

Statement of Environmental Effects - 84 Corriedale Drive Marulan 2579

The Application is seeking approval for the;

“Subdivision of one (1) lot into nine (9) lots”



Figure 1: Image of subject site (Near Maps, 2021)

Prepared by:
Prepared: 17 April 2024



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Proposed Development

The proposal before Council seeks “subdivision of one (1) lot into nine (9) lots”. A detailed summary of the proposal is provided below.

Proposal

New Lot	Land Size / New Area
Lot 1	2007.173 m ²
Lot 2	2004.00 m ²
Lot 3	2194.92 m ²
Lot 4	2286.70 m ²
Lot 5	2041.28 m ²
Lot 6	2093.035 m ²
Lot 7	5561.057 m ²
Lot 8	2015.945 m ²
Lot 9	2005.146 m ²

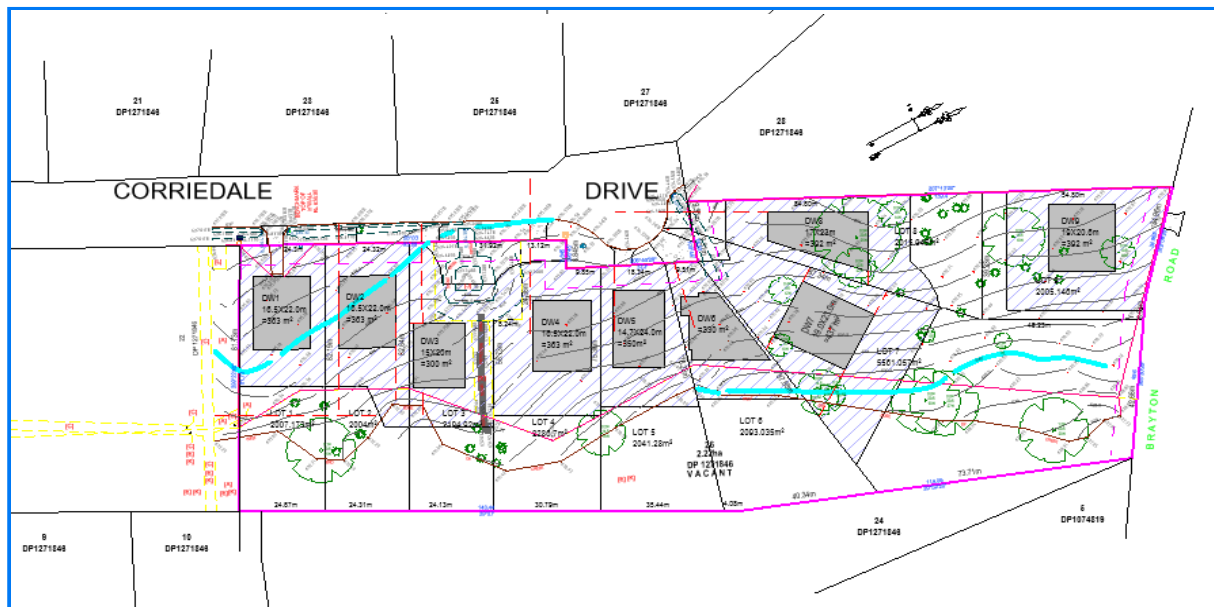


Figure 1: Proposed site/subdivision plan - No. 84 Corriedale Drive Marulan 2579.

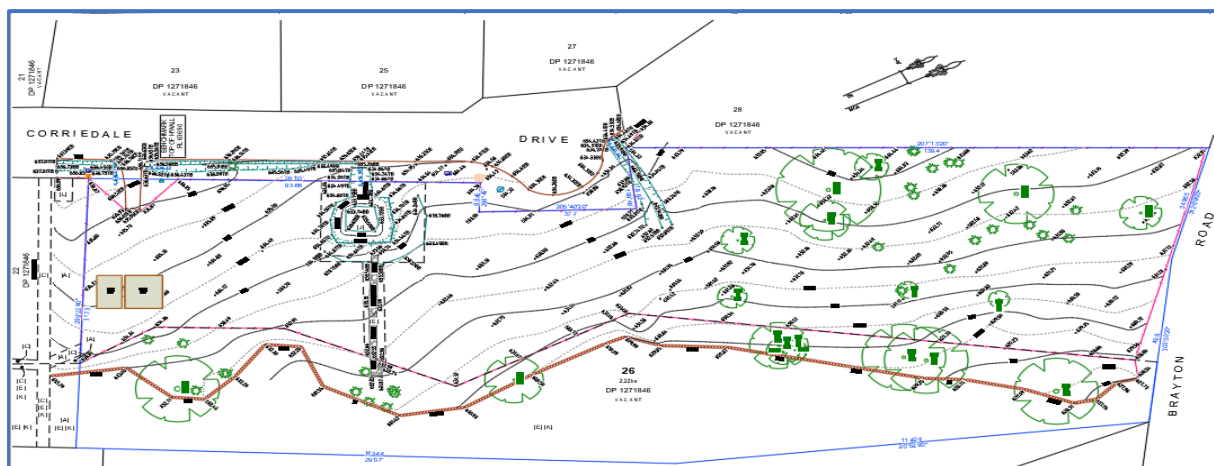


Figure 2: Survey Plan - No. 84 Corriedale Drive Marulan 2579

The Site and Locality

The subject site is identified as Lot 26/-/DP1271846, No. 84 Corriedale Drive Marulan 2579. The allotment is located on the northern side of Corriedale Drive. The site has a western frontage to Corriedale Drive, a rear eastern boundary, a side northern boundary and a side southern boundary length and a total site area of 2.22ha.

The topography of the site supports a minor fall across the allotment, measured from the rear southern boundary to the front northern boundary. The immediate locality is predominantly surrounded by rural development with a vast majority of vacant allotments, mature trees and significant vegetation being located adjacent to the side eastern and western boundaries.

The site is vacant land serviced by a sealed public road, reticulated water, sewerage, stormwater, electricity and telephone services. The land adjoins R5 Large Lot areas to the north, east and south and RU6 Transition land to the north.

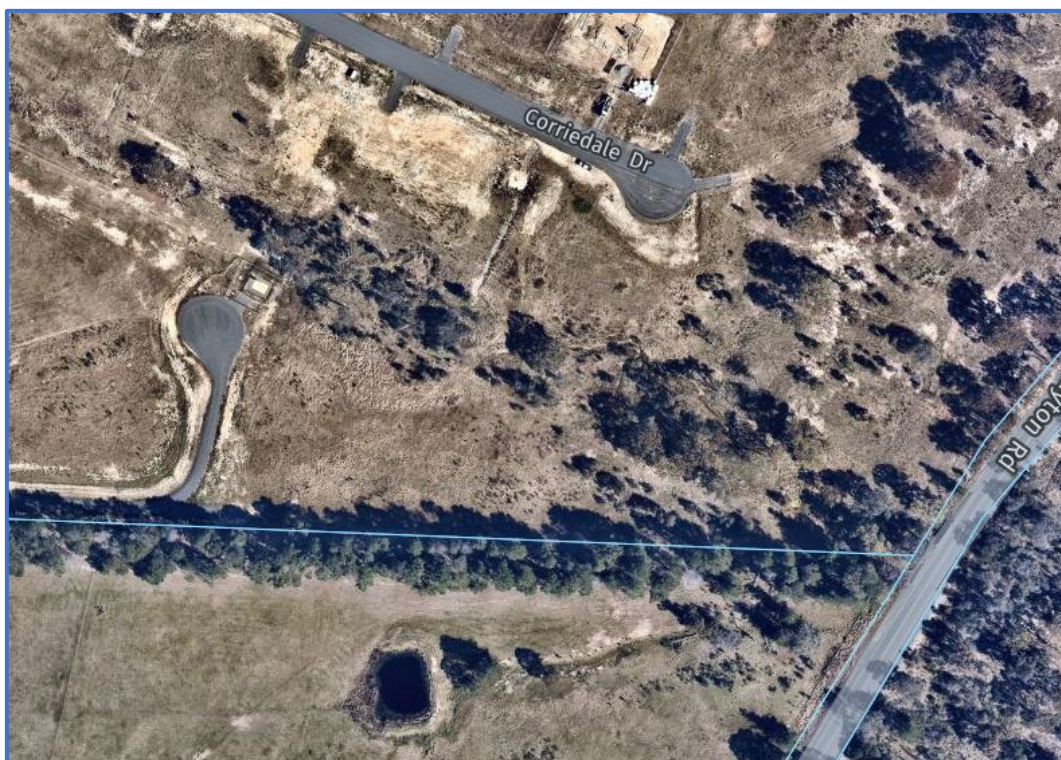


Figure 3: Satellite locality map - 84 Corriedale Drive Marulan 2579 (Source: Near Maps, 2021)

Environmental Planning and Assessment Act 1979

Section 4.15 Evaluation

The following is an assessment of the application with regard to Section 4.15(1) Evaluation of the Environmental Planning and Assessment Act 1979.

- (1) *Matters for consideration – general*
In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:
- (a) *the provision of:*
- (i) *any environmental planning instrument,*

Local Environmental Plan

Goulburn Mulwaree Local Environmental Plan 2009

Part 2 - Permitted or Prohibited Development

Clause 2.1 - Land Use Zones

The subject site is zoned Zone R5 - Large Lot Residential and the proposed development is defines as an ancillary development being “subdivision” in GMLEP 2009, the proposal is a permissible form of development with Council’s consent. The proposed development satisfies the objectives of the zone as follows:

Objectives of R5 - Large Lot Residential

- *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.*

Comment: The proposal is consistent and satisfies the above objectives. The allotment provides the appropriate services for the desired future character and intended subdivision.

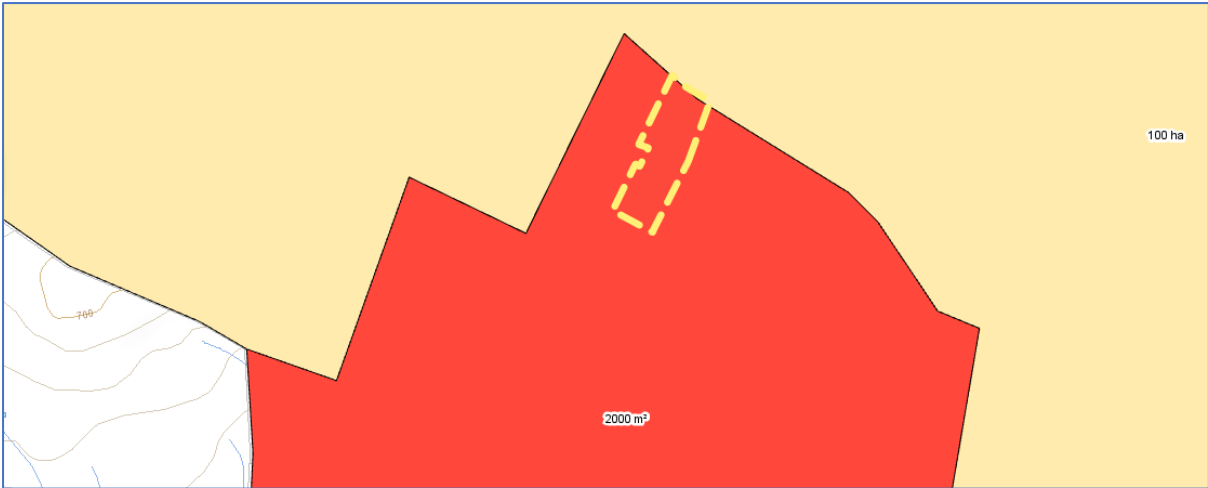


Figure 4: Minimum Lot Size Map - 84 Corriedale Drive Marulan 2579 (ePlanning Spatial Viewer, 2021)

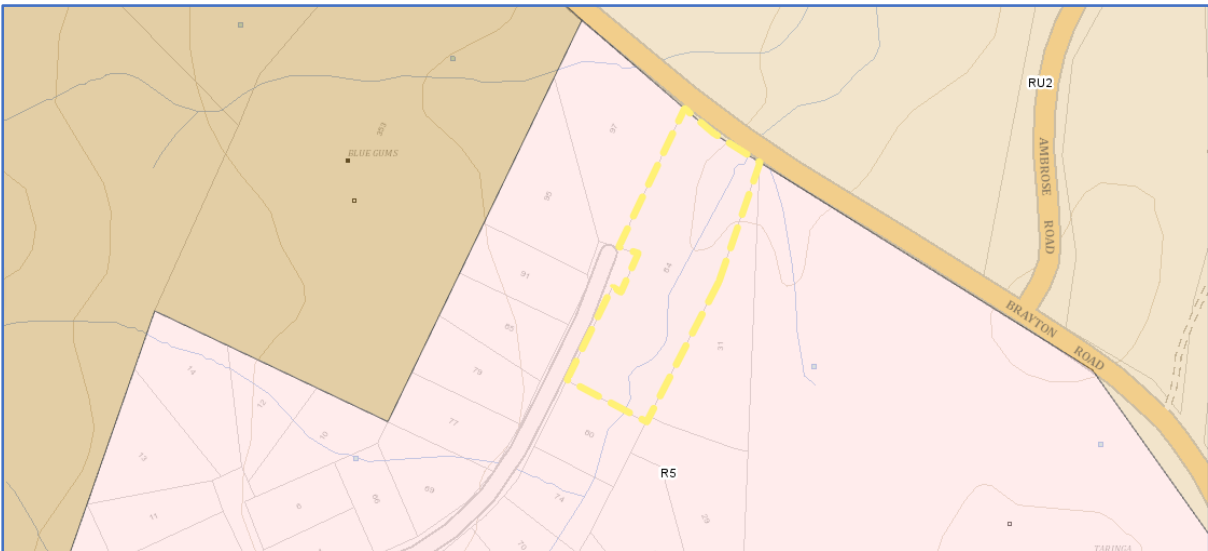


Figure 5: Zoning Map - No. 84 Corriedale Drive Marulan 2579 (ePlanning Spatial Viewer, 2021)

Comment: The table below addresses the proposed development against the relevant provisions of the Goulburn Mulwaree Local Environmental Plan 2009:

Part 2 - Permitted or prohibited development

Applicable LEP Clause	Standards	Proposal	Complies
2.7 Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	No consent has been sought for demolition as the allotment is vacant.	Yes

Part 4 - Principal Development Standards

Applicable LEP Clause	Standards	Proposal	Complies
4.1 Minimum subdivision lot size	(1) The objectives of this clause are as follows— (a) to provide a minimum lot size for the subdivision of land.		
	(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	As identified within Figure 4; the site provides a minimum Lot Size Map for subdivision of 2000m ² . The proposed development provides a total site area of 2.22ha. Therefore, complies.	Yes
	(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	As identified within Figure 4; the site provides a minimum Lot Size Map for subdivision of 2000m ² . The proposed development provides a total site area of 2.22ha. Therefore, complies. Each new allotment will provide a new minimum site area of 2,000m ²	Yes

	<p>(4) This clause does not apply in relation to the subdivision of any land—</p> <p>(a) by the registration of a strata plan or strata plan of subdivision under the <i>Strata Schemes Development Act 2015</i>, or</p> <p>(b) by any kind of subdivision under the <i>Community Land Development Act 1989</i>.</p> <p>(4A) This clause does not apply in relation to the subdivision of land for the purpose of erecting an attached dwelling or a semi-detached dwelling in a residential zone.</p>	<p>N/A. Torrens Title subdivision is proposed.</p> <p>N/A. Torrens Title subdivision is proposed.</p> <p>N/A. Torrens Title subdivision is only proposed.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
4.3 Height of Buildings	<p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>	N/A. No proposed building works with this application.	N/A
4.4 Floor Space Ratio	<p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p>	N/A. No proposed building works with this application.	N/A
4.2A Erection of dwelling houses on land in certain rural and environmental zones	<p>(1) This clause applies to land in the following zones—</p> <ul style="list-style-type: none"> • RU1 Primary Production, • RU2 Rural Landscape, • RU3 Forestry, • RU6 Transition, 	N/A. No proposed building works with this application.	N/A

	<ul style="list-style-type: none"> • E2 Environmental Conservation, • E3 Environmental Management. <p>(2) Development consent must not be granted for the erection of a dwelling house on a lot in a zone to which this clause applies, and on which no dwelling house has been erected, unless the lot is—</p> <p>(a) a lot created in accordance with this Plan, or</p> <p>(b) a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or</p> <p>(c) a lot created before this Plan commenced that is at least the minimum lot size specified for that lot by the Lot Size Map, or</p> <p>(d) a lot for which subdivision approval was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible immediately before that commencement, or</p>	<p>N/A. No proposed building works with this application.</p> <p>N/A. No proposed building works with this application.</p> <p>N/A. No proposed building works with this application.</p> <p>N/A. No proposed building works with this application.</p>	
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	<p>(e) an existing holding.</p> <p>Note— A dwelling cannot be erected on a lot created under clause 9 of <i>State Environmental Planning Policy (Rural Lands) 2008</i> or clause 4.2.</p> <p>(3) Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house on land in a zone to which this clause applies if—</p> <p>(a) there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house, or</p> <p>(b) the land would have been a lot or a holding referred to in subclause (2) had it not been affected by—</p> <p>(i) a minor realignment of its boundaries that did not create an additional lot, or</p> <p>(ii) a subdivision creating or widening a public road or public reserve or for another public purpose.</p> <p>(4) In this clause — existing holding means all adjoining land, even if separated by a road or</p>	<p>N/A. No proposed building works with this application.</p> <p>N/A. No proposed building works with this application.</p> <p>N/A. No proposed building works with this application.</p> <p>N/A. No proposed building works with this application.</p>	
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	<p>railway, held in the same ownership—</p> <p>(a) on 15 May 1970, and</p> <p>(b) at the time of lodging a development application for the erection of a dwelling house under this clause, and includes any other land adjoining that land acquired by the owner since 15 May 1970.</p>		
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Part 5 - Miscellaneous Provisions

Applicable LEP Clause	Standards	Proposal	Complies
5.10 Heritage Conservation	<p>(1) Objectives The objectives of this clause are as follows:</p> <p>(a) to conserve the environmental heritage,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas</p>	Site has not been identified as a heritage item and neither is it located in a heritage conservation area as per GMLEP 2009 Heritage Map.	Yes
5.11 Bush Fire Hazard Reduction	<p>Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent.</p> <p>Note— The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.</p>	The site is affected by bushfire, The Consenting Authority will refer the application to the Rural Fires Services (RFS) for a referral and may obtain advisory conditions, which will form a part of the Development Consent.	Yes

Part 6 - Additional Local Provisions

Applicable LEP Clause	Standards	Proposal	Complies
6.1 Acid Sulfate Soils	(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	The site has not been identified as being located in an Acid Sulfate Soils Area.	Yes
7.1A Earthworks	(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters: (b) the effect of the development on the likely future use or redevelopment of the land, (d) the effect of the development on the existing and likely amenity of adjoining properties.	The proposed development seeks approval for subdivision of one (1) lot into nine (9). The effects of the development on the likely future use / redevelopment and existing amenity has been considered satisfactory. The proposed development has been designed to follow the topography of the site.	Yes
7.3 Subdivision for residential purposes in Zones RU5 and R5	(1) This clause applies to— (a) land in Zone RU5 Village, and (b) land in Zone R5 Large Lot Residential. (2) Development consent must not be granted for the subdivision of land to which this clause applies for residential purposes unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that	For the consent authority's consideration. The proposal has demonstrated within the submitted documentation, that the proposed subdivision can accommodate the provisions of nine (9) lots for subdivision.	Complies

Applicable LEP Clause	Standards	Proposal	Complies
	<p>infrastructure available when required.</p> <p>(3) For the purpose of considering the availability of public utility infrastructure in subclause (2), the consent authority must include consideration of the following matters—</p> <p>(a) water quality associated with the management of effluent disposal and stormwater,</p> <p>(b) the provision of an adequate water supply for drinking and for fire fighting purposes.</p>	<p>The proposed subdivision meets the requirements of the Clause by demonstrating that the essential services required can be extended to service the proposal.</p> <p>Effluent disposal will be by way of the reticulated sewerage available for connection and water by way of the reticulated water system that is available for connection.</p> <p>Hydrants are located along the development site and future dwelling houses will be required to meet the Planning for Bushfire Protection requirements.</p>	

State Environmental Planning Policies and Regional Environmental Plans for consideration

State Environmental Planning Policy No. 55 Remediation of the Land

The *State Environmental Planning Policy No. 55 (SEPP 55)* requires that Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated or requires remediation for the intended use.

The proposed dwelling-house would be located in an undisturbed area of the site that is unlikely to be contaminated. The site historically has been used for residential purposes. Council does not have any recent records of contamination issues for the subject site hence further assessment in this regard is not warranted.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

Requires any development requiring consent in the Sydney drinking water catchment to demonstrate a neutral or beneficial impact on water quality. This catchment covers the vast majority of Goulburn Mulwaree, including all urban areas. Subject to the implementation of sediment and erosion control measures and stormwater management to protect water quality at construction and demolition stages, the proposal would comply with the requirements of the Policy.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The trigger for BASIX Certification is when the estimated cost of works for residential development (new dwelling) is equal to or above \$50,000. BASIX Certification is also triggered when proposing a swimming pool with a volume of >40,000 litres.

It is noted that the capacity of the swimming pool would be 50,000 litres of capacity.

A BASIX Certificate, has not been submitted with the Development Application.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The Vegetation SEPP regulates clearing of native vegetation on urban land and land zoned for environmental conservation/management that does not require development consent. The Vegetation SEPP applies to clearing of:

- a) *Native vegetation above the Biodiversity Offset Scheme (BOS) threshold where a proponent will require an approval from the Native Vegetation Panel established under the Local Land Services Amendment Act 2016; and*
- b) *Vegetation below the BOS threshold where a proponent will require a permit from Council if that vegetation is identified in the council's development control plan (DCP).*

The objective of the SEPP is to protect the biodiversity values of trees and other vegetation in non-rural areas and preserve the amenity of non-rural areas through the preservation of trees and other vegetation. This policy is applicable pursuant to Clause 5(1) of the SEPP as the site is within both Georges River Council and the R2 - Low Density Residential zone.

Pursuant to Clause 8(1) of the SEPP, clearing does not require authority under the policy as it is a type of clearing that is authorised under Section 60O of the Local Land Services Act 2013 (specifically, that associated with a development consent issued under Part 4 of the Environmental Planning and Assessment Act 1979).

Comment: N/A, there are no trees nominated for removal with this application.

Draft Environment SEPP

The Draft Environment SEPP was exhibited from 31 October 2017 to 31 January 2018. This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property.

Changes proposed include consolidating the following seven existing SEPPs:

- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas*
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*
- *State Environmental Planning Policy No. 50 – Canal Estate Development*
- *Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment*
- *Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.*

Comment: The proposal is not inconsistent with the provisions of this Draft Instrument.

Goulburn Mulwaree Development Control Plan 2009

Objectives

- Control the density of development in order to limit population growth and maintain the rural character of the area.
- Promote lots of sufficient size to conduct agriculture and other rural pursuits

Section 5.2 – Subdivision - General controls

Requirement	Proposal	Complies
Minimum lot sizes are specified in the lot size maps to the LEP 2009.	Addressed within LEP Clause 4.1 Minimum subdivision lot size, as identified above.	Complies
Lots should be designed to maximise useable areas of the site and have regard for the topography.	The proposed lots are identified to be of symmetrical proportions and topography as identified within the submitted subdivision plan.	Complies
Subdivision design should provide opportunity for the retention of significant landscape features including remnant vegetation, rock outcrops, water elements, appropriate location of boundary lines and building envelopes	The proposed lots retained the existing vegetation, topography and no cut and fill works are proposed.	Complies
Each lot shall contain a development site that can accommodate a dwelling house, private open space, effluent disposal area and vehicle access in a way that is consistent with the constraints identified on site (eg. bushfire, flood hazard, steep slopes and significant vegetation).	The proposed lots can provide the accommodation of a dwelling house, private open space, effluent disposal area and vehicle access.	Complies
Areas for on-site sewerage disposal need to be a minimum of 150 metres from the Wollondilly and Shoalhaven Rivers or a major water storage dam (Sooley Dam & Lake Ross), 250 Metres from a licenced well, 100 metres from other rivers, creeks and perennial watercourses, 100 metres from an intermittent watercourse, defined as having banks and beds or ponds or	N/A. Not located within catchment area.	N/A

remaining wet for considerable periods between rainfall events and which may be characterised by supporting moisture tolerant vegetation or 40 metres of a dam or drainage depression, defined as low points that carry water during rainfall events but dry out quickly once rainfall has ceased.		
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Streetscape Character and Amenity

The proposed development satisfies the objectives and controls within the development control plan relevant to:

- Building Scale, Rhythm of Built Elements in the Streetscape, Fenestration and External Materials, and Street Edge.

Open Space

The proposed development satisfies the relevant objectives and controls of the DCP, providing nominated principle open private open space areas and various landscaped areas.

Vehicular access, Parking and Circulation

Parking in accordance with the Goulburn Mulwaree DCP 2009 would be capable of design and provision at the time of construction of a dwelling house on each lot, with design provided for in proposed dwelling house plans to be submitted for Development Consent by subsequent owners. Access to the lots would be via existing gateway and driveway off Corriedale Drive as indicated on the attached plan. The plan provides for the extension of the existing access in accordance with the Goulburn Mulwaree DCP 2010.

Privacy

The proposed development satisfies the relevant objectives and controls of the DCP as it is considered there are no adverse amenity impacts.

Solar Access

The proposed development satisfies the relevant objectives and controls of the DCP.

(iii) Any matters prescribed by the regulations, that apply to the land to which the development application relates,

Not applicable.

(a) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The proposed development is of a scale and character that is in keeping with other allotments being constructed in the locality. Accordingly, the proposal is not considered to have a significant impact on the surrounding natural and built environment.

(c) *the suitability of the site for the development,*

The subject site is appropriately zoned for the proposed development. The site is free of any significant unresolvable environmental site constraints and is consistent with the scale and design of the locality whilst having regard to its size and shape, its topography, vegetation, and relationship to adjoining developments. The site is therefore considered suitable for the development. The proposal has been designed to cater for the sites existing vegetation.

(d) *any submissions made in accordance with this Act or the regulations,*

In accordance with the provisions of Councils Public Notification, the application will be required to be placed on neighbour notification where adjoining property owners will be notified. Any concerns raised by objectors will be considered through the assessment of the application. If required, the applicant may provide responses if deemed necessary.

(e) *the public interest.*

The proposal is generally in accordance with the relevant statutory provisions. The site is suitably zoned for the proposed development and will provide opportunity for housing provision in a way that does not compromise the existing locality. Therefore, the development is considered not to be contrary to the public interest.

Conclusion

The application has been assessed having regard to Section 4.15(1) of the Environmental Planning and Assessment Act 1979 and other relevant statutory provisions. This statement along with the submitted documentation demonstrates that the proposal does not result in any adverse impacts and is suitable for the site.

Therefore, it is recommended that Council and the consent authority grant consent to for the proposed "*Subdivision of one (1) lot into nine (9) lots*", at No. 84 Corriedale Drive Marulan 2579