

38 Swift P10062016  
 51 Halford P10041831  
 ANNEXURE 1



## Development/Construction Application

Environmental Planning and Assessment Act 1979, Local Government Act 1993 & Environmental Planning and Assessment Regulation 2000

All applications to:  
 General Manager  
 Greater Hume Council  
 39 Young Street (PO Box 99)  
 HOLBROOK NSW 2644  
 P: 02 6036 0100  
 E: [mail@greaterhume.nsw.gov.au](mailto:mail@greaterhume.nsw.gov.au)

10-2020-26

Office use only	
Date Rec.	
Property No.	
Receipt No.	
Doc. ID No.	#381123

To avoid delays it is important that all relevant sections of this form are completed and any relevant information required to be attached is provided.

Applicant Details	
Name	John Simpson
Company	c/- Habitat Planning
Postal Address	Suite 1, 622 Macauley Street
Town/ Locality	Albury
State and Post Code	NSW 2640
Phone No.	02 6021 0662
Mobile No.	0439 325 993
Email	david@habitatplanning.com.au
Your Ref (if applicable)	02606
Applicant/s Signature	
Date	07/01/2020

Approvals	
Development Consent	<input checked="" type="checkbox"/>
Construction Certificate	Building <input type="checkbox"/>
	Subdivision <input type="checkbox"/>
	Other work <input type="checkbox"/>
Complying Development Certificate	<input type="checkbox"/>
Bushfire Attack Level	<input type="checkbox"/>
Application form attached (if applicable)	

Other Approvals	
Install a manufactured home, moveable dwelling or associated structure	<input type="checkbox"/>
Carry out water supply, sewerage or stormwater drainage work	<input type="checkbox"/>
Install Onsite Sewage Management System (septic system) <b>Separate attached application form to be completed</b>	<input type="checkbox"/>
Management of waste (trade waste discharge to sewer) <b>Separate attached application form to be completed</b>	<input type="checkbox"/>
Installation of backflow prevention device <b>Separate attached application form to be completed</b>	<input type="checkbox"/>
Public roads (hoardings)	<input type="checkbox"/>
Other activities (Install a domestic oil or solid fuel heating appliance; domestic greywater diversion)	<input type="checkbox"/>

Land Owner Details	
Name	Refer to attached
Company	
Postal Address	
Town/ Locality	
State and Post Code	
Phone No.	

Property Details			
Property Name			
No & Street/ Road	38 Swift Street & 51 Halford Drive		
Town/ Locality	Holbrook		
Title details (if insufficient space attach list)	Lot/s	Sec/s	DP/s
	1		DP717321
	6		DP1126643 38 Swift

Document Name	Version Number	Date of Issue	Review Date
EAP - Development/Construction Application	1.0.5	5 February 2019	As Required

Description of Development
Boundary adjustment (2 lots)

Details of Development
Will the development involve
<input type="checkbox"/> Erecting, altering, or adding to a building structure?
<input type="checkbox"/> If so, is it a <u>temporary</u> building or structure?
<input checked="" type="checkbox"/> Subdividing land?
<input type="checkbox"/> Subdividing a building?
<input type="checkbox"/> Demolition of building or work?
<input type="checkbox"/> Changing the use of land or a building, or the classification of a building under the National Construction Code (without building, subdividing, or demolishing)?
<input type="checkbox"/> Other work (without building, subdividing, or demolishing)?

Estimated Cost of Development	
Building construction and prep. cost (including the costs of installing plant, fittings, fixtures and equip.)	\$
Demolition costs of building or work	\$
Construction costs of the carrying out of other work	\$
<b>TOTAL COST:</b>	<b>\$</b>

Disclosure of Political Donations and Gifts
Have you or any associated person with a financial interest in this application in the last two (2) years made any political donation or given any gifts to any local Councillor or Council employee?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you ticked "Yes", please fill out a Political Donations and Gifts Disclosure Statement and attach to this form. Note that it is an offence not to disclose reportable donations and gifts.

Required Documentation
<b>TWO (2) copies of A3 size plans</b> drawn to scale are to be provided as follows.
<input checked="" type="checkbox"/> <b>Locality Plan</b>
<input checked="" type="checkbox"/> <b>Site Plan</b> showing boundary dimensions, site area, north point, existing vegetation, location and uses of existing buildings, location of features, contours, the location and uses of buildings on sites adjoining the land, carparking, entry and exit points for vehicles, provision for movement of vehicles within the site, proposed landscaping, proposed methods of draining the land (as applicable)
<input type="checkbox"/> <b>Floor Plan</b> (for building work only) showing layout, partitioning, room sizes, and intended uses of each part of the building
<input type="checkbox"/> <b>Elevation Plans</b> (for building work only) showing proposed external finishes and heights of any proposed buildings (other than temporary structures)
<input type="checkbox"/> <b>Plan of Existing Buildings and Structures</b> (for building alteration work only)
<input type="checkbox"/> <b>Preliminary Civil Engineering Drawing</b> (for subdivision work only)
<input type="checkbox"/> <b>Demolition Plan</b> (for demolition work only)
<input type="checkbox"/> <b>Specifications</b> (for building Construction Certificate applications)
<input type="checkbox"/> <b>BASIX Certificate/s</b> (for "BASIX affected building"/"BASIX affected development" only – ensure that the site plan, floor plan, and specifications (where relevant) show all BASIX commitments)

Environmental Effects
Is the development "designated development"?
<input type="checkbox"/> <b>Yes</b> – please attach an Environmental Impact Statement (EIS) (seek Council advice beforehand)
<input checked="" type="checkbox"/> <b>No</b> – please attach a Statement of Environmental Effects (SEE) (two (2) copies)
Is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats?
<input type="checkbox"/> <b>Yes</b> – please attach a Species Impact Statement (SIS) (seek Council advice beforehand)
<input checked="" type="checkbox"/> <b>No</b>

Staged Development	
If you wish, you can apply for development consent for only part of the development now and for the remaining part/s at a later time	
Are you applying for development consent in stages?	<input type="checkbox"/> Yes
	<input checked="" type="checkbox"/> No

Concurrence from State Departments or Agencies	
Does the development need concurrence from a State department or agency? If "Yes" list these	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Approvals from State Departments or Agencies	
If the development needs any of the following typical approvals before proceeding (see Fact Sheet) you can apply for those approvals at this time (note that this list only contains abridged approval types typical for Greater Hume). Ensure that a cheque for \$320 made out to the relevant agency accompanies this form.	
<input type="checkbox"/>	<i>Heritage Act 1977</i> Listing on the State Heritage Register
<input type="checkbox"/>	<i>National Parks and Wildlife Act 1974</i> Aboriginal relic or places
<input type="checkbox"/>	<i>Protection of the Environment Operations Act 1997</i> Environment Protection Licence
<input type="checkbox"/>	<i>Roads Act 1993</i> Consent to connect a road (whether public or private) to a classified road
<input type="checkbox"/>	<i>Rural Fires Act 1997</i> Subdivision of Bushfire Prone Land that could lawfully be used for residential or rural residential purposes or development for special fire protection purposes
<input type="checkbox"/>	<i>Water Management Act 2000</i> Controlled Activity Approval for a "controlled activity" within 40m of the nearest high bank of a watercourse

Builder Details	
Name	
Company	
Licence No.	
Permit No. (if owner builder)	
Postal Address	
Town/State/Post Code	
Mobile No	

Construction Statistics	
Required by the Australian Bureau of Statistics for building construction work only	
<b>Walls</b> <input type="checkbox"/> Brick double (11) <input type="checkbox"/> Brick veneer (12) <input type="checkbox"/> Concrete or Stone (20) <input type="checkbox"/> Fibre cement (30) <input type="checkbox"/> Timber (40) <input type="checkbox"/> Curtain glass (50) <input type="checkbox"/> Steel (60) <input type="checkbox"/> Aluminium (70) <input type="checkbox"/> Other (80) <input type="checkbox"/> Not specified (90)	<b>Roof</b> <input type="checkbox"/> Tiles (10) <input type="checkbox"/> Concrete or Slate (20) <input type="checkbox"/> Fibre cement (30) <input type="checkbox"/> Steel (60) <input type="checkbox"/> Aluminium (70) <input type="checkbox"/> Other (80) <input type="checkbox"/> Not specified (90)
<b>Floor</b> <input type="checkbox"/> Concrete or Slate (20) <input type="checkbox"/> Timber (40) <input type="checkbox"/> Other (80) <input type="checkbox"/> Not specified (90)	<b>Frame</b> <input type="checkbox"/> Timber (40) <input type="checkbox"/> Steel (60) <input type="checkbox"/> Aluminium (70) <input type="checkbox"/> Other (80) <input type="checkbox"/> Not specified (90)
Colour of roof?	
Colour of walls?	
Floor area of dwelling (exc. garage)?	
Floor area of garage?	
Floor area (other)?	
No. of storeys?	
If the building is a dwelling, is it a	<input type="checkbox"/> Separate house
	<input type="checkbox"/> Kit home
	<input type="checkbox"/> Transportable dwelling
No. of new residential units (including dual occupancy)?	<input type="checkbox"/> Attached
	<input type="checkbox"/> Detached

Number Details	
Name	
Company	
Licence No.	
Postal Address	
Town/State/ Post Code	
Mobile No.	

Principal Certifying Authority	
<input type="checkbox"/>	Does the landowner wish to appoint Council as the Principal Certifying Authority (PCA) for the purposes of carrying out inspections and issuing construction, compliance and occupation certificates?
Yes	
<input type="checkbox"/>	Note:
No	1. Only a person having the benefit of the development consent or complying development certificate can appoint a PCA (ie the landowner).

Contract for Undertaking Certification Work	
<p><i>The following applies if you have appointed Greater Hume Council as the PCA for this development:</i></p> <p>This contract has been prepared pursuant to Section 73A of the Building Professionals Act 2005 and Clause 19A of the Building Professionals Regulation 2007.</p> <p>This is a contract between:</p> <ol style="list-style-type: none"> <li>The Council is a certifying authority and employs an accredited certifier who is authorised to carry out the certification work which is the subject of this Agreement on behalf of the Council.</li> <li>The owner seeks to engage the Council to perform certification work in relation to the subject development.</li> </ol> <p><b>Refer to the Fees and Charges &amp; Statutory Obligations of the Certifier (see pages 5-7)</b></p> <p>Council undertakes all certification work in a professional manner and in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Details of the officers employed by Council as Accredited Certifiers, any of whom may carry out certification work and inspections under this contract, can be found on the Building Professionals Board website at <a href="http://www.bpb.nsw.gov.au">www.bpb.nsw.gov.au</a></p>	
<p><b>Certifying Authority:</b>            Greater Hume Council            40 Balfour Street CULCAIRN NSW 2660            P: 02 6036 0100            E: <a href="mailto:mail@greaterhume.nsw.gov.au">mail@greaterhume.nsw.gov.au</a></p>	

Development Consent/CDC/Part 6 Certificate number/identifier
Development Consent/CDC/Part 6 Certificate approval date
Name and Accreditation number of PCA on behalf of Council
Signature of Council PCA
Date
Signature of Owner/s
Date

Applicant Declaration	
I hereby apply for the approval/s as described in this application form	
Name (capitals)	David Hunter
Signature	
Date	24/2/2019

Landowner/s Declaration	
I/We being the owner/s of the land for which this application is sought, consent to the lodgement of this application, and give consent to authorised officers of Council to enter the property to carry out inspections, if necessary, relating to this application.	
Name (capitals)	
Signature	
Date	
Name (capitals)	
Signature	
Date	
Name (capitals)	
Signature	
Date	
If the land is owned by individuals, all must sign. If the land is owned by a private company, at least one director residing in Australia must sign. If the land is owned by a public company, at least three directors must sign, two of which must reside in Australia.	



Greater  
Hume  
Council

## Land Owner Consent - Development Application Form

All forms to:  
Greater Hume Council  
39 Young Street (PO Box 99) HOLBROOK NSW 2644  
Email: [mail@greaterhume.nsw.gov.au](mailto:mail@greaterhume.nsw.gov.au)

Environmental Planning and Assessment Act 1979 & Environmental Planning and Assessment Regulation 2000

### Development Application – Land Owner Consent

Where the development application form cannot be signed by a landowner, this form can be used instead. A scanned and emailed copy of this form is acceptable.

### Property Details

House Number 38 Property Name \_\_\_\_\_  
Street Name Swift Street  
Suburb Holbrook Post Code 2640  
Lot/s 6 Section/s \_\_\_\_\_  
Deposited Plan/Strata Plan Number/s DP1126643

### Description of Development

Boundary Adjustment (2 Lots)

### Land Owner Declaration

I/We being the owner/s of the land for which this application is sought, consent to the lodgement of this application, and give consent to authorised officers of Council to enter the property to carry out inspections, if necessary, relating to this application.

Signature/s [Signature]  
Name/s Christopher Bale Date 31/1/2020

Signature/s [Signature]  
Name/s Carla Bender Date 31/1/2020

Signature/s [Signature]  
Name/s \_\_\_\_\_ Date \_\_\_\_\_

If the land is owned by individuals, all must sign. If the land is owned by a private company, at least one director residing in Australia must sign. If the land is owned by a public company, at least three directors must sign, two of which must reside in Australia.

Electronic Version is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy verify that it is the current version.

Page 1 of 1

Document Name	Version Number	Date of Issue	Review Date
EAP – Land Owner Consent - Development Application Form	1.0.1	21 January 2019	As Required



Greater  
Hume  
Council

## Land Owner Consent - Development Application Form

All forms to:  
Greater Hume Council  
39 Young Street (PO Box 99) HOLBROOK NSW 2644  
Email: [mail@greaterhume.nsw.gov.au](mailto:mail@greaterhume.nsw.gov.au)

Environmental Planning and Assessment Act 1979 & Environmental Planning and Assessment Regulation 2000

### Development Application – Land Owner Consent

Where the development application form cannot be signed by a landowner, this form can be used instead. A scanned and emailed copy of this form is acceptable.

### Property Details

House Number 51 Property Name \_\_\_\_\_  
Street Name Halford Drive  
Suburb Holbrook Post Code 2640  
Lot/s 1 Section/s \_\_\_\_\_  
Deposited Plan/Strata Plan Number/s DP717321

### Description of Development

Boundary Adjustment (2 Lots)

### Land Owner Declaration

I/We being the owner/s of the land for which this application is sought, consent to the lodgement of this application, and give consent to authorised officers of Council to enter the property to carry out inspections, if necessary, relating to this application.

Signature/s \_\_\_\_\_

Name/s Catherine Simpson Date 17/2/2020

Signature/s *Catherine Simpson*

Name/s CATHERINE SIMPSON Date 17/2/2020

Signature/s \_\_\_\_\_

Name/s \_\_\_\_\_ Date \_\_\_\_\_

If the land is owned by individuals, all must sign. If the land is owned by a private company, at least one director residing in Australia must sign. If the land is owned by a public company, at least three directors must sign, two of which must reside in Australia.

Electronic Version is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy verify that it is the current version.

Page 1 of 1

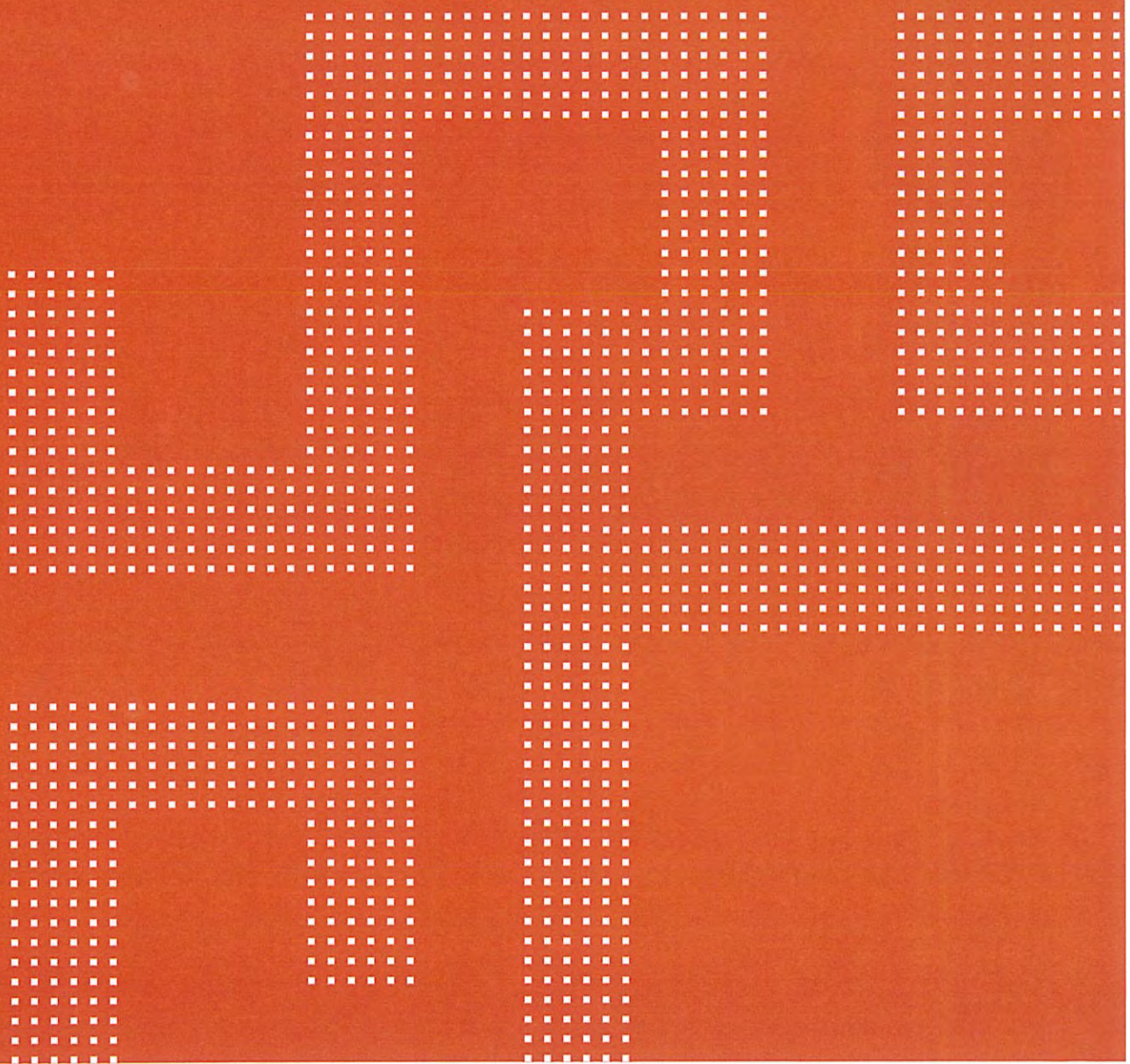
Document Name	Version Number	Date of Issue	Review Date
EAP – Land Owner Consent - Development Application Form	1.0.1	21 January 2019	As Required

# habitat planning

## Development Application Statement of Environmental Effects

**38 Swift Street & 51 Halford Drive,  
Holbrook**  
Boundary Adjustment

January 2020



TOWN PLANNING + URBAN DESIGN CONSULTANTS

**Prepared for**

John Simpson

**Contact**

Habitat Planning  
Suite 1, 622 Macauley Street  
ALBURY NSW 2640

02 6021 0662  
habitat@habitatplanning.com.au  
habitatplanning.com.au

Habitat Planning Pty Ltd  
ABN 29 451 913 703  
ACN 606 650 837



The information contained in this document produced by Habitat Planning is solely for the use of the person or organisation for which it has been prepared. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of Habitat Planning.

Project Number 02606

**Document Control**

Revision No	Date of Issue	Author	Approved
A	28/01/2020	TC	DH



## Contents

<b>1</b>	<b>Introduction .....</b>	<b>3</b>
<b>2</b>	<b>Site Analysis .....</b>	<b>4</b>
2.1	Site Location and Context .....	4
2.2	Site Description .....	5
2.3	Surrounding Development .....	6
<b>3</b>	<b>Description of Proposal.....</b>	<b>7</b>
3.1	Overview .....	7
3.2	Proposed Lot Configuration .....	7
<b>4</b>	<b>Planning Assessment.....</b>	<b>10</b>
4.1	Environmental Planning and Assessment Act 1979.....	10
4.1	State Environmental Planning Policy No. 55 – Remediation of Land.....	11
4.2	Greater Hume Local Environmental Plan 2012 .....	11
4.2.1	Land Use and Permissibility .....	11
4.2.2	Subdivision.....	12
4.2.3	Minimum subdivision lot size .....	12
4.2.4	Exceptions to development standards.....	13
4.2.5	Terrestrial biodiversity.....	17
4.3	Greater Hume Development Control Plan 2012 .....	18
4.3.1	Subdivision.....	18
<b>5</b>	<b>Assessment of Environmental Impacts .....</b>	<b>19</b>
<b>6</b>	<b>Conclusion.....</b>	<b>22</b>

## Figures

Figure 1 Context or Site Map.....	4
Figure 2 Map indicating existing lot configuration of Lot 1 in DP717321 (blue outline) and Lot 6 in DP1126643 (red outline) .....	5
Figure 3 Extract of the proposed plan of subdivision .....	8
Figure 4 Aerial image indicating the revised lot boundary to eastern portion of the subject site. ....	9
Figure 5 Extract of the land zoning map, indicating the subject site. ....	12
Figure 6 Extract of the lot size map, indicating the subject site. ....	13
Figure 7 Extract from the Terrestrial Biodiversity map, indicating the subject land .....	17

## Tables

Table 1 – Consistency with the objectives of the minimum lot size standard .....	16
Table 2 – Consistency with the objectives of the RU5 Zone.....	16
Table 3 – Consistency with the objectives of the RE2 Zone .....	16
Table 4 – Assessment of impacts Summary .....	19
Table 5 – Compliance for Chapter 6 of the Greater Hume DCP .....	1

## Appendices

- A. Existing Title Details
- B. Proposed Plan of Subdivision
- C. Planning Compliance Tables

# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Habitat Planning on behalf of John Simpson and is submitted to Greater Hume Shire Council in support of a Development Application (DA) for a boundary adjustment between Lot 1 in DP717321 and Lot 6 in DP1126643 and addressed as 51 Halford Drive & 38 Swift Street, Holbrook.

The application also seeks an exception to development standards at clause 4.1 of the *Greater Hume Local Environmental Plan 2012* ("the LEP") relating to minimum lot size for subdivision. A request pursuant to clause 4.6 of the LEP is included within this report.

The DA and this report have been prepared in accordance with the *Environmental Planning and Assessment Act 1979* ("EP&A Act") and the *Environmental Planning and Assessment Regulation 2000* ("EP&A Regs").

This report addresses the relevant heads of consideration listed under Section 4.15(1) of the EP&A Act and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and to the proposal. It also describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

This report should be read in conjunction with the proposed plan of subdivision and associated details prepared by Peak Survey and Developments.

## 2 Site Analysis

### 2.1 Site Location and Context

The subject land to which this application relates is described as Lot 1 in DP717321 and Lot 6 in DP1126643 and addressed as 51 Halford Drive & 38 Swift Street, Holbrook. It is located 1 kilometre east of the Holbrook CBD.

The location of the site is shown at Figure 1.

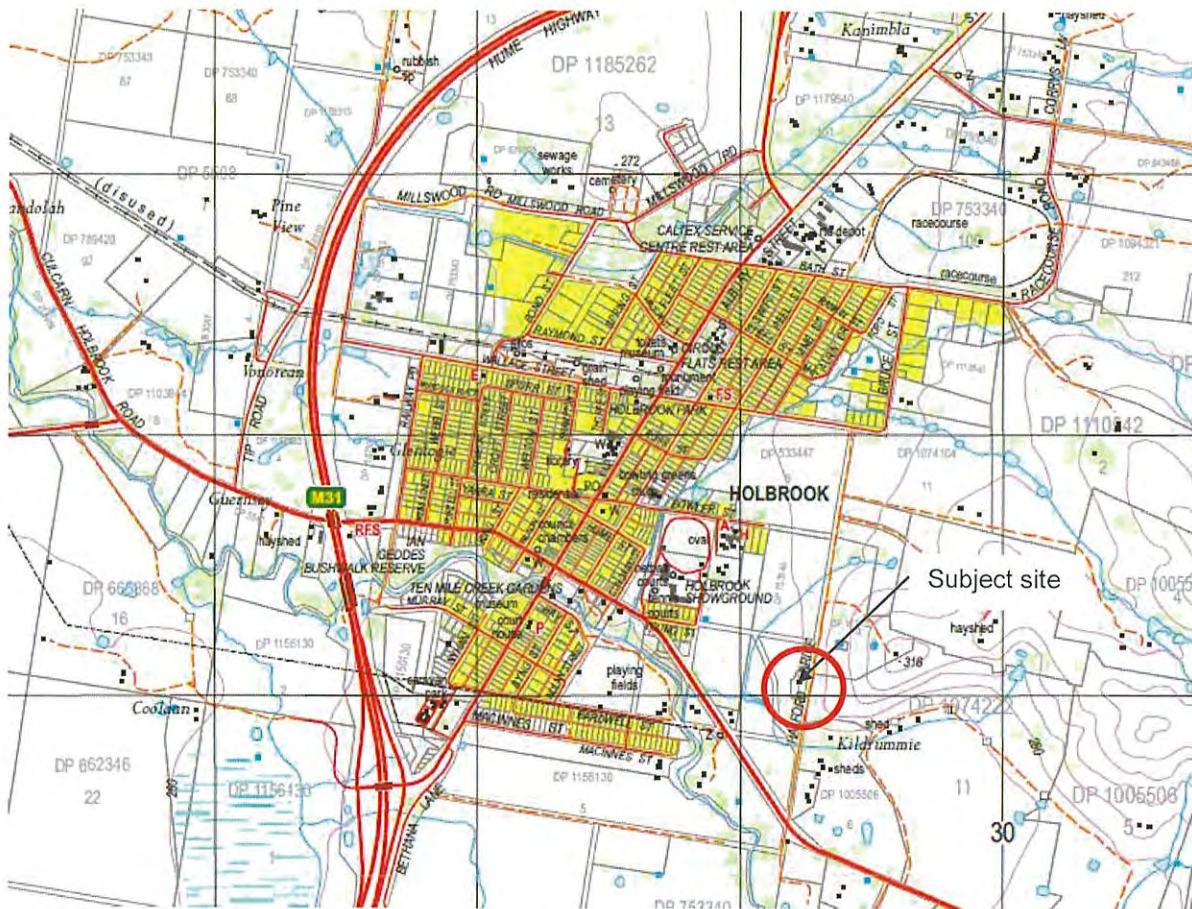


Figure 1 Context or Site Map

## 2.2 Site Description

Lot 1 forms an irregular parcel with a frontage to Halford Drive of approximately 116 metres and a total area of 5160m<sup>2</sup>. It presently contains an existing dwelling and associated buildings and very well established gardens surrounding.

Lot 6 comprises one of several lots making up the Holbrook Golf Course area. The lot is a generally square shape and traversed by a closed road reserve running through the centre and wrapping around the boundaries of Lot 1 on the eastern side. It has dimensions of 241.4 metres and 390.27 metres and has a total area 7.925 hectares. The lot contains fairway and greens areas of the Holbrook Golf Course, however the south east and north east corners of the lot have been fenced off from the golf course area and contain isolated grassed and vegetated spaces.



Figure 2 Map indicating existing lot configuration of Lot 1 in DP717321 (blue outline) and Lot 6 in DP1126643 (red outline)

### 2.3 Surrounding Development

The subject site is located on the eastern urban fringe of Holbrook. It represents a transitional area between the urban area and rural living/agricultural land to the east beyond Halford Drive.

The Holbrook Golf Course generally comprises the land to the north and north west of the subject site towards Swift Street. The Golf Course land continues north for approximately 800 metres along Halford Drive before interfacing with residential areas in the northern urban area of Holbrook. The Holbrook Sportsground precinct and Holbrook Hospital are located to the north west with then town centre of Holbrook located west beyond.

Land to the west beyond the Golf course land consists of vacant residential land and scattered residential dwellings on the south east approach to the Holbrook township. Residential areas of the township are established further west and south west through to the Hume Freeway corridor.

Land to the immediate south comprises the remaining corner of the Holbrook Golf Course which abuts the intersection of Jingellic Road and Halford Drive. A mix of rural living and primary production land on the urban fringes. The Ten Mile Creek is located approximately 300-400 metres south of the subject site.

Land on the eastern side of Halford Drive consists of rural living lots and agricultural properties. A variety of rural dwellings have been established along the Halford Drive interface and are generally contained on larger lots. Land further east comprises more substantial rural properties.

## 3 Description of Proposal

### 3.1 Overview

This proposal seeks approval for a boundary adjustment between the common boundary of Lot 1 in DP717321 and Lot 6 in DP1126643. The intention is to incorporate a surplus portion of the adjoining golf course land (Lot 6) into the lot containing the existing dwelling so that this land can be used in conjunction with the existing dwelling.

An extract of the proposed plan of subdivision is shown at Figure 3 below and attached at Appendix B.

### 3.2 Proposed Lot Configuration

The proposal will result in the enlargement of the area of Lot 1 in DP717321 and a reduction to the area of Lot 6 in DP1126643. The area to be transferred between the lots is 7,085m<sup>2</sup>.

The former is to be described as proposed Lot 1 and the latter to be described as proposed Lot 2.

Proposed Lot 1 will result in a long frontage to Halford Drive of 355 metres and a generally triangular shaped with a maximum depth of approximately 60 metres near the existing dwelling. The total area of proposed Lot 1 is to be 1.284 hectares.

Proposed Lot 2 will retain a generally rectangular shape, however, will have an adjusted eastern boundary. The lot will only retain a frontage to Halford Drive of 39.7 metres in the north east corner of the lot. The total area of proposed Lot 2 is to be 7.217 hectares.

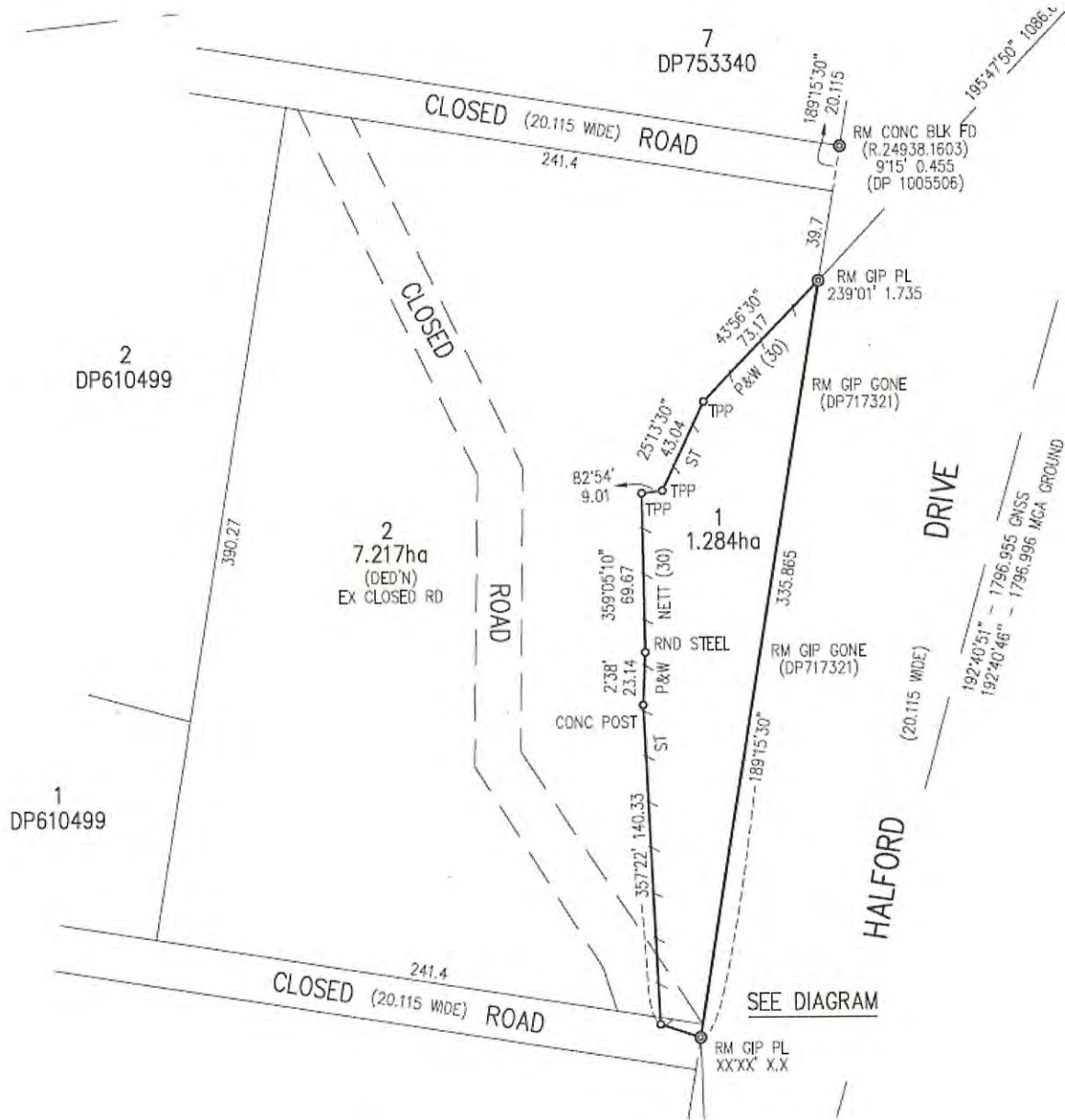


Figure 3 Extract of the proposed plan of subdivision





Figure 4 Aerial image indicating the revised lot boundary to eastern portion of the subject site.

## 4 Planning Assessment

This section considers the planning issues relevant to the proposed development and provides an assessment of the relevant matters prescribed in Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

### 4.1 Environmental Planning and Assessment Act 1979

Section 4.15 of the EP&A Act 1979 sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

*(1) Matters for consideration—general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

*(i) any environmental planning instrument, and*

*(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

*(iii) any development control plan, and*

*(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

*(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest."*

The matters for consideration identified in Section 4.15(1) of the EP&A Act 1979 are addressed in the following section. Subsections (b) to (e) of Section 4.15(1) of the EP&A Act 1979 are addressed in Section 5 of this SEE

#### 4.1 State Environmental Planning Policy No. 55 – Remediation of Land

*State Environmental Planning Policy No. 55 – Remediation of Land* ("SEPP 55") sets out considerations relating to land contamination across the state. The intention of the SEPP is to establish 'best practice' guidelines for managing land contamination through the planning and development control process.

In the context of this application, clause 7 of SEPP 55 generally requires that consideration be given to whether or not land proposed for development is contaminated and fit for use for its intended purpose.

The subject site is an existing developed urban lot within the outer urban area of Holbrook. It is presently used for a residential purpose, and for a private recreational purpose as a golf course, and there are no uses or activities on the subject site which are potentially contaminating. Likewise, there is no evidence of the site having previously accommodated uses which would have a high likelihood of contamination.

Consequently, the land is considered fit for its continued residential purposes and therefore the relevant considerations of SEPP 55 are satisfied.

#### 4.2 Greater Hume Local Environmental Plan 2012

The Greater Hume Local Environmental Plan 2012 ("the LEP") is the principal planning instrument that guides development within the LGA. The below provides an overview of consistency and compliance of the proposal against the relevant provisions.

##### 4.2.1 Land Use and Permissibility

The subject site is contained in two zones, with existing Lot 1 in DP717321 zoned RU5 Village and Lot 6 in DP1126643 zoned RE2 Private Recreation. The zone boundaries correspond to the existing lot boundaries, as demonstrated by Figure 3 below.

The objectives of the RU5 zone are:

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To protect the amenity of residents*

The proposal seeks to retain the function of the land as being predominantly rural residential, consistent with the existing village character of this area of Holbrook. The land is to be added to the existing residential property to be used and managed in association with the existing residential activities. The proposal will not adversely impact upon the amenity of residents.

The objectives of the RE2 zone are:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

The proposal is intended to allow the balance of land (i.e. the entire area of proposed Lot 2) to remain in use as a golf course and therefore will continue to offer open space and recreation opportunities. Incorporating part of the RE2 into the lot containing the existing dwelling will provide additional open space and landscape curtilage to the existing dwelling for the benefit of the occupiers.

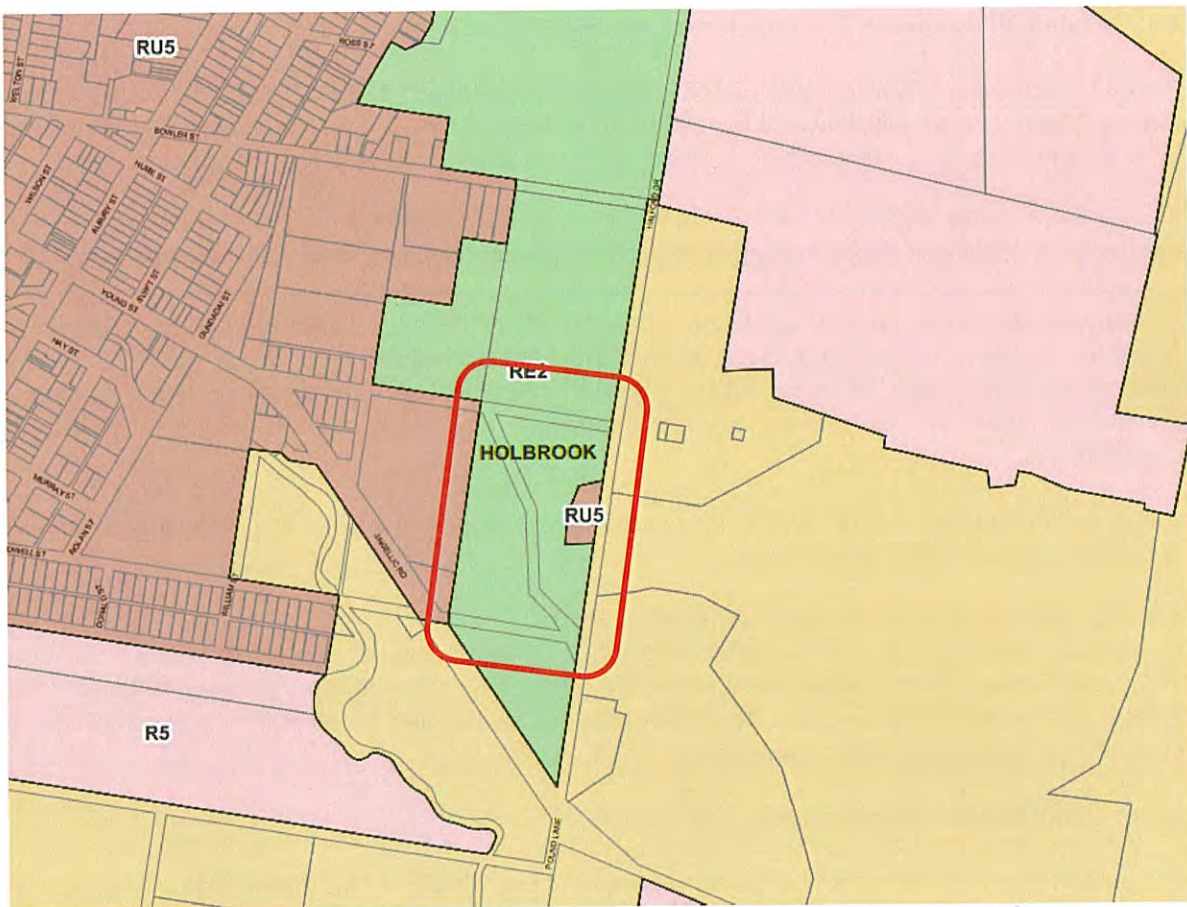


Figure 5 Extract of the land zoning map, indicating the subject site.

#### 4.2.2 Subdivision

Clause 2.6 of LEP specifies that development consent is required to subdivide land unless it is classified as exempt or complying development under any applicable Environmental Planning Instrument including *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. The proposed subdivision is not exempt or complying development and this application is made seeking development consent for subdivision.

#### 4.2.3 Minimum subdivision lot size

Clause 4.1 of the LEP requires that any lot resulting from the subdivision of land must be in accordance with the minimum lot size requirements shown on the Lot Size Map. In this instance, no minimum lot size applies to the land zoned RU5 however a 100 hectare minimum lot size applies to the land zoned RE2.

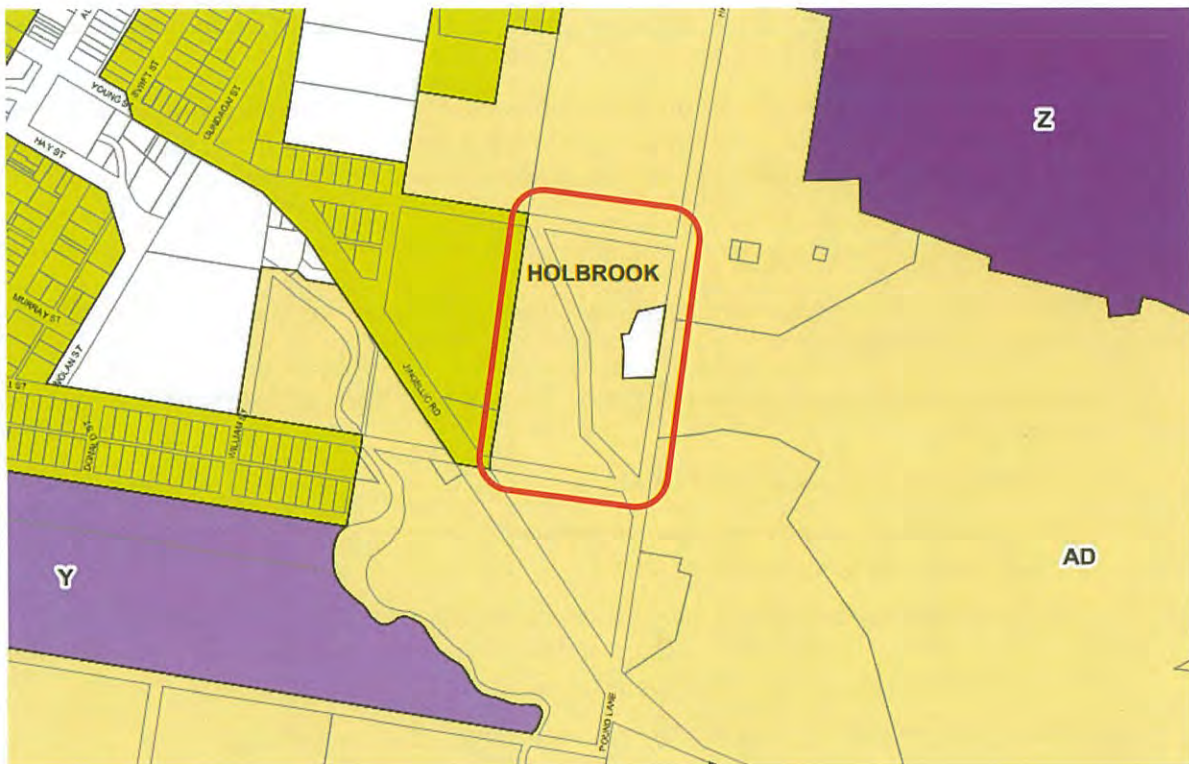


Figure 6 Extract of the lot size map, indicating the subject site.

The proposed development does not satisfy the requirements of subclause Clause 4.1 as it relates to the RE2 zone, as the proposed Lot 1 will be partially affected by the 100 hectare minimum lot size and will create a lot of only 1.284 hectares and Lot 2 will be wholly within 100 hectare minimum lot size and proposes a lot size of only 7.217 hectares.

This application seeks a variation to the minimum lot size controls and is considered in relation to clause 4.6 below.

#### 4.2.4 Exceptions to development standards

Clause 4.6 of LEP allows for exceptions or variations to development standards, which includes minimum lot sizes. This application seeks to vary the standards at clause 4.1 of the LEP, identified above. The following section provides the justification for the variation to the standard.

Specifically, clause 4.6 of the LEP enables an exception to development standards and seeks to provide an appropriate degree of flexibility in applying certain development standards to particular development.

- (1) *The objectives of this clause are as follows—*
  - *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
  - *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other*

environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless—
- (a) the consent authority is satisfied that—
    - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
    - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  - (b) the concurrence of the Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Secretary must consider—
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (b) the public benefit of maintaining the development standard, and
  - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

### **Development standard to be varied**

In this instance, the development does not comply with the minimum lot size requirements for the subdivision of land. Proposed Lots 1 and 2 are to be 1.284 hectares and 7.217 hectares in size compared to the 100 hectare requirement pursuant to Clause 4.1 of the LEP.

### **Extent of variation**

The proposed lots are to be 1.284 hectares and 7.217 hectares which represent a variation of 98.7% hectares and 92.7% respectively.

### **Assessment**

An assessment of the variation against the relevant heads of consideration is provided below.

*Clause 4.6(3)(a) – Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?*

Compliance with the minimum lot size standard is unreasonable and unnecessary in this instance for the following reasons:

- The proposal achieves the objective at clause 4.1(1)(a) which is to ensure land use and development is undertaken on appropriately sized parcels of land consistent with the objectives of

the relevant zones. The outcome sought by the proposal does not change the existing activities for each of the lots, but rather seeks to change the common boundary between the two.

- The existing configuration of both lots are already well under the minimum lot size of 100 hectares and therefore are undersized in the context of the minimum lot size. Altering the lot boundaries as proposed therefore has no significant change to the existing level of compliance with the minimum lot size.
- The total extent of the two lots is 8.51 hectares, with the portion of land proposed to be altered between the lots being 7,085m<sup>2</sup> or 8% of the total area which represents a minimal change in the overall context.
- The nature of the development is effectively residential, with the lot sizes sought intended to provide a more direct response to the existing boundaries of the golf course and the adjacent low density residential uses. The altered boundaries are therefore considered to provide a better response to the existing conditions of this part of Holbrook.
- The intension of the minimum lot size controls is to maintain an appropriate density and lot proportions that are responsive to the character of the area. As above, the resultant lots better represent the existing conditions and the way the land is already being used.
- The proposal will allow a more effective and appropriate utilisation of land as a whole.

*Clause 4.6(3)(b) – Are there sufficient environmental planning grounds to justify contravening the development standard?*

The proposal demonstrates sufficient environmental planning grounds for the following reasons:

- The existing lots are already created at a smaller size and are well less than the minimum lot size applicable to the RE2 zone. An amendment between the common boundaries is considered to be insignificant in the overall configuration of the land.
- A 100 hectare minimum lot size is only applied to the RE2 land which is to be taken into the RU5 land. The intention of the minimum lot sizes is not to restrict the residential village areas of Holbrook to a minimum lot size of 100 hectares. In this instance, it is logical and appropriate to incorporate an unused area of the adjacent golf course property with the dwelling, despite the applied minimum lot size.
- The dwelling lot, which is sought be increased, is predominantly within an area with no minimum lot size and clearly the intent of the LEP provisions is to avoid minimum lot size restriction over the 'village' areas. The variation results only by taking in the surplus golf course land which will effectively serve additional private open space and associated land with the dwelling.
- Under this arrangement, the proposal does not exceed the existing density of lots already allowed for by the LEP. That is, the subject site already comprises two undersized lots (in the context of the minimum lot size) and will remain in a two lot configuration albeit with altered common boundaries..
- The modified common boundary between the two lots will reflect the existing conditions of the subject site and will therefore have no discernible change to the subject site or context. The boundary will follow an existing dividing fence between the golf course, the existing dwelling lot and two portions which are surplus to the function of the golf course.

*Clause 4.6(4)(a)(ii) - Is the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out?*

Clause 4.6(4)(a)(ii) specifies that a development will be in the public interest if it is consistent with the objectives of particular development standards and the objectives for development within the zone in

which the development is proposed to be carried out. It is considered that the development will be in the public interest for the following reasons.

Table 1 – Consistency with the objectives of the minimum lot size standard

Objective	Response
(a) <i>to ensure land use and development is undertaken on appropriately sized parcels of land consistent with the objectives of the relevant zone.</i>	<p>The proposed boundary adjustment is sought to better respond to the existing conditions between the two existing lots and enable transfer of land surplus to the golf course to an adjoining lot containing a dwelling.</p> <p>The resulting configuration ensures that both existing uses can be continued on suitable sized and proportioned lots.</p>

Table 2 – Consistency with the objectives of the RU5 Zone

Objective	Response
<i>To provide for a range of land uses, services and facilities that are associated with a rural village.</i>	Proposed Lot 1 will retain its predominant function as a low density residential lot, with the enlarged lot area providing additional open space and curtilage to the existing dwelling. The use of the land will remain for the purposes originally approved and expected for a rural village.
<i>To protect the amenity of residents.</i>	The proposed boundary adjustment will have no adverse impact on the amenity of residents as the nature of use and activities on the land will be unaltered.

Table 3 – Consistency with the objectives of the RE2 Zone

Objective	Response
<i>To enable land to be used for private open space or recreational purposes.</i>	Proposed Lot 2 will retain its predominant use as a private golf course. The land to be transferred is presently surplus to the golf course function as it is separated from the main area of the course.
<i>To provide a range of recreational settings and activities and compatible land uses.</i>	As above, the area of proposed Lot 2 will continue to be used as part of the broader golf course area, consistent with the private recreational context.
<i>To protect and enhance the natural environment for recreational purposes.</i>	The adjusted lot boundaries will reflect current useable area of the golf course. An existing dividing fence is established along the proposed boundary and separates the two portions of the land. It is considered more likely that the natural



environment will be enhanced through inclusion as part of a residential property.

It is considered that the proposal is wholly consistent with the objectives of the minimum lot size standard and the zone objectives.

For the reasons set out above, the clause 4.6 variation request is well founded as it demonstrates, as required under clause 4.6 of the LEP, that the proposal provides an appropriate planning outcome with no significant adverse environmental impacts.

#### 4.2.5 Terrestrial biodiversity

The subject land is subject to the terrestrial biodiversity map of the LEP, which refers to land that have a value to conserving biodiversity, and the provisions of Clause 6.2 apply.

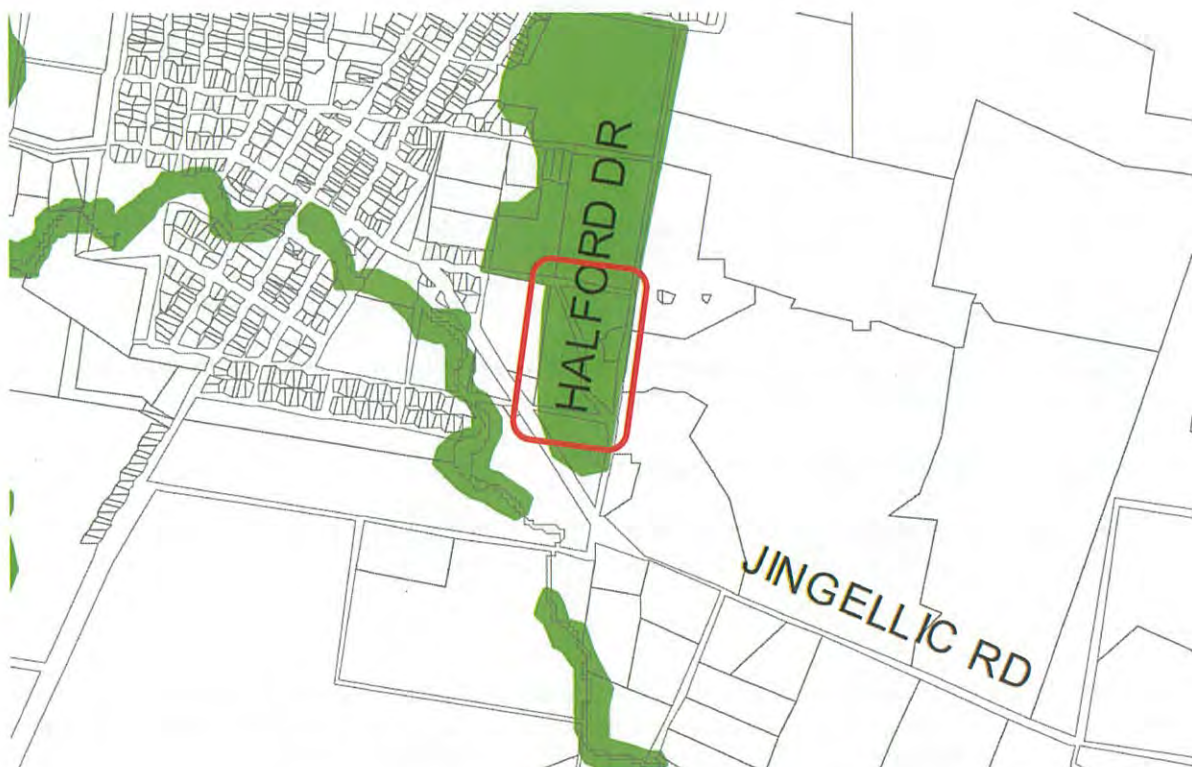


Figure 7 Extract from the Terrestrial Biodiversity map, indicating the subject land

The objectives of land designated for the protection of terrestrial biodiversity are as follows:

- (a) *protecting native fauna and flora, and*
- (b) *protecting the ecological processes necessary for their continued existence, and*
- (c) *encouraging the conservation and recovery of native fauna and flora and their habitats.*

Before determining an application for development on land to which is affected by the Terrestrial Biodiversity layer, the consent authority must consider the following:

- (a) *whether the development is likely to have—*
  - (i) *any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*

- (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
- (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
- (iv) any adverse impact on the habitat elements providing connectivity on the land, and
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposed boundary adjustment will not result in any physical alterations to the subject site. The proposal only seeks to adjust the common lot boundary between the lots, with no new works proposed. An existing fence already exists between the two lots along the proposed lot boundary and services are already constructed and provided to each lot as appropriate. The proposal will therefore have no adverse impact on the biodiversity of the site or surrounding area.

Before granting development on land to which is affected by the Terrestrial Biodiversity layer, the consent authority must also be satisfied of the following:

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

As above, Council can be satisfied that there will be no impacts upon biodiversity as the proposal is for subdivision only and does not propose any buildings or works.

#### 4.3 Greater Hume Development Control Plan 2012

The Greater Hume Development Control Plan (“the DCP”) provides specific local development requirements. The relevant matters of the DCP are considered below.

##### 4.3.1 Subdivision

Chapter 6 of the DCP refers to subdivision and applies to the proposal as a boundary adjustment represents a type of subdivision. A full assessment against this chapter is provided in **Attachment C** and demonstrates that the proposal is wholly compliant with the relevant controls.

## 5 Assessment of Environmental Impacts

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to (e) of the EP&A Act 1979.

Table 4 – Assessment of impacts Summary

Impact	Impact Identification	Response
Context & setting	<p>Site analysis of the subject land and surrounding property.</p> <p>Visual inspection of the property.</p> <p>Analysis of the proposed plans for development.</p>	<p>The proposal represents a boundary adjustment between an existing residential property and a private recreation facility, with the land to be transferred having been identified as surplus to the private recreation purposes. Increasing the size of proposed Lot 1 is an appropriate outcome as will take in the surplus area of land for use in conjunction with the dwelling activities.</p> <p>The proposal will not alter the existing uses of the land or have any direct impact on adjoining properties. The revised lot boundary responds to an existing fence line and therefore will have discernible change to surrounding area.</p> <p>There are no works or physical changes that are sought or envisaged for the proposal.</p>
Access, Traffic & Parking	<p>Consideration of Part 17 of the ADCP.</p> <p>Inspection of the property.</p>	<p>As there are no additional lots being created, there is no potential for any traffic impacts over and above those existing.</p> <p>All existing access arrangements will be retained, with a driveway access to proposed Lot 1 (and the associated dwelling) retained from Halford Drive. Proposed Lot 2 is designed to allow for a formal frontage to Halford Drive, however it is noted that this lot is used in conjunction with the broader golf course precinct and will have practical access via other internal locations which are to be unaltered.</p>

Impact	Impact Identification	Response
<b>Infrastructure</b>	<p>Analysis of plans and supporting details.</p> <p>Review and consultation with Council and relevant service authorities.</p>	<p>The existing development is already serviced by appropriate established infrastructure. The changes in lot configuration proposed by this boundary adjustment do not require alterations to existing services or replacement.</p> <p>No additional development or intensification of use is proposed by this application and therefore no additional loads on existing is expected.</p>
<b>Heritage</b>	<p>Review of Heritage Items &amp; Conservation Areas in the LEP and DCP.</p>	<p>There are no heritage items or heritage conservation areas in the immediate surrounds.</p>
<b>Cultural Heritage</b>	<p>Search of NSW AHIMS database for registered cultural heritage items.</p> <p>Consideration of the <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW</i>, Department of Environment, Climate Change and Water NSW, 2010</p>	<p>The subject land is a heavily modified site through previous development for residential purposes and extensive modification in establishing a private recreation use (golf course). It is not considered likely that any items of cultural heritage would be present on site. Further, the proposal does not involve any physical works or changes to the landform which eliminates the risk of disturbance to any items.</p> <p>If the applicant does identify or uncover archaeological items on the site, the items will be left in place and appropriate protocols for dealing with such instances will be observed.</p>
<b>Soils</b>	<p>Visual inspection of the property.</p> <p>Consideration of <i>Managing Urban Stormwater: Soil and Construction Volume 1 (Landcom, 2004) (the Blue Book) (particularly Section 2.2)</i> and <i>Managing Urban Stormwater: Soil and Construction Volume 2A – Installation of Services (DECC, 2008)</i>.</p> <p>Consideration of likelihood of any contamination.</p>	<p>The proposal is for a boundary adjustment and there are no works proposed. The proposal will have no impact on the soil conditions of lead to any increased potential for erosion r other instability.</p> <p>There will be no change to the way the land is drained and no additional hardstand areas or other run off sources created.</p>
<b>Flora &amp; fauna</b>	<p>Visual inspection of the property.</p>	<p>Th subject land is within an area identified on the terrestrial biodiversity map of the LEP and contains a variety of established planted and scattered native vegetation. The proposal is for subdivision only and does not include any works or changes to the use of land that could lead to any impact upon the biodiversity or vegetation conditions of the property.</p>

Impact	Impact Identification	Response
<b>Waste</b>	Anticipated. Visual inspection of the property. Analysis of plans and supporting details.	The proposal involves subdivision only and, as such will not generate any waste.  Waste collection services are available to the area and may continue to service the existing dwelling and occupation of the lots. The expected waste generation from the property is not expected to increase.
<b>Noise</b>	Anticipated. Visual inspection of the property.	The proposal is for subdivision only and no noise impacts are anticipated or considered likely.
<b>Natural hazards</b>	Visual inspection of the property. Flood referral map & Bushfire Prone Land Map	The subject land is not subject to any identified natural hazards.
<b>Social &amp; economic</b>	Anticipated.	The proposed boundary adjustment will have no negative social or economic impacts.
<b>Suitability &amp; Public Interest</b>	Anticipated.	The proposed boundary adjustment seeks to incorporate a surplus portion of the golf course land into an adjoining lot containing a dwelling so that the land can be more efficiently used in conjunction with the existing dwelling.  The modified common boundary between the two lots will better respond to the existing conditions of the subject site and will have no discernible changes to the surrounding context. The boundary will follow an existing dividing fence between the golf course, the existing dwelling lot and two portions which are surplus to the function of the golf course.  The proposal represents an orderly and appropriate planning outcome.

## 6 Conclusion

The DA seeks consent for a boundary adjustment between Lot 1 in DP717321 and Lot 6 in DP1126643 and addressed as 51 Halford Drive & 38 Swift Street, Holbrook..

The application seeks development consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15(1) of the EP&A Act.

As demonstrated by the detailed assessment above, the proposal satisfies the intent of the provisions of the applicable EPIs and will result in a positive development outcome in terms of social, environmental, and economic impacts.

Having regard for the content of this report, the proposal deserves the support of Council because:

- it is consistent with the relevant environmental planning instruments and development control plan;
- it is consistent with the relevant standards of the Greater Hume Development Control Plan;
- it represents orderly development of land having regard to existing configuration and functions;
- it proposes appropriate adjustment of surplus private recreation land to an adjoining dwelling for efficient management as part of a low density residential property;
- it will have no discernible changes when viewed from the adjacent private recreation area, public roads or any adjoining properties
- it does not result in any changes to the provision of availability of infrastructure or services; and
- it will only result in a minor alteration in the overall context of the combined area of the two lots.

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest. The proposed development warrants support by Council.

## Attachment A

Existing Title Information



**LAND  
REGISTRY  
SERVICES**

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

# Title Search

Information Provided Through  
Aussearch  
Ph. 02 9267 9728 Fax. 02 9267 9226

FOLIO: 1/717321  
-----

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
15/12/2019	12:34 PM	8	5/11/2018

LAND  
-----

LOT 1 IN DEPOSITED PLAN 717321  
AT HOLBROOK  
LOCAL GOVERNMENT AREA GREATER HUME SHIRE  
PARISH OF HOLBROOK COUNTY OF GOULBURN  
TITLE DIAGRAM DP717321

FIRST SCHEDULE  
-----

CATHERINE BARBARA SIMPSON (T AN835200)

SECOND SCHEDULE (2 NOTIFICATIONS)  
-----

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP717321 EASEMENT TO DRAIN WATER AND SEWAGE APPURTENANT TO  
THE LAND ABOVE DESCRIBED

NOTATIONS  
-----

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

J19094

PRINTED ON 15/12/2019

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.



PLAN FORM 1

WARNING: CHEASING OR FOLDING WILL LEAD TO REJECTION

**Council Clerk's Certificate**  
 I hereby certify that -  
 (a) the requirements of the Local Government Act 1993 have been complied with in relation to the registration of this plan, and  
 (b) the requirements of the Local Government Act 1993 have been complied with in relation to the registration of this plan.  
 Signed: *[Signature]*  
 Date: *8/11/95*

**Surveyor's Certificate**  
 I, **LINDSEY THOMAS SYDONS**,  
 of **M. LESLIE & ASSOC. SURVEYORS**,  
 being duly sworn, do hereby certify that the survey contained in this plan was conducted in accordance with the provisions of the Survey Act 1988, and that the survey is correct in all particulars.  
 Signed: *[Signature]*  
 Date: *8/11/95*

**PLAN OF PART OF PORTION 6**  
**BK 3110 NO. 325**  
 Locality: **HOLBROOK**  
 Parish: **HOLBROOK**  
 County: **GOULBURN**  
 Reduction Ratio 1: 2500  
 Lengths are in metres

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919,  
 IT IS INTENDED TO CREATE -  
 (1) EASEMENT TO DRAIN WATER & SEWAGE 1 WIDE.

THE COMMON SEAL OF HOLBROOK RATED AND SEWERAGE TRUST LTD. WAS HERETOFORE AFFIXED BY AUTHORITY OF THE BOARD OF DIRECTORS IN THE PRESENCE OF:  
*[Signature]* Director  
*[Signature]* Secretary

**BOUNDARIES**

NO	BEARING	DIST
1	259° 25' 40"	50.68
2	353° 12'	42.57
3	34° 33'	21.18
4	74° 45'	12.02
5	12° 31'	31.98
6	88° 41'	45.88



Table of mm  
 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day: 20th November, 1985



OFFICE USE ONLY  
 SUBSTITUTED PLAN  
 D.P. 717321  
 19-11-1985  
 C.A. 8/94 or 8-11-1985  
 Title System: OLD SYSTEM  
 Purpose: SUBDIVISION  
 Ref. Map: TOWN OF HOLBROOK  
 Lot Plan:

Plan Drawing only to appear in this space



**LAND  
REGISTRY  
SERVICES**

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

# Title Search

Information Provided Through  
Aussearch  
Ph. 02 9267 9728 Fax. 02 9267 9226

ANNEXURE 1

FOLIO: 6/1126643  
-----

SEARCH DATE	TIME	EDITION NO	DATE
15/12/2019	12:34 PM	2	26/5/2008

LAND  
-----

LOT 6 IN DEPOSITED PLAN 1126643  
AT HOLBROOK  
LOCAL GOVERNMENT AREA GREATER HUME SHIRE  
PARISH OF HOLBROOK COUNTY OF GOULBURN  
TITLE DIAGRAM DP1126643

FIRST SCHEDULE  
-----

HOLBROOK RETURNED SERVICEMEN'S CLUB LIMITED (CA120664)

SECOND SCHEDULE (4 NOTIFICATIONS)  
-----

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J(1) AND 28J(1A) OF THE REAL PROPERTY ACT, 1900. ENTERED 6-5-2008 BK 3110 NO 325
- 3 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 4 DP717321 EASEMENT TO DRAIN WATER AND SEWAGE 1 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP717321

NOTATIONS  
-----

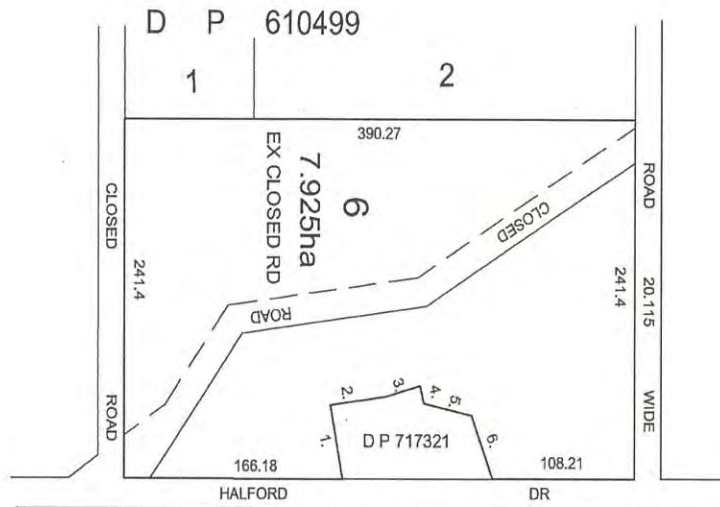
UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

J19094

PRINTED ON 15/12/2019

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.



NO	BEARINGS	DISTANCE
1	289° 28' 40"	50.88
2	352° 12'	42.97
3	344° 38'	27.18
4	74° 45'	12.02
5	12° 31'	37.88
6	68° 41'	45.28

e-departmental

# DP 1126643

Registered:  6.5.2008

Title System: OLD SYSTEM

Purpose: LIMITED FOLIO CREATION

Ref. Map: TN OF HOLBROOK ( 26 )

Last Plan: 4.1475

C.A. 120664

PLAN OF LAND COMPRISED IN  
 DEED BK. 3110 NO. 325  
 BEING LOT 6 IN DP753340

Lengths are in metres. Reduction Ratio - NTS

Sheet 1 of 1 sheets

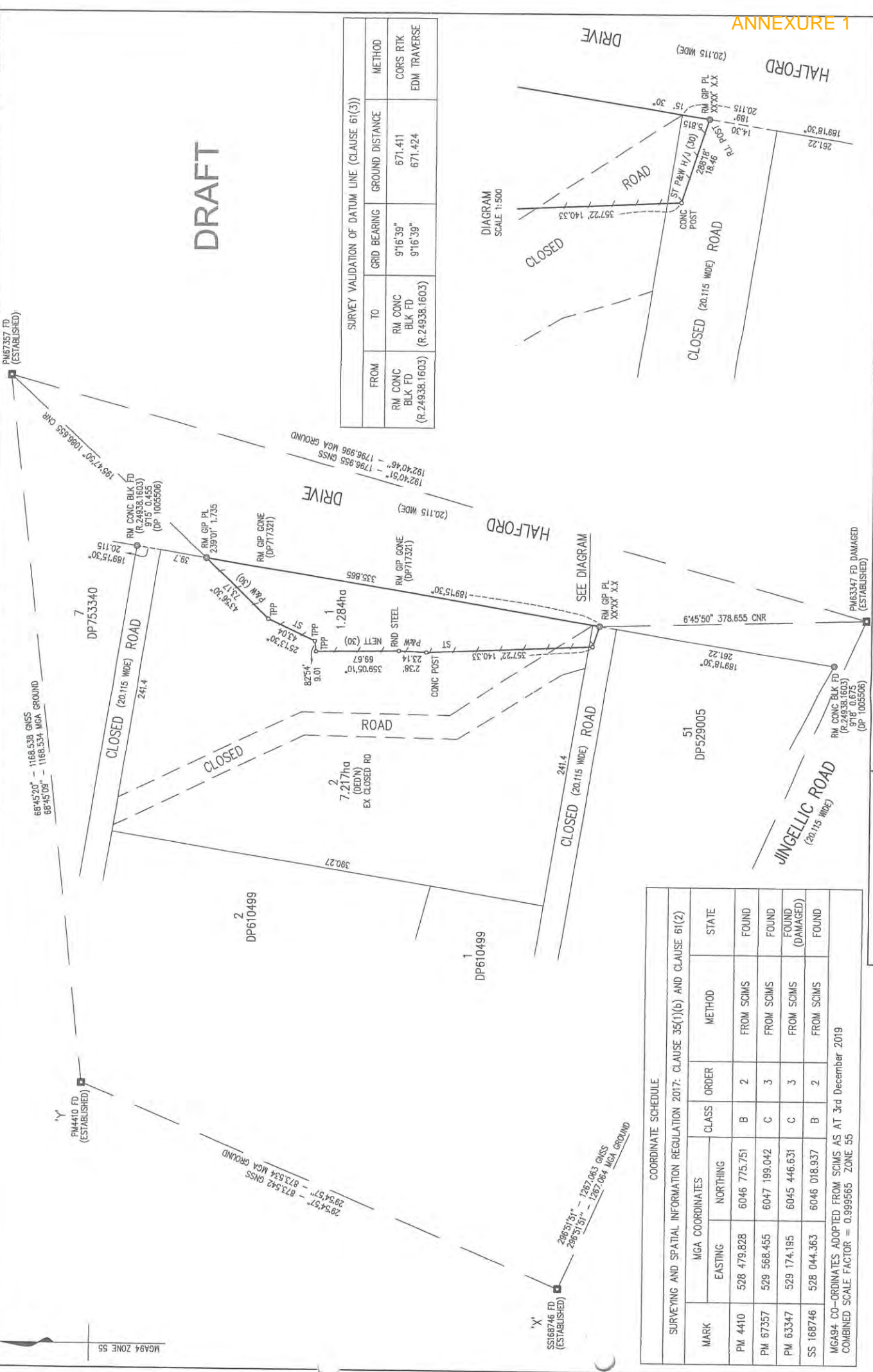
L.G.A.: GREATER HUME  
 LOCALITY: HOLBROOK  
 PARISH: HOLBROOK  
 COUNTY: GOULBURN

THIS PLAN WAS PREPARED SOLELY TO  
 IDENTIFY THE LAND IN THE ABOVE DEED  
 AND THE BOUNDARIES HAVE NOT BEEN  
 INVESTIGATED BY THE REGISTRAR GENERAL  
 THIS PLAN IS NOT A CURRENT PLAN IN TERMS OF  
 S.7A CONVEYANCING ACT 1919.

LPI Ref. : TCBS44/50

## Attachment B

Proposed Plan of Subdivision



SURVEY VALIDATION OF DATUM LINE (CLAUSE 61(3))				
FROM	TO	GRID BEARING	GROUND DISTANCE	METHOD
RM CONC BLK FD (R.24938.1603)	RM CONC BLK FD (R.24938.1603)	9°16'39"	671.411	CORS RTK
		9°16'39"	671.424	EDM TRAVERSE

COORDINATE SCHEDULE						
SURVEYING AND SPATIAL INFORMATION REGULATION 2017: CLAUSE 35(1)(b) AND CLAUSE 61(2)						
MARK	MGA COORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
PM 4410	528 479.828	6046 775.751	B	2	FROM SCIMS	FOUND
PM 67357	529 568.455	6047 199.042	C	3	FROM SCIMS	FOUND
PM 63347	529 174.195	6045 446.631	C	3	FROM SCIMS	FOUND (DAMAGED)
SS 168746	528 044.363	6046 018.937	B	2	FROM SCIMS	FOUND

MGA94 CO-ORDINATES ADOPTED FROM SCIMS AS AT 3rd December 2019  
COMBINED SCALE FACTOR = 0.999565 ZONE 55

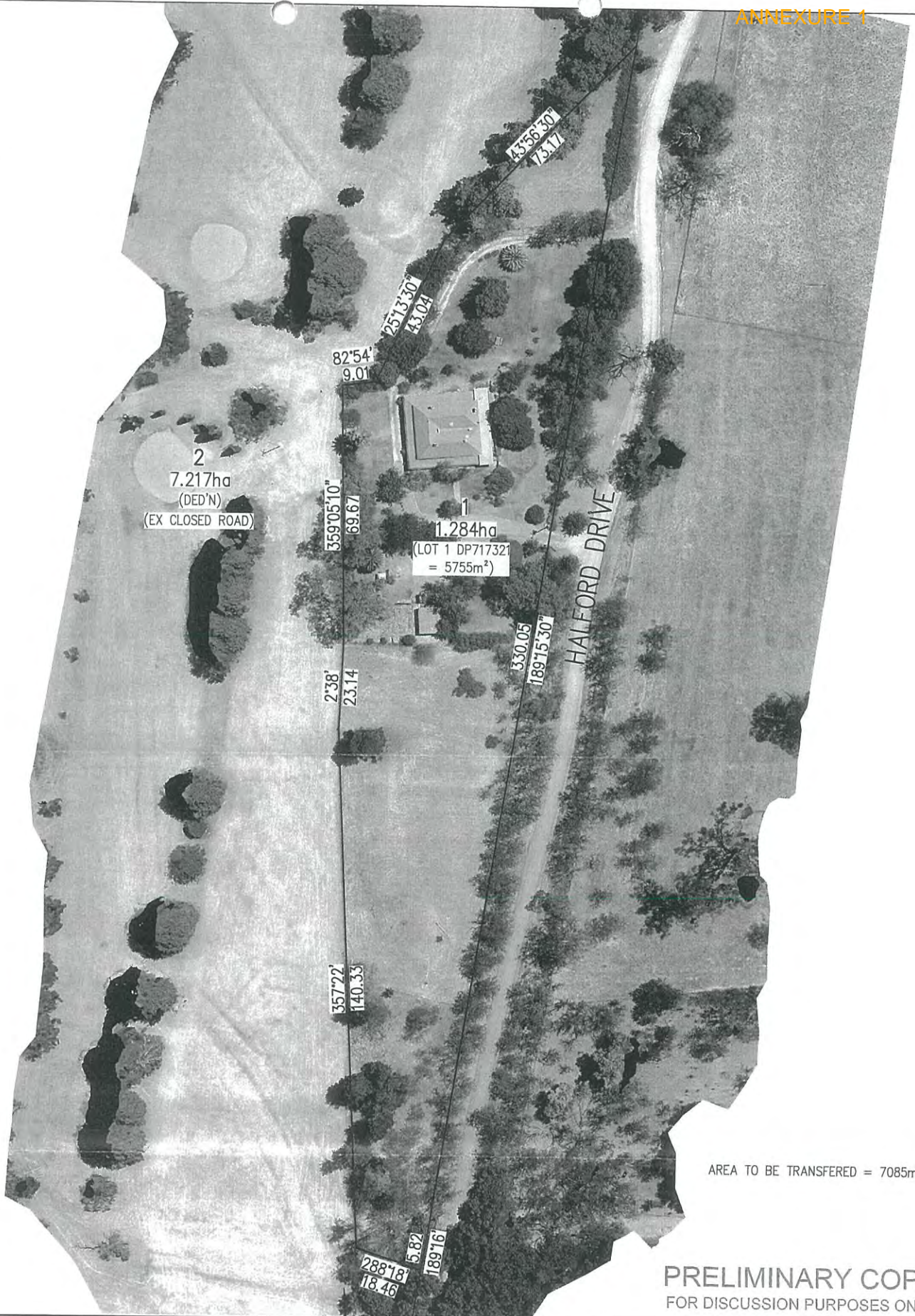
Surveyor: JAMES ROBERT JOHN MCLELLAN  
Date of Survey: 11th December 2019  
Surveyor's Ref: J19094

PLAN OF SUBDIVISION OF LOT 1 DP 717321 & LOT 6 1126643

LGA: GREATER HUME SHIRE  
Locality: HOLBROOK  
Subdivision No:  
Lengths are in metres. Reduction Ratio 1:2000

Registered DP

MGA94 ZONE 55



AREA TO BE TRANSFERED = 7085m<sup>2</sup>

**PRELIMINARY COPY**  
FOR DISCUSSION PURPOSES ONLY



PO Box 7338, East Albury NSW 2640  
Ph 0422 919 652  
ABN 96 129 061 476  
www.peaksurveydevelopments.com.au

Designed	John Simpson	
Checked	J.Mc	PROPOSED PLAN OF SUBDIVISION LOT 1 DP717321 HALFORD DRIVE HOLBROOK NSW 2640
Drawn	J.Mc	
Survey	J.Mc	
Date	11/12/2019	
Datum		Drawing No. J19094 – Plan of areas.dwg Scale 1:1000
		Original Sheet SHEET 1 OF 1 A3

## Attachment C

Planning Compliance Tables

Table 5 – Compliance for Chapter 6 of the Greater Hume DCP

Standard	Complies	Comment
<b>6.0 Subdivision</b>		
<b>6.1 Staging</b>		
<b>General</b>		
Where staging of a subdivision is proposed, a staging plan must be submitted with the development application.	<b>Complies</b>	Proposal is for a boundary adjustment only and will be undertaken in a single stage.
Staging of subdivision should have regard to the existing and proposed provision of services and avoid staging development which would have negative impacts upon infrastructure provision and/or design.	<b>Complies</b>	As above.
<b>6.2 Movement Network</b>		
<b>General</b>		
Compliance with the Greater Hume Shire <i>Engineering Guidelines for Subdivisions and Development Standards</i> .	<b>Not applicable</b>	The proposal does not propose any new internal road or access points.
All development for subdivision must comply with the Council's standards for road design.	<b>Not applicable</b>	The proposal does not propose any new internal road or access points.
For lots fronting a main road, access shall be from a secondary road where the opportunity exists.	<b>Complies</b>	Existing access arrangements for the two lots will remain.
All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.	<b>Complies</b>	Existing access arrangements for the two lots will remain.
Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.	<b>Complies</b>	No upgrade works or changes to access are required. Existing access arrangements for the two lots will remain.
<b>6.3 Lot design</b>		
<b>General</b>		
Compliance with the Greater Hume Shire <i>Engineering Guidelines for Subdivisions and Development Standards</i> .	<b>Complies</b>	The creation of the lots as proposed does not require any associated works to establish roads or services or the like.



Standard	Complies	Comment
Multi-lot subdivisions should provide for a range of lot sizes.	Not applicable	The proposal is not for a multi lot subdivision.
Lots are to be provided with legal and practical public road access.	Complies	The lots are to retain existing access points from Halford Drive and Swift Street.
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.	Complies	The lots are appropriately shaped for their intended purposes. No changes are proposed to the manner in which each lot is used. The boundary adjustment is considered to have a positive outcome by providing a lot layout which enables surplus land to be more efficiently used and maintained as part of an adjacent residential lot.
<b>Residential</b>		
For battleaxe allotments a minimum width of the access handle is to be 4.5m.	Not applicable	The proposal does not include battle axe lots.
Lots are to be able to contain a rectangular building envelope measuring 10 metres by 15 metres, suitable for the erection of a dwelling	Complies	An existing dwelling is established on site and the amended lot boundaries demonstrate suitable area to contain the dwelling and its surrounding curtilage.
Lots are to be designed to maximise solar access.	Complies	An existing dwelling is already established on site.
<b>Industrial</b>		
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.	Not applicable	None.
<b>Rural</b>		
The purpose of the subdivision shall be declared in the application.	Complies	The purpose of the subdivision is clarified in this report.
<b>6.4 Infrastructure &amp; services</b>		
<b>General</b>		
Compliance with the Greater Hume Shire <i>Engineering Guidelines for Subdivisions and Development Standards</i> .	Complies	The creation of the lots as proposed does not require any associated works to establish roads or services or the like.
<b>Higher density and Average density, Lower density and Rural living</b>		
Where a reticulated external potable water supply is provided, all lots shall be connected.	Complies	Existing services are already provided to the lots and will be unaffected by the altered boundaries

Standard	Complies	Comment
<b>Higher density and Average density.</b>		
Where a reticulated external sewerage system is provided, all lots shall be connected.	<b>Not applicable</b>	None.
<b>6.5 Hazards</b>		
<b>General</b>		
On land mapped as bushfire prone, compliance with the NSW Rural Fire Service guide <i>Planning for Bushfire Protection (2006)</i> .	<b>Not applicable</b>	The subject land is not mapped as bushfire prone.
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 <i>Floodplain Development Manual: the management of flood liable land (2005)</i> .	<b>Not applicable</b>	The subject land is not mapped as subject to flooding.
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 <i>State Environmental Planning Policy No.55 – Remediation of Land</i> . An investigation should be in accordance with the process detailed in the <i>State Government's Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land (1998)</i> .	<b>Complies</b>	The land is not used for a potentially contaminating use and has not previously accommodated a potentially contaminating use.
<b>6.6 Site management</b>		
<b>General</b>		
Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.	<b>Complies</b>	The proposed subdivision does not require any works or site disturbances that will require management measures to be implemented.
Compliance with <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga &amp; Hume Councils</i> .	<b>Complies</b>	As above, the proposed subdivision does not require any works or site disturbances that will require management measures to be implemented.