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Statement of Environmental Effects

Construction of New Single Storey Dwelling & Farm Building



Lot 2 DP 1130184 No. 10 Songline Place, Burradoo

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4 April 2021

INTRODUCTION

This Statement of Environmental Effects outlines the proposed development and its level of compliance with the relevant Environmental Planning Instruments in accordance with Part 4, Division 4.3, Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

The subject allotment is known as Lot 2 DP 1130184, No. 10 Songline Place, Burradoo. The Development Application relates to the construction of a new single storey dwelling and detached farm building.

This report demonstrates that the proposed development is able to achieve the objectives of the EPA Act 1979, Wingecarribee LEP 2010 and the E3 Environmental Management Zone. The proposal will complement the rural character of the surrounding area and is considered a suitable form of development for the subject site.

SITE ANALYSIS

The site has a partial frontage of 14.53m to Songline Place at the head of the cul-desac, with an existing vehicular access point accessed via a right-of-way. The site is irregular in shape with a total site area of 6.45ha and is of sufficient size to accommodate the proposed development and associated effluent disposal areas. The topography of the land is relatively level in the area of the proposed construction works and no significant vegetation is noted to require removal.

The site is within an area that has an irregular subdivision pattern consisting of allotments of varied sizes. The siting of the dwelling has taken into account the shape of adjoining lots, existing vehicular access point and the siting of dwellings and outbuildings within the surrounding properties. The property is partially affected by riparian lands along the rear boundary where the site adjoins Wingecarribee River, however the buildings will not be sited in the vicinity of this area. The site is not bushfire prone land and is not affected by Acid Sulphate Soils.

The site is located within the Burradoo Landscape Conservation Area and is suitably designed and sited to address the significance of the area.



Location Plan: No. 10 Songline Place, Burradoo - Source: SIXMaps 2021

DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development relates to the construction of the following:

Single Storey Dwelling

- Five (5) bedrooms;
- Open plan kitchen/living/dining/rumpus area;
- Separate theatre, study and formal lounge rooms;
- Associated amenities;
- Attached garage;
- Water tank.

Farm Building

- General Farm Storage area;
- Workshop; and
- Parking for Farm vehicles.

The farm building is to be utilised in conjunction with the intended agricultural use of the land, which is permitted without Consent in the E3 Environmental Management Zone. Agricultural land uses are intended to related to haymaking along the river flats and grazing sheep.

Effluent Disposal Area

- Installation of an Aerated Wastewater Treatment systems in accordance with the recommendations of the Effluent Disposal Assessment Report prepared by *Geo-environmental Engineering* dated 8 December 2020.

The buildings have been designed to make best use of the large allotment, sited in an area that will have minimal impact on the environmental constraints of the area and suitably accommodate the required effluent disposal area. The buildings are of an appropriate design and siting for the area and the size of the allotment, ensuring they will not dominate the streetscape or surrounding landscape setting.

LEGISLATIVE REQUIREMENTS

The following sections address the relevant matters for consideration identified within Section 4.15(1) of the Environmental Planning & Assessment Act 1979.

Section 4.15(1) - Matters for Consideration - general

(a)(i) Relevant environmental planning instruments

Wingecarribee Local Environmental Plan 2010

The subject site is zoned E3 Environmental Management pursuant to <u>Clause 2.1</u> of Wingecarribee Local Environmental Plan 2010.

The proposed development is defined in the Plan as a:

"dwelling house" which means "a building containing only one dwelling"; and a

"farm building" which means "a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling."

The dwelling house and farm building are permissible with consent in the E3 Zone.

It is noted that the farm building is required to be utilised in conjunction with an agricultural use of the land. As noted earlier, extensive agricultural is permitted in the E3 zone without the need for development consent. The farm building is proposed to accommodate this land use allowance.

Clause 2.3 Zone objectives and land use table

The objectives of the E3 Zone are:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To encourage the retention of the remaining evidence of significant historic and social values expressed in existing landscape and land use patterns.
- To minimise the proliferation of buildings and other structures in these sensitive landscape areas.
- To provide for a restricted range of development and land use activities that provide for rural settlement, sustainable agriculture, other types of economic and employment development, recreation and community amenity in identified drinking water catchment areas.
- To protect significant agricultural resources (soil, water and vegetation) in recognition of their value to Wingecarribee's longer term economic sustainability.

The proposed dwelling and farm building are able to meet the objectives of the E3 Zone as they provide for a low density residential dwelling of an appropriate size and siting for the allotment. The farm building is sited in keeping with outbuildings on surrounding allotments and will remain single storey in height. The proposal is considered to be in keeping with the intentions for the zone.

<u>Clause 4.2A Erection of dwelling houses and dual occupancies on land in certain rural and environment protection zones</u>

- (3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on a lot in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the lot is:
 - (a) a lot that is at least the minimum lot size specified for that lot by the <u>Lot Size Map</u>, or (ab) a lot created under clause 4.2C (3) (a) or clause 4.2C (5) (b), or
 - (ac) a lot resulting from a subdivision permitted under clause 4.6, or
 - (b) a lot created before this Plan commenced and on which the erection of a dwelling house or dual occupancy was permissible immediately before that commencement, or
 - (c) a lot resulting from a subdivision for which development consent (or its equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement, or
 - (d) an existing holding.

The subject site has a land area of 6.45ha which is 'at least the minimum lot size' of 4ha specified for the site in accordance with subclause (a) above. The proposed dwelling is permitted on the lot.

Clause 4.3 Height of Buildings

Requirement	Provision	Compliance
No specified height for this site.	N/A	N/A

Clause 4.4 Floor space ratio

Requirement	Provision	Compliance
No FSR control for site.	N/A	N/A

Clause 5.10 Heritage Conservation

The subject site is located within the *Burradoo Landscape Conservation Area*. The siting and design of the dwelling and farm building are understood to be in keeping with the intentions of the conservation area as they allow for rural residential development while maintaining large areas of open rural land, maintaining a clear separation between the townships of Moss Vale and Burradoo/Bowral. The recent subdivision allows for rural residential use of the land, with the subject allotment remaining of sufficient size to accommodate an agricultural land use to the rear.

Please refer to Wingecarribee DCP – Part A, Section 8.7 for further discussion in this regard.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified to be bushfire prone land in Council's S149 Certificate.

Clause 7.4 Natural resource sensitivity-biodiversity

Site is not identified on the 'Natural resource sensitivity-biodiversity' map.

Clause 7.5 Natural resource sensitivity-water

A small area of the site, adjacent to the rear boundary, is identified on the 'Natural resource sensitivity-water map as riparian land. The proposed dwelling, farm building and associated effluent disposal areas are not sited within proximity to the riparian lands.

Clause 7.9 Flood planning area

The subject site is not known to be flood affected in the area of the proposed dwelling.

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Conclusion with respect to LEP requirements

The proposal satisfies the objectives and requirements of Wingecarribee Local Environmental Plan 2010.

Other environmental planning instruments

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

SEPP(Sydney Drinking Water Catchment) 2011 aims to protect the environment of the water catchment area by ensuring that the impacts of future land uses are considered in a broader context. Of most relevance to the proposal is the requirement to assess the development in terms of its impact on water quality, ensuring it has a neutral or beneficial impact.

The subject site forms part of a relatively recent subdivision. It is anticipated a high degree of consideration would have been given to water quality during the assessment of this application, specifically the impact on constructing a rural residential dwelling on the subject site. The proposed dwelling and farm building are considered to provide an anticipated form of development that complies with Council's requirement in regard to site coverage and earthworks.

Stormwater drainage is proposed to be directed to an approved system via a rainwater tank collection system as intended for the site. The plans submitted, along with anticipated conditions of development consent, demonstrate that the cumulative impact on water quality for the catchment area will be minimal. The proposal will be consistent with the objectives of the SEPP, particularly in relation to total catchment management and water quality.

Any potential impact by way of runoff from the site will be appropriately directed and discharged in accordance with Council's requirements. This will ensure that all discharge from the site will be contained within an approved drainage system understood to appropriately treat the water prior to further discharge within the catchment.

A neutral, or potentially beneficial impact is therefore anticipated to result from drainage directed from new dwellings. Conditions of consent are anticipated to ensure compliance with Council's preferred drainage requirements.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Rural Lands Development Control Plan

Requirement	Provision	Compliance
PART A - MANAGING OUR RURAL LANDS		
Section 3 – Ecologically Sustainable Development		
Principles of ESD to be met.	Proposed dwelling construction and associated site works capable of meeting ESD principles.	Yes
Achieve Sydney Catchment Authority Requirements.	Noted above Under SEPP.	Yes
Address Riparian lands provisions in LEP.	Noted above under LEP.	Yes
Cut and Fill Sites > 4000m² - 750mm	<750mm cut and fill due to level nature of site.	Yes
Siting of Rural Buildings		
Max. footprint of 600sqm per rural building (excl. equine buildings).	Farm building has a footprint of 192.7m ² .	Yes
Max. 1000sqm combined footprint for buildings on site.	Farm building and dwelling provide combined footprint of 824.4m ² .	Yes
Sited within building envelopes separated by 5m-30m.	Please refer to Section 88B discussion below in relation to building envelope.	Yes

Farm building located 15m from front boundary. Please refer to Section 88B discussion below in relation to siting of buildings.	No
Capable of complying.	Yes
Appropriate design and siting for the conservation area. Please refer to the Section 8 below.	Yes
No significant trees are required to be removed in order to site the buildings or associated driveway.	Yes
Landscape works to be provided upon completion of the construction phase to reinstate disturbed areas.	Yes
No dense planting proposed along the street frontage as part of this application. Condition of consent anticipated in this regard.	N/A
Provided for Council's consideration	Yes
N/A – subject site not known to be flood affected in the area of the proposed building works.	Yes
N/A	N/A
	boundary. Please refer to Section 88B discussion below in relation to siting of buildings. Capable of complying. Appropriate design and siting for the conservation area. Please refer to the Section 8 below. No significant trees are required to be removed in order to site the buildings or associated driveway. Landscape works to be provided upon completion of the construction phase to reinstate disturbed areas. No dense planting proposed along the street frontage as part of this application. Condition of consent anticipated in this regard. Provided for Council's consideration N/A – subject site not known to be flood affected in the area of the proposed building works.

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Contamination Consider potential for site contamination.	The subject site is not known to be contaminated land or to have been utilised for a purpose that would result in the land being potentially contaminated. Any concern in this regard would have been considered at subdivision stage and remediated as necessary.	Yes
Regional Wildlife Corridors Controls where mapped in LEP Natural Resource Sensitivity Maps.	N/A	N/A
National Park or Nature Reserve Works within 500m to be referred to Dept Env & Conservation.	N/A	N/A
Noise & Odour Consider potential impacts of proposed development. Outdoor Lighting	No anticipated impact by way of excessive noise or odour to or from the site as a result of the development.	Yes
To be appropriately directed and provided with timers/sensors to minimise wasted energy.	Capable of complying	Yes
Section 7 – Development Near Rail Corridors & Busy Roads	N/A	N/A
Section 8 – Heritage and Landscape Conservation As per WLEP Schedule 5.	Site is located in the Burradoo Landscape Conservation Area. Please refer to WLEP2010 above and the below discussion.	Yes
Section 9 – Construction Standards & Procedures		
Stormwater disposal as per Council requirement	Capable of complying.	Yes
WMP to be provided for consideration.	Provide for consideration.	Yes

A8.7 Burradoo Landscape Conservation Area A8.7.1 Description A8.7.2 Objectives

The Burradoo Landscape Conservation Area encompasses the green space on either side of Moss Vale Road between Bowral/Burradoo and Moss Vale. It includes the Bong Bong Common which was the site of the Government settlement of the village of Bong Bong of which only archaeological evidence remains. The Burradoo Landscape Conservation Area is characterised by its open rural character which has been compromised in some areas by large screen and windbreak planting. Its importance lies in the fact that it provides a separation between the settlement areas of Bowral/Burradoo and Moss Vale.

The objectives for the Burradoo Landscape Conservation Area are to:

- (a) Maintain the separation between the settlement areas of Bowral/Burradoo and Moss Vale.
- (b) Maintain the open rural setting of the area.
- (c) Ensure that development remains sparse.
- (d) Retain the significance of Bong Bong Common.

The site forms part of a recent subdivision and has a lot size of 6.5ha. The proposed dwelling and farm building are intended forms of development for the site and both remain of a single storey character. The buildings are sited in keeping with those on surrounding allotments, being toward the street frontage, allowing for the rear portion of the allotment to remain suitable for agriculture. The clustered building approach is common for rural area, allowing for large expanses of vacant land to remain visible,

A8.7.3 Controls

The specific controls for the Burradoo Landscape Conservation Area are:

- (a) A landscape plan is required for all plantings that are expected to reach a mature height of greater than 1000mm.
- (b) Development on Bong Bong Common to be in accordance with the Bong Bong Common Conservation Management Plan.

A buffer is maintained between the subject site and Bong Bong Common ensuring the proposed dwelling and farm building will not have any impact on the significance of the heritage item, beyond that anticipated during the assessment of the subdivision application. The site is located within an area having a minimum lot size allowance of 4ha, yet provides a land area of 6.5ha. This ensures the site is capable of retaining a large portion of open rural lands to contribute to the significance of the area and maintain the separation between the Moss Vale and Bowral/Burradoo townships. Any landscape planting >1m in height will be noted on a landscape plan for consideration.

Requirement	Provision	Compliance
PART B – DEVELOPMENT SPECIFIC CONTROLS		
Section 2 – Residential & Ancillary Development		
B2.1 - Siting, Design and Landscaping of Res Development		
Development to be sited to reduce impacts on views and topographical features.	Proposed dwelling and farm building considered to be appropriately sited to ensure no detrimental impacts upon views of landscape features. Buildings sited on level, cleared area of allotment.	Yes
Visual impact of developments to be considered.	Consideration of visual impact undertaken as part of the site analysis. Detailed assessment not required due to level nature of area and single storey designs.	Yes
Consideration to be given to landscape character and scenic features of the locality.	No vegetation is required to be removed and the single storey buildings will not protrude above the tree canopy. This ensures the development is in keeping with the landscape and scenic character of the area.	Yes
Where there are two or more buildings, for example homes, sheds and ancillary buildings, they will be clustered	Buildings are clustered toward the front of the site, minimising site disturbance and maintaining a large untouched landscape character to the rear.	Yes
Non-reflective earth tones are best to blend within rural landscapes.	Capable of complying.	Yes
Landscape works alone are not sufficient to mitigate bulk and scale.	Proposed buildings will not be visually prominent or bulky in the context of surrounding developments.	Yes
B2.2 - Energy Efficient Building Design		
BASIX Certificate required.	BASIX Certificate submitted for Council's consideration.	Yes

B2.5 – Domestic Water Storage		
100,000L domestic water supply recommended.	Town water available, 22,500L tank proposed. This exceeds the 10,000L requirement within the 88B Instrument	Yes
Min. 50% roof area to be directed to tank.	for the site.	Yes
	Capable of complying with BASIX requirements with 350sqm of roof area connected to the tank.	

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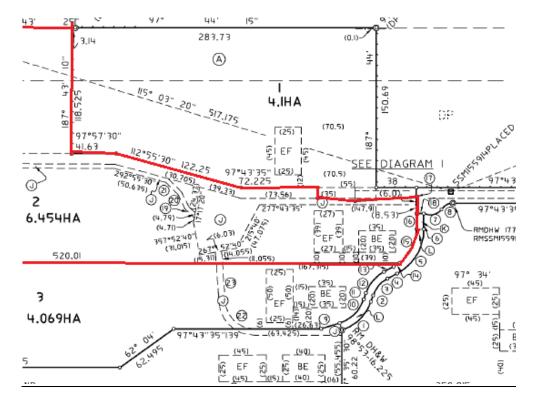
Conclusion with respect to DCP requirements

The proposal is considered to satisfy the relevant objectives of the controls relating to dwellings and ancillary buildings as contained within the applicable DCP.

Section 88B Restrictions

The Deposited Plan and Section 88B Instrument applicable to the site contain restrictions in relation to building envelopes for the dwelling and effluent disposal area. During a detailed Site Analysis and preparation of the Effluent Disposal Assessment Report, compliance with the existing building envelopes was not found to be a suitable solution for the subject site.

The existing approved building and effluent disposal envelopes are noted below:



The Section 88B Instrument, provided at Appendix A, outlines the requirements for the dwelling and effluent disposal area to be located within their pre-determined building envelopes. However, the *Effluent Disposal Assessment Report* prepared by *Geo-Environmental Engineering* (GEE) determines that the location of the allocated effluent disposal area does not enable compliance with Restriction Numbered 8(d) or 8(g), which read:

- d) The wastewater management system is to be designed and installed in accordance with the principles contained within the guidelines "On-site Sewage Management for Single Households" and AS/NZS 1547-2000 "On-site Domestic Wastewater Management"
- g) No effluent management areas are to be located within 100 metres of any creek or watercourse whether perennial or intermittent or within 40 metres of a natural drainage depression.

The report prepared by GEE specifically states:

'Based on the Deposited Plan (Appendix A), both the building envelope (BE) and the effluent disposal area (EF) are in the eastern end of the site, between Songline Place and the central dam. Specifically, the BE is shown in the southeastern corner and covers an area of 35m x 20m (750m2), while the EF is 15m further west and the allocated area is 39m x 27m (1,053m2). However, the EF as shown on the DP does not take into account the necessary 40m buffer from the dam and the drainage easements. Therefore, the EF shown on the Deposited Plan is not feasible or practical.

To correctly accommodate the buffer distances to the dam, drainage easements and the boundaries, the EF should be in the south-eastern corner and the available area is approximately $10m \times 35m (350m^2)$. In this regard, it is proposed to move the proposed dwelling to the surveyed EF which also allows the proposed dwelling to be in line with the dwellings to the north and south. Refer to Figure 2 for a depicting of the proposed BE and EF.'

Compliance with the 40m setback requirement for drainage depressions and dams is depicted in red on the below image from the GEE Report:



Full image provided in Effluent Disposals Assessment Report (Figure 2)

Due to the discrepancy with the original approved building envelopes, alternate siting of the dwelling, farm building and effluent disposal area has been determined taking into account all remaining site restrictions and the siting of buildings on the adjoining properties. The adjoining dwelling to the south, along with a number of surrounding dwellings are noted to have been sited outside of their original building envelopes, likely due to similar constraints noted for the subject site. The combined area of the proposed dwelling footprint and Effluent Disposal Area remain well below the area of the approved envelopes, ensuring the scale of the development remains suitable for the site.

The siting of each element of the proposed development was determined as follows:

Effluent Disposal Area

Please refer above and to the *Effluent Disposal Assessment Report* prepared by *Geo-Environmental Engineering* for a full assessment and clarification of the proposed effluent disposal area. The proposed area is identified in yellow on the above image and is located proximate to the envelope originally intended for the dwelling house. A variation is sought to Restriction 8(f) which reads:

f) All effluent must be assimilated within the boundaries of the lot burdened within the areas marked "EF" on the plan.

Dwelling House

The dwelling is now proposed largely within the original 'effluent disposal' envelope. The single storey design is in keeping with the siting of dwellings on surrounding properties and provides a greater setback from Songline Place than originally intended. The approved building envelope is quite restrictive in size for an allotment with a single storey height restriction. The envelope encourages two storey design and prevents a 'ranch style' single storey design that should be encouraged in rural-residential areas. This position is acknowledged in the recent approval of the adjoining dwelling to the south where the building envelope is noted to have been varied to allow for a rural dwelling design. The existing approved building envelopes and an aerial image of the existing surrounding dwelling are provided at Appendix A and Appendix B respectively.

The proposed siting of the dwelling allows for the effluent disposal area to be suitably sited in accordance with all relevant standards and the ancillary farm building to be constructed in a 'cluster' toward the front of the site. This allows for the rear portion of the property to maintain an open rural character and ensure the land remains suitable for agricultural land uses.

A variation is requested to Restriction 6(4) which reads:

 No dwelling shall be erected or be permitted to remain on the lots burdened unless constructed wholly within the building envelope marked "BE" on the plan.

Ancillary Farm Building

The farm building is not required to be sited within a building envelope, rather it must ensure compliance with restriction 6(5) which reads:

No authoriding shall be constructed on the lots burdened unless sited so as to minimise visual impact and maintain view corridors throughout the site.

The farm building is proposed to be sited 15m from the front boundary, forward of the dwelling house which is noted to be characteristic within this subdivision. A northern side boundary setback of 6m is maintained, accommodating the drainage easement. Siting the farm building in this location allows for:

- a view corridor from Songline Place directly through the site to the extensive rural lands to the rear. This ensures the large scale of the property remains apparent when viewed from the roadway:
- clustering the farm building to the front of the site ensures the land beyond the dwelling remains unobstructed, as this rear western portion of the site is the predominant outlook from the dwellings on the surrounding developments; and
- the dwelling-house to provide an increased front boundary setback, having a slightly recessive appearance within Songline Place in keeping with surrounding dwellings;

The building has been designed to provide identical design features and materials as the dwelling house and will not present as a typical outbuilding. The streetscape presentation will remain of a high standard and will complement the character of Songline Place. As viewed from the roadway, the farm building will present as an extension of the main dwelling, setting a high-quality rural residential character for the site.

Conclusion with respect to 88B requirements

Due to the noted inability to comply with the existing effluent disposal envelope, it is requested that Council undertake a merit-based assessment in relation to the siting and design of the dwelling, farm building and effluent disposal area.

(b) <u>Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.</u>

The following matters are considered relevant when considering onsite impacts:

Siting and Design

The proposed buildings will be compatible with surrounding development and are considered consistent with the intended character of the area. The siting of the buildings will provide appropriate boundary setbacks and will contribute to spatial separation and openness between buildings. The design of the dwelling and farm building are consistent with other contemporary residential buildings within the locality and will complement the streetscape.

Sedimentation Control

Ground disturbance will be minimal in order to construct a building platform due to the level topography. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing as specified on the site plan. Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent.

(c) The suitability of the site for the development

The subject site is within an existing rural area that is close to local commercial, retail and transport facilities. The existing road network provides easy access to all locations. The single storey dwelling and farm building, the subject of the application, can be constructed with all services necessary and have been designed to suit site constraints and the character of the surrounding locality.

The proposed dwelling and ancillary building are permissible with development consent under the provisions of Wingecarribee LEP 2010 and satisfy the objectives and provisions of the relevant development control plans.

(d) Any submissions made in accordance with this Act or the regulations

It is understood that Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As this proposal can satisfy the principal objectives of all relevant planning instruments and development control plans, approval of the subject development is in the public interest.

CONCLUSION

The proposed dwelling and farm building are permissible with development consent under the provisions of Wingecarribee Local Environmental Plan 2010 and can satisfy the objectives and provisions of the instrument. The proposal also satisfies the objectives of Wingecarribee Rural Lands DCP.

It is considered that the construction of a new single storey dwelling and detached farm building will complement and blend with the existing, and likely future character of this section of Burradoo. The proposal is not expected to have an adverse impact on the natural or built environment.

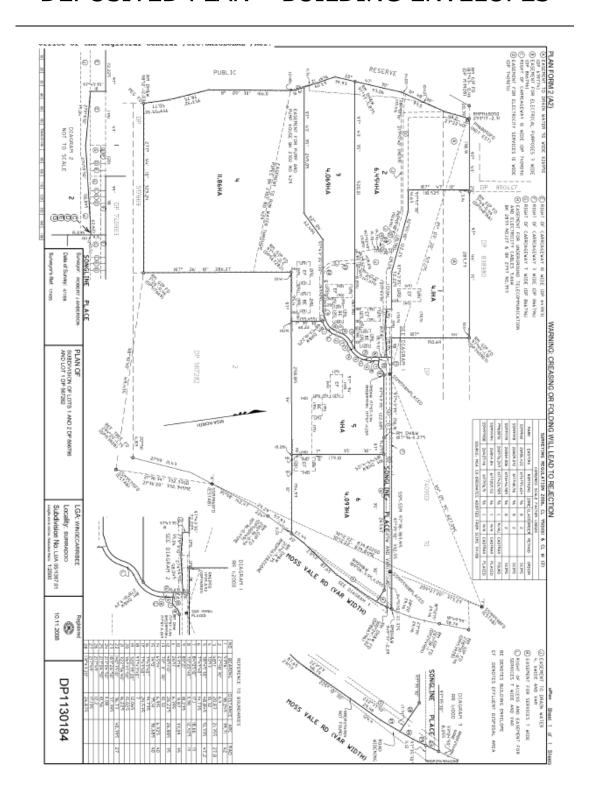
Rebecca Goodman Town Planner

Bach. Urb. Reg. Plan.

Kjopamoun

APPENDIX A

DEPOSITED PLAN - BUILDING ENVELOPES



APPENDIX B

AERIAL IMAGE OF EXISTING DWELLINGS

