




P L A N N E D

Statement of Environmental Effects Report

Prepared For: S. Dahal C/O – Kensit Architects

Property: Lot 3 DP848724, No. 9 Holborow Street, Crookwell NSW
2583



Document Information

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1 Introduction

1.1 Purpose of Report

PLANNED has been commissioned by s. Dahal C/O – Kensit Architects (also described in this Report as the Proponent) to prepare a Statement of Environmental Effects (**SEE**) Report to accompany a Development Application proposing the subdivision of land at Lot 3 DP848724, No. 9 Holborow Street, Crookwell NSW 2583.

In preparing this SEE Report, the following documentation has been referred to and is submitted to Upper Lachlan Shire Council on the basis that it details and supports the development as proposed.

- Plan Showing Proposed Subdivision Layout, prepared by SRD Land Consulting, dated 18 December 2024.
- Civil and Stormwater Drainage Works Plans, prepared by Strategic Environmental and Engineering Consulting, dated 20 December 2024.

1.2 Purpose of Report

This SEE has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**) for the purposes of:

- Demonstrating that the environmental impacts of the development have been considered; and
- Outlining the steps to be undertaken to protect the environment or to mitigate against any potential harm, if necessary.

This SEE describes the proposal and its environment, including a detailed description of the site and its surrounds and an assessment of the proposal against the relevant planning controls.

The SEE demonstrates that the development proposed is acceptable under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and concludes that the proposed development should be granted approval subject to conditions.

1.3 Type of Development Application

The scope of the proposal is considered to be 'development' in accordance with Section 1.5 of the EP&A Act.

Therefore, pursuant to Section 4.5 of the EP&A Act, development consent is sought from Upper Lachlan Shire Council.

The proposed development is not defined as either 'integrated', 'designated' or 'State significant' development under the EP&A Act or EP&A Regulation.

2 Site Description and Context

2.1 Site Description and Surrounding Development Context

The land the subject of this DA is described as Lot 3 DP848724, No. 9 Holborow Street, Crookwell, NSW.

The subject site is an elongated, rectangular shaped parcel of land comprising an area of 3,013.5m² with dimensions of 30m (width) x 100.5m (depth).

With reference to **Figures 1** and **2** below, the subject land is developed comprising a single storey dwelling with established landscaped surrounds. Vehicular access to the site is via a 'U' shaped driveway intersecting with Holborow Street.

The land is predominantly flat with a slight fall in grade from the southwest corner of the site towards the Holborow Street frontage (east).

Under the provisions of the Upper Lachlan Local Environmental Plan 2010, the subject land is zoned R2 Low Density Residential and has a corresponding minimum lot size for the purpose of conventional (Torrens title) subdivision of 800m².

Adjacent lands are also within Zone R2 Low Density Residential and are characterised by a low-density residential lot pattern offering standard lot shapes and sizes. The allotments are developed and are characterised by detached dwellings of various architectural styles and age with generally well-maintained landscaped surrounds.

The Crookwell CBD is situated approximately 1.2km to the northeast/east (as measured by road).

Figures 1 and **2** below show the site in its local and site-specific context. Photographs of the site are included at **Attachment 1**.



Figure 1: Local Site Context ([MapBrowser](#) | [Nearmap](#), image dated 20 May 2024)



Figure 2: Site-specific Context ([MapBrowser](#) | [Nearmap](#), image dated 20 May 2024)

3 Proposed Development

This Application seeks approval for a three (3) lot subdivision (Torrens title) of Lot 3 DP848724, No. 9 Holborow Street, Crookwell NSW.

As shown on the Proposed Plan of Subdivision included with this Application (refer to the extract at **Figure 3** below), the following is proposed:

- Proposed Lot 1 – standard lot configuration comprising an area of 1,127m² with dimensions of 24m (width) x 46.9m (depth) and containing the existing single-storey dwelling house. Lot 1 will benefit from a 24m direct frontage to Holborow Street.
- Proposed Lot 2 – battle-axe configuration comprising an area of 884.5m² (inclusive of the battle-axe handle) with dimensions of 25m (width) x 33.5m (depth) at the building line. The battle-axe handle leading to the Holborow Street frontage will have dimensions of 1m (width) x 46.9m (length).
- Proposed Lot 3 – battle-axe configuration comprising an area of 1,002m² with dimensions of 30m (width) x 20m (depth) at the building line. The battle-axe handle leading to the Holborow Street frontage will have dimensions of 5m (width) x 80.4m (length).

Within the battle-axe handles of proposed Lots 2 and 3, it is proposed that the existing driveway, carport structure and shed be demolished so as to facilitate the construction of a new 4m wide access driveway. The new driveway is proposed to be of concrete construction and will be situated within a new 6m wide easement for access, which will extend from the Holborow Street frontage through to the eastern side boundary of proposed Lot 3. The easement for access will benefit proposed Lots 1, 2 and 3.

Stormwater from the proposed new driveway will be captured via a concrete dish drain, which will lead to a new grated inlet pit and stormwater pipework connecting to Holborow Street.

Along the same alignment as the easement for access, a new easement for the provision of services (6m wide) will also be created so as to allow for the reticulation of services (namely town water, electricity and telecommunications infrastructure) to proposed Lots 2 and 3.

Reticulated sewer is proposed to be provided to proposed Lots 2 and 3 via an extension to the existing sewer main situated to the northeast of the existing dwelling house. This will include the construction of a new sewer manhole on the existing sewer main. Stormwater from proposed Lots 2 and 3 is proposed to be directed to Holborow street via the installation of stormwater drainage pipework and grated inlet pits adjacent to the northern side boundary. The proposed alignment of the new reticulated sewer and stormwater infrastructure will fall within a new easement (3m wide) extending from the Holborow Street frontage through to the eastern side boundary of proposed Lot 3.

The reticulated services currently connected to the existing dwelling are proposed to be retained.

Further details of the proposed civil and stormwater drainage works are shown on the concept drawings prepared by Strategic Environmental and Engineering Consulting (**SEEC**) included with this Application. The SEEC concept drawings also detail the proposed tree removal within proposed Lots 2 and 3. The majority of the trees proposed to be removed are noted to be non-native specimens. Those that are native are not deemed to be significant (i.e., containing hollows) and were likely planted by previous owners in the past.

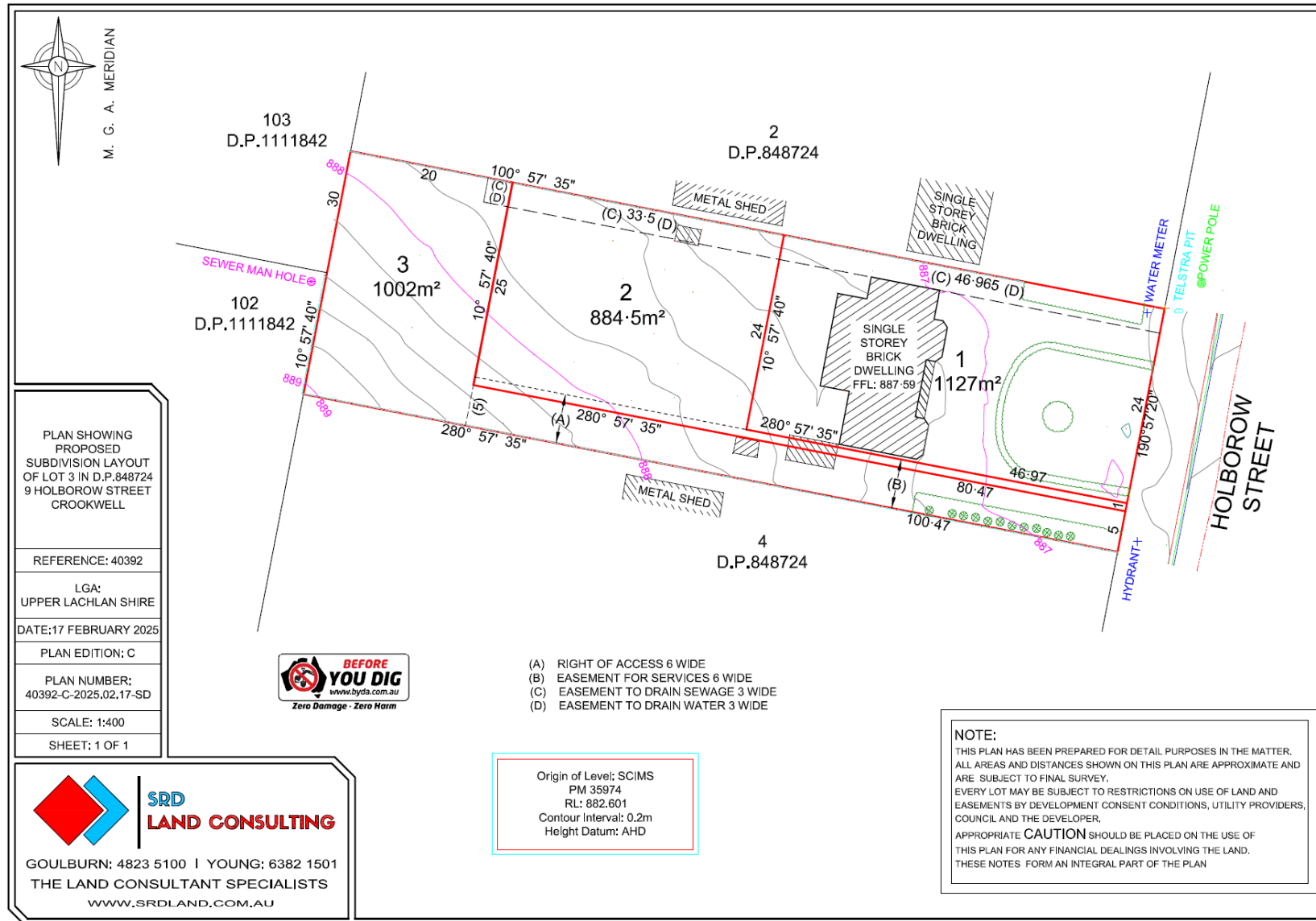


Figure 3: Extract from Proposed Plan of Subdivision, prepared by SRD Land Consulting

4 Strategic and Statutory Planning Context

This Section of the Report assesses the revised development proposal against the planning framework and planning controls applicable to the site and the development, including:

- Commonwealth legislation
- Biodiversity conservation (Section 1.7 of the EP&A Act)
- Integrated development matters (Section 4.46 of the EP&A Act)
- Matters for consideration relating to Development Applications (Section 4.15 of the EP&A Act)

4.1 Commonwealth Legislation

4.1.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The EPBC Act protects matters of National Environmental Significance (**NES**), such as threatened species and ecological communities, migratory species (protected under international agreements), and National Heritage places (among others).

Any actions that will or are likely to have a significant impact on the matters of NES, require referral and approval from the Australian Government Environment Minister. Significant impacts are defined by the Commonwealth for matters of NES.

Comment

Given its urban setting, it is unlikely that matters of NES occur at the site of the proposed development or within the immediate surrounds. Further to this, the scope of the proposed development involves land that has already been exposed to significant disturbance over many years through the ongoing residential use and management of the land.

Accordingly, there would appear to be no sustainable grounds, which would preclude the proposed development as provided for in this Application.

4.2 State Legislation

4.2.1 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (**BC Act**) commenced on 25 August 2017 and replaces the Threatened Species Conservation Act 1995 (**TSC Act**). Together with the Local Land Services Amendment Act 2016 and State Environmental Planning Policy (Biodiversity and Conservation) 2021, this new regulatory framework introduces a balanced approach to land management and biodiversity conservation in NSW.

Comment

The Biodiversity Conservation Regulation 2017 sets out the threshold levels for when the Biodiversity Offset Scheme (**BOS**) will be triggered. The threshold areas vary depending on the minimum lot size (as shown on the Lot Size Maps under the relevant Local Environmental Plan (**LEP**)) or actual lot size (where there is no minimum lot size provided for the relevant land under the LEP). Under the provisions of the Upper Lachlan LEP 2022, the minimum prescribed lot size is 800m² for which the threshold for clearing, above which the Biodiversity Assessment Method (**BAM**) and BOS apply is, 0.25 hectare or more.

With reference to the Biodiversity Values Map included at **Figure 3** below, the subject land is not identified as comprising areas mapped as having high biodiversity values and is not within proximity to land mapped as having such value.

Noting that the subject land has an area of 3,013.5m² and has been highly modified as part of the ongoing residential occupation and management of the land (refer to **Figure 2** above), the Application is not supported by a detailed biodiversity assessment on the basis that the scope of the proposed development does not involve the clearing of native vegetation that triggers the BAM and BOS. This is also reflected in the attached Biodiversity Values Map and Threshold Report generated by the NSW DPIE Biodiversity Values Map and Threshold Tool (refer to **Attachment 2**).

Accordingly, it is considered that the scope of the proposal would have little if no impact on biodiversity values.

4.2.2 Test of Significance

Will the proposed development have a significant effect on threatened species or ecological communities or their habitats?

Test of Significance	
In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:	
▪ Is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
▪ Is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
In relation to the habitat of a threatened species or ecological community:	
▪ The extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
▪ Whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
▪ The importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A

Comment.

The test to determine whether a development is likely to significantly affect threatened species or ecological communities is outlined in Clause 7.3 of the BC Act.

Given the current disturbed nature of the land the subject of this Application, there is a very small likelihood that threatened species or ecological communities are present within the proposed development area. Further, given that the vegetation clearing involves planted landscaping, it is not likely that the proposed development will have any adverse effect on biodiversity value.

On this basis, there would appear to be no sustainable grounds, which would preclude the proposed development as provided for in the current revised Application.

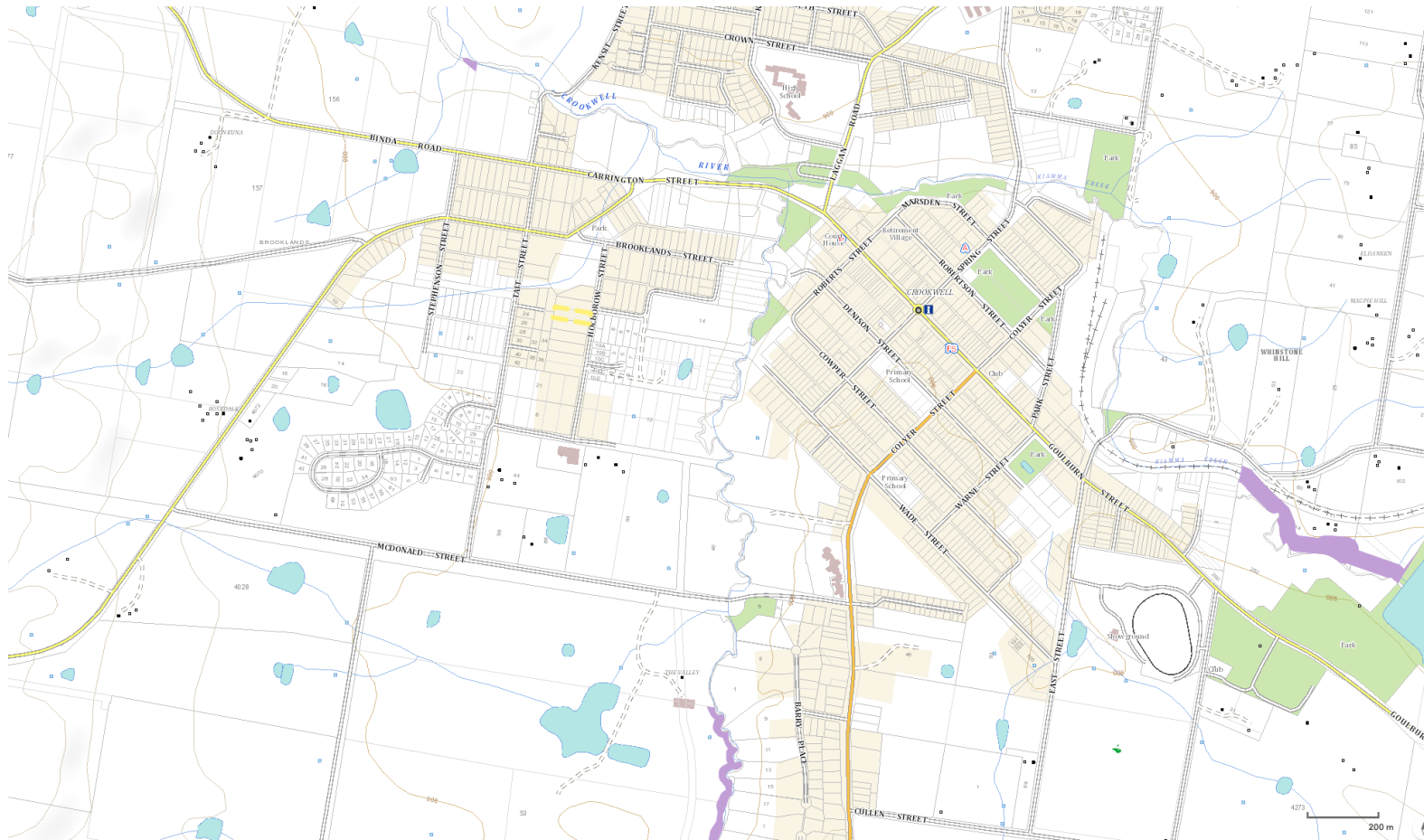


Figure 4: Extract from Biodiversity Values Map ([ePlanning Spatial Viewer \(nsw.gov.au\)](https://eplanning.spatialviewer.nsw.gov.au), December 2024)

4.3 Integrated Development

Section 4.46 of the EP&A Act requires a review of whether the proposed development on the land would trigger an approval under other environmental or related legislation. Such development is categorised as ‘integrated development’.

Table 1 below provides a brief overview on whether any aspect of the development triggers a need for the consent authority to obtain general terms of approval from other relevant approval authorities.

Table 1: Assessment of Integrated Development Matters

Integrated Development Matters	
Coal Mine Subsidence Compensation Act 2017	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Fisheries Management Act 1994	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Heritage Act 1977	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Mining Act 1992	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
National Parks and Wildlife Act 1974	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Petroleum (Onshore) Act 1991	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Protection of the Environment Operations Act 1997	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Roads Act 1993	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Rural Fires Act 1997	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Water Management Act 2000	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Comments. Heritage Act 1977 <p>The <i>Heritage Act 1977</i> provides for the protection, conservation, registration and promotion of items having a State heritage significance.</p> <p>Section 57 of the Act states that a person must not “demolish, despoil, excavate, alter, move, damage or destroy” any item on the State Heritage Register without a permit being granted under Section 63 of the <i>Heritage Act 1977</i>.</p> <p>The development proposed does not involve an item or place listed on the NSW State Heritage Register. Approval is therefore not required under Section 57 of the <i>Heritage Act 1977</i>.</p> National Parks and Wildlife Act 1974 <p>The <i>National Parks and Wildlife Act 1974</i> (NPW Act) is administered by the Director-General of the National Parks and Wildlife Services, who is responsible for the control and management of all national parks, historic sites, nature reserves, and Aboriginal areas (among others). The main aim of the Act is to conserve the natural and cultural heritage of NSW. Where works will disturb Aboriginal objects, an Aboriginal Heritage Impact Permit (AHIP) is required.</p>	

An AHIMS Web Service Search (Basic) was carried out on 5 February 2025 (refer to **Attachment 3**) and confirmed that zero (0) Aboriginal sites are recorded in or near the subject location, and that zero (0) Aboriginal places have been declared in or near the subject location (being within a buffer of 200m from the subject land).

Further, as the scope of the proposed development is located within the boundaries of a highly modified residential allotment (refer to **Figure 2** above), it is considered highly unlikely that the proposed development will impact on any items of Aboriginal culture and heritage.

Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* (**PoEO Act**) establishes the NSW environmental regulatory framework and includes a licencing requirement for certain activities.

The development proposed is not a defined scheduled activity under the provisions of Schedule 1 of the PoEO Act. On this basis, no additional approval is required to address this legislation.

Roads Act 1993

Section 138 of the *Roads Act 1993* requires an approval from the Roads Authority (either Council or TfNSW) for certain works in, on or over a public road, or to connect to a classified road.

TfNSW is not a referring agency for the subject Application under Clause 4.46 of the EP&A Act. Rather, it is understood that the Upper Lachlan Shire Council would be the Roads Authority for any proposed works within the adjoining road reservation (i.e., new driveway crossover works in Holborow Street verge).

Rural Fires Act 1997

Section 100B of the *Rural Fires Act 1997* requires that a bush fire safety authority be obtained for the subdivision of bush fire prone land that could lawfully be used for residential purposes or the development of bushfire prone land for a special fire protection purpose.

The subject land is not mapped as bushfire prone. As such, a bushfire safety authority is not required to be obtained.

Water Management Act 2000

In accordance with section 91(2) of the *Water Management Act 2000* (**WM Act**), a controlled activity approval (**CAA**) is required to be obtained for any activity situated within 'waterfront land' (considered to be within 40m of the top of a bank of a river, lake or estuary). The NSW Department of Planning and Environment – Water (**DPE-Water**) administers the WM Act and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to 'waterfront land' as a consequence of carrying out the controlled activity.

As no part of the development proposal is situated within 'waterfront land', a controlled activity approval is not required to be obtained.

4.4 Environmental Planning Instruments

The following addresses the State Environmental Planning Policies (**SEPPs**) that are considered to be relevant to this DA.

Table 2: Assessment of Relevant SEPPs

Environmental Planning Instruments	
SEPP (Biodiversity and Conservation) 2021	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SEPP (Exempt and Complying Development Codes) 2008	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
SEPP (Housing) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

SEPP (Industry and Employment) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Planning Systems) 2021	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
SEPP (Precincts – Central River City) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Precincts – Eastern Harbour City) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Precincts – Regional) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Precincts – Western Parkland City) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Primary Production) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SEPP (Resources and Energy) 2021	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Sustainable Buildings) 2022	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SEPP (Transport and Infrastructure) 2021	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Comments</p> <p>SEPP (Biodiversity and Conservation) 2021</p> <p>This Policy provides the legislative planning framework for protecting and managing the natural environment and includes planning rules for several water catchment areas (i.e., Georges River, Hawkesbury-Nepean, Sydney Harbour and Sydney Drinking Water), foreshores and waterways, vegetation clearing in non-rural areas and Koala habitat.</p> <p>Chapter 2 – Vegetation in Non-Rural Areas is applicable to this Application on the basis that it applies to all land within Zone R2 Low Density Residential. Noting that the removal of vegetation (native and exotic) is proposed as part of this current Application, no further consideration of Chapter 2 is required nor provided. Refer also to the comments provided at Sections 4.1 and 4.2 of this SEE Report.</p> <p>Chapter 4 – Koala Habitat Protection 2021 applies to all land within the Upper Lachlan Shire Council LGA and properties comprising an area greater than 1 hectare. Noting that the subject land has an area less than 1 hectare, Chapter 4 does not apply.</p> <p>SEPP (Exempt and Complying Development Codes) 2008</p> <p>This Policy provides for a State-wide approach to enabling certain types of specified development to be undertaken without the need for Council approval as either Exempt Development or Complying Development provided land use specific development standards are met.</p> <p>In this instance, the exempt and complying development provisions of the SEPP cannot be applied due to the nature and scale of the development proposed. On this basis, the development proposed is subject to the development assessment and approval process as prescribed by the provisions of the EP&A Act as detailed in this current Application.</p> <p>SEPP (Planning Systems) 2021</p> <p>This Policy provides the legislative planning framework for State and regionally significant development.</p> <p>Chapter 2 and Schedule 6 as they relate to regionally significant development are not relevant to the development proposal. As such, the Upper Lachlan Shire Council will be the relevant determining authority for the current Application.</p>	

SEPP (Resilience and Hazards) 2021

This Policy contains planning provisions for land use planning within the coastal zone (consistent with the *Coastal Management Act 2016*) and for the management of hazardous and offensive development. It also provides a State-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

Chapter 4 – Remediation of Land is applicable to this Application on the basis that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

There is no evidence that would suggest that the land has been exposed to land use activities and/or development practices, which have resulted in site specific material contamination. On this basis, it is considered to be very low risk that any potential site contamination would be of a severity or extent that would limit the proposed development as provided for in this Application.

SEPP (Transport and Infrastructure) 2021

This Policy contains planning provisions for the delivery of infrastructure (such as hospitals, roads, railways, emergency services, water supply and electricity delivery), child-care centres, schools, TAFEs and universities, and for the protection of three corridors (being the North South Rail Line, South West Rail Link extension and Western Sydney Freight Line). It also provides the land use planning and assessment framework for development at Port Kembla, Port Botany and Port of Newcastle.

Chapter 2 – Infrastructure, Part 2.3 Development Controls, of the Policy is applicable to this Application as follows:

- Division 5 Electricity Transmission or Distribution is applicable on the basis that the development proposed includes the carrying out of development adjacent to existing electrical infrastructure. As such, it is likely that the revised Application may be re-referred to the relevant electrical supply authority inviting comments regarding the proposal.

4.5 Other Environmental Planning Instruments

4.5.1 Upper Lachlan Local Environmental Plan 2010

The following addresses the relevant provisions of the Upper Lachlan Local Environmental Plan 2010 (**Upper Lachlan LEP 2010**).

Upper Lachlan Local Environmental Plan 2010	
The subject land is Zoned	R2 Low Density Residential
The proposed development is defined as:	Subdivision of land for residential purposes.
Is the proposed development permissible with consent?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Comments Under the provisions of the Upper Lachlan LEP 2010, the subdivision of land is permissible with consent. As detailed at Table 3 below, this Application seeks to subdivide land in accordance with the relevant provisions of the Upper Lachlan LEP 2010.	

There are a number of specific provisions in the Upper Lachlan LEP 2010 that are relevant to the assessment of the Application. These are listed and commented on in **Table 3** below.

Overall, it is considered that there are no provisions in the Upper Lachlan LEP 2010 that would preclude the granting of development consent for the revised development proposal.

Table 3: Assessment of the Relevant Provisions of the Upper Lachlan LEP 2010

Relevant Clause	Comment
Part 1 Preliminary	
<input checked="" type="checkbox"/> 1.2 Aims of the Plan	<p>Comment</p> <p>The proposed development would not be inconsistent with the Aims of the Plan.</p>
Part 2 Permitted or Prohibited Development	
<input checked="" type="checkbox"/> 2.3 Zone Objectives	<p>Comment</p> <p>The proposed development would not be inconsistent with the objectives of the R2 Low Density Residential Zone.</p> <p>In particular:</p> <ul style="list-style-type: none"> ▪ To provide for the housing needs of the community. ▪ To facilitate the orderly and economic development of land for residential purposes. ▪ To facilitate and promote the effective provision of affordable and suitable housing for varying household needs and community preferences.
<input type="checkbox"/> 2.4 Unzoned Land	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 2.5 Additional permitted uses for particular land	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input checked="" type="checkbox"/> 2.6 Subdivision – consent requirements	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Comment</p> <p>The current Application seeks to subdivide the land in accordance with the provisions of the Upper Lachlan LEP 2010.</p> <p>The proposal does not involve the subdivision of land on which a principal and secondary dwelling currently exist.</p>
<input type="checkbox"/> 2.7 Demolition requires development consent	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 2.8 Temporary use of land	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 2.9 Canal estate development prohibited	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Relevant Clause	Comment
Part 3 Exempt and Complying Development	
<input type="checkbox"/> 3.1 Exempt development	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 3.2 Complying development	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 3.3 Environmentally sensitive areas excluded	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Part 4 Principal Development Standards	
<input checked="" type="checkbox"/> 4.1 Minimum subdivision lot size	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment The prescribed minimum lot size for the subject land is 800m ² . As detailed at Section 3 of this SEE Report, it proposed to subdivide the subject land to create three (3) new residential allotments (Torrens title) with compliant minimum lot sizes – being: <ul style="list-style-type: none"> ▪ Lot 1 – 1,127m² ▪ Lot 2 – 884.5m² ▪ Lot 3 – 1,002m².
<input type="checkbox"/> 4.1AA Minimum subdivision lot size for community title schemes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Comment. Subdivision under the <i>Community Land Development Act 2021</i> is not proposed.
<input type="checkbox"/> 4.2 Rural subdivision	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 4.2A Minimum subdivision lot size for strata subdivision of residential or tourist and visitor accommodation in certain zones	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 4.3 Height of buildings	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 4.4 and 4.5 Floor space ratio	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input checked="" type="checkbox"/> 4.6 Exceptions to development standards	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Comment No exceptions to the development standards are proposed.
Part 5 Miscellaneous Provisions	
<input type="checkbox"/> 5.1 Relevant acquisition authority	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Relevant Clause	Comment
<input type="checkbox"/> 5.1A Development on land intended to be acquired for a public purpose	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.2 Classification and reclassification of public land	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.3 Development near zone boundaries	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.4 Controls relating to miscellaneous permissible uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.5 Controls relating to secondary dwellings on land in a rural zone	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.6 Architectural roof features	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.7 Development below mean high watermark	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.8 Conversion of fire alarms	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.9 Dwelling house or secondary dwelling affected by natural disaster	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.10 Heritage conservation	<p>Is the property listed under the LEP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Heritage Conservation Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Aboriginal Place of Significance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, does it satisfy Objectives/requirements of the Clause? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Is the land in the vicinity of a heritage item/conservation area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, is the proposal satisfactory having considered the heritage significance of the adjoining development <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>
<input type="checkbox"/> 5.11 Bush fire hazard reduction	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.12 Infrastructure development and use of existing buildings of the Crown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.13 Eco-tourist facilities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.14 Siding Spring Observatory – maintaining dark sky	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 5.15 Defence communications facility	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Relevant Clause	Comment
<input type="checkbox"/> 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div> Comment The provisions of this clause are not relevant to land that is within Zone R2 Low Density Residential.
<input type="checkbox"/> 5.17 Artificial waterbodies in environmentally sensitive areas and in areas of operation of irrigation corporations	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
<input type="checkbox"/> 5.18 Intensive livestock agriculture	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
<input type="checkbox"/> 5.19 Pond based, tank-based and oyster aquaculture	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
<input type="checkbox"/> 5.20 Standards that cannot be used to refuse consent – playing and performing music	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
<input checked="" type="checkbox"/> 5.21 Flood planning	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div> Comment The subject land is not identified as being flood prone.
<input type="checkbox"/> 5.22 Special flood considerations	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
<input type="checkbox"/> 5.23 Public bushland	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
<input type="checkbox"/> 5.24 Farm stay accommodation	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
<input type="checkbox"/> 5.25 Farm gate premises	<div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</div>
Part 6 Local Provisions	
<input checked="" type="checkbox"/> 6.1 Biodiversity	<p>Is the proposal likely to have an adverse impact on:</p> <p>Flora and fauna <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Habitat and survival of native fauna <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Potential to fragment, disturb or diminish biodiversity structure, function and composition <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Connectivity <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Appropriate measures have been proposed to avoid, minimise or mitigate the impacts of development <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>

Relevant Clause	Comment
	<p>The development has been designed, sited and will be managed to avoid, minimise, or manage any significant adverse environmental impacts <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Comment Refer to the comments at Sections 4.1 and 4.2 of this SEE Report.</p>
<input type="checkbox"/> 6.2 Land	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Comment The subject land is not identified as 'sensitive land' on the Natural Resources Sensitivity – Land Map.</p>
<input checked="" type="checkbox"/> 6.4 Water	<p>Is the proposal likely to have an adverse impact on:</p> <p>Water quality and flows <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Aquatic and riparian species, habitat and ecosystems <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Stability of the bed and banks of the water course <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Free passage of fish and other aquatic organisms within or along the watercourse <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Any future rehabilitation of the watercourse and riparian areas <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Appropriate measures have been proposed to avoid, minimise or mitigate the impacts of the development <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>The development has been designed, sited and will be managed to avoid, minimise or manage any significant adverse environmental impact <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>
<input checked="" type="checkbox"/> 6.5 Earthworks	<p>Will the proposed development have detrimental effects resulting from extensive site excavations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p>
<input type="checkbox"/> 6.6 Erection of dwelling houses on land in certain rural and conservation zones	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>
<input type="checkbox"/> 6.7 Dual occupancy development	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>
<input type="checkbox"/> 6.8 Multi-dwelling housing developments	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>

Relevant Clause	Comment
<input checked="" type="checkbox"/> 6.9 Essential services	<p>Adequate arrangements for the following essential services have been made:</p> <p>The supply of water <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>The supply of electricity <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>The disposal and management of sewage <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Stormwater drainage or on-site conservation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Suitable vehicle access <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Comment Refer to the civil and stormwater concept drawings prepared by SEEC included with this Application.</p>
<input type="checkbox"/> 6.10 Erection of dwelling houses on land in certain rural and residential zones	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input type="checkbox"/> 6.11 Development in proximity of waste disposal facilities and sewerage treatment works	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<input checked="" type="checkbox"/> 6.12 Airspace operations	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Comment The development proposal is for the subdivision of land only. As such, the Obstacle Limitation Surface for the Crookwell Airport would not be penetrated.</p>
<input checked="" type="checkbox"/> 6.13 Development in areas subject to aircraft noise	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Comment Not relevant to this current Application, which is for the subdivision of land only. The provisions of this clause would need to be considered as part of any future Application proposing the residential development of the allotments proposed to be created.</p>

4.6 Draft Environmental Planning Instruments

Are there any Draft Environmental Planning Instrument relevant to the proposed development? ☐ Yes ☒ No

4.7 Provisions of Development Control Plans

4.7.1 Upper Lachlan Development Control Plan

The Upper Lachlan Development Control Plan 2010 (**Upper Lachlan DCP**) (effective from 28 June 2022 – Amendment No. 6) provides the framework to guide development within Upper Lachlan Shire. It supplements the Upper Lachlan LEP 2010 by providing detailed reasoning, guidelines, controls and general information relating to the decision-making process. Together, these documents form the land use planning and development controls for land within the Upper Lachlan Shire Council LGA.

The proposed development has been sited and designed in accordance with the relevant development standards of the Upper Lachlan DCP as detailed below:

Provisions of Development Control Plan	
Part 4 General Development Controls	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Part 5 Residential Development	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Part 6 Commercial Development	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Part 7 Industrial Development	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Part 8 Rural Development	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Part 9 Special Development Types	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Part 10 Engineering Requirements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Table 4: Assessment of the Relevant Provisions of the Upper Lachlan DCP

Relevant Section	Response
PART 4 GENERAL DEVELOPMENT CONTROLS	
SECTION 4.1 MATTERS FOR CONSIDERATION	
4.1.1 Matters for Consideration General	
1. Development consent must not be granted to an application to carry out development on land within Zones RU1, RU2, RU4, RU5, R2, R5, B2, B4, IN2, RE1, E2 and E3 unless the consent authority is satisfied that the matters under subclause (2) have been addressed.	Deemed to comply. Refer to the comments responding to Part 4.1.1(2)(a)-(l) below.
2. Relevant matters for consideration are: a) the present use of the land for the purposes of agriculture and the potential of any land which is zoned RU1 or RU2 for sustained agricultural production, and	Not relevant. The subject land is within Zone R2 Low Density Residential.

Relevant Section	Response
b) the impact of the development on the retention or embellishment of the rural character or environmental value of the land, and	Deemed to comply. The development proposed is situated within a well-established urban area. On this basis, it is unlikely to have any adverse impact on the broad rural character and/or environmental values of land within and surrounding the township of Crookwell.
c) the future recovery of known or prospective areas of valuable deposits of minerals, coal, petroleum, or extractive materials, and	Not relevant. The subject land is situated within a well-established urban area. As such, it is unlikely to contain any valuable deposits of minerals, coal, petroleum, or extractive materials.
d) the standard and capacity of public roads serving the land, and	Deemed to comply. The public road network servicing the subject land is deemed to be of an appropriate standard and capacity to cater for the development proposed.
e) the need for all-weather access to the development, and	Deemed to comply. All-weather access to the subject land is provided via the existing public road network as well as via the new concrete driveway proposed to be constructed.
f) the land capability (including soil resources and soil stability), natural constraints and hazards of the land to be subdivided in relation to the density of the allotments proposed to be created, and	Deemed to comply. The subject land is situated within a well-established urban area and is relatively unconstrained in that it is not flood prone, bushfire prone or likely to contain biodiversity value and/or land contamination that may have resulted from a previous use. Given the unconstrained nature of the subject land, the density of the allotments proposed to be created is deemed to be appropriate (i.e., 3 new allotments >800m ²).
g) whether the land can be economically serviced by reticulated sewer and water supply and the cost of providing, extending and maintaining public amenities and services, including electricity, to the development, and	Deemed to comply. Given the site's urban location, it can be economically serviced by the existing reticulated sewer, water, stormwater, electricity and telecommunication services infrastructure available within close proximity to the site (being within Holborow Street). Refer to the civil and stormwater concept drawings prepared by SEEC included with this Application.
h) the availability of an adequate reticulated water supply and, where such a supply is unavailable, the source and capacity of any alternate water supply intended to service the needs of the development, and	Deemed to comply. The site is able to be serviced by an adequate reticulated town water supply.
i) in un-serviced areas: (i) the findings of a geotechnical report/permeability test to ascertain whether the land has adequate capability for onsite disposal of waste water and the potential impact of such disposal on any groundwater supplies used for	Not relevant. The subject land is not situated within an un-serviced area.

Relevant Section	Response
<p>drinking and domestic consumption (if located within the Sydney drinking water catchments, the findings of such a report must address Drinking Water Catchments Regional Environmental Plan No 1, and</p> <p>(ii) the results of a detailed analysis demonstrate the suitability for on site disposal of wastes from the lots to be created, where that analysis has included consideration of: shape, ground cover, transpiration factors, the proximity of the proposed dwelling to drainage lines, the location of the proposed dwellings in relation to a proposed onsite wastewater disposal system and to each other, and the composition of the soil.</p>	
<p>j) the availability of other utility services and social facilities having regard to the likely demand for those services or facilities and the cost of their provision, and</p>	<p>Deemed to comply.</p> <p>Refer to the comments at Part 4.1.1(2)(g) above in relation to the availability of utility services.</p> <p>The proposed development is unlikely to create a demand for social/community facilities beyond that which can be accommodated within existing facilities within the Crookwell locality.</p>
<p>k) the implications of a future dwelling house on adjoining existing primary industry landuses, and</p>	<p>Not relevant.</p> <p>The subject land is situated within an urban area and is not directly adjoined by existing primary industry land uses.</p>
<p>l) the impact on the rural and scenic character of the area.</p>	<p>Deemed to comply.</p> <p>The development proposed is situated within a well-established urban area. As such, it is unlikely to have any adverse impact on the broad rural and scenic character of the township of Crookwell.</p>
4.1.2 Matters for Consideration (Subdivision)	
<p>1. Development consent must not be granted to the subdivision of land within Zones RU1, RU2, RU4, RU5, R2, R5, E2 and E3 unless the consent authority is satisfied that the following matters have been addressed.</p> <p>a) Whether the ratio of depth to frontage of each proposed allotment is adequate, having regard to:</p> <p>(i) the purpose for which the allotment is intended to be used,</p> <p>(ii) minimising the creation of vehicular access points to main or arterial roads,</p> <p>(iii) the location of vehicular access points from the allotment in a safe position, and</p>	<p>Deemed to comply.</p> <p>As detailed at Section 3 of this SEE Report, the geometry of the proposed allotments will be adequate for the intended residential use. Further to this, vehicular access to the allotments will be via a shared driveway arrangement intersecting with Holborow Street – which is not a main or arterial road.</p> <p>The location of the shared driveway access point is to be adjacent to the southeastern extent of the subject land, which is deemed to be safe noting the long and straight alignment of Holborow Street, lack of significant streetscape vegetation and the absence of any pedestrian/cyclist infrastructure within the adjoining verge area.</p>

Relevant Section	Response
	The existing driveway and crossover within the northeastern extent of the subject site will be retained in full for the exclusive use of proposed Lot 1.
b) Whether the subdivision will create or increase potential for ribbon development along any road, particularly a main or arterial road, and	Deemed to comply. The development proposed will not create or increase potential for ribbon development.
c) The siting of roads in relation to topography, drainage and soil erodability.	Not relevant. No new roads are proposed.
2. Development consent must not be granted to the subdivision of land to which this plan applies unless the consent authority is satisfied that the applicant has made a submission addressing all relevant information having regard to following matters: a) the primary purpose for which each allotment to be created is intended to be used, and	Deemed to comply. As detailed previously, all of the proposed allotments are intended to be used for residential purposes.
b) whether any allotment to be created is intended to be used primarily for the purpose of a dwelling, and	Deemed to comply. As detailed at Section 3 of this SEE Report, proposed Lot 1 is intended to contain the existing dwelling house. Proposed Lots 2 and 3 are intended to be used for residential purposes, which may include a dwelling house, dual occupancy or multi-dwelling housing – all of which are permissible with consent in Zone R2 Low Density Residential. Importantly, given that the Upper Lachlan DCP requires a minimum area of 400m ² per dwelling unit for dual occupancy or multi-dwelling housing, the proposed size of Lots 2 and 3 (being 884.5m ² and 1,002m ² respectively) would effectively restrict future development to a maximum of 2 dwellings per lot. Thus, multi-dwelling housing is unlikely to be achieved.
c) whether a dwelling is intended to be erected on any allotment to be created and the approximate location of any such dwelling.	Deemed to comply. As stated previously, proposed Lot 1 is intended to contain the existing dwelling house. With regard to proposed Lots 2 and 3, it is not intended to register a building envelope on either of the allotments. Due to the unconstrained nature of the subject land, it is intended that the siting and design of future residential development would be guided by the development controls at Part 5.2 of the Upper Lachlan DCP or Part 3D Inland Code of SEPP (Exempt and Complying Development Codes) 2008 – in particular, the controls relating to minimum side and rear boundary setbacks.

Relevant Section	Response
4.2 Environment	
4.2.1 Tree and Vegetation Preservation	
<p>Clause 5.9 of the LEP applies to all trees and shrubs on land that contains a Heritage Item and land identified as of ecological significance (mapped environmental values as High Conservation Values and Medium Conservation Values) and mapped wetlands. A tree is defined as a plant with:</p> <ul style="list-style-type: none"> one or more self supporting trunks, any one of which has a circumference of 30 centimetres or more (at a height of 40 centimetres above existing ground level), or a height of 2.5 metres or more, or a branch spread of more than 2.5 metres. <p>A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree identified above without the authority conferred by development consent or a permit granted by the Council.</p> <p>Any removal of native vegetation including trees, shrubs and other vegetation that occurs in an area zoned non-urban and non-industrial, may require consent under the Native Vegetation Act unless an exemption applies.</p>	<p>Deemed to comply.</p> <p>Development consent is sought for the removal of the trees as identified in the concept drawings prepared by SEEC included with this Application.</p>
4.2.2 Waterways, Water Bodies and Wetlands	<p>Not relevant.</p> <p>The subject land does not contain nor is it within proximity to a waterway, waterbody or wetland.</p> <p>Specifically, it is situated approximately 450m west and 550m south of the Crookwell River. There is a mapped hydroline approximately 70m to the north, which is noted to be a Strahler system first order stream flowing towards Crookwell River distant to the north. The hydroline is likely to only contain water after heavy rainfall – meaning that it does not ‘flow’ continuously throughout the year.</p>
4.2.3 Riparian Corridors	<p>Not relevant.</p> <p>The subject land does not contain nor is it within proximity to a riparian corridor.</p> <p>Refer to the comments at Part 4.2.2 above.</p>
4.2.4 Groundwater	
<p>Development consent must not be granted to development unless the applicant has submitted a report with the development application that addresses, to the satisfaction of the consent authority, the following matters:</p> <ul style="list-style-type: none"> a) characteristics of the groundwater present in the area, 	<p>Comment.</p> <p>No groundwater or evidence of surface springs are evident within the subject site.</p> <p>In this instance, whilst groundwater may be present several meters below ground surface, it is unlikely to be adversely impacted by the development proposed – which will be connected to existing reticulated town sewer and water.</p>

Relevant Section	Response
b) any potential risk of groundwater, contamination from on-site storage or disposal of solid or liquid waste and chemicals,	Not relevant. The on-site storage or disposal of solid or liquid waste and chemicals is not proposed. All of the proposed allotments are intended for residential use and are to be connected to reticulated town sewer and water.
c) any potential adverse cumulative impacts on groundwater including the impacts on groundwater extraction for potable water supply or stock water supply,	Not relevant. Groundwater extraction for potable water supply is not proposed. All of the proposed allotments are to be connected to reticulated town water supply.
d) a description of any proposed measures to be undertaken to avoid or ameliorate any potential adverse impact, and	
e) that the extraction is environmentally sustainable, i.e. does not exceed re-charge.	
4.2.5 Well Head Protection Plans	Not relevant. No further comment required.
4.2.6 Biodiversity Management	Not relevant. The subject land does not support any significant existing mature trees or native vegetation mapped on the Biodiversity Values Map that is proposed for removal as part of this current Application. Refer also to the comments at Sections 4.1 and 4.2 of this SEE Report.
4.2.7 Bushfire Risk Management	Not relevant. The subject land is not bushfire prone.
4.3 Design	
4.3.1 Solar Access	Not relevant. The solar access development controls relate to the design and siting of residential dwellings, which are not proposed as part of this current Application. Notwithstanding, the geometry and orientation of proposed (vacant) Lots 2 and 3 is deemed to be sufficient in facilitating the incorporation of passive design principles in the future design of residential dwellings.
4.3.2 Landscaping	Not relevant. Landscaping is not proposed as part of this current Application, which is for the subdivision of land only. In relation to proposed Lot 1, the majority of the existing landscaping within the front setback to Holborow Street and immediately to the rear of the existing dwelling is proposed to be retained. Further, given the 1m setback to the proposed new driveway from the southern side boundary, there is deemed to be ample room for the planting of landscaping (if required).

Relevant Section	Response
	For proposed (vacant) Lots 2 and 3, landscaping would be a consideration as part of the siting and design of future residential development.
4.3.3 Disability Standards for Access	Not relevant. The DDA, BCA and Australian Standards relevant to disability standards for access are not applicable to the development proposed, which is for the subdivision of land.
4.3.4 Crime Prevention Through Environmental Design (CPTED)	Not relevant. The CPTED design principles are not relevant to the development proposed, which is for the subdivision of land. Notwithstanding, the site and its surrounds have been considered in the context of existing and proposed activities in this location and their potential to contribute to crime prevention strategies to improve safety within this part of Crookwell. Further consideration of CPTED design principles would occur as part of the siting and design of future residential development on proposed (vacant) Lots 2 and 3.
4.4 Heritage	
4.4.1 European (Non-Indigenous) Heritage Conservation	Not relevant. The subject land is not listed on the State Heritage Register. Under the provisions of the Upper Lachlan LEP 2010, the subject land is not identified as: <ul style="list-style-type: none"> being within a heritage conservation area; or comprising a locally listed heritage item. As such, Part 4.4.1 of the Upper Lachlan DCP is not relevant to the development proposed.
4.4.2 Indigenous Heritage and Archaeology	Deemed to comply. In relation to Part 4.4.2 of the Upper Lachlan DCP, the following is noted in point: <ul style="list-style-type: none"> An AHIMS Web Service Search was carried out on 5 February (refer to Attachment 3) and confirmed that zero (0) Aboriginal sites are recorded in or near the subject location, and that zero (0) Aboriginal places have been declared in or near the subject location (being within a buffer of 200m from the subject land). The subject land does not include obvious landscape features where there is a potential for Aboriginal sites to occur. It is unknown as to whether or not Aboriginal Cultural Heritage studies have previously assessed the Aboriginal cultural or spiritual values of the subject land. The subject site is not within a declared Aboriginal Place of Significance listed in Schedule 5 of the Upper Lachlan LEP 2010.

Relevant Section	Response
	Irrespective of the above, the scope of the proposed development involves areas of the site that have already been exposed to significant disturbance over many years through the ongoing residential occupation and associated use and management of the land. Accordingly, it is considered highly unlikely that the proposed development will impact on any items of Aboriginal culture and heritage.
4.5 Flooding and Stormwater	
4.5.1 Flood Affected Lands	Not relevant. The subject land is not identified to be flood prone on the Flood Planning Map of the Upper Lachlan LEP 2010.
4.5.2 Stormwater Management	
<p>All stormwater discharging from a development must not adversely impact on environmental values of the receiving waters or water quality values downstream of a development. Environmental values in receiving waters must be protected and enhanced. This will require all stormwater being discharged from a development to be appropriately treated prior to discharge.</p> <p>Proposed development must incorporate treatment methods and an approach to water management that:</p> <ul style="list-style-type: none"> reduces demand for potable water, requires stormwater discharge for all proposed development be equivalent with levels and volumes of discharge for the pre-developed condition of the site, maximises pervious surfaces where possible, and encourages the reuse of stormwater and greywater. 	Deemed to comply. Refer to the civil and stormwater concept drawings prepared by SEEC included with this Application.
4.5.3 Impacts on Drinking Water Catchments	Not relevant. The subject land is not identified as being with the Sydney Drinking Water Catchment.
4.5.4 Overland Flow Paths	Not relevant. With reference to the subdivision plan prepared by SRD Land Consulting, the subject land is not affected by a stormwater overland flow path.
4.6 Traffic and Parking	Not relevant. Part 4.6 of the Upper Lachlan DCP is not relevant to the development proposed, which is for the subdivision of land. Notwithstanding, the geometry of proposed (vacant) Lots 2 and 3 is deemed to be adequate in enabling future residential development to be sited and designed so to achieve the minimum on-site car parking requirements.

Relevant Section	Response
	In relation to proposed Lot 1, there is deemed to be ample space for the provision of on-site car parking to the rear (or front) of the existing dwelling house.
4.7 Existing Use	Not relevant. This current Application is not proposing a change of use.
4.8 Temporary Events	Not relevant. A temporary event is not proposed.
PART 5 RESIDENTIAL DEVELOPMENT	
5.1 Subdivision	
Subdivision can only occur in accordance with the provisions of the LEP.	Noted. Refer to Section 4.5.1 of this SEE Report for a detailed assessment of the relevant provision of the Upper Lachlan LEP 2010.
The layout of the subdivision is responsive and creates local identity by: <ul style="list-style-type: none"> responding to site characteristics, setting, landmarks, places of cultural heritage significance and views, and creating legible and interconnected movement and open-space networks. 	Deemed to comply. The layout of the proposed subdivision is deemed to be appropriate noting the well-established urban context and unconstrained nature of the subject land.
Access for one dwelling via right of carriageway is to be a minimum of 4 metres in width (excluding traffic control devices)	Not relevant. Refer to the comments below in relation to access for two or more dwellings.
Shared access for two or more dwellings is to be a minimum of 6.0 metres in width.	Deemed to comply. As detailed previously, the proposed shared access is to be a minimum of 6m in width. Details of the proposed access arrangement are provided in the civil and stormwater concept drawings prepared by SEEC included with this Application.
The layout of streets, lot and infrastructure responds appropriately to environmental features of the site or locality, by: <ul style="list-style-type: none"> following the natural topography, minimising the need for earthworks, minimising vegetation loss or the potential for adverse edge effects on remnant vegetation, avoiding risks to human health and the environment from contaminated land, maintaining natural drainage features and flood ways, and maintaining wildlife corridors and habitat areas. 	Deemed to comply. As detailed previously, the subject land is relatively unconstrained. As such, the proposed subdivision and services infrastructure layout is deemed to be appropriate.

Relevant Section	Response
<p>The development is integrated with the surrounding urban or rural environment, having regard to:</p> <ul style="list-style-type: none"> the layout and dimensions of streets and lots, connections to surrounding streets and infrastructure networks, provision for shared use of public facilities by adjoining communities, and buffering of any existing or potential incompatible land uses nearby. 	<p>Deemed to comply.</p> <p>Noting the battle-axe configuration of proposed (vacant) Lots 2 and 3, future residential development would be situated behind the existing dwelling contained within proposed Lot 1. Further to this, the proposed new driveway generally follows that of the existing driveway leading to the rear of the existing dwelling. On this basis, the existing streetscape character is unlikely to be significantly altered as a result of the proposed development.</p>
<p>The street and lot orientation facilitates buildings which have improved energy efficiency through climate responsive siting and design.</p>	<p>Deemed to comply.</p> <p>The geometry and orientation of the proposed (vacant) allotments is deemed to be sufficient in facilitating the incorporation of passive design principles in the future design of residential dwellings.</p>
<p>The street and lot layout facilitates the provision of services, including water supply, sewage disposal, waste disposal, drainage, electricity and telecommunications, in a manner that:</p> <ul style="list-style-type: none"> is efficient, minimises risk of adverse environmental or amenity related impacts, and minimises whole of life cycle costs for that infrastructure. 	<p>Deemed to comply.</p> <p>The development proposed does not involve the creation of a new street.</p> <p>As detailed previously, given the site's urban location, the proposed allotments can be economically serviced by minor extensions to the existing reticulated sewer, water, stormwater, electricity and telecommunication services infrastructure available within close proximity to the site (being within Holborow Street). The extension of the existing services would have no serious environmental consequence, and any perceived risk would be minor and manageable.</p> <p>Refer also to the civil and stormwater concept drawings prepared by SEEC included with this Application.</p>
<p>In a reconfiguration that involves the creation of a new street, streetscape and landscape treatments are provided that:</p> <ul style="list-style-type: none"> create an attractive and legible environment with a clear character and identity, use and highlight features of the site such as views, vistas, existing vegetation, landmarks and places of cultural heritage significance, enhance the safety, casual street surveillance, and comfort, and meet user needs, complement the function of the street in which they are located by reinforcing desired traffic speed and behaviour, assist the integration with the surrounding environment, provide for infiltration of stormwater runoff wherever practicable, and minimise maintenance costs having regard to: <ul style="list-style-type: none"> street pavement, parking bays and speed control devices, street furniture, shading, lighting and utility installations, and retention of existing vegetation, and on street planting. 	<p>Not relevant.</p> <p>The development proposed does not involve the reconfiguration of allotment boundaries that involves the creation of a new public street.</p>

Relevant Section	Response
Lots created for residential purposes do not alienate or diminish the productivity of good quality agricultural land and are themselves protected from the potential adverse effects of rural uses.	Deemed to comply. The subject land is situated within an urban area and is not directly adjoined by existing primary industry land uses. On this basis, the development proposed will not alienate or diminish the productivity of existing agricultural land and/or be impacted by rural uses.
5.2 Residential	Not relevant. Part 5.2 of the Upper Lachlan DCP is not relevant to the development proposed, which is for the subdivision of land only. In relation to the existing dwelling proposed to be contained within proposed Lot 1, it will maintain compliant front, side and rear boundary setbacks and minimum private open space requirements. Whilst the existing carport structure is proposed to be demolished, parking associated with the existing dwelling can be accommodated within the rear setback area. The future construction of any new parking structure would likely be progressed as either exempt or complying development under the provisions of SEPP (Exempt and Complying Development Codes) 2008. No new carport structure is proposed as part of this current Application.
PART 10 ENGINEERING REQUIREMENTS	
10.1 Utility Services	
Applicants are to provide connections to the following services where available to the site: <ul style="list-style-type: none"> Water (reticulated town water supply) Sewerage (reticulated gravity sewerage system) Telephone Electricity Applicants are advised to liaise with the Telstra (telephone), Country Energy (electricity) and Council (water and sewer) or other accredited providers as to the availability of these services, prior to submission of development applications.	Deemed to comply. As detailed previously, the proposed allotments are to be connected to the existing reticulated services infrastructure available within close proximity to the site (being within Holborow Street). Refer to the civil and stormwater concept drawings prepared by SEEC included with this Application.
10.2 Roads	Not relevant. The development proposed does not involve the creation of a new public road.
10.3 Easements	
Easements are required in accordance with Section 88B of the Conveyancing Act 1919. Easements will typically be required under the following circumstances: <ul style="list-style-type: none"> Sewerage and water supply easements shall be created over all existing and proposed sewer and water lines 	Deemed to comply. Refer to the Plan of Proposed Subdivision prepared by SRD Land Consulting, which shows the location and extent of all required easements.

Relevant Section	Response
<ul style="list-style-type: none"> Where applicable, easements for batter and support shall be created over lots in accordance with approved engineering plans All existing and proposed rights of carriageway shall be legalised, minimum 20 metre wide easement Easements for electricity purposes, if required, shall be created over existing and proposed electricity lines Drainage reserves (or easements in exceptional circumstances) shall be created over proposed stormwater drainage lines (including flood ways and overland flow paths), in accordance with the Council's standards, and Easements for the purposes of overland flow paths, retardation basins and detention basins and reserves shall be dedicated to Council free of cost and appropriately indicated on the plan of subdivision. <p>All easements and drainage reserves must be registered prior to development commencing use/operation.</p>	
10.4 Building Over Sewer	
<p>Council does not support building over sewer mains. In exceptional cases, this may be permissible. The Applicant will need to demonstrate that the proposed development will not adversely impact on the sewer and the ability of Council to operate and maintain the infrastructure is not constrained. Any development, where it is proposed to build over a sewer, the design must be consistent with Council's Policy for Building Over Sewers and relevant documentation submitted with the development application.</p>	<p>Not relevant. Building over an existing sewer main is not proposed.</p>
10.5 Staging of Development in Expanded Village Areas and the Provision of Essential Infrastructure	<p>Not relevant. The subject land is not located within a village area.</p>

4.8 Planning Agreements

Is the application and development of the land subject to a planning agreement (existing/proposed) ☐ Yes ☒ No

Planning Agreements
<p>Comments</p> <p>No further comment required.</p>

4.9 The Regulations

Regulations	
Does the proposed development involve demolition?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposed development involve the construction of a manor house or multi dwelling housing (terraces)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
For development involving the rebuilding, alteration, enlargement or extension of an existing building, is it considered appropriate to require the upgrading of the existing building to ensure fire safety standards	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
For the erection of a temporary structure will the fire protection and structural capacity be appropriate and will the surface on which the structure is to be erected suitable to sustain the structure while in use	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Comments The proposed development involves the full demolition of the existing carport structure and shed situated to the side/rear of the existing dwelling house (refer to Section 3 of this SEE Report). Accordingly, the demolition process will need to be carried out strictly in accordance with AS2601-2001 and Work Health and Safety Regulations.	

4.10 Coastal Zone Management Plan

Is the land subject to the application located within an adopted coastal zone management plan? ☐ Yes ☒ No

4.11 Likely Impacts of the Development

4.11.1 Environmental Impacts - Natural

Is this proposal satisfactory, having consideration to the impact on the environment in terms of:	
Landforms	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Drainage/hydrology/watercourses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Water quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Vegetation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Erosion and sedimentation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Marine environment	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Comments	
No further comment required.	
Is the proposal satisfactory having regard to:	
Provision of landscaping	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Preservation of existing vegetation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Setbacks to watercourses/riparian buffers	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Provisions of any property vegetation plan	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Comments	
No further comment required.	

4.11.2 Biodiversity Considerations

Biodiversity Considerations	
Will the proposed development involve clearing native vegetation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Will any part of the proposed development take place on land nominated on the Biodiversity Values Map	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Will any proposed clearing exceed the nominated threshold for the land	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Is the application supported by a development biodiversity assessment report	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Comments	
Refer to the comments at Section 4.2.1 of this SEE Report.	

4.11.3 Environmental Impacts – Hazards

Is the proposal satisfactory having regard to:	
Soil instability/subsidence/slip/mass movement, uncompacted fill	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Contaminated land provisions or listings	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Comments Contaminated Land Provisions or Listings Refer to the discussion at Section 4.4 of this SEE Report, which responds to the provisions of SEPP (Resilience and Hazards).	

4.11.4 Environmental Impacts – Built

Is the proposal satisfactory having regard to:	
Impact on adjoining land and the locality?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
The amenity of the area?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Appearance from public spaces?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Noise/lighting impacts on adjoining developments or roads etc?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Existing noise sources?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
The scenic qualities and features of the landscape and streetscape?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
The design, scale and character of the area?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Sunlight and overshadowing?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Visual impact?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
View sharing?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
The positioning of buildings?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Boundary treatments, retaining walls and impact on neighbouring buildings	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Is the road system adequate to cater for any increase in traffic movements generated by the proposal?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Is vehicular access satisfactory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Is carparking provided and adequate?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Is a carparking contribution appropriate?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Has the availability, accessibility and adequacy of public transport been considered in the assessment of this proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Is pedestrian access satisfactory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comments No further comment required. Refer to the detailed assessment of the relevant provisions of the Upper Lachlan DCP at Section 4.7 of this SEE Report, which addresses the majority of the above considerations.	

4.11.5 Social and Economic Impact

Will the proposal have a social and economic impact	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comment The current Application would have a positive social and economic effect in that it would facilitate the orderly and proper development of the subject land for low density residential purposes, which would offer future choice in housing type, lifestyle opportunity and affordability without adverse environmental consequence and/or impact on existing service infrastructure. In addition, it is likely that developer contributions would be levied in accordance with Council adopted and applied policy for the provision of reticulated water and sewer services and the provision/maintenance of open space and/or community facilities. The contributions would be in form of a 'one off' payment, the monetary value of which would be determined at the time of payment and following the favourable determination of this current Application.	

4.11.6 Public Interest

Would approval of the development be in the public interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Have the principles of ecologically sustainable development been considered in the assessment of this development under the <i>Environmental Planning & Assessment Act 1979</i> ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Has the precautionary approach been considered in the assessment of this development?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Have the potential impacts of sea level rise been considered in the assessment of this development?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

5 Conclusion

This Application seeks approval for the subdivision of land at Lot 3 DP848724, No. 9 Holborow Street, Crookwell NSW.

The scope of the proposal has been assessed in accordance with the provisions of all relevant State legislation, the Upper Lachlan Local Environmental Plan 2010 and Upper Lachlan Development Control Plan 2010 (as relevant) and has been found to be an acceptable development.

Based on the information contained within this Statement of Environmental Effects Report and the technical documentation included with the DA submission, there would appear to be no sustainable grounds to refuse the issue of development consent.

Attachment 1 – Photographs of Site



Photo 1: Photo of Existing Dwelling – photo taken from Holborow Street looking west



Photo 2: Photo of Landscaped Area to the Rear of the Existing Dwelling – photo taken from near northern side boundary looking south



Photo 3: Photo of Existing Landscaped Area to the Rear of the Existing Dwelling – photo taken from near southern side boundary looking north.

Attachment 2 – BMAT Report

Biodiversity Values Map and Threshold Report

This report is generated using the Biodiversity Values Map and Threshold (BMAT) tool. The BMAT tool is used by proponents to supply evidence to your local council to determine whether or not a Biodiversity Development Assessment Report (BDAR) is required under [the Biodiversity Conservation Regulation 2017 \(Cl. 7.2 & 7.3\)](#).

The report provides results for the proposed development footprint area identified by the user and displayed within the blue boundary on the map.

There are two pathways for determining whether a BDAR is required for the proposed development:

1. Is there Biodiversity Values Mapping?
2. Is the 'clearing of native vegetation area threshold' exceeded?

Biodiversity Values Map and Threshold Report

Date of Report Generation		07/02/2025 10:59 AM
1. Biodiversity Values (BV) Map - Results Summary (Biodiversity Conservation Regulation Section 7.3)		
1.1	Does the development Footprint intersect with BV mapping?	no
1.2	Was <u>ALL</u> BV Mapping within the development footprint added in the last 90 days? (dark purple mapping only, no light purple mapping present)	no
1.3	Date of expiry of dark purple 90 day mapping	N/A
1.4	Is the Biodiversity Values Map threshold exceeded?	no
2. Area Clearing Threshold - Results Summary (Biodiversity Conservation Regulation Section 7.2)		
2.1	Size of the development or clearing footprint	2,066.8 sqm
2.2	Native Vegetation Area Clearing Estimate (NVACE) (within development/clearing footprint)	1,344.6 sqm
2.3	Method for determining Minimum Lot Size	LEP
2.4	Minimum Lot Size (10,000sqm = 1ha)	800 sqm
2.5	Area Clearing Threshold (10,000sqm = 1ha)	2,500 sqm
2.6	Does the estimate exceed the Area Clearing Threshold? (NVACE results are an estimate and can be reviewed using the Guidance)	no
REPORT RESULT: Is the Biodiversity Offset Scheme (BOS) Threshold exceeded for the proposed development footprint area? (Your local council will determine if a BDAR is required)		no

What do I do with this report?

- If the result above indicates the BOS Threshold has been exceeded, your local council may require a Biodiversity Development Assessment Report with your development application. Seek further advice from Council. An accredited assessor can apply the Biodiversity Assessment Method and prepare a BDAR for you. For a list of accredited assessors go to: <https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor>.
- If the result above indicates the BOS Threshold has not been exceeded, you may not require a Biodiversity Development Assessment Report. This BMAT report can be provided to Council to support your development application. Council can advise how the area clearing threshold results should be considered. Council will review these results and make a determination if a BDAR is required. Council may ask you to review the area clearing threshold results. You may also be required to assess whether the development is “likely to significantly affect threatened species” as determined under the test in Section 7.3 of the *Biodiversity Conservation Act 2016*.
- If a BDAR is not required by Council, you may still require a permit to clear vegetation from your local council.
- If all Biodiversity Values mapping within your development footprint was less than 90 days old, i.e. areas are displayed as dark purple on the BV map, a BDAR may not be required if your Development Application is submitted within that 90 day period. Any BV mapping less than 90 days old on this report will expire on the date provided in Line item 1.3 above.

For more detailed advice about actions required, refer to the Interpreting the evaluation report section of the [Biodiversity Values Map Threshold Tool User Guide](#) .

Review Options:

- If you believe the Biodiversity Values mapping is incorrect please refer to our [BV Map Review webpage](#) for further information.
- If you or Council disagree with the area clearing threshold estimate results from the NVACE in Line Item 2.6 above (i.e. area of Native Vegetation within the Development footprint proposed to be cleared), review the results using the [Guide for reviewing area clearing threshold results from the BMAT Tool](#).

Acknowledgement

I, as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.

Signature: Elizabeth Slapp

(Typing your name in the signature field will be considered as your signature for the purposes of this form)

Date: 07/02/2025

07/02/2025 10:59 AM

Biodiversity Values Map and Threshold Tool

The Biodiversity Values (BV) Map and Threshold Tool identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing.

The BV map forms part of the Biodiversity Offsets Scheme threshold, which is one of the factors for determining whether the Scheme applies to a clearing or development proposal. You have used the Threshold Tool in the map viewer to generate this BV Threshold Report for your nominated area. This report calculates results for your proposed development footprint and indicates whether Council may require you to engage an accredited assessor to prepare a Biodiversity Development Assessment Report (BDAR) for your development.

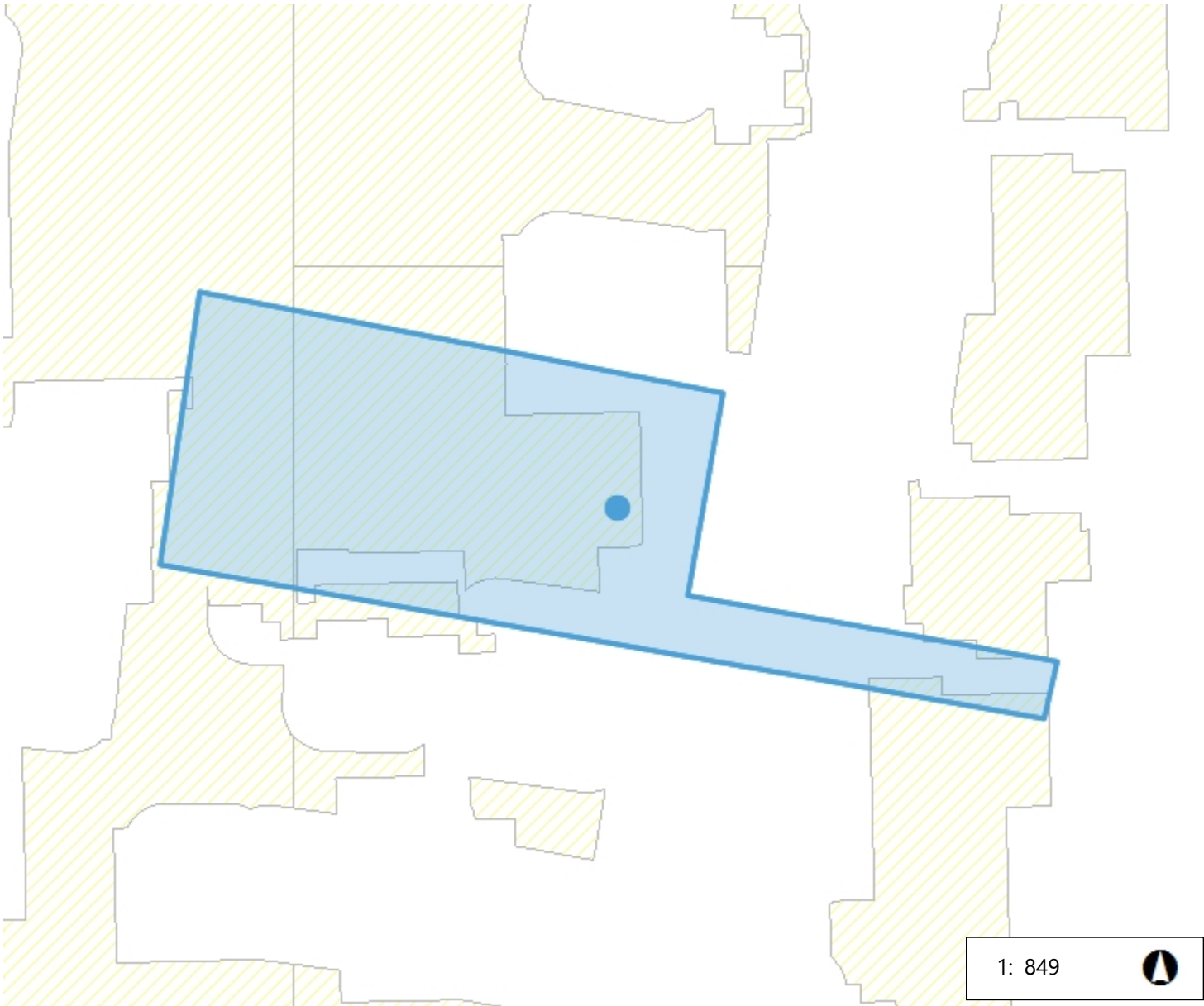
This report may be used as evidence for development applications submitted to councils. You may also use this report when considering native vegetation clearing under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 vegetation in non-rural areas.

What's new? For more information about the latest updates to the Biodiversity Values Map and Threshold Tool go to the updates section on the [Biodiversity Values Map webpage](#).

Map Review: Landholders can request a review of the BV Map where they consider there is an error in the mapping on their property. For more information about the map review process and an application form for a review go to the [Biodiversity Values Map Review webpage](#).

If you need help using this map tool see our [Biodiversity Values Map and Threshold Tool User Guide](#) or contact the Map Review Team at map.review@environment.nsw.gov.au or on 1800 001 490.





Biodiversity Values Map



43.1 0 21.56 43.1 Metres

WGS_1984_Web_Mercator_Auxiliary_Sphere

Legend

-  Biodiversity Values that have been mapped for more than 90 days
-  Biodiversity Values added within last 90 days
-  Native Vegetation Area Clearing Estimate (NVACE)
-  Development area selected by proponent

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1: 849



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Imagery © Airbus DS/Spot Image 2016

© NSW Department of Customer Service, Basemaps 2019

© NSW Department of Planning and Environment

The results provided in this tool are generated using the best available mapping and knowledge of species habitat requirements.

This map is valid as at the date the report was generated. Checking the [Biodiversity Values Map viewer](#) for mapping updates is recommended.

Attachment 3 – AHIMS Search Result

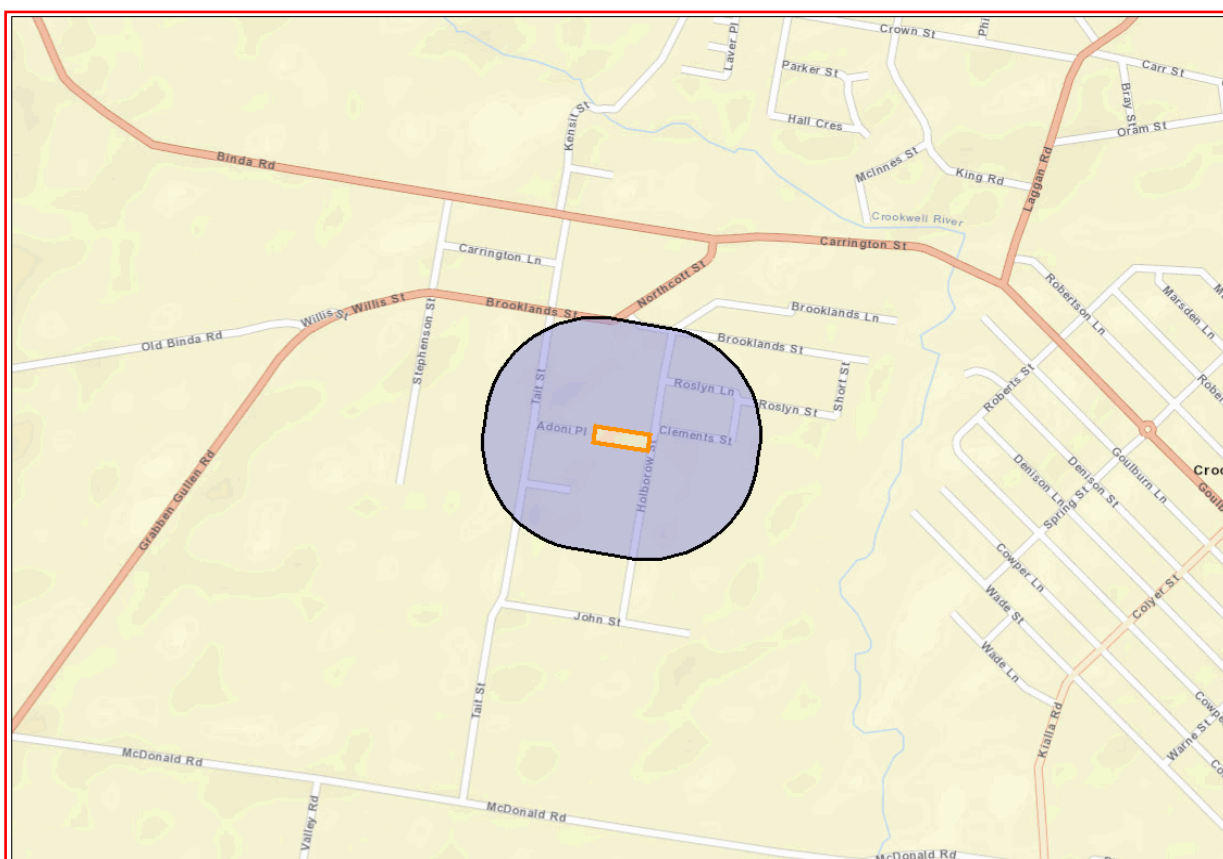
Elizabeth Slapp
13 Hakea Place
Tura Beach New South Wales 2548
Attention: Elizabeth Slapp
Email: elizabeth@planned.net.au

Date: 05 February 2025

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 3, DP:DP848724, Section : - with a Buffer of 200 meters, conducted by Elizabeth Slapp on 05 February 2025.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(https://www.legislation.nsw.gov.au/gazette\)](https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.