

Planning Report

Replacement dwelling

43 Channel Road
Curlwaa, NSW, 2648



EXECUTIVE SUMMARY

Proposal	Replacement of a dwelling and demolition of existing buildings
Street Address	43 Channel Road, Curlwaa
Formal Land Description	12 DP 729492
Zone	RU4 - Primary Production Small Lots
Relevant State Environmental Planning Policies	Not applicable

SUBJECT SITE AND SURROUNDING AREA

The subject site, Lot 12 DP 792492, is a 3.57 hectare allotment is an existing rural property located within the directly east from the Wentworth Township. The subject land is regular in shape and currently contains a dwelling and associated structures, the remaining land is currently vacant. Primary access to the site is achieved by an existing accessway located along Channel Road.

The surrounding area generally comprises of rural type allotments, with the majority within close proximity containing dwellings.

The subject site appears to have access to reticulated electricity, telecommunications, water and effluent is managed onsite with a septic system.

Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Feb 2022)

Site Photos



Figure 2: View of site from Channel Road



Figure 3: Subject site viewed from the west



Figure 4: Buildings to be demolished

PROPOSAL

DESCRIPTION

This proposal seeks approval of a replacement dwelling (including demolition of previous dwelling and structures). The land is proposed to be returned to farming, therefore the proposed structures are proposed to be located at the rear of the site.

The key aspects of the proposal include:

- 532.03 m² Single story dwelling containing:
 - Five (5) bedrooms (including master bedroom)
 - Open plan kitchen/dining/family area
 - Outdoor living/decking area
- 630 m² farm building with a length of 45 metres, with of 14 metres and a total height of 5.7 metres.

The previous owners only used the front dwelling. The current owner, who purchased the land in August 2024, plans to restore much of it to agriculture (extensive agriculture), as shown in the provided plans.

PLANNING

CONTROLS AND ASSESSMENT

Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and Wentworth Local Environmental Plan 2011 (LEP)

Environmental Planning and Assessment Act 1979

Section 4.66 Continuance of and limitations on existing use

(1) Except where expressly provided in this Act, nothing in this Act or an environmental planning instrument prevents the continuance of an existing use.

Discussion

The following documents have been provided in support of this application:

1. Statutory Declarations from previous landowner
2. Power bill from previous owner
3. Insurance statements from previous owner
4. Plumbing invoices showing items associated with the dwelling needing maintenance.

Environmental Planning and Assessment Regulation 2000

Section 44 Development Consent required for any rebuilding of buildings and works

(1) Development Consent is required for any rebuilding of a building or work used for an existing use.

(2) The rebuilding –

- a) Must be for the existing use of the building or work and for no other use, and*
- b) Must be carried out only on the land which the building or work was erected or carried out immediately before relevant date.*

Discussion

This application only purposes the replacement of the existing dwelling (and works associated with a dwelling). No other use is proposed as part of this application. It is

noted that extensive agriculture is also proposed on the site, however consent is not required.

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU4 – Primary Production Small Lots.

The objectives of the zone are:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

As per the contents in this application, the dwelling enjoys exiting use rights; therefore the objectives that would normally discourage a dwelling cannot be considered. The dwelling is being located in a position that does not remove any further agricultural land. The application is considered a positive outcome as the majority of the land will be returned to agriculture, which is the main aim of the zone.

State Environmental Planning Polices (SEPP)

There are no SEPP's applicable to this application.

General Assessment

Visual Impacts

Due to the scale and design of the buildings, visual impacts are not considered applicable.

Open Space

Not applicable for this application.

Overshadowing and Privacy

Not applicable for this application.

Noise

Not applicable for this application.

Erosion Control Measures

No erosion control measures are considered necessary for this development.

Economic and Social Impacts

Given the nature of this development, economic or social impacts on the locality are not envisaged.

Environmental Benefits

Due to the nature of this development, there are no significant environmental benefits predicted.

Disabled Access

Not applicable for this application

Security, Site Facilities and Safety

Not applicable for this application

Waste Management

The previous septic system will be removed as part of the demolition of the previous dwelling. Given the size of the site it is considered that the land can successfully sustain all effluent within the subject land.

Building Code of Australia

The Construction Certificate will be issued by a Building Surveyor who will review the structures compliance with the Building Code of Australia.

Traffic

Traffic will not be impacted on from the proposed development.

Stormwater/flooding

Given the nature of the design and size of the lot, it is considered that all drainage will be contained onsite.

CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the *Wentworth Local Environmental Plan 2011*.

The proposed dwelling, farming building and demolition are appropriate for the site as it:

- The site enjoys existing use rights
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the development as described in this report at 43 Channel Road, Curlwaa.

PROPOSED SUBJECT SITE
LOT 12 DP729492
43 CHANNEL ROAD
CURLWAA
NSW 2648



NSW BUSHFIRE PRONE LAND

THIS PROPERTY IS NOT LOCATED IN BUSHFIRE PRONE LAND

BUSHFIRE PRONE AREA

Special Services - Department of Customer Service | Department of Planning, Industry and Environment | Mapbox, GeoStreetMap

Bushfire Prone Area
 This property is not within a zone classified as a bushfire prone area.
 For confirmation and detailed advice about the bushfire prone area of this property, please contact WENTWORTH council on 03 5027 5027.

Landchecker 8
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NSW FLOOD AREA

THIS PROPERTY IS NOT LOCATED IN FLOOD AREA LAND

FLOOD

Special Services - Department of Customer Service | Department of Planning, Industry and Environment | Mapbox, GeoStreetMap

Flood
 This property has not been specified as a flood area.
 For confirmation and detailed advice about this flood area, please contact WENTWORTH council on 03 5027 5027.

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PROPOSED LOCALITY PLAN
 nts

PROPOSED SUBJECT SITE
LOT 12 DP729492
43 CHANNEL ROAD
CURLWAA
NSW 2648



PROPOSED LOCALITY PLAN AERIAL VIEW
 nts

REV	DATE	BY	AMENDMENTS	CKD

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REGISTERED Building Practitioner | GREGORY J HAMILTON DP-AD 222

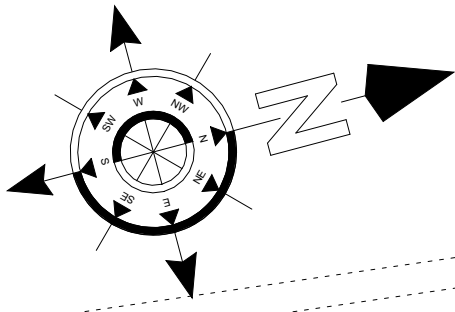
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DATE 17/01/25 DRAWN G.J.H.
 SCALE 1 : 100 CHECKED G.H.

DETAIL PROPOSED LOCALITY PLANS

JOB
PROPOSED REPLACEMENT DWELLING & AGRICULTURAL SHED
LOT 12 DP729492
43 CHANNEL ROAD
CURLWAA, NSW 2648

CLIENT
MITCHELL HOWARD



LOT 10
DP534045
EXISTING VINYARD

**PROPOSED NEW
45mL x 10mW x 4.6mH
COLORBOND SHED with
4m WIDE AWNING ROOF.**

**PROPOSED
REPLACEMENT
DWELLING.**

PROPOSED ABSORPTION / TRANSPIRATION
RELN DRAINS AS PER LCA & ENGINEERS
DESIGN & SPECIFICATION.

FUTURE RESERVE AREA TO MATCH
PROPOSED RELN DRAIN AREA AS PER
ENGINEERS DESIGN & SPECIFICATION.

LOT 13
DP729492
No.33

BARE HOTRICULTURAL LAND

LOT 12
DP729492
No.43
35,671m² (3.567ha)

LOT 2
DP534045
EXISTING VINYARD

PROPOSED
HOTRICULTURAL LAND
and/or
LIVESTOCK Paddock
(2.34ha)

EXISTING ZINCALUME SHED
TO BE REMOVED.
(red dashed lines).

EXISTING ZINCALUME SHED
TO BE REMOVED.

EXISTING TREES.

EXISTING DWELLING
TO BE REMOVED.
(dashed red lines)

EXISTING NEIGHBOURING
SHED

EXISTING NEIGHBOURING
SHED

EXISTING NEIGHBOURING
SHED

EXISTING NEIGHBOURING
SHED

LOT 1
DP534651
No.53

EXISTING NEIGHBOURING
SHED

CHANNEL
ROAD

PROPOSED SITE PLAN
1:800

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DETAIL PROPOSED SITE PLAN

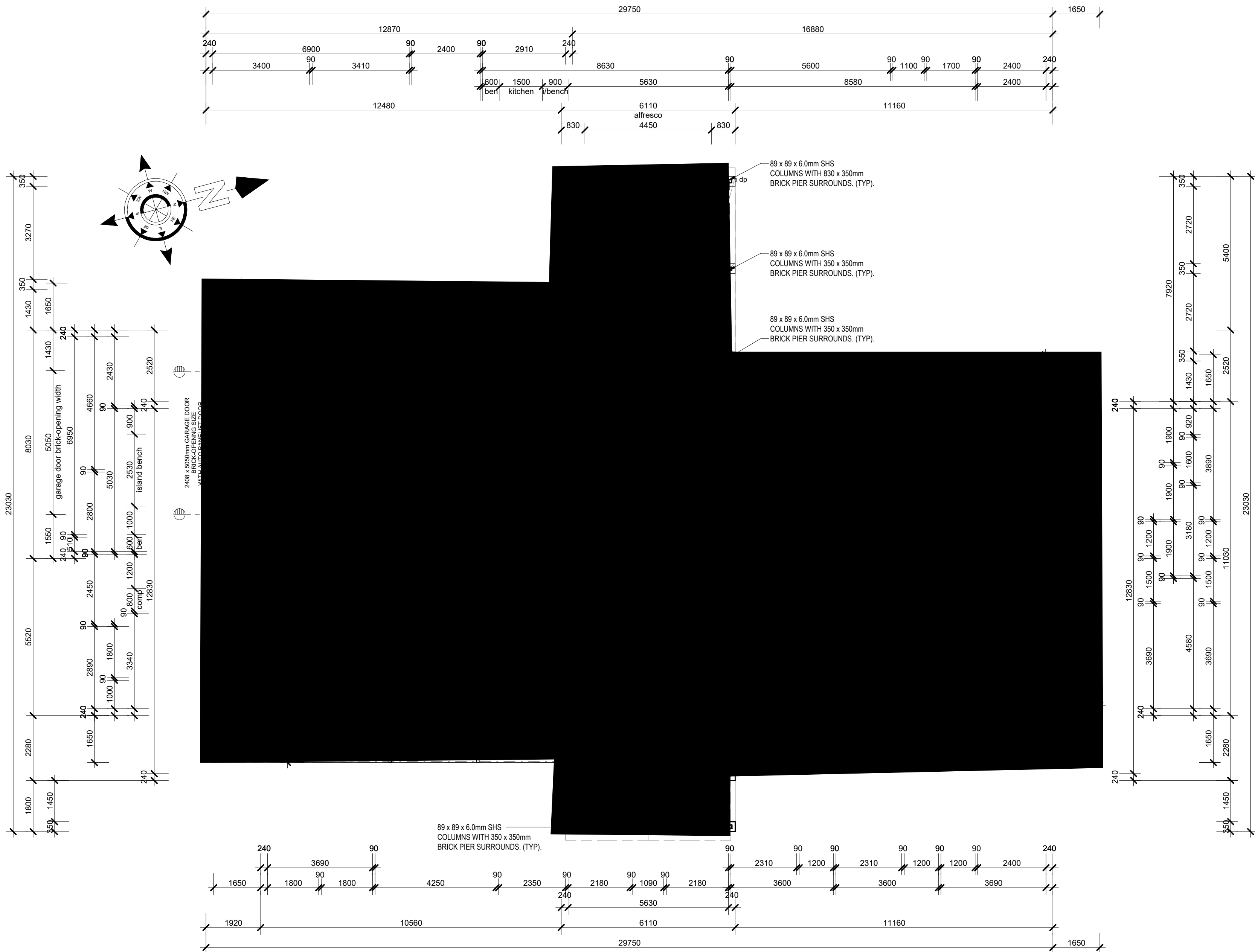
JOB
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DWELLING & AGRICULTURAL SHED
LOT 12 DP729492
43 CHANNEL ROAD
CURLWAA, NSW 2648**

CLIENT
MITCHELL HOWARD

JOB No.24-772v2 | **A2** | SHEET No. 3 of 7

AREAS

Dwelling	307.76m ²	(33.13 SQS.)
Double Garage	56.14m ²	(6.04 SQS.)
Alfresco	47.41m ²	(5.10 SQS.)
Family Verandah	11.00m ²	(1.18 SQS.)
Verandah	109.72m ²	(11.81 SQS.)
Total	532.03m²	(57.26 SQS.)



PROPOSED FLOOR PLAN
1:100

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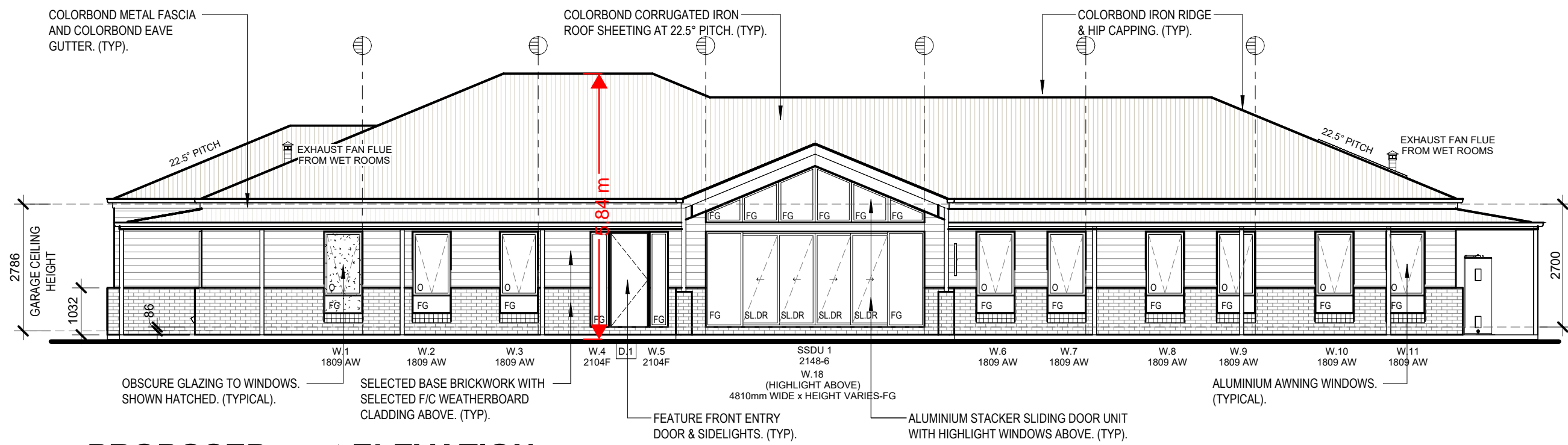
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DETAIL PROPOSED FLOOR PLAN

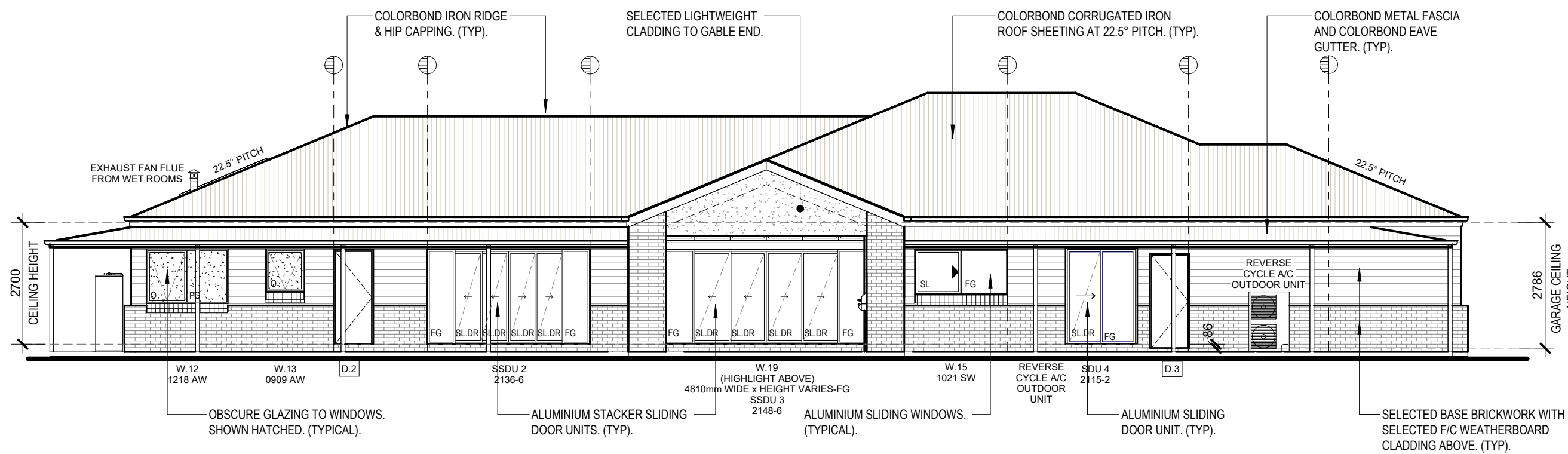
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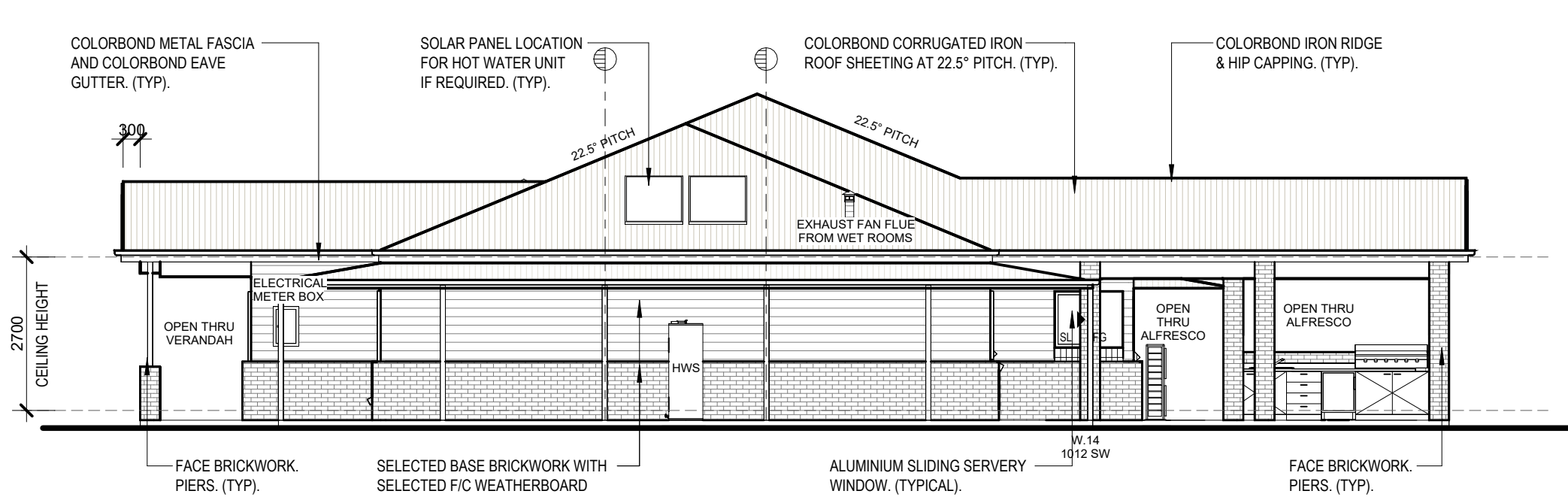
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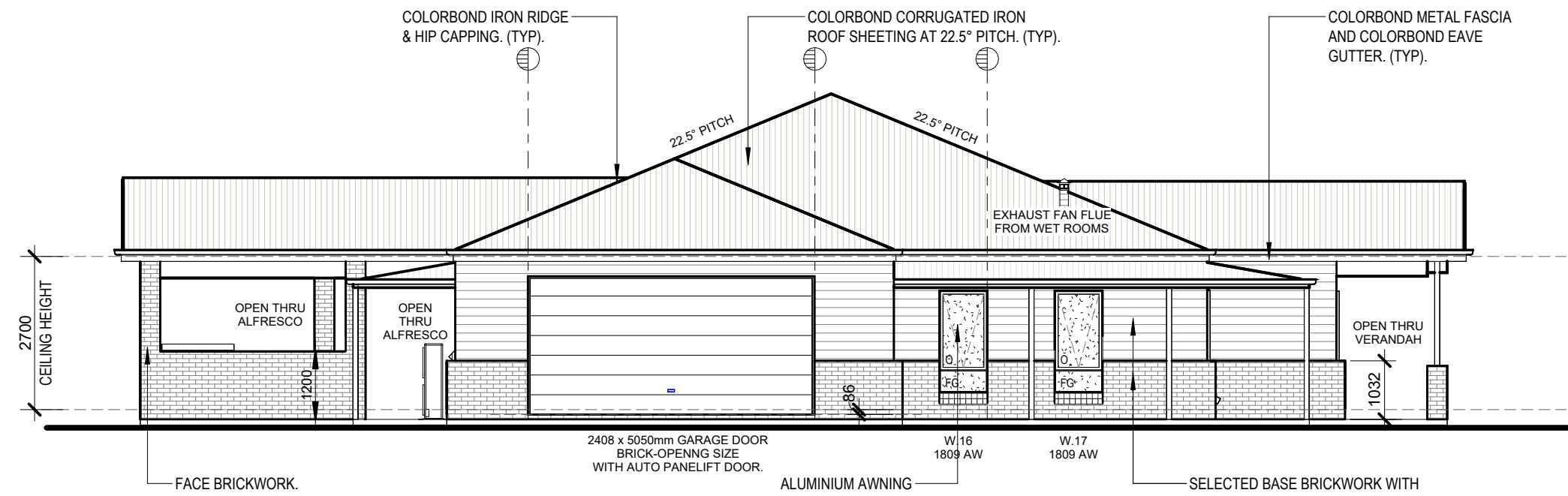
PROPOSED east ELEVATION
1:100



PROPOSED west ELEVATION
1:100



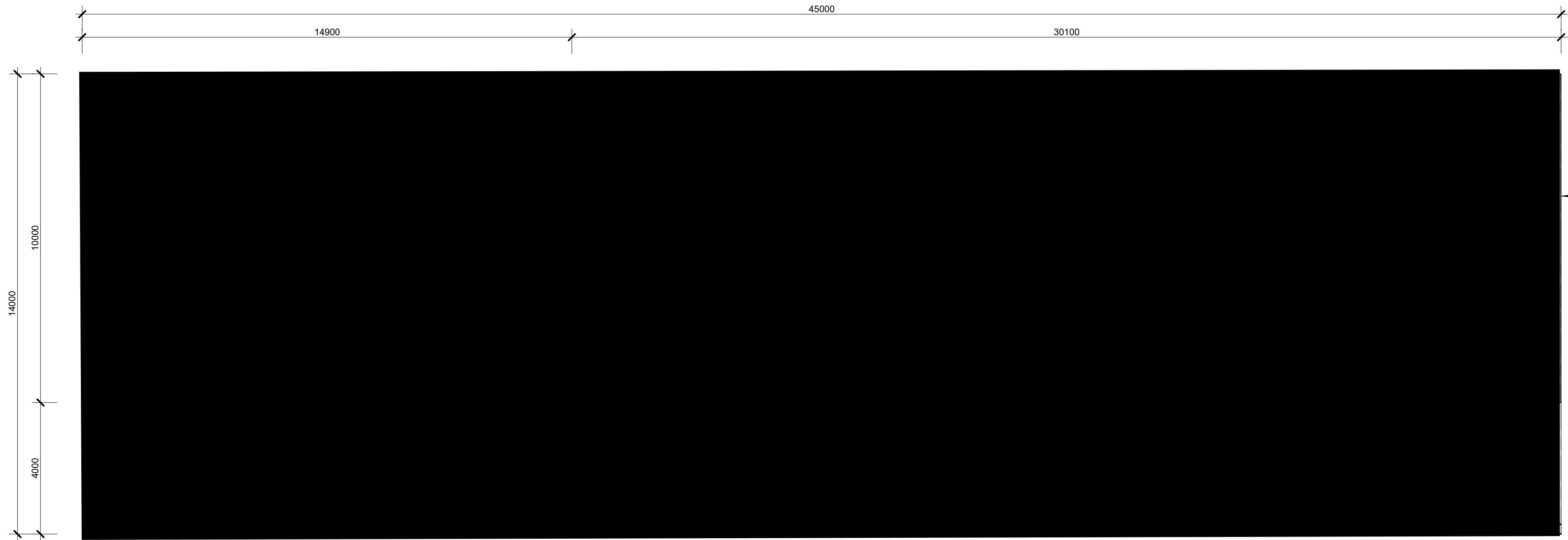
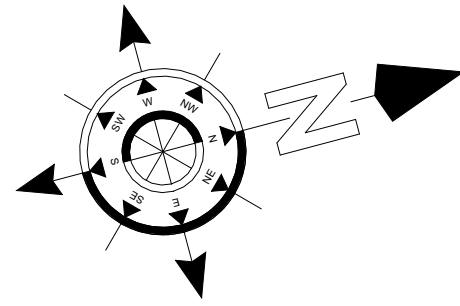
PROPOSED north ELEVATION
1:100



PROPOSED south ELEVATION
1:100

JOB PROPOSED REPLACEMENT DWELLING & AGRICULTURAL SHED LOT 12 DP729492 43 CHANNEL ROAD CURLWAA, NSW 2648		CLIENT MITCHELL HOWARD		REV.	DATE	BY	AMENDMENTS	CKD.	DATE	17/01/25	DRAWN	G.J.H.	
									SCALE	1 : 100	CHECKED	G.H.	
				DETAIL PROPOSED ELEVATIONS									
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COLORBOND WALL CLADDING
(TYPICAL).

PROPOSED COLORBOND SHED FLOOR PLAN
1:100

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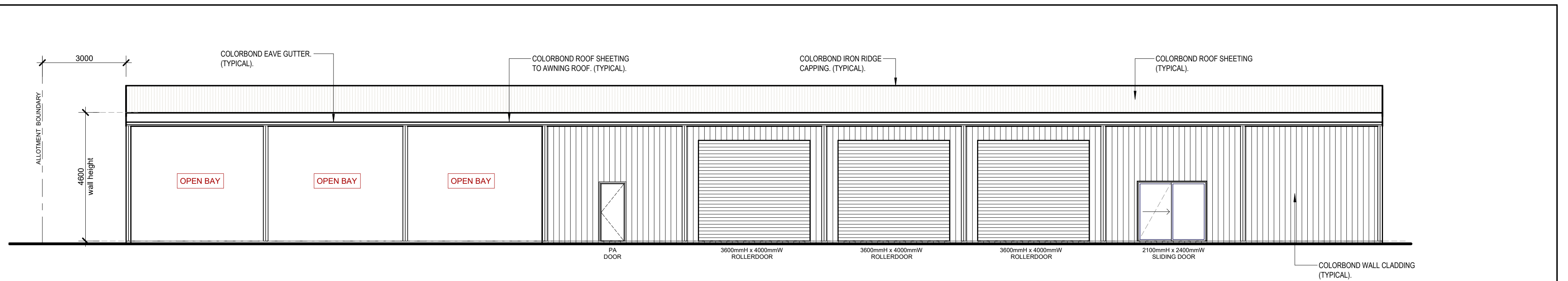
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DETAIL PROPOSED COLORBOND SHED PLAN

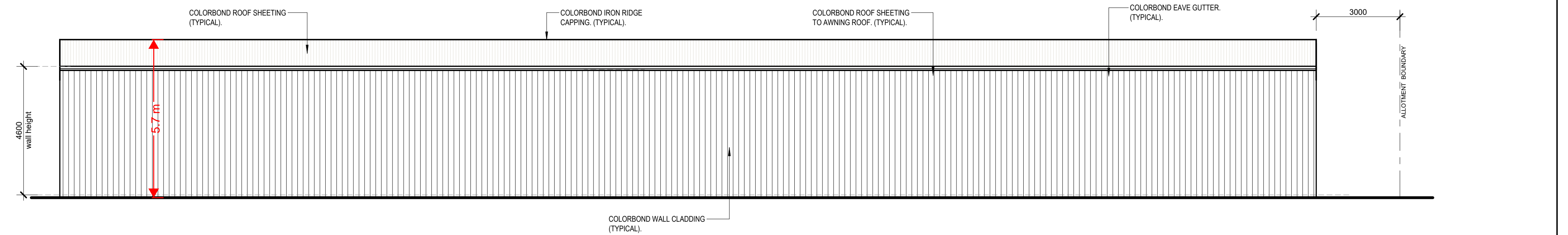
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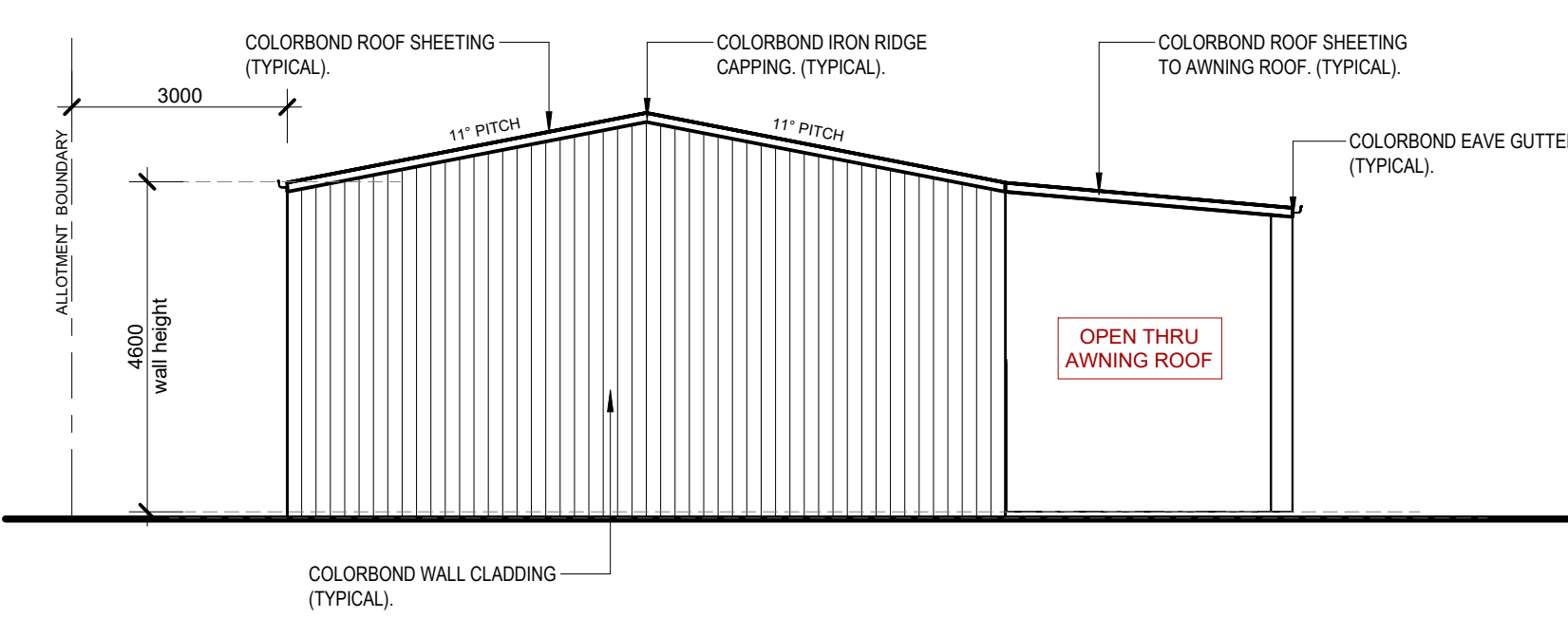
PROPOSED SHED east ELEVATION

1:100



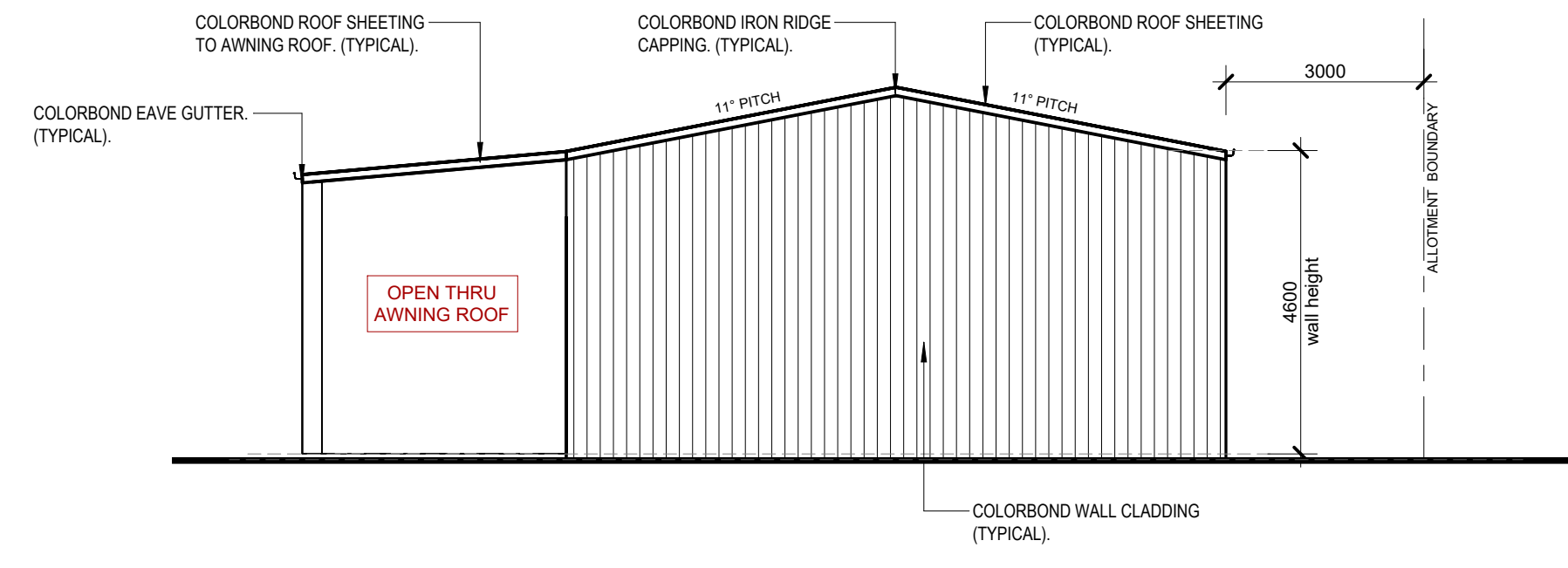
PROPOSED SHED west ELEVATION

1:100



PROPOSED SHED south ELEVATION

1:100



PROPOSED SHED north ELEVATION

1:100

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DETAIL PROPOSED COLORBOND SHED ELEVATIONS

JOB
PROPOSED REPLACEMENT DWELLING & AGRICULTURAL SHED
 LOT 12 DP729492
 43 CHANNEL ROAD
 CURLWAA, NSW 2648

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