



Statement of Environmental Effects

258 Old Bora Road, Bingara

June 2024 ■ 11

Submitted to

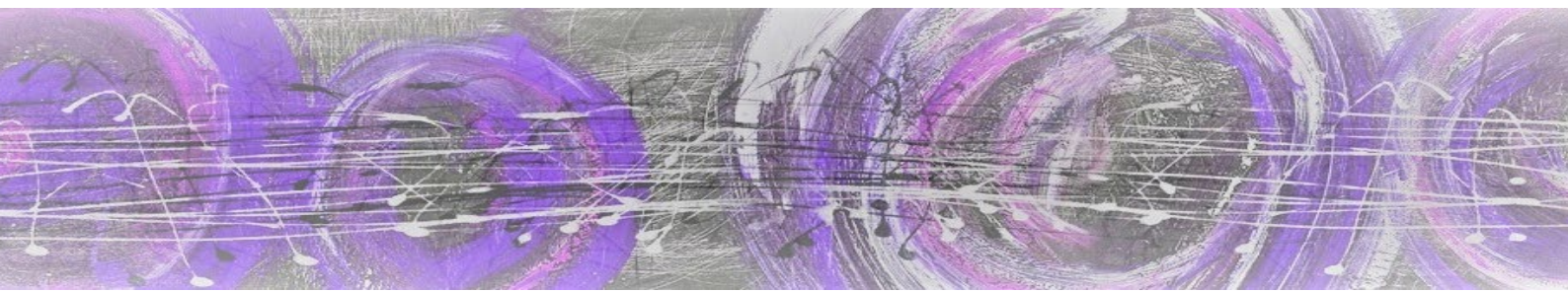
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Part 1 - BACKGROUND

OVERVIEW

New England North West Planning Services has been engaged by James Green to act as a Planning Consultant for the preparation of a Statement of Environmental Effects (SEE) for erection of a 10m x 16m colorbond shed at 258 Old Bora Road, Bingara.

CONSENT AUTHORITY

The subject land is located in the Gwydir Shire Council area. The proposed development constitutes 'local development'. Gwydir Shire Council is therefore the Consent Authority as per section 4.5 of the Act.

FURTHER INFORMATION

Further information in relation to this Statement of Environmental Effects is obtainable from Elizabeth Cumming on 0427 563 975 or email libby@nenwlanningservicecs.com.au.

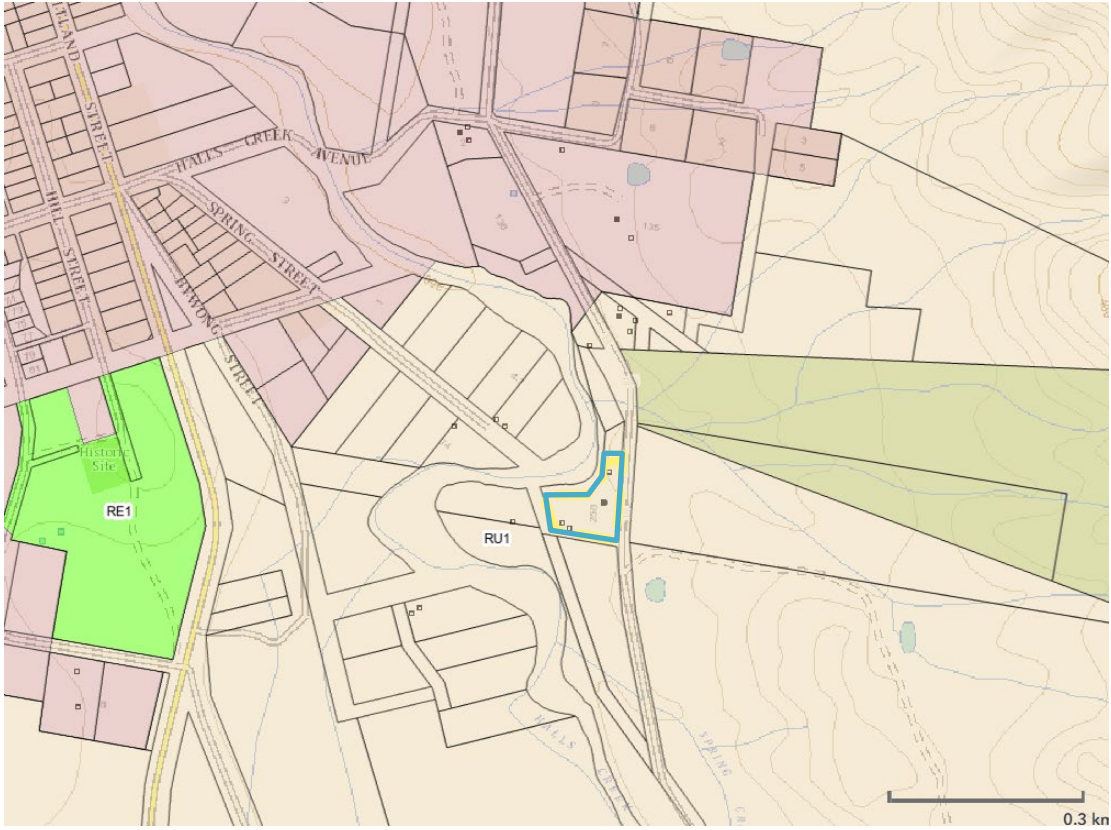
SITE DETAILS

The site is described as Lot 258 DP 754819 and forms part of 258 Old Bora Road, Bingara, located south east of Bingara near Halls Creek.

The subject site, approximately 8,017m², gently slopes from Old Bora Road towards Halls Creek area. Access to the land is from Old Bora Road. The land presently contains a dwelling and associated out buildings. The land is considered to be a rural lifestyle lot..

The land is not identified as being fire or flood prone. Lot 7307 DP 1162501 sits between the subject land and Halls Creek. The land contains or adjoins no items of heritage. The subject land is not identified as Sensitive Land in Gwydir Local Environmental Plan 2013.

Site Imagery



Land locality.

Source: NSW Spatial Viewer, 2024



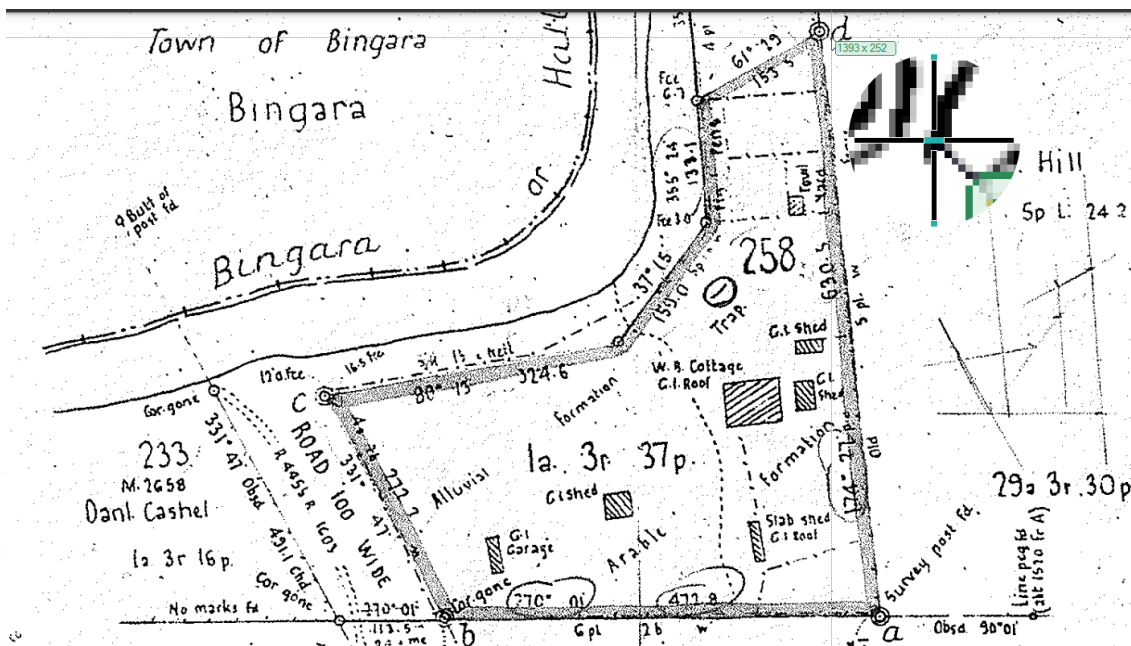
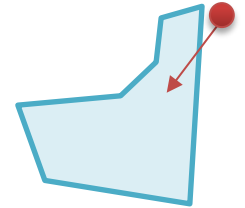
Aerial of Lot 258 Old Bora Road.

Source: Google Maps 2024



View of land from Bora Road, North east corner.

Source: Google maps, 2024.

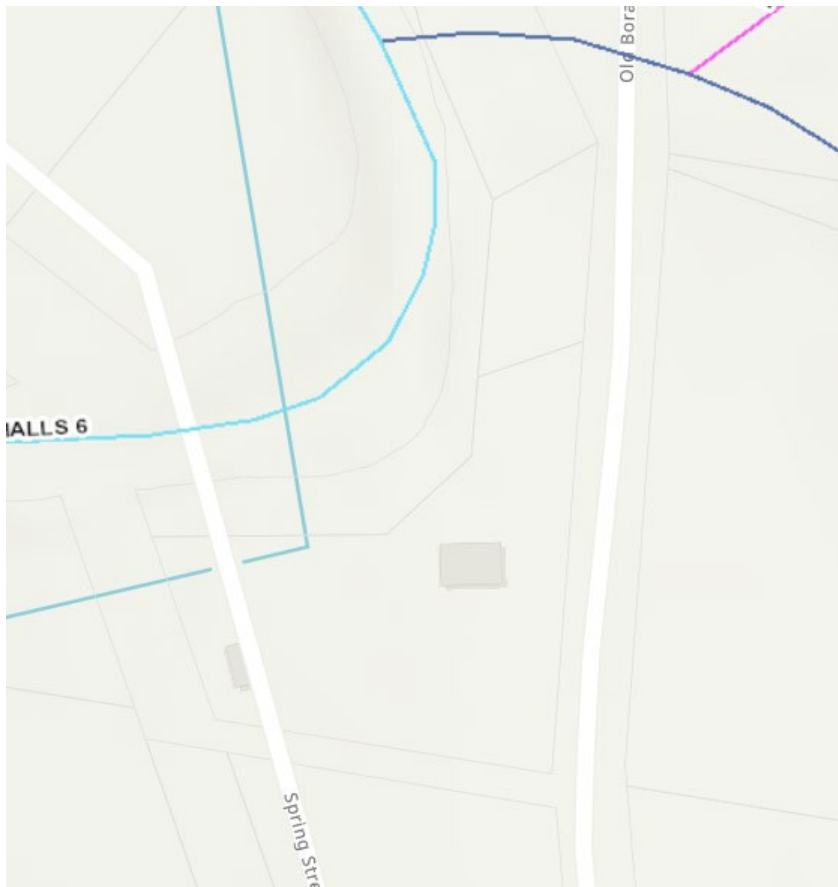


Lot 258 Survey Plan (provided by J Green)

Site constraints

Local Government Area:	Gwydir Shire Council
Land Area	Approximately 8,017m ²
LEP:	Gwydir Local Environmental Plan 2013
Land Zoning:	RU1 Primary Production
Development Type:	Local
Flood Prone Land	No
Bush Fire Prone Land:	No
Heritage	No
Lot Size MLS	200 ha

AHIMS Database	No
Contamination:	Nil
Hydrolines	No hydrolines run through the land, or drain into it.



Source: ArcGIS Stream Order Map, 2024

Part 2 – THE DEVELOPMENT

PROPOSAL

This Development Application seeks Development Consent for:

- the erection of a 10m x 16m colorbond shed,
- and preparation of the site to build.

As shown in the site plan provided at **Appendix A**, the shed shall be set back 8 metres from the Old Bora Road boundary, and 13 metres from the northern property boundary. The shed will be situated 23 metres away from the existing dwelling.

The shed will consist of 2 roller doors, a door, windows and a sliding glass window. The shed will not exceed 4.5 metres above the concrete slab. Plans and specification of the proposed shed are included at **Appendix B**.



Site plan of Lot 258 showing existing dwelling and proposed shed location.

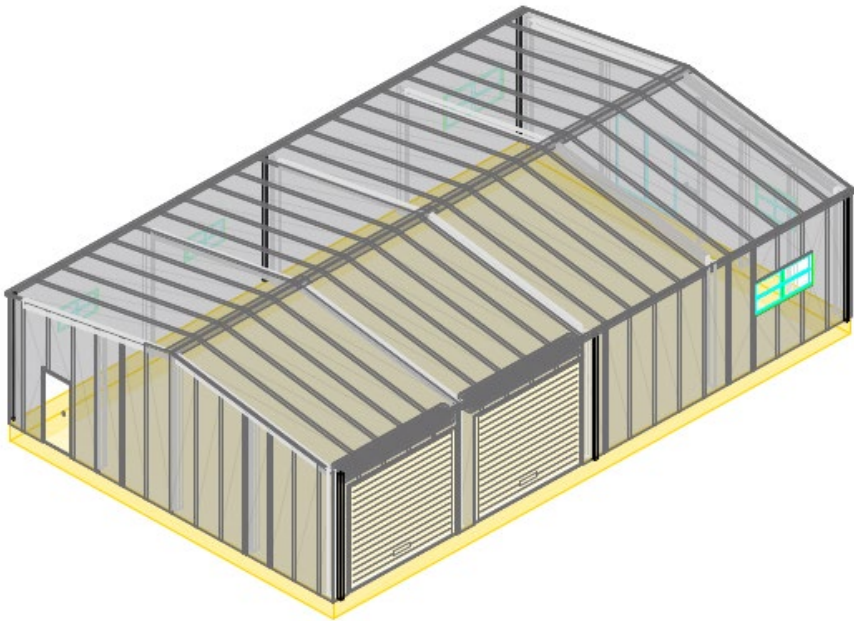


Image of proposed shed.
Source: Aussie Made Sheds, Engineering Plans, 2024

ISO FRONT LEFT VIEW

Part 3 – STATUTORY & POLICY ASSESSMENT

ACTS

The following Acts and their associated regulations are considered relevant to the proposed development and are discussed in further detail below.

Environmental Planning and Assessment Act 1979

Section 4.15 of the EP&A Act 1979 sets out the matters that must be considered by consent authorities when determining development applications.

Section 4.15 (1) EP&A Act 1979 – Matters for Consideration

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

STATE ENVIRONMENTAL POLICIES

<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p>	<p><i>The purpose of this SEPP is to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</i></p>
<p>The subject land is zoned RU1 Primary Production and is not affected by Biodiversity and Conservation SEPP.</p>	
<p>State Environmental Planning Policy (Primary Production) 2021</p>	<p><i>This SEPP contains planning provisions:</i></p> <ul style="list-style-type: none"> • <i>to manage primary production and rural development including supporting sustainable agriculture.</i> • <i>for the protection of prime agricultural land of state and regional significance as well as regionally significant mining and extractive resources.</i>
<p>The erection of the proposed shed will not cause degradation or reduction of agricultural land.</p>	
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<p><i>This Policy incorporates and repeals the provisions of SEPP No. 55 - Remediation of Land and Clause 4.6 requires consideration of whether land is suitable for a proposed use having regard to any known or potentially contaminating land use activities.</i></p>
<p>Chapter 4 of this SEPP requires consideration of whether there have been any activities carried out on land in the past that may have resulted in contamination. If contamination may be present, the proponent is required to undertake suitable investigation and, if necessary, remediation works.</p> <p>It is considered that there have been no prior contaminating land uses as the land has historically been utilised for rural residential use. Consequently, the site is suitable for the proposed development and complies with the provisions of the SEPP.</p>	

LOCAL ENVIRONMENTAL PLAN

<p>Gwydir Local Environmental Plan 2013</p>	
<p>Part 2 Permitted or prohibited development</p>	
<p>Land Zoning</p>	<p>RU1 Primary Production</p>
<p>Development Standard Definition</p>	<p>Garage - Ancillary to a to the Existing Dwelling</p>
<p>Permissibility</p>	<p>Permissible with consent</p>

<p>Zone objectives</p> <ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. 	<p>The proposed development will support the subject land by providing usable storage space. It will not fragment, or cause conflict with land use.</p>
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Part 5 Miscellaneous provisions

5.21 Flood planning

(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,
- (b) the intended design and scale of buildings resulting from the development,
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
- (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

The subject land, although located in the vicinity of Halls Creek, is not identified on any instrument as being flood prone.

The erection of the proposed shed will not create or increase risk to lives or property on the subject land or surrounding it.

6.3 Sensitive lands

(1) The objective of this clause is to protect sensitive land by minimising the adverse impacts of development on such land.

The subject land is not identified on the Sensitive Lands Map.

(a)(ii) the provisions of any draft environmental planning instrument (EPI)

There is no known draft environmental planning instrument applicable to the subject land or the development.

(a)(iii) any development control plan

There is no Development control plan applicable to the subject land.

(a)(iiia) – any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4

No planning agreement is required or proposed for this development.

(a)(iv) – any matters prescribed by the regulations

The information provided with this development application meets the requirements of the Environmental Planning and Assessment Act Regulation 2021:

24 Content of development applications

- (1) A development application must—
- (a) be in the approved form, and
 - (b) contain all the information and documents required by—
 - (i) the approved form, and
 - (ii) the Act or this Regulation, and...

This Development Application will be submitted via the NSW Planning Portal which is assumed to be in the “approved form”.

(b) – the likely impacts of the development

The proposed development of a shed is minor and will not have a significant environmental impact.

Social	The proposed storage shed will not have any negative social impact on the Bingara or Old Bora Road communities.
Economic	The proposed storage shed will not create any reduction in economic conditions.
Visual	The proposed shed will be less than 4.5 metres above the slab height. The shed is not sited on a ridge line or crest, therefore it will not be visually prominent or detracting from the local vista.
Environmental	The proposed shed will not create any environmental issues that will affect native flora or fauna. No trees or native vegetation is required to be cleared as a result of this development.
Construction	The proposed development will be compliant with the Building Code of Australia and all relevant Australian standards. The construction of the proposed shed does not involve any civil works.

(c) - suitability of the site for the development

Does the proposal fit the locality?	Yes. The proposed storage shed will effectively support the existing dwelling.
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Are the site attributes conducive to development?	<p>Yes.</p> <p>The subject land is arranged to be able to contain the proposed shed fully within its boundaries without overburdening the lot. The subject lands slope will not inhibit the construction or post construction use of the shed.</p> <p>A set back of 8m from Old Bora Road, and a north-side set back of 13 metres will ensure the proposed shed will not result in any adverse effects for the subject land or adjoining land.</p>
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(d) – any submission made in accordance with this Act or the regulations	
Public Submissions	The development will be notified and public comment accepted in accordance with Council’s notification procedures.

(e) - the public interest	
Federal, State and Local Government Interests and Community Interests	<p>The proposed development does not conflict with the public interest.</p> <p>The proposed development does not conflict with any relevant policy statements from Federal or State Government agencies.</p>

Part 4 – CONCLUSION

The proposed works described above are permissible with consent under the *Gwydir Local Environmental Plan 2013*. The proposed development complies with the objectives of the RU1 Primary Production zone.

The subject development is not major in nature and will blend with the existing similarly developed surrounding rural land. The development will not adversely impact on the natural or built environment and is consistent with surrounding primary production uses. The proposal can be carried out without any significant adverse impact to the surrounding natural or built environment.

It is recommended that this proposal be approved based on the justification provided within this report and the provisions of the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and associated regulations.

Appendix A – Site Plan

Appendix B – Building Plans and Specifications
