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STATEMENT OF ENVIRONMENTAL EFFECTS

Development Application for a 46 Lot subdivision
of Lot 2 in Deposited Plan 1002063

Murray Downs Drive
Murray Downs

Prepared for The 16th Pty Ltd

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1 INTRODUCTION

1.1 OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared on behalf of The 16th Pty Ltd (the client) to form part of a Development Application (DA) seeking Council's consideration for a subdivision of Lot 2 in Deposited Plan 1002063 (the site) situated at Murray Downs Drive at Murray Downs.

The land is zoned under the terms of the Wakool Local Environmental Plan and our clients wish to subdivide the land into 46 lots.

The proposed development is considered to be in accordance with relevant statutory and non- statutory planning provisions.

This document has been prepared based on the requirements approved by the planning Secretary's Delegate on 28th February 2022.

1.2 SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS

This Statement of Environmental Effects accompanies a development application for the proposed development. It has been prepared on behalf of the client and includes the matters referred to in Section 4.15 of the Environmental Planning and Assessment Act 1979 and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the land to which the DA relates to and the character of the surrounding area.
- Describe the proposed development.
- Define the statutory planning framework within which the DA is to be assessed and determined; and
- Assess the proposal against the relevant heads of consideration as defined by Section 4.15 of the Environmental Planning & Assessment Act 1979 (EP&A Act).

2 DESCRIPTION

2.1 DEVELOPMENT SITE AND LOCALITY

The land is Lot 12 Deposited Plan 1002063 situated in Murray Downs Drive at Murray Downs.

The land has frontage to Murray Downs Drive and Sandpiper Drive.

Details of the site showing spot levels and contours are shown on Sheet 3 of the site plans.

2.2 PRESENT AND PREVIOUS USES OF THE SITE

The site is part of the Murray Downs complex which includes the Murray Downs Golf Course and Country Club and residential development in close proximity to that Murray Downs Golf Course and Country Club.

The position of the subject land in relation to that development is shown on Sheet 1 of the site plan.

The Murray Downs development commenced with a presentation to the Wakool Shire Council on Wednesday 18th February 2004. This presentation incorporated the information shown on the Murray Downs Development Strategy Plan prepared by Hassell Planning Consultants Pty Ltd in association with Hosking Osborne Partners Pty Ltd, Land Systems Pty Ltd, Hassell Pty Ltd Architects and David Crew (Archaeological Consultant).

The land is based on additional environmental site assessment prepared for the Murray Downs Pastoral Company by Parsons Brinckerhoff on the 13th December 2004.

Since that initial submission to Council the development has proceeded in an orderly and managed way and is now developed significantly with high standard residential development.

This next stage of that development will enhance the original concept and provide essential residential land uses for the residents of that former Wakool Shire.

2.3 LAND HAZARDS

The land is part of the Wakool Shire Council Murray Downs Flood Study (Final Report) prepared by GHD and dated 2014. This report found the land to be flood free.

The land was further assessed by the Murray River Council under the provisions of the Murray Downs Flood Plain Risk Management Study and Plan (Final Report) dated January 2017. Again based on that Report the land was found to be flood free.

On the 5th May 2023 our clients were provided with a further overview prepared by Water Technology Pty Ltd outlining the potential flood risk associated with the residential subdivision. Once again the land was found to be flood free. A copy of that document is attached with the development application.

Hence the proposed site is not subject to flooding based on all the previous reports.

3 PROPOSED DEVELOPMENT

It is proposed to develop the land by subdivision to create 46 lots to be available for residential purposes.

The lot areas range from 593 square metres to 2277.7 square metres. It is proposed to create a linking road from Sandpiper Road to return to Sandpiper Road. This proposed ring road will provide access to Lots 15 to 46 inclusive.

Lots 1 to 14 will have direct access to Murray Downs Drive.

There are trees planted on the subject site and assessment of those trees and biodiversity is included in the

“Biodiversity Development Assessment Report, The Sixteenth Pty Ltd, Residential Development, Murray Downs Drive, Murray Downs, New South Wales” prepared by Alison Martin, Greenloaning Biostudies – BAAS 18002

We have also accessed the AHIMS and once again we find that there are no Aboriginal sites recorded on or near the location and no Aborigine places have been declared in or near the location. A copy of that report is attached with our application.

Sheet 3 of the three sheet site plans attached to the development application shows spot levels on the site and on adjoining nearby properties.

This sheet also shows contour intervals on the plan as indicated in the legend table.

The land has a high ridge located in the vicinity of Lots 56 and 57 in Deposited Plan 813520 with a reduced level of 71.07.

The land falls toward the Murray Downs Golf Course fairway and there is a pond constructed adjacent to the south east boundary of the property.

This retention pond will be used as part of the drainage system as shown on the preliminary engineering drawings prepared by Ryan Heil Engineering.

Murray Downs Drive and Sandpiper Drive are fully constructed roadways. These provide access to the residential component of the Murray Downs Precinct and Murray Downs Drive in particular provides access directly to the Murray Downs Golf and Country Club.

The aerial view below, obtained from the NSW Six Viewer system showing the land to be developed in relation to the adjoining properties and the adjoining residential development. The Clubhouse is shown where the Number 2 appears on this document.

The aerial view below, obtained from the NSW Six Viewer system showing the land to be developed in relation to the adjoining properties and the adjoining residential development.



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4 PLANNING PROVISIONS

4.1 STATE PLANNING POLICIES

The effect of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 on the subject land are addressed in the:

“Biodiversity Development Assessment Report, The Sixteenth Pty Ltd, Residential Development, Murray Downs Drive, Murray Downs, New South Wales” prepared by Alison Martin, Greenloaning Biostudies – BAAS 18002

4.2 WAKOOL LOCAL ENVIRONMENTAL PLAN 2013

The land is zoned R1 – General Residential under the terms of the Wakool Local Environmental Plan 2013.

Table – Objectives of the R1 – General Residential Zone

Zone Objectives	Comments
To provide for the housing needs of the community.	The proposal will provide and additional 46 lots.
To provide for a variety of housing types and densities.	The lot sizes proposed will allow a variety of housing types.
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The proposed development is within the Murray Downs Precinct with access to the Club.
To ensure development is ordered in such a way as to encourage walking and cycling in close proximity to settlement.	The layout is designed to encourage walking and cycling with access to the Golf Club.

Permitted without consent

Environmental protection works; Home occupations; Roads

Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Hostels; Information and education facilities; Jetties; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Residential accommodation; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Waste or resource transfer stations; Water supply systems

Prohibited

Farm stay accommodation; Rural workers' dwellings; Any other development not specified in item 2 or 3.

4.3 WAKOOL DEVELOPMENT CONTROL PLAN 2013

The Wakool Development Control Plan 2013 at Page 121 requires the provision of a Flora and Fauna Study.

This study has been done by Advanced Environmental Systems and a copy that Due Diligence Assessment is attached as part of this application.

The Wakool Development Control Plan 2013 under Section 8.1 refers to the provisions for residential and ancillary uses.

The proposed development will comply with the provisions of Section 8.1 Residential and Ancillary uses of the Wakool Development Control Plan 2013.

Section 8.5 on the Wakool Development Control Plan 2013 relates to subdivisions in the Shire.

The proposed development will comply with the provisions of all issues listed under Section 8.5 – Subdivision in the Wakool Development Control Plan 2013.

See attached Annexure – Planning Provisions

5 SERVICES

Regular services will be provided to the site and preliminary engineering design works has been prepared by Ryan Heil Engineering and a copy of those preliminary plans are attached as part of the development application.

6 STATEMENT OF ENVIRONMENTAL EFFECTS

The likely impacts of the development are considered in the below table.

Primary Matter	Comments	Impact
Context and Setting	The development is consistent with surrounding residential development located as shown on Sheet 1 of the site plan. The land adjoins the Murray Downs Golf and County Club.	
Streetscape	The land will be developed by a residential development similar to those contained on the Murray Downs complex and will be consistent with the proposed Murray Downs Complex Strategy Plan.	
Traffic and Access	The land is adequately serviced by Murray Downs Drive and Sandpiper Drive. These two existing roads give access to Lots 1 to 14 and Lot 29. The additional lots will have access to the proposed new road which will be a linked road running from Sandpiper Drive through the lots and back to Sandpiper Drive.	

Utilities	The utilities will be provided to the proposed subdivision as per the preliminary engineering designs provided by Ryan Heil Engineering.	
Soil Erosion	It is not anticipated that works will be affected by soil erosion.	
Waste	The site is serviced by the waste collection service which will continue for the proposed allotments.	
Technological Hazards	The development is unlikely to create any technological hazards.	
Socio-economic Impact in the Locality	There is a very strong obvious need for residential development in the Murray Downs complex featuring the Murray Downs Golf and Country Club and the existing development as outlined in the Hassell Planning Report referred to above.	
Site Design & Internal Design	Lot layout design is considered compatible with the intended use of the land and the expected design outcomes of the area.	
Cumulative Impacts	The cumulative impacts have been addressed in detail in the Biodiversity Development Assessment Report prepared by Alison Martin attached with our development application...	
Setbacks & Building Envelopes	Setbacks are proposed on the lots and as required by the Council Development Control Plan and as required by any restrictions as to user.	

7 DRAWINGS

Drawings of the proposed development are attached. There are three separate drawings in the site drawings.

Sheet one shows the location of the development in relation to surrounding similar subdivisions.

Sheet 2 shows the approximate dimensions and areas of the proposed Lots. In this regard please note the important note shown on that sheet and the other sheets.

Sheet 3 shows spot levels and contours based on surveys carried out by Brian Mitsch and Associates Registered Land Surveyors, NSW.

There are no buildings to be incorporated in this stage of the development and hence no building height or height planes are available at this time.

There is no proposal at this time to landscape any areas as part of the subdivision proposal.

The proposed development is within an area where built form is changing, and this change is evident by the development of Currawong Court, Goldfinch Court and Sandpiper Drive and land to the southeast being Templeton Close.

The land is adjacent to the Murray Downs Golf Club House and golf course.

As there are no proposed buildings as part of this application the provision of the proposed materials and colours will be deferred pending lodgement of the building applications for each of the proposed Lots.

8 CONCLUSION

The proposal is a permissible use under the Wakool Local Environmental Plan 2013 and the proposal complies with the applicable controls in the Wakool Development Control Plan 2013.

The proposal will have positive economic development issues in that it will provide for residential development compatible with the Murray Downs Complex.

The development is permissible with consent.

Yours faithfully

BRIAN MITSCH & ASSOCIATES PTY LTD

A handwritten signature in black ink, appearing to read 'B. L. Mitsch', written in a cursive style.

B L MITSCH

REGISTERED LAND SURVEYOR

B.AppSc. – ENVIRONMENTAL PLANNING