

14<sup>TH</sup> MAY, 2025

# STATEMENT OF ENVIRONMENTAL EFFECTS

2 LOT RESIDENTIAL SUBDIVISION



**GRAY SURVEYORS**

SURVEYING AND LAND DEVELOPMENT CONSULTANTS

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## 1. Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of Mr Bernard Reardon (the client) to form part of a Development Application (DA) for an urban subdivision at O'Hagan Street, Gundagai. The site is currently vacant land.

In accordance with Schedule 1 of the Environmental Planning and Assessment Regulation 2000, this Statement of Environmental Effects accompanies a development application for the proposed development and includes the matters referred to in Section 4.15 of the Environmental Planning & Assessment Act 1979 and the matters required to be considered by Council.



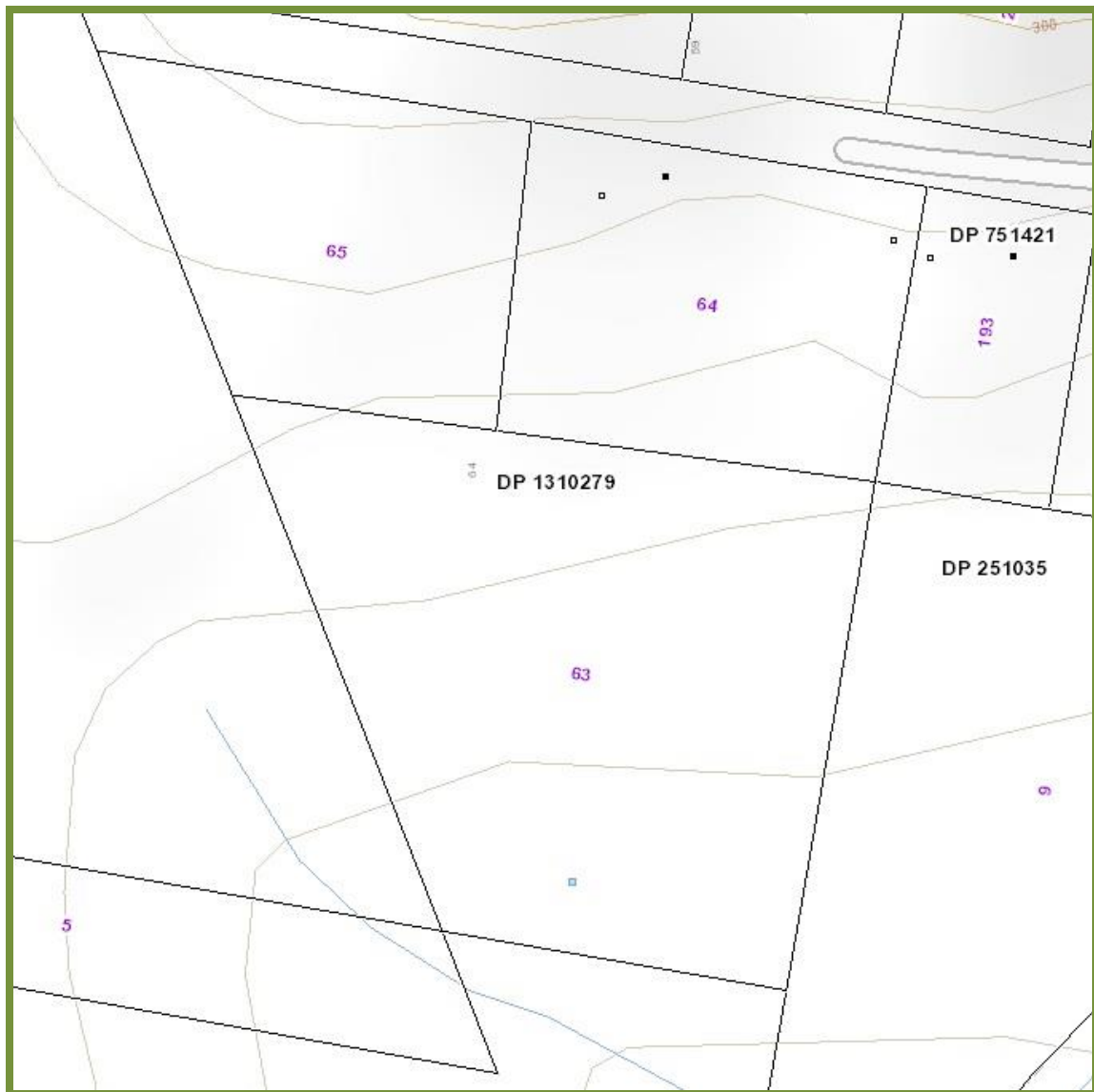
● Figure 1: Development Site (<https://google.com/maps>)

## 2. Development Site Locality & Description

The development site, Lot 63 DP1310279, is located on the southern side of O'Hagan Street approximately 1.6 kilometres north west of Gundagai CBD. The site bordered by some residential development but predominantly vacant land. The site has a land zoning of R5 Large Lot Residential as does the surrounding land. The site is presently vacant land.

As shown in Figure 2, the site is a regular shape and is 2.376 hectares in size. The site does not have street frontage and access is gained via a right of access easement, burdening Lot 64 DP1310279. This access is a shared access, also benefitting Lot 65 DP1310279.

The site has fall to the south with a dam located along the southern boundary. The site is mapped as being in the bushfire buffer zone and concurrence with NSW Rural Fire Service will be required.



**Figure 2: O'Hagan Street, Gundagai – Lot 63 DP1310279**

### 3. Proposed Development

Our client proposes a two lot residential subdivision (large lot residential) for residential use as per the current use of the site. As per the Plan of Proposed Subdivision, proposed lot 66 will be approximately 1.127 hectares and proposed lot 67 will be 1.249 hectares, both subject to survey.

It is understood Council's reticulated services for both sewerage and water are located on O'Hagan Street and will require extension to service both proposed lots. Access to both proposed lots is via O'Hagan Street and a Right of Access and Easement for Services variable width located to the north of the site.

Electricity infrastructure is located in close proximity to the site. The existing dwellings are serviced via a powerline entering O'Hagan Street from the east which will allow connection to both proposed lots if so required. Alternatively, new dwelling construction may utilize stand alone solar power systems if the cost to connect to the existing grid are prohibitive to the development.

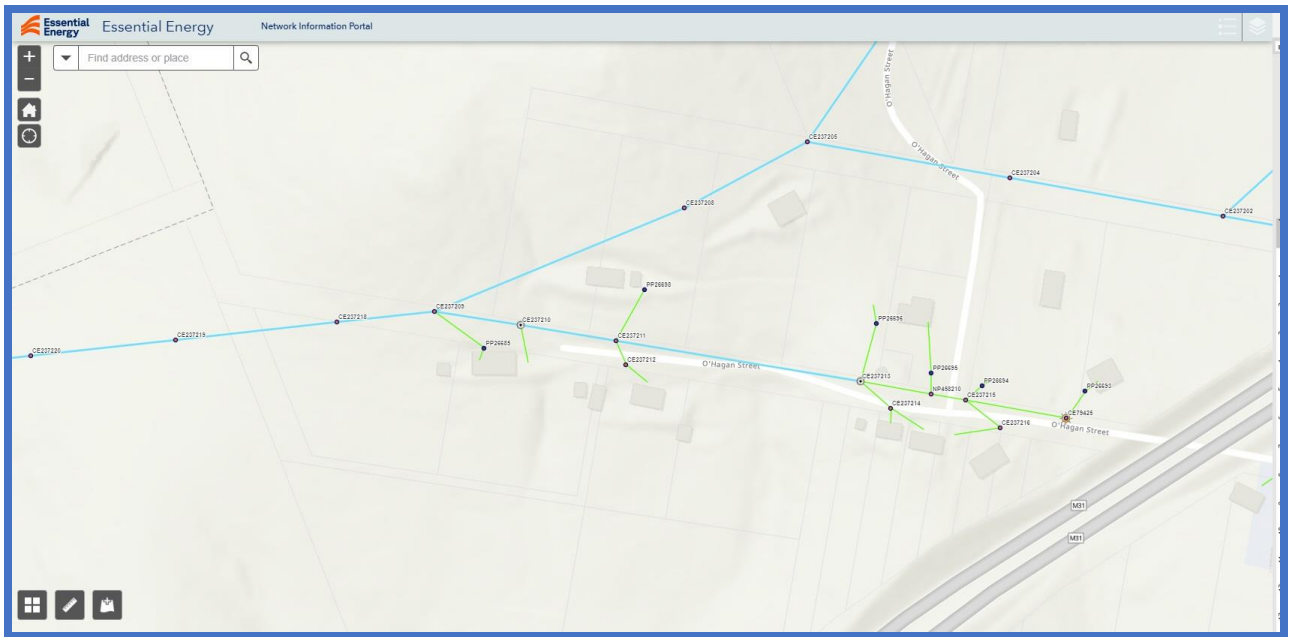


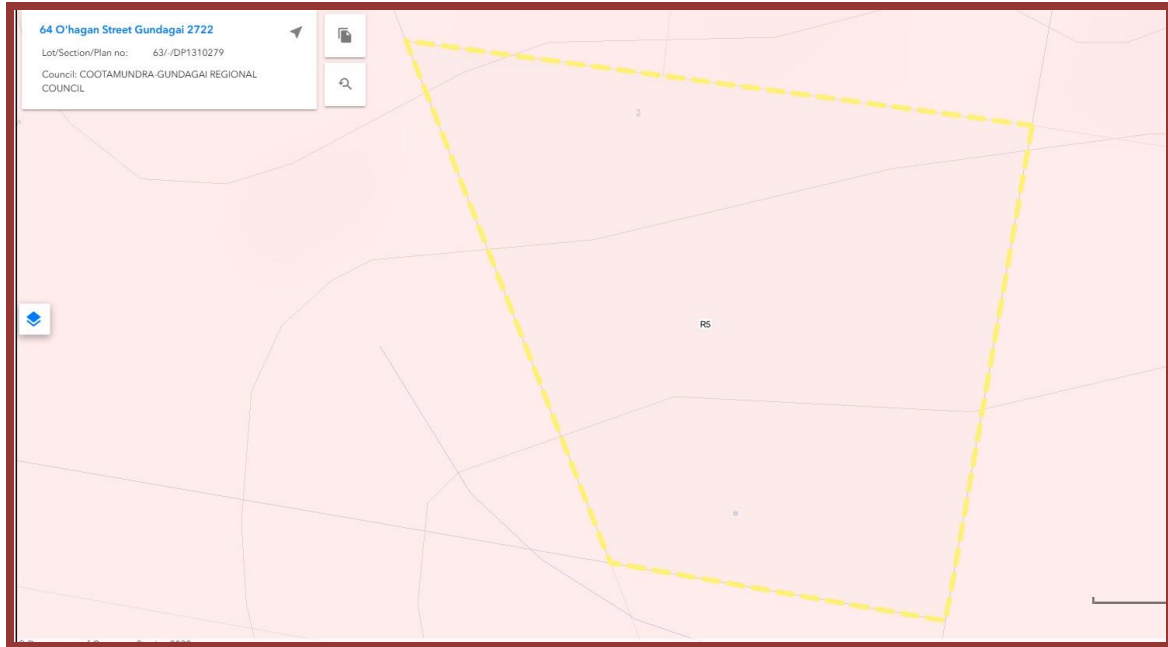
Figure 3: Essential Energy Infrastructure



## 4. Planning Provisions

### GUNDAGAI LOCAL ENVIRONMENTAL PLAN 2011

The subject site is zoned R5 Large Lot Residential under the provisions of the Gundagai Local Environmental Plan 2011 as illustrated in Figure 3 below.



**Figure 4: Zoning Map (<https://www.planningportal.nsw.gov.au/spatialviewer>)**

Under the provisions of the Gundagai LEP 2011, the proposed subdivision land use would fall under 'any other development not specified in item 2 and 4'. We define the proposed development as 'residential accommodation' as per Gundagai LEP 2011 dictionary as per extract below;

**residential accommodation** means a building or place used predominantly as a place of residence, and includes any of the following—

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,

(i) rural workers' dwellings,

(j) secondary dwellings,

(k) semi-detached dwellings,

(l) seniors housing,

(m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

Residential subdivision is permitted in R5 Large Lot Residential zone, with consent, under Gundagai LEP 2011. An extract of the land use table for the R5 zone is provided below.

## **Zone R5 Large Lot Residential**

### **1 Objectives of zone**

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To ensure development has appropriate access to water for domestic consumption and bushfire protection.
- To encourage development that enhances local visual amenity.
- To encourage the protection and management of remnant native vegetation.

### **2 Permitted without consent**

*Home occupations, home industries*

### **3 Permitted with consent**

*Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Dwelling houses; Garden centres; Intensive plant agriculture; Landscaping material supplies; Local distribution premises; Oyster aquaculture; Plant nurseries; Pond-based aquaculture; Roads; Roadside stalls; Tank-based aquaculture; Any other development not specified in item 2 or 4*

### **4 Prohibited**

*Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boarding houses; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Educational establishments; Electricity generating works; Emergency services*

*facilities; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Function centres; Group homes; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Hostels; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Multi dwelling housing; Open cut mining; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities; Wholesale supplies*

As shown previously in Figure 3, adjoining land is also zone R5 Large Lot Residential. The objectives of the R5 Large Lot Residential zone are outlined in the table below.

**Table 1: Objectives of R1 General Residential**

Zone Objectives	Comments
To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.	This proposal creates a further additional large lot residential lot to provide for the housing needs of the community. Both proposed lots meet the minimum lot size requirements, being greater than 1 hectare.
To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.	The proposal is proper and orderly and is consistent with the surrounding residential development. The design will not hinder future urban development if rezoning of this land takes place.
To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.	The proposal will not unreasonably increase the demand for public services or public facilities in the area as in this point in time it will only allow for the construction of the maximum of four future dwellings.(dual occupancy)
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The site and surrounding land is zoned R5 Large lot residential. It is not anticipated an increase of land use conflict will occur with this proposal as the site is to be utilized for residential use as is the surrounding land.
To ensure development has appropriate access to water for domestic consumption and bushfire protection.	Connection to Council existing water infrastructure is intended. As the site is located in a mapped bushfire zone, it is anticipated a dedicated water supply will be provided for bushfire protection upon construction of a dwelling.
To encourage development that enhances local visual amenity.	This proposal will not detract from the current visual amenity of the area.
To encourage the protection and management of remnant native vegetation.	The site is cleared land with a scattering of native mature trees. This proposal will not require land clearing.



**Table 2: Gundagai LEP 2011 Clauses - relevance to the proposed development.**

<b>PART 2: Permitted or Prohibited Development</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>
2.1	Land use zones	Zoned R5 Large Lot Residential	yes
2.2	Zoning of land to which Plan applies	Site is included in Council mapping	yes
2.3	Zone objectives and Land Use Table	This proposal is permissible with development consent	yes
2.6	Subdivision – consent requirements	Consent must be sought for the proposed development	yes
<b>PART 3: Exempt and complying development</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>
3.1	Exempt development	Not applicable	n/a
3.2	Complying development	Not applicable	n/a
3.3	Environmentally sensitive areas excluded	Not applicable	n/a
<b>PART 4: Principal development standards</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>
4.1	Minimum subdivision lot size	All proposed lots will be equal to or greater than the minimum lot size of 1 hectare for land zoned R5 Large Lot Residential.	yes
4.1A	Minimum subdivision lots size for community title schemes	Not applicable	n/a
4.2	Rural Subdivision	Not applicable	n/a
4.2A	Erection of dwelling houses on land in certain rural and residential zones	Not applicable	n/a
4.2B	No strata subdivision in certain rural zones	Not applicable	n/a
4.6	Exceptions to development standards	Not applicable	n/a
<b>PART 5: Miscellaneous provisions</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>

			e
5.1	Relevant acquisition authority	Not applicable	n/a
5.2	Classification and reclassification of public land	Not applicable	n/a
5.3	Development near zone boundaries	Not applicable	n/a
5.4	Controls relating to miscellaneous permissible uses	Not applicable	n/a
5.8	Conversion of fire alarms	Not applicable	n/a
5.10	Heritage conservation	Not applicable	n/a
5.11	Bushfire hazard reduction	Not applicable	n/a
5.12	Infrastructure development and use of existing buildings of the Crown	Not applicable	n/a
5.16	Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	The proposed development is considered compatible for the area and it is not envisaged the proposal will have a significant impact on land use in the vicinity of the development.	yes
5.18	Intensive livestock agriculture	Not applicable	n/a
5.19	Pond-based, tank-based and oyster aquaculture	Not applicable	n/a
5.20	Standards that cannot be used to refuse consent – playing and performing music	Not applicable	n/a
5.21	Flood planning	Not applicable	n/a

#### **PART 6: Additional local provisions**

	Clause	Comments	Applicable
6.1	Biodiversity Protection	Not applicable	n/a
6.2	Land Protection	Not applicable	n/a
6.3	Water Protection	Not applicable	n/a
6.5	Earthworks	Not applicable	n/a

6.6	Essential Services	All essential services will be provided to the development where possible.	yes
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## 5. Other Relevant Section 4.15 Matters For Consideration

Section 4.15 of the Environmental Planning and Assessment Act 1979 states ‘that in determining a development application, a consent authority is to take into consideration’ other relevant matters. These matters are addressed in the table below.

**Table 4: Other relevant matters**

Relevant Matters	Comments
The provisions of any environmental planning instrument	Addressed in table 2.
The provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority	There are no known proposed instruments applicable to the development.
The provisions of any development control plan	n/a
The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	There are no known planning agreements applicable to the proposed development.
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	<i>Addressed in 4, ‘Likely impacts of the Development’</i>
The suitability of the site for the development	Based on the physical evidence and evidence provided in this document, the site is considered suitable for the proposal. It is considered this proposal is consistent with the objectives of the zone and the character of the immediate area.
Any submissions made in accordance with this Act or the regulations	If in Council’s opinion public notification is required, Council will be required to undertake the appropriate public consultation process and consider any submissions as a result of public notification
The public interest	The public interest is supported with this proposal as the development is in accordance with the publicly endorsed planning policies and guidelines.

	This proposal will allow compatible development on the site with the desired character and amenity of the area to be maintained.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	It is not envisaged any land clearing will be required. The site is not recognized koala habitat. This development is unlikely to affect threatened species as determined by clause 7.2 Biodiversity Conservation Act 2016.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	n/a
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	n/a
State Environmental Planning Policy (Housing 2021)	n/a
State Environmental Planning Policy (Industry & Employment) 2021	n/a
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	n/a.
State Environmental Planning Policy (Planning Systems) 2021	n/a
State Environmental Planning Policy (Primary Production) 2021	n/a
State Environmental Planning Policy (Resilience & hazards) 2021	n/a
State Environmental Planning Policy (Resources & Energy) 2021	n/a
State Environmental Planning Policy (Transport & Infrastructure) 2021	n/a

## 6. Other Likely Impacts Of The Development

The other likely impacts of the development are considered below.

**Table 5: Likely impacts of the development**

Primary matter	Comments	Impact
CONTEXT AND SETTING	The development is consistent with the expectations for development in the area. It is not anticipated to have any adverse impact on the setting and surrounding properties.	acceptable
STREETSCAPE	The development will not detrimentally affect the existing streetscape.	acceptable
TRAFFIC, ACCES AND PARKING	Traffic will not be altered within this proposal. Future dwelling construction will increase vehicle movements. Access and off street parking will be available to all proposed lots and will not impact the availability in existence.	acceptable
PUBLIC DOMAIN	The development will have minimal impact on the public domain.	acceptable
UTILITIES	The proposed development will have minimal impact on the current utilities. Future dwelling construction will increase the demand for utilities.	acceptable
HERITAGE	The proposal is not subject to any heritage provisions.	Not Applicable
OTHER LAND RESOURCES	The development will have no impact on other land resources.	Not Applicable
WATER QUALITY AND STORMWATER	The development is not anticipated to impact on water quality or increase storm water to unmanageable levels.	acceptable
SOILS, SOIL EROSION	The development will have an impact on soils due to possible civil works being required. Control measures in relation to erosion and contamination will be in place to ensure minimal impact.	acceptable
AIR AND MICROCLIMATE	The development is not anticipated to have any adverse impacts on air quality or microclimate. Civil works may produce dust but control	acceptable

	measures will be put in place.	
FLORA AND FAUNA	The development is not anticipated to have any adverse impacts on flora or fauna.	Not Applicable
WASTE	The development is not anticipated to generate any additional waste.	Not Applicable
NOISE AND VIBRATION	The development may produce noise if/when civil works are commenced. Control measures will be put in place to reduce when required.	acceptable
NATURAL HAZARDS	The site is not subject to natural hazards.	Not Applicable
TECHNOLOGICAL HAZARDS	The development is unlikely to create any technological hazards.	Not Applicable
SAFETY, SECURITY AND CRIME PREVENTION	No adverse safety and security impacts are anticipated as a result of the development.	Acceptable
SOCIO-ECONOMIC IMPACT IN THE LOCALITY	Minimal, short term economic benefits are expected as a result of expenditure and employment of local contractors for any works required.	Acceptable
OVERLOOKING AND OVERSHADOWING	Not relevant for this proposal.	Not Applicable
LANDSCAPING	Established trees and native vegetation are located on the site.	Acceptable
CONSTRUCTION	Not relevant for this proposal, no dwellings proposed.	Not Applicable
PRIVATE OPEN SPACE	All proposed lots have the ability for private open space.	Acceptable
CUMULATIVE IMPACTS	The cumulative impact of the development is considered low.	Acceptable
DISABLED ACCESS	Not relevant for this proposal.	Not Applicable
SIGNAGE	Not relevant for this proposal.	Not Applicable
SETBACKS AND BUILDING ENVELOPES	Not relevant for this proposal.	Not Applicable
SEWERAGE	Extension of Council's reticulated system will be required. The proposed development will not	Acceptable



	increase demand to an uncontrollable level.	
WATER	Extension of Council's reticulated system will be required. The proposed development will not increase demand to an uncontrollable level.	Acceptable

## 7. Conclusion

This SEE report has been prepared to support an urban residential subdivision (two lots).

The proposal has been described and discussed in previous sections of this report, and has been considered in respect of the relevant planning provisions applicable to the proposed development. The proposal is considered to be permissible for the following reasons:

- The proposal is permissible under the provisions of the Gundagai Local Environmental Plan 2011 and meets the objectives of the applicable zone;
- The proposal will not have any significant adverse environmental impacts, natural or man-made.
- The proposal will not have any significant adverse impacts on the neighbourhood.

As demonstrated throughout this report, the development is permissible with consent, subject to a council merit assessment.

### **Disclaimer**

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