

## **Re-Subdivision of land at**

Lot 153 on Deposited Plan 753338,

and;

Lot 163 on Deposited Plan 753338

P002293

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## SUMMARY

This document is an application report, which forms the statement of environmental effects for a term used in statute and expressed at Section 24 of the *Environmental Planning and Assessment Regulation 2021*.

### 1. DESCRIPTION

It is proposed to re-subdivide land to create two (2) new parcels from two (2) existing ones. The current parcel configuration is not convenient for the predominant use (agriculture) and is of a smaller size than long-standing town planning policy seeks to achieve. Changing this to have two (2) parcels of land which are practical sizes and configurations, which respond to the topography and fences is the desired outcome.

No use or development is proposed at this time, nor is any discontinued.

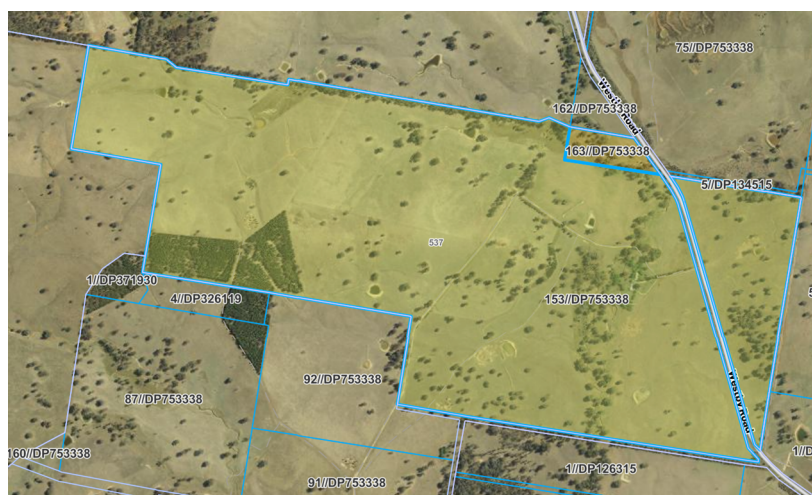
### 2. THE SUBJECT SITE

#### 2.1 Description

The subject land is

- Lot 153 on Deposited Plan 753338 which has an area of 3,002,921.88 square metres, and;
- Lot 163 on Deposited Plan 753338 which has an area of 48,714.08 square metres
- Yeilding a total area of 305.163596 hectares on the existing survey, last examined in 1967, when a former road reserve was removed.

The site is, like the entire locality, used for agriculture, and has fences internal access tracks which match that use. An existing dwelling, it's outbuildings and access will continue un-changed.



### 3. STATUTORY PLANNING FRAMEWORK

#### 3.1 Environmental Planning and Assessment Act 1979

Statutory considerations summary

EP&A Act Section		Comment
1.7	Section 7.2 of the Biodiversity Conservation Act 2016	No works are proposed, nor is it considered that new development is enabled by the proposal. One small and difficult-to-use parcel is combined with a much larger one, and then boundaries drawn to match use and topographical features.
4.5	Designation of consent authority	N/A
4.10	Designated development	N/A
4.14	Certain bushfire prone land	No development proposed nor enabled by this re-subdivision.
4.15	Evaluation	Local plan: Greater Hume 2012, classified as RU1 Primary Production Proposed local plans: N/A Assessment policies: Greater Hume Development Control plan 2014 Likely effects of the subdivision: removal of a small parcel which cannot achieve planning outcomes. Suitability of the subject site: overall, the site can achieve the planning outcomes desired, the proposal moves to establish these in new and orderly boundaries.
4.21	Concept development applications	N/A
4.32	Crown development	N/A
4.46	Integrated development	N/A
4.65	Existing uses	Agriculture, associated improvements. To persist unchanged. Dwelling and associated outbuildings. To persist unchanged.

#### 3.2 Local plan provisions

The Greater Hume local plan 2012 classifies the subject site as RU1 Primary Production. This has a target parcel size of 100 hectares, which is far exceeded by one parcel in the proposal and far greater than the size of the other parcel in this proposal.

Objectives for this zone classification are:-

Objective from local plan	Comment
encourage sustainable primary industry production by maintaining and enhancing the natural resource base.	This is achieved: the proposed re-subdivision is inspired by the features, improvements and productive use of the land, and remedies odd parcel sizes.
encourage diversity in primary industry enterprises and systems appropriate for the area.	Not directly affected nor hindered by this proposal.
minimise the fragmentation and alienation of resource lands.	Removing very different parcel sizes and establishing an orderly and more even parcel size is the opposite of fragmentation. The proposal achieves this objective.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	No other classifications of land are near the subject site.
To maintain the rural landscape character of the land.	This is achieved: the proposed re-subdivision is inspired by the features, improvements and productive use of the land, and remedies odd parcel sizes.

### 3.3 Assessment policies

The 2014 Greater Hume Development Control plan has the following elements which are applicable to the proposal, namely subdivision.

Section 6 - Subdivision	Comment
<p>6.1 Staging</p> <p>to ensure the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.</p> <p>General Standards</p> <ol style="list-style-type: none"> <li>1. Where staging of a subdivision is proposed, a staging plan must be submitted with the development application.</li> <li>2. Staging of subdivision should have regard to the existing and proposed provision of services and avoid staging development which would have negative effects upon infrastructure provision and/or design</li> </ol>	<p>No staging is proposed.</p>
<p>6.2 movement</p> <p>Objectives</p> <ul style="list-style-type: none"> <li>• To allow easy movement through and between neighbourhoods for all people.</li> <li>• To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</li> </ul> <p>General standards</p>	<p>Existing road access arrangements will be maintained.</p> <p>As existing development and use will persist, without change, and new development potential (compared to the status quo) is not created, there is not a foreseeable new demand placed on public roads.</p>

Section 6 - Subdivision	Comment
<p>1. Meet the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</p> <p>2. All development for subdivision must comply with the Council's standards for road design.</p> <p>3. For lots fronting a main road, access shall be from a secondary road where the opportunity exists.</p> <p>4. All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.</p> <p>5. Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.</p> <p>Industrial</p> <p>6. Streets and intersections are to be designed to accommodate the movement and manoeuvring of B-double vehicles</p>	
<p>6.3 lot design</p> <p>Objectives</p> <ul style="list-style-type: none"> <li>• To provide lots with areas and dimensions suitable for the proposed use.</li> <li>• To encourage lot design that will facilitate a high standard of subsequent development.</li> </ul> <p>General standards</p> <p>1. Meet the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</p> <p>2. Multi-lot subdivisions should provide for a range of lot sizes.</p> <p>3. Lots are to be provided with legal and practical public road access.</p> <p>4. Lots are to be designed to accommodate the type of development envisaged. Irregular shaped lots or lots too small will be regarded by Council as incompatible with objectives for this standard.</p> <p>Residential</p> <p>5. For battleaxe allotments a minimum width of the access handle is to be 4.5m.</p> <p>6. Lots are to be able to contain a rectangular building envelope measuring 10 metres by 15 metres, suitable for the erection of a dwelling</p> <p>7. Lots are to be designed to maximise solar access.</p> <p>Industrial</p> <p>8. Preferred minimum lot size for vacant lot subdivision is 1500m<sup>2</sup>. Smaller lots may be considered by Council if proposed for a specific development outcome.</p> <p>Rural</p> <p>9. The purpose of the subdivision shall be declared in the application.</p>	<p>Areas and dimensions of land parcels in the status quo are not orderly and do little to support productive and viable agricultural uses, rather such uses are required to work in spite of the odd configuration.</p> <p>The proposal is a simple re-subdivision, providing for much more orderly and regularly-dimensioned parcels of land, informed by the features of the overall site, and setting the cadastre in such a way that the long-standing policies and outcomes are able to be met.</p>



Section 6 - Subdivision	Comment
<p>6.4 infrastructure and services</p> <p>Objectives</p> <ul style="list-style-type: none"> <li>• To provide public utilities to each lot where possible.</li> <li>• To design and implement infrastructure that minimises Council's ongoing maintenance burden.</li> <li>• To minimise increases in stormwater run-off.</li> </ul> <p>General standards</p> <ol style="list-style-type: none"> <li>1. Meet the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</li> </ol> <p>Higher density and Average density, Lower density and Rural living</p> <ol style="list-style-type: none"> <li>2. Where a reticulated external potable water supply is provided, all lots shall be connected.</li> </ol> <p>Higher density and Average density.</p> <ol style="list-style-type: none"> <li>3. Where a reticulated external sewerage system is provided, all lots shall be connected.</li> </ol>	<p>Demand for connection to infrastructure (other than public roads) is not created by this proposal, as the subject site is entirely rural in setting, nature and use.</p>
<p>6.5 hazards</p> <p>Objectives</p> <p>To minimise the risk to life and property from bushfire.</p> <p>To minimise the risk to life and property from flooding.</p> <p>To minimise the risk to health and property from land containing harmful contaminants.</p> <p>General standards</p> <ol style="list-style-type: none"> <li>1. On land mapped as bushfire prone, compliance with the NSW Rural Fire Service guide Planning for Bushfire Protection (2006).</li> <li>2. On land considered by Council to potentially being subjected to flooding, an investigation of the land as to the flood risk and consideration of the Floodplain Development Manual: the management of flood liable land (2005).</li> <li>3. On land that is, or has previously been used for a potentially contaminating activity, an investigation of the land in accordance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land. An investigation should be in accordance with the process detailed in the State Government's Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land (1998).</li> </ol>	<p>Existing uses are to persist in the same state as they are today, at the date of application.</p> <p>No new development is suddenly enabled by this proposal.</p> <p>No earthworks are needed nor proposed.</p> <p>No changes to vegetation, nor release of gasses or materials are proposed, nor even considered necessary.</p>
<p>6.6 site management</p> <p>Objectives</p>	<p>Existing uses are to persist in the same state as they are today, at the date of application.</p>



Section 6 - Subdivision	Comment
<ul style="list-style-type: none"> <li>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</li> <li>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</li> <li>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</li> </ul> <p>General standards</p> <ol style="list-style-type: none"> <li>1. Meet the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</li> <li>2. Meet the Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga &amp; Hume Councils.</li> </ol>	<p>No new development is suddenly enabled by this proposal.</p> <p>No earthworks are needed nor proposed.</p> <p>No changes to vegetation, nor release of gasses or materials are proposed, nor even considered necessary.</p>

### 3.4 State Environmental Planning Policy

State Environmental Planning Policy	Reason for relevance
Transport and Infrastructure 2021	Not considered relevant due to the proposal being a mere re-subdivision of land, and one which moves towards the long-standing planning desired outcomes for parcel dimensions. Additionally, no development is proposed, hindered nor considered necessary.
Hazards and Resilience 2021	
Vegetation in non-Rural Area	This is a rural area.

## 4. EFFECTS ASSESSMENT

Pursuant to clause 24 of the EP&A Regulation, this section outlines the environmental impacts of the proposed development and any measures required to protect the environment or lessen the harm to the environment.

The impacts have been identified through an assessment of the proposed development against the provisions of Section 4.15(1)(b) of the EP&A Act and the Application Requirements (Department of Planning and Environment 2022).

This section also addresses the consideration at Section 4.15(c) and Section 4.15(e) of the Act that relate to the suitability of the site for the development.

## 4.1 Context and merits of the proposal

Rural land is the status quo, with long-established fences, access to roads and improvements which are normal to agriculture being present. All of these are to remain, with the smallest of changes (if any at all) to fences being the only foreseeable works required to give effect to the proposal.

Access arrangements remain the same as they are at present, with the roads and crossovers being suitable and in good order.

There is no need for works in the public domain, only very minor works (if any at all) internal to the overall subject site, such as fencing.

Services other than electricity and road connection are not available: these are not proposed to be changed.

There are no identified elements of heritage, and even if some were to be discovered, the very minor works needed to give effect to this proposal (if any at all) would not be likely to cause obstruction to same.

No mining leases or concessions are identified as being existant nor affected by this proposal.

Arrangements for water are to remain as they are, without a new demand for some form of connection external to the overall site.

No natural hazards are identified as being constraints, nor are there any works of a nature which would change such hazards, if they did exist.

## 5. CONCLUSION

The proposal remedies an odd arrangement of land parcels, thus moving towards the long-standing desired dimensions of rural land parcels. This is a more regular and orderly outcome, when compared to the status quo.

No works are required, and development is not hindered, nor is a new demand placed on the roads or utility services.

A minor re-subdivision of land is the overall best description of the proposal, taking two (2) parcels and then re-configuring them to form two (2) parcels of orderly, useable dimensions which are responsive to the long-standing planning desired outcome of lot sizes in agricultural areas in this locality.



