



STATEMENT OF ENVIRONMENTAL EFFECTS

Project Details

Proposal:	Installation of 'Manufactured Dwelling as Secondary Dwelling'
Subject Site:	Lot 27 / DP 14545 – 37 Mary Street GOULBURN NSW 2580
Zone:	R1 – General Residential
Lot Size:	628.8 sqm
Date:	May 2024



37 Mary Street GOULBURN

This statement has been prepared by Progressive Project Solutions at the request of the application in support of a development application to the Goulburn Mulwaree Council.

TABLE OF CONTENTS

1.1	Proposal	4
1.2	Site Details / Context / Scope of Works	4
	Site Details	4
	Site Context	5
	Scope of Works	5
	Access & Parking	6
	Water, Sewer & Drainage	6
	Energy & Telecommunications	6
	Landscaping	6
	Other Considerations	6
1.3	Land Zoning	6
1.4	Environmental Planning & Assessment Act 1979	7
1.5	State Specific SEPPS	8
1.6	Environmental Planning Instruments – GMC LEP 2009	19
	Aims of Plan	19
	Land Use Table	20
	Miscellaneous Provisions	21
	Additional Local Provisions	21
1.7	Environmental Planning Instruments – GMC DCP 2021	22
	DCP Compliance Statement	22
1.8	Environmental Considerations	24
	Historical & Current Use of Land	24
	Demolition	24
	Contamination	24
	Site Constraints	24
	Clearing of Vegetation/ Biodiversity Implications	24
	Proposed earthworks	25
	Sediment Control Measures	25
	Site Engineering Considerations	25
	Energy Efficiency	25

	BCA Compliance	25
	Heritage Implications	25
	Indigenous Due Diligence	25
2.0	Impact of the Proposal	26
	Existing Structures on Land	26
	Boundary Setbacks	26
	Building Height	26
	Bulk & Scale	26
	General Design Principles	26
	Shadowing	26
	Streetscape Influence	26
	Impacts on Neighbouring Properties	26
	(i) Privacy Effects	26
	(ii) Noise Effects	26
	(iii) Loss of Views	26
	Site Area – Private Open Space	26
	Site Access	26
	Fencing	27
	Construction Management Plan	27
	Waste Management Plan	27
2.1	Conclusion	27

1. PROJECT SUMMARY

1.1 Proposal

This Statement of Environmental Effects (SoEE) is attached to a proposal at 37 Mary Street GOULBURN NSW 2580. The proposal is for the installation of a 'Manufactured Home as a Secondary Dwelling'



37 Mary Street GOULBURN

1.2 Site Details / Context / Scope of Works

Site Details

The subject site is located in the established lot in the Goulburn City R1 Residential area in Goulburn Mulwaree Council Local Government Area. The site is located in the middle of the suburb and the area has been subdivided and residential land for many years.

37 Mary Street is a corner lot with the southern boundary (the front of the existing dwelling) fronting Mary Street and the north western boundary shared with Furner Street.

The lot is pretty much a narrow rectangular lot laying predominately from north east to south west. The north western boundary is 48.215mtrs, the south eastern boundary is 43.155mtrs, the south west boundary is 13.55mtrs and the north eastern boundary is 13.565mtrs creating a total lot size of just under 629sqm. The lot is flat with a very slight fall from the south west to the north east that has no effect on this proposal.

An existing dwelling, a garage and a garden shed are currently on the property. The garage and the garden shed will be removed as part of this project. The property has established gardens of a low-key nature comprising of scattering of scrubs, a couple of garden beds and has a well, maintained lawn.

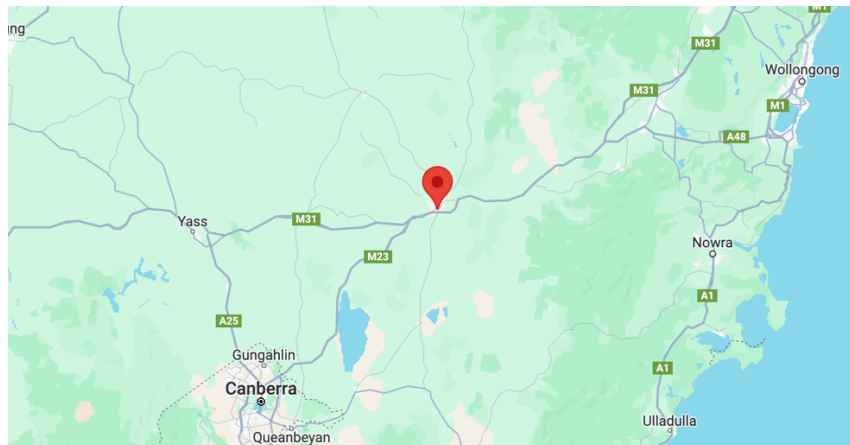
The property of this proposal has dwellings to the south, north, east and west of differing ages, styles and finishes making up an eclectic neighbourhood. There is evidence of renewal starting to creep into the older parts of the Goulburn area that makes the current housing mix even more eclectic.

The property has access to council sewer, water & electricity with stormwater pushed towards the street drainage.

The lot is accessed from Furner Street which is sealed and well maintained. The property is capable of having a Secondary Dwelling installed without having any adverse effect on the environment or neighbours.

Site Context

The property is located approximately 2 kilometres from the Goulburn Post Office. Goulburn is a regional city in southern NSW in the Goulburn Mulwaree Local Government Area some 195 kilometres south of Sydney.



The property located within the urban area of Goulburn and is a lot of some 629sqm that is located on the corner of Mary and Furner Streets.

To the north, south, east & west there are established dwellings of different sizes, finishes and ages. The area is well established with many homes having well established gardens, detached sheds and many other features.

Scope of Works

The proposed works comprise the 'Installation of a Manufactured Home as a Secondary Dwelling'

Physical works resulting from the installation of the manufactured dwelling include use of the existing driveway and connection to council services including water, sewer and stormwater.

Access and Parking

The existing driveway access from Furner Street will continue to be used to access the dwelling along with the new secondary dwelling and provides adequate parking as required for the existing dwelling and the new Secondary Dwelling.

Water, Sewer and Drainage

Reticulated water services and sewerage systems exist to the site with this proposal having no changes required to those services. Stormwater is proposed to be connected to the street infrastructure.

Energy and Telecommunications

Energy and telecommunications services are currently provided to the site with this proposal having no impact on those services and will be able to connect to all services.

Landscaping

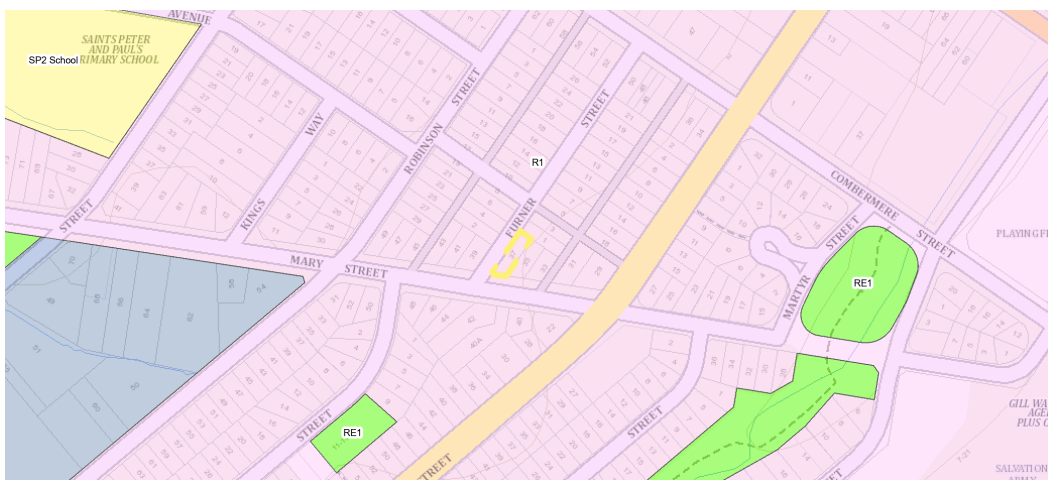
The landscaping proposed with this proposal is minimal due to the established nature of the site already being established.

Other Considerations

N/A

1.3 Land Zoning

The site is zoned R1 – General Residential under the Goulburn Mulwaree Council LEP 2009 (GMC LEP 2009). Dwellings are permitted with consent and Manufactured Homes being permitted under the Local Government Act & SEPP Housing 2021 The proposal satisfies the development standards and objectives contained within the GMC LEP 2009.



Subject Property Zoning Map

4.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment (EPA) Act 1979 is the principal piece of legislation governing the use and development of land in NSW. The objects of the Act are:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The objects of the EPA Act are intended to guide land planning and management. Section 4.15 of the Act lists matters for consideration when assessing and determining an application for development.

This proposal satisfies these aims.



Dwelling from Furner Street

1.5 State Environmental Planning Policies - Considerations

The State Environment Planning Policies (SEPPs) align with the new thematic framework developed by the Department of Planning and Environment. This framework includes the following focus areas: Housing, Transport and Infrastructure, Primary Production, Biodiversity and Conservation, Resilience and Hazards, Industry and Employment, Resources and Energy and Planning Systems.

State Environmental Planning Policy – Exempt & Complying Development Codes 2008

Not Applicable to this application

State Environmental Planning Policy – Biodiversity and Conservation 2021

The Biodiversity Conservation Act, 2016 was formally implemented to conserve and protect biodiversity values and systems across the State. The legislation lists threatened species and ecological communities (EECs) and outlines processes and procedures in the assessment of these valuable and sensitive environmental species and communities. Council's mapping system which shows where biodiversity and EECs exist and this site is subject to an Endangered Eco Community and Native Vegetation.

Not applicable – no clearing proposed

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(s)/alterations and additions) is equal to or above \$50,000. BASIX Certification is also triggered when proposing a swimming pool with a volume of 40,000 litres.

The estimated cost of development proposed is noted within the cost analysis, and a BASIX Certificate has been prepared by the designer satisfying the minimum requirements of SEPP (Building Sustainability Index: BASIX) 2004.

A Basix Certificate is not required for this proposal.

State Environmental Planning Policy – Resilience and Hazards 2021

SEPP – Resilience and Hazards required council to consider whether the land is contaminated and to determine whether the proposed use is suitable with or without contamination. Council can require the applicant to conduct a preliminary investigation and subsequent more detailed investigation if warranted.

Where contamination exists and remediation is necessary, council must be satisfied that the remediation will take place before the land is used for the proposed purpose. The property is not listed on either the EPA or Council register of potentially contaminated land and there has been no known historical or current usage that would cause the land to be contaminated.

The property is not listed on the council register or the EPA register for potentially contaminated land and given it has been used for residential purposes for over 70 years contamination is highly unlikely.

Chapter 3 – Diverse Housing

Part 1 Secondary Dwellings

Division 1 Preliminary

In this Part—

development for the purposes of a secondary dwelling includes the following—

- (a) the erection of, or alterations or additions to—
 - (i) a secondary dwelling, or
 - (ii) an ancillary structure within the meaning of Schedule 1,
- (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

residential zone means the following land use zones or an equivalent land use zone—

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone R5 Large Lot Residential.

The proposal complies with this part of the Housing SEPP 2021 as it is proposed on R1 'General Residential' Zoned Land

Schedule 1 Complying development—Secondary Dwellings Section 54(2)(d)

Part 1 Preliminary

1 Definitions

(1) *In this Schedule—*

Ancillary structure means the following, if associated with a secondary dwelling and not exempt development under the Codes SEPP—

- (a) an access ramp,
- (b) an awning, blind or canopy,
- (c) a balcony, deck, patio, pergola, terrace or veranda attached to a principal or secondary dwelling,
- (d) a carport attached to a principal or secondary dwelling,
- (e) a driveway, pathway or paving,
- (f) a fence or screen,
- (g) a garage attached to a principal or secondary dwelling,
- (h) an outbuilding,
- (i) a rainwater tank attached to a principal or secondary dwelling,
- (j) a retaining wall,
- (k) a swimming pool or spa pool and child-resistant barrier.

outbuilding means the following, if detached from a principal or secondary dwelling—

- (a) a balcony, deck, patio, pergola, terrace or veranda,
- (b) a cabana, cubby house, fernery, shed, gazebo or greenhouse,
- (c) a carport or garage,
- (d) a rainwater tank (above ground),
- (e) a shade structure.

(2) Unless defined in this Schedule, words used in this Schedule have the same meaning as in—

- (a) the Codes SEPP, and
- (b) for words not defined in the Codes SEPP—the standard instrument.

(3) In this Schedule, the area of the access laneway for a battle-axe lot is excluded in calculating the area of the lot.

Part 2 Site requirements

2 Lot requirements

(1) Development for the purposes of a secondary dwelling or an ancillary structure may only be carried out on a lot that—

(a) at the completion of the development will have only 1 principal dwelling and 1 secondary dwelling, and
(b) for a lot other than a battle-axe lot—has a boundary with a primary road, measured at the building line, of at least the following—

(i) if the lot has an area of at least 450m² but not more than 900m²—12m,

(ii) if the lot has an area of more than 900m² but not more than 1500m²—15m,

(iii) if the lot has an area of more than 1500m²—18m, and

(c) for a battle-axe lot—has an access laneway of at least 3m in width and measuring at least 12m by 12m, excluding the access laneway.

Full Compliance

(2) A lot on which a new secondary dwelling is erected must have lawful access to a public road.

Full Compliance

(3) Nothing in this Schedule requires the provision of additional parking spaces for development for the purposes of a secondary dwelling.

Full Compliance

3 Maximum site coverage of all development

(1) The site coverage of the principal dwelling, secondary dwelling and all ancillary structures on a lot must be no more than the following—

(a) if the lot has an area of at least 450m² but not more than 900m²—50% of the area of the lot,

(b) if the lot has an area of more than 900m² but not more than 1500m²—40% of the area of the lot,

(c) if the lot has an area of more than 1500m²—30% of the area of the lot.

(2) For the purposes of calculating the site coverage, the area of the following is not included—

(a) an access ramp,

(b) the part of an awning, blind or canopy outside the outer wall of a building,

(c) a balcony, deck, patio, pergola, terrace or veranda attached to the principal or secondary dwelling and not enclosed by a wall higher than 1.4m above the floor level,

(d) an eave,

(e) a driveway,

(f) a farm building,

(g) a fence or screen,

(h) a pathway or paving,

(i) a rainwater tank attached to the principal or secondary dwelling,

(j) a swimming pool or spa pool.

Full Compliance - Primary Dwelling and Secondary Dwelling 31.00% of lot

4 Maximum floor area for principal and secondary dwellings

(1) The floor area of a secondary dwelling, excluding an attached ancillary structure, must not be more than—

(a) 60m², or

(b) if a larger floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the larger floor area.

(2) The total floor area of a principal dwelling, secondary dwelling and all attached ancillary structures must not be more than the following—

(a) if the lot has an area of at least 450m² but not more than 600m²—330m²,

(b) if the lot has an area of more than 600m² but not more than 900m²—380m²,

(c) if the lot has an area of more than 900m²—430m².

Full Compliance – Secondary Dwelling size complies with the SEPP

(3) In subsection (2)—

attached ancillary structure means a carport, garage, balcony, deck, patio, pergola, terrace or veranda—

(a) attached to the principal dwelling or secondary dwelling, and

(b) enclosed by a wall higher than 1.4m above the floor level, other than the external wall of the dwelling.

floor area means the sum of the areas within the outer face of the external walls of each storey of a dwelling, including an attached ancillary structure, measured at a

height of 1.4m above each floor level, excluding—

(a) part of an awning, blind or canopy outside the outer wall of the dwelling,

(b) an eave,

(c) a lift shaft,

(d) a stairway,

(e) a void above a lower storey.

Secondary Dwelling achieves Full Compliance

5 Setbacks and maximum floor area for balconies, decks, patios, terraces and verandas

(1) The total floor area of all balconies, decks, patios, terraces and verandas on a lot must be no more than 12m² if—

(a) a part of the structure is within 6m from a side or rear boundary, and

(b) the structure has a point of its finished floor level at more than 2m above ground level (existing).

(2) The balcony, deck, patio, terrace or veranda must not have a point of its finished floor level—

(a) if it is located within 3m of a side or rear boundary—more than 2m above ground level (existing), or

(b) if it is located more than 3m but not more than 6m from a side or rear boundary—more than 3m above ground level (existing), or

(c) if it is located more than 6m from a side or rear boundary—more than 4m above ground level (existing).

(3) A detached deck, patio or terrace, including alterations or additions to the deck, patio or terrace, must not have a floor level of more than 600mm above ground level

(existing).

Note—

Development identified in this section may require privacy screens under this Schedule, section 15.

Full Compliance

Part 3 Building heights and setbacks

6 Building height

(1) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or a new part of an existing building having a

building height above ground level (existing) of more than 8.5m.

Full Compliance – Max Height 4.413 above NGL

(2) Development for the purposes of an ancillary structure must not result in a new building or a new part of an existing building having a building height above ground

level (existing) of more than—

(a) if an outbuilding—4.8m, or

(b) if a fence—1.8m.

Not Applicable

7 Setbacks from roads, other than classified roads

(1) Development for the purposes of a secondary dwelling or an ancillary structure on a lot must result in a new building or a new part of an existing building having a setback from a primary road, other than a classified road, of at least—

(a) the average distance of the setbacks of the 2 nearest dwelling houses on the same side of the primary road and located within 40m of the lot on which the principal dwelling is erected, or

(b) if 2 dwelling houses are not located within 40m of the lot on the same side of the primary road—

(i) for a lot with an area of at least 450m² but not more than 900m²—4.5m, or

(ii) for a lot with an area of more than 900m² but not more than 1,500m²—6.5m, or

(iii) for a lot with an area of more than 1,500m²—10m.

(2) Development for the purposes of a secondary dwelling or an ancillary structure on a lot must result in a new building or a new part of an existing building having a setback from a boundary of the lot with a parallel road that is not a classified road of at least 3m.

(3) Development for the purposes of a secondary dwelling or an ancillary structure on a corner lot must result in a new building or a new part of an existing building on

the lot having a setback from the boundary with a secondary road that is not a classified road of at least—

(a) for a lot with an area of at least 450m² but not more than 600m²—2m, or

(b) for a lot with an area of more than 600m² but not more than 1,500m²—3m, or

(c) for a lot with an area of more than 1,500m²—5m.

(4) For the purposes of this section, if a lot is a corner lot—

(a) a boundary that is at least 6m in length is taken to be a boundary with a primary road, and

(b) the other boundaries are taken to be boundaries with a secondary road.

(5) For the purposes of this section, if a lot has contiguous boundaries with a road or roads but is not a corner lot, the lot is taken to have a boundary only with a primary road.

Fully Compliance

8 Setbacks from classified roads

Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or a new part of an existing building having a setback from a boundary with a classified road of less than—

(a) if another environmental planning instrument applying to the lot establishes a setback for a dwelling house having a boundary with a classified road—the setback specified in the environmental planning instrument, or

(b) otherwise—9m.

Not Applicable

9 Setbacks from side boundaries

(1) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or a new part of an existing building or a new carport, garage, balcony, deck, patio, pergola, terrace or veranda having a setback from a side boundary of less than the following—

(a) for a lot with an area of at least 450m² but not more than 900m²—0.9m,

(b) for a lot with an area of more than 900m² but not more than 1,500m²—1.5m,

(c) for a lot with an area of more than 1,500m²—2.5m.

(2) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building or ancillary structure having a setback from a side boundary of less than the sum of—

(a) the amount of the setback specified for the relevant sized lot in subsection (1), and

(b) an amount equal to 25% of the additional building height above 3.8m.

(3) In this section—

new building or ancillary structure means—

(a) a new building or a new part of an existing building with a height of more than 3.8m, and

(b) a new carport, garage, balcony, deck, patio, pergola, terrace or veranda

Full Compliance with SEPP

10 Setbacks from rear boundaries

(1) Development for the purposes of a secondary dwelling or an ancillary structure must not result in a new building, a new part of an existing building or a new carport, garage, balcony, deck, patio, pergola, terrace or veranda having a setback from a rear boundary of less than the following—

(a) for a lot with an area of at least 450m² but not more than 900m²—

(i) 3m, and

(ii) if the development results in a new or existing building with a height of more than 3.8m—an additional amount equal to 3 times the height above 3.8m, up to a maximum setback of 8m,

(b) for a lot with an area of more than 900m² but not more than 1,500m²—

(i) 5m, and

(ii) if the development results in a new or existing building with a height of more than 3.8m—an additional amount equal to 3 times the height above 3.8m, up to a maximum setback of 12m,

(c) for a lot with an area of more than 1,500m²—

(i) 10m, and

(ii) if the development results in a new or existing building with a height of more than 3.8m—an additional amount equal to 3 times the height above 3.8m, up to a maximum setback of 15m.

(2) A dwelling on a lot with a rear boundary with a laneway may have a building line that abuts the boundary for up to 50% of the length of the boundary.

Full Compliance with SEPP

11 Exceptions to setbacks

(1) Development for the purposes of a secondary dwelling must not result in a new building or a new part of an existing building having a setback of less than 3m from a boundary with a public reserve.

(2) Side and rear setbacks do not apply to the following—

(a) an aerial, antenna, awning or eave,

(b) a flue, chimney, pipe or cooling or heating appliance,

(c) a rainwater tank with a height of more than 1.8m,

(d) another structure associated with the provision of a utility service if it is located at least 450mm from the relevant boundary,

(e) a fence, fascia, gutter, downpipe, light fitting, an electricity or gas meter, a driveway, pathway or paving if it is located within a required setback area to the relevant boundary.

(3) The setback from a road does not apply to—

(a) a driveway, fence, pathway, paving or retaining wall, or

(b) the articulation zone and a building element permitted within the zone.

(4) The setback from a rear boundary required by this Schedule, section 10 does not apply to a lot that has only 3 boundaries, disregarding a boundary of an access lane if the lot is a battle-axe lot.

Not Applicable in this instance

12 Calculating setbacks

(1) For the purposes of determining the 2 nearest dwelling houses in this Schedule, section 7, a dwelling house located on a battle-axe lot must be disregarded.

Not Applicable

(2) For the purposes of calculating the setback of the 2 nearest dwelling houses in this Schedule, section 7—

(a) an ancillary structure must not be included, and

(b) a building element within the articulation zone must not be included.

Not Applicable

(3) For the purposes of calculating the setbacks for a battle-axe lot, the setback on the opposite side of the lot to the rear setback is taken to be a side setback.

Not Applicable

(4) For the purposes of calculating the setbacks for an attached secondary dwelling, the height of the secondary dwelling is the vertical distance from ground level (existing) to the highest point of the secondary dwelling.

Not Applicable

(5) For the purposes of calculating a side or rear setback, the maximum building height of a dwelling on a sloping lot must be used.

Not Applicable

(6) A setback must be calculated at the closest point to the boundary from the building line.

Full Compliance

13 Building articulation

(1) Development for the purposes of a secondary dwelling, other than development on a battle-axe lot, must result in either the principal dwelling or the secondary dwelling having a front door and a window to a habitable room in the building wall that faces a primary road.

Full Compliance

(2) Development for the purposes of a secondary dwelling, other than development on a battle-axe lot, must result in either the principal dwelling or the secondary dwelling having a window to a habitable room in the building wall that faces a parallel road.

Full Compliance

(3) A secondary dwelling, other than a secondary dwelling that has a setback from a primary road of less than 3m, may incorporate an articulation zone that extends from the building line to a distance of 1.5m into the required setback from the primary road.

Full Compliance

(4) Development for the purposes of a secondary dwelling on a corner lot must result in either the principal dwelling or the secondary dwelling having a window in a habitable room—

- (a) with an area of at least 1m², and
- (b) that faces and is visible from a secondary road.

Full Compliance

14 Building elements within the articulation zone to a primary road

(1) The following building elements are permitted in an articulation zone in the setback from a primary road—

- (a) an entry feature or portico,
- (b) a balcony, deck, patio, pergola, terrace or veranda,
- (c) a window box treatment,
- (d) a bay window or similar feature,
- (e) an awning or other feature over a window,
- (f) a sun shading feature.

Full Compliance

(2) A building element must not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the building.

Full Compliance

(3) The maximum total area of all building elements within the articulation zone, other than a building element specified in subsection (1)(e) or (f), must be no more than 25% of the area of the articulation zone.

Full Compliance

15 Privacy

(1) A window in a new secondary dwelling, or a new window in an alteration or addition to an existing principal dwelling for the purposes of a new secondary dwelling, must have a privacy screen for a part of the window less than 1.5m above the finished floor level if—

(a) the window—

(i) is in a habitable room that has a finished floor level of more than 1m above ground level (existing), and

(ii) has a sill height less than 1.5m above that floor level, and

(iii) faces a side or rear boundary and is less than 3m from that boundary, or

(b) the window—

(i) is in a habitable room that has a finished floor level of more than 3m above ground level (existing), and

(ii) has a sill height less than 1.5m above that floor level, and

(iii) faces a side or rear boundary and is at least 3m, but no more than 6m, from that boundary.

Full Compliance

(2) Subsection (1) does not apply to a window located in a bedroom where the window has an area of no more than 2m².

Not Applicable

(3) A new balcony, deck, patio, terrace or veranda for the purposes of a new secondary dwelling and any alteration to an existing balcony, deck, patio, terrace or

veranda of a secondary dwelling that has a floor area of more than 3m² must have a privacy screen if the balcony, deck, patio, terrace or veranda is—

(a) within 3m of a side or rear boundary and has a floor level of more than 1m above ground level (existing), or

(b) between 3m and 6m of a side or rear boundary and has a floor level of more than 2m above ground level (existing).

Not Applicable

(4) A privacy screen required under subsection (3) must be installed—

(a) to a height of at least 1.7m, but not more than 2.2m, above the finished floor level of the balcony, deck, patio, terrace or veranda, and

(b) at the edge of the part of the development within the areas specified in subsection (3)(a) or (b) and is parallel to or faces towards the relevant side or rear boundary.

Not Applicable

Part 4 Landscaping

16 Landscaped area

(1) A lot on which development for the purposes of a secondary dwelling or an ancillary structure is carried out must have a landscaped area of at least the following—

(a) for a lot with an area of at least 450m² but not more than 600m²—20%,

(b) for a lot with an area of more than 600m² but not more than 900m²—25%,

(c) for a lot with an area of more than 900m² but not more than 1500m²—35%,

(d) for a lot with an area of more than 1500m²—45%.

(2) At least 50% of the landscaped area must be located behind the building line to the primary road boundary.

(3) The minimum dimensions of the landscaped area must be more than 2.5m.

Full Compliance

17 Principal private open space

(1) A lot on which development for the purposes of a secondary dwelling is carried out must have more than 24m² of principal private open space.

Full Compliance

(2) The principal private open space may be shared by both the principal dwelling and secondary dwelling and may be in the form of a balcony or deck.

Full Compliance

(3) In this section—

principal private open space means an area—

(a) directly accessible from, and adjacent to, a habitable room, other than a bedroom, and

(b) more than 4m wide, and

(c) not steeper than a 1:50 gradient.

Full Compliance

Part 5 Earthworks and drainage

18 Earthworks, retaining walls and structural support

(1) Excavation for the purposes of a secondary dwelling or an ancillary structure must not be deeper than a maximum depth, measured from ground level (existing), of—

(a) if located no more than 1m from any boundary—1m, or

(b) if located more than 1m but not more than 1.5m from any boundary—2m, or

(c) if located more than 1.5m from any boundary—3m, or

(d) if the land is identified as Class 3 or 4 on an Acid Sulfate Soils Map or is within 40m of a waterbody (natural)—1m.

Full Compliance – No Acid Sulphate Soils

(2) Fill must not have more than a maximum height, measured from ground level (existing), of—

(a) if the fill is for the purposes of a secondary dwelling—1m, or

(b) if the fill is for the purposes of an ancillary structure—600mm.

(3) The height of fill contained wholly within the footprint of a secondary dwelling or an ancillary structure is not limited.

Full Compliance – No Fill Proposed

(4) Fill that is higher than 150mm above ground level (existing) and is not contained wholly within the footprint of a secondary dwelling or an ancillary structure is limited to 50% of the landscaped area of the lot.

Not Applicable

(5) The ground level (finished) of the fill must not be used to measure the height of any secondary dwelling or an ancillary structure under this code.

Not Applicable – No Fill Proposed

(6) Support for earthworks more than 600mm above or below ground level (existing) must take the form of a retaining wall or other structural support that—

(a) a professional engineer has certified is structurally sound, including the ability to withstand the forces of lateral soil load, and

(b) has been designed so as not to redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property, and

(c) has adequate drainage lines connected to the stormwater drainage system for the site, and

(d) does not result in a retaining wall or structural support with a total height measured vertically from the base of the retaining wall or structural support to its uppermost

portion that is more than the height of the associated excavation or fill, and

(e) is separated from any other retaining wall or structural support on the site by at least 2m, measured horizontally, and

(f) has been installed in accordance with any manufacturer's specifications, and

(g) if it is an embankment or batter—must have its toe or top more than 1m from any side or rear boundary.

Not Applicable – No Fill Proposed

Note—

Fill and excavation not associated with a building may be exempt development under the Codes SEPP, clauses 2.29 and 2.30.

19 Drainage

(1) All stormwater collecting as a result of development for the purposes of a secondary dwelling or an ancillary structure must be conveyed by a gravity fed or charged system to—

- (a) a public drainage system, or
- (b) an inter-allotment drainage system, or
- (c) an on-site disposal system.

Stormwater to be connected to existing infrastructure on Furner Street.

(2) All stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must—

- (a) if an approval is required under the [Local Government Act 1993](#), section 68—be approved under the Act, or
- (b) otherwise—comply with requirements for the disposal of stormwater drainage contained in a development control plan applicable to the land.

Not Applicable

20 Setbacks of secondary dwellings and ancillary structures from protected trees

(1) Development for the purposes of a secondary dwelling, all ancillary structures and associated excavation on a lot, must have a setback from a protected tree on the lot of at least 3m.

Full Compliance – No trees on site of proposal

(2) The following ancillary structures are permitted within the setback if the development does not require a cut or fill of more than 0.15m below or above ground level

(existing)—

- (a) an access ramp,
- (b) a driveway, pathway or paving,
- (c) an awning, blind or canopy,
- (d) a fence, screen or child-resistant barrier associated with a swimming pool or spa pool.

Full Compliance – No trees on site of proposal

(3) In this section—

protected tree means a tree that requires a separate permit or development consent for pruning or removal, but does not include a tree that may be removed without development consent under Chapter 3.

Note—

A separate permit or development consent may be required if the branches or roots of a protected tree on the lot or on adjoining land are required to be pruned or removed

Parking

53 Non-Discretionary development standards—the Act, s 4.15

(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.

(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—

- (a) for a detached secondary dwelling—a minimum site area of 450m²,
- (b) the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.

Full Compliance

State Environmental Planning Policy – Industry and Employment 2021

Not applicable to this application

State Environmental Planning Policy – No. 47 Moor Park Showground

Not applicable to this application

State Environmental Planning Policy – No. 65 Design Quality of Residential Apartment Development

Not applicable to this application

State Environmental Planning Policy – Planning Systems 2021

Not applicable to this application – not State or Regional significant development

State Environmental Planning Policy – Precincts ‘Central River City’ 2021

Not applicable to this application

State Environmental Planning Policy – Precincts Regional 2021

Not applicable to this application – not a Part 3A Project

State Environmental Planning Policy – Precincts Western Parkland City 2021

Not applicable to this application

State Environmental Planning Policy – Primary Production 2021

Not applicable to this application

State Environmental Planning Policy – Resources and Energy 2021

Not applicable to this application

State Environmental Planning Policy – State Significant Precincts 2005

Not applicable to this application

State Environmental Planning Policy – Transport and Infrastructure 2021

Not applicable to this application

,

Part 1. Preliminary

Aims of Plan

This Plan aims to make local environmental planning provision for land in Lake Macquarie City LGA in accordance with the relevant standard Environmental Planning Instrument under Section 3.2 of the Act.

(2) The particular aims of this Plan are as follows—

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

Not applicable in this instance as this is a residential proposal for the installation of a Manufactured Home as a Secondary Dwelling’.

(a) to promote and co-ordinate the orderly and economic use and development of land in the area,

This proposal is for a Secondary Dwelling and as such has no direct affect on this intent because it revolves around an existing residential.

(b) to provide a framework for the Council to carry out its responsibility for environmental planning provisions and facilitate the achievement of the objectives of this Plan,

The proposed Secondary Dwelling will not have any direct effect on council being able to keep its obligation under this plan. The proposal is permitted and is located on an existing residential lot in the middle of Goulburn that has been developed for over 60 years.

(c) to encourage the sustainable management, development and conservation of natural resources,

Not applicable ion this instance

(d) to promote the use of rural resources for agriculture and primary production and related processing service and value adding industries,

No applicable in this instance

(e) to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree,

Not applicable in this instance.

(f) to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,

The proposal is for a Secondary Dwelling that increases the range and supply of housing in Goulburn albeit in a small way. In this instance the Secondary Dwelling is for a family member.

(g) to establish a framework for the timing and staging of development on certain land in Goulburn and Marulan,

Not applicable as the lot is established residential and subdivision does not form part of this application.

(h) to provide a range of housing opportunities, including large lot residential development in the vicinity of the villages,

The proposal is in a long time established residential area of Goulburn as such has no impact on this intent.

(i) to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,

The proposed Secondary Dwelling is on an established lot in the middle of Goulburn and has little if any risk to the environment based on its size and proposed use.

(j) to provide direction and guidance as to the manner in which growth and change are to be managed in Goulburn Mulwaree,

Not applicable to this intent.

(k) to protect and enhance watercourses, riparian habitats, wetlands and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.

This proposal will have no affect on waterways in any way.

Land Use Table & Permissibility of the Proposal

The property is zoned R1 – General Residential in the Goulburn Mulwaree LEP 2009.

Objectives of Zone R1

- *To provide for the housing needs of the community.*

This proposal is for a Secondary Dwelling and as such provides additional housing and in this instance it will be for a family member.

- *To provide for a variety of housing types and densities.*

The proposal is for Secondary Dwelling for a family member and increases the density of the property of the proposal making sound use of existing urban land and associated infrastructure.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal is residential and as such has no impact on this intent.

- *To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.*

Not applicable in this instance as the proposal is for a Secondary Dwelling.

The proposal meets the objectives of the zone R1.

Part 5. Miscellaneous Provisions

5.4 Controls relating to miscellaneous permissible uses

(9) Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

- (a) 60 square metres,*
- (b) 80% of the total floor area of the principal dwelling.*

Proposal complies as the Primary Dwelling is 97sqm and the proposed Secondary Dwelling is 67sqm or just over 69% of the Primary Dwelling

Part 7. Additional Local Provisions

7.1 *Repealed*
Not applicable

7.1A *Earthworks*
Not applicable

7.2 *Terrestrial Biodiversity*
Not applicable

7.3 *Subdivision for residential purposes in Zones RU5 and R5*
Not applicable

7.4 *Restrictions on development adjoining mineral resources area*
Not applicable

7.5 *Active Street Frontages*
Not applicable

7.6 *Gross floor area of shops in Zone E3 and MU1*
Not applicable

3. GENERAL DEVELOPMENT CONTROLS

- 3.1 *Indigenous Heritage & Archaeology*
Due Diligence Report and AHIMS Search attached to this application
- 3.2 *European (Non-Indigenous) Heritage Conservation*
Not applicable
- 3.3 *General Heritage Item and Conservation Area Controls*
Not applicable
- 3.4 *Bungonia Heritage Conservation Area*
Not applicable
- 3.5 *Landscaping*
Landscaping in this instance is predominately unchanged as the proposal is on a lot of an existing residential dwelling.
- 3.6 *Vehicular Access and Parking*
Full Compliance
- 3.7 *Crime prevention through Environmental design*
Full Compliance
- 3.8 *Flood affected Lands*
Not applicable
- 3.9 *Tree Preservation*
No tree removal proposed in this proposal
- 3.10 *Dryland Salinity*
Not applicable
- 3.11 *Waterbody and Wetland Protection*
Not applicable
- 3.12 *Groundwater*
Not applicable
- 3.13 *Basic Landholder Riparian Rights for subdivision*
Not applicable
- 3.14 *Biodiversity Management*
Not applicable -= no clearing proposed

3.15 *High Environmental Conservation Value Areas*
Not applicable

3.16 *Stormwater Pollution*
Secondary Dwelling will be connected to councils existing stormwater system in Furner Street

3.17 *Bushfire Risk Management*
Not applicable – Lan not Bushfire Prone

4. PRINCIPAL DEVELOPMENT CONTROLS – URBAN

4.1 *Residential Development*
The proposal complies with both the Housing SEPP 2021 and the Council DCP

4.2 *Non-Residential Development – Retail, Commercial, Industrial*
Not applicable

5. PRINCIPAL DEVELOPMENT CONTROLS – RURAL

Not applicable

6. SPECIAL DEVELOPMENT TYPES

6.9 *Relocatable Homes*
The proposal complies with the DCP in this instance

The proposed 'Secondary Dwelling' complies with the Housing SEPP 2021 and with Councils DCP 2021

1.2 Environmental Considerations

Historical & Current Use of Land

The lot is located inside an established residential area of the Goulburn township in the Goulburn Mulwaree Council LGA. This land has been subdivided for residential purposes for well over 60 years and has had homes on, in and around it for most of that time.

Demolition

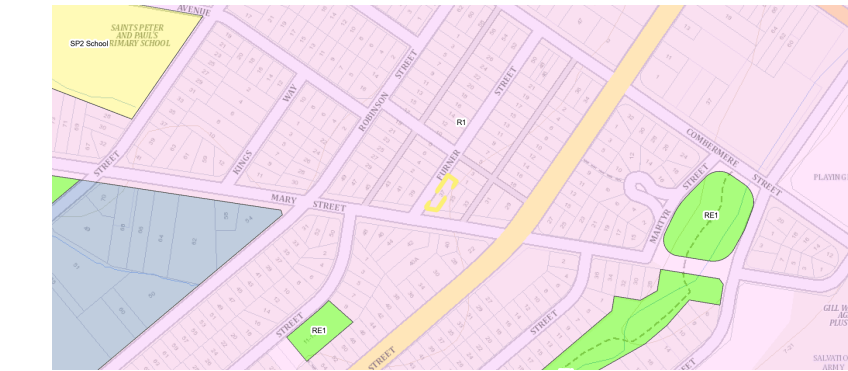
The removal of s Steel Garage & Garden Shed is proposed in this instance.

Contamination

There is no known contamination on this site. It is not listed on the Council or EPA list of contaminated sites.

Site Constraints

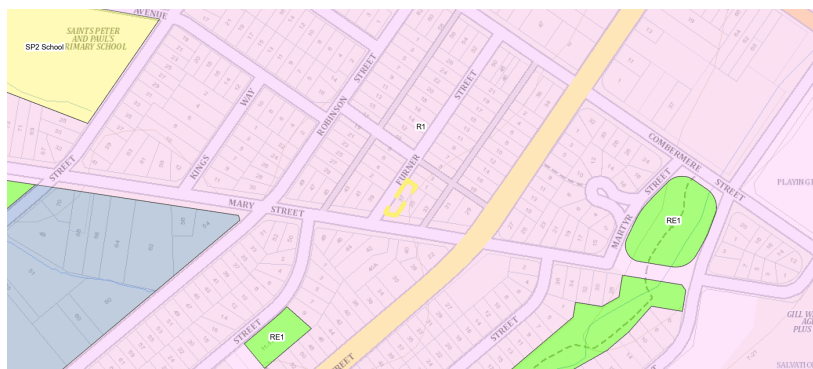
The site has no constraints that would affect the proposal in this application.



Bushfire Mapping – Lot not affected

Clearing of Vegetation & Biodiversity Implications

There is no clearing proposed with this application.



Biodiversity Mapping – Lot not affected

Proposed Earthworks

The extent of earthworks in this instance pier pads for the dwelling and drainage works associated with services as set out in the DA drawings and does exceed the LEP and DCP limits.

Sediment Control Measures

See attached DA documentation

Site Engineering Considerations

There are no engineering implications outside of the engineering requirements of the building that will be identified in the DA engineering documents attached to this application. The impact on council infrastructure is limited to connection to council sewer below the lot.

Energy Efficiency

Basix Certificate is not required for this proposal

BCA Compliance

The manufactured home construction is fully BCA compliant

Heritage Implications

There are no heritage implications with this proposal.

Indigenous Due Diligence

An Indigenous Due Diligence Report and an AHIMS search are attached to this application



2.0 Impact of the Proposal

Existing Structures on Land

The subject site has an existing Dwelling, Garage & Garden Shed

Boundary Setbacks

Boundary setbacks comply with the DCP.

Building Height

The building achieves full compliance with the height requirements of the DCP with the proposed dwelling finishing at a height of approximately 4.413mtrs at the highest point above NGL for any structure

Bulk & Scale

There are no issues with the 'Bulk and Scale' of the proposal. The lot size is 629sqm and the proposed structures footprint combined of 167 sqm or just under 29% of the total site.

General Design Principles

The design of the dwelling has consideration for sound design principles in relation to solar access, energy efficiency, noise and privacy issues that provides a sound outcome for the property.

Shadowing

There are no shadowing issues with this proposal.

Streetscape Influence

This proposal is will not change in anyway the streetscape as it currently exists as the proposal is some 30mtrs away from the street at the rear of the block behind the primary dwelling.

Impacts on Neighbouring Properties

a. **Privacy Effects**

Nil effect on any neighbours.

b. **Noise Effects**

Nil effect on any neighbours by virtue of setbacks.

c. **Loss of Views**

Nil effect on any neighbours as there are no views of any significance in this instance.

Site Area – Private Open Space

Ample with this proposal as clearly indicated on DA plans.

Access to Site

Existing access is from Furner Street and there is no intention or desire to change the access as part of this application.

Fencing

Fencing is not part of this proposal

Construction Management Plan

Attached to application

Waste Management Plan

Attached to this application

2.1 Conclusion

The site, described in this report Lot 27 / DP 14545 is capable of having a 'Manufactured Home as a Secondary Dwelling' installed on the site.

Considerations include impacts on biodiversity, constraints, indigenous, heritage and other issues that do not impact this proposal.

Dwellings are permissible under Goulburn Mulwarree LEP 2009 and satisfactory to the objectives of R1 General Residential Zone.

There are no departures from the Goulburn Mulwaree DCP the proposed development is consistent with the provisions of the EP&A Act, SEPP Housing 2021, GMC LEP & DCP.

In this regard, the subject site would be considered to be suitable for the proposed development as presented in this application.