

Laterals

Planning
Engineering & Management
Environmental

STATEMENT OF ENVIRONMENTAL EFFECTS



**ERECTION of NEW GARAGE / STORAGE SHED
LOT 28 DP 1271846
97 CORRIEDALE DRIVE, MARULAN**

ANNE and LARRY STONE

May 2024

Reference No.: 2402

Prepared by:

Laterals Planning

1st Floor, 213 Auburn Street

(PO Box 1326) Goulburn NSW 2580

Tel: (02) 4821 0973

Fax: (02) 4822 0777

Email: robert@laterals.com.au

CONTENTS

CONTENTS	2
1 INTRODUCTION/EXECUTIVE SUMMARY	3
1.1 HISTORY OF SITE	3
1.2 CONSULTATION WITH COUNCIL	3
2 SITE ANALYSIS	4
2.1 SITE DESCRIPTION	4
2.2 SITE LOCATION AND CONTEXT	4
2.3 SURROUNDING DEVELOPMENT	4
3 PROPOSED DEVELOPMENT	7
3.1 ELEMENTS OF THE PROPOSED DEVELOPMENT	7
3.2 DEVELOPMENT MATERIALS	10
3.3 OPERATIONAL DETAILS AND DEVELOPMENT/CONSTRUCTION MANAGEMENT	10
3.4 ACCESS.....	10
3.5 SIGNAGE	10
3.6 VEGETATION MANAGEMENT AND LANDSCAPING	10
3.7 BUSHFIRE PRONE LAND	10
3.8 WATER MANAGEMENT	12
3.9 DEMOLITION.....	12
3.10 AMENDMENTS TO EXISTING CONSENT.....	12
3.11 STAGING	12
4 LEGISLATION AND PLANNING CONTROLS	13
4.1 LEGISLATION APPLICABLE TO THE PROPOSED DEVELOPMENT.....	13
5 ASSESSMENT OF PLANNING CONTROLS	20
5.1 COMPLIANCE WITH PLANNING INSTRUMENTS AND CONTROLS	20
5.2 TRAFFIC ACCESS	23
5.3 VISUAL ASSESSMENT	23
5.4 AMENITY ASSESSMENT.....	23
5.5 NOISE ASSESSMENT	24
5.6 PRIVACY AND OVERSHADOWING ASSESSMENT.....	24
5.7 WATER MANAGEMENT ASSESSMENT	24
5.8 FLOODING.....	24
5.9 EROSION AND SEDIMENT CONTROL ASSESSMENT.....	24
5.10 SOCIAL AND ECONOMIC ASSESSMENT	24
5.11 HERITAGE AND ABORIGINAL OBJECTS ASSESSMENT	24
5.12 DEMOLITION ASSESSMENT.....	24
5.13 UTILITIES AND SERVICES ASSESSMENT	24
5.14 CONTAMINATED LAND ASSESSMENT	24
5.15 SUITABILITY OF THE SITE	24
5.16 SUBMISSIONS	24
5.17 PUBLIC INTEREST	24
5.18 BIODIVERSITY.....	24
6 CONCLUSIONS	25
7 APPENDIX 1 – LEGISLATION POTENTIALLY APPLICABLE	26
8 APPENDIX 2 – GOULBURN MULWAREE LEP 2009 AND GOULBURN DCP COMPLIANCE	41
9 APPENDIX 3 - AERIAL PHOTOGRAPHS - DCP VARIATION	45

1 INTRODUCTION/EXECUTIVE SUMMARY

This report supports a Development Application by Anne and Larry Stone to Goulburn Mulwaree Council for the erection of a new 12m x 12m garage / storage shed on Lot 28 DP 1271846, 97 Corriedale Drive, Marulan. Refer to details in Section 3.1.

The information regarding the proposed development is consolidated in the plans and details provided in this report.

The report provides information about the site and the proposed development. Key planning issues are discussed which, in combination with a summary assessment of the proposal against the heads of consideration in s4.15 of the *Environmental Planning and Assessment Act 1979*, represents the required Statement of Environmental Effects.

1.1 HISTORY OF SITE

The area has been recently released for residential purposes and was previously used for grazing purposes.

1.2 CONSULTATION WITH COUNCIL

A meeting was held with the Duty Planner on the 9 April 2024 to ascertain the requirements for the development application which have been incorporated in this Statement of Environmental Effects.

2 SITE ANALYSIS

2.1 SITE DESCRIPTION

The site consists of Lot 28 DP 1271846, 97 Corriedale Drive, Marulan as shown on the aerial photograph below on page 7. A copy of the deposited plan is shown below on page 6. The land has a southerly aspect and none of the slopes exceed 18 degrees. The site for the storage shed is not impacted by any easements and there are no areas of slip or subsidence. The site is serviced with reticulated water and sewerage, electricity and telephone and the construction of a residential dwelling has been commenced. The general nature of the site for the proposed storage shed is shown on the photographs below.

2.2 SITE LOCATION and CONTEXT

The site is located in a large lot residential district of Marulan and to the north of Corriedale Drive. The site has access from Corriedale Drive and the area in general is utilised for residential purposes.

2.3 SURROUNDING DEVELOPMENT

The site is within an area of rural residential development. Viewing the site from the aerial photograph the surrounding land contains:

- To the north there is a dwelling under construction and Brayton Road.
- To the east there is vacant land.
- To the south there is residential development.
- To the west there is residential development.



View South



View East



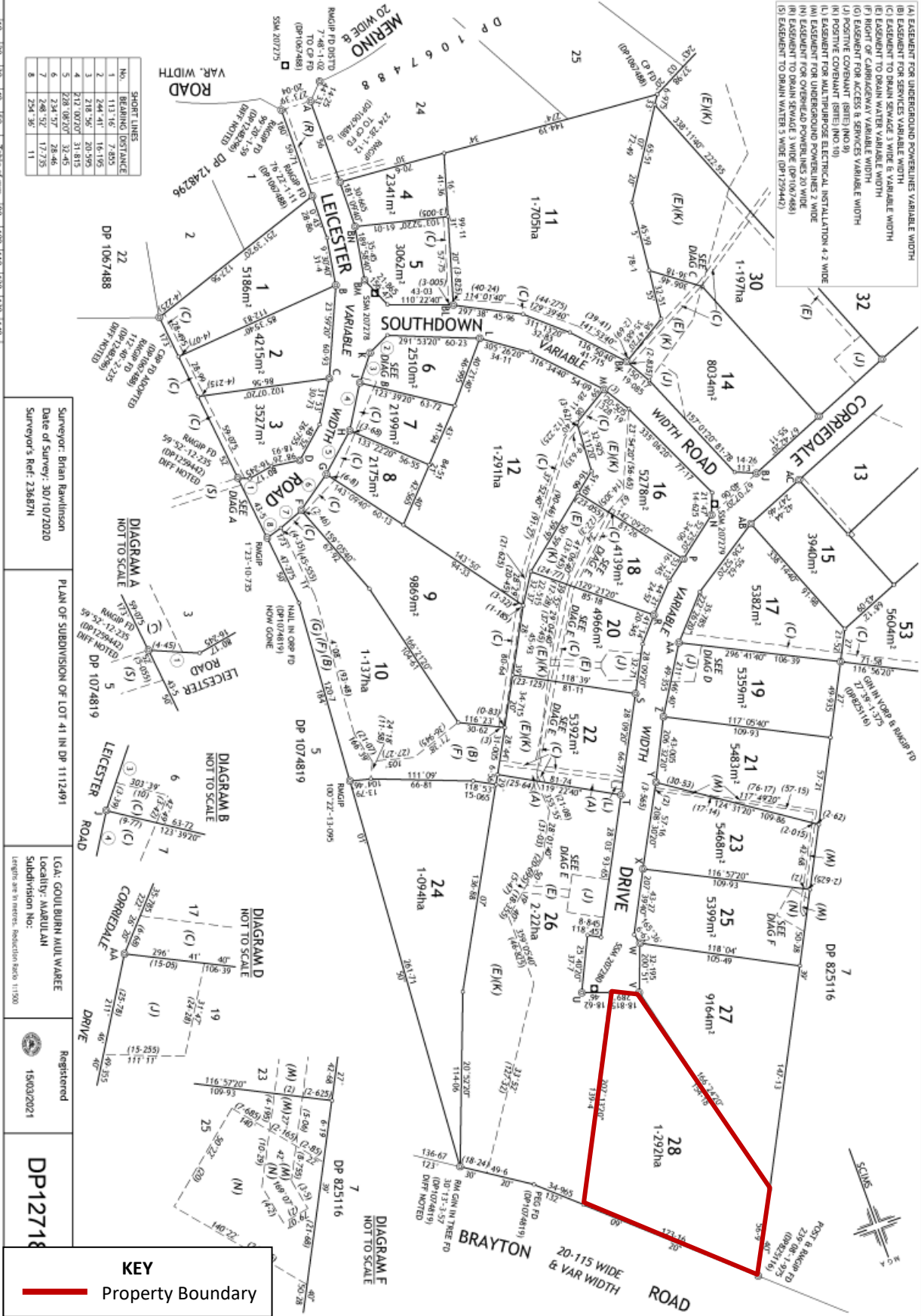
View North



View West

Proposed Storage Shed Site

- (A) EASEMENT FOR UNDERGROUND POWER LINES VARIABLE WIDTH
- (B) EASEMENT FOR SERVICES VARIABLE WIDTH
- (C) EASEMENT TO DRAIN SEWERAGE 3 WIDE & VARIABLE WIDTH
- (E) EASEMENT TO DRAIN WARDEN VARIABLE WIDTH
- (F) RIGHT OF CARRIAGEWAY VARIABLE WIDTH
- (G) EASEMENT FOR ACCESS & SERVICES VARIABLE WIDTH
- (J) POSITIVE COVENANT (SITE) (NO. 8)
- (K) POSITIVE COVENANT (SITE) (NO. 10)
- (L) EASEMENT FOR MULTIPURPOSE ELECTRICAL INSTALLATION 4.2 WIDE
- (M) EASEMENT FOR UNDERGROUND POWER LINES 7 WIDE
- (N) EASEMENT TO DRAIN SEWERAGE 3 WIDE (DP1074819)
- (S) EASEMENT TO DRAIN WATER 5 WIDE (DP1271846)



No.	Bearing	Distance
1	113.16	7.025
2	244.41	16.195
3	218.56	20.595
4	271.07207	31.815
5	278.08707	32.46
6	234.57	17.775
7	244.36	11

Surveyor: Brian Rawlinson
 Date of Survey: 30/10/2020
 Surveyor's Ref: 23687N

PLAN OF SUBDIVISION OF LOT 41 IN DP 1112491

LGA: GOULBURN MULLI WAREE
 Locality: MABULAN
 Subdivision No:

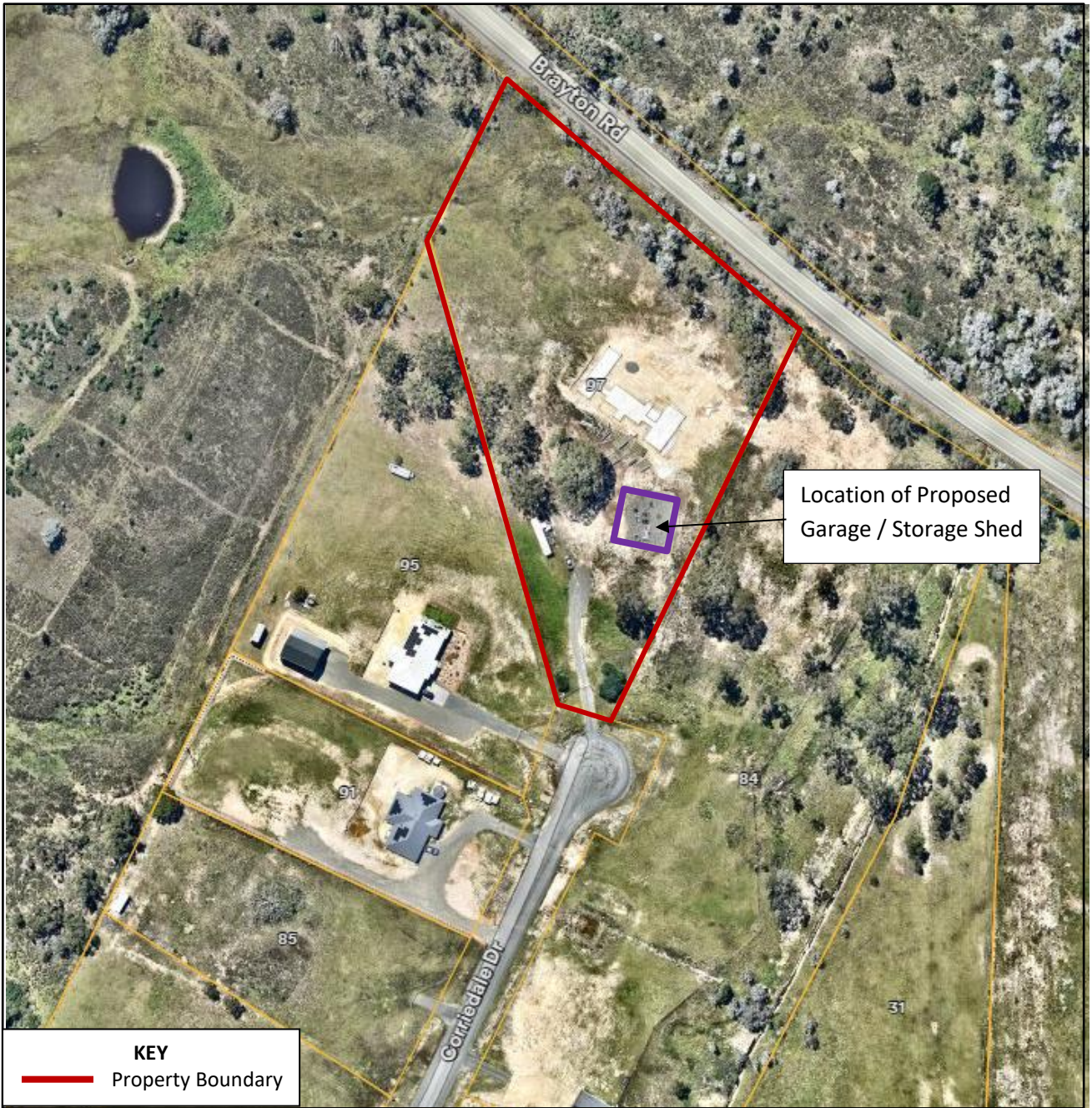
Registered
 150032021

DP12718

KEY

Property Boundary

DP 1271846 (Sheet 2 of 4 Sheets)



Aerial Photograph - Existing Site – 97 Corriedale Drive, Marulan
(Base Map Source: Nearmap)

3 PROPOSED DEVELOPMENT

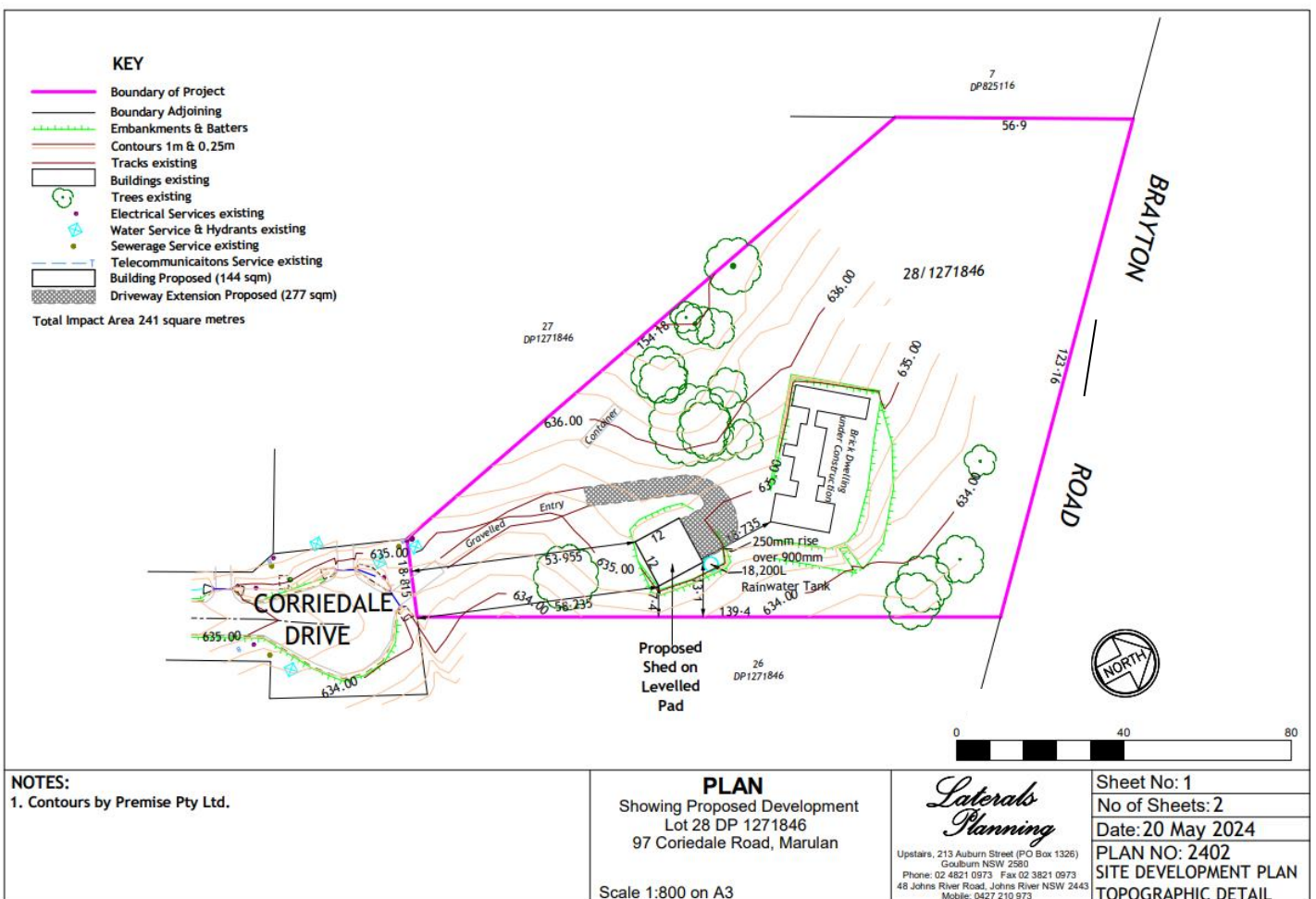
3.1 ELEMENTS OF THE PROPOSED DEVELOPMENT

The development proposal involves:

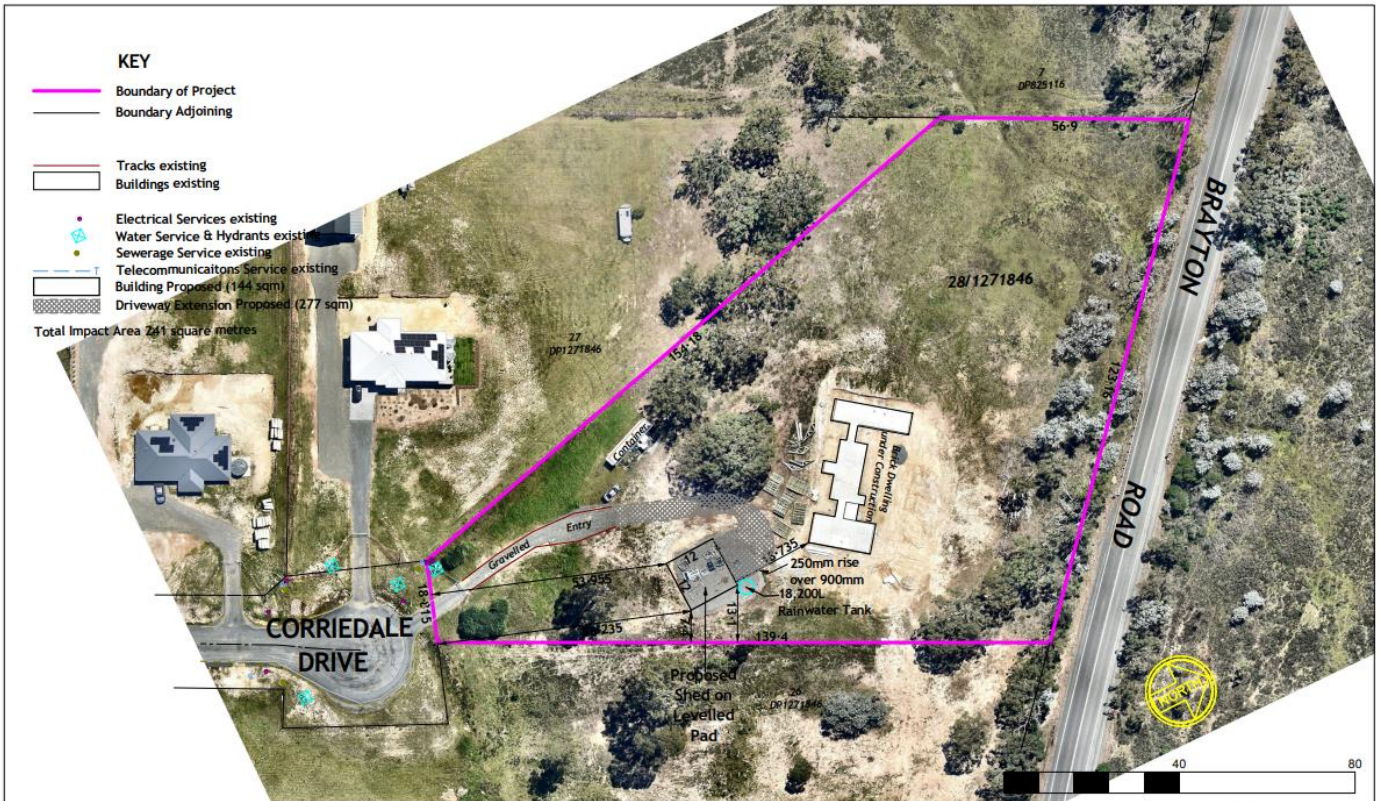
1. Erection of a new colourbond storage shed having dimensions 12m x 12m as indicated below.
2. The carrying out of works as required by Council on the issue of development consent.

Clearing would not be necessary to enable development and use of the storage shed as the site has been cleared previously. Topographic detail of the proposed development is shown below and an aerial photograph is on page 8.

A plan and elevations of the proposed new storage shed is detailed below on page 9 and a full set of plans provided by Best Sheds Pty Ltd is separately attached.



Site Development Plan - Topographic Detail
(Plan Source: Laterals Planning)



- KEY**
- Boundary of Project
 - Boundary Adjoining
 - Tracks existing
 - Buildings existing
 - Electrical Services existing
 - Water Service & Hydrants existing
 - Sewerage Service existing
 - Telecommunications Service existing
 - Building Proposed (144 sqm)
 - Driveway Extension Proposed (277 sqm)
- Total Impact Area 241 square metres

NOTES:
1. Aerial photography from Near Map 3 March 2024.

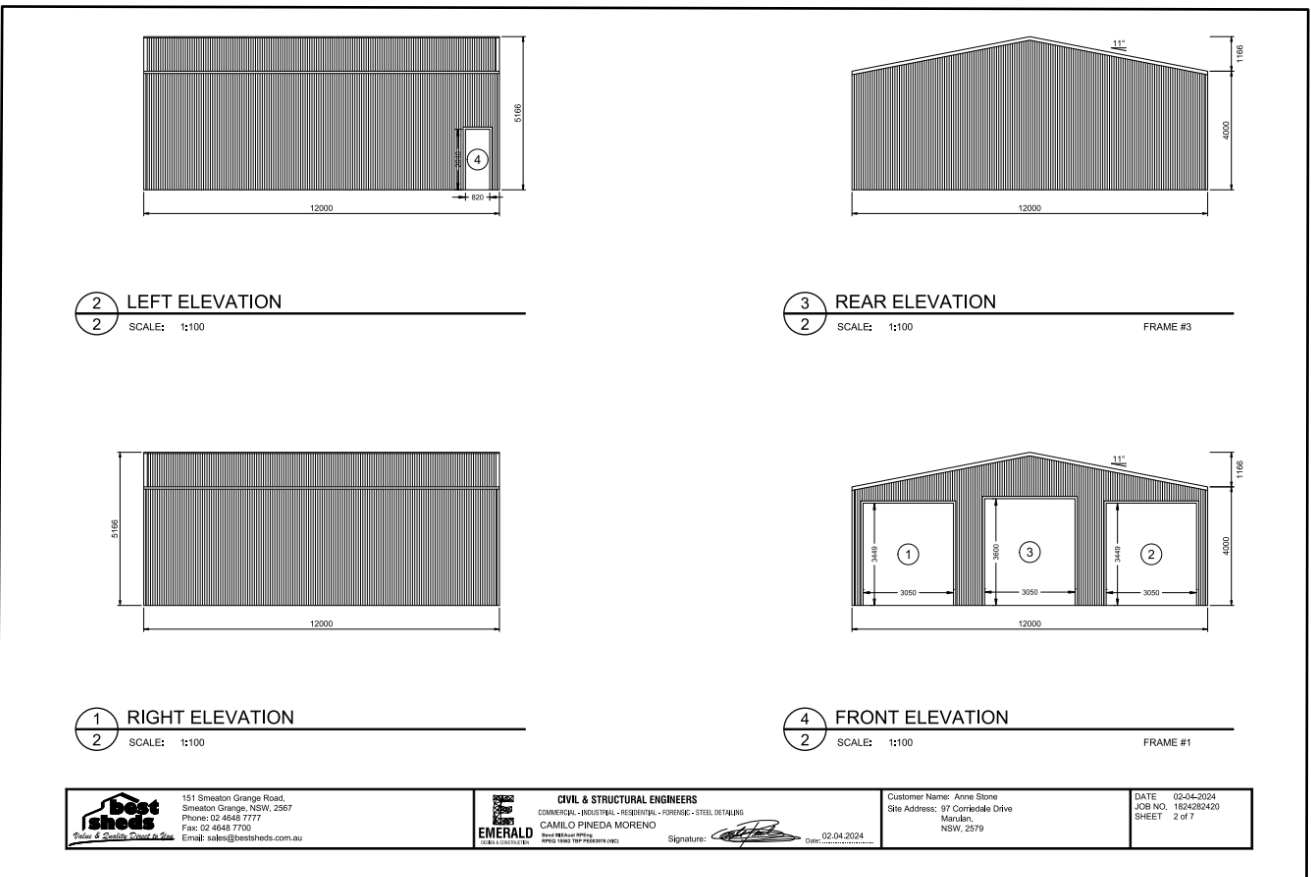
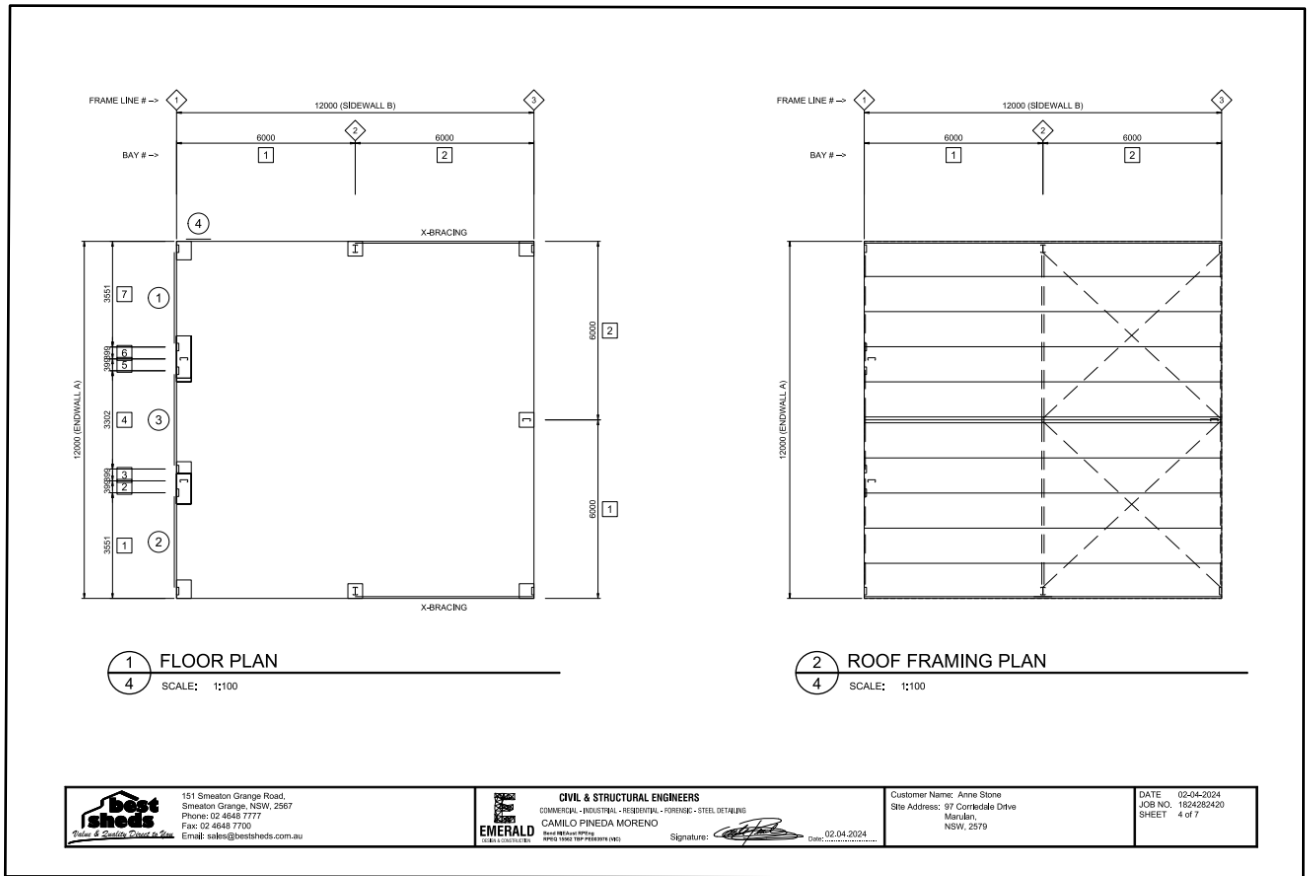
PLAN
Showing Proposed Development
Lot 28 DP 1271846
97 Corriedale Road, Marulan

Scale 1:800 on A3

*Laterals
Planning*
Upstairs, 213 Auburn Street (PO Box 1326)
Goulburn NSW 2580
Phone: 02 4821 0973 Fax: 02 3821 0973
48 Johns River Road, Johns River NSW 2443
Mobile: 0427 210 973

Sheet No: 2
No of Sheets: 2
Date: 20 May 2024
PLAN NO: 2402
SITE DEVELOPMENT PLAN
AERIAL PHOTOGRAPH

Site Development Plan – Aerial Photograph
(Plan Source: Laterals Planning)



Proposed Storage Shed – Floor Plan and Elevations
(Plan Source: Best Sheds)

3.2 DEVELOPMENT MATERIALS

The new storage shed will comprise reinforced concrete floor, metal framing and colourbond metal sheeting. The external colour of the building will be colorbond “Monument”. See colour swatch below:



Monument Colour Swatch

3.3 OPERATIONAL DETAILS and DEVELOPMENT/CONSTRUCTION MANAGEMENT

Works would involve the erection of a new storage shed.

3.4 ACCESS

Access to the site will be from Corriedale Drive.

3.5 SIGNAGE

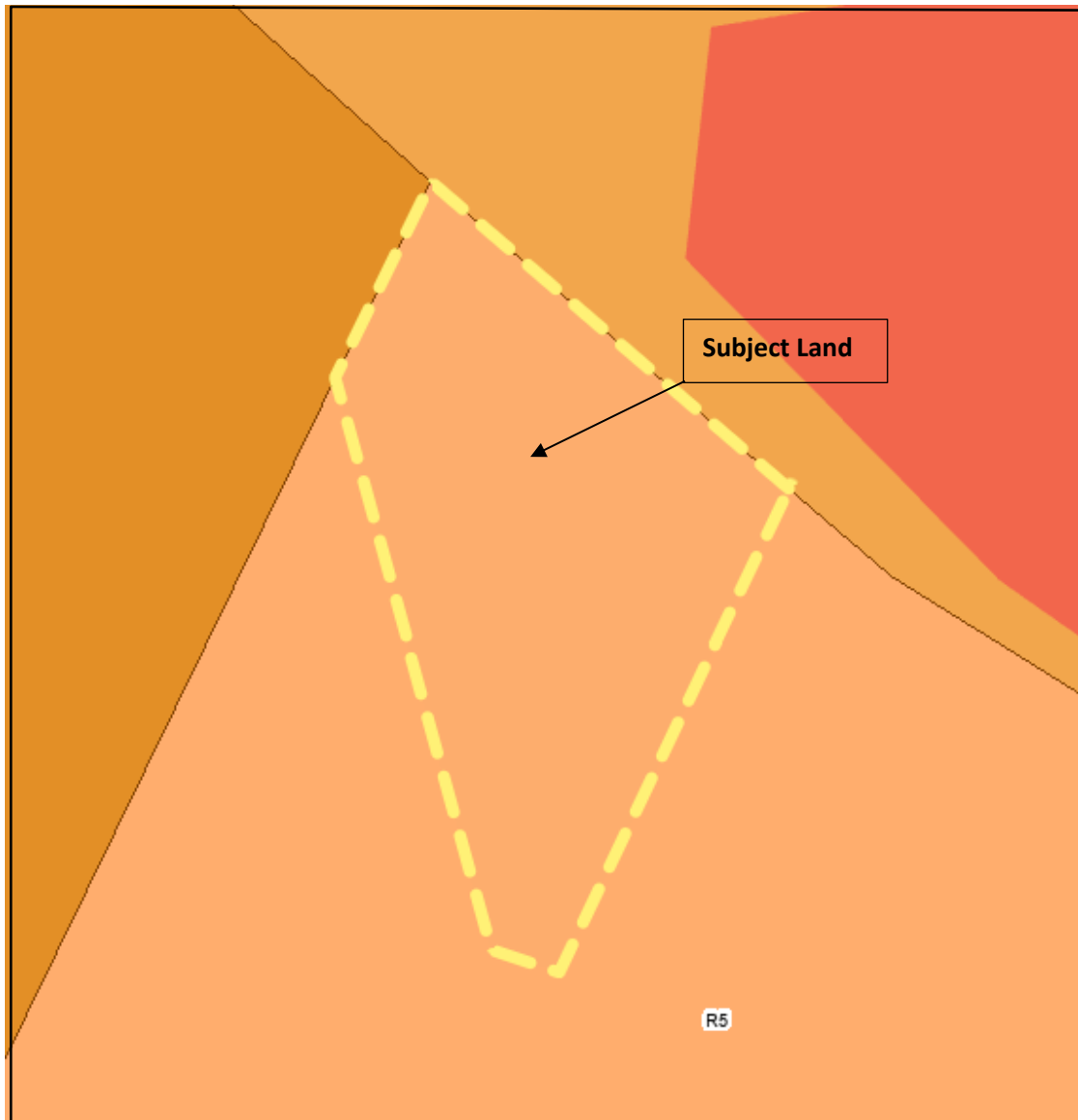
No signage is proposed.

3.6 VEGETATION MANAGEMENT and LANDSCAPING

Clearing would not be necessary for the development.

3.7 BUSHFIRE PRONE LAND

The site is identified as Bushfire Prone Land Vegetation Category 3 (medium bushfire risk vegetation) on the Goulburn Mulwaree Bush Fire Prone Land Map – see map below.



Bushfire Prone Land Map
 (Map Source: NSW Planning Portal Spatial Viewer)

In respect to Class 10 structures, the Planning for Bushfire Protection Manual 2019 states:

8.3.2 Class 10 structures

The NCC defines a Class 10 building as a non-habitable building or structure such as a:

- a. Class 10a – a non-habitable building being a private garage, carport, shed or the like; or*
- b. Class 10b – a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like; or*
- c. Class 10c – a private bush fire shelter*

There is no bush fire protection requirements for Class 10a buildings located more than 6m from a dwelling in bush fire prone areas. Where a Class 10a building is located within 6m of a dwelling it must be constructed in accordance with the NCC.

In this instance the proposed shed is 18.735m from the existing dwelling and a bushfire assessment is not required.

3.8 WATER MANAGEMENT

Rainwater will be collected by a 18,200kl water tank to provide water for garden and landscaping purposes on the site. The overflow will be directed to existing stormwater drainage associated with the dwelling. The rainwater tank size is based on clause 2.2 of Council's *Stormwater Drainage and Roofwater Collection Systems Policy* requiring the tank size to be:

$$\begin{aligned} \text{Tank Size} &= (\text{total roof slope area in sqm} / 10) \times 1,000 \text{ litres} \\ &= ((12 \times 12) / 10) \times 1,000 \text{ litres} \\ &= 14,400 \text{ litres (minimum)} \end{aligned}$$

3.9 DEMOLITION

No demolition is proposed.

3.10 AMENDMENTS TO EXISTING CONSENT

This proposal does not involve the amendment of any existing development consent.

3.11 STAGING

The development is not intended to be carried out in stages as defined by Section 4.22 of the *Environmental Planning and Assessment Act 1979*.

4 LEGISLATION AND PLANNING CONTROLS

A full list of legislation and planning controls that could be applicable is included in Appendix 1 in Section 7 below. Those matters listed in Appendix 1 which would warrant further consideration are listed below with responses provided and further information is provided. A general assessment of the relevant legislation is carried out in this section and a more detailed assessment is carried out in Section 5.

4.1 LEGISLATION APPLICABLE TO THE PROPOSED DEVELOPMENT

The entire list of legislation relevant to the site is included in Appendix 1. From the list of legislation in Appendix 1 the following legislation is considered applicable to be considered for the proposed development.

4.1.1 *Environmental Planning & Assessment Act 1979 and Regulation 2000*

4.1.1.1 *Section 1.3 (b) objects of the Act*

Ecological Sustainable Development

The principles of ecologically sustainable development are as follows:

- (a) *the precautionary principle, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*

The development has been designed to utilise existing land and infrastructure that will result in the least potential for adverse impact from works.

- (b) *inter-generational equity, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*

The management of the development as discussed in this statement proposes the best ability for the development to maintain the existing environment. In relation to the protection of cultural values the development is consistent with the character of the area and existing uses on the land.

- (c) *conservation of biological diversity and ecological integrity, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*

The design of the development provides the best opportunity for biological diversity and ecological integrity of the site to be retained.

- (d) *improved valuation, pricing and incentive mechanisms, namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*

Note: Definition from section 6(2) of the *Protection of the Environment Administration Act 1991*).

The design of the development is to enable development within the values of the site that currently exists without adversely impacting on any on-site, adjacent or nearby site or development.

4.1.1.2 Section 10.4 Disclosure of political donations and gifts

The Applicant has declared on the Development Application form that there are no relevant political donations or affiliations.

4.1.2 Goulburn Mulwaree LEP 2009

The site is within the Goulburn Mulwaree Local Government Area ('LGA') and the *Goulburn Mulwaree Local Environmental Plan 2009* is the applicable Local Environmental Plan. The site is within the R5 Large Lot Residential zone and the proposed development is permissible under the zone subject to compliance with various clauses detailed in this Statement. Under the *Goulburn Mulwaree Local Environmental Plan 2009* the land is also identified as:

1. Has a minimum lot size of 2000m² for subdivision.
2. Has no height of building limitation.
3. Has no floor space ratio limitation.
4. Not affected by minerals or extractive resources.
5. Not subject to any land acquisition proposal.
6. Not containing a heritage item.
7. Not within a heritage conservation area.
8. Not within Flood Planning Land.
9. Is not within an area of terrestrial biodiversity.
10. Not within an urban release area.
11. In terms of clause 3.3 the land is-
 - a. not within the coastal waters;
 - b. not a coastal lake;
 - c. not within the coastal wetlands and littoral rainforests area;
 - d. not an aquatic reserve;
 - e. not within a wetland of international significance or a world heritage area;
 - f. not within 100m of either item (c), (d) or (e) above;
 - g. not identified as being of high Aboriginal cultural significance or high biodiversity;
 - h. not reserved as a state conservation area;
 - i. not dedicated for the preservation of flora, fauna, geological formations or for other environmental protection purposes;
 - j. not land that is a declared area of outstanding biodiversity value or a declared critical habitat.

Legislative compliance is generally provided in Appendix 1 with the consideration of planning issues in Section 5 below. The Local Environmental Plan Map applicable is shown on the following page:

Zoning Map	Page 16
Terrestrial Biodiversity	Page 16
Natural Resources Sensity Map – Biodiversity	Page 17

The R5 Large Lot Residential Zone includes the following land use table:

1. Objectives of zone:

- *To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality.
- To encourage subdivision of land that is consistent with the constraints and opportunities of the land.

2. Permitted without consent:

Home occupations; Roads

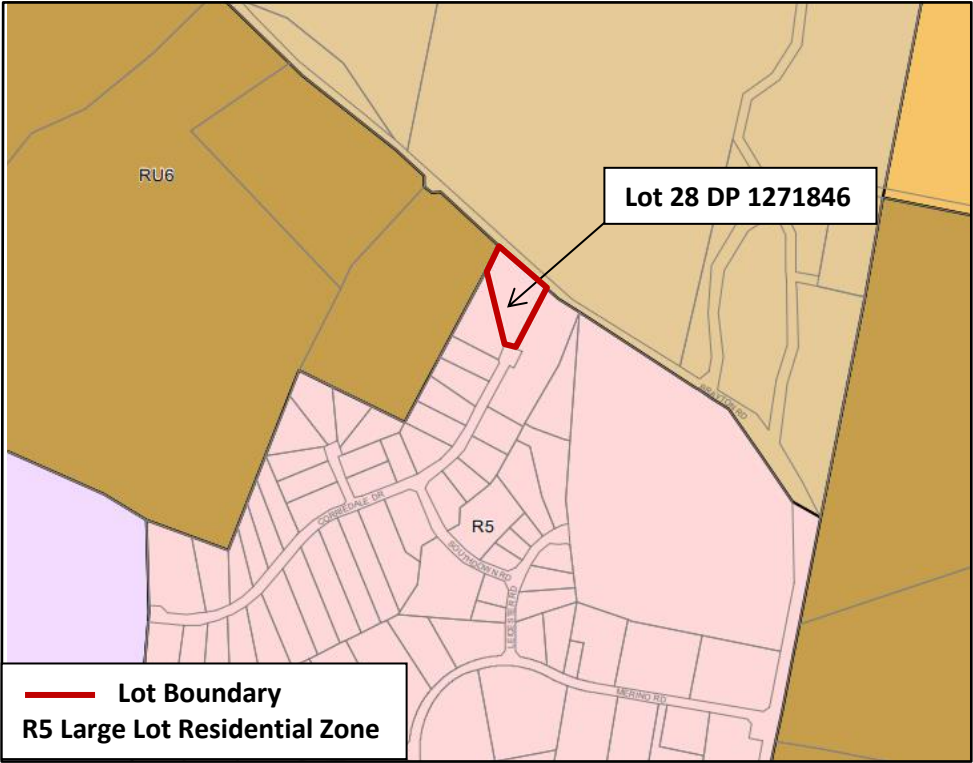
3. Permitted with consent:

Building identification signs; Dwelling houses; Home industries; Oyster aquaculture; Plant nurseries; Pond-based aquaculture; Tank-based aquaculture; Any other development not specified in item 2 or 4

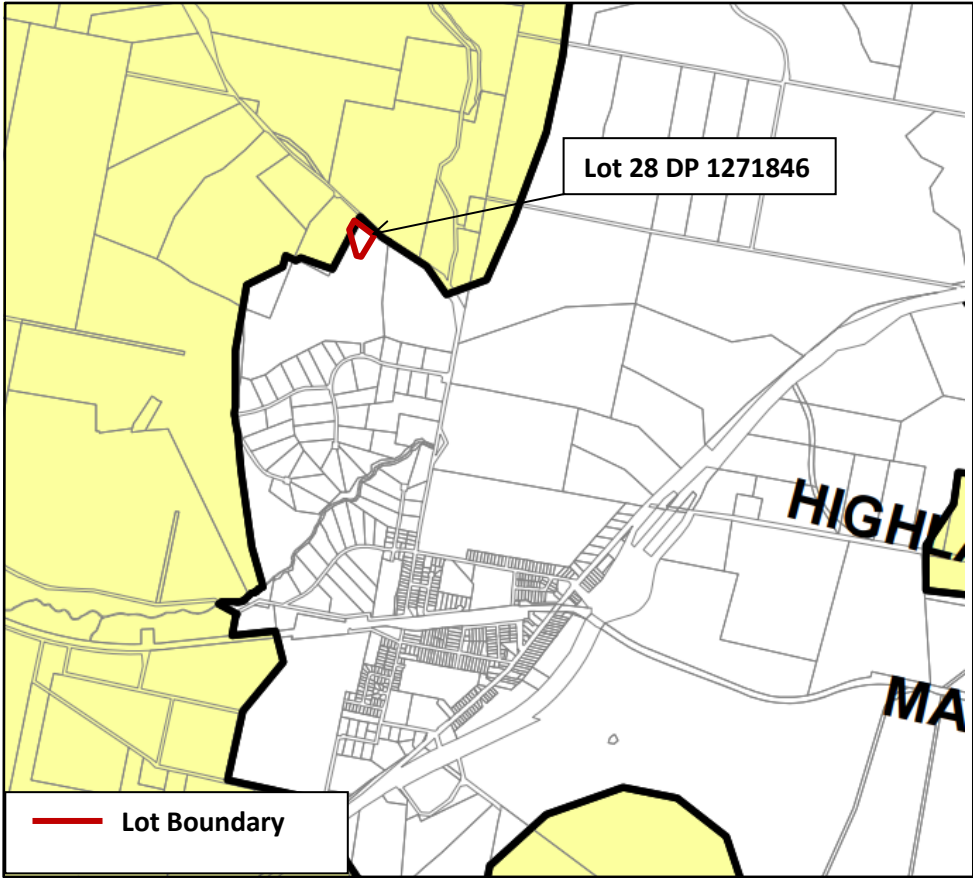
4. Prohibited:

Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Biosolids treatment facilities; Boarding houses; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Dairies (pasture-based); Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Freight transport facilities; Function centres; Group homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hostels; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Industries; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Multi dwelling housing; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Serviced apartments; Sewage treatment plants; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

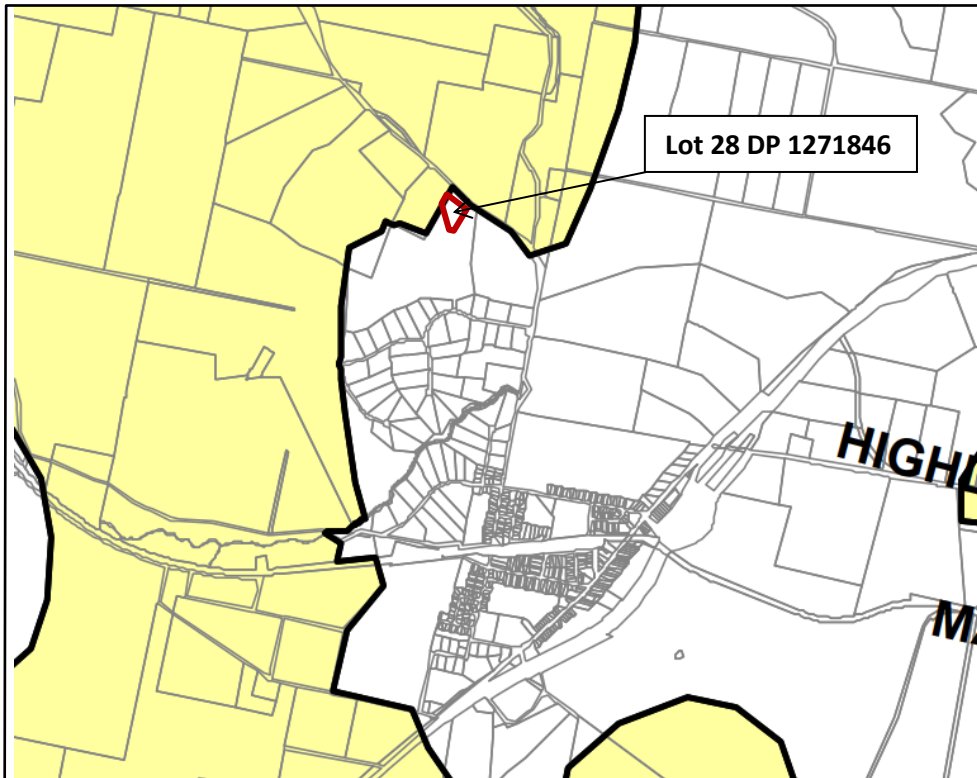
The proposed development (storage shed) is ancillary to the residential use of the land, is not a prohibited use and is permissible with consent within the R5 Large Lot Residential zone.



Zoning Map - Sheet LZN_003C
 (Map Source: NSW Legislation Web Site)



Terrestrial Biodiversity Map - Sheet BIO_003
 (Map Source: NSW Legislation Web Site)



Natural Resources Sensitivity Map - Biodiversity - Sheet BDV_003
 (Map Source: NSW Legislation Web Site)

ZONE OBJECTIVES

Compliance with R5 Large Lot Residential Zone objectives is detailed below:

- *To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality.*
 Comment: The proposed development will have no impact and the site will be used for residential purposes.
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
 Comment: The proposed development will have no impact and the site will be used for residential purposes.
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
 Comment: The proposed development will have no impact as the proposed development is ancillary to residential purposes.
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
 Comment: The proposed development will have no impact as it is consistent with adjoining land uses.
- *To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality.*
 Comment: The proposed development will have no impact as the proposed development is ancillary to residential purposes.
- *To encourage subdivision of land that is consistent with the constraints and opportunities of the land.*
 Comment: The proposed development does not involve any subdivision.

4.1.3 Goulburn Mulwaree DCP 2009

The Goulburn Mulwaree Development Control Plan 2009 (DCP) controls relevant to the proposed development are:

- 2 Plan Objectives
 - 2.1 General Development Objectives
 - 2.2 Locality Objectives - Urban
- 3 General Development Controls
 - 3.1 European (non-indigenous) heritage conservation
 - 3.2 Indigenous heritage and archaeology
 - 3.3 General heritage items and conservation area controls
 - 3.6 Vehicular access and parking
 - 3.7 Crime prevention through environmental design
 - 3.8 Flood affected lands
 - 3.9 Tree and vegetation preservation
 - 3.10 Dryland salinity
 - 3.11 Waterbody and wetland protection
 - 3.12 Groundwater
 - 3.14 Biodiversity management
 - 3.15 High Environmental Conservation Value areas
 - 3.16 Stormwater pollution
 - 3.17 Bushfire risk management
- 4 Principal Development Controls – Urban
 - 4.2 Non-residential development – retail, commercial and industrial
- 6 Special Development Types
 - 6.8 Large lot residential – Zone R5

A full assessment against the relevant components of the DCP is included at Appendix 2. Special consideration of planning issues is provided in Section 5 below.

4.1.4 Goulburn CBD Plan 2009

The site is not located within the Goulburn City Business District (CBD).

4.1.5 Goulburn Mulwaree Section 94 Contribution Plan 2009

The site is not located within the area of the Goulburn Mulwaree Section 94 Contribution Plan 2009

4.1.6 Goulburn Mulwaree Section 94A Levy Development Contribution Plan 2009

The estimated total cost of the development is \$35,000 as detailed below and as the development cost is less than \$100,000 the Section 94A Levy Development Contribution Plan 2009 is not applicable.

Estimate of Cost

Item	Amount \$ (Incl. GST)
Shed supply	\$18,000
Concrete floor	\$10,000
Shed erection	\$7,000
TOTAL	\$35,000

4.1.7 State Environmental Planning Policies

The NSW Planning Portal indicates that the following State Environmental Planning policies apply to the land (dated 18 April 2024):

- State Environmental Planning Policy (Biodiversity and Conservation) 2021:

- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008:
- State Environmental Planning Policy (Housing) 2021:
- State Environmental Planning Policy (Industry and Employment) 2021:
- State Environmental Planning Policy (Planning Systems) 2021:
- State Environmental Planning Policy (Primary Production) 2021:
- State Environmental Planning Policy (Resilience and Hazards) 2021:
- State Environmental Planning Policy (Resources and Energy) 2021:
- State Environmental Planning Policy (Sustainable Buildings) 2022:
- State Environmental Planning Policy (Transport and Infrastructure) 2021:
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development:

A full assessment against the relevant components of the SEPP is included at Appendix 1.

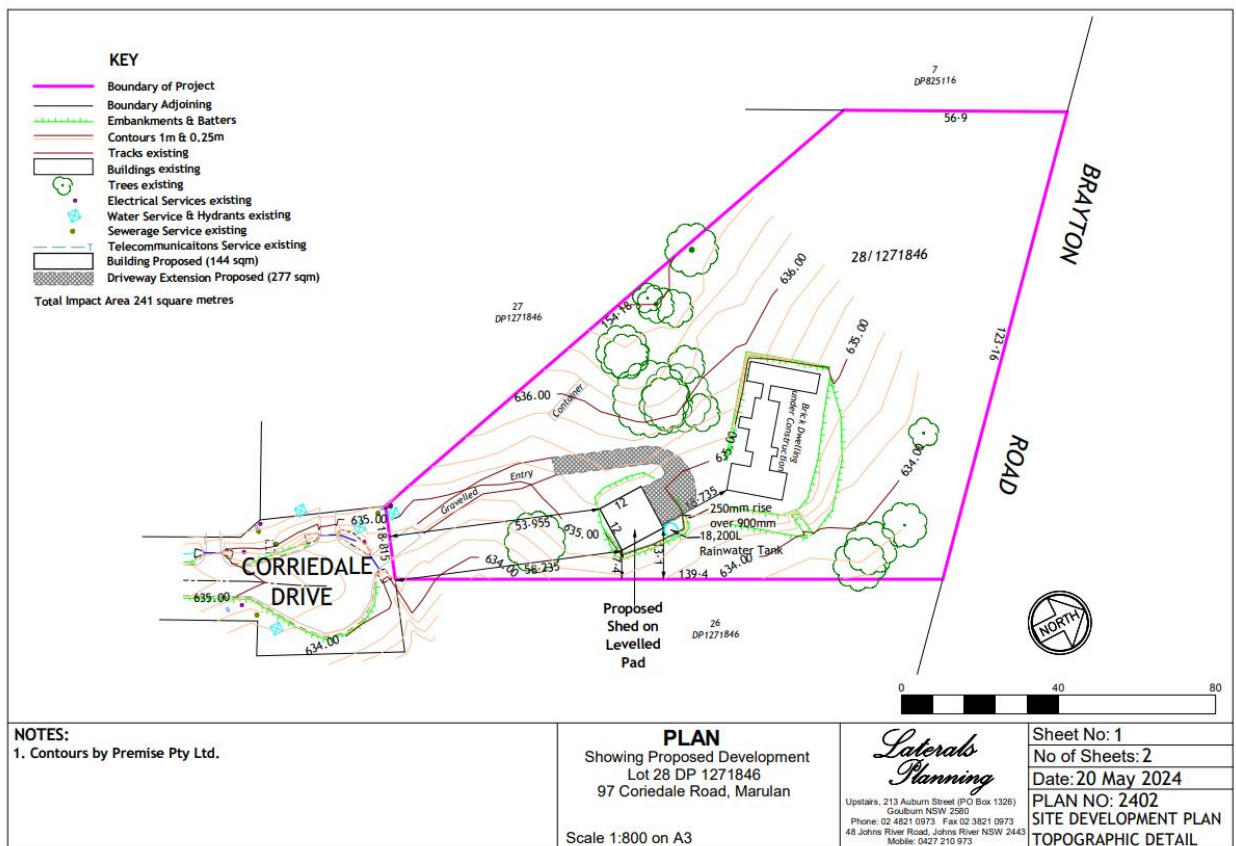
5 ASSESSMENT OF PLANNING CONTROLS

5.1 COMPLIANCE WITH PLANNING INSTRUMENTS AND CONTROLS

1. The proposed development (storage shed) is ancillary to the residential use of the land, not a prohibited use and is permissible with consent within the R5 Large Lot Residential zone;
2. The proposal is consistent with applicable state and federal legislation and policies;
3. The proposal is substantially consistent with the relevant sections of the Goulburn Mulwaree DCP 2009 and relevant Council plans and strategies. However, the proposal is not consistent with clause 6.8.4 of the Goulburn Mulwaree DCP 2009 which states:

Garages are to be located behind the building facade so that they do not dominate the streetscape.

The applicant proposes that the garage/storage shed be located as indicated on the plan below.



Site Development Plan - Topographic Detail
(Plan Source: Laterals Planning)

The proposed location is in front of the building façade and it is noted that clause 1.8 of the Goulburn Mulwaree DCP 2009 states:

Council acknowledges that it is not possible for this plan to account for all possible situations and development scenarios. Consequently, the development controls under this plan have been designed to be flexible.

When circumstances warrant, Council may consent to an application which departs, to a minor extent, from the provisions of this plan. In such cases, a written submission must be lodged with the development application, outlining the variation, providing reasons why the variation is necessary or desirable, and setting out how the objectives of the particular provision are satisfied by the proposal.

In this instance Council is requested to apply flexibility to the proposed location due to the following relevant factors:

- There is a precedent for the proposed positioning of the proposed garage/shed in front of the building façade in the R5 zoned land adjacent to Marulan, viz,;
 - 101 Merino Road.
 - 122 Merino Road.
 - 6 Dorsett Road.
 - 12 Dorsett Road.
 - 40 Dorsett Road.
 - 55 Suffolk Road.
 - 56 Suffolk Road.

These particular locations are detailed in the aerial photographs at Appendix 3.

In respect to the relevant factors noted in clause 1.8 of the Goulburn Mulwaree DCP 2009 the following comments are submitted:

- *Whether there will be any detrimental impact on the amenity of the existing and future residents of the area*

Comment: The design of the garage / storage shed will blend well with the overall architectural style of the dwelling and will enhance the visual appeal of the property rather than detract from it. The existing large gum tree at the front of the property adjacent to the driveway will screen the building from the public road and will enhance the overall beauty of the neighbourhood (see photograph below). Having a garage in front of a dwelling provides convenient and safe parking for residents and provides a secure place to store vehicles thereby reducing the risk of theft or vandalism. This sense of security can improve the overall well-being of residents. The location of the garage will also likely increase property values in the area as they are often desirable features for potential homebuyers and will benefit the entire neighbourhood. Having a garage in front of the dwelling can contribute positively to the overall amenity of the residential area and provides convenience, safety, and aesthetic benefits while enhancing property values. There will be no detrimental impact on the amenity of the existing and future residents of the area.



View from Corriedale Drive

- *Whether there will be any detrimental impact on the amenity of the area*
Comment: The garage / storage shed will provide valuable storage space for the residents which will be particularly useful in a large area residential development where the residents will have equipment, tools and vehicles that need protection from the elements as well as protection from theft and vandalism. Having a garage in front of the dwelling allows for easy access to motor vehicles and making it more convenient for residents to get in and out of the property. The garage / storage shed will be integrated into the natural landscape using existing vegetation and materials and colours that blend with the surroundings. This will ensure that the garage / storage shed does not disrupt the rural aesthetics of the area. The garage / storage shed is also expected serve as more than just vehicle storage – the building will be able to be used for community gatherings, workshops, or hobby spaces fostering a sense of camaraderie among residents. Therefore, the garage / storage shed in front of the dwelling will be a beneficial addition to a rural residential area, offering practicality, safety, and convenience without detracting from the natural beauty and tranquillity of the surroundings and will enhance the overall amenity of the rural community, serving as a valuable asset for residents and the neighbourhood as a whole with no detrimental impact on the amenity of the area.
- *The nature and size of the departure*
Comment: The details at Appendix 3 indicate that having a garage / storage shed in front of the dwelling is not inconsistent in the area.
- *The degree of compliance with other relevant requirement*
Comment: The proposed development complies with all other legislation and relevant requirements.
- *The circumstances of the case, including whether the particular provision is unreasonable and/or necessary*
Comment: Strict compliance with the set-back provisions in this instance is considered unreasonable due the site specific constraints and being consistent with similar developments in the area.
- *Priorities identified in a site analysis of being of more importance than what is being departed from*
Comment: The following elements from a site analysis are more important than the departure from the DCP requirement:
 - The proposed positioning of the garage/shed enables efficient maximum utilisation of the land due to the narrow road frontage.
 - Extensive consultations with professional advisors have revealed multiple wet areas on the land severely limiting access options.
 - The proposed positioning of the garage/shed enables efficient passive security surveillance of the building from the public road.
- *Whether non-compliance will prejudice the objectives of the zone and the aims of this plan*
Comment: Non-compliance with the DCP provision will have no impact on the objectives of the zone nor the aims of this plan. Compliance with the zone objectives is detailed at page 17 above being:
 - *To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality.*
Comment: The proposed development will have no impact and the site will be used for residential purposes.
 - *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
Comment: The proposed development will have no impact and the site will be used for residential purposes.
 - *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

Comment: The proposed development will have no impact as the proposed development is ancillary to residential purposes.

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

Comment: The proposed development will have no impact as it is consistent with adjoining land uses.

- *To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality.*

Comment: The proposed development will have no impact as the proposed development is ancillary to residential purposes.

- *To encourage subdivision of land that is consistent with the constraints and opportunities of the land.*

Comment: The proposed development does not involve any subdivision.

In respect to the relevant objectives of the DCP, the proposed development will not impact upon the amenity of the area or surrounding sensitive land uses.

5.2 TRAFFIC ACCESS

The development site has access from Corriedale Drive, Marulan – see photograph below.



Existing Driveway Access from Corriedale Drive

5.3 VISUAL ASSESSMENT

The development is located at the rear of an existing dwelling and is unlikely to have any adverse visual impact in the locality.

5.4 AMENITY ASSESSMENT

No impact as the development is located at the rear of an existing dwelling and is unlikely to have any adverse amenity impact in the locality.

5.5 NOISE ASSESSMENT

The development will not generate any noise.

5.6 PRIVACY and OVERSHADOWING ASSESSMENT

The development does not involve any component that would result in privacy and overshadowing issues.

5.7 WATER MANAGEMENT ASSESSMENT

Rainwater will be collected by a 5kl water tank to provide water for domestic animals (sheep, alpaca and chickens) on the site. The overflow will be directed to existing stormwater drainage associated with the existing dwelling.

5.8 FLOODIING

The site is not affected.

5.9 EROSION and SEDIMENT CONTROL ASSESSMENT

Erosion and sediment controls comprising sediment fencing will be installed on the downslope section of the disturbed site.

5.10 SOCIAL AND ECONOMIC ASSESSMENT

The development will have no impact.

5.11 HERITAGE AND ABORIGINAL OBJECTS ASSESSMENT

The development will have no impact.

5.12 DEMOLITION ASSESSMENT

The development does not involve any demolition.

5.13 UTILITIES AND SERVICES ASSESSMENT

Electricity will be extended to the storage shed.

5.14 CONTAMINATED LAND ASSESSMENT

There is no contamination or potential contamination of the land which is the subject of the proposed development.

5.15 SUITABILITY OF THE SITE

The development proposal as designed is considered suitable for the site and compatible within the locality.

5.16 SUBMISSIONS

Public submissions regarding the development proposal have not been made at this stage, but would be considered following public notification in accordance with Councils policy.

5.17 PUBLIC INTEREST

There are no other known issues of public interest that should preclude the consent of this development application.

5.18 BIODIVERSITY

The development does not involve any clearing and biodiversity will not be affected.

6 CONCLUSIONS

The requirements of section 4.15(1) of the *Environmental Planning and Assessment Act 1979* have been taken into consideration in the preparation of this development application as follows -

- The development proposal complies with the relevant provisions of the applicable environmental planning instruments, development control plans and the regulations further discussed in Appendix 1 below.
- There is no draft Environmental Planning Instrument applicable to the land.
- No planning agreements, or draft planning agreements have been entered into or proposed in relation to this development.
- The development proposal has been designed to minimise or eliminate any likely impacts of the development, including potential environmental impacts on the natural and built environments, and the social and economic impacts in the locality.
- The site is considered suitable for the development proposal as designed.
- Public submissions regarding the development proposal have not been made at this stage, but would be considered following public notification in accordance with Councils policy.
- There are no other known issues of public interest that should preclude the consent of this development application.

The requirements of clauses 92, 93, 94, and 94A, of the *Environmental Planning and Assessment Regulation 2000* have been considered where applicable as noted in the following manner –

- There is no demolition of a building involved in the development.
- The development is not in relation to a subdivision order made under Schedule 7 to the Act.
- The development is not relevant in terms of the *Dark Sky Planning Guideline*.
- The development is not for the purposes of a manor house or multi dwelling housing (terraces).
- The development is not for the erection of a building for residential purposes on land in Penrith City Centre.
- The development is not for a change of building use for an existing building.
- The development does not involve the rebuilding, alteration, enlargement or extension of an existing building.
- The development is not for the erection of a temporary structure.

Further details regarding the matters of consideration in relation to this development proposal are detailed below in Appendix 2.

The development is in accordance with legislative requirements and relevant guidelines and is considered reasonable and not contrary to the public interest and is a development worthy of Council's support.

7 APPENDIX 1 –LEGISLATION POTENTIALLY APPLICABLE

Legislation potentially applicable is initially identified from the Council planning instruments and a Planning Report from the Planning Portal. All identified planning instrument are listed from this search followed by an assessment of applicability and the highlighting of those instruments which are applicable. All applicable planning instruments are then considered in Section 4 above.

LEGISLATION AND PLANNING CONTROLS	RELEVANCE	APPLICABILITY (FOR FURTHER CONSIDERATION)
<i>Environmental Planning & Assessment Act 1979</i>	<p><u>Section 1.3 (b) – Objects of the Act</u> <u>Ecologically Sustainable Development (ESD):</u> The objects of the Act are not identified in legislation as a matter to be considered in the determination of a Development Application. They are however specified for consideration by Council.</p>	Yes. Refer to Section 4.1.1
	<p><u>Section 4.10 – Designated Development</u> This section identifies designated development which is further identified in Schedule 3 of the <i>Environmental Planning & Assessment Regulations 2000</i>. A designated Development application must be accompanied with an Environmental Impact Statement prepared in accordance with Schedule 2 of the <i>Environmental Planning & Assessment Regulations 2000</i></p> <p>The development is not identified as designated development under Schedule 3 of the <i>Environmental Planning & Assessment Regulations 2000</i>.</p>	NO
	<p><u>Section 4.14 – Bushfire Prone Land</u> (1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) unless the consent authority—</p> <ul style="list-style-type: none"> i. is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or ii. has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements. <p>The site is located within the Bushfire Prone Land under the Goulburn Mulwaree Bushfire Prone Land Map and being a Class 10 building a bushfire assessment is not required. See Section 3.7.</p>	NO
	<p><u>Sections 4.46 & 4.47 – Integrated Development</u> In Section 4.46 <i>Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more [specified approvals under a number of other Acts]. It will be required where the following approvals are required –</i></p>	NO

	<ol style="list-style-type: none"> 1. s22 of the <i>Coal Mine Subsidence Compensation Act 2017</i>. 2. s144 (aquaculture permit) <i>Fisheries Management Act 1994</i>. 3. s201 (aquaculture permit) <i>Fisheries Management Act 1994</i>. 4. s205 (cut, remove, damage or destroy marine vegetation) <i>Fisheries Management Act 1994</i>. 5. s219 (permit to set a net, netting; construct or alter a dam, floodgate, causeway or weir; otherwise create an obstruction across or within a bay, inlet, river or creek or across or around a float) <i>Fisheries Management Act 1994</i>. 6. s138 (Erect a structure or carry out work in, on or over a public road; dig up or disturb the surface of a public road; remove or interfere with a structure, work or tree on a public road; pump water into a public road from any land adjoining the road; connect a road (whether public or private) to a classified road) <i>Roads Act 1993</i>. 7. s100B (authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes) <i>Rural Fire Act 1997</i> 8. ss89, 90, 91 (water use approval water management work approval or activity approval under part 3 of chapter 3) <i>Water Management Act 2000</i>. <p>Development is integrated development in respect of a licence that may be granted under the <i>Protection of the Environment Operations Act 1997</i> to control the carrying out of non-scheduled activities for the purpose of regulating water pollution only if—</p> <ol style="list-style-type: none"> (a) the development application stipulates that an application for such a licence has been or will be made in respect of the development, or (b) the Environment Protection Authority notifies the consent authority in writing before the development application is granted or refused that an application for such a licence has been or may be made in respect of the development. <p>In Section 4.47 (2) – <i>Before granting development consent to an application for consent to carry out the development, the consent authority must, in accordance with the regulations, obtain from each relevant approval body the general terms of any approval proposed to be granted by the approval body in relation to the development. Nothing in this section requires the consent authority to obtain the general terms of any such approval if the consent authority determines to refuse to grant development consent.</i></p> <p>The proposed development is not integrated development.</p>	
	<p><u>Section 7.4 – Provisions of a Planning Agreement</u> This is a note to identify if, at the time of making a development application, a Voluntary Planning Agreement is proposed or if a proposed development is the subject of an existing Voluntary Planning Agreement.</p> <p>A Voluntary Planning Agreement is not proposed.</p>	NO
	<p><u>Section 10.4 – Declaration</u> (1) <i>The object of this section is to require the disclosure of relevant political donations or gifts when planning applications are made to minimise any perception of undue influence by—</i></p>	YES

	<p>iii. <i>requiring public disclosure of the political donations or gifts at the time planning applications (or public submissions relating to them) are made, and</i></p> <p>iv. <i>providing the opportunity for appropriate decisions to be made about the persons who will determine or advise on the determination of the planning applications.</i></p> <p>The Applicant would need to declare that there are no relevant political donations or affiliations.</p>	
Commonwealth Legislation	<p>The <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) commenced on 16th July 2000 and is administered by the Commonwealth Department of Agriculture, Water, and the Environment. Its primary objective is to “provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance.”</p> <p>The proposed site is an existing cleared area and the development will not require additional clearing that requires an assessment under the Act</p>	NO
Road Act 1993	<p>Under Section 138 of the Roads Act 1993, consent is required from the appropriate roads authority to:</p> <p>(a) <i>erect a structure or carry out a work in, on or over a public road, or</i></p> <p>(b) <i>dig up or disturb the surface of a public road, or</i></p> <p>(c) <i>remove or interfere with a structure, work or tree on a public road, or</i></p> <p>(d) <i>pump water into a public road from any land adjoining the road, or</i></p> <p>(e) <i>connect a road (whether public or private) to a classified road,</i></p> <p>The development will not involve the construction of a new access.</p>	NO
Local Government Act 1993	<p>Under Section 68 of the Local Government Act, consent is required from Council for the following:</p> <p>Part A Structures or places of public entertainment</p> <p>1. <i>Install a manufactured home, moveable dwelling or associated structure on land</i></p> <p>Part B Water supply, sewerage and stormwater drainage work</p> <p>1. <i>Carry out water supply work</i></p> <p>2. <i>Draw water from a council water supply or a standpipe or sell water so drawn</i></p> <p>3. <i>Install, alter, disconnect or remove a meter connected to a service pipe</i></p> <p>4. <i>Carry out sewerage work</i></p> <p>5. <i>Carry out stormwater drainage work</i></p> <p>6. <i>Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer</i></p> <p>Part C Management of waste</p> <p>1. <i>For fee or reward, transport waste over or under a public place</i></p> <p>2. <i>Place waste in a public place</i></p> <p>3. <i>Place a waste storage container in a public place</i></p> <p>4. <i>Dispose of waste into a sewer of the council</i></p> <p>5. <i>Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility</i></p> <p>6. <i>Operate a system of sewage management (within the meaning of section 68A)</i></p> <p>Part D Community land</p> <p>1. <i>Engage in a trade or business</i></p>	YES

	<p>2 Direct or procure a theatrical, musical or other entertainment for the public</p> <p>3 Construct a temporary enclosure for the purpose of entertainment</p> <p>4 For fee or reward, play a musical instrument or sing</p> <p>5 Set up, operate or use a loudspeaker or sound amplifying device</p> <p>6 Deliver a public address or hold a religious service or public meeting</p> <p>Part E Public roads</p> <p>1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway</p> <p>2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road</p> <p>Part F Other activities</p> <p>A. Operate a public car park</p> <p>2 Operate a caravan park or camping ground</p> <p>3 Operate a manufactured home estate</p> <p>4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance</p> <p>E. Install or operate amusement devices (Construction Safety)</p> <p>1 Install or operate amusement devices (Local government Act)</p> <p>2 Use a standing vehicle or any article for the purpose of selling any article in a public place</p> <p>3 Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations</p> <p>The development will require additional stormwater works.</p>	
<p>Environmental Planning & Assessment Regulation 2021</p>	<p><u>Section 24 Content of development applications</u></p> <p>(1) A development application must—</p> <p>(a) be in the approved form, and</p> <p>(b) contain all the information and documents required by—</p> <p>(i) the approved form, and</p> <p>(ii) the Act or this Regulation, and</p> <p>(c) be submitted on the NSW planning portal.</p>	<p>As submitted on the approved form on the Planning Portal</p>
	<p><u>Section 25 Information about concurrence or approvals</u></p> <p>A development application must contain the following information—</p> <p>(a) a list of the authorities —</p> <p>(i) from which concurrence must be obtained before the development may lawfully be carried out, and</p> <p>(ii) from which concurrence would have been required but for the Act, section 4.13(2A) or 4.41, viz –</p> <ul style="list-style-type: none"> • WaterNSW <p>(b) a list of the approvals of the kind referred to in the Act, section 4.46(1) that must be obtained before the development may lawfully be carried out.</p> <p>Approvals may be necessary under any of the following Acts –</p> <ul style="list-style-type: none"> • Coal Mine Subsidence Compensation Act 2017 s22 (approval to alter or erect improvements, or to subdivide land, within a mine subsidence district) • Fisheries Management Act 1994 s144 (aquaculture permit) • Fisheries Management Act 1994 s201 (dredging of reclamation work) • Fisheries Management Act 1994 s205 (cut, remove, damage or destroy marine vegetation) 	<p>Within Sydney Catchment area – WaterNSW</p> <p>NA</p> <p>NA</p> <p>NA</p>

	<ul style="list-style-type: none"> • Fisheries Management Act 1994 s219 (set a net, netting or other material, construct or alter a dam, floodgate, causeway or weir, or otherwise create an obstruction across or within a bay, inlet, rive or creek, or across or around a flat.) • Heritage Act 1977 s58 (approval in respect of the doing or carrying out of an act, matter or thing when an interim heritage order or listing on the State Heritage Register applies, viz - <ul style="list-style-type: none"> (a) demolish the building or work, (b) damage or despoil the place, precinct or land, or any part of the place, precinct or land, (c) move, damage or destroy the relic or moveable object, (d) excavate any land for the purpose of exposing or moving the relic, (e) carry out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct, (f) alter the building, work, relic or moveable object, (g) display any notice or advertisement on the place, building, work, relic, moveable object or land, or in the precinct, (h) damage or destroy any tree or other vegetation on or remove any tree or other vegetation from the place, precinct or land. • Mining Act 1992 ss63 & 64 (grant of minim lease) • National Parks and Wildlife Act 1974 s90 (grant of Aboriginal heritage impact permit) • Petroleum (Onshore) Act 1991 s16 (grant of production lease) • Protection of the Environment Operations Act 1997 s43(a), 47 & 55 (Environment protection licence to authorise carrying out of scheduled development work at any premises). • Protection of the Environment Operations Act 1997 s43(b), 48 & 55 (Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a “waste activity” but including any activity described as a “waste facility”). • Protection of the Environment Operations Act 1997 s43(d), 55, & 122 (Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity). • Roads Act 1993 s138 (consent to - <ul style="list-style-type: none"> (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road) • Rural Fires Act 1997 s100B (authorisation under section 100B in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes • Water Management Act 2000 s89. 90. & 91 (water use approval, water management work approval or activity approval under Part 3 of Chapter 3. 	<p>NA</p> <p>Not an item under an interim heritage order or on the State Heritage Register.</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p>
	<p><u>Section 26 Information about community housing, boarding houses, co-living housing</u></p> <p>(1) A development application for development permitted under State Environmental Planning Policy (Housing) 2021, Chapter 2,</p>	<p>Not such development.</p>

	<p>Part 2, Division 1 or 2 must specify the name of the registered community housing provider who will be managing the boarding house.</p> <p>A development application for development for the purposes of boarding houses or co-living housing must be accompanied by a copy of the plan of management.</p>	
	<p><u>Section 27 BASIX Development</u></p> <p>(1) A development application for BASIX development must be accompanied by—</p> <p>(a) a relevant BASIX certificate for the development issued no earlier than 3 months before the day on which the development application is lodged, and</p> <p>(b) the other matters required by the BASIX certificate.</p> <p>If the development involves the alteration of a BASIX building that contains more than 1 dwelling, a separate BASIX certificate is required for each dwelling.</p>	Not BASIX development.
	<p><u>Section 28 Development application relating to Biodiversity Conservation Act 2016</u></p> <p>(1) A development application for biodiversity compliant development must contain the reason the development is biodiversity compliant development.</p> <p>(2) A development application that is accompanied by a biodiversity development assessment report under the Biodiversity Conservation Act 2016 must contain the biodiversity credits information.</p> <p>(3) A development application relating to land that is subject to a private land conservation agreement under the Biodiversity Conservation Act 2016 must contain a description of the kind of agreement and the area to which it applies.</p> <p>(4) In this section—</p> <p>biodiversity compliant development means—development to be carried out on biodiversity certified land under the Biodiversity Conservation Act 2016, or development to which the biodiversity certification conferred by the Threatened Species Conservation Act 1995, Schedule 7, Part 7 applies, or development for which development consent is required under a biodiversity certified EPI, within the meaning of the Threatened Species Conservation Act 1995, Schedule 7, Part 8.</p>	<p>Not biodiversity compliant development.</p> <p>No BDAR required.</p> <p>Not such land.</p>
	<p><u>Section 29 Residential apartment development</u></p> <p>(1) A development application that relates to residential apartment development must be accompanied by a statement by a qualified designer.</p> <p>(2) The statement must—</p> <p>(a) verify that the qualified designer designed, or directed the design of, the development, and</p> <p>(b) explain how the development addresses—</p> <p>(i) the design quality principles, and</p> <p>(ii) the objectives in Parts 3 and 4 of the Apartment Design Guide.</p> <p>(2) If the development application is accompanied by a BASIX certificate for a building, the design quality principles do not need to be addressed to the extent to which they aim—</p> <p>(a) to reduce consumption of mains-supplied potable water or greenhouse gas emissions in the use of—</p> <p>(i) the building, or</p> <p>(ii) the land on which the building is located, or</p> <p>(b) to improve the thermal performance of the building.</p>	Not residential apartment development.

	The additional fee payable for a development application for residential apartment development that is referred to the relevant design review panel for advice is specified in Schedule 4.	
	<p><u>Section 30 Mining or petroleum development</u></p> <p>(1) This section applies to a development application that relates to mining or petroleum development on land—</p> <p>(a) shown on the Strategic Agricultural Land Map, or</p> <p>(b) subject to a site verification certificate.</p> <p>(2) The development application must be accompanied by—</p> <p>(a) for development on land shown on the Strategic Agricultural Land Map as critical industry cluster land—a current gateway certificate that applies to the development, or</p> <p>(b) for development on other land—</p> <p>(a) a current gateway certificate that applies to the development, or</p> <p>a site verification certificate that certifies that the land on which the development will be carried out is not biophysical strategic agricultural land.</p>	Not mining development.
	<p><u>Section 31 Other documents required for certain development applications</u></p> <p>(1) A development application that relates to development for which consent under the Wilderness Act 1987 is required must be accompanied by a copy of the consent.</p> <p>(2) A development application that relates to development for which a site compatibility certificate is required by a SEPP must be accompanied by the site compatibility certificate.</p> <p>(3) A development application made under the Act, section 4.12(3) must be accompanied by the matters that would be required under the Local Government Act 1993, section 81 if approval were sought under that Act.</p> <p>(4) A development application that relates to development on land in an Activation Precinct under State Environmental Planning Policy (Precincts—Regional) 2021, Chapter 3 must be accompanied by a current Activation Precinct certificate.</p> <p>Subsection (4) does not apply to a development application made by a public authority, other than the Development Corporation within the meaning of State Environmental Planning Policy (Precincts—Regional) 2021, Chapter 3</p>	<p>Not in a Wilderness Area.</p> <p>No Site Compatibility Certificate required.</p> <p>Not such land.</p>
	<p><u>Section 32 Extract of development application for erection of a building</u></p> <p>(1) If a development application relates to the erection of a building, an extract of the application must be published on the NSW planning portal.</p> <p>(2) The extract must—</p> <p>(a) identify the applicant and the land to which the application relates, and</p> <p>(b) contain a plan of the building that indicates the proposed height and external configuration of the site, if relevant for the development.</p> <p>(3) This section does not apply to the following—</p> <p>(a) designated development,</p> <p>(b) nominated integrated development,</p> <p>(c) threatened species development,</p> <p>(d) Class 1 aquaculture development,</p> <p>(e) State significant development.</p>	<p>YES</p> <p>Application will be made on the Planning Portal with required details</p>

	<p><u>Section 33 Concept development applications</u></p> <p>(1) The information about the various stages of development, required by this Regulation to be included in a concept development application, may be deferred to a subsequent development application, with the approval of the consent authority.</p> <p>Section 29 applies in relation to a concept development application only if the application sets out detailed proposals for the development or part of the development</p>	No concept development is proposed.
	<p><u>Section 35 Additional requirements for development applications in certain areas of Sydney.</u></p>	The site is not located in Sydney
<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p>	<p>CHAPTER 2 Vegetation in non-rural areas</p> <p>Part 2.1 Preliminary</p> <p><i>2.1 Aims of Chapter</i></p> <p><i>The aims of this chapter are -</i></p> <p><i>(f) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</i></p> <p><i>(g) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</i></p> <p>The land is within the C3 Environmental Management zone and as such this Chapter in the policy does not apply to the development.</p> <p>Part 2.2 Clearing vegetation in non-rural areas</p> <p><i>1.6 Clearing that requires permit or approval</i></p> <p><i>(1) A person must not clear vegetation in a non-rural area of the State to which Part 3 applies without the authority conferred by a permit granted by the council under that Part.</i></p> <p><i>(2) A person must not clear native vegetation in a non-rural area of the State that exceeds the biodiversity offsets scheme threshold without the authority conferred by an approval granted by the Native Vegetation Panel under Part 2.4.</i></p> <p><i>(3) Subsection (2) does not apply to clearing on biodiversity certified land under the Biodiversity Conservation Act 2016, Part 8.</i></p> <p><i>(4) Clearing of vegetation is not authorised under this section unless the conditions to which the authorisation is subject are complied with.</i></p> <p><i>(5) Subsection (4) extends to a condition that imposes an obligation on the person who clears the vegetation that must be complied with before or after the clearing is carried out.</i></p> <p><i>(6) For the purposes of the Act, section 4.3, clearing vegetation that requires a permit or approval under this Chapter is prohibited if the clearing is not carried out in accordance with the permit or approval.</i></p> <p>In accordance with clause 2.7 Clearing that does not require permit or approval –</p> <p>(1) The clearing proposed and identified above in reference to s2.6 is part of the development application herein considered and would form part of a development consent, and would become clearing authorised pursuant to section 600 (a) (i) of the Local Land Services Act 2013.</p> <p>Part 2.3 Council permits for clearing of vegetation in non-rural areas</p> <p>The Goulburn Mulwaree DCP does give effect to “<i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i>”.</p> <p>The proposed clearing (approximately 300 m²) does not exceed the threshold clearing allowance (2500 square metres) or involve work clearing any threatened species (being mown urban lawn and a</p>	NO

	<p>maple tree and oak tree). The site is in a heritage area so no exemptions are available. Council approval is needed for the tree removal.</p> <p>CHAPTER 3 Koala habitat protection 2020</p> <p>Part 3.1 Preliminary</p> <p>3.1 Aims of Chapter</p> <p><i>This Chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline—</i></p> <p><i>(a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and</i></p> <p><i>(b) by encouraging the identification of areas of core koala habitat, and</i></p> <p><i>(c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.</i></p> <p>The land is not identified is within the C3 Environmental Management zone, and as such this Chapter in the policy does not apply to the development</p> <p>CHAPTER 4 Koala habitat protection 2021</p> <p>Part 4.1 Preliminary</p> <p><i>This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</i></p> <p>4.10 Development assessment process—other land</p> <p><i>A council is not prevented from granting consent to a development application for consent to carry out development on land if—</i></p> <p><i>(a) the land does not have an approved koala plan of management applying to the land, or</i></p> <p><i>(b) the council is satisfied that the land is not core koala habitat.</i></p> <p>This Chapter applies to the land vide clause 4.4 (2) (a).</p> <p>Under clause 4.8 it is noted that the land does not have a Koala plan of management, and as such this clause does not apply to the development.</p> <p>Under clause 4.9 the land has an area of at least 1 hectare and as such this clause applies to the development. Clause 4.9 provides –</p> <p><i>(2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.</i></p> <p><i>(3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.</i></p> <p><i>(4) If the council is satisfied that the development is likely to have a higher level of impact on koalas or koala habitat, the council must, in deciding whether to grant consent to the development application, take into account a koala assessment report for the development.</i></p> <p><i>(5) However, despite subsections (3) and (4), the council may grant development consent if the applicant provides to the council—</i></p> <p><i>i. information, prepared by a suitably qualified and experienced person, the council is satisfied demonstrates that the land subject of the development application—</i></p>	<p>NO</p> <p>NO</p>
--	--	---------------------

	<p>(i) does not include any trees belonging to the koala use tree species listed in Schedule 3 for the relevant koala management area, or</p> <p>(ii) is not core koala habitat, or</p> <p>ii. information the council is satisfied demonstrates that the land subject of the development application—</p> <p>(j) does not include any trees with a diameter at breast height over bark of more than 10 centimetres, or</p> <p>(iii) includes only horticultural or agricultural plantations.</p> <p>(6) In this section—</p> <p>koala assessment report, for development, means a report prepared by a suitably qualified and experienced person about the likely and potential impacts of the development on koalas or koala habitat and the proposed management of those impacts.</p> <p>In relation to clause 4.9 –</p> <p>(1) The development will not affect any tree species being located in grassland.</p> <p>(2) The site is not identified as core koala habitat.</p> <p>(3) A Biodiversity Assessment pertaining to the proposed development was determined as not necessary.</p> <p>CHAPTER 5 River Murray lands</p> <p>This chapter does not apply to Goulburn Mulwaree Council area.</p> <p>CHAPTER 6 Water Catchments</p> <p>6.5 Sydney drinking water catchment</p> <p>The land is located within Sydney drinking water catchment and as such this chapter does apply to the development.</p> <p>6.64 Concurrence of Regulatory Authority</p> <p>(1) Development consent must not be granted to development on land in the Sydney Drinking Water Catchment unless the consent authority has obtained the concurrence of the Regulatory Authority.</p> <p>(2) For the Act, section 3.18(3), the Regulatory Authority must consider the following matters in deciding whether to grant concurrence—</p> <p>(a) the NorBE Guideline,</p> <p>(b) whether the development will have a neutral or beneficial effect on water quality.</p> <p>(3) The consent authority must, within 10 days after determining a development application that required the concurrence of the Regulatory Authority, give a copy of the determination of the development application to the Regulatory Authority.</p> <p>(4) This section does not apply if the consent authority is satisfied the development has no potential impact on water quality.</p> <p>The proposed development will have no impact on water quality. See Section 5.7.</p> <p>CHAPTERS 7 – 12 Repealed</p> <p>CHAPTER 13 Strategic conservation planning</p>	<p>YES</p> <p>NO</p>
<p>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</p>	<p>This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by—</p> <ol style="list-style-type: none"> providing exempt and complying development codes that have State-wide application, and identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and identifying, in the complying development codes, types of complying development that may be carried out in accordance 	<p>NA</p>

	<p>with a complying development certificate as defined in the Act, and</p> <p>d. enabling the progressive extension of the types of development in this Policy, and</p> <p>e. providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments.</p> <p>No Exempt or Complying Development is sought for the proposed development.</p>	
State Environmental Planning Policy (Housing) 2021	<p>The principles of this Policy are as follows—</p> <p>a) enabling the development of diverse housing types, including purpose-built rental housing,</p> <p>b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,</p> <p>c) ensuring new housing development provides residents with a reasonable level of amenity,</p> <p>d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,</p> <p>e) minimising adverse climate and environmental impacts of new housing development,</p> <p>f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,</p> <p>g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,</p> <p>h) mitigating the loss of existing affordable rental housing.</p> <p>The development is not identified as providing ‘Affordable housing’ development in the Greater Sydney region, Newcastle region or Wollongong region, or within 400m of a B1, B2 or B4 zone. The site does not contain a low-rental residential building’. The development is not identified as a ‘Boarding House’, ‘Supportive accommodation’, Social housing provider development, Land & Housing Corporation development, ‘Group Homes’, ‘Co-living housing’, ‘Build to rent housing’, ‘Short term rental accommodation’ ‘existing ‘serviced apartments’, a ‘manufacture housing estate’ or a ‘caravan park’.</p>	NA
State Environmental Planning Policy (Industry and Employment) 2021	<p>CHAPTER 2 – Western Sydney Employment Area The development is not located with the Western Sydney employment area and as such this chapter does not apply to the development.</p> <p>CHAPTER 3 – Advertising and Signage No additional signage is proposed to the Cathcart Street frontage.</p>	NA NA
State Environmental Planning Policy (Planning Systems) 2021	<p>CHAPTER 2 – State and Regional Development The site is not identified as containing “critical habitat” under the Threatened Species Conservation Act 1995 or Part 7A of the Fisheries Management Act 1994. The site is not identified as having high biodiversity significance. The development is not identified as State Significant Development. The development is not State Significant or Regionally significant.</p> <p>CHAPTER 3 – Aboriginal Land The development is not specified on the Land Application Map and as such Chapter 3 does not apply to the development.</p> <p>CHAPTER 4 – Concurrences and Consent</p>	NA NA NA
State Environmental Planning Policy	<p>CHAPTER 2 Primary production and rural development 2.1 Aims of Chapter</p>	NA

<p>(Primary Production) 2021</p>	<p>The aims of this Chapter are as follows—</p> <p>(a) to facilitate the orderly economic use and development of lands for primary production,</p> <p>(b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</p> <p>(c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</p> <p>(d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</p> <p>(e) to encourage sustainable agriculture, including sustainable aquaculture,</p> <p>(f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,</p> <p>(g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</p> <p>The development is not identified as development on ‘State significant agricultural land’, development as defined for ‘farm dams and other small-scale and low risk artificial waterbodies’, or ‘livestock industries’, or ‘sustainable agriculture’ and as such this Chapter does not apply to the land.</p> <p>CHAPTER 3 Central Coast plateau areas</p> <p>The development is not located in the Central Coast plateau area and as such this chapter does not apply to the development.</p> <p>The land is not identified as land to which Schedule 4 ‘Application of certain standard provisions relating to primary production and rural development to non-standard local environmental plans and other instruments’, or Schedule 5 ‘Rural land sharing communities’ applies and as such these Schedules do not apply to the development.</p>	<p>NA</p>
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<p>CHAPTER 2 – Coastal Management</p> <p>The development is not located in the coastal zone (including Coastal Wetlands and Littoral Rainforests Area, Coastal Vulnerability Area, Coastal Environment Area, and Coastal Use Area) and as such this chapter does not apply to the development.</p> <p>CHAPTER 3 – Hazardous and Offensive Development</p> <p>The development is not identified as a potentially offensive or hazardous industry, however the demolition involved prior to the carry out of the development of the motel extension involves the removal of a hazardous material which is further considered in Chapter 4.</p> <p>CHAPTER 4 – Remediation of Land</p> <p>4.1 Object of this Chapter</p> <p>(1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.</p> <p>(2) 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—</p> <p>(a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications</p>	<p>NA</p> <p>NA</p> <p>NA</p>

	<p><i>in general and development applications for consent to carry out a remediation work in particular, and</i></p> <p><i>(c) by requiring that a remediation work meet certain standards and notification requirements.</i></p> <p>4.6 Contamination and remediation to be considered in determining development application</p> <p><i>(1) A consent authority must not consent to the carrying out of any development on land unless—</i></p> <p><i>(a) it has considered whether the land is contaminated, and</i></p> <p><i>(b) 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</i></p> <p><i>(c) 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.</i></p> <p><i>(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i></p> <p><i>(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</i></p> <p><i>(4) The land concerned is—</i></p> <p><i>(a) land that is within an investigation area,</i></p> <p><i>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</i></p> <p><i>(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—</i></p> <p><i>land—</i></p> <p><i>(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</i></p> <p><i>(i) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</i></p>	
State Environmental Planning Policy (Resources and Energy) 2021	<p>CHAPTER 2 – Mining, Petroleum and Extractive Industries</p> <p>The development does not involve mining, petroleum production or an extractive Industry and as such this chapter does not apply to the development.</p> <p>CHAPTER 3 – Extractive Industries in Sydney Area</p> <p>The development is not located within the Sydney Metropolitan Area and as such this chapter does not apply to the development.</p>	<p>NA</p> <p>NA</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	<p>The aims of Policy are:</p> <p>The aims of this Policy are as follows—</p> <p>(a) to encourage the design and delivery of sustainable buildings,</p> <p>(b) to ensure consistent assessment of the sustainability of buildings,</p>	<p>NA</p>

	<p>(c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored,</p> <p>(d) to monitor the embodied emissions of materials used in construction of buildings,</p> <p>(e) to minimise the consumption of energy,</p> <p>(f) to reduce greenhouse gas emissions,</p> <p>(g) to minimise the consumption of mains-supplied potable water,</p> <p>(h) to ensure good thermal performance of buildings.</p> <p>The development does not involve any new residential building.</p>	
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p>	<p>CHAPTER 2 – Infrastructure <i>Division 5 Electricity transmission or distribution</i> <i>Subdivision 2 Development likely to affect an electricity transmission or distribution network</i> Division 17 Roads and traffic Subdivision 2 Development in or adjacent to road corridors and road reservations</p> <p>CHAPTER 3 – Educational and Child Care Facilities CHAPTER 4 – Major Infrastructure Corridors CHAPTER 5 – Three Ports, Botany, Kembla and Newcastle CHAPTER 6 – Moorebank Freight Intermodal Precinct</p>	<p>NA NA NA NA NA NA NA</p>
<p>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</p>	<p>(1) This Policy aims to improve the design quality of residential apartment development in New South Wales.</p> <p>(2) This Policy recognises that the design quality of residential apartment development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high-quality design.</p> <p>(3) Improving the design quality of residential apartment development aims:</p> <p>(a) to ensure that it contributes to the sustainable development of New South Wales:</p> <p>(i) by providing sustainable housing in social and environmental terms, and</p> <p>(ii) by being a long-term asset to its neighbourhood, and</p> <p>(iii) by achieving the urban planning policies for its regional and local contexts, and</p> <p>(b) to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define, and</p> <p>(c) to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities, and</p> <p>(d) to maximise amenity, safety and security for the benefit of its occupants and the wider community, and</p> <p>(e) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions, and</p> <p>(f) to contribute to the provision of a variety of dwelling types to meet population growth, and</p> <p>(g) to support housing affordability, and</p> <p>(h) to facilitate the timely and efficient assessment of applications for development to which this Policy applies.</p> <p>(4) This Policy aims to provide:</p> <p>(a) consistency of policy and mechanisms across the State, and</p> <p>(b) a framework for local and regional planning to achieve identified outcomes for specific places</p> <p>The development does not involve residential apartment development.</p>	<p>NA</p>

Goulburn Mulwaree LEP 2009	The site is within the Goulburn Mulwaree Local Government Area ('LGA') and the Goulburn Mulwaree Local Environmental Plan 2009 is the applicable Local Environmental Plan. The site is within the R5 Large Lot Residential zone and the proposed development is permissible under the zone subject to compliance with various clauses detailed in this Statement. Compliance matters are addressed in detail in Chapter 4.1 of this report.	YES
Goulburn Mulwaree DCP 2009	<p>The Goulburn Mulwaree Development Control Plan 2009 (DCP) controls relevant to the proposed development are:</p> <ul style="list-style-type: none"> • 2 Plan Objectives <ul style="list-style-type: none"> ○ 2.1 General Development Objectives ○ 2.2 Locality Objectives - Urban • 3 General Development Controls <ul style="list-style-type: none"> ○ 3.1 Indigenous heritage and archaeology ○ 3.2 European (non-indigenous) heritage conservation ○ 3.6 Vehicular access and parking ○ 3.7 Crime prevention through environmental design ○ 3.8 Flood affected lands ○ 3.9 Tree and vegetation preservation ○ 3.10 Dryland salinity ○ 3.11 Waterbody and wetland protection ○ 3.12 Groundwater ○ 3.14 Biodiversity management ○ 3.16 Stormwater pollution ○ 3.17 Bushfire risk management • 4 Principal Development Controls – Urban <ul style="list-style-type: none"> ○ 4.2 Non-residential development – retail, commercial and industrial • 6 Special Development Types <ul style="list-style-type: none"> ○ 6.8 Large lot residential – Zone R5 <p>A full assessment against the relevant components of the DCP is included at Appendix 2. Consideration of planning issues is provided in Section 5.</p>	YES
Goulburn Mulwaree s94 Contribution Plan 2009	The site is not located within the area of the Goulburn Mulwaree Section 94 Contribution Plan 2009	NO
Goulburn Mulwaree Local Infrastructure Contributions Plan 2021	The estimated total cost of the development is \$35,000 and as the development cost is less than \$100,000 the Section 94A Levy Development Contribution Plan 2009 is not applicable. See Section 4.1.6.	YES

8 APPENDIX 2 – GOULBURN MULWAREE LEP 2009 AND GOULBURN DCP COMPLIANCE

Clauses identified as relevant to the proposed development and contained within the legislative controls are listed and considered in the following table.

PROVISION	COMMENTS	COMPLIANCE
GOULBURN MULWAREE LOCAL ENVIRONMENTAL PLAN 2009 (relevant clauses)		
Cl.1.2 Aims of Plan Subclause 2(a)-(k)	<p>The site is within and R5 Large Lot Residential zone and currently utilised for residential use. The development has been designed in accordance with the LEP allowances and Council guidelines contained within the Development Control Plan and having full regard to the present ecological nature of the site and controls dictated by best practice environmental management and existing site constraints. The development proposal as designed is considered suitable for the site and compatible within the locality. As such the proposed development is designed within the framework of the LEP and DCP and provides for:</p> <ul style="list-style-type: none"> • Development consistent with the orderly development of the land to a level anticipated in the planning instrument. • The design of the development to provide for the sustainable management of the land. • Sustainable development in the management of sites natural and built qualities and constraints; • Development that has been planned and forms part of the expected management regime for the peri urban locality; • Consideration of the environmental constraints of the site and planned for appropriate management of utilities, services and stormwater. • A design to manage any potential additional hazard generated to watercourses, riparian habitats, wetlands or water quality. 	YES
Cl.1.9A Suspension of covenants, agreements and instruments	<p>No covenants or agreements or instruments affecting the land are impacted.</p>	YES
Cl.2.3 Zone objectives and land use table R5 Large Lot Residential Zone	<p>Compliance with R5 Large Lot Residential Zone objectives is detailed below:</p> <ul style="list-style-type: none"> • <i>To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality.</i> Comment: The proposed development will have no impact and the site will be used for residential purposes. • <i>To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</i> Comment: The proposed development will have no impact and the site will be used for residential purposes. • <i>To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</i> Comment: The proposed development will have no impact as the proposed development is ancillary to residential purposes. • <i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i> Comment: The proposed development will have no impact as it is consistent with adjoining land uses. 	YES

PROVISION	COMMENTS	COMPLIANCE
	<ul style="list-style-type: none"> To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality. <p>Comment: The proposed development will have no impact as the proposed development is ancillary to residential purposes.</p> <ul style="list-style-type: none"> To encourage subdivision of land that is consistent with the constraints and opportunities of the land. <p>Comment: The proposed development does not involve any subdivision.</p>	
Cl.2.7 Demolition requires development consent	No demolition is proposed.	YES
Cl.2.8 Temporary use of land	There is no temporary use of land proposed.	N.A.
Cl.4.3 Height of Buildings	The site has no height of building limitation.	YES
Cl.4.4 Floor Space Ratio	The site has no floor space ratio limitation.	YES
Cl.4.6 Exceptions to development standards	No exception is sought to the minimum standards for development of the land.	YES
Cl.5.10 Heritage conservation	The site is not located within a heritage conservation area and there is no heritage item on the land.	YES
Cl.5.11 Bush fire hazard reduction	The site is located within the Bushfire Prone Land under the Goulburn Mulwaree Bushfire Prone Land Map and being a Class 10 building a bushfire assessment is not required. See Section 3.7.	N.A.
Cl.7.1 Flood planning land	The site is not identified as flood planning land on any Flood Planning Map under <i>Goulburn Mulwaree Local Environmental Plan 2009</i> .	N.A.
Cl.7.1A Earthworks	Only minimal earthworks for slab placement required.	YES
Cl.7.2 Terrestrial biodiversity	The site is not identified as biodiversity on the Terrestrial Biodiversity Map under <i>Goulburn Mulwaree Local Environmental Plan 2009</i> .	N.A.
Cl.7.4 Restrictions on development adjoining mines and extractive resource sites	The land is not located near any mineral or extractive resources on the Mineral Resource Area Map under <i>Goulburn Mulwaree Local Environmental Plan 2009</i> .	N.A.

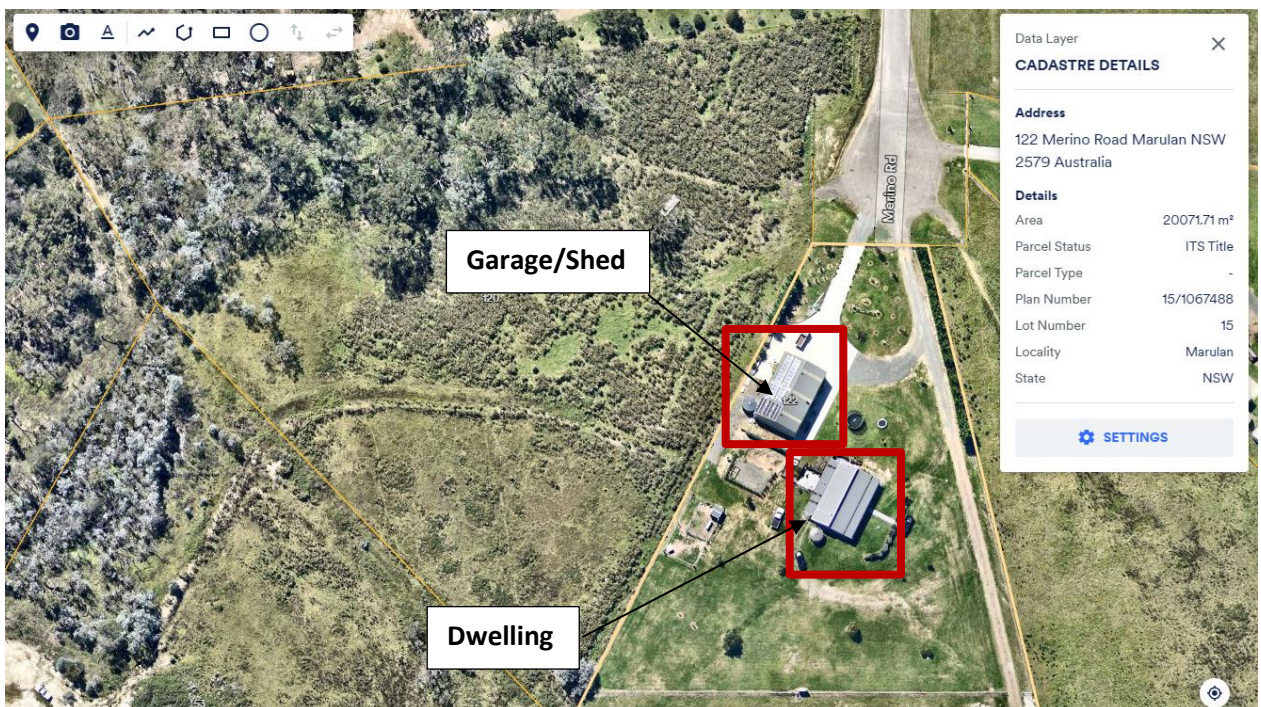
PROVISION	COMMENTS	COMPLIANCE
GOULBURN MULWAREE DEVELOPMENT CONTROL PLAN 2009		
Section 1 Preliminary		
Cl.1.8 Variation to controls	The proposal is substantially consistent with the relevant sections of the Goulburn Mulwaree DCP 2009 and relevant Council plans and strategies. However, the proposal is not consistent with clause 6.8.4 of the Goulburn Mulwaree DCP 2009 which states: <i>Garages are to be located behind the building facade so that they do not dominate the streetscape.</i> See Section 5.1.	YES
Section 2 Plan objectives		
Section 2.1 Plan Objectives	In general terms the proposal will not impact upon the amenity of the area or surrounding area.	YES
Section 2.2 Locality objectives – Goulburn City	The development will not negatively impact on the development objectives for the area.	YES
Section 3 General development controls		
Section 3.1 European (non-indigenous) heritage conservation	The site is not located within a heritage conservation area and there is no heritage item on the land.	YES
Section 3.2 Indigenous heritage and archaeology	The development will have no impact.	YES
Section 3.3 General Heritage Item and Conservation Area Controls	The development will have no impact.	YES
Section 3.6 Vehicular access and parking	The development will utilise access from Corriedale Drive.	YES
Section 3.7 Crime prevention through environmental design	The site is well exposed and available for natural surveillance by neighbours.	YES
Section 3.8 Flood affected lands	The land is not identified as flood liable.	YES
Section 3.9 Tree and vegetation preservation	There is no clearing involved in any aspect of the development.	YES
Section 3.10 Dryland salinity	The site is not identified as affected by dryland salinity on the Natural Resource Atlas.	N.A.

PROVISION	COMMENTS	COMPLIANCE
Section 3.11 Waterbody and wetland protection	The site does not contain any wetland.	N.A.
Section 3.12 Groundwater	The proposal does not involve the sinking of a bore or any ground works.	N.A.
Section 3.14 Biodiversity management – (Reference: Clause 7.2 – LEP 2009)	The site is not identified as biodiversity on the Terrestrial Biodiversity Map under <i>Goulburn Mulwaree Local Environmental Plan 2009</i> .	YES
Section 3.15 High environmental conservation value areas	The site is not identified as containing high environmental conservation value areas.	N.A.
Section 3.16 Stormwater pollution	See Section 5.7.	YES
Section 3.17 Bushfire risk management	The site is located within the Bushfire Prone Land under the Goulburn Mulwaree Bushfire Prone Land Map and being a Class 10 building a bushfire assessment is not required. See Section 3.7.	N.A.
Section 3.18 Urban Servicing (Water and Sewer)	The site is connected to reticulated water and sewer services.	YES
Section 4 - Principal development controls - Urban		
Section 4.2 Non-residential development – retail, commercial and industrial	The development will have no adverse impact on the visual amenity of the area.	YES
Section 6 – Special development types		
Section 6.8 Large lot residential	The proposed garage/ storage shed is located in front of the dwelling façade. A variation to this control is requested – see Section 5.1.	NO

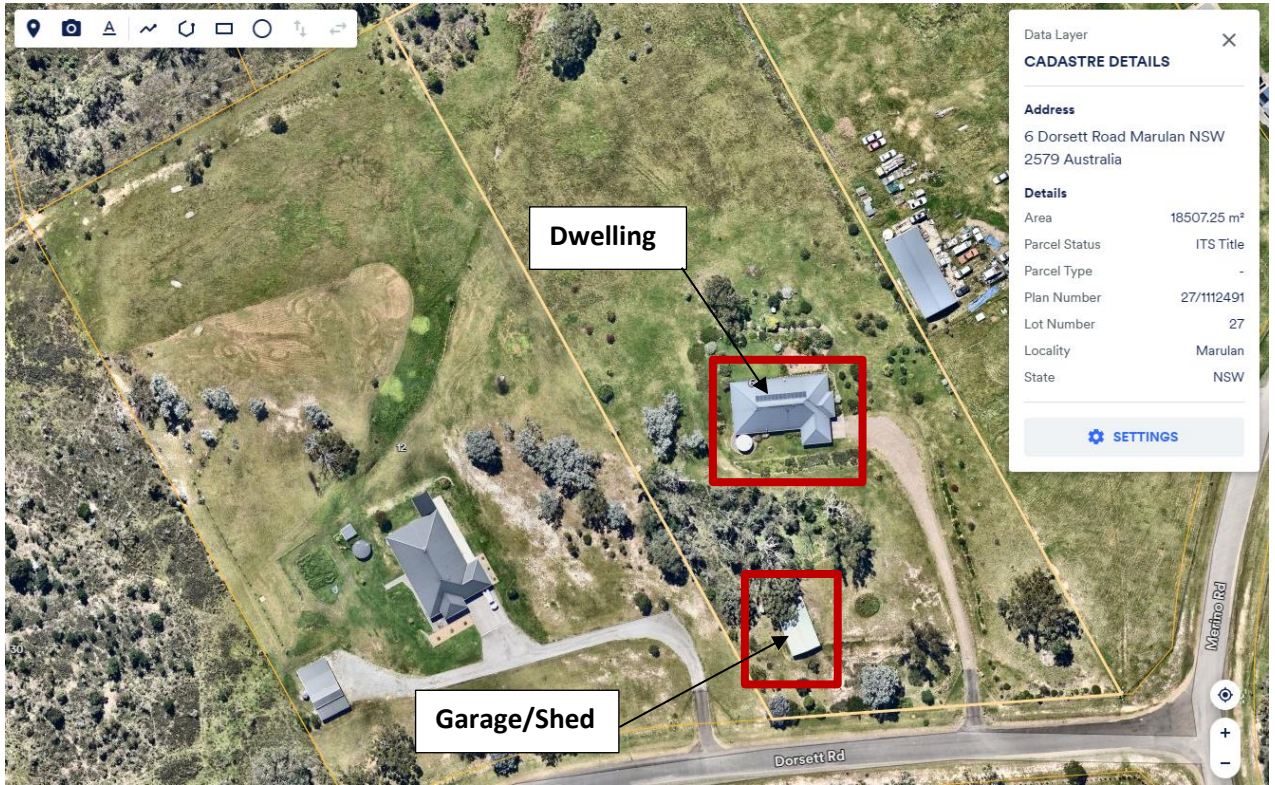
9 APPENDIX 3 – AERIAL PHOTOGRAPHS – DCP VARIATION



101 Merino Road
(Map Source: Nearmap Website)



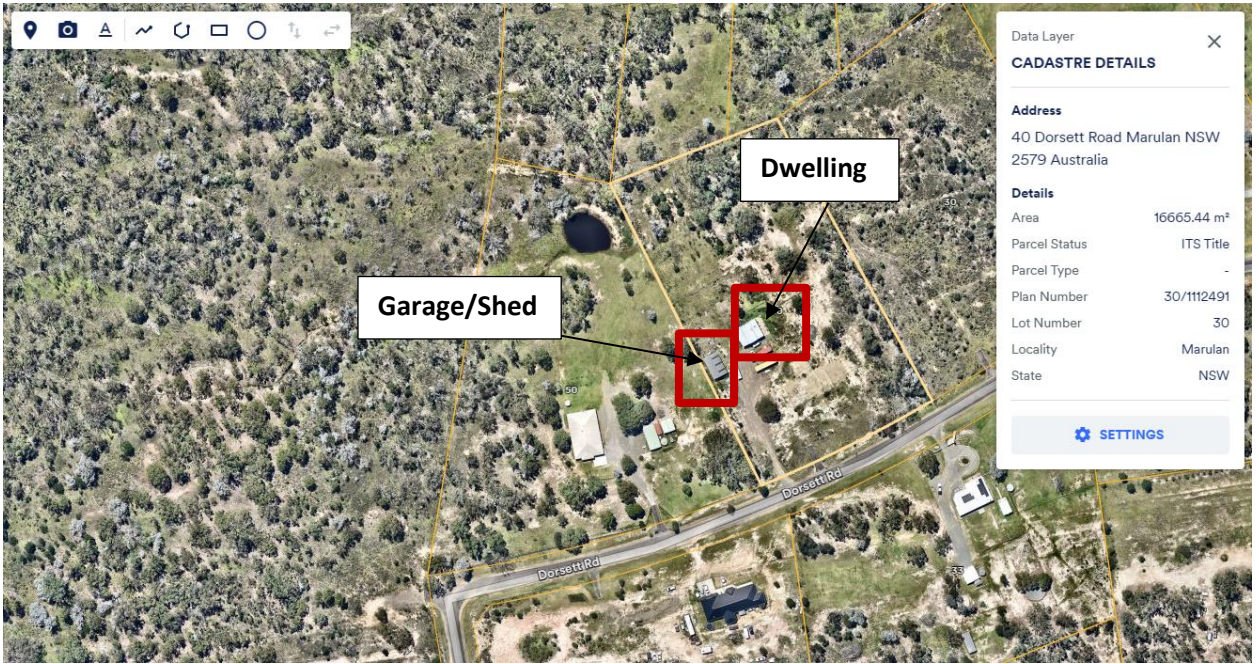
122 Merino Road
(Map Source: Nearmap Website)



6 Dorsett Road
(Map Source: Nearmap Website)



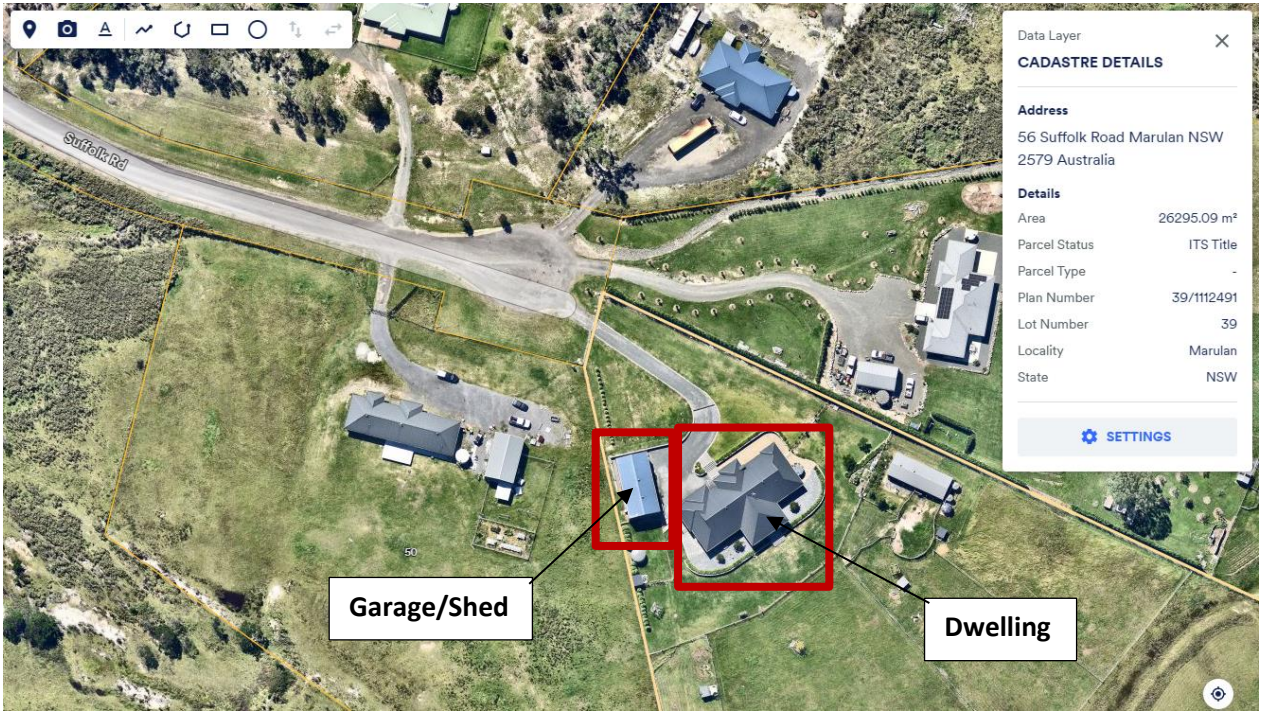
12 Dorsett Road
(Map Source: Nearmap Website)



40 Dorsett Road
(Map Source: Nearmap Website)



55 Suffolk Road
(Map Source: Nearmap Website)



56 Suffolk Road
(Map Source: Nearmap Website)