

I AND M CUMMING

Proposed Subdivision

STATEMENT OF ENVIRONMENTAL EFFECTS

Report No: P000994

Rev: B



24 March 2025



Premise

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Tina Dodson				Tina Dodson	

CONTENTS

1. INTRODUCTION	4
2. THE SITE & ITS LOCALITY	4
2.1 The Site.....	4
3. THE DEVELOPMENT	5
3.1 Development Description	5
4. STATUTORY PLANNING FRAMEWORK	5
4.1 Object of the EP&A Act.....	5
4.2 Section 1.7.....	6
4.3 Subordinate Legislation	6
4.4 Integrated Development	7
4.5 Planning Instruments.....	8
5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST	18
5.2 4.15(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act	18
5.3 4.15(1)(a)(iii) The provisions of any development control plan	18
5.4 4.15(1)(a)(iia) The provisions of any planning agreement or draft planning agreement under section 7.4.....	18
5.5 4.15(a)(iv) The provisions of the regulations.....	18
5.6 4.15(1)(b) The likely impacts of the development	18
5.8 4.15(1)(d) Any submissions made in accordance with the Act or the regulations	21
5.9 4.15(1)(e) The public interest	21
6. CONCLUSION	21
6.1 Conclusion	21

TABLES

Table 1 - Sec 1.7

Table 2 - NSW Planning Report

Table 3 - Development Control Plan Matters and Assessment

APPENDICES

Appendix A – Proposed Subdivision Plan

Appendix B – DCP Compliance Table

Appendix C – Wastewater Assessment

Appendix D – Bushfire Assessment

Appendix E – Flora and Fauna Assessment Report

Appendix F – Cultural Heritage Due Diligence Assessment
Appendix G – Pre-Lodgement Meeting Minutes – FWA/0065/2324
Appendix H – Council Correspondence – Water Connection
Appendix I – Overland Flow Mapping

1. INTRODUCTION

Premise has been commissioned by I and M Cumming to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) for a two lot Torrens title subdivision of Lot 336 DP 750015 – 61 Foord Road, Run-O-Waters.

This SEE has been prepared pursuant to the Environmental Planning and Assessment Regulation 2021 and is provided in the following format.

Section 2 of this report provides a description of the subject site and its locality.

Section 3 outlines the proposed development.

Section 4 details the planning framework applicable to the subject site and proposed development.

Section 5 identifies the impacts of the proposed development.

Section 6 provides a conclusion to the SEE.

2. THE SITE & ITS LOCALITY

2.1 The Site

The site consists of Lot 336 DP 750015, 61 Foord Road, Run-O-Waters as shown on the aerial photograph depicted below.



Source: SixMaps

3. THE DEVELOPMENT

3.1 Development Description

The development application proposes to create a two lot Torrens title subdivision of land currently identified as Lot 336 DP 750015 being 71 Foord Road, Run-O-Waters. The land is zoned RU6 Transition zone. Proposed Lot 1 is to be created for the purposes of a dwelling house with associated ancillary infrastructure, proposed Lot 2 contains an existing dwelling house and ancillary infrastructure.

Details of the proposal are contained within the plans prepared by Premise submitted in support of the DA.

4. STATUTORY PLANNING FRAMEWORK

4.1 Object of the EP&A Act

In New South Wales (NSW), the relevant planning legislation is the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the Department of Planning, Industry & Environment (DPIE). In 2017, the Act was amended to provide a range of updated objects. The objects of the EP&A Act are:

- (a) *To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *To promote the orderly and economic use and development of land,*
- (d) *To promote the delivery and maintenance of affordable housing,*
- (e) *To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*

- (g) *To promote good design and amenity of the built environment,*
- (h) *To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *To provide increased opportunity for community participation in environmental planning and assessment.*

The proposed modified development is conducive to the above objects.

4.2 Section 1.7

Section 1.7 of the EP&A Act requires consideration of Part 7 of the *Biodiversity Conservation Act 2016* (BC Act). Part 7 of the BC Act relates to an obligation to determine whether a proposal is likely to significantly affect threatened species. A development is considered to result in a significant impact in the following assessed circumstances.

Table 1 – Section 1.7

Test	Assessment
a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	No
b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	No
c) it is carried out in a declared area of outstanding biodiversity value.	No

Source: Environmental Planning and Assessment Act 1979

4.3 Subordinate Legislation

The EP&A Act facilitates the preparation of subordinate legislation, consisting of:

- Environmental Planning Instruments (EPIs) (including State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP), and deemed EPIs; and

- Development Control Plans (DCP).

In relation to the proposed development, the relevant subordinate legislation includes:

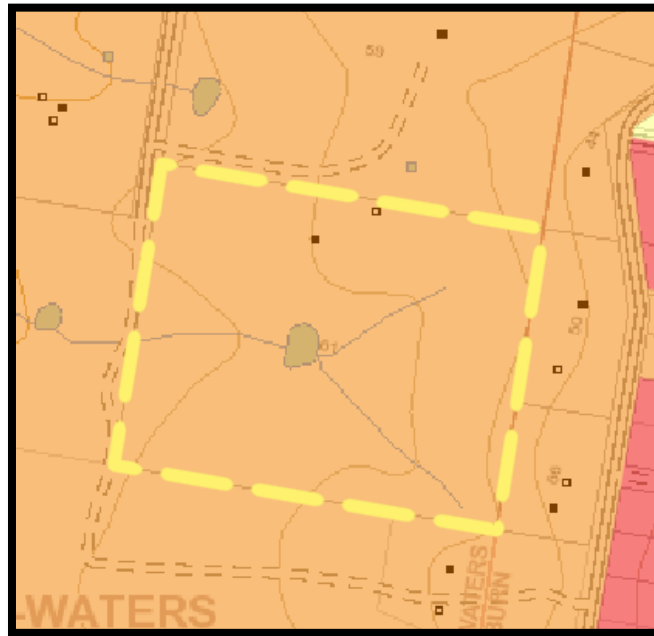
- Goulburn Mulwaree Local Environmental Plan 2009
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Goulburn Mulwaree Development Control Plan 2009

The requirements of these are discussed in **section 4.5** of this Statement.

4.4 Integrated Development

Section 4.46 of the EP&A Act states that development requiring consent and another activity approval is defined as Integrated Development. The proposed development is classified as Integrated Development, and as such will require approval:

- S100B Rural Fires Act 1997.



Source: NSW Planning Portal

See Appendix D – Bushfire Assessment Report prepared by Harris Environmental.

4.5 Planning Instruments

4.5.1 LOCAL ENVIRONMENTAL PLAN

4.5.1.1 Introduction

The *Goulburn Mulwaree Local Environmental Plan 2009 (LEP)* is the applicable local planning instrument applying to the land. The aims of the LEP are:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
- (a) to promote and coordinate the orderly and economic use and development of the land in the area,
- (b) to provide a framework for the Council to carry out its responsibility for environmental planning provisions and facilitate the achievement of the objectives of this Plan,
- (c) to encourage sustainable management, development and conservation of natural resources,
- (d) to promote the use of rural resources for agriculture and primary production and related processing service and value adding industries,
- (e) to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree,
- (f) to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,
- (g) to establish a framework for the timing and staging of development on certain land in Goulburn and Marulan,
- (h) to provide a range of housing opportunities, including large lot residential development in the vicinity of the villages,
- (i) to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,
- (j) to provide direction and guidance as to the manner in which growth and change are to be managed in Goulburn Mulwaree,
- (k) to protect and enhance watercourses, riparian habitats, wetlands and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.

The proposed development is conducive to the aims of the plan.

4.5.1.2 Mapping

A review mapping via the NSW Planning Portal identifies the following applicable mapped constraints:

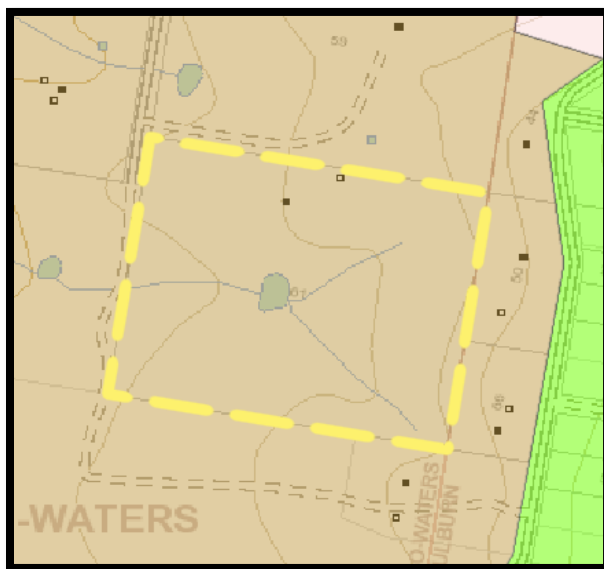
Table 2 – NSW Planning Portal – Property Report

Constraint	Applicability	Section addressed
Land Zoning Map	Applicable	4.5.1.3
Lot Size Map	Applicable	4.5.1.4 and 4.5.1.5
Floor Space Ratio Map	Not Applicable	
Height of Buildings Map	Not Applicable	
Land Reservation Acquisition Map	Not Applicable	
Heritage Map	Not Applicable	
Natural Resources Sensitivity Land Map	Applicable	4.5.1.9
Scenic and Landscape Values Map	Not Applicable	
Key Sites Map	Not Applicable	
Urban Release Area Map	Not Applicable	
Additional Permitted Uses Map	Not Applicable	
Active Street Frontages Map	Not Applicable	
Flood Planning Land Map	Not Applicable	
Drinking Water Catchment	Applicable	4.5.2.1

The above matters, together with other relevant LEP clauses, are discussed in the following sections.

4.5.1.3 Land Use Zoning

The site is within the RU6 Transition zone under the Goulburn Mulwaree Local Environmental Plan 2009. The proposed development is permissible development under the zone subject to compliance with various clauses detailed in this Statement.



Source: NSW Planning Portal

The proposal is consistent with the objectives of the RU6 Transition zone as detailed in the following table:

Objectives of Zone: RU6	Comment:	
<ul style="list-style-type: none"> To protect and maintain land that provides transition between rural and other land uses of varying intensities or environmental sensitivities. 	The proposed structure has been sited to minimise any potential conflict with existing and proposed permissible land uses.	✓
<ul style="list-style-type: none"> To minimise conflict between land uses within this zone and land uses with adjoining zones. 	The site is surrounded with RU6 zoned land with ancillary residential development.	✓

4.5.1.4 4.1C Lot averaging subdivision in certain rural, residential and conservation zones

- (1) The objective of this clause is to ensure that lot sizes and subdivision patterns for residential accommodation conserve and provide protection for the rural and environmental values of the land by encouraging buildings to be appropriately sited.
- (2) This clause applies to land in the following zones –
 - (c) Zone RU6 Transition
- (3) Despite the other provisions of this Plan, development consent may be granted for the subdivision of land to which this clause applies that requires development consent

(whether or not the subdivision is under the Community Land Development Act 1989) to create lots of any size if –

- (a) the consent authority is satisfied that the land to be subdivided is proposed to be used for the purpose of residential accommodation, and
 - (b) the average area of the lots resulting from the subdivision will not be less than the minimum size shown on the Lot Size Map for the relevant land, and
 - (c) the consent authority is satisfied that the development retains, and is complementary to, the rural and environmental attributes of the land and its surrounds, and
 - (d) in relation to land in Zone C3 Environmental Management or Zone C4 Environmental Living, each lot resulting from the subdivision will have an area of at least 10ha.
- (4) Development consent must not be granted for the subdivision of a lot created under this clause unless the consent authority is satisfied that –
- (a) The lots to be created will not be used for the purpose of residential accommodation, and
 - (b) The subdivision will not result in any significant adverse environmental impacts on the land being subdivided.

Response:

The proposal has been designed to enable the establishment of a dwelling house and ancillary infrastructure for residential accommodation.

The average area of the residual lot resulting from the subdivision is 8.4ha, greater than the minimum mapped lot size of 2ha.

The proposal complements the existing rural and identified environmental attributes of the land and minimises impacts to identified biodiversity areas.

4.5.1.6 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).

Response:

The proposal is located within the RU6 zone. The subdivision proposes to create Lot 1 for the purposes of a dwelling house and ancillary infrastructure, proposed Lot 2 contains the existing dwelling house and ancillary infrastructure.

The proposal is adjoining and adjacent to rural residential development, similar to the streetscape amenity in existence along Foord Road. The designed proposal maintains the status quo as to any potential land use conflict.

4.5.1.7 5.21 Flood Planning

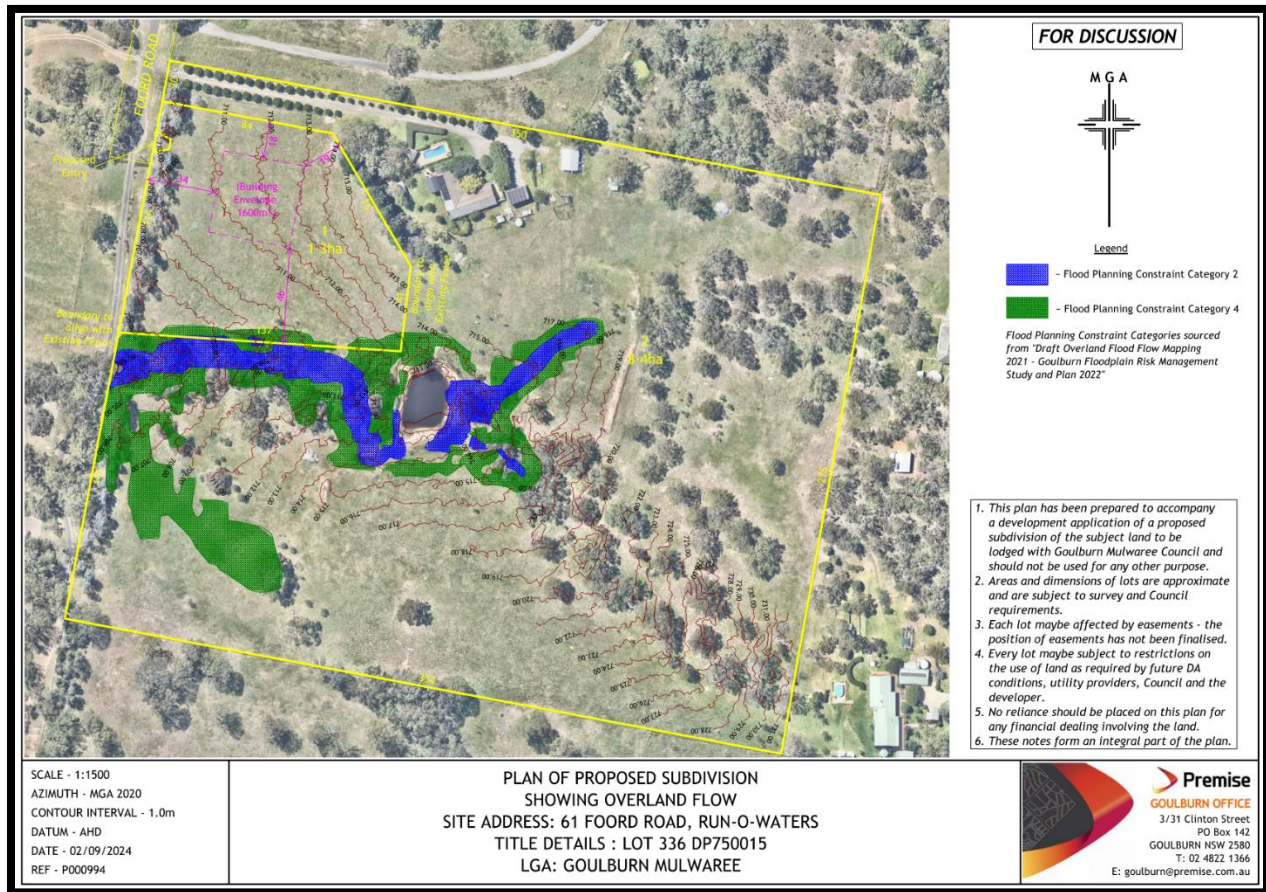
The objectives of this clause are as follows -

- (a) to minimise the flood risk to life and property associated with the use of land,
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.

Response:

The proposal has been designed to minimise interaction with floodwater as per the 'Draft Overland Flood Plan Mapping 2021 – Goulburn Floodplain Risk Management Study and Plan 2022'. In this regard, safe occupation and efficient evacuation is facilitated by:

- Proposed and existing dwelling house locations (proposed Lots 1 and 2) have flood free access to the internal access roadways and safe access to Foord Road in any flood event. See Appendix I.



Appendix I

4.5.1.8 7.1A Earthworks

(1) The objectives of this clause are as follows—

- to ensure that any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,
- to allow earthworks of a minor nature without separate development consent.

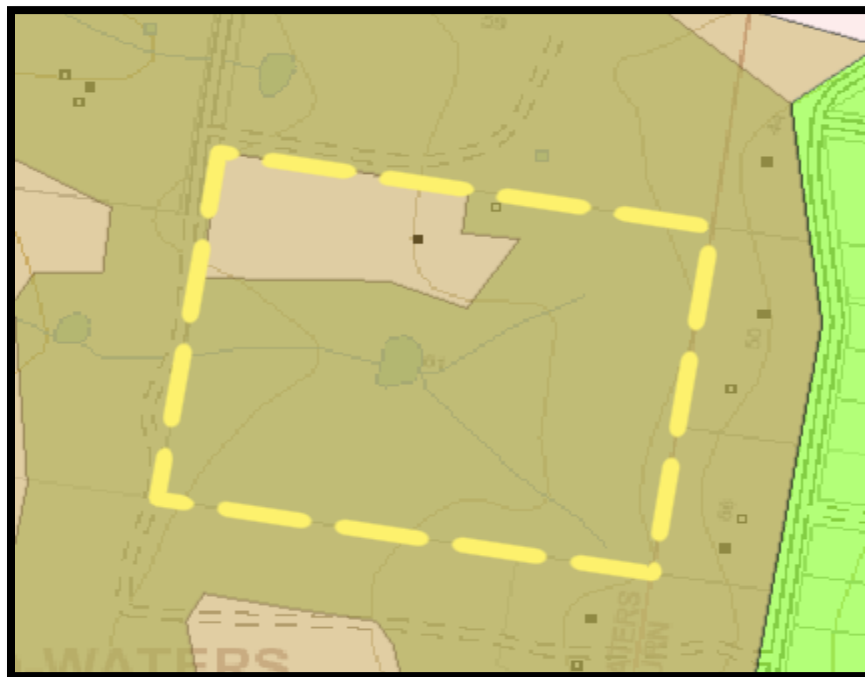
Response:

The proposal has been designed to integrate with the slope of the allotments, ensuring that future works does not interfere with adjoining boundaries or identified easements.

4.5.1.9 7.2 Terrestrial Biodiversity

The objectives of this clause are to protect, maintain or improve the diversity of the native vegetation, including—

- (a) protecting biological diversity of native flora and fauna, and
- (b) protecting the ecological processes necessary for their continued existence, and
- (c) encouraging the recovery of threatened species, communities or populations and their habitats.



Source: NSW Planning Portal

Response:

A full and complete copy of the Flora and Fauna Assessment Report has been prepared by Ecology Consulting (Appendix E). The assessment has commented:

The proposed development within proposed Lot 1 includes the construction of a dwelling, driveway, wastewater management system, establishment of an APZ and other ancillary structures. The proposed work within Lot 1 will likely require the unavoidable removal of 0.43ha of mixed exotic and native grassland. These areas have been previously cleared of overstory and midstory.

The proposed work area is sited in an area heavily dominated by exotic pasture grass species which has been historically modified. Only a minor number of native understorey species are present in the proposed work area, and these occur at a very low cover. Higher biodiversity

parts of the study area containing remnant native trees have been avoided with the siting of the development area.

Overall, the development footprint is estimated at approximate 0.54ha. As a result, the proposal has to potential to impact up to 0.43ha of low condition PCT 3373 (Zone 2: modified grassland with mixed native and exotic understory) and 0.10ha of exotic landscaping planting (Zone 3).

4.5.2 STATE ENVIRONMENTAL PLANNING POLICY

4.5.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 4 – Koala Habitat Protection

Chapter 4 specifies that Council must consider whether a development is consistent with the approved Koala Plan of Management that applies to the land, or if there is no such plan, whether it is likely to impact on Core Koala Habitat.

Core Koala habitat is defined as land:

- Assessed by a suitably qualified and experienced person as being highly suitable Koala habitat
- Where Koalas are present at the time of assessment or have been recorded as being present in the previous 18 years.

As Goulburn Mulwaree Council has not published an approved Koala Plan of Management, works in this LGA would normally require an assessment of potential impacts on Core Koala Habitat.

The study area potentially contains suitable habitat for Koalas, due to the presence of regionally relevant feed and use tree species. However, it is unlikely that Koalas rely on the cleared areas within the study area, particularly within the proposed development footprint in Lot 1. (Ecology Consulting Pty Ltd 18 March 2025 – Appendix E).

Part 6.5 – Sydney Drinking Water Catchment

The aims of this Chapter are -

- (a) to provide for healthy water catchments that will deliver high quality water while permitting compatible development, and
- (b) to provide for development in the Sydney Drinking Water Catchment to have a neutral or beneficial effect on water quality.

Response:

A Wastewater Assessment Report (Appendix C) was prepared by Harris Environmental; the assessment report demonstrates compliance with the required NorBE assessment.

4.5.2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The provisions within the repealed SEPP 55 have been transferred to Chapter 4 (Remediation of Land in the Resilience and Hazards SEPP. The SEPP consolidation does not change the legal effect of the repealed SEPPs with Section 30 of the *Interpretation Act 1987* applying to the transferred provisions. The SEPP consolidation is administrative; the intent and provisions remain largely unchanged.

Clause 4.6(1) (Contamination and remediation to be considered in determining a development application) relevantly states that a consent authority must not consent to the carrying out of any development on land unless:

- d) It has considered whether the land is contaminated, and
- e) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

Response:

A site inspection was carried out in September 2024. No obvious contamination on the land within the development was identified.

There are no known potentially contaminating activities that would have related to the prior use of the site. There is no information that the land has been subject to any notices concerning the need for remediation of the site. There is no information to indicate that the land has been subject to voluntary remediation by any prior landowner.

From this assessment there appears to be no contamination or potential contamination of the land which is the subject of the proposed development. Based on this preliminary assessment it is considered that the site is presently suitable for the proposed development.

4.5.3 **DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS**

Not Applicable.

4.5.4 **DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS**

Not Applicable.

4.5.5 **DEVELOPMENT CONTROL PLANS**

4.5.5.1 Goulburn Mulwaree Development Control Plan 2009

The Goulburn Mulwaree Development Control Plan 2009 (DCP) applies to the site. Table 3 provides a summary of relevant matters raised via the DCP together with an assessment of project specific compliance.

As outlined at Table 3, the development is generally compliant with all relevant provisions of the Development Control Plan.

4.5.6 **DEVELOPMENT CONTRIBUTIONS PLANS**

Goulburn Mulwaree Local Infrastructure Contributions Plan 2021 is the applicable plan for the proposal.

5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST

Pursuant to Division 1 of the EP&A Regulation, this section of the report provides an evaluation of the proposed development against the provisions of sec 4.15 of the EP&A Act.

5.1 4.15(1)(a)(i) The provision of any environmental planning instrument

The development proposal has been assessed against the relevant provisions of the following environmental planning instruments:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Goulburn Mulwaree Local Environmental Plan 2009

The development is consistent with the provisions of these environmental planning instruments, refer to the detailed discussion in Section 4 of this SEE.

5.2 4.15(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act

The proposed development has been assessed against the provisions of the relevant draft instruments that have been the subject of public consultation under the Act.

5.3 4.15(1)(a)(iii) The provisions of any development control plan

The proposed development has been assessed against the provisions of the Goulburn Mulwaree Development Control Plan 2009. See Table 3 for further comments.

5.4 4.15(1)(a)(iiia) The provisions of any planning agreement or draft planning agreement under section 7.4

There is no executed planning agreement applicable to the site.

5.5 4.15(a)(iv) The provisions of the regulations

This Development Application has been made in accordance with the Environmental Planning and Assessment Regulations 2021.

5.6 4.15(1)(b) The likely impacts of the development

Built From, Neighbourhood Character and Visual

The proposal provides for future housing land, integrating with the rural/residential landscape surrounding the site. The proposed development will provide a positive contribution to the locality by virtue of the articulation, visual interest and appropriate scale in context of this area.

Views and Vistas

The proposed development will not obstruct any significant view corridors from any nearby residence or from the public domain.

Utilities

The extension/augmentation of electrical infrastructure will be provided to service proposed Lot 1. NBN is not available for connection, suitable satellite services are available for connection. Water will be through roof catchment and on-site storage, effluent disposal will be provided by the installation of an approved onsite wastewater management system.

Safety, Security and Crime Prevention

The proposed will allow for the contribution towards a physical environment that encourages a feeling of safety through increased activity on the property. The proposal provides a design and layout that addresses community concerns with regards to community safety and crime on the basis it is a development for rural/residential uses. The proposal reduces the opportunity for criminal activity on and around the site through increased human activity on the site, strong territorial reinforcement through clear private/public areas and increased passive and active surveillance.

Social and Economic Impact in the Locality

The development will result in a direct social and economic impact by providing for the release of land to service the housing shortage currently being experienced whilst protecting the existing natural resources. The addition of future residents will add to the local community and provide support for local industries required in the construction and continued occupation.

Bushfire

An APZ for proposed Lots 1 and 2 is to be established from the commencement of building works with the following dimensions:

Lot 1: BAL 29 APZ

- 12m to the north;
- 10m to the east;
- 13m to the south; and
- 16m to the west.

Lot 2:

- 13m to the western elevation; and
- 12m to all other elevations.

See Bushfire Assessment Report – Appendix D. A plan submitted (Appendix D – Proposed Subdivision Plan – Bushfire Treatments) demonstrates compliance with the requirements outlined in the bushfire assessment report.

Flooding

The proposal has been designed to minimise interaction with floodwater as per the 'Draft Overland Flood Plan Mapping 2021 – Goulburn Floodplain Risk Management Study and Plan 2022'. In this regard, safe occupation and efficient evacuation is facilitated by:

- Proposed and existing dwelling house locations (proposed Lots 1 and 2) have flood free access to the internal access roadways and safe access to Foord Road in any flood event. See Appendix I.

Flora and Fauna

The proposed development within proposed Lot 1 includes the construction of a dwelling, driveway, wastewater management system, establishment of an APZ and other ancillary structures. The proposed work within Lot 1 will likely require the unavoidable removal of 0.43ha of mixed exotic and native grassland. These areas have been previously cleared of overstory and midstory.

The proposed work area is sited in an area heavily dominated by exotic pasture grass species which has been historically modified. Only a minor number of native understorey species are present in the proposed work area, and these occur at a very low cover. Higher biodiversity parts of the study area containing remnant native trees have been avoided with the siting of the development area.

Overall, the development footprint is estimated at approximate 0.54ha. As a result, the proposal has to potential to impact up to 0.43ha of low condition PCT 3373 (Zone 2: modified grassland with mixed native and exotic understorey) and 0.10ha of exotic landscaping planting (Zone 3). (Ecology Consulting Pty Ltd, 18 March 2025 – Appendix E).

Cultural Heritage

No areas of potential archaeological deposits or heritage sites have been identified within the development areas and the potential for Aboriginal or historical heritage objects within the development area has been assessed as low. See Aboriginal Cultural Heritage Due Diligence Assessment prepared by Past Traces, 2 October 2025 – Appendix F.

5.7 4.15(1)(c) The suitability of the site for the development

The development has been shown to have been designed in accordance with the LEP allowances and Council guidelines contained within the Development Control Plan and having full regard to the present nature of the site and controls dictated by best environmental management of existing site constraints. The development proposal as designed is considered suitable for the site and compatible within the locality.

5.8 4.15(1)(d) Any submissions made in accordance with the Act or the regulations

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

5.9 4.15(1)(e) The public interest

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

6. CONCLUSION

6.1 Conclusion

The development is seeking to create a two lot Torrens title subdivision of Lot 336 DP 750015 – 61 Foord Road, Run-O-Waters.

The SEE has considered the development against the relevant considerations of the *Environmental Planning and Assessment Act 1979*, relevant State and local environmental planning instruments and the controls in the applicable development control plan. The development is permissible with consent and satisfies the provisions of the relevant legislation and policies.

Potential environmental impacts from the development have been considered by this SEE. The assessment of relevant environmental considerations has found that the development will not have unacceptable impacts, and the approval of the development is in the public interest.

Appendix A

Proposed Subdivision Plan

Appendix B

DCP Compliance Table

Table 3 – Development Control Plan Matters and Assessment

Objective/requirement	Standard	Assessment	Compliance
Section 1.8 Variations to Controls	<p>Council acknowledges that it is not possible for this plan to account for all possible situations and development scenarios. Consequently, the development controls under this plan have been designed to be flexible.</p> <p>When circumstances warrant, Council may consent to an application which departs, to a minor extent, from the provisions of this plan. In such cases, a written submission must be lodged with the development application, outlining the variation, providing reasons why the variation is necessary or desirable, and setting out how the objectives of the particular provision are satisfied by the proposal.</p> <p>Some of the relevant factors in determining whether a departure from this plan is warranted include:</p> <ul style="list-style-type: none"> a) Whether there will be any detrimental impact on the amenity of the existing and future residents. b) Whether there will be any detrimental impact on the amenity of the area c) That nature and size of the departure d) The degree of compliance with other relevant requirements 		N/A

Objective/requirement	Standard	Assessment	Compliance
	<p>e) The circumstances of the case, including whether the particular provisions unreasonable and /or unnecessary</p> <p>f) Priorities identified on a site analysis of being more importance than what is being departed from.</p> <p>g) Whether non-compliance will prejudice the objectives of the zone and the aims of this plan.</p>		
<p>Section 2.4</p> <p>Rural Development Objectives</p>	<p>The plan aims to promote areas suitable for agricultural operations and ensure these operations minimise potential for land use conflict, unnecessary fragmentation or the alienation of existing land uses.</p>	<p>The proposal safeguards the efficient and effective agricultural production activities and avoids impact on the natural resources by providing a suitable buffer from rural/residential development.</p>	YES
<p>Section 3.1</p> <p>Indigenous Heritage and Archaeology</p>	<p>To provide for the consideration of impacts on indigenous heritage and archaeology from proposed development within the Goulburn Mulwaree Local Government Area.</p>	<p>No areas of potential archaeological deposits or heritage sites have been identified within the development areas and the potential for Aboriginal or historical heritage objects within the development area has been assessed as low. A full copy of the Cultural Heritage Due Diligence Assessment prepared by Past Traces Heritage Consultants is identified as Appendix F.</p>	YES

Objective/requirement	Standard	Assessment	Compliance
Section 3.7 Crime Prevention Through Environmental Design	The objectives are the plan are to enhance and improve community safety within the Goulburn Mulwaree local government area.	The proposed will allow for the contribution towards a physical environment that encourages a feeling of safety through increased activity on the property. The proposal provides a design and layout that addresses community concerns with regards to community safety and crime on the basis it is a development for rural/residential uses. The proposal reduces the opportunity for criminal activity on and around the site through increased human activity on the site, strong territorial reinforcement through clear private/public areas and increased passive and active surveillance.	YES
Section 3.8 Flood Affected Lands	Provide specific flood planning controls for the identified area within the Goulburn Floodplain Risk Management Study 2021 and Plan.	The proposal has been designed to minimise interaction with floodwater as per the 'Draft Overland Flood Flow Mapping 2021 – Goulburn Floodplain Risk Management Study and Plan 2022'. In this regard, safe occupation and efficient evacuation is facilitated by: <ul style="list-style-type: none"> Proposed and existing dwelling house locations (proposed Lots 1 and 2) have flood free access to the internal access 	YES

Objective/requirement	Standard	Assessment	Compliance
		roadways and safe access to Foord Road in any flood event. See Appendix I.	
Section 3.9 Tree and vegetation preservation	<p>The objectives are to:</p> <ul style="list-style-type: none"> ○ Support the aims of the Biodiversity and Conservation SEPP to protect the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural areas through the preservation of trees and other vegetation. Goulburn Mulwaree Development Control Plan 2009 Goulburn Mulwaree DCP 2009 – Effective 23rd September 2022. ○ Achieve the long term retention of existing trees, appropriate tree maintenance, and in relation to replacement trees, suitable tree locations and considered species selection. ○ Protect and enhance trees and vegetation in non-rural areas including street trees, park trees (including bushland) and trees on private property as an important community and tourism asset; ○ Facilitate the removal or pruning of undesirable exotics, environmental weeds, priority weeds, dangerous trees and any other inappropriate 	Not applicable for RU6 zoned land. See below section 3.14 (section 4.5.1.9 and – Appendix E).	N/A

Objective/requirement	Standard	Assessment	Compliance
	<p>plantings e.g. plantings that are causing damage to buildings or other infrastructure;</p> <ul style="list-style-type: none"> Facilitate the removal or pruning of vegetation for maintenance of existing rural infrastructure; and Minimise impacts to vegetation with high environmental value e.g. threatened ecological communities, threatened species and their habitats. 		
Section 3.16 Stormwater Pollution	Limit the amount of pollution entering waterways via stormwater.	A NorBE Assessment has been prepared in support of the wastewater design and is separately attached – Appendix C.	YES
Section 3.17 Bushfire Risk Management	All development on land that is classified as bush fire prone land identified on Councils bush fire prone land map must be developed in accordance with the Rural Fire Service Planning for Bush Fire Protection Guidelines 2019.	<p>A Bushfire Assessment has been prepared by Harris Environmental, and a full copy of the report is separately attached – Appendix D. A proposed plan of subdivision demonstrating compliance with the requirements of the bushfire assessment is attached – Appendix D.</p> <p>The assessment addresses the requirements outlined in the RFS Planning for Bushfire Protection Guidelines 2019.</p>	YES
Section 5.2 Subdivision	General Controls <ul style="list-style-type: none"> Lot Sizes Design Building Envelope 	Proposed Lots 1 and 2 meet the requirements of Clause 4.1C of the GMLEP 2009.	YES

Objective/requirement	Standard	Assessment	Compliance
	<ul style="list-style-type: none"> On-site Disposal 	<p>The proposal has been designed to protect/retain and mitigate significant landscape features, remnant vegetation and identified existing constraints/easements.</p> <p>The proposal also achieves the stipulated setback distances for effluent disposal areas and the identified building envelopes and constraints mapping demonstrates the availability of land commensurate with a reasonable level of development that may be permissible due to the proposed land size.</p>	
Section 5.9 Rural Land Use Conflict	To ensure that rural development occurs in such a way as to minimise land use conflict.	The proposal is extremely unlikely to adjoin or be impacted by agricultural activities that generate a potential land use conflict based upon the size and unique characterises of the land.	YES
Section 7.1 Utility Services	To provide satisfactory utility services to the development site.	<p>The extension/augmentation of electrical infrastructure will be provided to service proposed Lot 1.</p> <p>Reticulated water is provided to proposed Lot 2. No extension is requested to service proposed Lot 1. See Council</p>	YES

Objective/requirement	Standard	Assessment	Compliance
		correspondence dated 15 August 2024 (Appendix H). NBN is not available for connection. Suitable satellite services are available for connection.	
Section 7.2 Roads	All proposals are to be designed and constructed to comply with the current version of Councils standards for roads, drainage, erosion and sediment control and other special facilities covered in the standard.	No new roads are proposed to service the proposal. The proposed lots have access from the bitumen sealed Foord Road. It is anticipated that proposed Lot 2 existing access meets Council standards. Proposed lot 1 gateway will require installation in accordance with Council requirements and the subject of a S138 approval.	YES
Section 7.3 Drainage and Soil and Water Management	To ensure that potential impacts of development on the water quality of the catchment can be quantified and evaluated in the context of ESD.	Complies. See separately attached Wastewater management assessment – Appendix C.	YES
Section 7.4 Easements	Easement shall be required pursuant to section 88B of the Conveyancing Act 1919 as required.	Relevant easements and restrictions will provide, in accordance with a section 88B instrument: <ul style="list-style-type: none"> Electricity easements if required as per the issuance of an NOA. Existing water main. 	YES

Appendix C

Wastewater Assessment

Appendix D

Bushfire Assessment Report

Appendix E

Flora and Fauna Assessment

Appendix F

Cultural Heritage Due Diligence Assessment

Appendix G

Pre-Lodgement Meeting Minutes – FWA/0065/2324

Appendix H

Council Correspondence – Water Connection

Appendix I

Overland Flow Mapping