



Statement of Environmental Effects

Lot 1 DP 1257923

Lot 27 DP 804043

Channel Road/Church Road, Curlwaa NSW 2648

&

Lot 2 DP 848306

Channel Road, Curlwaa

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1. INTRODUCTION

Two Rivers Consulting has prepared this Statement of Environmental Effects report on behalf of the landowner of 66 Church Road, Curlwaa, in accordance with the requirements of Part 4 Development assessment and consent of the Environmental Planning and Assessment Act 1979.

The applicant seeks to realign property boundaries to amend imposing, neighbouring historical title boundaries (with Lot 2 DP848306) and allow redevelopment of horticultural land on Proposed Lot 3. We are also submitting a concept development application (CDA) on Proposed Lot 3 in accordance with *NSW Environmental Planning and Assessment Act 1979* (specifically Part 4, Division 4.2), for the development of a dwelling on the subject site.

A Variation to Development Standards Request has also been prepared and submitted with this Development Application.

2. SUBJECT SITE AND SURROUNDING AREA

Current Address:	66 Church Road, Curlwaa (Sage Grove)
Current Lot & DP:	Lot 1 DP1257923 & LOT 27 DP804043
Land Size:	12.841 ha – Total 7.71 ha – Proposed Lot 3 - CDA
Zone & MLS:	RU4 Primary Production Small Lots 10ha MLS
Site Description:	The site is predominantly rectangular with frontage to both Channel Road & Church Road. The CDA on Proposed Lot 3 has ample road access along the northern boundary on Channel Road with an existing Carriageway easement in place.
Previous land use:	Irrigated Horticultural plantings & large citrus nursery (Sage Grove).
Current Use:	Minimal use. Paddocks fenced for livestock. Citrus nurseries for propagation of citrus rootstock.
Proposed Use:	The proposed dwelling (on newly created Lot 3), will be a residence to allow the block to be redeveloped to horticulture plantings and one of the nurseries maintained. Proposed Lot 1 will remain a hobby farm with paddocks for livestock. Proposed Lot 2 (Neighbouring property) will remain as a citrus property.
Natural Hazards:	The subject site is not flood prone land and is within the Curlwaa Levee. The subject site is not in the Bush Fire prone land as per Council mapping.



Figure 1. Zone of subject site (Source NSW Spatial Viewer)



Figure 2. MLS of subject site (Source NSW Spatial Viewer)

SURROUNDING AREA

The surrounding land uses and development include a mix of horticultural land and rural residential development. Adjacent properties on the east and west are currently cleared (previously were planted to citrus). SE property is planted to citrus, as is the property to the north.



Figure 3. Surrounding area land use (Source Sixmaps)

3. PROPOSED DEVELOPMENT

Realign lot boundaries, Lot 1 DP1257923 & LOT 27 DP804043 (owned by Andria Heywood) including neighbouring Lot 2 DP848306 (owned by Meagan Crozier & Mick Goodrem). The boundary realignment will align the titles with historically agreed boundary reflected by paddocks, headlands and citrus plantings.

Currently the title boundary between Lot 1 & neighbouring Lot 2 encroaches on both stock paddocks and citrus tree plantings for both property owners (Figure 4). This creates a negative impact as irrigation systems cross boundaries due to historical plantings. Both neighbours would like this to be rectified to ensure conflict does not arise going forward.

Proposed Building: Dwelling (CDA)

Building materials: TBC

Intended use: Residential dwelling to support current horticultural nursery use and proposed future plantings on the newly created area (labelled as Proposed Lot 3 – Figure 5 below)

Staging of Development: Development would be completed in two stages; boundary realignment, followed by DA for dwelling.

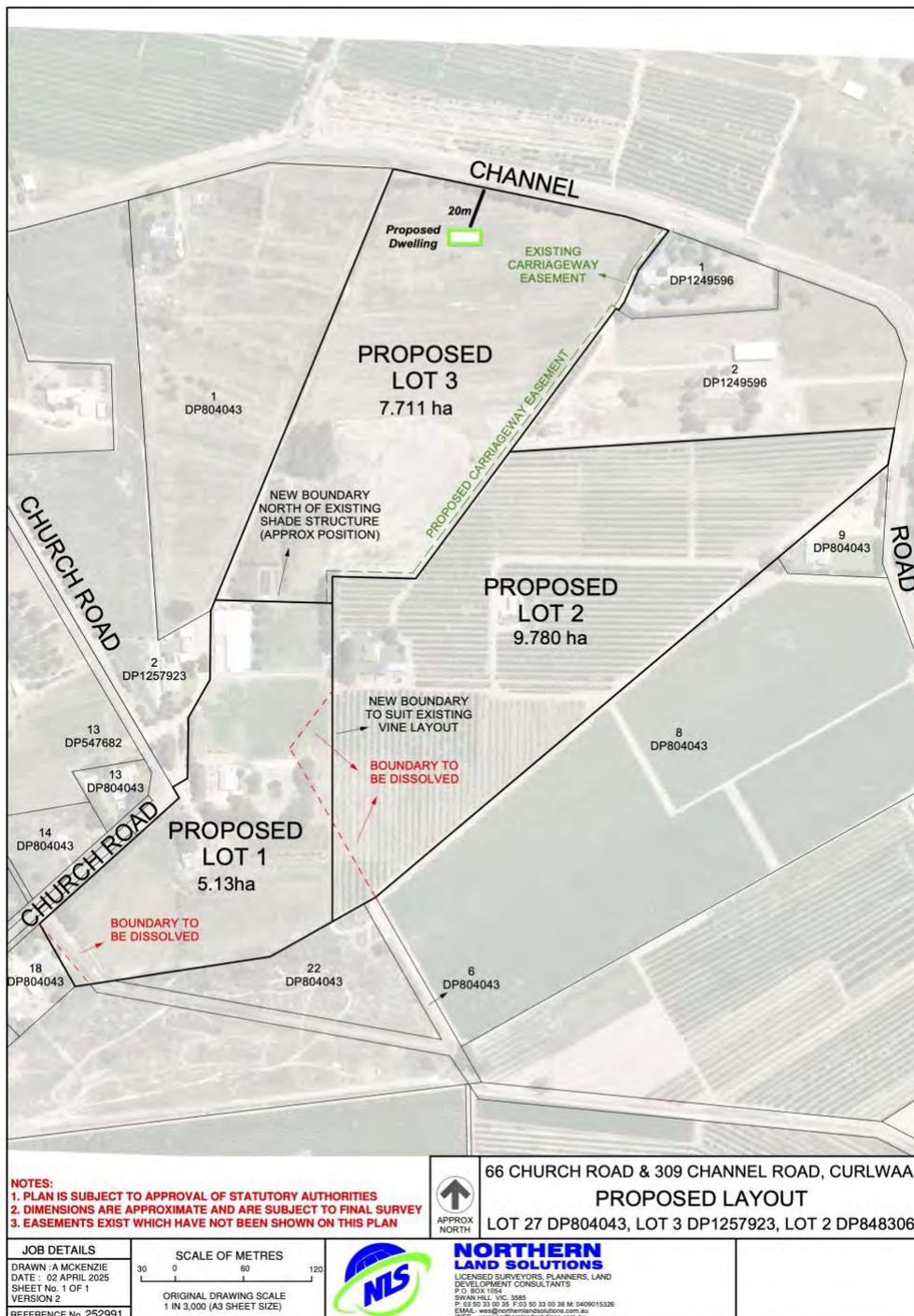


Figure 5. Proposed layout

4. Relevant Planning Controls

4.1 State Environmental Planning Policy – Schedule 4 Part 2 Section 3; Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones.

The object of this SEPP is to minimize potential land use conflict on land that is used for rural purposes.

The following must be considered when determining an application for a dwelling;

- The existing and approved uses of the land within the vicinity of the proposed development
- If the proposed development will have a significant impact on the predominant land uses surrounding the subject site
- If the proposed development is incompatible with surrounding and predominant land uses
- Proposed methods to minimize incompatibility with surrounding and predominant land uses.

Response:

As shown in Figure 3 (Page 5), there is an existing mix of land uses and development within the vicinity of the subject site. Rural residential development is adjacent to the north east corner of the subject site and is also adjacent to south west of the current title (4 rural residential lots in this vicinity).

All of the existing rural residential development is located adjacent to existing horticultural crops surrounding the subject site. An additional dwelling in this area, on a lot currently with horticultural use, will not cause any negative impact on the surrounding land uses, due to existing mix of uses within the vicinity.

The proposed dwelling will be fully compatible with the existing surrounding development and will not have any negative impact on the existing land uses. The proposed boundary realignment will not have any impact on existing land use.

4.2 Wentworth Local Environmental Plan 2011

Permissibility of development in the zone:

A dwelling house is permitted with consent in the RU4 Primary Production Small Lots Zone

Consistency with zone objectives:

The proposed development does not compromise the objectives of the zone.

The proposed development will: (I) encourage the redevelopment of horticulture on the subject site whilst remaining compatible with the surrounding land uses. (II) Not create additional or new land use conflict with adjoining land uses, and (III) enable the landowner to supplement off-farm income from additional use of the subject site for residential purposes.

Applicable Principal development standards: Clause 4.2B Erection of dwelling houses on land in Zones RU1, RU4, R5, C3 and C4. This clause requires land to be at least the minimum lot size that is specified in the Lot Size Map. The specified minimum lot size for the subject site is 10 hectares. The subject site is 7.71ha. As such this development application also includes a request to vary the development standard as specified in Clause 4.6 Exceptions to development standards and in accordance with the Department of Planning and Environment Guide to Varying Development Standards November 2023.

Applicable Miscellaneous provisions: Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones. This clause reflects the same objectives and matters that must be considered when determining an application, as those in the Statement Environmental Planning Policy (Primary Production) 2021 Schedule 4 Part 2 Section 3 Subdivision of, or dwelling on, land in certain rural, residential or environment protection zones. ** Response provided above in Section 4.1. **

4.3 Wentworth Development Control Plan 2011

Chapter 5 Development Control Plan Rural Development Controls 5.3 Rural Dwellings

The general requirements for dwellings in the RU4 Primary Productions Small Lots zone are:

- Orientation of living areas to the north
- Front setback of 15m or more
- Colours to be consistent with the rural character of the area
- Siting of dwelling is to respect the amenity of the site and neighbours
- Not to be developed near intensive agriculture development
- Avoid damage to, or removal of, environmental features, native vegetation, water courses, drainage channels

5. Assessment

Context Analysis

Will the development be;

- Visually prominent in the surrounding area?
- Inconsistent with the existing streetscape?
- Out of character with the surrounding area?
- Inconsistent with surrounding land uses?

Response: The proposed development is consistent with the surrounding land uses and development. It will be visible from the road but will not be prominent or out of character.

Privacy, view & overshadowing

Will the development result in;

- Privacy issues?
- Overshadowing of adjoining properties?
- Acoustic issues from excessive noise?
- Impacts on views?

Response: There will be no impacts of privacy issues, overshadowing, acoustic or views due to the size of the lot and the distance between adjacent properties. The proposed setback from all boundaries will be consistent with surrounding properties.

Access and Traffic

Will the development;

- Have legal and practical access or require new access?
- Increase local vehicle movements?
- Require onsite vehicular maneuvering and onsite parking?
- Require offsite parking?

Response: The subject site has existing access off Channel Road. Currently there is vehicle movement related to the onsite agricultural activities. Any future movements would be similar and related to the activities of the residents of the proposed new dwelling. There is no requirement for offsite parking or a need for additional onsite parking or vehicle maneuvering.

Infrastructure and utilities

Will the development require;

- Power?
- Water?
- Sewer?
- Stormwater?
- Telecommunications?

Response: Power & water are accessible to the site on Channel Road & Church Road. The proposed new dwelling will require an onsite wastewater management system to be installed, as well as rainwater tanks to collect potable water. All stormwater will be contained onsite. Telecommunication services are readily available in the area.

Environmental Impacts

Will the development likely result in;

- Air or Water Pollution?
- Noise impacts?
- Necessary excavation or filling?
- Erosion or sediment run-off?
- Soil contamination?
- Environmentally sustainable development, is a BASIX certificate required?
- Negative impacts on heritage items or items of cultural significance?
- Disturbance of aboriginal artefacts or relics?

Response: There are no known heritage listed items or areas of cultural significance on or surrounding the subject site. The site has been cleared for horticultural purposes and also grazed by stock recently. The proposed new dwelling will not result in any environmental impacts including air/water pollution, noise, excavation/fill, erosion or run-off or soil contamination. The proposed dwelling is requested as a CDA and will require a BASIX certificate once a design is formalized.

Biodiversity impacts

Will the development result in;

- The removal of any native vegetation on the site?
- Any impact on threatened species or native habitat?

Response: The site does not contain any native vegetation or native habitat due to its current and predicted future use for horticultural crops, therefore, there will be no impact on biodiversity.

Waste and Stormwater disposal

- How will effluent be managed?
- How will stormwater be disposed?
- Will liquid trade waste be discharged to Councils sewer?
- Will the development result in hazardous waste or disposal issues?
- Have all stormwater risks been considered?
- Will the development include rainwater tanks?

Response: The site does not connect to Councils sewer or stormwater systems. An approved wastewater system will be installed to accommodate the proposed dwelling. Stormwater will be collected and retained onsite. Rainwater tanks will be installed for potable water supply.

Social and Economic impacts

Will the development result in;

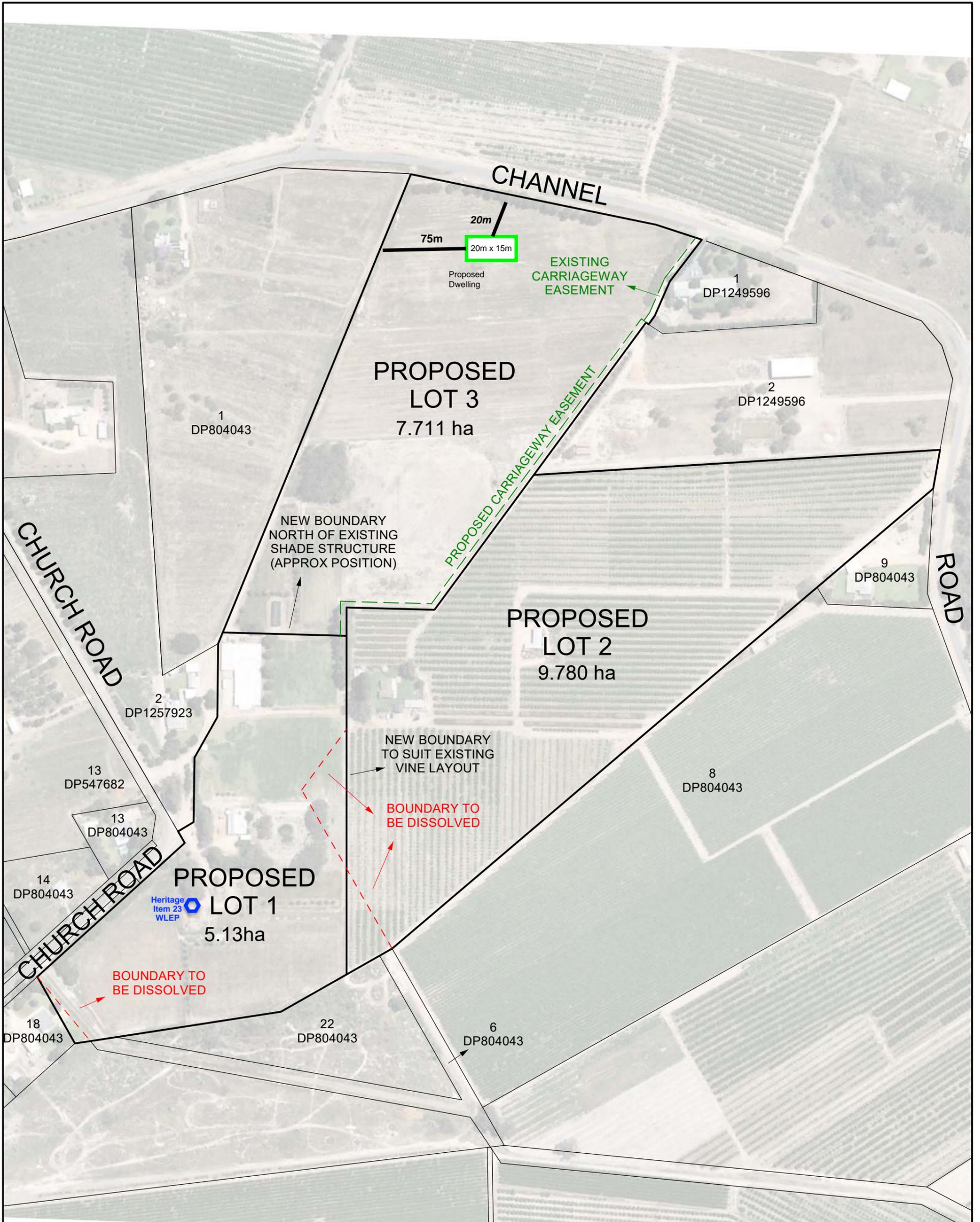
- Any economic impacts?
- Any social impacts?
- Any issues relating to safety, security or crime?

Response: The proposed development will create both a positive economic and social benefit to the landowners and the Curlwaa community. By residing onsite, the landowners will have improved management and operation of the rural enterprise whilst supplementing any off-farm income. Socially the benefits are the increased number of residents, improving the land and providing additional security benefits through their presence in the area.

6. CONCLUSION

The Statement of Environmental Effects proves the boundary realignment and proposed variation request, along with subsequent dwelling, will not be out of character with the existing surrounding development, will not have any negative impacts or effects on surrounding agricultural land uses or land holders and will continue to develop and maintain the current agricultural use of the site.

It is concluded that the Request to Vary a Development Standard and the Concept Development Application for a Dwelling on the subject site, as outlined in this Statement of Environmental Effects report, should be granted development consent by Wentworth Shire Council.

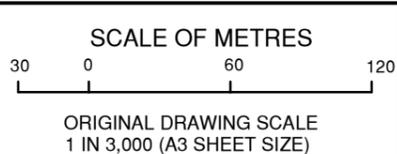


NOTES:
 1. PLAN IS SUBJECT TO APPROVAL OF STATUTORY AUTHORITIES
 2. DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO FINAL SURVEY
 3. EASEMENTS EXIST WHICH HAVE NOT BEEN SHOWN ON THIS PLAN



66 CHURCH ROAD & 309 CHANNEL ROAD, CURLWAA
PROPOSED LAYOUT
 LOT 27 DP804043, LOT 3 DP1257923, LOT 2 DP848306

JOB DETAILS
 DRAWN : A MCKENZIE
 DATE : 02 APRIL 2025
 SHEET No. 1 OF 1
 VERSION 2
 REFERENCE No. 252991



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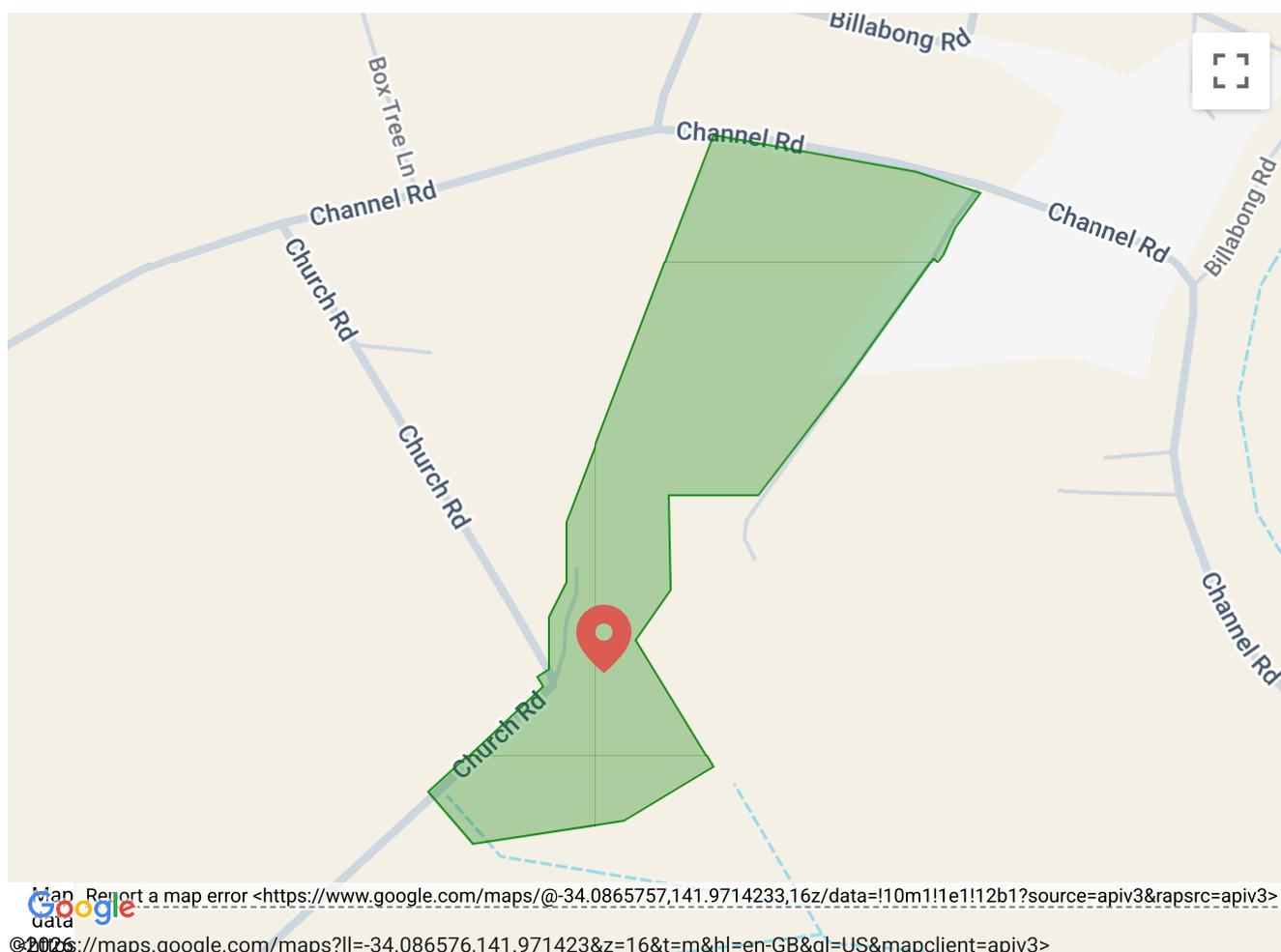


NSW RURAL
FIRE SERVICE

Check if you're in bush fire prone land

This tool is best viewed on a desktop web browser.

Your Property



Your search result

You have conducted a search of the online bush fire prone land tool for the land in the map above. This search result is valid for the date the search was conducted. If you have any questions about the Bush Fire Prone Land Tool please contact bushfireprone.mapping@rfs.nsw.gov.au

The parcel of land selected is not identified as bush fire prone however you could still be affected by a bush fire.

Think about where you work, travel or holiday. These areas may be at risk of a bush fire.

Remember, discuss with your family about what to do if a bush fire were to happen near you. It may save your life, your

community and your family.

For more information on making a plan for bush fire check out our [guide to making your bush fire survival plan](https://www.rfs.nsw.gov.au/plan-and-prepare/bush-fire-survival-plan) [<https://www.rfs.nsw.gov.au/plan-and-prepare/bush-fire-survival-plan>](https://www.rfs.nsw.gov.au/plan-and-prepare/bush-fire-survival-plan) .

The NSW RFS provides extensive information and resources to assist people interested in preparing their homes and families against the risk of bush fires. Try some of the useful links below for more information:

- [Download a guide to making your bush fire survival plan](#)
- [Download the Bush Fire and Your Home fact sheet](#)
- [Download the Prepare. Act. Survive fact sheet](#)
- [Visit our Farm Fire Safety page](#)

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