenced.

*National Parks and Wildlife Act* 1974                      s 90                      *grant of Aboriginal heritage impact permit*

**Comment** – The land has been subject of previous Aboriginal Heritage Survey in 2004. The known sites are recorded and AHIMS records provided in **Appendix B**. The proposed layout has demonstrated the new lot boundaries and road and servicing infrastructure can avoid any impact to the known locations. A suitable s88B instrument/covenant is proposed to be created to identify the land contains the site of an Aboriginal object to advise future developers/landowners. The size of the land parcels will enable building works for a dwelling and associated domestic outbuildings, with sufficient land to avoid impacts in the future.

### 5.2.2 Evaluation- Part 4 Division 4.3 Section 4.15

The following sections refer to relevant matters:

**Section 6** refers to Part 4 Division 4.3 Section 4.15:

*Part 4 Division 4.3 Section 4.15 (1) (a) the provisions of:*

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iii) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

**Section 7** refers to Section 4.15 (1)(b) to (e)

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*



## 6 EVALUATION - LEGISLATION

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### 6.1 STATE ENVIRONMENTAL PLANNING POLICIES

#### 6.1.1 *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

Provisions of the SEPP (Exempt and Complying Development Codes) have been considered. In relevance to the proposal and in respect of subdivision, certain subdivisions are exempt development (Subdivision 38 Subdivision 2.75 Specified development).

The proposed subdivision does not meet development specified for this code and hence a development application is required.

#### 6.1.2 *State Environmental Planning Policy No 55—Remediation of Land*

State Environmental Planning Policy 55 (SEPP 55) requires planning authorities to consider potential for contamination at a site prior to planning decisions being made. Clause 7 requires Council to consider prior to determination of a development application whether the site is contaminated and suitable for the proposal.

The subject land was part of a larger rural holding that has now been subdivided and developed for Broadview Estate and recently land rezoned for 2ha lots in Broadhead Road. No contamination has been identified in site history reviews that would render the land as unsuitable for the purpose of residential use. No previous farm shedding was located on the subject part of the property to be developed. Based on this, the subdivision should not be hindered for reasons of potential for site contamination.

#### 6.1.3 *State Environmental Planning Policy (Koala Habitat Protection) 2019*

- Koala key feed tree species (Red Box, White Box, Blakely's Red Gum) are noted within the Northwest Slopes koala management area and occur in the road reserve associated with Plenty Road.

In accordance with clause 9 of the SEPP: *'Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess, in accordance with the Guideline, whether the development is likely to have any impact on koalas or koala habitat.'*

No removal of any feed tree species is proposed. In the case of this development proposal, Mid-Western Regional Council can be satisfied that the development is likely to have low or no impact on koalas or koala habitat. As such the Council may grant consent to the development application without further reports.

Minor potential impact has been assessed, based upon the design of the proposed subdivision. During pre-lodgement investigation and design of the proposed road and works associated with servicing the development, it was identified that one tree (also being a potential feed tree species) would be required to be removed. The developer was able to make amendments to the proposed





infrastructure to avoid the tree removal. This involved an amendment to the alignment of the road. Subsequently re-referral to Transgrid and electricity designer for confirmation the changes did not contravene electricity easement and development guidelines. This consultation was also carried out prior to the finalisation of the layout proposed in this application lodged with MWRC.

## 6.2 MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN

The Mid-Western Regional LEP 2012 applies to the subject site. The subject land is zoned R2 Low Density Residential.

### **Zone R2 Low Density Residential**

#### **1 Objectives of zone**

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

COMMENT – The land has been subject of a previous planning proposal. The site has been included in calculations of land supply for Mudgee, and this DA will realise the development of an additional 25 serviced low-density residential lots in South Mudgee. Torrens title subdivision will facilitate servicing and use of vacant land zoned for residential occupation. Future land use approvals will also ensure consistency with the zone objectives and more specifically address any site-specific features.

The relevant provisions of the MWRLEP 2012 are discussed below:

#### **Clause 2.6 Subdivision—consent requirements**

- (1) Land to which this Plan applies may be subdivided, but only with development consent.*
- (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.*

COMMENT – This SEE supports a development application for subdivision. The land is currently vacant. All lots will meet the minimum lot size.



#### **Clause 4.1 Minimum subdivision lot size**

- (1) *The objectives of this clause are as follows—*
- (a) *to ensure that subdivision of land occurs in a manner that promotes suitable land uses and development,*
  - (b) *to minimise any likely impact of subdivision and other development on the amenity of neighbouring properties,*
  - (c) *to ensure that lot sizes and dimensions are able to accommodate development, consistent with relevant development controls,*
  - (d) *to ensure that rural lands are not fragmented in a manner that threatens either their future use, or the use of neighbouring land, for agricultural production,*
  - (e) *to ensure that subdivision does not have an inappropriate impact on the natural environment,*
  - (f) *to maximise the economic potential of, and provide for more intensive, small lot agricultural uses in, areas that are able to access commercial quantities of irrigation water.*
- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (3A) *Despite subclause (3), if the consent authority is satisfied that each lot is, or will be serviced by a water reticulation system and sewerage system—*
- (a) *land identified as "Area A" on the Lot Size Map may be subdivided to create lots of at least 2,000 square metres, or*
  - (b) *land identified as "Area B" on the Lot Size Map may be subdivided to create lots of at least 4,000 square metres.*



- (3B) *Despite subclause (3), if the consent authority is satisfied that each lot is, or will be serviced by a water reticulation system, land identified as "Area D" on the Lot Size Map may be subdivided to create lots of at least 2 hectares.*
- (4) *This clause does not apply in relation to the subdivision of any land—*
- (a) *by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or*
  - (b) *by any kind of subdivision under the Community Land Development Act 1989.*

COMMENT – The subject land falls with the Area A of the Lot Size Map Sheet LSZ\_006E. All lots proposed to be created meet the applicable minimum lot size for a serviced parcel. Each lot will be serviced to Council standards. Refer to the plans of the proposed subdivision.

Part 6 Additional local provisions within the Mid-Western Regional LEP are considered.

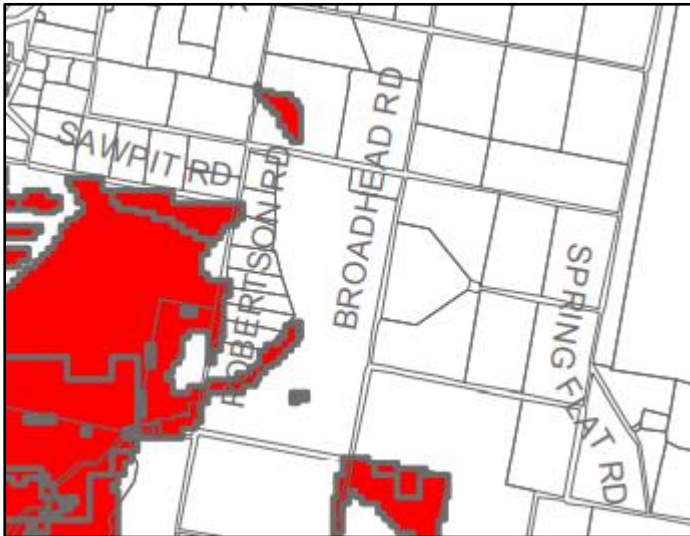
**Clause 6.1 Salinity** – The Mid-Western Regional LGA is noted has having inherent salinity issues. The Torrens title subdivision will have negligible impact on the risk of salinity with implementation of adequate drainage provisions and reticulated services available. It is considered appropriate that the provisions of 'Building in Saline Environments' as outlined in section 2.5 of the *MWRC Development Control Plan Residential Development (2009)* be adopted, without need for additional site-specific measures.

**Clause 6.2 Flood planning** – This clause does not apply to this land.

**Clause 6.3 Earthworks** – Separate earthworks are not proposed as part of this proposed subdivision. No fill is proposed to be placed on the land.

**Clause 6.4 Groundwater vulnerability** - This clause applies to land identified as "Groundwater vulnerable" on the Groundwater Vulnerability Map (Sheet GRV\_006). . The mapping applies to this development site. However, with no onsite effluent disposal in the setting, this subdivision will have negligible impact to groundwater. Future dwellings that may be developed due to the subdivision will be connected to the town sewer service. Chemical use and effluent disposal are not a likely concern for future residential development connected to town services. It is unlikely that groundwater dependent ecosystems occur in the vicinity to the site or will be affected as no interference to groundwater is proposed.

**Clause 6.5 Terrestrial biodiversity** - This clause applies to land identified as "Moderate Biodiversity Sensitivity" or "High Biodiversity Sensitivity" on the Sensitivity Biodiversity Map. This clause does not apply to the development. However, the identified sensitive occurring ecological community and individual species of *Acacia ausfeldii* have been avoided. Riparian environments are not mapped as sensitive within the development site.



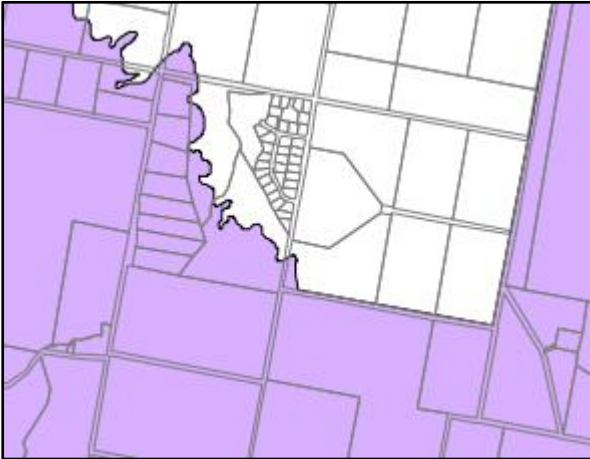
**Figure 4: Excerpt Sensitivity Biodiversity Map - Sheet BIO\_006 MWR LEP 2012**

**Clause 6.9 Essential services** – Pursuant to this clause the consent authority is required to be satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*
- (e) *suitable road access.*

The land can be serviced to Council standards (subject to conditions of approval). Refer to proposed servicing detail on the proposed development plans. Water supply will be reticulated with hydrants provided. Design of electricity supply will occur post DA stage. Sewerage design will comply with MWRC requirements. Easements to drain water are provided over natural drainage lines and proposed new piped drainage. The layout dedicates additional land as drainage reserve. Refer to the proposed subdivision layout and servicing detail as shown on Triaxial Consulting plans TX14774.00.

**Clause 6.10 Visually sensitive land near Mudgee** - The objective of this clause is to protect the visually and environmentally significant land on the urban fringe of the town of Mudgee. The land is partially mapped as visually sensitive land. The design of the road follows an appropriate alignment in the topography (refer to details within Triaxial Consulting drawings). A building opportunity for each lot proposed will be available outside the area affected by the mapping. As shown in the photo below, the site will not cause an intrusion into the treed hills forming a backdrop to the site. Future applications for dwellings should utilise colours associated with nature and appropriate textures to further ensure the visual amenity is maintained.



**Figure 5: Excerpt Flood Planning Map Active Street Frontages Map Visually Sensitive Land Map Sheet CL1\_006**

*CI 6.10 (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—*

- (a) will complement the visual setting forming the backdrop to Mudgee, and*
- (b) will be designed, set back and sited to respond sympathetically to the landform of the site on which the development is proposed to be carried out and will minimise visual intrusion.*



**Plate 3: Overview existing conditions of site location**



### 6.2.1 COMPLIANCE WITH MWRC DEVELOPMENT CONTROL PLAN

Compliance with Part 7.1 Urban Subdivision of the Mid-Western Regional Development Control Plan (2013) is discussed in this section. This section of the DCP refers to the subdivision of land zoned residential (R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential). The subject land is zoned R2 Low Density Residential, and is referred to in the DCP section 7.1, as such the compliance with provisions of this section are considered. A departure from the DCP is identified and a justification is provided for the proposed cul-de-sac road proposed.

**Table 1: Compliance with the DCP Part 7.1 Urban Subdivision**

DCP Provisions	Comments
<p>Lot Size <b>(Complies)</b></p>	<p>The minimum lot size determined by the LEP mapping is 2000m<sup>2</sup>.</p> <ul style="list-style-type: none"> <li>a) All lots have street frontage. (Frontage is to Robertson Road (not to be developed) and Plenty Road or the proposed new road)</li> <li>b) Slope has been considered and irregular shape of the existing parcel, resulting in all lots well above the min of 2000m<sup>2</sup> to provide useable parcels. (Lots range from 2008m<sup>2</sup> to 7150m<sup>2</sup>).</li> <li>c) No lots have slopes greater than 20°. All lots have widths at the building line greater than required by the DCP.</li> </ul> <p>One new battle-axe arrangement is proposed – proposed lot 6. The handle has a proposed width of 8.04m. The slope of the land is conducive to an additional dwelling location &amp; with the transmission line forming a physical obstacle, the battle-axe arrangement is the best use of the land in this single instance.</p>
<p>Lot Design <b>(Complies)</b></p>	<ul style="list-style-type: none"> <li>a) The original parcel is irregular in shape and influenced by the boundary formed with a natural watercourse. With the orientation, size and dimension of the lots determined by the considerable limitation formed by the Transgrid and Essential Energy power lines, and road access opportunities; the proposed lot design is appropriate. Lot orientation is generally east/west and with the larger lot sizes than minimum.</li> <li>b) The concept plan from the rezoning stage for the land was considered, and orientation is affected by access and irregular shape of the land. No issue is raised for future dwellings to be designed to take advantage of a northern aspect for living areas.</li> <li>c) The proposed lots are somewhat irregular due the existing lot boundaries, however, where possible a new lot has been provided dimensions to be closer to a rectangular shape. Also new boundaries have been proposed utilising straight dividing boundaries between neighbouring properties. The width of lots at the building line are generally consistent throughout the lot layout and increased when the lot is affected by easements. The location of existing easements has determined the lot boundaries in some cases, and this has impacted the lot width and road location. No issue for solar orientation should be raised; though the lots are not</li> </ul>





DCP Provisions	Comments
	<p>regularly shaped each lot has good frontage and width to provide a range of dwelling types and designs suited to the topography and aspect.</p> <p>d) N/A – no dual occupancy lots nominated.</p>
<p>Street Design and Layout <b>(VARIATIONS PROPOSED)</b></p>	<p>a) A Traffic Impact Statement has been prepared by Triaxial Consulting Pty Ltd (included with DA submission refer to <b>Appendix D</b>).</p> <p>b) VARIATION - New cul-de-sac road is created by the subdivision. The connection of Plenty Road to Robertson Road is not possible due to the topography and biodiversity sensitivity is recognised in this development. Therefore, 'through roads' are not possible in this instance.</p> <p>c) Cul-de-sac treatment is unavoidable in this instance. Pedestrian linkages are possible with a new concrete pedestrian footpath connecting to Plenty Road. The drainage reserve can offer connection to Consadine Grove, (a clear channel is not formed in the location). No formal concrete footpath is proposed through the riparian corridor. Multiple cul-de-sac roads are not proposed, with the creation of a 'no through road being Plenty Road' unavoidable in this instance. The proposed new cul-de-sac is the only option with the lot size met and lots on both sides of the road.</p> <p>d) VARIATION – The proposed number of lots serviced by the proposed cul-de-sac is 23 – which exceeds the DCP standard of 12 lots – also the length is restricted to 150m in the DCP, whereas the proposed road exceeds this standard. This is owing to the existing irregular lot size and to the lot size and frontages proposed. The road hierarchy is not detrimentally impacted. The standard of the road is acceptable based on the possible traffic movements and limitations for the site. The layout is aligned with the planning proposal which was supported by Council and considered as part of LEP amendment No 12). Hence a cul-de-sac treatment was already considered acceptable for this site by Council and followed over in this DA stage design.</p> <p>e) N/A. less than 80 lots. A suitable cul-de-sac head in Plenty Road has been included in the design to accommodate traffic expected to access the road. (Refer to Traffic Statement prepared by Triaxial Consulting in <b>Appendix D</b>).</p>
<p>Road Standards for New Development <b>(Complies)</b></p>	<p>New roads are proposed in accordance with the road hierarchy. The residential road standard will be achieved as per the table in the DCP.</p>
<p>Cycleways and Footpaths <b>(Complies)</b></p>	<p>a) The site is not identified as part of a cycleway route.</p> <p>b) The end of the cul-de-sac of the proposed new road will have direct access to the drainage Reserve (Saw Pit Gully).</p> <p>c) Noted.</p>
<p>Open Space <b>(Complies)</b></p>	<p>a) 25 Residential lots are involved. The provision of a new park is not warranted within the proposed subdivision, considering the vicinity to the existing reserve. The number of lots proposed and size of the land parcels do not warrant inclusion of new areas of</p>



<b>DCP Provisions</b>	<b>Comments</b>
	<p>open space. All of the subject proposed residential lots are within 400m of a public open space/park.</p> <p>b) N/A. Onsite detention is proposed and not required for joint open space.</p>
<p>Landscaping <b>(Complies)</b></p>	<p>No specific landscaping or additional street trees are proposed at this location. Streets to be provided to conditions of MWRC.</p>
<p>Utility Services <b>(Complies)</b></p>	<p>Servicing details are show on the proposed plans prepared by Triaxial Consulting Pty Ltd and Jabek Pty Ltd.</p> <p>Evidence of consultation is provided with email correspondence in regard to Transgrid and Essential Energy infrastructure in particular. Pre-lodgement discussions were also made with MWRC engineering staff due to the design constraints.</p>
<p>Drainage <b>(Complies)</b></p>	<p>Section 5.3 of the DCP has been referenced with preparation of the Stormwater drainage plans.</p>



## 7 EVALUATION - ENVIRONMENTAL IMPACTS

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### 7.1 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

This section considers the likely impacts of the proposed development, including environmental impacts on both the natural and built environments.

### 7.2 SOIL AND SURFACE WATER

#### *7.2.1 Potential Impacts – Soil and Surface Water*

Potential soil impacts due to the development of the additional lots may include: exposure of soils to increased erosion and offsite sediment transport through vegetation stripping and general site disturbance for future road and service installation. This limited disturbance is not expected to have any long-term impact. The main consideration is long term stormwater management and design to address issues with managing water on the site. The DCP provisions have been considered and measures incorporated into the design (refer to Appendix A and plans prepared by Triaxial Consulting).

The proposed subdivision development will trigger integrated development provisions due to works within 40m of a waterway. Under the Water Management Act 2000 (WM Act) an approval is required to undertake controlled activities on waterfront land. A first order water course is proposed to be protected by a new easement for drainage within proposed Lot 15. The mapped watercourse terminates at the proposed new road. A pipe for stormwater management is proposed and a continuance of the drainage easement through proposed Lot 20.

The main drainage reserve associated with Saw Pit Gully has been determined based on the approved layout associated with DA0367/2013 (as modified) which included GTA's from NSW Office of Water. The boundaries to the drainage reserve created for Saw Pit Gully and forming the eastern boundary to the proposed low-density residential lots had been set at the creation of Lot 1 DP1206488 in accordance with CAA and '*Guidelines for controlled activities on waterfront land*' Natural Resources Access Regulator, NSW Department of Industry. There was an offset applied to provide additional riparian corridor to the western side of Saw Pit Gully in lieu of the detention basin constructed for the Broadview Estate. This proposed layout also includes a detention basin area in the drainage reserve. Additional land is proposed to be dedicated as reserve (proposed Lots 26 & 27) to ensure the waterfront land is not reduced. The proposed Lot 26 is suitable as land to be dedicated, and also serves to prevent landowners of the lots affected by the Transgrid easement from traversing with vehicles under the power line to maintain land on the eastern side of the easement.

#### *7.2.2 Mitigation Measures – Soil and Surface Water*

Implementation of suitable design and ensuring post development flows are managed appropriately is identified as a key mitigation measure for soil and surface water issues. Appropriately designed and sized stormwater management structures are required to ensure stability of the watercourses, and limit downstream impacts. Due to the large lot sizes of minimum 2000m<sup>2</sup> the impervious area is less than if the land was a typical residential subdivision. Overland flow paths will be designed to



accommodate storms up to the 100yr ARI event (or to Council requirements at CC stage). Stabilised outlets will be implemented as required to all discharge locations.

Mitigation measures should be adopted to minimise potential for impacts to soil and water during construction.

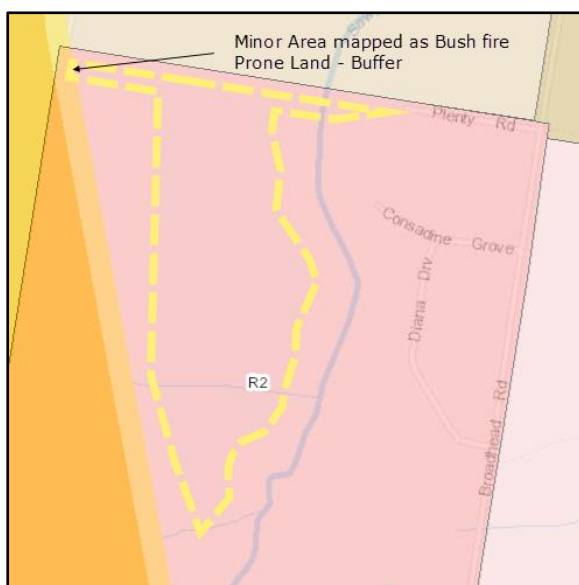
- Refer to Stormwater Management Plan.
- Erosion and sediment controls are to be established prior to any site disturbance.
- Methods within the '*Managing Urban Stormwater: Soils and Construction Volume 1*' (Landcom 2004) are to be employed where relevant.
- Removal of groundcover must be minimised where possible to provide natural soil protection. In most instances this practice is to be the appropriate level of mitigation to be employed for this development.
- The provisions of the DCP 5.4 Environmental Controls – Building in a saline environment can be implemented for any building proposals. No further investigation or action are considered necessary for this subdivision.

## 7.3 BUSHFIRE

### 7.3.1 Potential Impacts – Bush fire

As indicated, in the Planning for Bush Fire Protection 2019 document (PBP 2019), the subdivision stage of land development provides an opportunity for early consideration of siting and access and for the incorporation of the appropriate combination of Bush Fire Protection Measures (BPMs).

The development site is located down slope of mapped bush fire prone land as shown in the Figure below. There is a minor area mapped as bush fire prone (buffer). Developments involving the subdivision of large rural blocks into smaller rural-residential allotments is addressed in BMP.



**Figure 6: Bush Fire Prone land mapped in relation to the subject Lot 3 DP1206488**



### **7.3.2 Mitigation Measures – Bush fire**

Compliance with Planning for Bush fire Protection 2019 is discussed. The BPMs for residential and rural residential subdivisions include measures relating to APZs, access to structures and water supply, fire trail access, and provision of water. Performance criteria and acceptable solutions in the PBM 2019 are noted in the tables below.

The development can demonstrate compliance or be conditioned to ensure compliance with the performance criteria.



## APZs

**Intent of measures:** to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

### Compliance with Table 5.3a

	Performance criteria	Acceptable solutions	Comments
Asset Protection zones	The intent may be achieved where:		
	potential building footprints must not be exposed to radiant heat levels exceeding 29 kW/m <sup>2</sup> on each proposed lot.	APZs are provided in accordance with Tables A1.12.2 and A1.12.3 based on the FFDI.	Complies - Minimum distances for APZs – residential development, FFDI 80 areas - 12m  Able to be achieved within the lot dimensions – all lots are currently vacant.
	APZs are managed and maintained to prevent the spread of a fire towards the building.	APZs are managed in accordance with the requirements of Appendix 4.	Complies - An APZ is a fuel-reduced area surrounding a building or structure. It is located between the building or structure and the bush fire hazard. – The subdivision will be able to support a practical practical area (typically the curtilage around the building, consisting of a mown lawn and well-maintained gardens).
	the APZs is provided in perpetuity.	APZs are wholly within the boundaries of the development site.	Complies - All future APZ area able to be within the proposed residential lots.
	APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	APZs are located on lands with a slope less than 18 degrees.	Complies.
landscaping	landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	landscaping is in accordance with Appendix 4; and  fencing is constructed in accordance with section 7.6.	Complies - all fences in bush fire prone areas should be made of either hardwood or non-combustible material. This can be noted on a covenant if Council requires.





## ACCESS

**Intent of measures:** to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

### Compliance with Table 5.3b

	Performance criteria	Acceptable solutions	Comments
Access (General Requirements)	The intent may be achieved where:		
	firefighting vehicles are provided with safe, all-weather access to structures.	<ul style="list-style-type: none"> <li>- property access roads are two-wheel drive,</li> <li>- all-weather roads;</li> <li>- perimeter roads are provided for residential subdivisions of three or more allotments;</li> <li>- subdivisions of three or more allotments have more than one access in and out of the development;</li> <li>- traffic management devices are constructed to not prohibit access by emergency services vehicles;</li> <li>- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;</li> <li>- all roads are through roads; dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;</li> <li>- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;</li> <li>- where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access shall be provided to an alternate point on the existing public road system; and one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas</li> </ul>	<p>Complies – Yes</p> <p>Yes – bitumen sealed roads proposed.</p> <p>Robertson Road and Brodhead Road and Plenty Road form perimeter roads.</p> <p>One main access road is proposed.</p> <p>Yes.</p> <p>Triaxial Consulting have prepared servicing and road plans for the DA that demonstrate the road standard.</p> <p>CONDITION – signage should be installed to note that the proposed new cul-de-sac is a dead end.</p> <p>Roll kerb is proposed.</p> <p>Access does not traverse forest or woodland.</p>



		to ensure accessibility to reticulated water for fire suppression.	
	the capacity of access roads is adequate for firefighting vehicles.	- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/ causeways are to clearly indicate load rating.	Complies – can be conditioned.
	there is appropriate access to water supply.	- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; - hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning; and - there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.	Complies – All hydrants will be appropriately located as per future CC design.  Hydrants to be provided as per AS 2419.1:2005 (likely condition of approval).  N/A - reticulated supply is available.
Perimeter Roads	access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating as well as providing a safe operational environment for emergency service personnel during firefighting and emergency management on the interface.	-are two-way sealed roads; -minimum 8m carriageway width kerb to kerb; -parking is provided outside of the carriageway width; -hydrants are located clear of parking areas; -are through roads, and these are linked to the internal road system at an interval of no greater than 500m; -curves of roads have a minimum inner radius of 6m; -the maximum grade road is 15 degrees and average grade of not more than 10 degrees; -the road crossfall does not exceed 3 degrees; and -a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.	Complies – all road are two way sealed roads.  9m carriageway proposed.  Parking is available.  Hydrants to be located to comply and shown on CC plans.  Link to Broadhead Road is less than 400m.  Yes -  civil engineering plans to demonstrate compliance and follow on CC plans.  Yes



Non-Perimeter Roads	access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating.	<ul style="list-style-type: none"> <li>-minimum 5.5m carriageway width kerb to kerb;</li> <li>-parking is provided outside of the carriageway width;</li> <li>-hydrants are located clear of parking areas;</li> <li>-roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;</li> <li>-curves of roads have a minimum inner radius of 6m;</li> <li>-the road crossfall does not exceed 3 degrees; and</li> <li>-a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.</li> </ul>	<p>Complies - 9m carriageway proposed.</p> <p>Yes</p> <p>Yes</p> <p>N/A – no internal road systems.</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Property Access	firefighting vehicles can access the dwelling and exit the property safely.	There are no specific access requirements in an urban area where an unobstructed path (no greater than 70m) is provided between the most distant external part of the proposed dwelling and the nearest part of the public access road (where the road speed limit is not greater than 70kph) that supports the operational use of emergency firefighting vehicles.	Complies – all roads will be designed to allow emergency vehicle access.

**SERVICES – WATER, ELECTRICITY AND GAS**

*Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.*

**Compliance with Table 5.3c**

	Performance criteria	Acceptable solutions	Comments
Water Supplies	The intent may be achieved where:		
	adequate water supplies is provided for firefighting purposes.	<ul style="list-style-type: none"> <li>-reticulated water is to be provided to the development where available;</li> <li>-a static water and hydrant supply is provided for non-reticulated developments or where reticulated water supply cannot be guaranteed; and</li> <li>-static water supplies shall comply with Table 5.3d.</li> </ul>	Complies – Reticulated water design included with DA plans.



	water supplies are located at regular intervals; and the water supply is accessible and reliable for firefighting operations.	fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;  hydrants are not located within any road carriageway; and  reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads.	Complies - Australian Standard AS 2419.1:2005 (able to be condition of approval - also refer to engineering plans).
	flows and pressure are appropriate.	fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005.	Complies - (able to be condition of approval).
	the integrity of the water supply is maintained.	all above-ground water service pipes are metal, including and up to any taps; and  above-ground water storage tanks shall be of concrete or metal.	Complies. (future DA for dwelling to comply).
Electricity Services	location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.	where practicable, electrical transmission lines are underground; where overhead, electrical transmission lines are proposed as follows:  lines are installed with short pole spacing of 30m, unless crossing gullies, gorges or riparian areas; and no part of a tree is closer to a power line than the distance set out in ISSC3 Guideline for Managing Vegetation Near Power Lines.	Complies - pre-DA consultation carried out with energy provider professionals. Electricity design to be carried out post DA stage and requirements can be conditioned.
Gas Services	location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.	reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas,  the requirements of relevant authorities, and metal piping is used;  all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;  connections to and from gas cylinders are metal;  polymer-sheathed flexible gas supply lines are not used; and  above-ground gas service pipes are metal, including and up to any outlets.	Complies - Relevant for future DA for dwelling. No reticulation of gas is proposed.



## 7.4 HERITAGE

### 7.4.1 Potential Impacts – Heritage

The proposed subdivision will not have any detrimental impact on European heritage items or the setting of listed items – i.e. no listed items are within close vicinity to the development site.

Aboriginal heritage items were known to occur prior to commencement of subdivision design. Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales published by Department of Environment, Climate Change and Water has been referred to for the preparation of this report. The site is within a developing urban/rural environment that has been disturbed for past farming. The likely hood of indigenous heritage to occur is increased due to the association with Saw Pit Gully.

In accordance with Section 1 *Do you need to use this Due Diligence Code*, the development is required to follow the Generic Due Diligence Code of Practice outlined in Section 8. This has been provided:

- **Step 1**, *Will the activity disturb the ground surface,*

Yes. The development has potential to require land disturbance.

- **Step 2a**, *Search the AHIMS database and use any other sources of information of which you are already aware,*

An AHIMS search was conducted in May 2020 with a buffer of 200m and returned several recorded aboriginal sites and no declaration of aboriginal place within the site or buffer area. (Refer to **Appendix B**).

- **Step 2b**. *Activities in areas where landscape features indicate the presence of Aboriginal objects*

Aboriginal objects are often associated with particular landscape features as a result of Aboriginal people's use of those features in their everyday lives and for traditional cultural activities. Examples of such landscape features are rock shelters, sand dunes, waterways, waterholes and wetlands. Therefore it is essential to determine whether the site contains landscape features that indicate the likely existence of Aboriginal objects. It has been considered whether the land and proposed activity is:

- within 200m of waters, or
- located within a sand dune system, or
- located on a ridge top, ridge line or headland, or
- located within 200m below or above a cliff face, or
- within 20m of or in a cave, rock shelter, or a cave mouth
- and is on land that is not disturbed land (defined in guidelines, see below) then you must go to step 3.



If after completing steps 2a and 2b it is reasonable to conclude that there are no known Aboriginal objects or a low probability of objects occurring in the area of the proposed activity, you can proceed with caution without applying for an AHIP.

- **Step 3.** *Can you avoid harm to the object or disturbance of the landscape feature?*

In previous assessment for subdivision and rezoning investigation of the land and to rule out the occurrence of sites within the development site, David Maynard of Murong Gialinga ATSIC was consulted with and requested to conduct a site survey, using site records, local knowledge and experience to determine the occurrence of sites across the subject property. The survey conducted in Jan 2006 resulted in identifying sites as occurring within the subject site. The report prepared by Murong Gialinga ATSIC was previously provided with a DA to MWRC as supporting information for past subdivision design for the same land being the focus of this SEE.

- **Step 4:** *Desktop assessment and visual inspection*

This step only applies if your activity is on land that is not disturbed land or contains known Aboriginal objects. Refer to **Appendix B** for the AHIMs search site cards and Extensive Site Search Report.

#### **7.4.2 Mitigation Measures – Heritage**

Several known items of Aboriginal heritage are identified within the site. Direct impacts are nil. No further Aboriginal heritage site survey is warranted at this site. Mitigation measures are proposed for DA. The sites have been plotted and included on the plan of the proposed subdivision. The sites are proposed to be avoided – i.e. no new lot boundaries are within close vicinity to the recorded sites. A covenant is proposed to advise future owners of the artefact location and that the site is protected pursuant to National Parks and Wildlife act 1974. This is expected to be addressed as a condition of approval prior to subdivision certificate.

## **7.5 VISUAL AMENITY**

The proposed subdivision will lead to significant changes to the visual amenity of the area with the built aspects of the area to increase due to the subdivision. The change in setting is expected with the zone objectives upheld and minimum lot size not exceeded.

Road works are required to accommodate the proposed new lots and new service connections. The boundaries of proposed lots do not indicate that private open spaces will be overlooked or affected negatively by adjoining development.

## **7.6 CUMULATIVE ISSUES**

No significant potential cumulative issues have been identified as a result of the proposed subdivision. Traffic Statement prepared by Triaxial Consulting has addressed the cumulative impacts of nearby developments that may impact on the road standard.



## **7.7 SOCIAL AND ECONOMIC IMPACTS**

This section considers the likely social and economic impacts of the development in the locality. Socially the proposal will have minimal impact with established residential surrounds. The development facilitates residential development within Mid-Western Regional LGA that may have positive economic flow on effects.

## **7.8 SITE SUITABILITY**

REVIEW OF SITE ISSUES - An overview of site issues is provided:

The proposed subdivision will not cause conflict with the land use of adjoining properties. Surrounding land is either developed for residential use or part of the land recently approved for residential use. Environmental issues have been mitigated in the design and proposed management measures.

ZONING AND PERMISSIBILITY OF THE PROPOSED DEVELOPMENT - Subdivision for the purpose of residential land use is consistent with the zone objectives and is permissible with consent. Overall, the proposed subdivision will support the expected land use, being consistent with the zone objectives, and having minimal environmental impacts.

SIZE AND SHAPE OF THE LAND - The irregular shape of the land and topography presents no hindrance for subdivision, and generally rectangular shaped lots are achieved for the most part. The proposed lots can comply with requirements and incorporate adequate area for a future dwelling. The lot sizes are reflective of the irregular land shape and min. lot size applicable, road access achievable in the topography, with due consideration to stormwater management.

COMPATIBILITY WITH ADJOINING DEVELOPMENT - The proposed subdivision is in line with the surrounding land uses which are primarily low density and large lot residential in nature. Overall, no issue has been identified that would indicate that the land is not suitable for subdivision.

## **7.9 PUBLIC SUBMISSIONS**

Any submissions made in accordance with this Act or the regulations, and received during the notification period for the development application would be required to be considered by Council in the assessment of the application.

## **7.10 PUBLIC INTEREST**

Section 4.15(1)(e) requires consideration of the public interest in assessing the proposed development. The proposal is not likely to have wider public implications. Council has previously supported similar plans for existing residential developments in Mudgee.



## 8 CONCLUSION

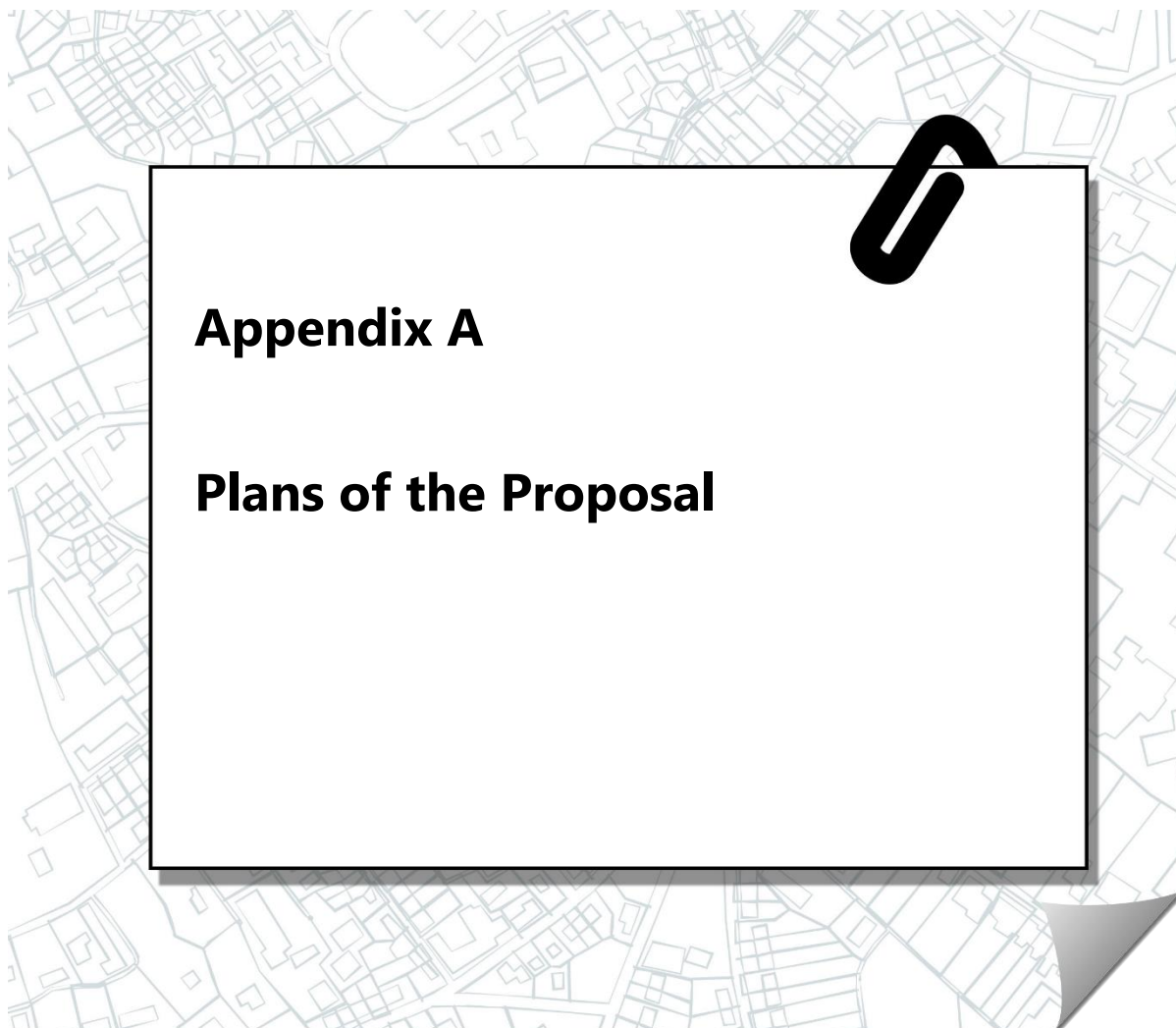
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This Statement of Environmental Effects assessed the impact of the proposed development and where relevant provides the supporting information and outlines proposed actions that demonstrate measures to be undertaken to ensure consistency with the objectives of the zone, and outline what plans are in place to ensure mitigation of any potential environmental impacts.

Key issues identified required particular consideration of the following issues: Electricity easement constraints; limiting potential clearing of biodiversity sensitive treed areas; traffic management with cul-de-sac (no through) roads; natural drainage; and preserving heritage; reticulated services and consideration of bush fire risk. All of the potential impacts likely to result from the project can be appropriately mitigated by the implementation of the proposed subdivision design and associated covenant/restrictions. Overall, the development will meet the development standards expected for the location and in accordance with Council's DCP, with minimal variation.

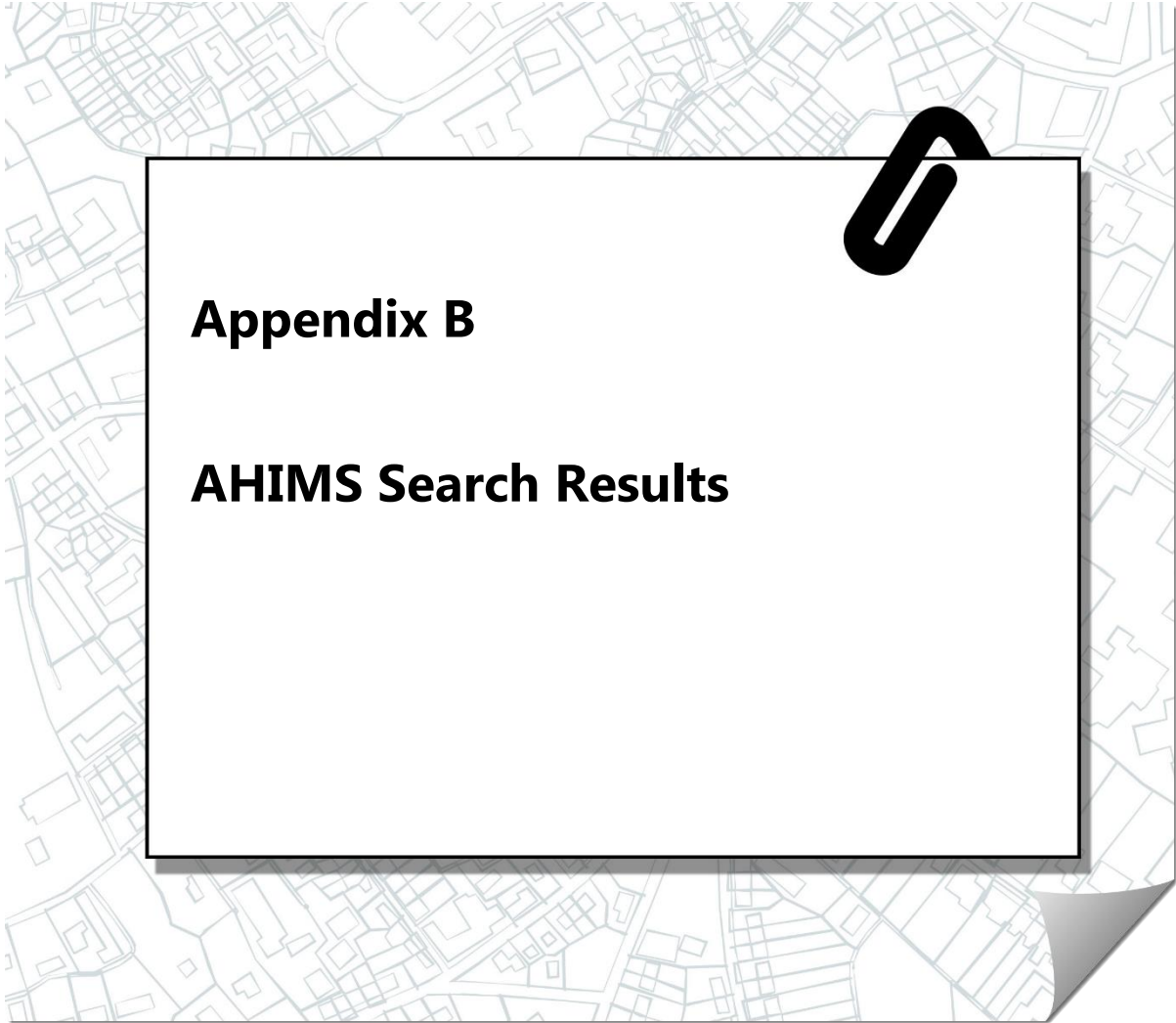
In accordance with the *Environmental Planning & Assessment Act 1979* an Environmental Impact Statement is not required and Mid-Western Regional Council is able to undertake assessment and subsequent determination of a development application for subdivision based on this SEE; the plans prepared by Jabek Pty Ltd and servicing details prepared by Triaxial Consulting Pty Ltd.







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## **Appendix B**

### **AHIMS Search Results**



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**AHIMS Web Services (AWS)**  
Extensive search - Site list report

Your Ref/PO Number : A01 05 Broadhead 50m  
Client Service ID : 507322

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
36-6-0685	Samptit Gully Creek 10A	AGD	55	742970	6386210	Open site	Valid	Artefact : 1		
	<b>Contact</b>									
	T Russell									
36-6-0686	SPGC - 9A - 1F	AGD	55	743030	6386320	Open site	Valid	Artefact : 1		
	<b>Contact</b>									
	T Russell									
36-6-0688	SPGC - 7	AGD	55	742940	6386950	Open site	Valid	Artefact : 7		
	<b>Contact</b>									
	T Russell									
36-6-0689	SPGC - 6	AGD	55	743080	6386560	Open site	Valid	Artefact : 2		
	<b>Contact</b>									
	T Russell									
36-6-0690	SPGC - 5A	AGD	55	742920	6386760	Open site	Valid	Artefact : 2		
	<b>Contact</b>									
	T Russell									
36-6-0691	SPGC - 4	AGD	55	742920	6386540	Open site	Valid	Artefact : 2		
	<b>Contact</b>									
	T Russell									
36-6-0692	SPGC - 3A	AGD	55	742910	6386490	Open site	Valid	Artefact : 3		
	<b>Contact</b>									
	T Russell									
36-6-0693	SPGC 2A	AGD	55	742760	6386240	Open site	Valid	Artefact : 2		
	<b>Contact</b>									
	T Russell									

Report generated by AHIMS Web Service on 22/05/2020 for the following area at Lot : 3, DP-DP1206488 with a Buffer of 200 meters. Additional Info : Statement of Environmental Effects for development. Number of Aboriginal sites and Aboriginal objects found is 8  
This information is not guaranteed to be free from error or omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.



**AHIMS Web Services (AWS)  
Search Result**

Purchase Order/Reference : A01 05 Broadhead 50m

Client Service ID : 507322

Atlas Environment & Planning  
46 Market Street  
Mudgee New South Wales 2850  
Attention: Emma Yule  
Email: [REDACTED]

Date: 22 May 2020

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 3, DP:DP1206488 with a Buffer of 200 meters.**  
**Additional Info : Statement of Environmental Effects for development, conducted by Emma Yule on 22 May 2020.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>8</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



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**Appendix D**

**Traffic Statement  
prepared by  
Triaxial Consulting Pty Ltd**



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26<sup>th</sup> November 2020



COMPLEX PROBLEMS  
RESOLVED SIMPLY

46 Market St  
Mudgee NSW 2850  
triaxial.com.au  
1300 874 294

**MR. PETER CONSADINE**

Dear Peter,

**Re: Proposed Residential Subdivision – Robertson Road, Spring Flat, NSW 2850  
Traffic Statement**

Reference: TX14774.00-01.rpt.jd

Triaxial have been engaged to provide a traffic statement for the proposed subdivision of Lot 3 DP1206488 Robertson Road, Spring Flat.

Our assessment of the traffic generated by the development is based on the proposed subdivision layout as shown on Triaxial Consulting plans TX14774.00 – Sheets C1.00 through C8.00.

The proposed development consists of the creation of a 25-lot subdivision of minimum 2,000m<sup>2</sup> size.

#### **Access to the Development**

The primary point of access to the development is Broadhead Road as it is sealed and has been recently upgraded as part of the Broadview Estate subdivision nearby.

Minimal traffic is assumed to use either Bruce Road or the Western portion of Plenty Road to access the site as these roads are unsealed.

All lots within the development will be accessed via one new internal road to be constructed off the extension of the existing Plenty Road, with the exception of 2 lots to be accessed from Plenty Road.

It is proposed that the new internal road will provide one point of access to the development from Plenty Road. No access is proposed from the Robertson Street approach as it is prohibitive for road construction due to the extreme terrain. To alleviate traffic movements along Plenty Road a turning head will be constructed to allow traffic to return to Broadhead Road.

The length and the number of lots serviced are greater than recommended (maximum 12, length maximum 150m) in the Mid Western Council DCP. There are 23 lots that will be accessed from the new road and the length of the culdesac is approximately 490m. A contributing factor to the longer culdesac length is the larger lot frontages required for the 2000m<sup>2</sup> blocks, which generally have between 30-40m frontages, much larger than in typical residential construction.

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Although longer and servicing more lots than recommended the culdesac will be managed by ensuring the road construction is at a standard that will be able to convey the expected volume of traffic to be generated (approximately 21 vehicle trips in peak hour).

The proposed new road will be constructed with an 18m wide road reserve and a 9m wide carriageway in line with Mid Western Regional Council DCP requirements for servicing between 31-120 residential lots.

A pedestrian link will be provided by the construction of a new concrete footpath to connect to the existing footpath in Plenty Road.

### Expected Traffic Generation

The expected traffic increase generated by the development is shown in the table below. The traffic generation rates have been calculated using Austroads Guide to Traffic Management Part 12 – Traffic Impacts of Development.

Number of Lots	Daily Vehicle Trips	Peak Hour Vehicle Trips
25	225	21

Table 1: Expected traffic generation from the development.

### Traffic Distribution

It is expected that the traffic distribution throughout the local road network as per the Mudgee Traffic Study 2014 produced by Gennaoui Consulting.

The traffic study gives the following breakdown of expected traffic distribution:

**Table 4.3: Trip Distribution of Residential Developments**

Destinations	Arrival	Departure	Arrival	Departure
CBD 1	14%	18%	175	121
CBD 2	14%	18%	175	121
Industrial 1 E of Sydney Rd	12%	6%	158	40
Industrial 2 W of Sydney Rd	10%	5%	127	32
Industrial 3 Hill End Rd	12%	6%	158	40
Residential north of railway	5%	7%	70	48
Residential south of railway	5%	7%	70	48
Internal to subdivision	11%	14%	140	97
<b>External Routes</b>				
Sydney Rd, south of Lions Dr	5%	7%	70	48
Ulan Rd, N of Henry Lawson	9%	12%	117	81
Castlereagh Rd, W of Hill End	2%	2%	23	16
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>1,285</b>	<b>692</b>

Figure 1: Mudgee Traffic Study Table 4.3 expected trip distribution.

As can be seen from the above table the expected traffic distribution would be 50% of vehicle trips heading North East towards Mudgee CBD (either along Bruce Road or Lions Drive), 11% of trips to be internal to the subdivision and the existing residential areas, and a

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maximum of 39% of trips heading East towards the Castlereagh Highway. We have assumed that all industrial areas will be accessed via Lions Drive/Castlereagh Highway, as well as all external routes. Using these percentage breakdowns, the traffic expected in daily and peak hour trips is shown in the table below:

	Bruce / Lions Drive West	Lions Drive East
<b>Daily Trips</b>	113	88
<b>Peak hr Trips</b>	11	8

Table 2: Expected traffic generation from the development in vehicles along internal roads and Lions Drive

### Expected Impact

Road carriageway level of service is also not expected to be impacted, as the traffic generation figures calculated for this subdivision are well within the carriageway level of service triggers as defined in the Austroads Guide to Traffic Management Part 3, which gives a mid-block capacity of a typical urban undivided road as 900 vehicles per hour.

The proposed impact on the existing residential road network to the East, as well as Lions Drive to the East is proposed to be minimal, with only 10 vehicle trips per hour added to the existing peak hour volumes.

### Impact of Future Developments

The Mudgee South area has several developments planned for the near future, some of which listed below may have a cumulative effect on the intersection of both Lions Drive and Spring Flat Road with the Castlereagh Highway.

We have provided information on the developments that are likely to impact the intersection and that have either rezoning or development application approval.

- **St Matthews Catholic School Construction**
  - A new year 7 – 12 high school is proposed to be built at the corner of Bruce Road and Broadhead Road at the location shown below:

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The proposed new school will utilise Broadhead Road as its primary access however some traffic will most likely access the new school via Bruce Road and Spring Flat Road. It is not envisaged that there will be a substantial increase in the peak hour traffic at the Spring Flat Road – Castlereagh Highway intersection that would warrant any upgrades over and above the existing CHR construction.

It is also worth noting that the worst case evening peak hour traffic generated by the new school will be outside the existing peak hour times, with school peak hour between 3-4pm in the afternoon, outside of the 5-6pm existing evening peak hour.

It is our understanding that the Catholic School has progressed to SSDA stage and that discussions have been held between the School representatives, Mid Western Regional Council and Transport for NSW representatives. Any potential upgrades to the surrounding road network that are triggered as part of the school development will only ensure that the capacity of the network will be improved for this subdivision, especially with the peak usage of the school happening outside of the peak travel times for the subdivision.

- Future Residential Subdivisions
  - A 21-lot subdivision further to the South along Broadhead Road has been lodged for Development Application with Mid Western Regional Council. The minimum lot size is 20 000m<sup>2</sup>.
  - A 25-lot subdivision is proposed along Spring Flat Road with minimum lot size of 20 000m<sup>2</sup>.

The indicative location of these subdivisions is shown below:

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It is envisaged that traffic accessing the future large lot subdivision on Broadhead Road will use Broadhead Road as the primary access, bypassing the intersection of Spring Flat Road and the Castlereagh Highway. The main roads leading to Spring Flat Road, being Plenty Road and Bruce Road are currently unsealed and are not planned to be upgraded, making it more likely that the majority of traffic generated by each development will utilise the upgraded access available along Broadhead Road.

For the large lot subdivision on Spring Flat Road the access will be along Spring Flat Road. Minor increases to the traffic along Spring Flat Road that will use the intersection with the Castlereagh Highway will be able to be accommodated by the existing CHR intersection.

- Mudgee Solar Farm
  - A solar farm has been proposed with access from the Castlereagh Highway further to the South East (away from town). It is not envisaged that the traffic generated from this development will affect the level of service of the intersection of Castlereagh Highway and Spring Flat Road in the long term.
  - The solar farm development is expected to increase heavy vehicle traffic in the construction phase of the development with an anticipated one heavy vehicle per day on average. The long-term operation of the solar farm will be

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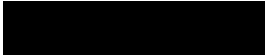


unmanned with one maintenance vehicle servicing the farm on a monthly basis or as needed.

Should you have any queries regarding our report please do not hesitate to contact us.

Yours faithfully

**TRIAXIAL CONSULTING**



**JIM DISHER**  
**B.E. (Civil), M.E. (Civil & Structural)**  
**MIE Aust.**

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