

STATEMENT OF ENVIRONMENTAL EFFECTS

**Lot 1 DP 754819
Elcombe Road
BINGARA NSW 2404**

**Construction of Single-Storey
Dwelling House, Detached Garage
Detached Shed and Installation of
Rainwater Tanks**

**APRIL 2024
REF: SMITH**

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Construction of Single-Storey Dwelling House, Detached Garage, Detached Shed
and Installation of Rainwater Tanks
Lot 1 DP 754819 Elcombe Road, BINGARA NSW 2404



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Statement of Environmental Effects			
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1	18/12/2023	Draft	James Sheridan (checked by Riarna Sheridan)
2	08/02/2024	Final Draft	James Sheridan
3	05/04/2024	Final	Riarna Sheridan
PROJECT		Construction of Single-Storey Dwelling House, Detached Garage, Detached Shed and Installation of Rainwater Tanks	
CLIENT		T. Smith	
OUR REFERENCE		SMITH	

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1. INTRODUCTION

This Statement of Environmental Effects (SoEE) has been prepared on behalf of Mr Terry Smith by RuralPlan Consultants to accompany a Development Application (DA) to Gwydir Shire Council.

The proposal seeks consent for the following development upon the land known as Lot 1 DP 754819 Elcombe Road, BINGARA NSW 2404:

- Construction of a single-storey fibre-cement weatherboard clad dwelling house. The dwelling is proposed with 3 bedrooms, including master bedroom with walk-in-robe and ensuite, open plan kitchen, dining and living rooms, associated amenities including bathroom, laundry and separate WC, attached deck wrapping around a portion of the front and side of the dwelling and an attached pergola, located at the rear of the dwelling.
- Construction of an 8m x 8m detached fibre-cement weatherboard clad garage. The garage is proposed to be located adjacent to the western elevation of the dwelling and will provide two (2) covered carparking spaces.
- Construction of a 16m x 10m detached metal shed. The shed is proposed to be located over 10m behind the dwelling (when viewed from Elcombe Road) and will be used to store items associated with the dwelling.
- Installation of two (2) 25,000L rainwater tanks. The tanks are proposed behind the detached shed and will capture all roof water from the dwelling, garage and shed.

Exempt Development

- As detailed within the accompanying BASIX Certificate, a minimum 6Kw solar voltaic system is proposed to be installed as part of the development (to provide electricity to the dwelling in addition to mains power connection). The system (which will be installed upon roof of either the dwelling or garage), qualifies to be installed as Exempt Development in accordance with SEPP (Transport and Infrastructure) 2021.

Please refer to the architectural plans submitted with the application and the remainder of this report for further information.

1.1. Design Compliance

The proposed development has been designed to be compatible with development in the immediate and surrounding rural village locality with considerations made to ensure the

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provisions of the Gwydir Local Environmental Plan 2013 (GLEP 2013) and the Gwydir Building and Subdivision Matters Policy (Policy H.01.02) are met.

1.2. Design Compliance

The proposed use is permissible with consent in the 'RU5 – Village' zone and is generally compliant with the objectives of the planning controls and design requirements.

The DA and statement have been prepared on behalf of the owners and addresses the matters referred to in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the matters required to be considered by the consent authority.

1.3. Purpose of this Report

The purpose of this SoEE is to:

- *Describe the existing environment to which the DA relates and the character of the surrounding area;*
- *Describe the proposed development;*
- *Outline the statutory planning framework within which the DA is assessed and determined; and*
- *Assess the proposed development in considering the relevant heads of consideration (Section 4.15(1) of the EP&A Act).*

1.4. Applicant, Owner and Site Details

DEVELOPMENT APPLICATION DETAILS	
Applicant	<p>RuralPlan Consultants PO Box 5 GLEN INNES NSW 2370</p> <p>Contact: James / Riarna Sheridan Phone: 0460 440 252 Email: admin@ruralcert.com.au</p>
Landowner(s)	Terry & Christine Smith
Property Address	<p>Lot 3 Section 19 DP 758111 18 Gwydir Terrace BINGARA NSW 2404</p>
Local Government Area	Gwydir Shire Council
Zone	RU5 - Village
Existing Structures and Features	<ul style="list-style-type: none"> ➤ Steel post and wire fencing ➤ Grasscover, shrubs and tress
Calculations	<p>Lot Area: 28,400m² or 2.84ha</p> <ul style="list-style-type: none"> ➤ Proposed dwelling (including attached pergola and deck): 268.118m² ➤ Detached Garage: 66.259m² ➤ Detached Shed: 160m² <p>TOTAL: 494.377m² or 1.74% Site Coverage</p>
Overall Height	<ul style="list-style-type: none"> ➤ Proposed dwelling: Approx. 6.2m max height from existing ground level including earthworks.

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DEVELOPMENT APPLICATION DETAILS	
	<ul style="list-style-type: none">➤ Detached Garage: Approx. 5m max height from existing ground level including earthworks.➤ Detached shed: Approx. 5m max height from existing ground level including earthworks.
Easements & Covenants	Easements: Nil. Covenants: Nil.
Installations	On-site sewerage management system (OSSM) – Absorption trench system proposed. <i>Application under S68 of the Local Government Act for approval to install and operate the OSSM will be lodged following approval of this application.</i>

2. SITE DETAILS

2.1. Location and Context

The subject site (the site) known as Lot 1 DP 754819, Elcombe Road, BINGARA NSW 2404, is located approximately 1.8 km north-west of the town center of the village of Bingara.

The site presents as a vacant rural village zoned parcel of land with no existing structures present with the exception of steel post and wire boundary fencing surrounding the allotment.

Land use within the locality is comprised of RU5 Village development to north and east and R5 Large Lot Residential allotments in all other directions. The site adjoins an unformed portion of Bandalong Street which extends along the subject site's eastern boundary and comprises grass cover and sparse trees.

Photographic aerial view and topographic aerial view mapping of both the site is provided on the following pages.

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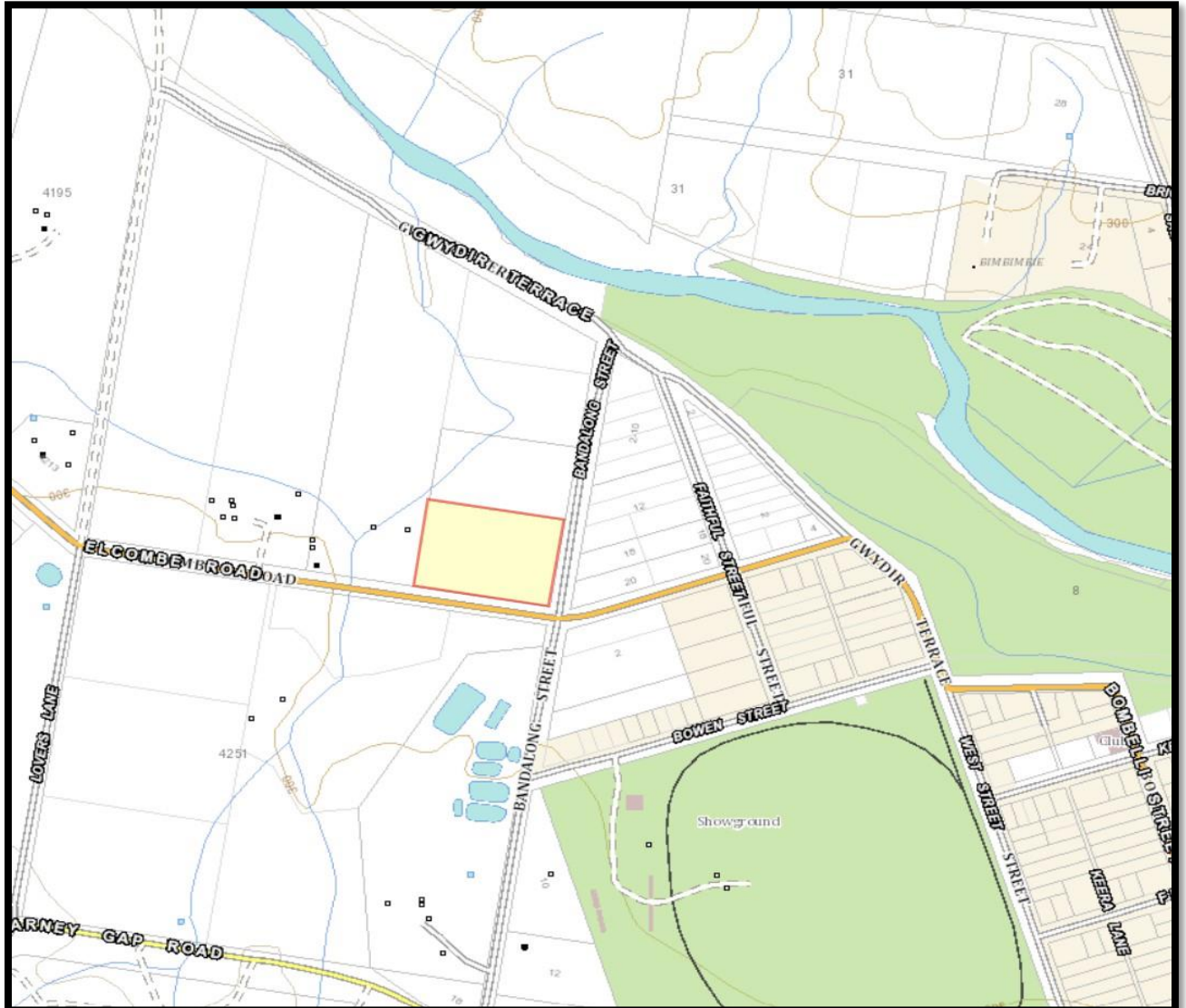
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Figure 1: Aerial View, showing subject site outlined in red. NOTE – Boundary dimensions are approximate only. Please refer to Architectural Plans for accurate dimensions (Source: Google Earth)

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**Figure 2: Topographic Map View, showing subject lot outlined in red with yellow shading
(Source: LPI SIX Maps Viewer)**

2.2. Site Opportunity and Constraints

The key opportunities and constraints of the site include:

- Opportunity to develop the allotment, consistent with the intentions of the GLEP 2013.
- No trees proposed to be removed, development therefore not significantly altering the landscape setting or ecological values of the site and context.
- The site is not identified as:
 - A heritage item, within a Heritage Conservation Area or close to any heritage items.
- The site is identified as:
 - Flood prone. ***As shown on the accompanying architectural plans, the dwelling has been sited / located so its habitable floor level is over 500mm above the 1:100 year flood level). Please refer to Section 5 (LEP Considerations) and Section 6 (Gwydir Building and Subdivision Matters Policy H.01.02 for full assessment details.***
 - Being accessed from a Classified Road (Elcombe Road). ***While a new driveway cross over is proposed from Elcombe road, the development is not defined as 'Traffic Generating Development' in accordance with SEPP (Transport & Infrastructure) 2021, referral to TfNSW is not required.***

As a new crossover is proposed to be constructed within the road reserve, application under Section 138 of the Roads Act for approval to construct said crossover, will be lodged in conjunction with this application.

2.3. Site Conditions

Site Configuration

The site is regular in shape with a 210m primary frontage to Elcombe Road and a 147m secondary frontage to an unformed portion of Bandalong Street as shown on the accompanying site plan. The site is oriented on a north – south axis. Total site area is 28,400m² or 2.84ha.

Topography

Site slope is largely undulating / flat, with a very minor slope observed falling from the west to the eastern side boundaries.

Soils and Geology

The site has been preliminarily classified as containing Class M – Class H – Moderate – Highly reactive soils. Footings designed by a practicing structural engineer in accordance with the final soil classification will be submitted with the Construction Certificate Application accordingly.

Aboriginal Archaeology and European Heritage

In regard to Aboriginal Archaeology, an Aboriginal Heritage Information Management System (AHIMS) search undertaken in December 2023 (**Appendix A**), revealed no items of Aboriginal heritage to be located upon the site or within 1km of the subject site.

In regard to European heritage, a desktop search Gwydir Shire Council's LEP Heritage Register and the NSW Heritage Inventory, also undertaken in December 2023, revealed that the site is not classified as a Heritage Item, nor is located within a Heritage Conservation Area.

Bushfire

The site is not identified as bushfire prone land according to Gwydir Shire Council's Bushfire Mapping.

Flooding

The site is identified as flood prone land. ***As shown on the accompanying architectural plans, the dwelling has been sited / located so its habitable floor level is over 500mm above the 1:100 year flood level) in accordance with Council's Planning Controls. Please refer to Section 5 (LEP Considerations) and Section 6 (Gwydir Building Policy Considerations) for full assessment details.***

Surrounding Development

Existing large lot residential and rural zoned village allotments and / or dwellings adjoin the

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site to the north, south and west, with an unformed portion of Bandalong Street bordering the site to the east. Existing development within the surrounding locality is typically rural / residential housing, generally consistent in scale and appearance and presenting as a mix of heights and traditional style designs with hip and / or hip and gable roof profiles. Materiality is predominantly brick veneer or timber / weatherboard clad with tiled or sheet metal roofing.

3. PROPOSED DEVELOPMENT

3.1. Summary

Consent is sought from Gwydir Shire Council for the following development upon the land known as Lot 1 DP 754819 Elcombe Road, BINGARA NSW 2404:

- Construction of a single-storey fibre-cement weatherboard clad dwelling house. The dwelling is proposed with 3 bedrooms, including master bedroom with walk-in-robe and ensuite, open plan kitchen, dining and living rooms, associated amenities including bathroom, laundry and separate WC, attached deck wrapping around a portion of the front and side of the dwelling and an attached pergola, located at the rear of the dwelling.
- Construction of an 8m x 8m detached fibre-cement weatherboard clad garage. The garage is proposed to be located adjacent to the western elevation of the dwelling and will provide two (2) covered carparking spaces.
- Construction of a 16m x 10m detached metal shed. The shed is proposed to be located over 10m behind the dwelling (when viewed from Elcombe Road) and will be used to store items associated with the dwelling.
- Installation of two (2) 25,000L rainwater tanks. The tanks are proposed behind the detached shed and will capture all roof water from the dwelling, garage and shed.

Exempt Development

- As detailed within the accompanying BASIX Certificate, a minimum 6Kw solar voltaic system is proposed to be installed as part of the development (to provide electricity to the dwelling in addition to mains power connection). The system (which will be installed upon roof of either the dwelling or garage), qualifies to be installed as Exempt Development in accordance with SEPP (Transport and Infrastructure) 2021.

Please refer to the architectural plans submitted with the application for further information.

3.2. Setbacks

The proposal includes the following setbacks, of which are compatible with existing development in the surrounding vicinity:

- Dwelling to north (rear) boundary of Lot 1: 93.67m
- Dwelling to east (side) boundary of Lot 1: 133.64m
- Dwelling to south (front) boundary of Lot 1: 30m

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- Dwelling to west (side) boundary: 68m
- Dwelling to detached garage: 4m
- Dwelling to detached shed: 10m

- Detached garage to north (rear) boundary of Lot 1: >89m
- Detached garage to east (side) boundary of Lot 1: >130m
- Detached garage to south (front) boundary of Lot 1: >35m
- Detached garage to west (side) boundary: >50m

- Detached shed to north (rear) boundary of Lot 1: >70m
- Detached shed to east (side) boundary of Lot 1: >130m
- Detached shed to south (front) boundary of Lot 1: >50m
- Detached shed to west (side) boundary: >40m

3.3. Earthworks

In regard to the dwelling, earthworks are considered minor and include minimal excavation (<200mm) and filling of approximately max 700mm in order to construct the building pad for the slab to meet Gwydir Council's prescribed minimum habitable floor level / flood requirements.

In regard to the detached shed and garage, earthworks are also considered minor, requiring less than 500mm excavation and filling to establish the building pads for both.

Given the generous setbacks proposed for all buildings, all excavation and filling is proposed to be and capable of being battered back to natural levels where required.

3.4. Erosion and Sedimentation Control

Prior to the commencement of works, erosion and sedimentation control measures will be installed upon the site in accordance with Council regulations, fact sheets and the NSW 'Blue Book' as necessary. Erosion and sedimentation control measures will remain in place throughout the course of works and until the site is suitable to remove them as required.

3.5. Development Design

In developing the design, the owners carefully considered the existing rural village and large lot residential land and associated development that surrounds the site and propose the same, in order to provide continuity to the locality.

Design considerations have also been made in terms of setbacks, building separation, privacy and overshadowing, along with these elements internally to the site.

The building responds to existing development within the area, with materials proposed to be low-maintenance and durable.

The level of solar access and ventilation resulting from the development is considered acceptable, with living areas designed to maximise northern aspects.

In summary, the proposal is considered a suitable response to local planning objectives.

3.6. Access and Parking

Road Access and Public Transport Network

Access to the portion of Elcombe Road the land is located upon is predominantly available from Bandalong Street and Herbert Street. The site is proposed to be accessed from Elcombe Road via a new piped culvert concrete and gravel driveway crossover as shown on the accompanying site plan. ***As a new driveway crossover is proposed, an application under Section 138 of the Roads Act has been lodged in conjunction with this application.***

3.7. Stormwater and Drainage

As detailed on the accompanying plans, stormwater from all buildings will be directed to 2 x 25,000L rainwater tanks and reticulated through-out the dwelling in accordance with the accompanying BASIX Certificate.

Overflow from the tanks and surface drainage will be directed away from the buildings and neighbouring properties and managed on site in accordance with Council regulations, the National Plumbing Code and associated Australian Standards. ***As stormwater is not proposed to flow into Council's drainage system and instead be managed on site, application under Section 68 of the Local Government Act for stormwater connection works is not required to be lodged in conjunction with this application.***

3.8. Servicing

The subject site has access to mains electricity, reticulated (town) and private (tanks) water supply, on-site sewerage management, and NBN telecommunications. Service connection and capacity augmentation will be determined through application to the relevant service provider (*Council, Essential Energy etc*).

In regard to Council applications, application for approval to carry out water connection works and approval to install the on-site sewerage management system under Section 68 of the Local Government Act has been lodged in conjunction with this application.

4. STATUTORY REQUIREMENTS

This section deals with the proposal's consistency with the various statutory and non-statutory provisions.

4.1. Commonwealth Legislation

4.1.1. Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environmental Protection and Biodiversity Conservation Act (EPBC) 1999, in conjunction with the Commonwealth Environmental Protection and Biodiversity Conservation Regulations 2000, provide the basis for national environmental protection and conservation.

The EPBC Act specifically aims to:

- *Provide for the protection of the environment, especially matters of national environmental significance.*
- *Conserve Australian biodiversity.*
- *Provide a streamlined national environmental assessment and approvals process.*
- *Enhance the protection and management of important natural and cultural places.*
- *Control the international movement of plants and animals (wildlife), wildlife specimens and products made or derived from wildlife.*
- *Promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources.*
- *Recognise the role of Indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity.*
- *Promote the use of Indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.*

The EPBC requires Commonwealth approval for development which significantly impacts upon matters relating to National environmental significance. The nine matters of national environmental significance protected under the EPBC Act include:

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- *World heritage properties.*
- *National heritage places.*
- *Wetlands of international importance.*
- *Listed threatened species and ecological communities.*
- Migratory species.
- Commonwealth marine areas.
- The Great Barrier Reef Marine Parks.
- Nuclear actions (including uranium mines).
- Water resources, in relation to coal seam gas development and large coal mining development.

EPBC ACT ASSESSMENT

The subject site is not situated on or near an area of environmental significance, nor does it contain any of the aforementioned national environmental significance items. As such, further assessment is not deemed required.

4.2. State Legislation

4.2.1. Environmental Planning and Assessment Act 1979

Development in New South Wales is carried out in accordance with the planning provisions stipulated within the EP&A Act. Section 4.15 (1) – ‘Evaluation’ provides a framework of conditions which a development application must satisfy to be successful.

The proposed development has been evaluated with regard to the matters for consideration of Section 4.15(1) of the EP&A Act with the results outlined in **Section 7 of this report – EP&A Act Section 4.15(1) Evaluation.**

4.2.2. Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) replaced the Threatened Species Conservation Act 1995 (TSC Act) in 2017. The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. In summary the BC Act provides:

- A new framework for managing native vegetation clearing
- An enhanced and strategic approach to private land conservation and threatened species conservation
- An expanded biodiversity offsetting scheme

The table below and continuing overleaf assesses the proposed development against the Biodiversity Conservation Act criteria.

Biodiversity Conservation Act Assessment

BIODIVERSITY CONSERVATION ACT TRIGGER QUESTIONS	ANSWER AND COMMENTARY
<p>Is the proposed development categorised as Development (i.e., Part 1, Cl1.5 Meaning of Development under the NSW Environmental Planning and Assessment Act 1979)?</p> <p>IF ‘YES’ THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</p>	<p>YES.</p> <p>The Act and BAM Assessment will apply subject to if the development answers ‘YES’ to any of the below questions.</p>

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BIODIVERSITY CONSERVATION ACT TRIGGER QUESTIONS	ANSWER AND COMMENTARY										
<p>Has Sensitive Biodiversity Values been mapped within your project area (as mapped by the State Government)?</p> <p>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</p>	<p>NO</p>										
<p>Has your project been identified within a strategic plan and likely to fall within an area subject to Strategic Biodiversity Certification?</p> <p>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</p>	<p>NO</p> <p>A search of Gwydir Shire Council's strategic planning documents revealed the project is not identified within an area subject to strategic biodiversity certification.</p>										
<p>Does the development propose clearing of native vegetation (not including 'Category 1' under the Local Land Services Act 2013) in excess of the *area clearing thresholds?</p> <p><i>* Area Clearing Threshold</i> Determined by minimum lot size (MLS) applicable to the relevant land as shown in the Lot Size Maps under the relevant Local Environmental Plan (LEP) OR Determined by actual lot size where there is no MLS provided for the relevant land under the LEP</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #D3D3D3;">Minimum lot size associated with the property</th> <th style="background-color: #D3D3D3;">Threshold for clearing, above which the BAM and offsets scheme apply</th> </tr> </thead> <tbody> <tr> <td>Less than 1 ha</td> <td>0.25 ha or more</td> </tr> <tr> <td>1 ha to less than 40 ha</td> <td>0.5 ha or more</td> </tr> <tr> <td>40 ha to less than 1000 ha</td> <td>1 ha or more</td> </tr> <tr> <td>1000 ha or more</td> <td>2 ha or more</td> </tr> </tbody> </table> <p>Source: Environment.nsw.gov.au website</p> <p>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</p>	Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply	Less than 1 ha	0.25 ha or more	1 ha to less than 40 ha	0.5 ha or more	40 ha to less than 1000 ha	1 ha or more	1000 ha or more	2 ha or more	<p>Subject Site Minimum Lot Size (GLEP 2013): 550m²</p> <p>NO</p> <p>The minimum lot size assigned in the RU5 - Village zone in accordance with GLEP 2013 minimum lot size mapping, is 550m².</p> <p>The development does not propose to clear any land apart from topsoil and / or earth for the purposes establishing the building foundations for the new dwelling, detached garage and shed of which, equates to less than the prescribed 0.5ha threshold (as detailed in the adjacent column / table).</p>
Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply										
Less than 1 ha	0.25 ha or more										
1 ha to less than 40 ha	0.5 ha or more										
40 ha to less than 1000 ha	1 ha or more										
1000 ha or more	2 ha or more										

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BIODIVERSITY CONSERVATION ACT TRIGGER QUESTIONS	ANSWER AND COMMENTARY
<p>Will the proposed development impact on threatened species, populations or communities that are likely to be 'significant' as determined through the <i>Biodiversity Conservation Act 'five-part test'</i>?</p> <p>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</p>	<p>NO.</p> <p>The proposed development site is not known to contain threatened species, populations or communities that are likely to be 'significant' under the <i>Biodiversity Conservation Act 'five-part test'</i>.</p>

CONCLUSION

As per the above assessment the Biodiversity Conservation Act 2016 **does not apply**. The proposed development is not known to have an adverse impact on any threatened or migratory flora and fauna species, endangered populations, threatened ecological communities, or their habitats.

4.3. Environmental Planning Instruments (EPIs)

Development in NSW is carried out under the EP&A Act. Environmental planning instruments, including State Environmental Planning Policies (SEPP) and Local Environmental Plans (LEP), are legal documents enacted under Part 3 of the EP&A Act that regulate land use and development. Environmental planning instruments determine the permissibility of the proposed development and the environmental assessment pathway for the proposed development. The environmental planning instruments relevant to the proposed development are discussed below.

4.3.1. State Environmental Planning Policies (SEPP)

A review was conducted of State Environmental Planning Policies (SEPP) which may apply to the development: -

- State Environmental Planning Policy (Sustainable Buildings 2022 – Chapter 2 BASIX Standards for Residential Developments.
- State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 – Remediation of Land

Consideration of the proposed development against the above SEPPs is provided on the following pages.

4.3.2. State Environmental Planning Policy (Sustainable Buildings 2022 (SB SEPP))

The State Environmental Planning Policy (Sustainable Buildings) 2022 (SB SEPP) commenced on 1 October 2023. The SEPP is a consolidation of SEPP (Building Sustainability Index: BASIX) 2004, which has now been repealed.

The SB SEPP applies to all of NSW. BASIX provisions continue to apply to all new residential developments and home renovations over \$50,000. BASIX is an online program that is accessible to anyone. The designer enters data relating to the house or unit design such as location, size, building materials etc., into the BASIX tool. BASIX analyses this data and determines how it scores against the Energy and Water targets. The BASIX tool recognises regional variation to standards resulting from local climatic conditions.

The non-residential provisions have different applications depending on the building type. All new non-residential development with a capital investment value over \$5 million and any renovation with a capital investment value over \$10 million must consider general and embodied emissions provisions.

In addition, state significant development under Schedules 13-15 of the State Environmental Planning Policy (Planning Systems) 2022 - health, education and cultural institutions - must demonstrate that they are capable of operating without fossil fuels by 2035.

There are also energy and water standards that only apply to large commercial development, defined as follows:

- Offices with a net lettable area greater than 1,000 square metres
- Hotels and motels with more than 100 rooms
- Serviced apartments with more than 100 apartments.

Large commercial developments also need to demonstrate net zero capacity and offset any onsite fossil fuel use and any performance gap in operational energy.

There are specific exclusions, including land zoned rural, industrial, environmental conservation and waterways. The policy does not apply to non-residential development that is for the purposes of infrastructure or is considered exempt and complying development.

The aims of the SB SEPP include:

- (a) to encourage the design and delivery of sustainable buildings,
- (b) to ensure consistent assessment of the sustainability of buildings,
- (c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored,

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- (d) to monitor the embodied emissions of materials used in construction of buildings,
- (e) to minimise the consumption of energy,
- (f) to reduce greenhouse gas emissions,
- (g) to minimise the consumption of mains-supplied potable water,
- (h) to ensure good thermal performance of buildings.

Proposed Development Compliance with SEPP (Sustainable Buildings) 2022

The residential dwelling is subject to Chapter 2 of the SB SEPP (Standards for residential development – BASIX). The design of the dwelling must pass specific targets (which vary according to location and building type) before the user can print the BASIX Certificate. A BASIX assessment has been undertaken as part of the proposed development, with the completed certificate submitted with the application. Plans have also been notated with applicable BASIX Commitments as legislatively required.

4.3.2.1. State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 – Remediation of Land

The State Environmental Planning Policy (Resilience and Hazards) 2021 commenced on 1 March 2022. The SEPP is a consolidation of the following former SEPPs:

- SEPP (Coastal Management) 2018 (now known as *Chapter 2 Coastal Management*);
- SEPP 33 - Hazardous and Offensive Development (now known as *Chapter 3 Hazardous and Offensive Development*); and
- SEPP 55 – Remediation of Land (now known as *Chapter 4 Remediation of Land*).

This development is required to be considered against *Chapter 4 – Remediation of Land*.

The object of Chapter 4 is to provide for a Statewide planning approach to the remediation of contaminated land.

In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—

- (a) by specifying when consent is required, and when it is not required, for a remediation work, and
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
- (c) by requiring that a remediation work meet certain standards and notification requirements.

Clause 4.6 of Chapter 4 requires the consent authority to consider whether:

- The land is contaminated, and
- If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

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- If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Proposed Development Compliance with SEPP (Resilience and Hazards) 2021 – Chapter 4 – Remediation of Land

The subject site is located entirely within a RU5 - Village zone. A search of the New South Wales Environment Protection Authority (EPA) Contaminated Land Records revealed that no notices have been issued for the site under the Contaminated Land Management Act 1997, nor have any licences been issued under the POEO Act for the site. In addition, the property report retrieved for the site from the NSW Planning Portal revealed the subject allotment is not known to be a contaminated site.

As such, a contaminated land assessment is not deemed required.

4.4. Integrated Development

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

- *Coal Mine Subsidence Compensation Act 2017*
- *Fisheries Management Act 1994*
- *Heritage Act 1977*
- *Mining Act 1992*
- *National Parks and Wildlife Act 1974*
- *Petroleum (Onshore) Act 1991*
- *Protection of the Environment Operations Act 1997*
- *Roads Act 1993*
- *Rural Fires Act 1997*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016 No 63*

4.4.1. Fisheries Management Act 1994

No authorisation required.

4.4.2. Heritage Act 1977

No authorisation required.

4.4.3. Coal Mine Subsidence Compensation Act 2017

The site is not identified as being within a Mine Subsidence District on the maps published by NSW Subsidence Advisory and therefore does not require authorisation from the Mine Subsidence Board.

4.4.4. National Parks and Wildlife Act 1974

No authorisation required.

4.4.5. Protection of the Environment Operations Act 1997

An Environment Protection Licence (EPL) is not required for the development.

4.4.6. Roads Act 1993

The Roads Act 1993 details objectives for public and classified roads. Access to the property is from Elcombe Road, which is a Classified Road. The site is proposed to be accessed from Elcombe Road via a new piped culvert concrete and gravel driveway crossover as shown on the accompanying site plan. ***While a new piped culvert gravel driveway cross over is proposed from Elcombe road, the development is not defined as 'Traffic Generating***

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Development' in accordance with SEPP (Transport & Infrastructure) 2021 and as such, referral to TfNSW is not required.

As a new crossover is proposed to be constructed within the road reserve, an application under Section 138 of the Roads Act will be lodged in conjunction with this proposal.

4.4.7. Rural Fires Act 1997

While the subject site is classified as bushfire prone land, it does not propose a development type that requires approval from the NSW Rural Fire Service. No referral or authorisation required.

4.4.8. Water Management Act 2000

The Water Management Act 2000 aims to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations. Under the Water Management Act, Activity Approvals are required for certain development. In this instance, a controlled activity approval is not considered to be required as the proposed development is not located on waterfront land.

5. LOCAL ENVIRONMENTAL PLANS (LEP)

5.1. Gwydir Local Environmental Plan 2013 (GLEP 2013)

The site of the proposed development is located within the **RU5 Rural Village** zone as identified by the Gwydir LEP 2013.

5.1.1. Objectives of zone

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*

The proposed development is considered to be consistent with the above objectives as it seeks to establish a dwelling house and ancillary structures associated with the proposed dwelling, which is permissible with consent within the RU5 Rural Village land zone.

Overall, the development will contribute to providing a varied housing model associated with a rural village.

5.1.2. Permitted with consent

The Gwydir LEP 2013, permits the following land uses with Council's consent in the zone:

*Agricultural produce industries; Centre-based childcare facilities; Community facilities; **Dwelling houses**; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Tank-based aquaculture; **Any other development not specified in item 2 or 4***

The proposed development is defined as a **Dwelling house and development ancillary to a Dwelling house (detached garage, shed and tanks)** and is permissible with consent in this zone.

5.1.3. LEP Considerations

The following considerations have been made in accordance with the *Gwydir LEP 2013 provisions*:

GLEP 2013 PART 4: PRINCIPLE DEVELOPMENT STANDARDS	COMMENTARY
4.1 Minimum Subdivision Lot Size	Not applicable to this development.
4.1AA Minimum subdivision lot size for community title schemes	Not applicable to this development.
4.2 Rural Subdivision	Not applicable to this development.
4.2A Exceptions to minimum subdivision lot sizes for certain rural subdivisions	Not applicable to this development.
4.2B Erection of dwelling houses on land in certain rural and residential zones	Not applicable to this development.
4.2C Minimum subdivision lot size for strata plan schemes in certain residential and rural zones	Not applicable to this development.
4.2D Erection of rural workers' dwelling in Zone RU1	Not applicable to this development.
4.3 Height of Buildings	Not adopted.
4.4 Floor Space Ratio	Not adopted.
4.5 Calculation of floor space ratio and site area	Not adopted.
4.6 Exceptions to development standards	Not applicable to this development.

GLEP 2013 PART 5: MISCELLANEOUS PROVISIONS	COMMENTARY
5.1 Relevant acquisition authority	Not applicable to this development.

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GLEP 2013 PART 5: MISCELLANEOUS PROVISIONS		COMMENTARY
5.2	Classification and reclassification of public land	Not applicable to this development.
5.3	Development near zone boundaries	Not applicable to this development.
5.4	Controls relating to miscellaneous permissible uses	Not applicable to this development.
5.5	Controls relating to secondary dwellings on land in a rural zone	Not adopted.
5.6	Architectural roof features	Not adopted.
5.7	Development below mean high water mark	Not adopted.
5.8	Conversion of fire alarms	Not applicable to this development.
5.9	Dwelling house or secondary dwelling affected by natural disaster	Not adopted.
5.9AA	(Repealed)	Repealed.
5.10	Heritage conservation	Not applicable to this development.
5.11	Bush fire hazard reduction	Not applicable to this development.
5.12	Infrastructure development and use of existing buildings of the Crown	Not applicable to this development.
5.13	Eco-tourist facilities	Not applicable to this development.
5.14	Siding Spring Observatory—maintaining dark sky	Not adopted.
5.15	Defence communications facility	Not adopted.

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GLEP 2013 PART 5: MISCELLANEOUS PROVISIONS		COMMENTARY
5.16	Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	Not applicable to this development.
5.17	Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	Not applicable to this development.
5.18	Intensive livestock agriculture	Not applicable to this development.
5.19	Pond-based, tank-based and oyster aquaculture	Not applicable to this development.
5.20	Standards that cannot be used to refuse consent – playing and performing music	Not applicable to this development.
5.21	Flood planning	Applicable and Complies All land within the village of Bingara is classified as Flood prone. <i>As shown on the accompanying architectural plans, the dwelling has been sited / located so its habitable floor level is over 500mm above the 1:100 year flood level) in accordance with Council’s Planning Controls.</i>
5.22	Special flood considerations	Not adopted.
5.23	Public bushland	Not adopted.
5.24	Farm stay accommodation	Not adopted.
5.25	Farm gate premises	Not adopted.

GLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS <u>CLAUSE 6.1 - EARTHWORKS</u>		COMMENTARY
Clause 6.1	Earthworks	Applicable to this development. The following commentary is provided to demonstrate

<p style="text-align: center;">GLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS <u>CLAUSE 6.1 - EARTHWORKS</u></p>	<p style="text-align: center;">COMMENTARY</p>
	<p>compliance with Clause 6.1 Part 3 (a) – (h) as detailed below and overpage:</p>
<p><i>(a) The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development.</i></p>	<p>Given the nature of earthworks proposed, no disruption to drainage patterns and soil stability will result as detailed below:</p> <p>In regard to earthworks, earthworks are considered minor and includes filling of approximately ?mm – ?mm in order to construct the building pad for the slab to meet Gwydir Council’s prescribed minimum habitable floor level / flood requirements.</p> <p>Given the generous setbacks proposed for all buildings, the fill is proposed to be and capable of being battered back to natural levels.</p> <p>In regard to stormwater management, as detailed on the accompanying plans, stormwater from all buildings will be directed to 2 x 25,000L rainwater tanks and reticulated through-out the dwelling, in accordance with the associated BASIX Certificate.</p> <p>Overflow from the tanks and surface drainage will be directed away from the buildings and neighbouring properties and managed on site in accordance with Council regulations, the National Plumbing Code and associated Australian Standards.</p> <p><i>As stormwater is not proposed to flow into Council’s drainage system and instead be managed on site, application under Section 68 of the Local Government Act for stormwater connection works is not required to be lodged in conjunction with this application.</i></p>

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GLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS <u>CLAUSE 6.1 - EARTHWORKS</u>	COMMENTARY
<i>(b) The effect of the development on the likely future use or redevelopment of the land,</i>	The earthworks will facilitate the proposed development of the subject site and allow for the appropriate use and redevelopment of the land.
<i>(c) The quality of the fill or the soil to be excavated, or both,</i>	<p>All excavated materials that are not reused on site, will be disposed of in accordance with Council’s regulations to the local waste management facility.</p> <p>In relation to fill material, all fill obtained will be from the excavated material within the site or if obtained off-site, will be Virgin Excavated Natural Materials (VENM). Further, any / all fill will be placed in accordance with the standards specified in Table 5.1 of AS 3798-2007 “Guidelines on Earthworks for Commercial and Residential Developments”.</p>
<i>(d) The effect of the development on existing and likely amenity of adjoining properties.</i>	It is not anticipated that the amenity of neighbouring properties will be significantly impacted. The construction earthworks will be short term and will be limited to business hours during weekdays and between 8am and 1pm on Saturdays.
<i>(e) The source of any fill material and the destination of any excavated material.</i>	Refer to part (c) response above for detailed response.
<i>(f) The likelihood of disturbing relics.</i>	<p>A desktop search of the NSW Heritage Register and AHIMS concluded that the site does not contain any items of State or Aboriginal Heritage.</p> <p>Notwithstanding, should any relics be discovered during the course of works, all excavations or disturbance to the area will cease immediately and the Heritage Council of NSW will be notified in</p>

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GLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS <u>CLAUSE 6.1 - EARTHWORKS</u>	COMMENTARY
	accordance with Section 146 of the Heritage Act 1977. All necessary approvals will be obtained from the Heritage Council of NSW and copies provided to Council prior to works recommencing accordingly.
<i>(g) The proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</i>	The proposed earthworks are not located on or within close proximity to any water course, drinking catchment or environmentally water sensitive area.
<i>(h) Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i>	Erosion and sedimentation control will be installed prior to works commencing with aim to provide appropriate measures to avoid, minimise and mitigate the impacts during earthworks including waste disposal. A waste management plan has been prepared and is attached for consideration as Appendix B .

In summary, the proposed earthworks required for the construction of the development are considered to comply with Clause 6.1 of the GLEP 2013. The construction contractor will be versed in the above requirements to ensure compliance is achieved throughout the course of works.

PART 7: LOCAL PROVISIONS	COMMENTARY
6.2 Repealed	Repealed.
6.3 Sensitive Lands	Not applicable to this development.
6.4 Essential services	Applicable and Complies The proposed development has adequate arrangements in place for the supply of the

PART 7: LOCAL PROVISIONS	COMMENTARY
	<p>following:</p> <p>(a) The supply of water Reticulated water supply to be connected to the site (with rainwater tanks also connected to some fixtures in accordance with the BASIX Certificate). <i>Application under S68 of the Local Government Act will be lodged following approval of this application for approval to carry out water supply works associated with the new dwelling.</i></p> <p>(b) The supply of electricity Mains power connection available to site. The applicable energy provider will be contacted for connection to the new dwelling.</p> <p>(c) The disposal and management of sewage Absorption trench on-site sewerage management system (OSSM) proposed to capture wastewater generated by the dwelling. <i>Application under S68 of the Local Government Act will be lodged following approval of this application for approval to install and operate the proposed OSSM.</i></p> <p>(d) Stormwater drainage or on-site conservation As detailed on the accompanying plans, stormwater from all buildings will be directed to 2 x 25,000L rainwater tanks and reticulated through-out the dwelling in accordance with the associated BASIX Certificate.</p> <p>Overflow from the tanks and surface drainage will be directed away from the buildings and neighbouring properties and managed on site in accordance with Council regulations, the National Plumbing Code</p>

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PART 7: LOCAL PROVISIONS	COMMENTARY
	<p>and associated Australian Standards. <i>As stormwater is not proposed to flow into Council's drainage system and instead be managed on site, application under Section 68 of the Local Government Act for stormwater connection works is not required to be lodged in conjunction with this application.</i></p> <p>(e) Stable road access Access to the portion of Elcombe Road the land is located on is predominantly available from Bandalong Street and Herbert Street. The site is proposed to be accessed from Elcombe Road via a proposed piped culvert concrete and gravel crossover and all-weather gravel driveway as shown on the accompanying site plan. <i>As a new driveway crossover is proposed within the road reserve, an application under Section 138 of the Roads Act will be lodged following approval of this application.</i></p>
6.5 Location of sex services premises	Not applicable to this development.

5.1.4. GLEP 2013 Assessment Conclusion

It is considered that the proposed development generally complies with the requirements of the Gwydir Local Environmental Plan 2013.

6. BUILDING AND SUBDIVISION MATTERS POLICY

6.1. Gwydir Building and Subdivision Matters Policy H.01.02

As no Development Control Plan (DCP) is applicable to the subject allotment, consideration has been given to the provisions of the Gwydir Building and Subdivision Matters Policy H.01.02.

The proposed development has been assessed and found to comply with the relevant objectives or policy statements listed within the policy detailed below as follows:

GWYDIR BUILDING AND SUBDIVISION MATTERS POLICY H.01.02	
<p>OBJECTIVE</p> <p>To ensure that new dwellings are adequately constructed and serviced.</p>	<p>Noted</p>
<p>POLICY STATEMENT</p> <p>The building alignment for urban and industrial (except as noted below) areas shall be fixed at 7.5m.</p> <p>The building alignment for industrial areas fronting a Trunk Road is 18 metres.</p> <p>The building alignment for rural areas shall be in accordance with the Council's relevant planning instrument.</p>	<p>Complies</p> <p>The proposed dwelling, detached garage and shed are located over 7.5m from the Elcombe Road primary frontage as shown on the accompanying architectural plans and as described in Section 3.2 of this report.</p>
<p>POLICY STATEMENT</p> <p>Residential buildings shall be constructed so as to have the floors of all habitable rooms a minimum of 500mm above the calculated 1:100 year flood level.</p>	<p>Considered to Comply</p> <p>As shown on the accompanying architectural plans, the dwelling has been sited / located so its habitable floor level is over 500mm above the 1:100 year flood level).</p>
<p>POLICY STATEMENT</p> <p>The following conditions shall be attached to building approvals on rural/residential allotments:</p> <p>i. that rainwater storage of 45 cubic metres (45,000 litres) be provided for domestic</p>	<p>Complies</p> <p>As shown on the accompanying plans, the proposed dwelling complies with the adjacent policy statement conditions as follows:</p>

GWYDIR BUILDING AND SUBDIVISION MATTERS POLICY H.01.02

<p>purposes, where an alternative supply not available. Of this, 10 cubic metres (10,000 litres) is to be reserved for firefighting.</p> <p>ii. that sullage and septic tank effluent be disposed of by way of sub soil drainage or preparation of evaporation area</p> <p>1. All new buildings are to have ceiling heights as set down under the relevant Building Code</p> <p>2. That variations to ceiling heights be permitted in existing buildings under the following circumstances:</p> <p>a) in the case of an existing ceiling which is sloping and it is intended as an addition to the living area of a home it must be 2100mm in height for 50 percent of its area</p> <p>b) in the case where a room is for sleeping purposes it must be 2400mm in height for 50 percent of its area</p> <p>c) in a case where a ceiling has exposed beams or projections the heights shall be measured to the actual ceiling lining</p> <p>3. That all future multiple subdivisions 40 hectares or under, have backbone electricity facilities provided by the developer.</p>	<p>1. N/A. Reticulated water supply available for connection to the new principal dwelling. Notwithstanding, some fixtures within the dwelling are also proposed to be connected to private water supply (rainwater tanks) in order to satisfy associated BASIX Certificate requirements.</p> <p>2. The new dwelling is proposed with BCA minimum floor to ceiling heights for both habitable and non-habitable rooms.</p> <p>3. Subdivision not proposed as part of development.</p> <p>4. Preliminary details of proposed absorption trench on-site sewerage management system have been included on the architectural plans with full design specifications to be submitted with the S68 Local Government Act application accordingly.</p>
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7. EP&A ACT SECTION 4.15(1) EVALUATION

The proposed development is evaluated with regard to the matters for consideration of section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act) as follows:

7.1. The Provisions of any Environmental Planning Instrument – 4.15(1)(a)(i)

Consideration has been given to relevant Environmental Planning Instruments (EPI). The proposed development is not inconsistent with any EPI.

7.2. The Provisions of any Draft Environmental Planning Instrument – 4.15(1)(a)(ii)

No draft EPI available for consideration at time of application.

7.3. The Provisions of any Development Control Plan – 4.15(1)(a)(iii)

No Development Control Plan available for consideration at time of application, however the development has been considered against the provisions of the Gwydir Building and Subdivision Matters Policy H.01.02 and found to comply as applicable.

7.4. The Provisions of any Planning Agreement – 4.15(1)(a) (iiia)

None applicable to this application.

7.5. The Provisions of the Regulations – 4.15(1)(a)(iv)

None applicable to this application.

7.6. The Provisions of any Coastal Zone Management Plan – 4.15(1)(a)(v)

Not applicable to this application.

7.7. Likely Impacts of the Development – 4.15(1)(b)

Likely Impacts	Assessment
Context and Setting	The proposal is appropriately located within the site and with respect to adjoining allotments.
Access, Transport and Traffic	Any additional traffic generated by the proposed development will not create any adverse impact on the surrounding road network.

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Likely Impacts	Assessment
Public Domain	The proposal will not result in any adverse impact to the public domain.
Utilities	As detailed throughout this report, the proposal will be connected to reticulated (town water) and private water supply (tanks – as per BASIX), on-site sewerage management, mains power electricity and NBN communications.
Heritage	No heritage items exist upon the subject allotment.
Other Land Resources	The proposed development will not alienate other uses on neighbouring sites.
Water Quality	Stormwater management to Building Code and Council regulations.
Soils	The site of the proposed development is not known to be contaminated, nor is located within an Acid Sulfate Soils zone.
Air and Microclimate	The proposal is expected to have a negligible impact on air quality and microclimate.
Ecological	There are negligible ecological impacts anticipated.
Waste	Waste generated will be handled by the occupier of the land with disposal to local Council waste facilities as required in accordance with the Waste Management Plan (Appendix B).
Energy	The proposed development incorporates applicable energy efficient design features demonstrated in the accompanying BASIX Certificate.

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Likely Impacts	Assessment
Noise and Vibration	The construction of the development will comply with the provisions for acceptable noise and vibration.
Natural Hazards	All land within the village of Bingara is classified as Flood prone. <i>As such, the dwelling has been sited / located so its habitable floor level is over 500mm above the 1:100 year flood level) in accordance with Council's Planning Controls. Please refer to Section 5 (LEP Considerations) and Section 6 (Gwydir Building and Subdivision Matters Policy H.01.02 for full assessment details.</i>
Technological Hazards	None exist in respect to this type of development.
Safety, Security and Crime Prevention	The development is designed and located to ensure safety and security will be maintained.
Social Impact in Locality	The proposal does not introduce a type of development or scale of development that would result in an adverse impact.
Economic Impact in Locality	No adverse economic impact is expected, nor is the proposal envisaged to impact the future economic viability of the locality.
Site Design and Internal Design	Compatible in relation to the existing built form and context of surrounding rural locality.
Construction	To Council and BCA requirements.
Cumulative Impacts	None are likely to result from this scale of development.

7.8. Suitability of the Site for Development – 4.15(1)(c)

The SoEE has demonstrated in detail that the site is suitable for the proposed development. In summary, suitability is achieved given:

- The proposed development is permissible and will be consistent with the relevant zone objectives;
- The development will respect the desired future character of the immediate and surrounding locality.
- There are no prohibitive constraints posed by the site or those adjacent.

7.9. Submissions – 4.15(d)

It is requested that should the assessing officer choose to notify the application in accordance with Council's Community Participation Plan, any submissions received as a result of said notification be forwarded to the applicant for consideration.

7.10. Public Interest – 4.15(e)

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of good design that satisfies the outcomes contained within the adopted legislative framework. In this regard, the development is consistent with the objectives of the relevant planning provisions and therefore the development is considered to be in the public interest.

7.11. Ecologically Sustainable Development

The principles of ecologically sustainable development (ESD) have been considered in preparing this SoEE. Schedule 2 of the Environmental Planning and Assessment Regulation 2000 notes that ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. The principles of ESD have been considered in the preparation of this SoEE and development design. The proposed development is considered to be able to comply with the ESD objectives for the site.

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8. CONCLUSION

The application for development seeks assessment and consent under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979. . The development is a permissible use of the land under the Gwydir Local Environmental Plan 2013 and displays compliance with the objectives and statements of the Gwydir Building and Subdivision Matters Policy H.01.02. It is therefore requested that Council favourably consider the proposed development, subject to conditions of consent.

APPENDIX A

Aboriginal Heritage Information Management System (AHIMS) Search Results

RuralPlan Consultants

Date: 19 December 2023

PO Box 5
GLEN INNES New South Wales 2370

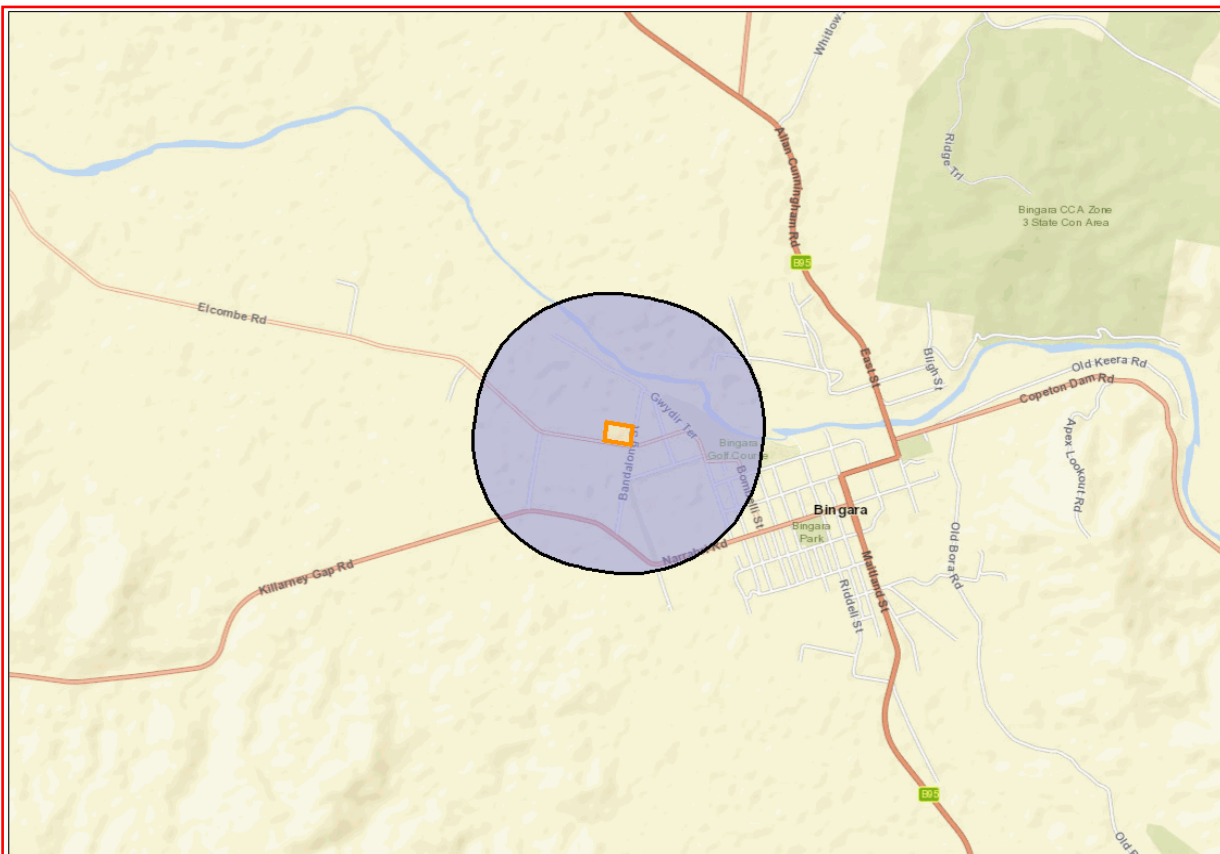
Attention: James Sheridan

Email: admin@ruralcert.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 1, DP:DP754819, Section : - with a Buffer of 1000 meters, conducted by James Sheridan on 19 December 2023.

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 Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

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 \(https://www.legislation.nsw.gov.au/gazette\)](https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW 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 Heritage NSW 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.

APPENDIX B

Waste Management Plan

WASTE MANAGEMENT PLAN

**Lot 1 DP 754819
Elcombe Road
BINGARA NSW 2404**

**Construction of Single-Storey
Dwelling House, Detached Garage
Detached Shed and Installation of
Rainwater Tanks**

**APRIL 2024
REF: SMITH**

Site Details and Project Outline

Site Address

Flat/ Street No: Street Name:

Suburb or Town:

Lot: Section: DP/SP No:

Applicants Details

Applicants Name:

Applicants Postal Address:

Phone: Fax: Email:

Details of Site

Provide a description of buildings and other structures currently on the site:

Post and wire boundary fencing.

Provide a brief description of the proposal:

Construction of a single-storey weatherboard clad dwelling house. The dwelling is proposed with 3 bedrooms, including master bedroom with walk-in-robe and ensuite, open plan kitchen, dining and living rooms, associated amenities including bathroom, laundry and separate WC, attached deck wrapping around a portion of the front and side of the dwelling and an attached pergola, located at the rear of the dwelling.

Construction of an 8m x 8m detached weatherboard clad garage. The garage is proposed to be located adjacent to the western elevation of the dwelling and will provide two (2) covered carparking spaces.

Construction of a 16m x 10m detached metal shed. The shed is proposed to be located over 10m behind the dwelling (when viewed from Elcombe Road) and will be used to store items associated with the dwelling.

Installation of two (2) 25,000L rainwater tanks. The tanks are proposed behind the detached shed and will capture all roof water from the dwelling, garage and shed.

Installation of solar power system (as Exempt Development in accordance with SEPP Transport & Infrastructure 2021).

Construction Stage On-Site Storage of Waste

Objective

All waste is to be contained within the bounds of the property.

Control Measures:

- > No waste is to be stored on the nature strip, road or adjoining properties.
- > All building materials, product and plant are not to be stored on the footpath or road unless prior approval is obtained from Council.
- > All loading and unloading is to take place within the bounds of the property.
- > Solid builder's waste is to be stored on site within bulk waste skip bins, in covered stockpiles or behind purpose-built waste receptacles that do not permit waste to be carried by the wind.
- > Food scraps and associated waste materials are to be sorted and stored on site within a divided wheelie bin or similar covered waste receptacle.

Monitoring:

- > Regular inspection of the site by Contractor or representative to ensure waste storage facilities are being used correctly and effectively.

Reporting:

- > Records, including waste receipts to be kept by the Contractor on the monitoring activities and control measures. Reports by the Contractor when requested.

Site Preparation and Demolition Stage

Type of Materials on Site	Estimated Weight	Reuse and Recycle on-site and off-site Specify proposed reuse or on-site recycling methods	Destination/Disposal Specify Contractor and Landfill site
Excavation Material	>1T	Re-use on site as fill / batter where possible.	Excess to Council waste facility.
Garden Organics	Topsoil removal only.	N/A	To Council waste facility.
Bricks	N/A	N/A	N/A
Concrete	N/A	N/A	N/A
Timber	N/A	N/A	N/A
Plasterboard	N/A	N/A	N/A
Metals	N/A	N/A	N/A
Hazardous Material and Lead based Paints (Refer to Section (i))	N/A	N/A	N/A

- (i) The NSW Environmental Protection Authority document, "Environmental Guidelines: Assessment, Classification & Management of Liquid and Non-Liquid Wastes" available at www.environment.nsw.gov.au/epa/ provides classification for landfills which can and cannot accept asbestos waste and also reproduces the minimum requirements for the handling and transport of asbestos.

MONITORING: Regular inspection of the site by Contractor or representative during the removal, storage, recycling, reuse and disposal of materials.

REPORTING: Records, including waste receipts to be kept by the Contractor on the monitoring activities and control measures. Reports by the Contractor when requested.

Construction Stage

Type of Materials on Site	Reuse and Recycle on-site and off-site Specify proposed reuse or on-site recycling methods	Destination/Disposal Specify Contractor and Landfill site
Excavation Material	Re-use on site as fill / batter as much as possible.	Excess to Council waste facility.
Garden Organics	N/A	N/A
Bricks / Blocks	Save undamaged bricks for re-use. Remove all other brick waste from site.	Council waste facility.
Concrete	Remove all concrete waste from site.	Council waste facility.
Timber	Remove all timber scrap from site.	Council waste facility.
Plasterboard	Remove all plasterboard scrap from site.	Council waste facility.
Metals	Remove all metals from site.	Council waste facility.
Hazardous Material and Lead based Paints (Refer to Sections (i) and (ii) below	N/A	N/A

- (i) The NSW Environmental Protection Authority document, "Environmental Guidelines: Assessment, Classification & Management of Liquid and Non-Liquid Wastes" available at www.environment.nsw.gov.au/epa/ provides classification for landfills which can and cannot accept asbestos waste and also reproduces the minimum requirements for the handling and transport of asbestos.

MONITORING: Regular inspection of the site by Contractor or representative during the removal, storage, recycling, reuse and disposal of materials.

REPORTING: Records, including waste receipts to be kept by the Contractor on the monitoring activities and control measures. Reports by the Contractor when requested.

Use of Premises

Type of Waste to be Generated Please specify for example: glass, paper, food waste, off cuts, etc.	Proposed Storage and Treatment Facilities For example: domestic waste bins, waste storage and recycling area, garbage Chutes, on-site composting, compaction equipment.	Destination Recycling, Disposal.
General household waste only.	Domestic waste bins and recycle bins.	Utilise Council kerbside pick-up and landfill drop-off Services as required.

On-going Management:

Describe how you intend to ensure on-going management of waste on site:

The owners / occupiers of the dwelling will be solely responsible for waste disposal in perpetuity.