

Supplementary Submission to IPC

In support – prepared by Russell Sydenham. February 2024.

In my original submission I did not attach a copy of a letter referred to in my Section 7. Energy Security DAD-01. (see attached letter Reference DA2019-0097 4 October 2019). This is now attached.

Supplementary to this Section I also state that: As the owner of Lot 210/DP819485, which is required for access to construct DAD01, I do not grant access.

Sincerely,

Russell Sydenham

Mr Russell Sydenham
[REDACTED]

By Email ONLY: [REDACTED]

Dear Sir

**DEVELOPMENT APPLICATION NO. DA2019-0097
DEMOLITION OF AN EXISTING DWELLING AND CONSTRUCTION OF A NEW
DWELLING AT [REDACTED]**

I refer to the subject development application and your correspondence concerning the matter.

In this regard, it is advised that the proposal was considered at the Ordinary Meeting of Council held on 24 September 2019, where Council resolved to determine the application by the refusal of consent for the following reasons:

- (i) on the basis that the development application has failed to adequately address clause 7.3 of the Biodiversity Conservation Act 2016;
- (ii) on the basis that the development application has failed to adequately address the requirements of Planning for Bushfire Protection;
- (iii) on the basis that the development application has failed to adequately address Part 2 of the State Environmental Planning Policy No.44 – Koala Habitat Protection;
- (iv) the application is not considered to meet the objectives of the RU1 Primary Production zone, as the chosen location of the dwelling will not minimise the potential for conflict between land uses and properties;
- (v) on the basis that the BASIX Certificate does not correspond in all relevant aspects with the description contained in the application and accompanying documents in accordance with the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and Clause 164A(4) of the Environmental Planning and Assessment Regulation 2000;
- (vi) on the basis that the development application has failed to satisfy the following requirements of the Tamworth Regional Development Control Plan 2010:
 - a. failure to submit legible and accurate plans to enable Council to carry out a proper and complete assessment of the application;
 - b. the application has not demonstrated compliance with the water servicing requirements;

All correspondence should be addressed to the General Manager:

Telephone: 6767 5555

Facsimile: 6767 5499

PO Box 555 (DX 6125)

Tamworth NSW 2340

trc@tamworth.nsw.gov.au

www.tamworth.nsw.gov.au

- c. the application has not provided details with regard to the height of proposed fencing or the location or type of access gates to provide vehicle access to the site;
 - d. the application has not provided adequate information to demonstrate that all weather 2WD access in the location shown on the part site plan is or can be provided; and
 - e. the application has not provided documentary evidence that the subject site has the legal right to access the site over Lot 210 DP 819485 and the adjoining reserve.
- (vii) the application is considered unacceptable as the development will likely have a significant social and economic impact on the local community as identified in the submissions made in accordance with the Act;
- (viii) as a result of the insufficient information that has been submitted with the application, Council is unable to be satisfied that the site is suitable for the development as proposed;
- (ix) the site is not considered suitable given the matters of public interest raised in the submissions made in accordance with the Act; and
- (x) given the perceived and potential social and economic impacts this development may have on the local community and the economy, as raised in the submissions. It is not in the public interest to approve the development.

A copy of the Council report, including recommendations and minutes, may be viewed by visiting Council's website www.tamworth.nsw.gov.au.

Should you have any enquiries in relation to this matter, please contact the undersigned.

Yours faithfully



Amanda Faulkner
Senior Development Assessment Planner

Contact: Amanda Faulkner (02) 6767 5507

Reference: DA2019-0097

4 October 2019