

DEVELOPMENT APPLICATION

13 Wollondilly Ave, Goulburn
Lot 5 DP 1314476



**Torrens Title Subdivision retaining existing dwelling and
construction of a new dwelling**

Applicant: Skymar Pty Ltd

12th April 2025

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STATEMENT OF ENVIRONMENTAL EFFECTS

1. Introduction

This report is prepared on behalf of Tony and Fiona Favro of Skymar Holdings Pty Ltd for the proposed development of a Torrens Title subdivision of 1 lot into 2 maintaining the existing dwelling and the construction of one new dwelling on the site known as 13 Wollondilly Avenue, Goulburn on the southern edge of the Kenmore Hospital site.

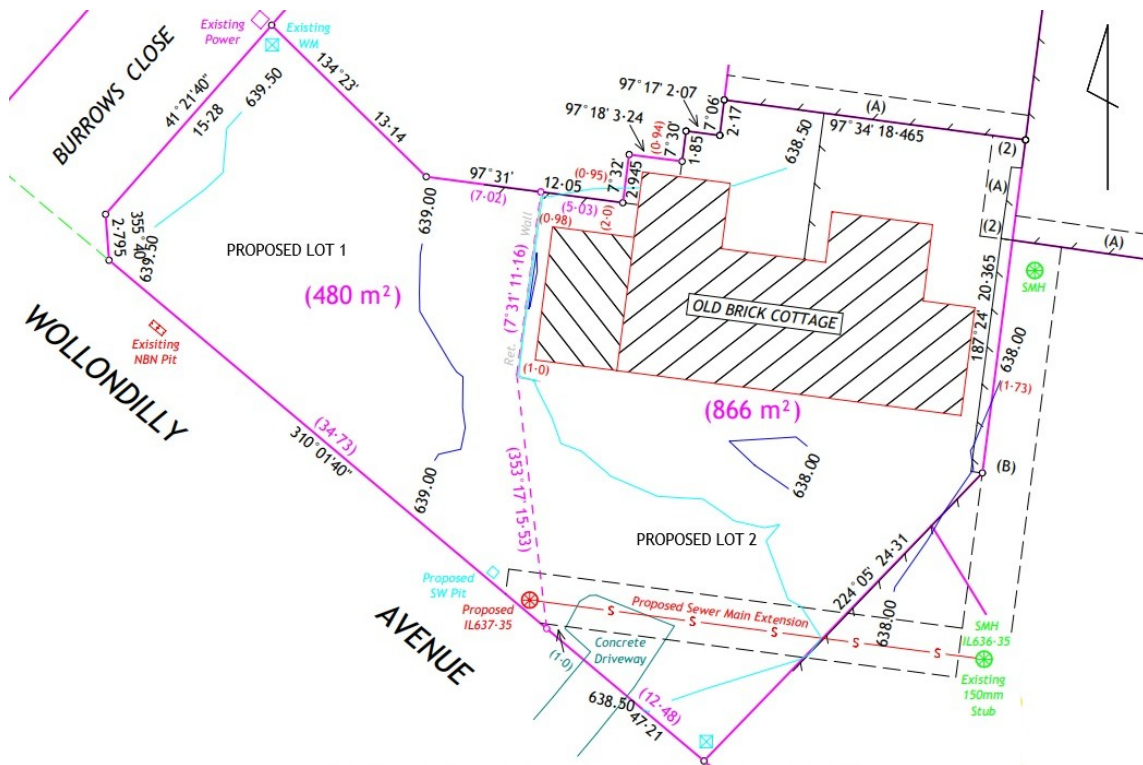
The cost estimates have been prepared in accordance with the Department of Planning Advice.

2. The Proposal

The proposal constitutes the subdivision of 1 lot into 2 by way of Torrens title, maintaining the existing dwelling and the construction of one new dwelling on the residual land/proposed new lot to create separate titles for each freestanding dwelling.



Aerial view of 13 Wollondilly Ave marked in Yellow (Kenmore Hospital buildings to the North/East and the old Police academy to the West. The property to the South has since been developed).



Plan of proposed lot 1 and 2 from existing lot 5 DP 1314476

3. Site Context

3.1 Description of the site

The site is an irregular shaped parcel of land known as Lot 5 / DP 1314476 Wollondilly Avenue, Goulburn. It has an area of 1346 sqm and is on the north side of Wollondilly Avenue, surrounded by the Kenmore Gardens. It has frontages to Wollondilly Ave and Burrows Close.

There is an existing renovated house on the site which was previously part of the Strathallen cottages and has recently been subdivided as part of River Run Estate,

The site is within a Heritage Conservation area with Kenmore Gardens Surrounding the Estate.

3.2 The Surrounding Area

This site is located on the edge of the town about 5 km from the city. It's context includes a range of fringe town activities common in rural townships, including the former Kenmore Hospital complex.

To the west and within the Kenmore Hospital site is a tract of land comprising a significant number of well established trees, previously known as the 'forest'. The size, age and range of species on this land provide an important visual backdrop to the subject site. Further to the west is the three storey brown brick building that is known as the old nurse's accommodation for the Kenmore Hospital Complex.

The heritage listed buildings within Kenmore Gardens are in excess of 100m from the site with no visibility from the proposed site due to well established 'Forest' with several vacant blocks of land that will be built on in the future.

Across the street on the south side of Wollondilly Avenue is the old Seventh Day Adventist Church convention centre site. This site has been developed by Boathouse developments. The adjacent dwellings are all single storey Torrens title dwellings on lot sizes ranging from 350sqm to 700sqm.

Travelling west and further up Wollondilly Avenue on the south side is a short row of residences. These residences vary considerably in quality and type of construction and are out of view from the subject site.

In summary, a description of the existing character of the area is that it is a transitional area on the fringe of the township comprising a range of uses; such as a three storey multi dwelling structure previously used for nurses and surrounded by other structures used previously in association with the Kenmore Hospital site to the north.

3.3 Future Character of the Area

With the ongoing plans to revitalise the Kenmore Hospital site as proposed under the Draft Master Plan, the area will be significantly changed and re-developed as has been recently exhibited with the development of land directly opposite Lot 2. With the maintaining of the existing residential dwelling and conversion of the remainder of the site to residential area, the future character of the area will be transformed to an active residential hub.

Residential development is part of the strategic plan for the future.

4. Environmental Planning Instruments and Development Control Plans

Statutory Controls

Comments are provided for consideration against matters deemed relevant to the proposal and in accordance with Section 4.15 of the EPA Act 1979

STATE ENVIRONMENTAL PLANNING POLICY (Biodiversity & Conservation 2021)

Chapter 6 Water Catchments

- provisions to support the water quality objectives for the Sydney drinking water catchment

Division 2 – Controls on development generally

6.6 Water quality and quantity

(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—

- (a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,
- (b) whether the development will have an adverse impact on water flow in a natural waterbody,
- (c) whether the development will increase the amount of stormwater run-off from a site,
- (d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,
- (e) the impact of the development on the level and quality of the water table,
- (f) the cumulative environmental impact of the development on the regulated catchment,
- (g) whether the development makes adequate provision to protect the quality and quantity of ground water.

(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—

- (a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and
- (b) the impact on water flow in a natural waterbody will be minimised.

Other relevant considerations within this SEPP relate to

6.7 Aquatic ecology

In summary, this proposal meets the aims of this SEPP

- (a) It considers the maintaining of healthy water catchments that will deliver high quality water and is compatible with that goal, and
- (b) The development demonstrates it can achieve a neutral or beneficial effect on water quality, and
- (c) It supports the maintenance or achievement of the water quality objectives for the Sydney drinking water catchment.
- (d) It ensures the protection of the environmental, social and economic future of the Sydney Catchment Area and will not have an adverse or cumulative impact on waterflow.



The site falls within the catchment area (marked in grey on the map).

Due to the site being within the catchment area, Stormwater quality improvement devices (SQIDS) have been considered in the design to ensure the proposed development will have a neutral or beneficial effect (NorBe) on the water quality of rivers, streams or ground water in the hydrolocal catchment, including during periods of wet weather, whether the water quality management practices are sustainable over the long term and whether it is compatible with relevant environmental objectives and water quality standards established by the relevant authorities.

The proposal has been considered in Module 1 in accordance with table A1 of the SCA NorBE Assessment Guidelines 2022.

Table A1 – Development Classes and Module Groupings

Development Class	Description	Module Grouping
C	New dwelling/dual occupancy Sewered.	1
MS1	Subdivision, sewerred	1

Further information on the Atlan and Spel stormwater system refer to the WCMS attached

GOULBURN LOCAL ENVIRONMENT PLAN 2009 (LEP 2009)

The site is **zoned 'R1 General Residential'** Under the Goulburn Local Environmental Plan 2009, as amended.

Permissible uses include (but not limited to) attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Plant nurseries; Residential flat buildings;

The proposal is defined as a dwelling house, therefore the proposal is compatible with and complies with the permissible uses for the zone.

The development meets the objectives of the Zone and the development standards

The proposed use is required to satisfy the objectives of the zone as outlined in Part 2 – Permitted or prohibited development. The Table below indicates that it complies with all four primary objectives.

	Objectives of Zone R1 – General Residential	Comment
1(a)	To provide for the housing needs of the community	Complies. The site is included in Residential Development Area 4, the Area identified by Council for the 'highest' density residential development for Goulburn i.e. medium density housing.
1(b)	To provide for a variety of housing types And densities.	Complies. It satisfies a demand for residential housing.
1(c)	To enable other land uses that provide facilities or services to meet the day to day needs of residents facilities or services to meet the day to day needs of residents	Complies. It provides variety for housing types.
1(d)	To Maintain the economic strength of commercial centres by limiting the retailing of food and clothing	Complies. It is for residential use.

CONTROLS	REQUIREMENTS	PROPOSAL
Property Zoning	Zone R1 residential	compliant
Permissibility	Dwelling houses are permissible forms of development in this zone.	compliant
Minimum Lot Size	700m ²	See Variation to clause 4.1
Maximum building height	8m	<8m
Flood	Not affected	N/A
Heritage	Heritage conservation area	refer to Heritage Impact statement and reference in DCP controls and further comments.
Bushfire	Not affected	N/A

This site is adjacent to the Kenmore Hospital Site and consistent with the objectives of the Draft Kenmore Master Plan. This development will have a synergistic impact on the Heritage Conservation area and will assist in facilitating the preservation of the heritage values of the Adjoining Heritage listed site.

The DCP outlines Council's policy on residential development. Practically, it gives direction to Council in the interpretation of Section 79C of the *Environmental Planning and Assessment Act* in determining Development Applications.

The application is evaluated in relation to the development controls of the Dcp and standards of the LEP.

Consideration has been given to the provisions relevant to the proposal and in conjunction with the Heritage Design Manual.

PRINCIPAL DEVELOPMENT CONTROLS - DCP 2009

4.1 Residential development

Objective

Achieve a coherent site layout that provides a pleasant, attractive, manageable, resource efficient and sustainable living environment.

Ensure bulk and scale does not have an unacceptable impact on the streetscape and the character of the locality.

Higher density developments are located close to public transport shopping and community facilities.

	REQUIREMENTS	PROPOSAL
4.1.1	Site Planning, Bulk, Scale and Density	considered/compliant
4.1.4	Cut and Fill to 600mm	compliant
4.1.5	Dwelling Design - not to comprise of substantially the same streetscape design	considered/compliant
4.1.6	Number of storeys	compliant
4.1.7	Solar Access	Compliant
4.1.8	Privacy	Compliant
4.1.9	Private open space min 75sqm, min length 6m, min width 4m	Compliant

4.1.10	Setback Rear min 6m, Side min 1m, Front min 4.5m, secondary street 3m	Mostly compliant – corner lot considerations
4.1.11	Views	considered/compliant
4.1.12	Traffic Safety and Management	considered/compliant
4.1.13	site facilities	considered/compliant
4.1.14	Energy Efficient Siting and layout	considered/compliant
4.1.15	External window shading and lighting	considered/compliant
4.1.16	Insulation	will be incorporated/compliant
4.1.17	Working hours	considered/compliant
4.1.18	Space heating and cooling	considered/compliant
4.1.19	subdivision	Refer variation to clause 4.1

The development satisfies the specific site planning performance standards:

Site planning, Bulk, Scale and Density

- Construction of the proposed new dwelling will be single level brick veneer, timber frame, with a concrete slab; the roof will be colourbond.
- It will consist of 3 bedrooms, 2 bathrooms, Double Garage
- The dwelling incorporates family zones with direct access to private open space.
- The proposed development is compatible with the dwellings and designs in the surrounding area and will compliment the neighbouring streetscape.

The proposed dwelling faces Wollondilly Ave and integrates with the pedestrian paths and links to Wollondilly River walkway. It is in keeping with the surrounding neighbourhood character.

Privacy, Views and Solar Access

- Visual Privacy. Privacy to the neighbours will not be invaded from the proposed new dwelling; the adjoining boundary fence will impede vision from adjoining neighbours and

- Acoustic privacy – As a residential property, it is anticipated that the property will not generate any extraordinary noise which would interfere with the peace and quiet enjoyment of the neighbours.
- Views – The surrounding dwellings to vicinity are a mix of relatively new single level modern dwellings. As there are no scenic qualities visible in the immediate vicinity, such as beaches, valleys, mountains etc. there would be no visual impairment to the neighbours as a result of the proposed new dwelling.
- Overshadowing - The orientation of the proposed dwelling considers passive solar design principles. There is negligible overshadowing on neighbouring properties due to the siting of the proposed dwelling and the single level design. Neighbouring properties will still receive the 3hrs of sunlight to their private open spaces.

Traffic safety and Management

The proposed development will have an access via new driveway to be located on the right hand side of the proposed allotment.

- The development will not adversely impact local traffic movement as it will be in keeping with the general growth and density of the area.
- The development will not require additional access points to road network.
- Wollondilly ave is a wide road with room for kerb side parking and will allow for ease of deliveries and construction vehicles, there is also side access from Burrows Close.

Heritage Conservation area consideration

- The single level design does not impose on the surrounding properties and is in keeping with the character of the existing dwellings and surrounding neighbourhood with negligible impact on the streetscape. It is therefore also sympathetic to the heritage conservation area by maintaining uniformity, colour and style consistent with the surrounding area with no adverse visual impacts to the adjoining heritage site.

As the Heritage Significant site is some distance away and is nestled behind dense trees ('the forest') the proposed development has no impact on the item.

Site facilities and services

- Services including; water, sewerage, electricity and nbn are already installed or existing and available to the site.
- Method of sewerage effluent and stormwater disposal to be discharged to existing sewer line. Refer to site plan.
- Site toilets and lunch room will be available to the site at the time of construction as well as designated areas for storage, recycling, deliveries and waste.

Subdivision

Objectives

Control the density of development in order to manage population growth and maintain the character of urban areas. Promote lot sizes of appropriate size to accommodate residential dwellings and related private open space.

Variation to Clause 4.1 LEP 2009 – Minimum lot size

R1 General Residential– 700m²;

GMC LEP 2009

4.1 Minimum subdivision lot size

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

- (a) to provide a minimum lot size for the subdivision of land.
- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.
- (4) This clause does not apply in relation to the subdivision of any land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the [Strata Schemes Development Act 2015](#), or
 - (b) by any kind of subdivision under the [Community Land Development Act 2021](#).

The proposed subdivision currently consists of one lot with an existing dwelling. The lot has a total area of 1346sqm with the existing house being positioned into the corner of the lot.

The proposed Torrens Title subdivision would result in a lot with an existing dwelling being 866sqm and a new lot being 480sqm.

The extent of the variation:

Lot 1 – 31.45%

Lot 2 – 0%

In consideration of environmental and sustainability factors, It is proposed to maintain the existing dwelling which would result in a better planning outcome and reduce unnecessary environmental impact due to building waste.

The proposed dwelling would meet all the planning requirements and be in keeping with the area and those dwellings adjacent.

While a semi detached dwelling could be achieved by way of dual occupancy and subsequent strata subdivision, given the layout and size of the lot, all services can be supplied to the proposed new dwelling independently and are currently installed and available, a detached, torrens title dwelling would be in keeping with similar properties in the vicinity and be more desirable not to attach or semi attach a new dwelling to an existing older style dwelling on the current lot.

Electricity supply has already been approved and provided by way of a private pillar and a separate water meter has been installed.

Access would be via Wollondilly Ave where new access footpaths have recently been installed.

As the existing allotment has a long street frontage, the proposed new dwelling would have its own substantial street frontage.

CONCLUSION: Proposed lots 1 and 2 would have substantial direct street frontage to Wollondilly Ave. It has been demonstrated that both the existing and proposed dwellings can comply with the objectives for the current development standards and controls and will not have any adverse impact on the nearby heritage listed site and is compatible with the development in the vicinity . The resultant lots would still be substantial sizes. Compliance with the minimum lot size for lot 1 is considered unnecessary in this circumstance.

Setbacks

4.1.10.1 rear setbacks

A minimum rear setback of 6m is required for all residential development.

The proposed works are single storey, therefore natural light and ventilation will not be imposed on the neighbouring sites. Visual privacy will not be impacted upon the residents nor the adjoining neighbouring sites due to the single storey nature of the proposed works. Careful design consideration has been implemented to the proposed floor plan with mostly low use rooms in the reduced setback location to ensure consideration to the acoustic amenity of the adjoining residents. Outdoor private open space and entertaining areas have been set back to comply with standard set back requirements and in consideration to neighbouring properties.

Due to the odd shape of the lot and to ensure the street aspect is visually appealing as well as providing desirable internal living spaces. A small portion of the dwelling has been designed with a rear set back of less than 6m. Considerations of the corner position of the proposed dwelling and the siting of the adjoining neighbouring dwelling of Burrows Close being set to the rear of the lot, the reduced setback to the western end of the rear yard is adjacent to neighbouring car parking and does not encroach on any private space of the adjoining dwelling to the rear.

In consideration of environment and sustainability, the corner allotment and residual land shape, due to the siting of the existing dwelling, the rear set back on the proposed new dwelling is considered in keeping with the objectives of the principal development controls and zone requirements.

Streetscape

The existing house on the subject site is set back from Wollondilly Ave and Burrows Close and appears as a low lying, single storey dwelling with low pitched roof.

The streetscape is dominated by other elements such as the 'forest' to the immediate west of the site and the three storey nurses' accommodation which is softened by the landscape buffer on the frontage of that property.

The development adjacent is a range of modern single level, Torrens Title dwellings with lot sizes ranging from approx 300sqm to 700sqm

The inclusion of an additional residential dwelling on the subject site will have a positive impact on the streetscape. The scale of the proposed built form will give balance to the scale of the trees and the three storied nurse's accommodation beyond, and the existing built forms in the adjacent estate.

It is a sensitively designed 'in fill' development that appropriately responds to the built and natural elements of the street.

HERITAGE REQUIREMENTS

The subject site is part of an estate that adjoins Kenmore Gardens which is listed as a State Significant Site under the *Heritage Act*.

A Heritage Impact Statement has been prepared and is attached.

In preparing the proposal, consideration has been given to the elements of the Heritage Design Manual and relevant comments included.

Heritage Design Manual

SUBDIVISION APPLICATIONS

- To retain the development and subdivision pattern of conservation areas including their characteristic rhythm and spacings of built form;
- To retain significant curtilages, views and vistas and landscape elements associated with individual heritage items; and
- To retain the original subdivision pattern in conservation areas.

Requirements

Subdivision of land must comply with the minimum allotment size requirements of the LEP and with this heritage design chapter. Subdivision applications for land either in the vicinity of, or on which heritage items are situated, or in conservation areas are required to be accompanied by adequate plans, showing the building envelopes, siting and setbacks of the proposed buildings, that must demonstrate to Council's satisfaction that:

- The allotment and building spacing, i.e., frontage widths, side and front boundary setbacks, are typical;
- The rhythm of buildings in the streetscape of conservation areas is retained;

- Vistas and views to and of heritage items and significant buildings, especially the principal elevations of buildings, are not interrupted or obscured;
- the landscape quality of the streetscape in conservation areas is retained;
- The setting of the heritage item and a satisfactory curtilage, including important landscape and garden elements, are retained;
- The scale and form of proposed new construction or buildings is compatible with the dominant heritage elements;
- The essential qualities of the streetscape and building style, on which the locality's heritage depends, are preserved in the new development. Where new or more recent development in the vicinity of the proposal varies older development standards and the essential heritage characteristics of a locality, the proposal is to ignore these recently introduced characteristics, e.g. two storeys in an otherwise single storey locality, in favour of using the prevailing predominantly original development as a guide to desired character for further development;
- The subdivision will not require demolition that would adversely affect the streetscape; and
- The contours and natural features of the site have been retained.

CORNER ALLOTMENTS

Objectives

To ensure that the characteristics of the conservation area or heritage item are considered from both streets.

Considerations: While the proposed development is within a Conservation area, as the heritage listed buildings and site are more than 100m away and are not visible to the proposed development, therefore no elements of the proposed development will have an adverse impact on the Heritage site.

The use is compatible with existing adjoining development in the street and proposed land uses under the current Draft Kenmore Master Plan and Conservation Management Plan .

The proposed development will contribute positively to providing additional quality residential dwellings in harmony with existing planning policies.

While the colours of the existing dwellings and new dwellings in the vicinity vary from the colour chart provided within the Heritage Design Manual, as No. 13 Wollondilly Ave is within a Conservation area, the External Colour Guide provided by Council will be considered along with Councils clause relating to External Colour guide, this will ensure

that external finishes provide consistency and harmony in conservation areas and compliment the surrounding heritage items while being consistent with the theme in the street.

Conclusion: It has been demonstrated that the proposed development will be of benefit to preserving the heritage values of the adjoining Conservation Area; by providing a compatible use, sensitively designed to respect the values of the adjoining Conservation Area, that will encourage and re-enforce the strategic plan. The development will have no negative impacts on the heritage values of the Conservation Area. Therefore the proposed development complies with all relevant objectives for heritage conservation.

5. Suitability of the site for development

The development is compatible with the current land use pattern and in harmony with the strategic planning strategy for the land in the vicinity of the site. Favourable consideration should be granted based on the existing and future planning controls for the site and locality.

6. Conclusion

The proposal generally complies with the requirements of the Goulburn Mulwaree Local Environmental Plan 2009, Goulburn Mulwaree Development Control Plan 2009 and in accordance with the Heritage Conservation Area requirements, the Heritage Design Manual, the Kenmore Conservation Management Plan 2012 and the Kenmore Masterplan

As the proposed dwelling and Torrens Title subdivision will not have any significant impact on the environment, scenic quality of the area, the amenity of the adjoining allotments or pose any issues in relation to heritage conservation or impact on the adjoining State heritage listed site and complies with the objectives of the relevant policies and guidelines the issue of Development Consent under the delegation of Council is requested.