

# PLANSCAPES<sup>®</sup>

ABN 77 697 007 763  
Town Planning Consultancy

## Statement of Environmental Effects In Principle Dwelling House (Envelope)



Lot 107 DP 755967 off Wilfords Lane Milton

Applicant: Rygate & West (Ulladulla)

Owner: I. D. Wilford

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# Statement of Environmental Effects

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## 1. Executive Summary

This application has been made to Shoalhaven City Council for the "In Principle" approval of a dwelling house on the subject land pursuant to the provisions Clause 15(2)(b) of the Shoalhaven Local Environmental Plan, 1985. The land – Lot 107 DP 755967 (Portion 107 Parish Ulladulla) does not have a minimum of 40 hectares however it is considered to be an allotment of land in separate ownership on 28<sup>th</sup> February 1964 (a "1964 holding").

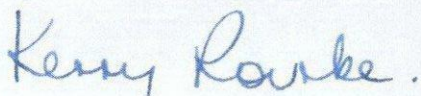
Dwelling houses are permissible in the Environmental Protection 7(d1) (Scenic Zone) under the provisions of Clause 15 of the Shoalhaven Local Environmental Plan, 1985.

This development proposal has been reviewed in accordance with the provisions of the following:

- Environmental Planning & Assessment Act, 1979 – Section 79BA & Section 79C;
- Planning for Bushfire Protection, 2006;
- Illawarra Regional Environmental Plan No. 1;
- Shoalhaven Local Environmental Plan, 1985;

Council is requested to consider this proposal on its merits; it will not have a significant impact on the surrounding environment and it is in context with the rural character of the locality. The parcel of land is physically isolated from the landowner's other properties and can not be physically accessed without a one way journey by road of approximately 9 kilometres, which results in the property being a 1964 holding in its own right.

With regard to bush fire, the dwelling site is not located upon mapped bush fire prone land and therefore this development application is not lodged pursuant to Section 79BA of the Environmental Planning & Assessment Act, 1979. The dwelling site is in excess of 200m from mapped lands and no AS3959 construction levels or asset protection zones under Planning for Bush Fire Protection are applicable.



Kerry Rourke - MPIA  
Certified Practising Planner &  
Bush Fire Consultant  
May 2008

## 2. Site and General Locality

The subject land has an area of 19.42 hectares, mainly open pasture where it has been used for cattle grazing. There is sparse tree cover and a SEPP 14 coastal wetland crosses the south eastern boundary into the land – No. 285.

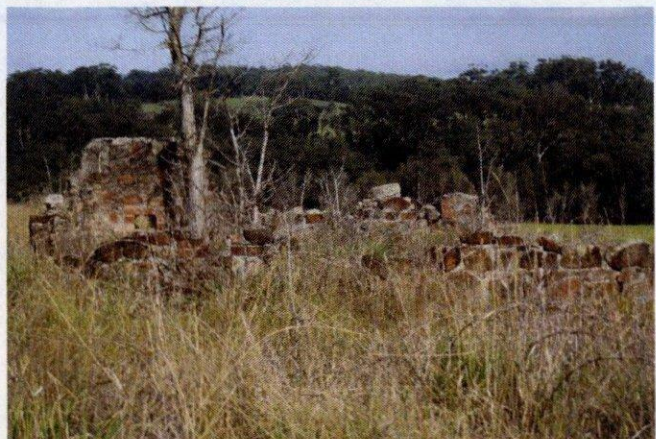
The land is bound to the north by an unformed road reserve and to the north and the tidal Stony Creek to the west and south which flows into Burrill Lake. The land can only be accessed via the unformed road reserve off Wilfords Lane - where it is not fenced, and through the adjacent allotment to the north (Lot 2 DP 702500). A transmission line is located within the road reserve to the northern boundary of the land with part of the easement over the subject land.



Figure 1: Site Location (Google Earth image used under License)

The topographic map for the site illustrates that the highest point on the land is approximately 30 - 32m AHD adjacent to the eastern boundary, from the intersection of the northern boundary to the tree clump. The land in the vicinity then continues to rise up to over 40m to the dwelling house on Lot 2 DP 702500 (No. 299) Wilfords Lane. Within the subject land the property slopes down to Stony Creek, with more than 50% of the property lying below 10m AHD.

Remnants of the original dwelling house exist on site, with foundations, part of an out building and a well, surrounded by a grove of Elm trees and others such as fruit trees – pear, pomegranate etc. This



dwelling was occupied by the Spurgeon family, who moved into Milton (south eastern corner Gordon & Princes Highway) 90 – 100 years ago after Mr Spurgeon (a local school teacher) passed away.

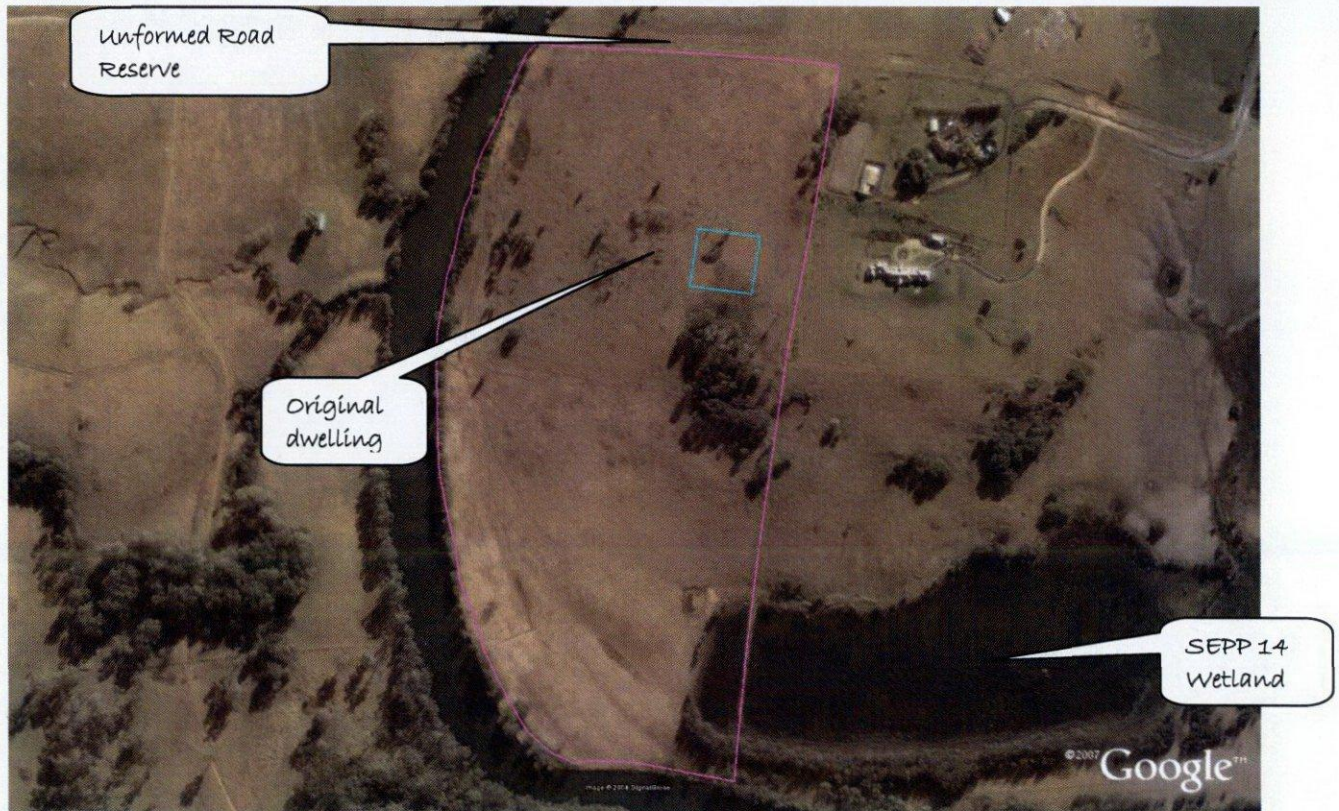


Figure 2: Site and Building Envelope Location

### 3. Proposal

This application is for an "In Principle" approval for a dwelling house on a 1964 holding – Lot 107 DP 755967 (Portion 107 Parish Ulladulla). A building envelope with dimensions of 50m x 50m is provided for a future dwelling house, in a position that is not in close proximity to bush fire prone land. The building envelope is located a minimum distance of 50m from the eastern boundary and 150m from the northern boundary of the land. Landscape buffers are to be provided to the east and west of the dwelling site to minimise visual impacts upon the neighbours and locality. The building envelope is located between the 20 and 30m contour so that it is below adjacent dwelling houses and not likely to obstruct their rural views.

The land will be accessed via construction of an all weather pavement within the currently unformed Crown road reserve which abuts the northern boundary of the land and intersects with Wilfords Lane 400m to the east. See plan prepared by Rygate & West (Ulladulla) [Attachment One – Application Plan].

This application is lodged pursuant to the provisions of Clause 15(2)(b) – 1964 holding – "the area of a lot, portion or parcel of land in a separate ownership;"

The land is not contiguous with the 1964 owner's other properties in the vicinity, where it is approximately 9km by road (one way) for site management or to transport cattle to the site for grazing. The land is separated from Lot 3 DP 1024172 (Mr Wilford's main

property – the current landowner) by a 30m public reservation abutting Stony Creek, and the tidal Stony Creek which is also 30m wide and not able to be crossed at either high or low tide as there is no legal access (see Figures 3 and 4 following).



Figure 3 - Lot 3 DP 1024172 [©Dept Lands 2008]



Figure 4 - Lot 3 to Lot 107 by road - Hobbs Ln, Woodstock Rd, Croobyar Rd, Wilfords Ln, private property.

#### 4. Legal Position

It is our contention that Lot 107 DP 755967 forms a separate and complete 1964 holding as defined in the Shoalhaven Local Environmental Plan, 1985. Shoalhaven Local Environmental Plan, 1985 (as amended 22<sup>nd</sup> February 2008) states:

**"1964 holding** means land within Zone No 1 (a), 1 (b), 1 (d), 1 (g), 7 (a), 7 (c), 7 (d1), 7 (e), 7 (f1) or 7 (f3) which at 28 February 1964 was:

- (a) the area of a lot, portion or parcel of land in a separate ownership, or
- (b) where a person then owned 2 or more adjoining or adjacent lots, portions or parcels of land, the aggregation of the areas of those lots, portions or parcels, or
- (c) the remainder of land referred to in paragraph (a) or (b), after the excision of allotments by a subdivision allowed by:
  - (i) clause 11 (4) or (9) of Interim Development Order No 1—Shire of Shoalhaven, or
  - (ii) clause 11 (7) or (10) of this plan as in force immediately before the commencement of City of Shoalhaven Local Environmental Plan 1985 (Amendment No 127), or
  - (iii) clause 11 (3), 11 (4) or 52 of this plan, or
  - (iv) State Environmental Planning Policy No 4—Development Without Consent."

A legal opinion has been provided by Kearns & Garside Solicitor's Peter Moggach, where the findings are summarised as follows:

1. The above definition applies to the subject land as the land is zoned both 7(a) and 7(d1).
2. The subject land is a 1964 holding as it is the "area of a lot, portion or parcel of land in separate ownership" where it is physically separated by other land owned by the same person on 28<sup>th</sup> February 1964 by a 30.48m wide public reserve and 30m wide tidal creek.
3. The standard Macquarie Dictionary definitions of adjacent and adjoining imply that the common meaning of these terms is 'contiguous' or 'neighbouring'.
4. The land can not be readily managed or used for agricultural purposes as part of the landowner's other holdings due to its physical separation and the distance required to travel to Lot 107 from Hobbs Lane, and also as access is not available via an all weather pavement within a road reserve.

At the appointed day in 1964 the owner of Lot 107 DP 755967 also owned Lot 1 DP 726011 – old system title conversion (1988), which had 56.58 hectares. Council's 1964 valuation books indicate that that lot and the subject lot were part of the same existing holding, as they were in the same ownership. However that has been the subject of contention for many years, and a DA for a dwelling house was lodged with Council in 1992 over Lot 107 on the basis that it was not part of the holding with Lot 1 DP 726011 due to its physical separation it was not contiguous and therefore an "adjoining" parcel of land. That DA was withdrawn pending further consideration of the legal situation.

Lot 1 DP 726011 was later subdivided for three concessional allotments and a 54.85ha parcel – SF8310 registered as Lots 101 – 104 DP 881463 in 1998. Lot 101 was later consolidated with adjoining land via a boundary adjustment to create a parcel of 92.61 hectares for agricultural purposes (i.e. Lot 3 DP 1024172 registered 2001, under SF8837). That additional land was sought primarily due to the physical separation of Lot 107 and the difficulties with managing that land due to distance and lack of physical and practical access to it from the main property.

Notwithstanding that Lot 107 and Lot 3 are now in the same ownership, Lot 107 DP 755967 can not be accessed legally, easily and reasonably from Lot 3 DP 1024172 so that it is regularly managed and used as part of the current owner's agricultural activities it conforms to the definition of a 1964 holding as it is not contiguous with other lands in the same ownership in 1964.

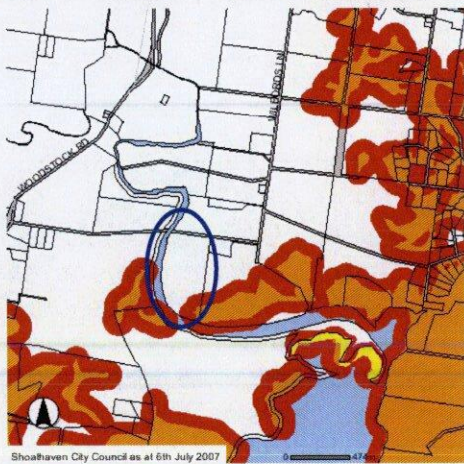
**5. Section 79C(1) Assessment**

This development proposal has been reviewed under the provisions of the Environmental Planning & Assessment Act, 1979, and the following comments are made.

**5.1 Section 79C(1) (a)(i) – Provisions of an Environmental Planning Instrument**

State - Environmental Planning & Assessment Act, 1979

**Section 79BA** – Environmental Planning & Assessment Act, 1979 – part of the land is



mapped by Shoalhaven City Council as being bush fire prone land; however the building envelope is not located within the mapped land.

A Bush Fire Protection Assessment is not provided with this application as there is no connective canopy between the mapped bushfire prone land and the dwelling site. Notwithstanding, it is considered that a well maintained lawn be provided around the dwelling house for a distance of 20m to reduce the likelihood of a grass fire impacting upon the dwelling via flame impingement. The building envelope is more than 250 metres from the mapped bush fire prone land (a

wetland with associated buffer); there would be no construction requirements under AS3959 as identified in Appendix 3 (Table A3.3) of Planning for Bush Fire Protection.

Integrated Development – **Section 91** of Environmental Planning & Assessment Act, 1979 – it is considered that the consent of the Department of Lands is required under Section 138 of the Roads Act for that part of the access track within the Crown Road reserve as that road reserve is the only legal and practical access to the land.

Regional – Illawarra Regional Environmental Plan, No. 1 (1986)

The land is subject to the provisions of the Illawarra Regional Environmental Plan, and the following comments are made in relation to that plan.

Rural Lands Objectives of IREP86	Comments on this proposal
(a) to retain the productive capacity of prime crop and pasture lands,	The subject land is mapped as Class 3 agricultural land and under the IREP86 it is therefore prime crop and pasture land. The use of the land for agricultural purposes will not be diminished by the proposal for a dwelling house upon it. That dwelling house will promote the efficient and effective use and management of the



	property for agricultural purposes.
<i>(b) to protect valuable natural environments, as identified on sheets 1-10, 14, 15 and 17 of the map,</i>	The land is not within a wildlife corridor; does not contain remnant rainforest vegetation; there are no extractive resources, however the land is mapped as prime crop and pasture land.
<i>(c) to provide for wildlife movement between major protected wildlife habitats,</i>	The land is not located within a wildlife corridor as identified on the IREP86 maps.
<i>(d) to effectively manage the development of rural lands having regard to flood potential, bushfire risks, salinisation, soil degradation, erosion and weed infestation,</i>	<p>The legal ability for a dwelling house on this land will result in the effective management of the land, with an ability to limit the escape of bush fire from this land to adjoining properties, which can not be readily managed now due to the owner's distance from the site. Weed infestation can also be readily managed to reduce the likelihood of off site migration of seed (e.g. blackberries or fire weed).</p> <p>The dwelling site is sufficiently distant from the wetland and creek that there would be no run off from effluent disposal to pollute those water resources.</p>
<i>(e) to allow for the development of small rural holdings in appropriate locations,</i>	This location is considered appropriate for a small lot rural development – as this land would be with a dwelling entitlement. It is adjacent to other smaller lots used for grazing and B&B accommodation.
<i>(f) to prevent uneconomic demand for State Government services,</i>	The road access would be constructed by the landowner after approval is issued for the construction of a dwelling house (as part of that consent – all weather access to be provided within the road reserve). There is no water or reticulated sewage services available and electricity exists to the site. There will be no additional demand on state government services.
<i>(g) to allow for future urban expansion,</i>	This proposal has not impact upon urban expansion as it is located approximately 4km from Milton township.
<i>(h) to retain the scenic attributes of rural areas, and</i>	This proposal should not adversely impact upon the scenic quality of the locality – the zone objectives provide a guide to future development, and opportunities exist to enhance the scenic quality with the planting of tree and scrub screens to minimise visual impacts of a future dwelling house. The dwelling would not be constructed upon a prominent ridge line and it would be below other dwellings that are located on adjoining lands.
<i>(i) to provide for developments which by virtue of their character require siting away from urban areas.</i>	The proposal does not involve any hazardous or offensive development that requires siting away from urban areas.

Under the REP, the scenic quality of the area has a middle ranking of III, which is neither high nor low; there are no areas of high conservation value (botanically significant or

extensive canopy areas), forestry or potential extractive industry resources within the site. Generally, the proposal is considered to be consistent with the provisions of the Illawarra Regional Environmental Plan, 1986 and it does not compromise any objective relating to rural areas.

Local – Shoalhaven Local Environmental Plan, 1985

The provisions of the Shoalhaven Local Environmental Plan, 1985 (SLEP85) apply to the subject land. The aims and objectives of the LEP are not compromised by this development proposal.

**Clause 9** of the SLEP85 – The subject land is zoned Environmental Protection 7(a) and under the provisions of the Shoalhaven Local Environmental Plan, 1985. The objectives of the 7(d1) zone are addressed as follows as that is the zoning of the land where the dwelling house is proposed to be constructed:

LEP Zone Objectives – 7(d1) zone	
(a) to conserve and enhance scenic quality.	The scenic quality of the locality will not be adversely affected by a dwelling house in the proposed position as it is not located upon a prominent ridgeline, and will be below the crest of the hill so that it does not project above the slope beyond. Council's existing policies with regard to the use of highly reflective building materials should be sufficient to encourage muted colours which blend with the environment.
(b) to protect natural and cultural features of the landscape which contribute to scenic value, and	A dwelling house in this position is unlikely to significantly impact upon the cultural landscape of the Milton pastoral surrounds. It is not a locality which is readily viewed from Milton or Burrill Lake. The land is located at the southern extremity of the main cultural landscape as identified in the Milton - Ulladulla Structure Plan Vol. 1. The land is partially within the cultural landscape but is largely identified for reinforcing tree and woodland linkages along Stony Creek.
(c) to ensure that development is integrated with the landscape values of the area.	The land faces west towards Woodstock Road and the forestry lands to the south west where a dwelling can be constructed below the ridgeline minimising its visual obtrusiveness and integrating it into the landscape with sympathetic colours and built form. The rural atmosphere should be generally maintained as the dwelling would not be visible from main roads in the area. Landscape screens can be planted along the eastern or northern boundary or to the west of the dwelling to assist in its visual integration with the landscape.

**Clause 15 – Dwelling-Houses – Zones 7(a), 7(c), 7(d1), 7(e), 7(f1) or 7(f3)** – the relevant provisions of Clause 15 are addressed as follows:

Clause Provision	Comments in regard to this Clause
(1) Subject to subclauses (2) and (3), a dwelling-house may, with the consent of the Council, be erected on an allotment of land within Zone Nos 7 (a), 7 (c), 7 (d1), 7 (e), 7 (f1) or 7 (f3) if the allotment:	The land where the dwelling house is proposed is zoned Environmental Protection 7(d1).
(a) has an area of not less than 40 hectares,	The land does not have an area of 40 hectares; therefore this subclause is not being used to pursue the proposal.
(b) is a 1964 holding,	The land is considered to be a 1964 holding as it is not contiguous with lands in the same ownership at 28 <sup>th</sup> February 1964 – it is separated by a public reserve and an inaccessible tidal creek and is only accessible via a return road journey of 18km and an unformed road reserve / private property.
(c) - (g)	N/A
(2) The Council must not consent to the erection of a dwelling-house or to the addition or alteration of a building or the establishment of a caravan park on land within Zone No 7 (d1) or 7 (f1) unless it has considered:	
(a) the extent to which the development would affect the scenic qualities of the landscape,	The scenic quality of the broader locality would not be adversely impacted by the construction of a dwelling house on this land as suitable scale landscaping would be used to screen it from public locales in the vicinity. Planting lower down the slope closer to the creek could also screen the house when viewed from the waterway or those using the public reserve adjacent to western bank of the creek.
(b) whether the development would result in degradation of or restriction of access to recreation areas, and	The proposal would not result in any restriction to recreation areas; it could improve access by the construction of a track within the road reserve removing the obstacle of members of the public trespassing on private property to get to Stony Creek, by maintaining their access within the road reserve corridor.
(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of the protection of coastal lands.	The NSW Coastal Design Guidelines apply to the land and will be utilised when designing a dwelling for the land, as will Council's policy on the use of reflective materials in rural or coastal areas.

The following comments are provided in relation to Division 5 – Environmental Management of the Shoalhaven Local Environmental Plan, 1985, **Clauses 21 – 29**.

LEP Clause	Comments on this proposal
<b>Clause 21</b> – Land of Ecological Sensitivity	The land is not mapped as being within an area of ecological sensitivity under the LEP.
<b>Clause 21A</b> – Vegetation Linkage	The land is not located within a vegetation linkage area.
<b>Clause 22</b> – Activities in Zone No. 1(c), 7(a), 7(c), 7(d2), 7(e), 7(f1), 7(f2) and 7(f3)	This clause relates to tree removal, and there are none proposed to be removed in the 7(a) zone as part of this or any likely future dwelling house application.
<b>Clause 23</b> – Protection of Streams – this clause applies to perennial watercourses in rural zoned lands, indicated by continuous blue lines on a topographic map.	There is not perennial water course mapped on the Milton Topographic – 8927-2-N within this land and this clause does not apply to the subject zone – 7(a) or 7(d1).
<b>Clause 24</b> – Water Catchment Areas	The land is not located within a water catchment area.
<b>Clause 24A</b> – Hydrological Catchment	The land is not located within the Sydney Hydrological Catchment.
<b>Clause 25</b> – Steep lands	The land does not have steep gradients.
<b>Clause 26</b> – Soil, Water and Effluent Management	An effluent disposal report has been prepared for this proposal by PMA Consulting Engineering and Environmental. An aerated wastewater treatment system and irrigation area is recommended for use on this site. The proposed effluent disposal mechanism complies with the requirements of this LEP clause and DCP 78 – On site sewage management.
<b>Clause 27</b> – Acid Sulfate Soils	The dwelling is being constructed above likely acid sulfate risk areas associated with the creekline or wetland – generally lands below 10m AHD in this area.
<b>Clause 28</b> – Danger of Bushfire	A small section of the south eastern corner of the site is mapped as bush fire prone land due to the vegetation associated with the SEPP 14 wetland. The dwelling site is well away from that vegetation and bush fire mapped lands; however a well maintained lawn would be recommended surrounding the dwelling house for a distance of 20m to provide an "asset protection zone" to reduce the impact of grass fire on the dwelling.
<b>Clause 29</b> – Development on Flood Liable Land	The land is not mapped as flood prone on Council's LEP, it could reasonably be expected that there may be some flooding associated with

	Stony Creek at high tide after high rainfall events if Burrill Lake is not largely open to the ocean. It is unlikely that such an occurrence would impact the dwelling site as it is located over 30m AHD.
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It is considered that this proposal adequately demonstrates compliance with the aims and objectives of the Shoalhaven Local Environmental Plan, 1985 and the specific aims of the zone and other relevant clauses of that planning instrument.

## **5.2 Section 79C(1) (a)(ii) – Provisions of a Draft Environmental Planning Instrument**

There are no Draft Environmental Planning Instruments that have any bearing on this development proposal.

## **5.3 Section 79C(1) (a)(iii) – Provisions of any Development Control Plan**

There are no site specific development control plans that apply to the locality, however, there are two generic Council Development Control Plans which impact on the proposed future development, these are DCP 78 – On site Sewage Management and DCP 91 – Single Dwellings & Ancillary Structures.

*DCP 78 – On Site Sewage Management* – the submitted On Site Wastewater Management Study prepared by PMA Consulting Engineering & Environmental (May 2008) demonstrates the proposal's compliance with DCP 78 – On Site Sewage Management.

*DCP 91 – Single Dwellings & Ancillary Structures* – This DCP provides height and setback requirements for dwelling houses, along with privacy, solar access and parking requirements among other requisites. A future dwelling house should have no issue with complying with the DCP provisions – the slope across the building envelope is gentle – no more than 1.5m over the 50m distance and there is adequate area on site for enhancement through screen planting.

## **5.4 Section 79C(1) (a)(iia) – Planning Agreements**

There are no planning agreements existing or proposed to be entered into under Section 93F of the EP&A Act, 1979.

## **5.5 Section 79C(1) (a)(iv) – Regulations**

It is considered that as this application is for a Stage 1 in principle approval only, the provisions of State Environmental Planning Policy (Building Sustainability Index - BASIX) 2004 should be applied to the detailed second stage proposal. The future dwelling house should be able to be designed for thermal comfort and energy efficiency and meet water targets, within the parameters of that policy.

The proposal does not require the issue of the General Terms of Agreement of another state agency as it is not an integrated development application despite part of the subject land being mapped as being bush fire prone, this application is not for subdivision or a special fire protection purpose. There are no specific requirements in the

EP & A Regulations that impact upon this development proposal other than general assessment of the application and the provisions of Part 6.

### 5.6 Section 79C(1) (b) – Likely Impacts of the Development

Matter for consideration	Comments with regard to this proposal
Context and Setting	The proposal is not considered to be out of context with the surrounding locality – there are other small lots, and this proposal does not alter the subdivision character or pastoral landscape. The dwelling will promote the efficient use of the land for agricultural practises. The future dwelling should not be visually intrusive in the landscape as it is not located on the highest part of the slope where it could project above a ridge line, and there opportunities for the design and landscape screening to enhance visual amenity.
Access	Legal access to the land (via 4 wheel drive) is via an unformed Crown Road Reserve that is proposed to be constructed within that road reserve from its junction with Wilfords Lane. The existing pavement extension of Wilfords Lane is private property beyond that road reserve. Practically at present access is partially via the road reserve and through agreement with an adjacent landowner due to fences across the road reserve.
Public Domain	The public domain is not likely to be adversely affected by this proposal –construction of an all weather pavement within the road reserve should not lead to significant outlay by Council in the future as it serves only one allotment.
Utilities	The site does not and will not benefit from a reticulated water supply or sewage scheme. Potable water is to be collected on site from rainfall runoff or purchased as required and stored on site. An on site sewage scheme is proposed which is within the environmental constraints of the land.
Heritage Significance	There are no listed items of environmental heritage in the SLEP85 for this site or one in the vicinity
Other Land Resources	There are no extractive land resources in the locality which may be affected by this proposal.
Flora and fauna	The site is cleared agricultural land and there are not likely to be any threatened flora or fauna, populations or endangered ecological communities affected by this proposal.
Waste	Effluent is to be disposed of on site via an aerated wastewater treatment system. Domestic waste would be disposed of via garbage collection services
Natural Hazards	The dwelling site is not likely to be significantly impacted by reasonably anticipated acceptable hazard event levels (i.e. 1% AEP flood levels). Bush fire could ignite the grasslands on site; while a full bush fire protection assessment has not been undertaken due to the distance from the hazard vegetation & the dwelling site not being located on mapped BFPL, a 20m "APZ" is recommended surrounding the dwelling. Adverse

	effects of flame impingement can be mitigated through maintenance of mown lawns surrounding the dwelling, with ember protection provided through effective screen planting. There are no construction requirements for the dwelling under AS3959 due to the distance to the hazard vegetation given its nature as a wetland environment.
Technological Hazards	There are no technological hazards associated with the site – the S149 certificate issued does not identify the land as contaminated land, and the history of agricultural use of the site does not reveal any potentially contaminating sources such as sheep dips etc.
Social and Economic Impacts	The proposal is not likely to have a significant social or economic impact upon the Milton area. A cluster of dwelling exists in the locality and an additional dwelling site is not likely to result in any adverse social impacts particularly as that dwelling will have a separate access and be located a minimum 30m distance from common boundaries.

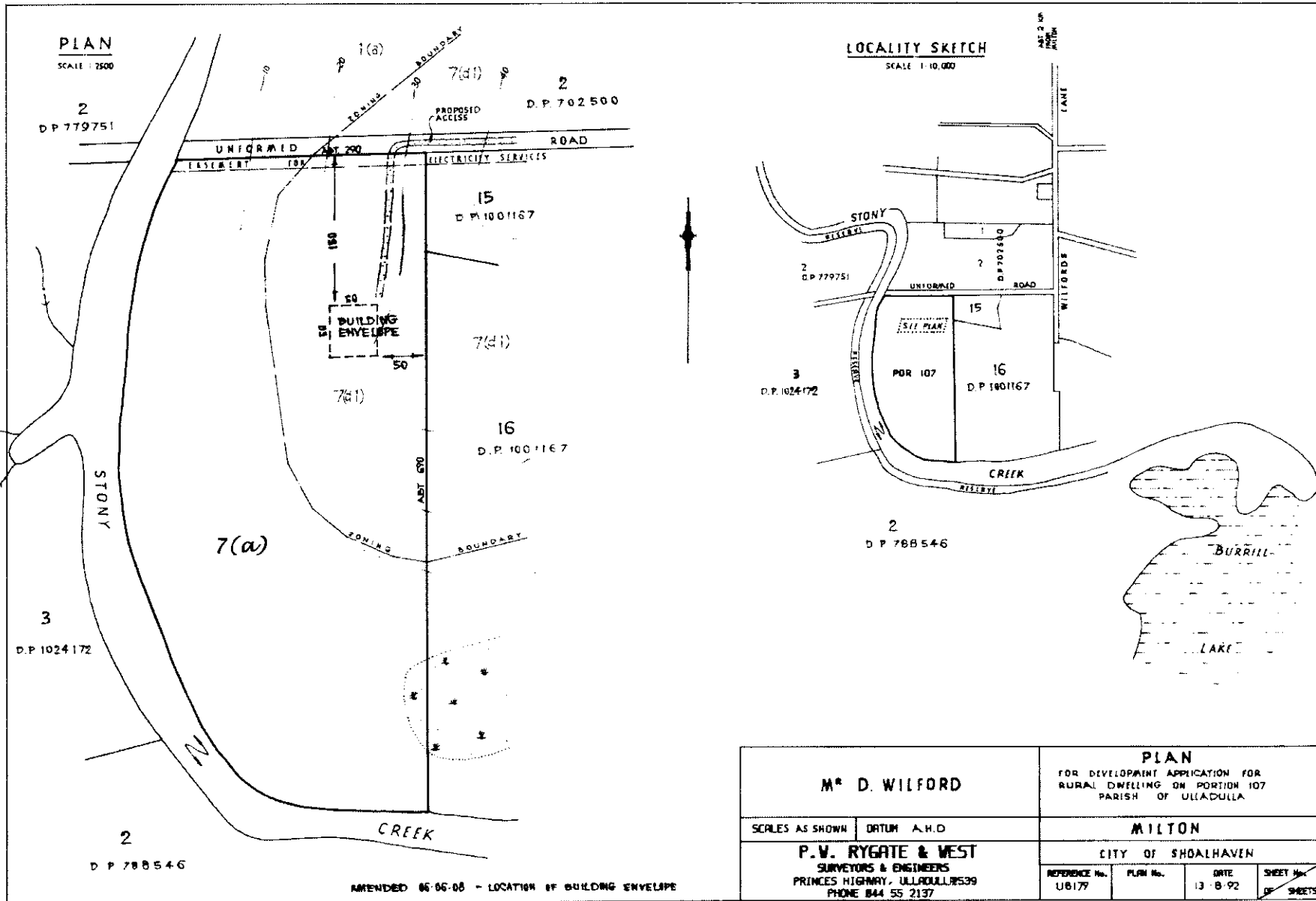
### 5.7 Section 79C(1) (c) – Suitability of the Site for Development

The subject land is considered to be suitable for the development proposed. There are no natural or technological hazards associated with this site or those adjoining which would otherwise significantly affect the site so that it is incapable of development in accordance with the zone provisions.

### 6 Conclusion

The pursuit of the construction of a dwelling house on the subject land is considered to be reasonable and does not result in any adverse environmental outcomes. The land is considered to be a 1964 holding in its own right due to its physical separation from the other land in the holding at that time, where it could not be reasonably and effectively used as part of the same holding due to its relative inaccessibility.

The requirements of Planning for Bushfire Protection can be met without adverse environmental impact; legal and practical access is available to the land subject to the registration of a right of way over an existing track in use and there are not likely to be any adverse cumulative impacts as a result of this proposal.





**Attachment Two – Site Photos**



Figure 5 - from north eastern corner of site looking south west through to west



Figure 6 – looking east from within lot to adjoining properties



Figure 7 - from north western corner looking towards building envelope – beyond tall tree at left



Figure 8 - Crown Road Reserve adjacent to northern boundary containing transmission line easement looking west

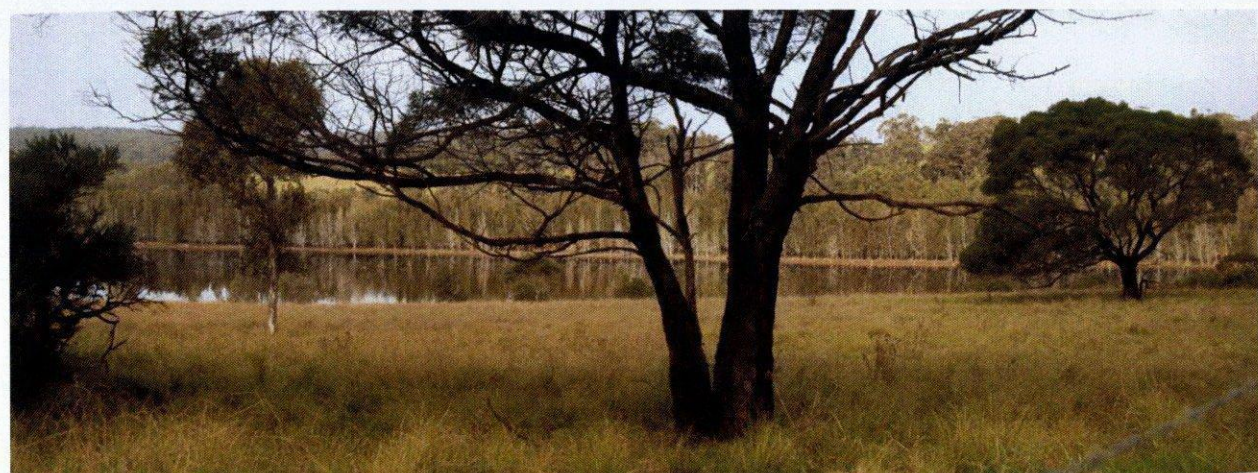


Figure 9 - SEPP 14 wetland from half way along eastern boundary to south



Figure 10 - SEPP 14 wetland from end of Wilfords Lane at junction of Crown Road reserve

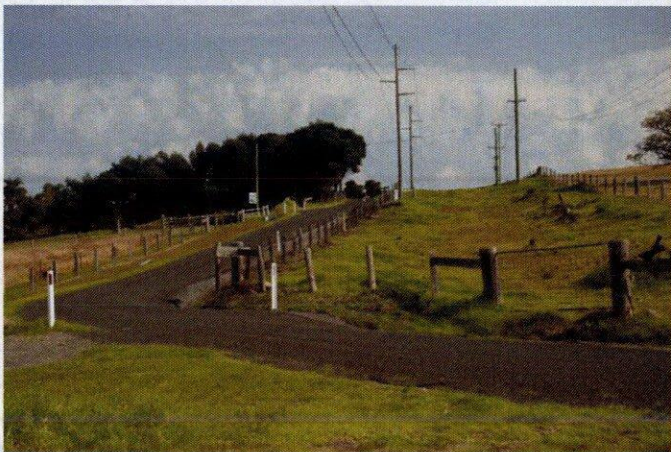


Figure 12 Wilfords Lane and driveway to Lots 15 & 16 DP1001167

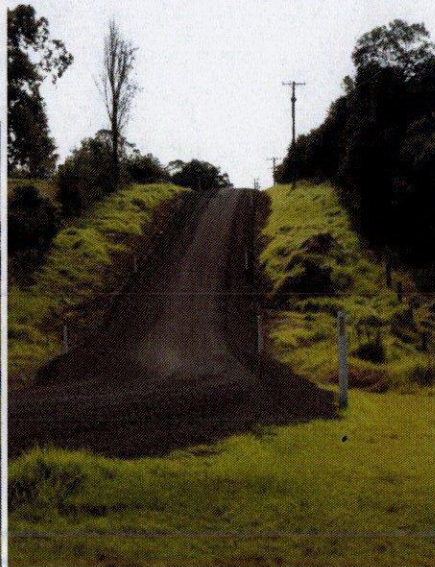


Figure 13 – Wilfords Lane looking north



Figure 14 – Elm grove around original dwelling site which will screen the new dwelling site to the east



Figure 15 – old dome well with roof removed



Figure 16 – part of outbuilding adjacent to original dwelling

## STATEMENT OF ENVIRONMENTAL EFFECTS

To be submitted with all development applications other than "designated development" or proposals having negligible environmental impact eg. internal alterations.

**1 LEGAL REQUIREMENTS**

Is your proposal: a) permissible in the zone? No  Yes

b) consistent with the zone objectives? No  Yes

c) in accordance with any relevant development control plan? *N/A* No  Yes

If you answered "No" to any of the above, you should make an appointment to discuss your proposal with the relevant area planner before lodging a development application.

**2 CONTEXT AND SETTING (Site Analysis)**

Is the development out of character with the area? *(For example, does your proposal involve a commercial or industrial use in a residential area)* No  Yes

Will the development: a) be visually prominent within the existing landscape? No  Yes

b) have any impact on any item of heritage or cultural significance? No  Yes

Comments: .....

.....

.....

**3 TRANSPORT TRAFFIC & ACCESS**

Will the development increase local traffic movements and volumes? No  Yes

By how much? *10 v.f.p.*

Is coincidental legal and practical access available? No  Yes

Is adequate servicing available? No  Yes

Has a Traffic Study been completed? No  Yes

Comments: .....

.....

.....

**4 ENVIRONMENTAL IMPACTS (Air, Soils, Water, Flora & Fauna Hazards)**

Could the proposal: a) have any impact on the local climate? No  Yes

b) result in soil contamination? No  Yes

c) cause erosion or sedimentation of water courses during construction or on completion? No  Yes

Does the proposal require excavation and/or filling? No  Yes

4

**ENVIRONMENTAL IMPACTS Contd/....**

- Will the proposal:
- a) emit fumes, steam, smoke, vapour or dust as a result of its operation? No  Yes
  - b) involve significant removal of vegetation? No  Yes
  - c) affect native habitat? No  Yes
  - d) disturb any aboriginal artifacts or relics? No  Yes

Has an 8-part test of significant impact on threatened species been undertaken? No  Yes

Is the site subject to natural hazards such as  Bushfire  Flooding  Tidal Inundation  
 Landslip  Other? Please describe: .....

Are there any technological hazards associated with the proposal such as  Dangerous Goods  
 Toxic Waste  Radiation  Hazardous Chemicals  Other?

Please describe: .....

Comments: .....

.....

5

**SOCIAL AND ECONOMIC IMPACTS**

Will the proposal affect the amenity of surrounding residences by overshadowing, loss of privacy, increased noise or vibration? No  Yes

Will the proposal have any economic consequences in the area? No  Yes

Comments: .....

.....

6

**WASTE DISPOSAL**

How will effluent be disposed of? To Sewer  On-Site  Other

Will the proposal lead to discharges of stormwater or waste into a natural water system? No  Yes

Will Trade Waste be discharged to Council's Sewer? *N/A* No  Yes

What other solid and liquid wastes will be generated and how will they be disposed of?

Comments: .....

.....

**Notes:**

1. If you have answered "Yes" to any item in questions 2,3,4,5 or 6 you should provide details of the likely impact(s) and the proposed means of mitigating or reducing such impact(s). If your proposal involves significant removal of vegetation or will affect native habitat, a Fauna Management Plan and/or Vegetation Management Plan may be required as a condition of consent. If insufficient space has been provided, attach additional sheet(s).
2. Where development is classified as "Designated Development" a formal Environmental Impact Statement is required.
3. If your site is within the area to which the Jervis Bay Regional Environmental Plan applies then you must also complete the Jervis Bay REP Checklist.
4. The above "Statement of Environmental Effects" is not exhaustive and should be augmented where appropriate.

Privacy Notification - The information on this form is being collected by Council for administrative and assessment purposes. It will be used by Council staff and other organisations for the purpose mentioned and may be included on a public register. Persons identified on this form may at any time, apply to Council for access or amendment of the information.