



## *Birthplace of Our Nation*

10 November 2021  
Our Ref: IN21/1B900B72  
(PAN-141115)

RuralPlan Consultants  
Attn: Ms Riarna Sheridan  
PO Box 5  
**GLEN INNES NSW 2370**

Dear Ms Sheridan,

**Re: Development Application No. 2021.118  
Lot 14, DP 255005 – 22 Aldershot Road, Tenterfield**

Please find attached Council's formal development approval for the '*Change of Use of Existing Shed to a Transport Depot*' at the abovementioned property.

Your attention is drawn to your rights of appeal should you be dissatisfied with Council's determination of your application.

Should you require any further information please do not hesitate to contact Council's Planning & Development Services Department on (02) 6736 6002.

Yours sincerely,

Tamai Davidson  
**Manager Planning &  
Development Services**

Encl.

*All correspondence should be addressed to:*

**Chief Executive**

**Tenterfield Shire Council**

247 Rouse Street (PO Box 214) TENTERFIELD NSW 2372

Telephone: (02) 6736 6000 email: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au) website: [www.tenterfield.nsw.gov.au](http://www.tenterfield.nsw.gov.au)

ABN: 85 010 810 083



# Tenterfield Shire Council

247 Rouse Street (PO Box 214)  
TENTERFIELD NSW 2372

Ph: (02) 6736 6000

e-mail: [council@tenterfield.nsw.gov.au](mailto:council@tenterfield.nsw.gov.au)

## Notice of Determination of a Development Application

issued under Section 4.16 of the *Environmental Planning and Assessment Act 1979*

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### Development Application Number

2021.118

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### Development Application

Applicant Name:	RuralPlan Consultants
Applicant Address:	PO Box 5 <b>GLEN INNES NSW 2370</b>
Owner of the Land	McCasker Donald Keith & Julie
Land to be Developed:	Lot 14 DP 255005
Location :	22 Aldershot Road, Tenterfield
Proposed Development:	<b>Change of Use of Existing Shed to a Transport Depot One (1) Bus Only</b>

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### Determination

made on (date):	10 November 2021
Determination:	<del>Consent granted unconditionally</del> Consent granted subject to conditions described below <del>Application refused</del>
Consent to Operate from (date)	10 November 2021
Consent to Lapse on (date)	10 November 2026

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### Conditions:

*Please read the conditions carefully as failure to comply with the conditions could result in Orders being served upon you.*

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### Other Approvals:

## INFORMATION ABOUT THE DECISION

### **RIGHTS OF REVIEW AND APPEAL**

Under Section 8.2, 8.3, 8.4 & 8.5 of the Environmental Planning and Assessment Act 1979, **any applicant** who is dissatisfied with Council's determination of their application may request the Council to **review** its determination; such a request can be made within 6 months or after an appeal to the Land and Environment Court has been lodged, but before it has been disposed of in the Land & Environment Court. A review cannot be made on designated or integrated development.

**If the applicant is dissatisfied with this decision**, Section 8.7 & 8.10 of the *Environmental Planning and Assessment Act 1979* gives the applicant the right to appeal to the Land and Environment Court within 6 months after the date on which the applicant received the 'Notice of Determination' under Section 4.19 of the *Environmental Planning and Assessment Act 1979*.

**If the applicant appeals**, Section 8.7 & 8.10 of the *Environmental Planning and Assessment Act 1979* gives any person who made a submission in relation to designated development the right to be given notice of the appeal, and to be heard at the hearing of the appeal (you need to apply to the court within 28 days of the notice of the appeal).

**If you are an objector to designated development**, and are dissatisfied with a decision to grant consent (either unconditionally or subject to conditions), Section 8.8 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 28 days of the date of the notice of determination.

Your appeal may be made by lodging an application to the Court in accordance with the Rules of Court.

### **PERIOD OF APPROVAL**

This approval remains valid for a period of 5 years from the date of this notice, or as otherwise identified in the consent.

**(Under Section 4.53 of the Environmental Planning and Assessment Act 1979 and Section 103 of the Local Government Act 1993, the approval does not lapse if building, engineering or construction work on the land to which the approval relates is physically commenced before the date on which this approval would otherwise lapse).**

### **DEFERRED COMMENCEMENT**

In the case of an approval which is granted subject to a condition that the approval cannot operate until the applicant satisfies the Council as to any matter specified in the condition (a "deferred commencement"), the date from which the approval operates will not be endorsed on this notice. A separate notice will be issued in the event that the Council is satisfied that the applicant has satisfied such conditions.

### **COUNCIL OR PRIVATE ACCREDITED CERTIFIER**

On obtaining **Development Consent** you then have a choice of obtaining a construction certification from **Council or a Private Accredited Certifier**. On appointing a certifier, you **cannot** change the certifier for another person until the project has been completed, unless you seek to change through a legislative process.

## **PRESCRIBED CONDITIONS**

1. All work must be carried out in accordance with the requirements of the National Construction Code.

*Reason: To comply with the provisions of Clause 98 of the Environmental Planning & Assessment Regulation 2000.*

## **GENERAL CONDITIONS**

2. All storm water (or water collected from any rainwater tank overflow) must be diverted to the satisfaction of Council and clear of any structures and property boundaries. Gutter and downpipes are to be provided.

*Reason: To comply with Council requirements.*

3. The development must be undertaken strictly in accordance with the details set out on the application form, any information submitted with the application and the plans submitted, as amended in red by Council, or as modified by the conditions of this Notice of Determination.

Plan/s:

- Site Plan 1 001 provided by Efficient Building Design Services (EBDS) described as 'Proposed Bus Depot 22 Aldershot Road Tenterfield NSW 2372 – D & J McCasker – Project No. 21-132;
- Floor Plan 1 100 provided by Efficient Building Design Services (EBDS) described as 'Proposed Bus Depot 22 Aldershot Road Tenterfield NSW 2372 – D & J McCasker – Project No. 21-132;
- Statement Of Environmental Effects, Lot 14, DP 255005 – 22 Aldershot Road, Tenterfield NSW 2372, described as 'Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot', dated October 2021.

Note: Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 4.55 & 4.30 of the Environmental Planning and Assessment Act 1979 for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new Development Application will have to be submitted to Council.

*Reason: To confirm and clarify the terms of Council's approval.*

## **PRIOR TO OCCUPATION**

4. The existing access shall to be upgraded to Council's requirements at full cost to the applicant in accordance with *Section 138 Roads Act* and in accordance with Councils Road Network Management Plan.

*Reason: To comply with Council's requirements.*

5. Bus movements to exit and return to the Transport Depot site via Aldershot Road and Bellevue Road to avoid increased large vehicle traffic in the residential area to the west of the site.

*Reason: To comply with Council's requirements.*

6. Illuminated exit signs shall be installed in the building above or adjacent to every:
- i. door providing direct egress from a storey to a required exit;
  - ii. door from an enclosed stairway, passageway or ramp at every level of discharge to a road or open space;
  - iii. horizontal exit;
  - iv. door serving as, or forming part of a required exit in a storey required to be provided with emergency lighting.

Additional exit signs shall be installed in appropriate positions in corridors, hallways, lobbies, foyers and the like indicating the direction to a required exit. Design and installation of Exit signs shall comply with AS2293.1

*Reason: To comply with the National Construction Code.*

9. Portable fire extinguishers must be provided as listed below and must be selected, located and distributed in accordance with AS 2444:
- (a) to cover Class A (E) or (E) Classification fire risks associated with emergency services switchboards. NB: an emergency services switchboard is one which sustains emergency equipment operation in the emergency mode;
  - (b) to cover Class B fire risks in locations where flammable liquids in excess of 50 litres are stored or used (not including that held in fuel tanks in vehicles); and

- (c) to cover Class A fire risks in normally occupied fire compartments less than 500 square metres not provided with hose reels (excluding open deck carparks).

*Reason: To comply with the National Construction Code.*

10. Use of premises for the purposes approved by this consent shall only operate within the Hours of Operation as follows:

Days of Operation – School Days Only (Monday – Friday)

- Morning – Depart Approximately 6.00 am
- Afternoon – Return Approximately 5.00 pm

*Reason: To comply with Council's requirements.*

11. Use of premises for the purposes approved by this consent shall not commence until all conditions of this consent have been complied with and the Occupation Certificate has been issued.

*Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979, and Council's terms of consent.*

***Signed on behalf of the consent authority***



Tamai Davidson  
**Manager Planning &  
Development Services**

10 November 2021  
**Date**

**Note** *This approval does not guarantee compliance with any Act, Regulation or Standard (other than the Environmental Planning and Assessment Act, 1979, as amended) and builders/developers should make their own enquiry as to their legal responsibilities in this regard. Without limiting the generality of the above, approval does not guarantee compliance with the Disability Discrimination Act 1992 to which builders/developers are specifically referred.*





# STATEMENT OF ENVIRONMENTAL EFFECTS

**Lot 14 DP 255005  
22 Aldershot Road  
TENTERFIELD NSW 2372**

**Change of Use of Existing Shed Ancillary  
to a Dwelling House to Transport Depot**

**OCTOBER 2021  
REF: McCASKER**

**TENTERFIELD SHIRE COUNCIL**

**Development Application No.**

**2021-118**

**Date of Approval** 18 NOV 2021

**Signed**



**Authorised Council Officer Under Delegation**



## STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372



### RuralPlan Consultants

(Trading as RuralCert Pty Ltd)

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AUSTRALIA

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Statement of Environmental Effects			
Rev No	Date	Revision details	Author
0	01/09/2021	Draft	Riarna Sheridan
1	06/09/2021	Final	Riarna Sheridan
1	13/10/2021	Final V1	Riarna Sheridan
PROJECT		Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot	
CLIENT		Donald and Julie McCasker	
OUR REFERENCE		McCASKER	

### LIMITATIONS & COPYRIGHT

This Statement was prepared by RuralPlan Consultants (trading as RuralCert Pty Ltd) in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and associated Regulations. It is certified that to the best of our knowledge the information contained within this report is neither false nor misleading.

While due care and diligence has been taken in the preparation of this report, no warranty is given, nor liability accepted in relation to the information contained within this document (except as required by law). The Client(s) / Applicant(s) and / or Owner(s) are entitled to rely upon the findings in the report in its entirety. No responsibility is accepted for the use of any part of the report in any other context or for any other purpose.

Existing and proposed site details and operational activities are based on those provided by the Client / Applicant(s) and / or Owner(s) and approved for inclusion within this report. Opinions and judgements expressed herein, which are based on the report writer's understanding and interpretation of current regulatory standards, should not be construed as legal opinions.

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## 1. INTRODUCTION

### 1.1. Overview

This Statement of Environmental Effects (SoEE) has been prepared on behalf of Donald and Julie McCasker by RuralPlan Consultants as part of a Development Application (DA) to Tenterfield Shire Council.

The application seeks consent for the change of use of a shed that is currently ancillary to an existing dwelling house to a transport depot upon the land known as Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372.

**It is important to note that this report has been updated due to proposal being revised as a result of objections received.** The transport depot is now proposed to be used to house one (1) bus only, to enable the landowners to operate a local school bus run within the Glen Innes Local Government Area. It is important to advise that the owners are in the process of obtaining relevant approvals to also construct a transport depot within the village of Deepwater (located within the Glen Innes Severn LGA). Once the new transport depot is constructed at Deepwater (anticipated to be within the next 12-18 months), the bus will be located between both depots.

**Please refer to Section 3.6 of this report for justification of the development against objections received. Please also refer to the Architectural Plans submitted with the application and Chapter 3 of this report for further information.**

The proposed development has been designed to be compatible with development in the surrounding locality with considerations made to ensure the provisions of the Tenterfield Local Environmental Plan 2013 (TLEP 2013) and the Tenterfield Shire Council Development Control Plan 2014 (TSCDCP 2014) are met.

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 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.

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;*

## STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372



- *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).*

## STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372



### 1.2. Table 1 – Applicant, Owner and Site Details

DEVELOPMENT APPLICATION DETAILS	
<b>Applicant</b>	RuralPlan Consultants Contact: Riarna Sheridan Address: PO Box 5, GLEN INNES NSW 2370 Phone: 0460 440 252 Email: <a href="mailto:admin@ruralcert.com.au">admin@ruralcert.com.au</a>
<b>Owners Details</b>	Donald and Julie McCasker
<b>Property Address</b>	Lot 14 DP 255005 22 Aldershot Road TENTERFIELD NSW 2372
<b>Local Government Area</b>	Tenterfield Shire Council
<b>Zone</b>	RU5 - Village
<b>Existing Structures</b>	Dwelling, detached sheds, carport, rainwater tanks, portable shade structures for vegetable gardens.

## **2. SITE DETAILS**

### **2.1. Location and Context**

The site is regular in shape and located upon Aldershot Road, approximately 2.2km north-east of the Tenterfield Town Centre. Accordingly, primary access to the site is gained from Aldershot Road, via East Street or Bellevue Road, respectively.

An existing brick veneer dwelling and ancillary metal clad sheds, carport, poly rainwater tanks and portable shade structures used to house vegetable gardens are located upon the land.

The site is generally oriented on a north - south axis and presents with a moderate slope, falling from the rear to the front. In addition to the existing buildings, the site has been improved with landscaping comprising grasscover and decorative trees and shrubs / gardens.

The land is a generous 8216 square meters in size and bounded by other residential land also zoned RU5 Village to the east, south and west, with Aldershot Road adjoining the site to the north and rural-residential land zoned RU1 – Primary Production adjoining the opposite side of Aldershot Road and meandering further north.

Existing development within the locality comprises rural-residential development of varying densities, presenting as a mix of heights and traditional style designs with hip / gable and / or parapet / skillion roofing. Materiality is predominantly brick veneer with tile or sheet metal roofing.

A photographic aerial view of the site showing all existing development located upon it, follows overpage.



STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372



**Figure 1: Aerial View, showing subject site outlined in red (Source: Google Earth Pro)**



## 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 TLEP 2013 and TSCDCP 2014.
- No building works (apart from installation of gravel driveway extension) or tree removal proposed. Development therefore not significantly altering the landscape setting or ecological values of the site and context.
- The site is not identified as:
  - Flood prone;
  - Contaminated; or
  - A Heritage Item.
- The site is identified as:
  - Bushfire prone.

### **Bushfire Prone Land Comments:**

As the subject shed is over 6m from the existing dwelling, no bushfire assessment or construction measures are required to be provided / installed in accordance with the provisions of the NSW RFS Planning for Bushfire Protection 2019 document and AS3959-2018.

## **2.3. Site Conditions**

### **Site Configuration**

The subject allotment is regular in shape with a 42.983m frontage and site access from Aldershot Road as detailed on the accompanying site plan. The site is generally oriented on an north - south axis. Total site area is 8216m<sup>2</sup>.

### **Topography**

Site slope overall is moderate, falling from the rear to the front. The part of the site where the existing shed proposed to be used as a transport depot is located upon is already established / flat, with a minor slope falling away from it only.

### **Aboriginal Archaeology and European Heritage**

In regard to Aboriginal archaeology, an AHIMS search was undertaken in September 2021 (**Appendix A**). The search revealed no items of aboriginal heritage to be located upon the site or within 200m of the subject site.

A desktop search of Tenterfield LEP Heritage Mapping and the NSW Heritage Inventory, also undertaken in September 2021, revealed that the site is not classified as containing items of heritage, nor is located within a Heritage Conservation Area.

### **Bushfire**

The site is identified as bushfire prone land according to Tenterfield Shire Council Bushfire Prone Land Mapping. As the subject shed is over 6m from the existing dwelling, no bushfire assessment or construction measures are required to be provided / installed in accordance with the provisions of the NSW RFS Planning for Bushfire Protection 2019 document and AS3959-2018.

### **Flooding**

The site is not identified as flood prone land according to Tenterfield LEP Flood mapping.

### **Utility Services**

The shed subject of this application enjoys connection to mains power with stormwater connected to existing rainwater tanks with overflow managed on site. No new connections proposed at time of application.

### **Surrounding Development**

The site is bounded by other residential land also zoned RU5 Village to the east, south and west, with Aldershot Road adjoining the site to the north and rural-residential land zoned RU1 – Primary Production adjoining the opposite side of Aldershot Road and meandering

#### STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372

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further north. Existing development within the locality comprises rural-residential development of varying densities, presenting as a mix of heights and traditional style designs with hip / gable and / or parapet / skillion roofing. Materiality is predominantly brick veneer with tile or sheet metal roofing.

### 3. PROPOSED DEVELOPMENT

#### 3.1. Summary

The application seeks consent for the change of use of a shed that is currently ancillary to an existing dwelling house to a transport depot upon the land known as Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372.

The shed subject of this application was previously approved by Tenterfield Shire Council in 2017 as DA 2017-068.

The transport depot is proposed to be used to house one (1) bus to enable the landowners to operate a local school bus run within the Glen Innes Local Government Area only. It is important to advise that the owners are in the process of obtaining relevant approvals to also construct a transport depot within the village of Deepwater (located within the Glen Innes Severn LGA). Once the new transport depot is constructed at Deepwater (anticipated to be within the next 12-18 months), the bus will be located between both depots.

A summary of the development is provided in **Table 2** below:

**3.1.1. Table 2 – Summary of Proposed Development**

Summary of Proposed Development	
Development Calculations	<p><b>Lot Area:</b> 8216m<sup>2</sup></p> <p><b>Area:</b></p> <ul style="list-style-type: none"> <li>➤ <b>Existing Dwelling:</b> 300m<sup>2</sup> approx.</li> <li>➤ <b>Existing Detached Sheds and Carport:</b> 200m<sup>2</sup> approx.</li> <li>➤ <b>Existing Shed Proposed to be used as Transport Depot:</b> 111.63m<sup>2</sup></li> <li>➤ <b>Existing Hardstand Areas / Bitumen Sealed Driveway:</b></li> </ul>

## STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372



Summary of Proposed Development	
	<p>250m<sup>2</sup> approx.</p> <p>➤ <b>Proposed driveway extension</b> – N/A permeable crushed granite / gravel</p> <p><b>TOTAL:</b> 861.63m<sup>2</sup></p>
<b>Overall Height</b>	<p><b>Height:</b></p> <p>➤ To remain as existing – approx. 4m from existing ground level.</p>
<b>Installations</b>	<p>➤ Fire Extinguisher (to comply with new BCA Class 7b building fire safety requirements).</p>
<b>Parking</b>	<p>The existing shed will be used to house one (1) bus associated with the school bus run.</p>
<b>Hours of Operation</b>	<p><b>BUS #1 – SCHOOL RUN:</b> <b>Days of Operation:</b> School Days Only (Monday – Friday):</p> <p><b>Morning:</b> Depart approx. 6:00am</p> <p><b>Afternoon:</b> Return approx. 5:00pm</p>
<b>Number of Staff</b>	<p>The landowners (Donald and Julie McCasker) will be operating the business and bus, only.</p>

### Summary of Proposed Development

#### Noise Control

Due to the minimal amount of movements from site each day (with no movements during the weekends), noise from the bus is considered acceptable. In addition, following the construction of the additional transport depot at Deepwater, bus movements will be even less.

Following receipt of objections relating to noise,

### 3.2. Setbacks

Setbacks of the shed are proposed to remain as existing. The gravel driveway extension is proposed to adjoin the western boundary of the site which is located over 15m from the closest neighbouring dwelling.

### 3.3. Earthworks

No earthworks proposed. Gravel driveway extension will be constructed without excavating the land.

### 3.4. Stormwater and Drainage

Stormwater drainage to remain as existing (connected to existing rainwater tanks with overflow managed on-site).

### 3.5. Proposed Utilities and Services

The shed enjoys connection to mains power electricity only. No other connections proposed as part of this development.

### 3.6. Justification of Development Against Objections Received

Following lodgement of the subject Development Application on 6 September 2021, Council placed the application on notification and subsequently issued a letter advising 2 objections were received as a result of notification.

Both objections related to concerns over noise and potential de-valuation of property as a result of the bus depot being approved.

**Given the objections received, the proposal has been revised as follows:**

- The transport depot (which in simple terms is really a shed used by the owners to house a bus to travel to and from work each day) is proposed to now house one (1) bus only (instead of 3 as originally proposed). This bus will be used by the landowners to operate a local school bus run within the Glen Innes Local Government Area. It is important to advise that the owners are in the process of obtaining relevant approvals to also construct a transport depot within the village of Deepwater (located within the Glen Innes Severn LGA). Once the new transport depot is constructed at Deepwater (anticipated to be within the next 12-18 months), the bus will be located between both depots.
- Gravel driveway extension has been deleted to ensure bus will not cause any additional noise problems. As the proposal is now for only 1 bus, the removal of the gravel driveway and proposal for the bus to travel on the existing grassed area located off the existing driveway is considered acceptable.
- An eco-tourist bus service is no longer proposed.
- The owners will start the bus with the garage doors closed to mitigate the effects of noise upon starting in the morning and ensure the bus leaves and returns to the site without revving of the engine or release of exhaust. **It is important to note that the bus will take only a total of approximately 2 minutes each morning to start and leave the property.**
- The owners will not reverse the bus in the morning, to avoid activation of the reversing sensor.

**CONTINUED OVERPAGE**



- No business signage is (or has ever been) proposed to be erected to alert the public to the fact a transport depot will exist upon the land.

**The following important points are also raised:**

1. The bus proposed to be housed is a 24 seater bus only (not a 42 seater bus).
2. The shed the bus is to be housed within is located at the rear of all buildings upon the site and also a considerable distance away from and behind both neighbouring dwellings (being No. 20 and No. 24). Specifically, the shed has been measured to be located:
  - 54m behind and away from the dwelling located upon No. 20 Aldershot Road; and
  - 40m behind and away from the dwelling located upon No. 24 Aldershot Road.

Given the distance the shed is away from the neighbouring dwellings and the proposal by the owners to keep the shed doors closed when starting the bus, it is considered that any engine noise heard from these distances will be within acceptable EPA noise levels.

The bus is also estimated to take only a matter of seconds to drive past the neighbouring houses when leaving and returning to the site each school day, thus causing a minimal amount of noise. In addition, adequate separation distances between where the bus will pass by each house exist as follows:

- 15m from the closest part of the subject driveway to the dwelling located upon No. 20 Aldershot Road; and
- 39m from the closest part of the subject driveway to the dwelling located upon No. 24 Aldershot Road.

**Please refer to Figures 3, 4, 5 and 6 on the following pages for an illustration of these measurements.**

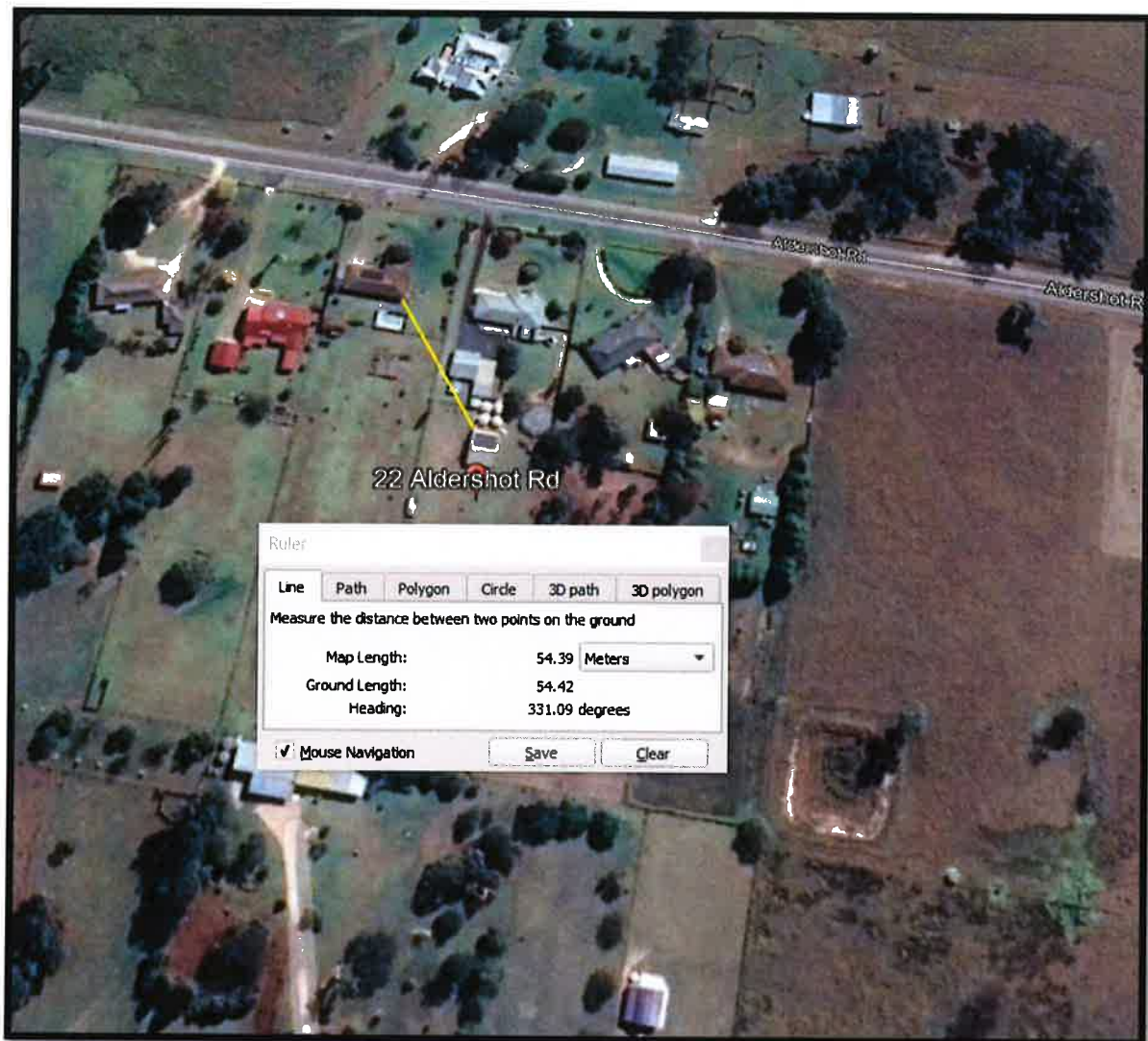
3. Properties are not envisaged to be devalued by this proposal given that the streetscape will not be changing (the existing rear shed will be used to house the bus), no business signage is proposed and the mitigating measures proposed by the owners to reduce noise upon starting, leaving and returning to the site as described above.

## STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372



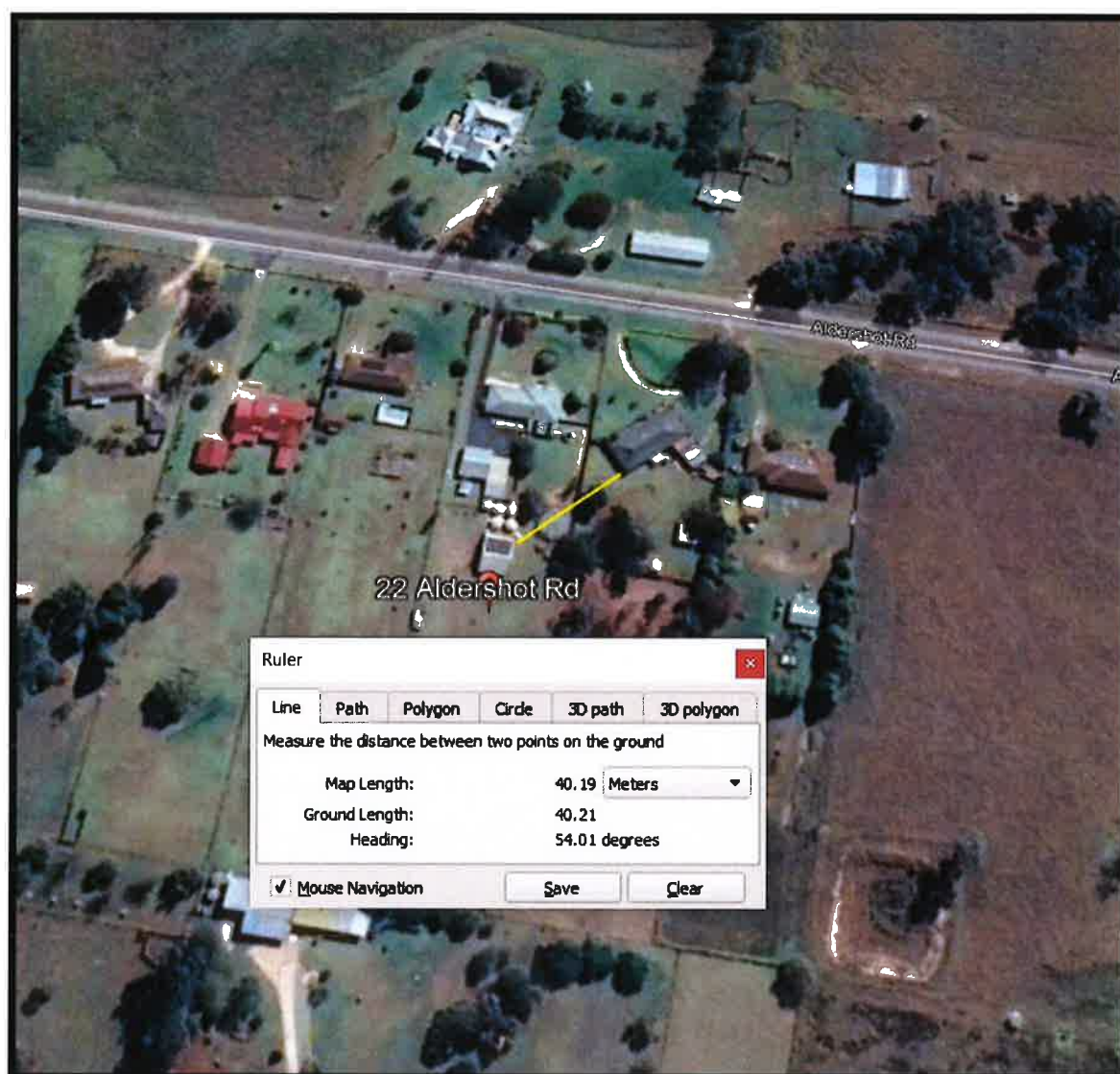
4. As per the waste management plan (**Appendix B**), the bus will not be serviced nor washed at the site.
5. A transport depot is a permitted use under the Tenterfield Shire Council Local Environmental Plan as detailed within Chapter 5 of this report.
6. Council can place conditions on the consent prohibiting no more than 1 bus be permitted to be at the site and be operated within acceptable noise levels as defined by relevant legislation.



**Figure 3: Aerial View, showing distance shed is from No. 20 Aldershot Road  
(Source: Google Earth Pro)**

## STATEMENT OF ENVIRONMENTAL EFFECTS

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**Figure 4: Aerial View, showing distance shed is from No. 24 Aldershot Road**  
(Source: Google Earth Pro)



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**Figure 5: Aerial View, showing distance closest part of the driveway / property boundary where the bus will pass is from is from No. 20 Aldershot Road  
(Source: Google Earth Pro)**

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**Figure 6: Aerial View, showing distance closest part of the driveway where the bus will pass is from is from No. 24 Aldershot Road  
(Source: Google Earth Pro)**

### **Objections Received - Conclusion**

Given the revised proposal to house only 1 bus and justifications provided above, it is considered all objections have been satisfactorily considered and addressed.

## 4. STATUTORY REQUIREMENTS

This section deals with the proposal's consistency with the various statutory and non-statutory provisions. It also addresses the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended).

### 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.*

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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:

- *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 (EP&A Act)

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 6 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 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 categorized as <i>Local Development</i> (i.e. Part 4 Development Applications under the <i>NSW Environmental Planning and Assessment Act 1979</i> (EP&amp;A Act)?</p> <p><b>IF ‘YES’ THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</b></p>	<p><b>YES.</b></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><b>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</b></p>	<p><b>NO</b></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><b>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</b></p>	<p><b>NO</b></p> <p>A search of Tenterfield Shire Council's strategic planning documents revealed the project is not identified within a plan 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) <u>OR</u> Determined by actual lot size where there is no MLS provided for the relevant land under the LEP</p> <table border="1" data-bbox="233 1417 850 1653"> <thead> <tr> <th>Minimum lot size associated with the property</th><th>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><b>Source: <a href="http://environment.nsw.gov.au">Environment.nsw.gov.au</a> website</b></p> <p><b>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</b></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><b>Subject Site Minimum Lot Size (TLEP 2013): N/A</b></p> <p><b>NO</b></p> <p>There is no minimum lot size assigned to the land in accordance with TLEP 2013 which means the area clearing threshold is determined by the actual lot size.</p> <p>That said, the development does not propose to undertake or clear any vegetation.</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</i> 'five-part test'?</p> <p><b>IF 'YES' THE BIODIVERSITY CONSERVATION ACT AND BAM ASSESSMENT APPLIES</b></p>	<p><b>NO.</b></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</i> 'five-part test'.</p>

### **BIODIVERSITY CONSERVATION ACT ASSESSMENT CONCLUSION**

As per the above assessment the Biodiversity Conservation Act 2016 **does not apply**. The proposed development will not 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 Environmental Planning & Assessment Act 1979 (EP&A Act). Environmental planning instruments, including State Environmental Planning Policies (SEPPs) and Local Environmental Plans (LEPs), 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) considered applicable to the development: -

- State Environmental Planning Policy No. 55 – Remediation of Land

**Consideration of the development against the above SEPP follows overleaf.**

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##### **4.3.1.1. State Environmental Planning Policy 55 – Remediation of Land**

The objective of the Policy is to provide for a uniform planning approach to the remediation of contaminated land in NSW.

Clause 7(1) of the Policy requires the consent authority to consider whether:

1. The land is contaminated, and
2. 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
3. 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 55 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 in 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 and one or more of the following approvals:

- *Coal Mine Subsidence Compensation Act 2017*
- *Fisheries Management Act 1994*
- *Heritage Act 1977*
- *Mine Subsidence Compensation Act 1961*
- *National Parks and Wildlife 1974*
- *Petroleum 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. 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.

##### **4.4.2. Fisheries Management Act 1994**

No authorisation required.

##### **4.4.3. Heritage Act 1977**

No authorisation required.

##### **4.4.4. Mining Act 1992**

No authorisation required.

##### **4.4.5. National Parks and Wildlife Act 1974**

No authorisation required.

#### **4.4.6. Protection of the Environment Operations Act 1997**

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

#### **4.4.7. Roads Act 1993**

The Roads Act 1993 details objectives for public and classified roads. The development enjoys existing access via Aldershot Road. As no new driveway access is proposed and the development is not classified as traffic generating development under SEPP Infrastructure 2007, application under S138 of the Roads Act is not required to be lodged in conjunction with this application.

#### **4.4.8. Rural Fires Act 1997**

No authorisation required.

#### **4.4.9. 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 PLANNING INSTRUMENTS

### 5.1. Tenterfield Local Environmental Plan 2013

The relevant planning instrument is the Tenterfield Local Environmental Plan 2013 (TLEP 2013).

#### 5.1.1. Land Use Zoning

The site is currently zoned **RU5 - Village** in accordance with TLEP 2013 land use zone mapping.

#### 5.1.2. Objectives of zone – RU5 Village

The zone aims:

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To enable development of a scale that is compatible with the general residential character of village areas and that will not prejudice the viability of established shopping and commercial centres.*

The development is considered to be consistent with the zone objectives as it seeks to change the use of a shed to a transport depot used solely to operate a small school bus run, which is permissible with consent within the RU5 zone. The proposal provides for a range of land uses associated with a rural village and will not adversely impact the general residential character of the existing locality.

#### 5.1.3. Permitted with Consent

The Tenterfield LEP 2013 permits the following land uses with Council's consent within the RU5 Village Zone:

*Centre-based child care facilities; Community facilities; Dwelling houses; Liquid fuel depots; 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*

#### 5.1.4. Prohibited

The Tenterfield LEP 2013 prohibits the following land uses within the RU5 Village zone:

*Agriculture; Air transport facilities; Airstrips; Cellar door premises; Correctional centres; Crematoria; Eco-tourist facilities; Farm buildings; Farm stay accommodation; Forestry; Heavy*

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*industrial storage establishments; Heavy industries; Pond-based aquaculture; Resource recovery facilities; Roadside stalls; Rural workers' dwellings; Waste disposal facilities; Wharf or boating facilities*

**The proposed change of use development is defined as a *Transport Depot*, which is permissible with consent in this zone as *Any other development not specified in item 2 or 4*.**

The TLEP 2013 defines a **Transport Depot** as:

***Transport depot*** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

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### 5.1.5. LEP Considerations

The following considerations have been made in accordance with the Guyra LEP 2012 provisions:

<b>TLEP 2013 PART 4: PRINCIPLE DEVELOPMENT STANDARDS</b>	<b>COMMENTARY</b>
<b>Clause 4.1 Minimum Subdivision Lot Size</b>	Not applicable to this development.
<b>Clause 4.1AA Minimum subdivision lot size for community title schemes</b>	Not applicable to this development.
<b>Clause 4.2 Rural Subdivision</b>	Not applicable to this development.
<b>Clause 4.2A Minimum subdivision lot size for strata plan schemes in Zone RU1</b>	Not applicable to this development.
<b>Clause 4.2B Exceptions to minimum lot sizes for certain rural subdivisions</b>	Not applicable to this development.
<b>Clause 4.2C Subdivision for residential accommodation in Zone RU1</b>	Not applicable to this development.
<b>Clause 4.2D Erection of rural workers' dwellings in Zone RU1</b>	Not applicable to this development.
<b>Clause 4.2E Erection of dual occupancies and dwelling houses on land in Zone RU1</b>	Not applicable to this development.

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<b>TLEP 2013 PART 4: PRINCIPLE DEVELOPMENT STANDARDS</b>	<b>COMMENTARY</b>
<b>Clause 4.2F</b> <b>Exceptions to minimum subdivision lot sizes for certain rural subdivisions</b>	Not applicable to this development.
<b>Clause 4.3</b> <b>Height of buildings</b>	Not adopted.
<b>Clause 4.4</b> <b>Floor space ratio</b>	Not adopted.
<b>Clause 4.5</b> <b>Calculation of floor space ratio and site area</b>	Not adopted.
<b>Clause 4.6</b> <b>Exceptions to development standards</b>	Not applicable to this development.

<b>TLEP 2013 PART 5: MISCELLANEOUS PROVISIONS</b>	<b>COMMENTARY</b>
<b>Clause 5.1</b> <b>Relevant acquisition authority</b>	Not applicable to this development.
<b>Clause 5.2</b> <b>Classification and reclassification of public land</b>	Not applicable to this development.
<b>Clause 5.3</b> <b>Development near zone boundaries</b>	Not applicable to this development.
<b>Clause 5.4</b> <b>Controls relating to miscellaneous permissible uses</b>	Not applicable to this development.

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TLEP 2013 PART 5: MISCELLANEOUS PROVISIONS	COMMENTARY
<b>Clause 5.5 (Repealed)</b>	Repealed.
<b>Clause 5.6 Architectural roof features</b>	Not adopted.
<b>Clause 5.7 Development below mean high water mark</b>	Not adopted.
<b>Clause 5.8 Conversion of fire alarms</b>	Not applicable to this development.
<b>Clauses 5.9, 5.9AA (Repealed)</b>	Repealed.
<b>Clause 5.10 Heritage Conservation</b>	Not applicable to this development.
<b>Clause 5.11 Bush fire hazard reduction</b>	Not applicable to this development.
<b>Clause 5.12 Infrastructure development and use of existing buildings of the Crown</b>	Not applicable to this development.
<b>Clause 5.13 Eco-tourist facilities</b>	Not applicable to this development.
<b>Clause 5.14 Siding Spring Observatory— maintaining dark sky</b>	Not adopted.

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TLEP 2013 PART 5: MISCELLANEOUS PROVISIONS	COMMENTARY
<b>Clause 5.15</b> <b>Defence communications facility</b>	Not adopted.
<b>Clause 5.16</b> <b>Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones</b>	Not applicable to this development.
<b>Clause 5.17</b> <b>Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations</b>	Not applicable to this development.
<b>Clause 5.18</b> <b>Intensive livestock agriculture</b>	Not applicable to this development.
<b>Clause 5.19</b> <b>Pond-based, tank-based and oyster aquaculture</b>	Not applicable to this development.

TLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS <u>CLAUSE 6.1 - EARTHWORKS</u>	COMMENTARY
<b>Clause 6.1</b> <b>Earthworks</b>	Not applicable to this development. No earthworks proposed.
<b>(a) <i>The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development.</i></b>	N/A



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<b>TLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS <u>CLAUSE 6.1 - EARTHWORKS</u></b>	<b>COMMENTARY</b>
<b><i>(b) The effect of the development on the likely future use or redevelopment of the land,</i></b>	N/A
<b><i>(c) The quality of the fill or the soil to be excavated, or both,</i></b>	N/A
<b><i>(d) The effect of the development on existing and likely amenity of adjoining properties.</i></b>	N/A
<b><i>(e) The source of any fill material and the destination of any excavated material.</i></b>	N/A
<b><i>(f) The likelihood of disturbing relics.</i></b>	N/A
<b><i>(g) The proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</i></b>	N/A
<b><i>(h) Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></b>	N/A

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TLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS	COMMENTARY
<b>Clause 6.2</b> <b>Flood planning</b>	Not applicable to this development.
<b>Clause 6.3</b> <b>Sensitive land</b>	Not applicable to this development – land not mapped on the TLEP 2012 ‘Sensitive Land Map’.
<b>Clause 6.4</b> <b>Essential Services</b>	<p>The shed subject of this application enjoys access to the following services:</p> <p><b>(a) The supply of electricity:</b> Connection to mains power exists to the shed subject of this application. No further connections proposed as part of development.</p> <p><b>(b) Stormwater drainage or on-site conservation:</b> All drainage from the subject shed is directed to existing rainwater tanks with overflow managed on site. No changes to stormwater disposal proposed.</p> <p><b>(c) Suitable vehicle access:</b> Occupants are afforded existing stable road access to the property from Aldershot Road. The shed subject of this application is proposed to be connected to a new internal gravel driveway that provides adequate room to enable the proposed transport depot buses to enter and exit the site in a forward direction without causing disturbance to neighbouring properties.</p>
<b>Clause 6.5</b> <b>Location of sex services premises</b>	Not applicable to this development.

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TLEP 2013 PART 6: ADDITIONAL LOCAL PROVISIONS	COMMENTARY
<b>Clause 6.6</b> <b>Development within a designated</b> <b>buffer area</b>	Not applicable to this development.

### **TLEP 2013 Assessment Conclusion**

Overall, it is considered that the proposed development generally complies with the requirements of the Tenterfield LEP 2013.

## **6. DEVELOPMENT CONTROL PLAN**

### **6.1. Tenterfield Shire Council Development Control Plan 2014 (TSCDCP 2014)**

The Tenterfield Shire Council DCP 2014 provides detailed direction about aspects of development that must be considered prior to submitting a Development Application for land located within the Tenterfield Shire Local Government Area.

The TSCDPC 2014 does not provide any controls specifically relating to the subject change of use development. Notwithstanding, as demonstrated upon the submitted site plan and throughout this report, the location of the existing shed proposed to be used as a transport depot and minimal bus movements proposed from the site each day ensures the new use will not detrimentally impact the immediate or surrounding locality in regard to views, privacy, noise or air quality.

## 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 Environmental Planning Instruments available for consideration at time of application.

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

Consideration has been given to the provisions of the relevant Development Control Plan.

### 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.
Public Domain	The proposal will not result in any adverse impacts to the public domain.

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Likely Impacts	Assessment
<b>Utilities</b>	No new connections proposed as part of development.
<b>Heritage</b>	Not applicable.
<b>Other Land Resources</b>	The proposed development will not alienate other uses on neighbouring sites.
<b>Water Quality</b>	Stormwater disposal to remain as existing (to rainwater tanks with overflow managed on-site).
<b>Soils</b>	The site of the proposed development is not identified as contaminated, nor is located within an Acid Sulphate Soils zone.
<b>Air and Microclimate</b>	The proposal is expected to have a negligible impact on air quality and microclimate.
<b>Ecological</b>	There are negligible ecological impacts anticipated.
<b>Waste</b>	Waste generated will be handled in accordance with the Waste Management Plan included as <b>Appendix B</b> .
<b>Energy</b>	Not applicable to this development.
<b>Noise and Vibration</b>	The transport depot will be operated with minimal bus movements from the site each day (2 max per day) to ensure no adverse impact occurs to adjoining properties or the locality in regard to noise and vibration. In addition, bus vehicle movements / noise will further reduce one the landowners complete the construction of their



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Likely Impacts	Assessment
	additional transport depot at Deepwater (expected to be within approximately 12-18 months).
<b>Natural Hazards</b>	The site is identified as bushfire prone land according to Tenterfield Shire Council Bushfire Prone Land Mapping. As the subject shed is over 6m from the existing dwelling, no bushfire assessment or construction measures are required to be provided / installed in accordance with the provisions of the NSW RFS Planning for Bushfire Protection 2019 document and AS3959-2018.
<b>Technological Hazards</b>	None exist in respect to this type of development.
<b>Safety, Security and Crime Prevention</b>	The development is designed and located to ensure safety and security will be maintained.
<b>Social Impact in Locality</b>	The proposal does not introduce a type of development or scale of development that would result in an adverse impact.
<b>Economic Impact in Locality</b>	No adverse economic impact is expected, nor is the proposal envisaged to impact the future economic viability of the locality.
<b>Site Design and Internal Design</b>	Compatible in relation to the existing built form and context of surrounding rural locality.
<b>Construction</b>	To Council and BCA requirements.
<b>Cumulative Impacts</b>	None are likely to result from this scale of development.

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### **Suitability of the Site for Development – 4.15(1)(c)**

The subject site is considered suitable for the proposed development in this location. 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.

### **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.

### **Public Interest – 4.15(e)**

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

### **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.

#### STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot  
Lot 14 DP 255005 No. 22 Aldershot Road, TENTERFIELD NSW 2372



### 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 *Tenterfield Local Environmental Plan 2013* and displays compliance with the objectives and controls of the *Tenterfield Shire Council Development Control Plan 2014*. 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**



## AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : McCasker

Client Service ID : 619060

RuralPlan Consultants

Date: 02 September 2021

PO Box 5

GLEN INNES New South Wales 2370

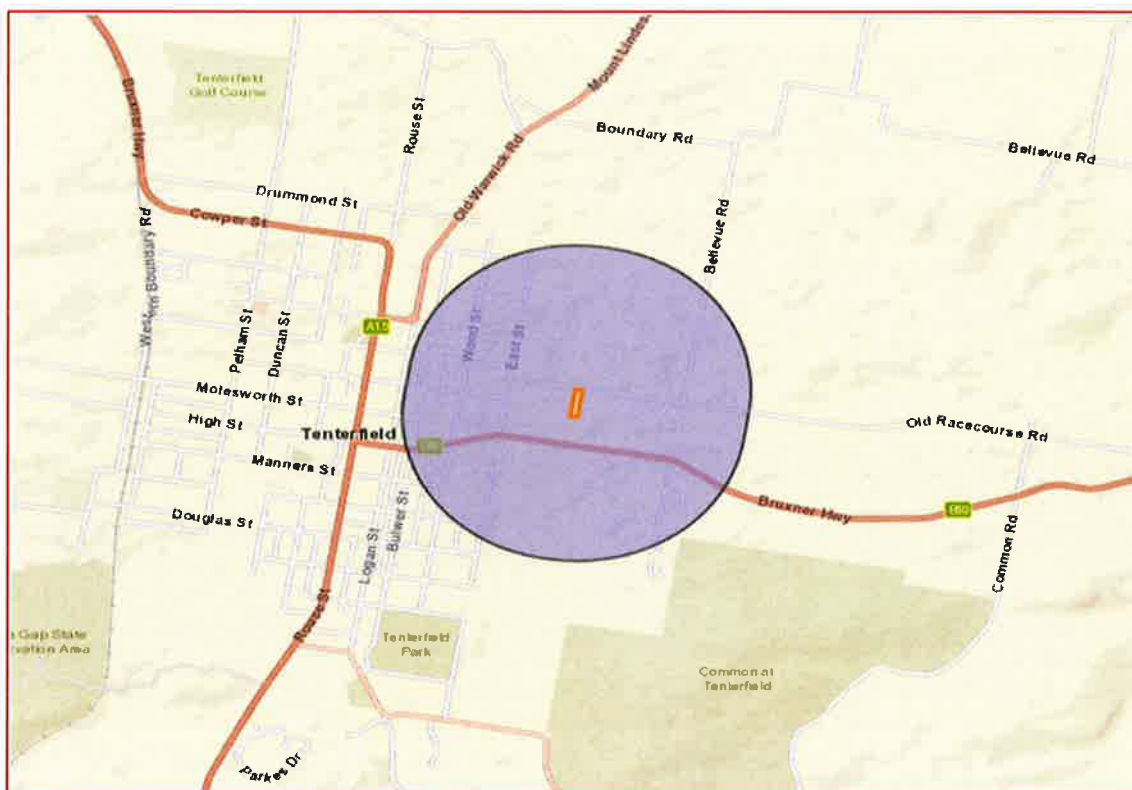
Attention: James Sheridan

Email: admin@ruralcert.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 14, DP:DP255005, Section : - with a Buffer of 1000 meters, conducted by James Sheridan on 02 September 2021.**

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. *

# **APPENDIX B**

## **Waste Management Plan**



# **WASTE MANAGEMENT PLAN**

**Lot 14 DP 255005  
22 Aldershot Road  
TENTERFIELD NSW 2372**

**Change of Use of Existing Shed Ancillary  
to a Dwelling House to Transport Depot  
(Daily School Bus Run Only)**

**SEPTEMBER 2021  
REF: McCASKER**

## 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:

Dwelling, detached sheds, carport, rainwater tanks, portable shade structures for vegetable gardens.

Provide a brief description of the proposal:

Change of Use of Existing Shed Ancillary to a Dwelling House to Transport Depot.

## Site Preparation / 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	N/A	N/A	N/A
Garden Organics	N/A	N/A	N/A
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
<b>Hazardous Material and Lead based Paints (Refer to Section (i))</b>	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/](http://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.

## 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	N/A	N/A
Garden Organics	N/A	N/A
Bricks	N/A	N/A
Concrete	N/A	N/A
Timber	N/A	N/A
Plasterboard	N/A	N/A
Metals	N/A	N/A
<b>Hazardous Material and Lead based Paints (Refer to Sections (i) and (ii) below)</b>	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/](http://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.

## Use of Premises

<b>Type of Waste to be Generated</b> Please specify for example: glass, paper, food waste, off cuts, etc.	<b>Proposed Storage and Treatment Facilities</b> For example: domestic waste bins, waste storage and recycling area, garbage Chutes, on-site composting, compaction equipment.	<b>Destination</b> Recycling, Disposal.
Minimal waste associated with operation of a school bus only (such as general rubbish left on bus by students)	Council waste and recycle bins.	Utilise Council waste pick-up services.
Buses will be washed and serviced off site.		

## On-going Management:

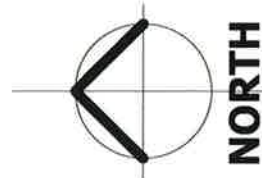
Describe how you intend to ensure on-going management of waste on site:

The owners of the transport depot will continue be solely responsible for waste disposal in perpetuity.



ALDERSHOT ROAD

90° 29' 35"  
42.983 m



GRADE SOIL AWAY FROM  
PROPOSED BUILDINGS IN  
ORDER TO AVOID PONDING  
OF SURFACE WATER

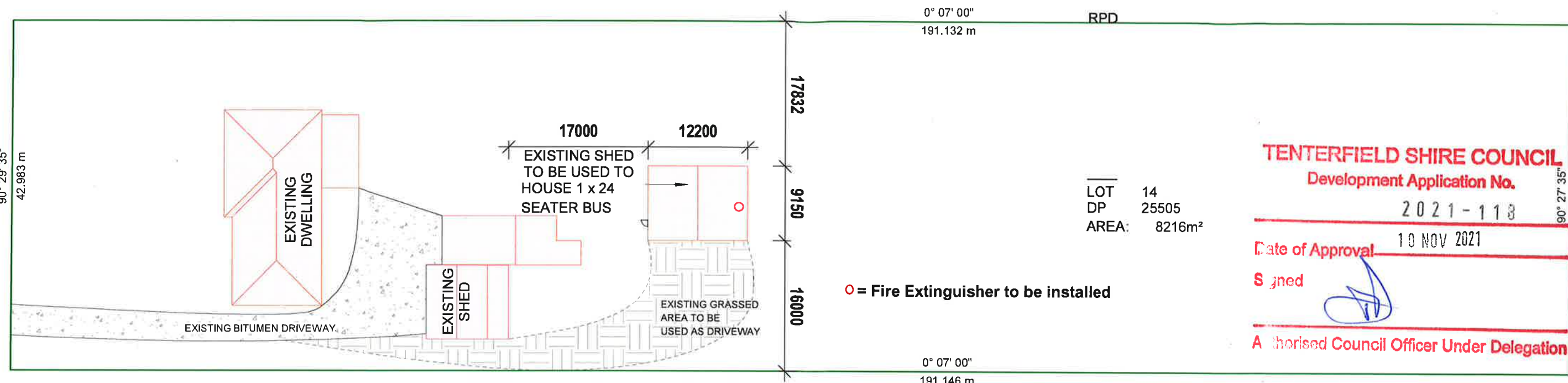
PROVIDE MINIMUM Ø90mm  
STORMWATER DRAINS  
WITH MIN. 1:100 FALL  
CONNECTED TO LEGAL  
POINT OF DISCHARGE

SEDIMENT CONTROL  
BARRIER AS REQUIRED  
FOR CONSTRUCTION  
PURPOSES

SLIP COUPLINGS  
REQUIRED FOR ALL 'H', 'P'  
& 'E' SOIL CLASS SITES.

NOTE: PAD LEVEL TO BE  
CONFIRMED ON SITE.

CUT/FILL LEVELS &  
VOLUMES ARE  
APPROXIMATE ONLY



LOT 14  
DP 25505  
AREA: 8216m<sup>2</sup>

**TENTERFIELD SHIRE COUNCIL**  
Development Application No.

2021-113

Date of Approval 10 NOV 2021

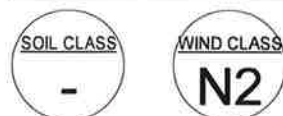
Signed

Authorised Council Officer Under Delegation

## Site Plan - Proposed

2  
300 1:500

NOTE:  
TILE LAYOUT IS INDICATIVE ONLY.  
TILE SET OUT TO BE AGREED ON SITE  
PRIOR TO COMMENCEMENT OF TILING.



## CONSTRUCTION NOTES

ALL WORK TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA REQUIREMENTS (NCC) AND AUSTRALIAN STANDARDS AND THEIR MOST CURRENT AMENDMENTS.  
ALL LOCAL COUNCIL REQUIREMENTS ARE TO BE MET IN RELATION TO THE CLASS AND TYPE OF CONSTRUCTION.

BEFORE COMMENCING CONSTRUCTION ALL DIMENSIONS, EXISTING LEVELS, FINISHED LEVELS AND ALL SITE SERVICES ARE TO BE VERIFIED BY THE BUILDER.  
NOTIFY THE BUILDING DESIGNER OF ANY VARIATION BETWEEN THE DOCUMENTATION AND SITE CONDITIONS.

WRITTEN DIMENSIONS ARE TO TAKE PRECEDENCE OVER SCALING FROM THE DRAWINGS. NOTIFY THE BUILDING DESIGNER OF ANY VARIATIONS OR DISCREPANCIES IN THE DIMENSIONING OF THE PLANS.

MANHOLE TO BE POSITIONED TO SUIT TRUSS LAYOUT. POSITION TRUSSES SO AS TO PROVIDE A CLEAR 600mm x 600mm OPENING. MANHOLE POSITION AS INDICATED ON PLAN.

TERMITE PROTECTION TO COMPLY WITH AS 3660 AND AS 3660.1 & NCC 2019 VOLUME 2 PART 3.1.3.

WATERPROOFING OF WET AREAS TO COMPLY WITH AS 3740 - 2010 & NCC 2019 VOLUME 2 PART 3.8.1.

DAMP PROOFING OF GROUND SLAB/ FLOORS TO COMPLY WITH AS 2870 & NCC 2019 VOLUME 2 PART 3.2.2.6 & 3.2.2.7.

ALL BATHROOMS, LAUNDRIES, ENSUITES AND WC'S NOT NATURALLY VENTILATED ARE TO BE MECHANICALLY VENTILATED TO COMPLY WITH 1668.2 AND AS/NZS 3666.1 & NCC 2019 PART 3.8.5.

WINDOW FRAME AND GLAZING TO BE INSTALLED IN ACCORDANCE WITH AS1288, NCC 2019 VOLUME 2 PART 3.6 AND MANUFACTURERS REQUIREMENTS.

POOL FENCING TO COMPLY WITH AS 1926.1 & 2.

SMOKE ALARMS TO COMPLY WITH AS 3786 & NCC 2019 VOLUME 2 PART 3.7.2.

STAIRS, HANDRAILS AND BALUSTRADES TO COMPLY WITH Part 3.9.1, 3.9.2 NCC 2019 AND AS1170 INCLUDING AS1288.

BALUSTRADES TO HAVE A MINIMUM HEIGHT OF 1000mm ABOVE FINISHED SURFACE LEVEL.

GENERAL NOTES:  
ALL DIMENSIONS AND LEVELS SHALL BE CHECKED ON  
SITE PRIOR TO COMMENCEMENT OF THE WORKS.

DIMENSIONS SHOWN ARE TO FACE OF EXTERNAL  
FRAME ONLY. **DO NOT SCALE.** ANY DISCREPANCIES TO  
BE REPORTED IMMEDIATELY TO BUILDING DESIGNER.

THESE DRAWINGS SHALL BE READ IN CONJUNCTION  
WITH THE SOIL REPORT.

6mm VILABOARD TO WET AREA WALLS.

ROOF TRUSSES SHALL BE ENGINEER DESIGNED, FIXED  
& BRACED IN ACCORDANCE WITH MANUFACTURER'S  
SPECIFICATION.

### Site Notes

The location of all existing services to the site and any  
survey information is to be confirmed on site prior to the  
commencement of any construction works including  
earthworks



~ Building Design - Residential & Commercial  
~ General Drafting ~ BASIX Certificates  
~ OSSM Design ~ NatHERS Assessments  
~ Section J Reports  
Post : PO Box 25 TENTERFIELD NSW 2372  
contact@efficientbuildingdesign.com  
www.efficientbuildingdesign.com  
0457 251 026 | ABN: 63630835231  
QBCC LICENCE NO. 15071893



Revision	Description	Date	Issued by
1	Preliminary Design	01/09/2021	CG

Proposed Bus Depot  
22 Aldershot Road  
TENTERFIELD NSW 2372

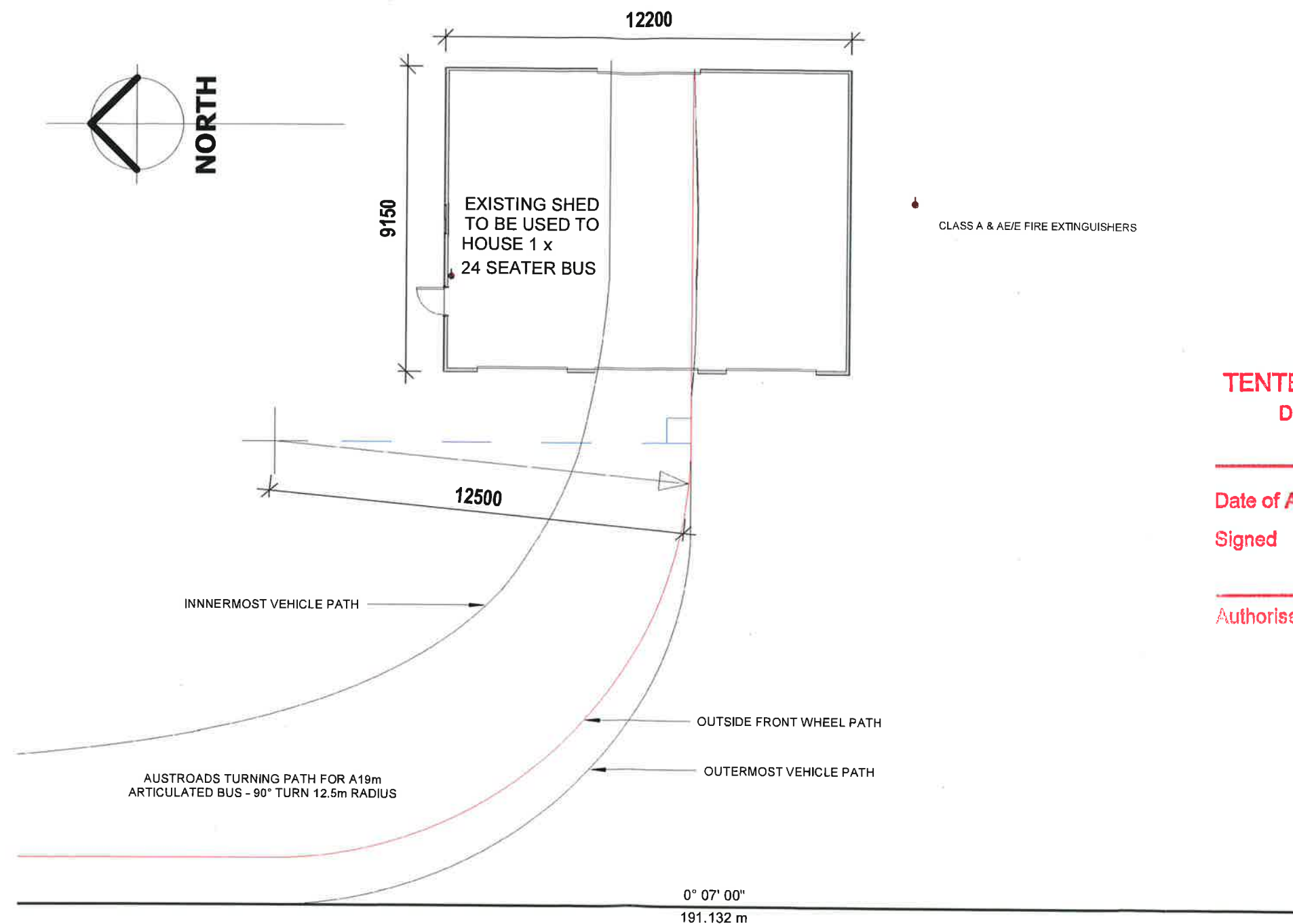
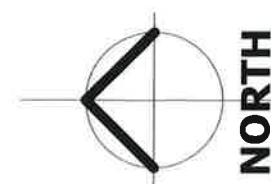
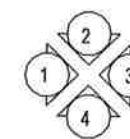
D & J McCasker

## SITE PLAN

project number	21-132	revision	1	sheet	001
date	01/09/2021				
drawn by	CG				
checked by	CG	Scale			1:500

2/09/2021 8:36:01 AM





**TENTERFIELD SHIRE COUNCIL**  
Development Application No.

2021-113

Date of Approval 10 NOV 2021

Signed

Authorised Council Officer Under Delegation

**B Floor Plan**  
1 : 150

1	Revision	Description	Date	Issued by
1		Preliminary Design	01/09/2021	CG

Proposed Bus Depot  
22 Aldershot Road  
TENTERFIELD NSW 2372

D & J McCasker

## FLOOR PLAN

project number	21-132	revision	1	sheet	100
date	01/09/2021				
drawn by	CG				
checked by	CG	Scale		As indicated	