

# STATEMENT OF ENVIRONMENTAL EFFECTS

In support of a Strata Subdivision at 42 Currajong Street, Evans Head.

May, 2022

# DOCUMENT CONTROL

This document has been prepared by RCS Group Australia

ABN: 54 055 030 576

Suite 2/80 Conway Street Lismore NSW 2480

PO Box 4053 Goonellabah NSW 2480

T (02) 6622 2112 | F (02) 6622 2107 | E [info@rcsgroup.com.au](mailto:info@rcsgroup.com.au) | W [www.rcsgroup.com.au](http://www.rcsgroup.com.au)

## Version Register

Version	Status	Author	Authorised for Release	Date
1	Draft	LV		10/05/2022

## Transmission Register

Version	Issued to	Author	Authorised for Release	Date
1	RVC	ARR/LV	ARR	10/05/2022



# IMPORTANT NOTES

## Disclaimer and Copyright

- This Report has been prepared for the purposes of supporting documentary information to accompany a Development Application made under Section 4.12 of the Environmental Planning and Assessment Act, 1979, submitted to Richmond Valley Council as the Consent Authority.
- Submission of this Report and the accompanying Development Application does not imply Development Approval will be granted by the consent authority.
- This Report contains proprietary information belonging to the author/applicant and cannot be used, copied or reproduced in any form or manner without the permission of the author/applicant.
- Plans and or diagrams contained here-in have been compiled from existing documents from other sources. The information shown on the plans may not be utilised or relied upon for any other purpose other than as originally intended.
- Where shown, the location of services and service mains has been compiled from information contained within service layout diagrams supplied by the appropriate authority. The position of such services and mains has not necessarily been fully surveyed or confirmed on site by measurement.
- Property Boundaries have not been surveyed and where shown on any plan here-in are diagrammatic only. The location of structures in relation to property boundaries is diagrammatic only and cannot be relied upon for any use other than originally intended under this application.
- The location of boundaries shown or depicted within this Report does not constitute a plan of survey depicting the location of boundaries. The location of boundaries will need to be confirmed by final cadastral survey prior to completion of any formal approval granted under the provisions of the EP&A Act, 1979.
- All areas and dimensions shown on any plan or diagram contained within this Report and accompanying documents are subject to final survey and final certification of the certifying authority. Such areas and dimensions are indicative only for the purposes of this Development Application.
- These notes form an integral part of this Report and must be included with any copy so made under approval from the author/applicant.

RCS Group is a member firm of the Copyright Agency Limited (CAL)

All rights reserved. Copyright 2021.

# Table of Contents

1 INTRODUCTION.....	1
2 PROPOSED DEVELOPMENT.....	1
3 SITE DESCRIPTION.....	2
4 RELEVANT PLANNING PROVISIONS.....	3
RICHMOND VALLEY LOCAL ENVIRONMENTAL PLAN 2012.....	3
<i>Aims and Objectives</i> .....	3
<i>Zoning and Zone Objectives</i> .....	4
<i>Principal Development Standards, Miscellaneous and Local Provisions</i> .....	5
Clause 2.6 – Subdivision - Consent Requirements.....	5
Clause 4.1 – Minimum Subdivision Lot Size.....	5
Clause 5.10 – Heritage Conservation.....	5
Clause 5.11 – Bushfire Hazard Reduction.....	6
Clause 5.21 – Flood Planning.....	6
Clause 6.1 – Acid Sulfate Soils.....	6
Clause 6.2 – Essential Services.....	7
Clause 6.3 – Earthworks.....	7
RICHMOND VALLEY DEVELOPMENT CONTROL PLAN 2021.....	8
<i>Part G - Subdivision</i> .....	8
STATE ENVIRONMENTAL PLANNING POLICIES (SEPP's).....	12
<i>SEPP (Biodiversity and Conservation) 2021</i> .....	12
<i>Chapter 4 - Koala Habitat Protection 2021</i> .....	12

SEPP (Resilience and Hazards) 2021 .....	12
Chapter 4 - Remediation of Land .....	12
<b>5 ENVIRONMENTAL PLANNING ASSESSMENT .....</b>	<b>13</b>
SECTION 4.15 EVALUATION (previously Section 79C) .....	13
Section 4.15 (1) (a) the provisions of any environmental planning instrument, proposed/draft environmental planning instrument, development control plan, planning agreement or draft planning agreement and the regulations .....	13
Section 4.15 (1) (b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. ....	13
Context and Lot Design/Layout .....	13
Access, Traffic, Parking and Transport .....	13
Fauna and Flora .....	13
Soil and Water .....	13
Noise, Air and Microclimate .....	14
Waste .....	14
Services and Utilities .....	14
Privacy, Views and Overshadowing .....	14
Social Impacts/Public Domain .....	14
Economic Impacts .....	14
Section 4.15 (1) (c) the suitability of the site for development .....	15
Section 4.15 (1) (d) any submissions made in accordance with this act or the regulations. ....	15
Section 4.15 (1) (e) the public interest. ....	15
<b>6 CONCLUSION .....</b>	<b>16</b>

## 1 Introduction

---

RCS Group Australia has been commissioned by the registered proprietors of Lot 1 in DP 1248978 (known as 42 Currajong Street, Evans Head) to prepare a Development Application to Richmond Valley Council as the consent authority for a proposed strata subdivision of a previously approved and constructed attached dual occupancy at the above-mentioned property.

Site investigations and assessment of relevant planning legislation have been undertaken to determine the suitability and appropriateness of this property with relation to the proposed strata subdivision, the results of which form part of this Statement of Environmental Effects and the current Development Application.

Detailed plans prepared by RCS Group Australia are attached to this report which forms the Statement of Environmental Effects for the proposed development.

This Statement of Environmental Effects (SEE) is provided in support of a strata subdivision development proposal for the property located at 42 Currajong Street, Evans Head. It describes the proposed development with respect to the subject site and the various legislative requirements to enable the proposed strata subdivision to proceed in an appropriate and compliant manner.

## 2 Proposed Development

---

The proposed development is for a strata subdivision of a previously approved, and recently constructed, attached dual occupancy development at the property commonly known as 42 Currajong Street, Evans Head and legally known as Lot 1 in DP 1248978. The property has a site area of approximately 696 square metres.

The site contains a recently constructed attached dual occupancy development with appropriate access to essential services and suitable and legal access to Currajong Street and Memorial Airport Drive.

The proposed strata subdivision will result in a proposed Lot 1 (relating to Unit 2) with a site area of 313 square metres and proposed Lot 2 (relating to Unit 1) with a site area of 383 square metres.

The land is currently zoned R1 – General Residential within the Richmond Valley Local Environmental Plan 2012 and the proposed development for a Strata Subdivision is permissible subject to development consent under the provisions of this Plan.

### 3 Site Description

The subject property at 42 Currajong Street, Evans Head (Lot 1 in DP 1248978) is a corner allotment, with Currajong Street located adjacent to the south-eastern side of the site and Memorial Airport Drive located adjacent to the north-eastern side of the site. The site is depicted in Figure 1 of this SEE to the right.

The subject lot, legally known as Lot 1 in DP 1248978, has an existing site area of approximately 696 square metres. The land is relatively flat with a slight slope from front (south-east) to rear (north-west).

The site is cleared of any significant vegetation and contains an existing two-storey attached dual occupancy development.

The site is not identified as being affected by any natural hazards such as bushfire, land instability and flooding. However, the site is considered to be heritage affected land, identified as a general heritage item and known on the State Heritage Register Curtilage as Evans Head Memorial Aerodrome.

The surrounding locality is characterised by a mixture of residential development to the south and east, industrial development to the north and the Evans Head Memorial Aerodrome to the west.



Figure 1 - Extract from NSW Government – Six Maps

Subject Site – 42 Currajong Street, Evans Head (Lot 1 in DP 1248978)

## 4 Relevant Planning Provisions

The provisions of the Richmond Valley Local Environmental Plan (LEP) 2012 are applicable to the site.

### Richmond Valley Local Environmental Plan 2012

#### Aims and Objectives

The Richmond Valley LEP 2012 contains the following aims and objectives to guide development within the Council area:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to encourage the proper management, development and conservation of natural and man-made resources,*
- (b) to support and encourage social and economic benefits within Richmond Valley,*
- (c) to ensure that suitable land for beneficial and appropriate uses is made available as required,*
- (d) to manage appropriate and essential public services, infrastructure and amenities for Richmond Valley,*
- (e) to minimise the risk of harm to the community through the appropriate management of development and land use.*

#### Comment:

The proposal is consistent with the aims of the Richmond Valley LEP 2012. In particular:

- The development will not have any adverse effect on heritage, cultural, physical or environmental qualities of the locality to manage and conserve natural and man-made resources.
- The proposal supports and encourages provision for additional residential housing by ensuring that suitable land is available for an appropriate use as such, which allows for social and economic benefits for the region.
- The proposal is consistent with the general residential character of the area, with other surrounding sites having been previously strata subdivided to support residential development. This ensures that there is minimal risk of harm from a community perspective due to the proposal.
- The site and proposal are not subject to any adverse effects relating to natural hazards, such as flooding, bushfire and land instability. This ensures that there is minimal risk of harm for the community due to the proposal.
- The proposal provides for the efficient, orderly and appropriate use and development of the site in a manner which is sensitive to the surrounding built and natural environment and having due regard to the reasonable amenity expectations of surrounding land users.

- The development proposal provides for the use of the site which is consistent with the zoning of the site under the Richmond Valley LEP 2012.

### Zoning and Zone Objectives

The subject property of proposed development is currently zoned R1 - General Residential within the Richmond Valley Local Environmental Plan (LEP) 2012. Figure 2 of this SEE below shows the zoning of the land.

The proposed development is defined as a Strata Subdivision and is permitted with consent within this above land use zone.

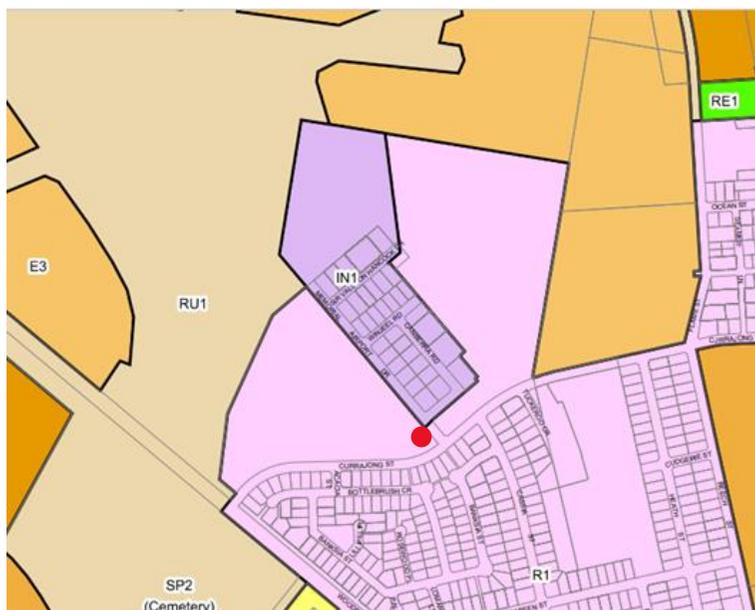


Figure 2 - Extract from Richmond Valley LEP 2012 - Zoning Map

### Zone Objectives

The Richmond Valley LEP 2012 contains the following objectives for the R1 – General Residential zone:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that housing densities are generally concentrated in locations accessible to public transport, employment, services and facilities.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

### Comment:

The proposed strata subdivision is consistent with these above zone objectives. The lots resulting from the proposed subdivision are suitable to support the existing attached dual occupancy development which itself was subject to separate development consent. The proposal provides for the housing needs of the community by providing for a variety of housing types and densities. The proposal is compatible with the general character and amenity of the surrounding area, notably adjoining residential area, supporting other land uses and maintaining the provision of facilities and services to the community.

Due to the nature of the proposal relating to strata subdivision of a previously approved attached dual occupancy and the subject site which is immediately surrounded by sites which are also located within the R1 – General Residential zone, there is negligible conflict between the proposed land use and land uses within adjoining zones.

## Principal Development Standards, Miscellaneous and Local Provisions

### Clause 2.6 – Subdivision – Consent Requirements

- (1) *Land to which this Plan applies may be subdivided, but only with development consent.*

#### Comment:

This clause allows land to which the Plan applies to be subdivided with development consent. The proposal is not considered exempt or complying development under this Plan or the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and hence this application for development consent is being made.

### Clause 4.1 – Minimum Subdivision Lot Size

- (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.*
- (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 2021.*

#### Comment:

This Clause allows for the subdivision of land with development consent as long as the lots to be created are no less than the minimum lot size as depicted on Council's Lot Size Map relating to the land. However, subject to Sub-Clause (4) above, this Clause does not apply to a strata subdivision in which the current proposal relates to.

### Clause 5.10 Heritage Conservation

Clause 5.10 Heritage Conservation of the Richmond Valley LEP 2012 relates to provisions and additional assessment controls in respect to proposed developments within the vicinity of a heritage item or within a heritage conservation area.

The subject development site is identified as a general heritage item and is known on the State Heritage Register Curtilage as Evans Head Memorial Aerodrome. Development consent is required under this Clause for subdividing land on which a heritage item is located.

- (4) ***Effect of proposed development on heritage significance*** *The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.*

#### Comment:

As the current proposal relates exclusively to a strata subdivision of a previously approved and constructed attached dual occupancy development that is on a separate lot to the actual Evans Head Memorial Aerodrome itself, the effect of the proposed development on the heritage significance of the heritage item, being the Evans Head Memorial Aerodrome, is negligible, and hence no further consideration to this clause is given.

### Clause 5.11 Bushfire Hazard Reduction

Clause 5.11 of the Richmond Valley LEP 2012 relates to Bushfire Hazard Reduction.

#### Comment:

The subject site is not identified as being located within a mapped bushfire hazard area.

### Clause 5.21 Flood Planning

Clause 5.21 Flood Planning of the Richmond Valley LEP 2012 relates to provisions and matters for consideration in respect to proposed developments within a flood planning area.

#### Comment:

The subject site is not identified as being flood prone land. Council's records do not identify the subject site as being affected by local flooding. No further consideration to this clause is required.

### Clause 6.1 Acid Sulfate Soils

Clause 6.1 Acid Sulfate Soils of the Richmond Valley LEP 2012 relates to provisions and matters for consideration in respect to proposed developments and works on land shown on Council's Acid Sulfate Soils Map.

*(1) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

Class of land	Works
1	Any works.
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

*(6) Despite subclause (2), development consent is not required under this clause to carry out any works if-*

- (a) the works involve the disturbance of less than 1 tonne of soil, and*
- (b) the works are not likely to lower the watertable.*

The subject development site is located within an area of Class 3 Acid Sulfate Soils as depicted below in Figure 3 of this SEE.

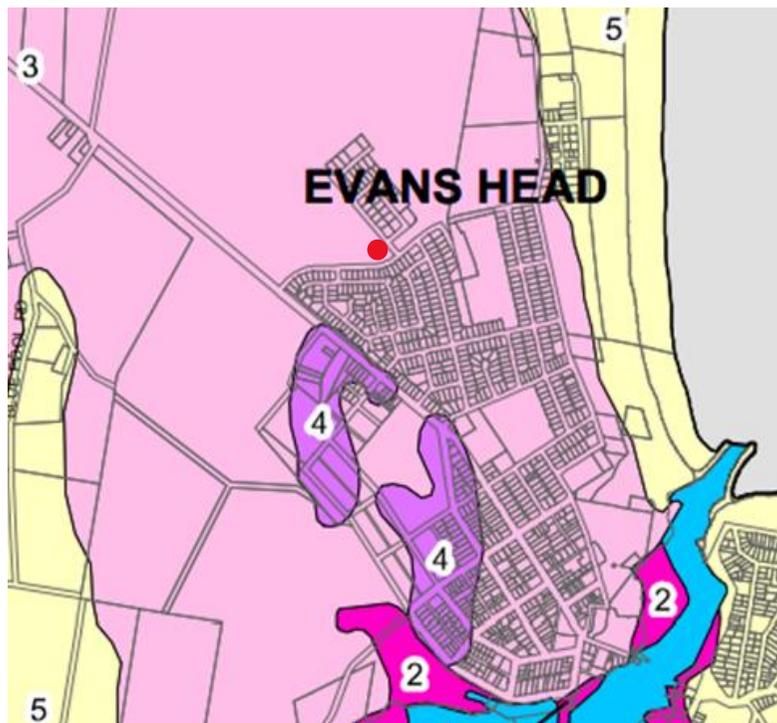


Figure 3 - Extract from Richmond Valley LEP 2012 – Acid Sulfate Soils Map

**Comment:**

The proposed strata subdivision does not involve works more than 1 metre below the natural ground surface or works that will lower the watertable, and hence no Acid Sulfate Soils assessment would be required. No further consideration to this clause is given.

**Clause 6.2 Essential Services**

*Development consent must not be granted for development unless the consent authority is 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.

**Comment:**

This proposed development relates only to a Strata Subdivision of a previously approved and constructed attached dual occupancy in which such essential services relating to supply of water, electricity, disposal and management of sewage, stormwater management and road access, are already available and provided for.

**Clause 6.3 Earthworks**

Clause 6.3 Earthworks of the Richmond Valley LEP 2012 relates to provisions and matters for consideration with relation to earthworks.

**Comment:**

This proposed development relates to a Strata Subdivision only. There is no major earthworks or site benching required as a consequence of the development proceeding.

The provisions of the Richmond Valley Development Control Plan (DCP) 2021 are applicable to the subject development site and proposal.

## Richmond Valley Development Control Plan 2021

### Part G – Subdivision

Part G Subdivision of the Richmond Valley DCP 2021 establishes development guidelines relating to subdivision of land within the Richmond Valley Local Government Area.

The following table addresses such development guidelines which are of specific relevance to this proposed development, which is only for a Strata Subdivision of a previously approved and constructed attached dual occupancy development.

**Table 1 – Addressing of Relevant Controls from Richmond Valley DCP 2021**

Design Criteria	Comments
<p><b>G.2 Subdivision Design Standards</b></p> <p><b>G.2.2 - (2) Site Analysis</b></p> <p><i>(a) A site analysis plan is required to identify opportunities and constraints relating to the subdivision pattern and potential end use of the land.</i></p> <p><i>(b) A site analysis plan should be prepared having regard to the following, where relevant:</i></p> <ul style="list-style-type: none"> <li>▪ <i>waterways (creeks, rivers, streams),</i></li> </ul>	<p>The Strata Subdivision Plan Set which accompanies this SEE and the current development application includes the relevant details required for Council's assessment of a strata subdivision application. The submitted plans have been prepared with regard to the relevant aspects which are noted in the Site Analysis Plan requirements of Council's DCP.</p>

<ul style="list-style-type: none"> <li>▪ <i>natural resources such as significant vegetation, habitat corridors, key fish habitat, wetlands, and various requirements for coastal protection,</i></li> <li>▪ <i>flood prone land,</i></li> <li>▪ <i>steep land/land slip,</i></li> <li>▪ <i>bush fire hazard,</i></li> <li>▪ <i>access points (vehicles, pedestrians, cyclists),</i></li> <li>▪ <i>soil conditions (acid sulfate soils, contaminated land),</i></li> <li>▪ <i>surrounding land uses,</i></li> <li>▪ <i>service connections,</i></li> <li>▪ <i>easements, zones of influence and clear zones,</i></li> <li>▪ <i>archaeological sites,</i></li> <li>▪ <i>topography (contours to Australian Height Datum at 1 metre intervals),</i></li> <li>▪ <i>aspect,</i></li> <li>▪ <i>drainage systems,</i></li> <li>▪ <i>existing buildings, driveways, septic tanks and disposal areas, and</i></li> <li>▪ <i>street and lot layout of locality.</i></li> </ul>	<p>The proposed strata subdivision provides for adequate lots to accommodate the existing dwellings which form the previously approved dual occupancy development by taking into account the opportunities and constraints of the site, surrounding development and appropriate provisions relating to services and facilities which support residential development.</p>
<p><b>G.2.2 – (3) Subdivision and Road Design</b></p> <p><i>(a) Subdivisions should be designed having regard to the environmental</i></p>	<p>Environmental constraints relating to the site have been considered in the design of the proposed strata subdivision and</p>

<p><i>constraints of the site, having regard to:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Koala Habitat,</i></li> <li>▪ <i>Protection of native vegetation and habitats under the Biodiversity Conservation Act,</i></li> <li>▪ <i>Acid Sulfate Soils,</i></li> <li>▪ <i>Contaminated Land,</i></li> <li>▪ <i>Flood Prone Land,</i></li> <li>▪ <i>Landform Modification,</i></li> <li>▪ <i>Coastal Hazards, and</i></li> <li>▪ <i>Bush Fire Hazard.</i></li> </ul> <p><b>(g)</b> <i>Subdivisions should be designed to minimise impacts on the natural environment and retain significant landscape features.</i></p> <p><b>(h)</b> <i>Subdivisions should incorporate regular sized lots to avoid clashes involving housing character and amenity.</i></p> <p><b>(i)</b> <i>It must be demonstrated that each allotment to be created, that is capable of being used for residential or rural residential development, has at least one suitable building site having regard to:</i></p> <ul style="list-style-type: none"> <li>▪ <i>flooding,</i></li> <li>▪ <i>effluent disposal,</i></li> <li>▪ <i>bush fire hazard,</i></li> </ul>	<p>relevant discussion in this regard is featured throughout this SEE. The proposed subdivision takes into account the natural features of the existing subject land and surrounding land, having regard to these relevant environmental considerations.</p> <p>The proposal will have minimal and no unreasonable impact in terms of the natural environment. All significant vegetation and landscape features on site are to be retained. The proposed subdivision will allow for two regular sized lots similar in size to surrounding lots, including those which have been recently created by subdivisions. This current proposal relates to a strata subdivision of an existing dual occupancy to create lots for future residential development associated with the two dwellings. Each dwelling has</p>	<ul style="list-style-type: none"> <li>▪ <i>safe, practical, access between the building site and a formed public road, and</i></li> <li>▪ <i>readily capable of being connected to infrastructure and services.</i></li> </ul> <p><b>G.2.2 – (4) Energy Efficiency – Lot Orientation</b> <b>(a)</b> <i>Subdivisions should be designed to maximise solar access.</i></p> <p><b>G.2.2 – (5) Density (Minimum Lot Size) and dimensions</b> <i>Subdivisions are not to produce lots which have areas less than that set out in the Lot Size Map in the Richmond Valley LEP 2012.</i></p> <p><b>(a) Residential Subdivisions</b></p> <p><b>ii. Minimum Frontage</b></p> <ul style="list-style-type: none"> <li>▪ <i>Allotments should have a minimum frontage to a public road of 15 metres, to be measured at the front boundary building line.</i></li> </ul> <p><b>iii. Strata/Community Title</b></p> <ul style="list-style-type: none"> <li>▪ <i>Inspection of existing buildings will be required to ensure compliance with all relevant building and fire regulations standards.</i></li> </ul>	<p>appropriate vehicular access and access to infrastructure and services. Flooding, effluent disposal and bushfire are not relevant considerations to this proposed development.</p> <p>The proposed strata subdivision is reflective of the previously approved dwellings on site which were designed appropriately to maximise solar access.</p> <p>It is noted that lots relating to strata subdivision are exempt from having to meet minimum lot sizes of the Richmond Valley LEP 2012 in accordance with Clause 4.1 Minimum Subdivision Lot Size of the Richmond Valley LEP 2012 as demonstrated on Page 5 of this SEE. Both proposed lots allow for minimum frontages to public roads in excess of 19m to comply with Council’s minimum frontage requirement of 15m. Such inspections of the existing buildings are acknowledged and undertaken.</p>
--	---	---	--

<ul style="list-style-type: none"> <li>▪ Certification of all building work, including final occupation certificates, will be required prior to release of the strata/subdivision certificate.</li> </ul> <p><b>iv. Dual Occupancy</b></p> <ul style="list-style-type: none"> <li>▪ Both dwellings within the development must be complete prior to release of the subdivision certificate. As such no vacant allotments can be created.</li> <li>▪ Each allotment must comply with BCA requirements for fire separations.</li> <li>▪ See also the subdivision requirements in Part A Residential Development.</li> </ul>	<p>A Final Occupation Certificate for the attached dual occupancy that this proposed strata subdivision relates to has been issued from Richmond Valley Council.</p> <p>These requirements for dual occupancy stated opposite left are acknowledged and fulfilled.</p>
<p><b>G.2.2 – (6) Services</b></p> <p><b>(a) Urban Areas</b></p> <p><i>i. Subdivisions in urban areas are generally required to provide infrastructure to all lots including:</i></p> <ul style="list-style-type: none"> <li>▪ road;</li> <li>▪ footpath;</li> <li>▪ kerb and gutter;</li> <li>▪ drainage (including interallotment drainage);</li> <li>▪ reticulated sewer and water;</li> <li>▪ telecommunications;</li> <li>▪ street lighting; and</li> <li>▪ electricity.</li> </ul>	<p>The proposed lots and their respective dwellings have appropriate and adequate provisions relating to such infrastructure and essential services stated opposite left.</p> <p>The current proposal is only for a strata subdivision of a previously approved attached dual occupancy in which such relevant provisions stated opposite left were accounted for.</p>

<p><b>G.2.2 – (7) Stormwater Drainage</b></p> <p><b>(a)</b> Stormwater drainage shall be designed and provided in accordance with Council’s specifications.</p> <p><b>(b)</b> The design details will need to be certified by Council before the drainage is provided and will need to be completed to Council’s satisfaction prior to the issue of the Subdivision Certificate.</p> <p><b>(c)</b> Stormwater is to be gravity drained to Council’s drainage system.</p> <p><b>(d)</b> Drainage from sites should reflect the pre-existing or natural situation in terms of location, quantity, quality and velocity.</p>	<p>The proposed strata subdivision supports the previously approved and constructed attached dual occupancy which has satisfactory provisions relating to stormwater drainage and management.</p> <p>Stormwater drainage design details being certified by Council are acknowledged, and the stormwater design will be completed to Council’s satisfaction where required.</p>
<p><b>G.2.2 – (8) Utility Services</b></p> <p><b>(a)</b> Utility services must be extended to all lots within a subdivision in accordance with Council’s requirements.</p>	<p>Utility services for the proposed lots and their respective dwellings are appropriately provided for in accordance with Council’s requirements.</p> <p>Further reference is directed to the consideration of Clause 6.2 Essential Services of the Richmond Valley LEP 2012 on Page 7 of this SEE.</p>
<p><b>G.2.2 – (9) Erosion and Sediment Control</b></p> <p><b>(a)</b> Subdivisions should be designed to minimise the disturbance of lands with topographical constraints.</p> <p><b>(b)</b> Conditions on the development consent will indicate whether erosion</p>	<p>The proposed subdivision and any associated works will be designed with appropriate erosion and sediment control measures as required where</p>

<p><i>and sediment controls will be necessary, and if so, these controls will need to be in place before site works commence. The controls will need to be provided in accordance with Landcom (2004) Blue Book – Managing Urban Stormwater: Soils and Construction.</i></p>	<p>relevant by Council’s conditions on the development consent.</p>
<p><b>G.2.2 – (11) Developer Contributions</b>  <b>(a)</b> <i>In many cases the payment of contributions are required to cover the cost of services and facilities which are provided by Council. These contributions are often levied with subdivision, prior to the issue of the Subdivision Certificate. Contributions levied on developments may include:</i></p> <ul style="list-style-type: none"> <li>▪ <i>section 64 contributions under the Local Government Act 1993 for such services as water, sewer and drainage, and/or</i></li> <li>▪ <i>section 7.12 contributions under the Environmental Planning and Assessment Act 1979 which consists of a levee up to 1% of the cost of the development.</i></li> </ul> <p><b>(b)</b> <i>Conditions on the development consent will indicate whether these contributions are required.</i></p>	<p>Developer Contributions will be settled where and when required by Council’s conditions on the development consent.</p>
<p><b>G.2.2 – (12) Adoption of Northern Rivers Local Government Development Design and Construction Manuals</b>  <b>(a)</b> <i>The Northern Rivers Local Government Development Design and</i></p>	<p>Civil Engineering works associated with the development approval will be designed and implemented to comply with the</p>

<p><i>Construction Manuals are utilised for the design and construction of civil engineering works associated with development approvals. The Manual is contained within 3 volumes being:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Development &amp; Design Manual,</i></li> <li>▪ <i>Construction Manual, and</i></li> <li>▪ <i>Standard Drawings.</i></li> </ul> <p><b>(b)</b> <i>For the purposes of engineering and subdivision works reference should be made to the standards contained within the manuals.</i></p>	<p>Northern Rivers Local Government Development Design and Construction Manuals where required. No new vehicular crossings or driveways are associated with the current proposal for strata subdivision. These matters were previously addressed with the original approval and construction of the dual occupancy development.</p>
--	---

The following State Environmental Planning Policies (SEPP's) are considered in relation to the subject development site and proposal.

## State Environmental Planning Policies (SEPP's)

### State Environmental Planning Policy (Biodiversity and Conservation) 2021

#### *Chapter 4 Koala Habitat Protection 2021*

The Richmond Valley Council area is identified as a local government area to which Chapter 4 Koala Habitat Protection 2021 of this SEPP generally applies.

#### **Comment:**

However, the subject development site only has an area of approximately 696 square metres which is well below the 1 hectare (or 10,000 square metre) threshold for the development assessment process in which further considerations of this policy would take place.

It is further noted that the proposed development does not propose the removal of any significant vegetation from the site. Accordingly, no further provisions of the policy apply to the proposal.

### State Environmental Planning Policy (Resilience and Hazards) 2021

#### *Chapter 4 Remediation of Land*

Chapter 4 of this SEPP relates to Remediation of Land and requires contamination and remediation to be considered in determining development applications.

Consideration must be given to whether the land is contaminated.

#### **Comment:**

The subject development site has previously been approved for an attached dual occupancy development which has also been constructed out on site. There have been no potentially contaminating activities conducted out on the subject site in which there is awareness of, and the proposal will not create any adverse impacts in relation to land contamination.

## 5 Environmental Planning Assessment

### Section 4.15 Evaluation (previously Section 79C)

The following statutory considerations are made in relation to Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

*Section 4.15 (1) (a) the provisions of any environmental planning instrument, proposed/draft environmental planning instrument, development control plan, planning agreement or draft planning agreement and the regulations.*

This Statement of Environmental Effects has addressed any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and regulations as displayed in Section 4 of this report above. There are no relevant proposed/draft environmental planning instruments, planning agreements, draft planning agreements or matters prescribed under the regulations which are of relevance to this application.

*Section 4.15 (1) (b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.*

#### Context and Lot Design/Layout:

The proposed strata subdivision and resulting lot layouts are reflective of the previously approved and constructed attached dual occupancy development on site to support this future residential use of the site.

The proposed development is complimentary to the two (2) dwellings which form the attached dual occupancy development and the constraints of the land as well as with regard to surrounding development.

#### Access, Traffic, Parking and Transport:

Each dwelling and its respective lot have appropriate vehicular access from public roads, with Currajong Street servicing proposed Lot 2 / Unit 1 of the development and Memorial Airport Drive servicing Lot 1 / Unit 2 of the development. This existing access is being maintained with the current proposal, and no new vehicular access into the site is proposed.

There is to be negligible increase in traffic to the local road network as a result of the proposal.

Parking provision for each respective lot / dwelling already exists, and there are no additional requirements for parking due to the proposal.

#### Fauna and Flora:

There will be minimal impact on the existing natural environment, including vegetation and fauna communities, with consideration to the disturbed nature of the site and previous construction of an attached dual occupancy. The proposed development will not adversely affect the biodiversity of the site and locality. The current proposal does not propose the removal of any significant vegetation, and the proposal does not have any adverse effect on Koala Habitat.

#### Soil and Water:

The proposed development will not result in any adverse impacts in terms of soil and water quality. The proposal will maintain existing drainage systems and will not impact upon groundwater supplies.

**Noise, Air and Microclimate:**

The proposed development is of a nature which will not create any additional adverse impacts on the area in terms of noise.

The proposed development is of a nature which will not create or allow for any adverse impacts in terms of the air or microclimate of the area.

**Waste:**

The proposed development is of a nature which will not create any additional adverse impacts in terms of waste generation.

**Services and Utilities:**

Adequate provision of services and utilities for the subject lots / dwellings have been accounted for with the previously approved development relating to the existing dwellings and will be maintained in conjunction with the proposed development. No additional services or easements are required with relation to the current proposal.

**Privacy, Views and Overshadowing:**

The proposed development relates to a strata subdivision only and will not involve the construction or provision of any further physical buildings / structures which would mainly result in consideration of impacts, such as privacy, view obstruction and overshadowing.

The proposed development will not result in any overshadowing impact within the subject lots or adjoining lots and will not impede on the existing privacy or views of the subject lots or surrounding lots.

The proposed strata subdivision itself will not affect the visual, acoustic, or recreational amenity of any surrounding properties.

**Social Impacts/Public Domain:**

The proposal will result in a development of the site which is supportive of the previously approved development and which is not out of character with surrounding development within the locality.

The proposed development poses no likely significant impact on people within the locality with respect to their quality of life and social well-being.

The proposed development will not result in any negative or concerning impacts on the public domain.

**Economic Impacts:**

The proposal will not generate any adverse economic impacts.

The proposal represents an efficient and orderly use and development of the site which maintains and utilises existing available infrastructure and services.

*Section 4.15 (1) (c) the suitability of the site for development*

The subject development site is suitable for the proposed Strata Subdivision as there are no significant environmental, social, or economic impacts which result from the proposed development, as outlined within this report above.

The Richmond Valley Local Environmental Plan 2012 does not identify the site as being at risk of any adverse natural hazards, such as bushfire, land instability or flooding. However, the site is considered to be heritage affected land according to the Richmond Valley Local Environmental Plan 2012, identified as a general heritage item and known on the State Heritage Register Curtilage as Evans Head Memorial Aerodrome. This matter has been previously addressed on Page 5 within Part 4 of this SEE above in which it is concluded that the effect of the proposed strata subdivision on the heritage significance of this heritage item is negligible.

The subject development site is located within an established residential area in which other subdivisions have previously taken place to support different residential accommodation developments. The site has previously been approved for, and is currently used for, residential purposes, and this purpose is also the intended future use of the site.

*Section 4.15 (1) (d) any submissions made in accordance with this act or the regulations.*

Council will notify the development application in accordance with its adopted policy and any submissions received as a result will be addressed in due course.

*Section 4.15 (1) (e) the public interest.*

The proposal is not contrary to the public interest as there are no appreciable or concerning adverse social, economic, or environmental impacts resulting from the proposed strata subdivision development of this previously approved and constructed attached dual occupancy.

## 6 Conclusion

---

The proposed development for a strata subdivision of a previously approved and constructed attached dual occupancy at 42 Currajong Street, Evans Head (Lot 1 in DP 1248978) is an appropriate development in terms of the site and its surrounds, as well as compliance with relevant planning legislation.

The proposal complies with the objectives and standards of all relevant planning and environmental legislation.

The proposal also complies with the objectives and intent of Council's Development Control Plans.

The current proposal for strata subdivision will not affect the visual, acoustic, or recreational amenity of any surrounding properties.

The proposed development will not adversely affect the biodiversity of the site and locality.

There are no significant or unreasonable social, economic, or environmental impacts resulting from the proposed development.

Accordingly, Council's consent for the proposal is requested.

## Supporting Documents

---

### ● Strata Subdivision Plan Set

#### **RCS Group Australia**

Per:



#### **Luke Vandermeer**

*Town Planner*

*B.UrbRegPlan (UNE)*

*10/05/2022*