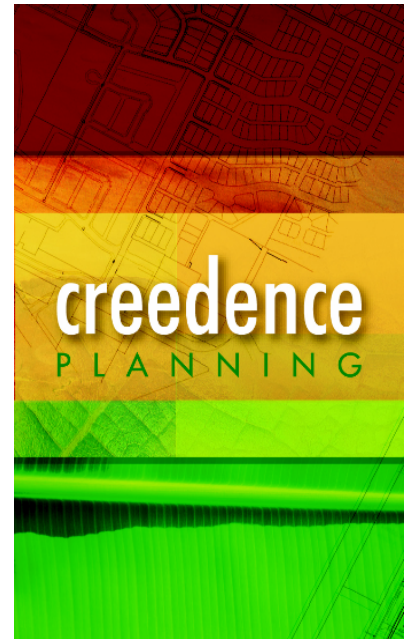


STATEMENT OF ENVIRONMENTAL EFFECTS



1A-3 Tallawang Road, GULGONG

supporting a development application for

**change of use to a dual occupancy
and**

Torrens Title subdivision of 1 lot into 2 lots

April 2024

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1. summary for all stakeholders

This Statement of Environmental Effects ('SEE') relates to land known as 1A-3 Tallawang Road, Gulgong (Lot 6 Sec 49 in DP 758482) ('the Site'). This SEE has been prepared by Creedence Planning on behalf of Robertson Surveying and is submitted to Mid-Western Regional Council ('the Council') as part of a development application ('DA') seeking consent for a change of use to a dual occupancy and a Torrens Title subdivision of one lot into two lots.

This summary section is a presentation of the salient detail of this report in order to provide consent authority officers, other stakeholders and interested parties with a quick understanding of the proposal without having to read the entire report.

The Site already contains a single storey dwelling house used as a principal dwelling and a single storey transportable dwelling used and approved as a secondary dwelling. Each dwelling has separate driveway access to Tallawang Road, separate private open space, separate services and fencing to facilitate privacy between these dwellings. No additional building work is required or proposed to facilitate the change of use to dual occupancy and no subdivision works are necessary or proposed.

The Site is located adjacent to No.1 Tallawang Road, which contains a heritage item dwelling house of local significance. However, given that there is no building work proposed, the proposed change of use and subdivision do not have any material impact on the heritage significance of this heritage item. The proposed subdivision is not inconsistent with the subdivision pattern in the vicinity of the Site.

In regard to the potential impacts of the proposed change of use and subdivision on adjoining properties in terms of amenity impacts, it is not considered that there would be any perceivable difference as the Site currently has two dwellings upon it and will continue to have the same two dwellings post-development albeit on separate newly created parcels of land. No additions are proposed to either of the two existing dwellings.

The level of compliance of the proposed development with the applicable planning provisions has been assessed within this report and, other than a DCP requirement that two car spaces be provided for each dwelling with one of those spaces being a garage, the proposed development complies with all of the applicable provisions. As the existing parking arrangement of both parking spaces for both dwellings (being open parking spaces within the driveway) was assessed under the previous DA for the secondary dwelling (DA0310/2021) and approved, this issue is regarded as having already been considered by Council and considered acceptable, as proposed.

2. site analysis

2.1 The Subject Site and its Surroundings

The Site is known as 1A-3 Tallawang Road, Gulgong. Its legal description is Lot 6 Sec 49 in DP 758482. It is located on the south-western side of Tallawang Road between Bligh Street and Prince Street. The Site is outlined in yellow in **Figure 1** below and is also shown in aerial view in **Figure 2** and as it appears from Tallawang Road in **Figure 3**.

The Site is an irregular quadrilateral shape. It has a total frontage to Tallawang Road of 33.435m and a total area of 1,076sqm. The Site backs onto an unnamed rear laneway and has a frontage of 29.245m to this lane. Existing improvements upon the Site include a single storey clad cottage with an iron roof (principal dwelling) (as shown in **Figures 3 and 4**), a single storey transportable dwelling (secondary dwelling) and two metal sheds. Each dwelling has its own separate driveway and crossover to Tallawang Road. The Site slopes gently from its highpoint at the Tallawang Road street frontage to the low point in the rear western corner. There are a number of trees distributed in clusters across the Site within the front building setback and adjacent to the north-western and south-eastern side boundaries.



Figure 1: 1A-3 Tallawang Road, Gulgong (outlined in yellow) – Location and Zoning Map (Source: ePlanning Spatial Viewer – NSW Dept of Planning & Environment)



Figure 2: Aerial view of the Site and its surroundings. Note that both dwellings proposed to make up the dual occupancy already exist on the Site (source: Google Earth)



Figure 3: The Site, as viewed from the Tallawang Road frontage. Both existing dwellings proposed to make up the new dual occupancy development are visible with the transportable dwelling approved as a secondary dwelling on the left (No.1A Tallawang Road) and the existing principal dwelling on the right (No.3 Tallawang Road) (Source: Robertson Surveying, March 2024)



Figure 4: The existing principal dwelling on the Site (known as 3 Tallawang Road) with its own existing exclusive access driveway and parking area (Source: Robertson Surveying, March 2024)



Figure 5: The existing secondary dwelling on the Site (known as 1A Tallawang Road) (Source: Robertson Surveying, March 2024)

Immediately adjoining the Site to the north-west is No. 5 Tallawang Road, which contains a single storey weatherboard dwelling house with an iron roof. Adjoining the Site on the south-eastern side is No.1 Tallawang Road which contains a listed heritage item of local significance being a single storey weatherboard dwelling house with an iron roof and is shown below in **Figure 6**.



Figure 6: View of heritage-listed dwelling house at 1 Tallawang Road, as viewed from corner of Bligh Street and Tallawang Road (Source: Google Streetview)

2.2 Site Affectations and Constraints

Based on the information available to Creedence Planning, it is our understanding that the following status of site constraints and affectations are applicable to the Subject Site:

- Zoned R1 – General Residential under Mid-Western Regional Local Environmental Plan 2012 ('MWLEP 2012'), as indicated in **Figure 1** above. Dual occupancy development is permissible with consent as a form of residential accommodation in the R1 zone;
- The Subject Site is NOT located within a mine subsidence area;
- The Subject Site is NOT located within a Heritage Conservation Area;
- The Subject Site is identified as bushfire prone land;
- The Subject Site does NOT contain a heritage item;
- The Subject Site is located adjacent to land containing a listed heritage item being No.1 Tallawang Road which contains a dwelling house upon it that is listed as a locally significant heritage item;
- The Subject Site is NOT identified as being within a flood prone area;
- The Site is NOT located within an Acid Sulfate Soils Area.

3. the proposal

3.1 Background to the Proposal

Development Consent DA0310/2021 for a "Secondary dwelling (installation of a transportable dwelling)" on the Site was issued on 19 May 2021 by Mid-Western Regional Council.

Creedence Planning contacted Ms Kayla Robson, Planning Coordinator at Mid-Western Regional Council at 2.35pm on 29 January 2024 to ask whether the Council would accept and consider a DA for a change of use of a secondary and principal dwelling on a Site to a dual occupancy development for the purposes of then subdividing the land (as is now proposed) and she advised that this type of application would be permissible and able to be supported "as long as the numbers stack up" (ie provided the Proposal complies with the applicable numerical planning provisions for dual occupancy development and for subdivision). These are addressed below in this report in **Section 4.3** and **Section 5.1**.

3.2 The Proposal

Development consent is sought to change the use of the existing principal dwelling and secondary dwelling on the Site to a dual occupancy development. It is then proposed to subdivide the development under Torrens Title from one lot into two new allotments. Proposed Lot 61 will have an area of 532.7sqm and contain the transportable dwelling currently used as a secondary dwelling and Proposed Lot 62 will have an area of 543.2sqm and contain the dwelling house currently used as the principal dwelling on the Site.

No building work or subdivision works are proposed as a part of this development application.

('the Proposal')

4. environmental planning instruments

4.1 State Environmental Planning Policy (Resilience and Hazards) 2021 ('RH SEPP')

Chapter 4 of the RH SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. We are not aware of the Subject Site being identified in Council's records as contaminated and note that there appears to have been a long history of residential use of this land which is proposed to continue. It is not considered that further site investigation is warranted in this instance.

4.2 State Environmental Planning Policy (Sustainable Buildings) 2022 ('SB SEPP')

As the Proposal involves no building work or alterations to the existing two dwellings on the Site, the Proposal is not BASIX development and the SB SEPP does not apply.

4.3 Mid-Western Regional Local Environmental Plan 2012 ('MWLEP 2012')

Provisions of MWLEP 2012 that are relevant to the Proposal are addressed in the table below.

MWLEP 2012 Clause Provision	Discussion	Compliance / Performance
Part 1 – Preliminary		
Clause 1.2 – Aims of Plan	<p>Aims of MWLEP 2012 that are relevant to the Proposal are as follows:</p> <p><i>“(a) to promote growth and provide for a range of living opportunities throughout Mid-Western Regional, (b) to encourage the proper management, development and conservation of resources within Mid-Western Regional by protecting, enhancing and conserving-</i></p> <ul style="list-style-type: none"> <i>(i) land of significance to agricultural production, and</i> <i>(ii) soil, water, minerals and other natural resources, and</i> <i>(iii) native plants and animals, and</i> <i>(iv) places and buildings of heritage significance, and</i> <i>(v) scenic values,</i> <p><i>..(e) to protect the settings of Mudgee, Gulgong, Kandos and Rylstone by-</i></p> <ul style="list-style-type: none"> <i>(i) managing the urban and rural interface, and</i> <i>(ii) preserving land that has been identified for future long-term urban development, and</i> <i>(iii) promoting urban and rural uses that minimise land use conflict and adverse impacts on amenity, and</i> <i>(iv) conserving the significant visual elements that contribute to the character of the towns, such as elevated land and the rural character of the main entry corridors into the towns.</i> <p><i>(f) to match residential development opportunities with the availability of, and equity of access to, urban and community services and infrastructure..”</i></p> <p>Response</p> <p>The proposed dual occupancy and subdivision will convert the current secondary dwelling that must currently be used in association with the principal dwelling on the Site to a dwelling house on a Torrens Title lot that can be purchased and used independently of the other dwelling which enables the current secondary dwelling to be purchased by owner-occupiers or investor/landlords and be used by a wider range of people within the community. The Proposal is not inconsistent with any of the above aims.</p>	Consistent with aims
Part 2 – Permitted or Prohibited Development		
Clauses 2.2 & 2.3- Zoning & Permissibility	<p>The subject site is zoned R1 – General Residential</p> <p>Dual Occupancy development, as a form of residential accommodation, is listed in Item 3 of the R1 zone land use table as permissible development, with consent.</p>	Permissible

MWLEP 2012 Clause Provision	Discussion	Compliance / Performance
Clause 2.3 – Zone Objectives and Land Use Table	<p>The R1 zone objectives that are relevant to the Proposal are:</p> <ul style="list-style-type: none"> • <i>To provide for the housing needs of the community.</i> • <i>To provide for a variety of housing types and densities.</i> <p>Response</p> <p>The proposed conversion of the secondary dwelling to a dual occupancy dwelling and the subdivision of the two dwellings and their curtilage into separate lots will enable them to be used by a wider range of people who require housing as they could be used independently by either owner-occupiers or bought by investor/landlords and rented out. This is consistent with the relevant zone objectives.</p>	Consistent with zone objectives
Clause 2.6	<p>Subdivision requires development consent.</p> <p>A secondary dwelling and its principal dwelling cannot be subdivided from one another.</p> <p>Response</p> <p>This is noted and is the reason for the proposed change of use of the existing secondary dwelling and principal dwelling to a detached dual occupancy development.</p>	Proposed change of use to dual occupancy enables subdivision to be permissible.
Part 4 – Principal Development Standards		
Clause 4.1 Minimum Subdivision Lot Size	<p>The applicable minimum lot size for the subdivision of land in the R1 zone is 600sqm.</p> <p>Response</p> <p>With an area of 1,076sqm, the Site cannot be subdivided pursuant to this clause due to insufficient area to create 2 x 600sqm allotments. The Proposal does not seek to utilize the provisions of this clause to achieve the proposed subdivision.</p>	N/A subdivision of the development pursuant to this clause not possible but not proposed.
Clause 4.1A Minimum Lot Sizes for Dual Occupancies....	<p>Minimum lot size for detached dual occupancy development in the R1 zone is equal to or greater than 800sqm.</p> <p>Response</p> <p>The Site has sufficient area for a detached dual occupancy development.</p>	Yes
Clause 4.1B Exceptions to Minimum Lot Sizes for Certain Residential Development	<p>Despite any other provision, consent may be granted for the subdivision of land zoned R1 if:</p> <ul style="list-style-type: none"> • a dual occupancy is lawfully erected on the land; and • the area of each resulting lot is not less than 400sqm for a detached dual occupancy; and • Only one dwelling will be located on each lot resulting from the subdivision. <p>Response</p> <p>The Proposal meets all of the above provisions and seeks to benefit from the provisions of this clause.</p>	Yes

MWLEP 2012 Clause Provision	Discussion	Compliance / Performance
Clause 4.3 Height of buildings	<p>Maximum permitted building height is 8.5m.</p> <p>Response</p> <p>The maximum height of both of the two existing dwellings on the Site complies with this maximum and no new building work is proposed under this development application.</p>	Yes
Part 5 – Miscellaneous Provisions		
Clause 5.10 - Heritage Conservation	<p>The Site is not identified as containing a heritage item, nor is it located within a heritage conservation area. However, it is located adjacent to a property to the south-east known as 1 Tallawang Road that contains a single storey dwelling house that is listed as a locally significant heritage item and is shown in Figure 6.</p> <p>Sub clause 5.10(4) requires a consideration as to whether the proposal will have any impact on the heritage value of the heritage item in the vicinity of the Site.</p> <p>Response</p> <p>The Proposal does not involve any new building work. It will result in the subdivision of the Site, which is situated adjacent to the heritage listed property although the resultant smaller lots would not impact or impinge upon the setting of the heritage-listed house. The heritage-listed property is visually removed from the Site with a thick clump of trees on either side of the common boundary between these properties and providing a very clear border to the setting of the heritage item such that it is not considered that the setting of this heritage item extends into the Site. In addition, the proposed subdivision is not inconsistent with the general subdivision pattern in the vicinity of the Site.</p> <p>It is not considered that the Proposal would have any real or discernible impact on the heritage value of this nearby heritage item.</p>	Yes

Table 1: MWLEP 2012 Compliance Table

5. development control plans & policies

5.1 Mid-Western Regional Development Control Plan 2013 ('MWDCP 2013')

The provisions of MWDCP 2013 that are relevant to the Proposal and require discussion or responses for the purposes of assisting with the assessment of this application are addressed in the table below.

DCP Requirement	Proposal	Complies?
PART 3: DISCRETIONARY DEVELOPMENT STANDARDS		
3.1 Residential Development in Urban Areas (Single Dwellings and Dual Occupancies)		
Building Setbacks		
<i>Deemed to Satisfy Requirements</i>		
Front Setback: 4.5m to building / 5.5m to garage Side/Rear Setback: 0.9m	No new works proposed. Both existing dwellings comply.	Existing Compliance
Building Height		
<i>Deemed to Satisfy Requirements</i>		
For a single storey building, the finished floor level must be less than 1m above Natural Ground Level.	No new works proposed. Both existing dwellings comply (refer to survey plan).	Existing Compliance
Site Coverage		
a) Stormwater runoff must not exceed infrastructure capacity. b) Development must be an appropriate bulk and scale for the existing residential surrounds.	No new works proposed. Provisions (a) and (b) would have been considered during the assessment of DA0310/2021 for secondary dwelling (refer to Section 3.1 above).	Existing Compliance Existing Compliance
c) Dual Occupancy development is not to exceed 50% site coverage. Note: Site Coverage means: The proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage: <ul style="list-style-type: none"> • Any basement, • Any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary, • Any eaves, • Unenclosed balconies, decks, pergolas and the like. 	The site coverage of existing development upon the Site is 18.76%.	Yes
Solar Access		
<i>Deemed to Satisfy Requirements</i>		
Living areas and private open space areas are to be located with a northerly aspect (ie on the north or eastern side of the building)	No new works proposed. Both existing dwellings have good northerly aspect for internal living areas and sufficiently large open space areas such	Existing Compliance

DCP Requirement	Proposal	Complies?
	that good solar access is achievable.	
<p>Privacy</p> <p>a) Development must ensure that reasonable privacy is achieved for new dwellings and existing adjoining residences and private open space.</p>	<p>No new works proposed. A combination of generous side setbacks, side boundary fencing and landscaping ensures that reasonable privacy is maintained between both existing dwellings and adjoining properties.</p> <p>Internal privacy between the two dwellings on the Site is reasonably well protected through sensitively located, designed and sized windows, well-located private open space and fencing.</p>	Yes
<p>Parking</p> <p><i>Deemed to Satisfy Requirements</i></p> <p>Two car parking spaces per dwelling.</p>	There is sufficient driveway area for both dwellings to accommodate a minimum of two parked cars.	Yes
<p>Landscaping</p> <p>a) Landscaping must enhance the quality of the built environment.</p> <p>b) Species selection and location should improve energy efficiency through reducing heat gain through windows and deflecting winter winds.</p> <p>c) Plants with low maintenance and water requirements should be selected.</p>	No new building work is proposed, thus, there is no associated new landscaping. The existing landscaping on the Site is consistent with the surrounding character and provides adequate shading and wind protection.	Yes
<p>Open Space</p> <p>a) Sufficient open space must be provided for the use and enjoyment of the residents.</p> <p>b) A plan shall be submitted which demonstrates that the dimensions of the open space provides for functional space, including placement of outdoor furniture.</p> <p>c) Open space areas provided must be suitably located and landscaped to obtain adequate sunlight and protection from prevailing winds.</p> <p>d) Private open space for dual occupancy development is to be a minimum area of 80sqm and have a minimum dimension of 5m (depth and width).</p> <p>e) Private open space for dual occupancy development is to be located behind the front building line and on the northern, eastern or western side of the dwelling.</p>	There is ample open space available behind the building lines of both lots to enable them to each individually comply with these requirements.	Yes
<p>Fencing</p>		

DCP Requirement		Proposal	Complies?		
a)	Fencing facing the street or forward of the building line must avoid extensive lengths of 'colorbond' as it presents a barrier to the street.	Fencing is existing. No new fencing is proposed.	Not applicable to Proposal.		
b)	Solid fencing of a length greater than 30% may be permitted where landscaping is provided to soften the visual impact on the streetscape.				
Infrastructure		Achieved as existing. No new work or landscaping proposed.	Yes		
a)	Surface infrastructure (e.g. tanks, clotheslines) must not be located within front setback.				
b)	Surface infrastructure must not be visible from the street.				
c)	Garbage storage locations must be included in the landscape plan and show how they will be screened.				
Access		Existing driveway is gravel which would have been assessed under the previous DA0310/2021 as being acceptable.	Yes, on merit.		
a)	All weather vehicle access is required to ensure that emergency services (fire, ambulance, police) are able to access the dwelling at all times.				
Relocated Dwellings		No re-siting of dwellings proposed.	N/A		
a)	Dwellings proposed to be re-sited must be of a suitable standard both aesthetically and structurally.				
Design Principles		Dwellings are existing. No new work proposed. Not applicable.	N/A		
a)	Design should maximise surveillance with clear sightlines between public and private places, effective lighting of public places and landscaping that makes places.				
b)	Physical and symbolic barriers should be used to attract, channel or restrict the movement of people to minimise opportunities for crime and increase the effort required to commit crime.			Existing Site complies.	Yes
d)	Must be sympathetic with existing adjoining and surrounding development in relation to bulk and height.			Existing development complies.	Yes
e)	Well-proportioned building form that contributes to the streetscape and amenity.			Existing development complies.	Yes
f)	Density appropriate to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.			Existing development complies.	Yes
g)	Design must demonstrate efficient use of natural resources, energy and water throughout its full life cycle, including construction.			Existing development complies with rainwater tanks installed.	Yes
h)	Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.			No new landscaping proposed. Not applicable.	N/A

DCP Requirement	Proposal	Complies?
i) Optimise amenity (e.g. appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility).	No new building work proposed. Not applicable.	N/A
j) Optimise safety and security, both internal to the development and for the public domain.	Existing development complies.	Yes
k) Design must demonstrate response to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.	The proposed dual occupancy and subdivision adds dwelling stock to the housing market and removes restriction that the secondary dwelling only be used in association with the principal dwelling. The Proposal addresses the housing needs of the community in this context.	Yes
l) Council will not support dual occupancy development where both dwellings are pre-manufactured or relocatable homes in urban zones.	The proposed dual occupancy only involves a single manufactured home.	Yes
PART 5: DEVELOPMENT STANDARDS		
5.1 Car Parking		
Car Parking Spaces to be Provided		
Dwellings (including dual occupancies) 2 car spaces per dwelling – 1 space to be a garage, 1 space may be provided in a stacked arrangement in front of the garage provided that the space is contained wholly within the site.	Both the transportable dwelling and the principal dwelling utilise the driveways as open parking spaces to accommodate the minimum required two parking spaces. There is ample driveway area to accommodate them. This does not comply with the DCP control requiring 1 space to be a garage but is an existing situation that has been formalised/approved via DA0310/2021. No new work is proposed under the Proposal.	Existing non-compliance approved via previous DA.
Landscaping		
a) Parking facility design shall consider the likely visual impact of the parking facility in the locality and provide an integrated landscape design addressing amenity impacts. b) A landscaping plan including details of species selection of mature shade trees, species condition, size of beds, under storey and ground cover planting, irrigation provision shall be submitted to Council for approval. c) Landscaping shall be provided to separate pedestrian and vehicle conflict points where possible.	No new work or landscaping proposed. Not applicable.	N/A

DCP Requirement		Proposal	Complies?
d)	Landscaping provision for sun control (shading) shall be provided at the rate of 1 shade tree for every 6 car parking spaces.		
e)	Existing trees on site are to be retained where possible.		
PART 7: SUBDIVISION			
7.1 Urban Subdivision			
Lot Size			
Minimum lot size is determined by MWLEP 2012.			
a)	All lots must have street frontage.	Achieved	Yes
Lot Design			
a)	For infill developments in established areas, lot orientation should optimise solar access while taking account of the existing pattern and solar orientation of development.....	Proposed lot orientation is dictated by the location of the two existing dwellings but is consistent with the existing subdivision pattern and enables good solar orientation.	Yes
c)	Lots should be generally rectangular in shape. Lots on the southern side of the road should provide a greater frontage to allow a better solar orientation of the future dwelling.....	The proposed lots have a generally rectangular shape. Proposed frontages are 14.55m and 18.885m which is considered adequate for reasonable solar orientation for the existing dwellings.	Yes
Utility Services			
a)	A servicing plan shall be submitted with the DA and include the provisions of underground electricity, reticulated sewer and water services, drainage and telecommunications to the development.	All services to both existing dwellings are already connected independently of one another.	Yes
b)	Evidence of consultation with the relevant authorities is to be submitted with the DA.	Given the existing situation, this is not considered necessary.	N/A

Table 2: MWDCP 2013 Compliance Table

6. section 4.15 assessment

The Proposal is assessed against sub-section 4.15(1) of the *Environmental Planning & Assessment Act, 1979* which sets out the following matters that must be considered in the assessment of the application.

6.1. S.4.15(1)(a)(i) The provisions of any environmental planning instrument

Refer to **Section 4** of this report.

6.2. S.4.15(1)(a)(ii) The provisions of any draft environmental planning instrument

We are not aware of any draft environmental planning instrument that has provisions within it that would require further detailed discussion.

6.3. S.4.15(1)(a)(iii) The provisions of any development control plan

Refer to **Section 5** of this report.

6.4. S4.15(1)(a)(iiia) The provisions of any relevant planning agreement.

There is no planning agreement relevant to the Proposal.

6.5. S4.15(1)(a)(iv) Relevant provisions of the Regulations

No other matters are relevant under this heading that require detailed discussion.

6.6. S4.15(1)(b) The likely impacts of the development, including environmental impacts on both the natural and built environment, and social and economic impacts in the locality

Likely Impacts on the Natural Environment

Given that there is no physical building work proposed and no subdivision works, it is not considered that the Proposal will have any material impact on the natural environment.

Likely Impacts on the Built Environment

Neither the proposed change of use from a secondary and principal dwelling to a dual occupancy, nor the proposed subdivision of the Site into two allotments is anticipated to have any significant impact on surrounding properties or increase demand on surrounding infrastructure, including the surrounding road network or demand for public facilities such as parks and community services.

As discussed above in **Section 4.3**, the Proposal would not have any detrimental impact on the heritage value of the adjoining heritage item house.

6.7. S4.15(1)(c) The suitability of the site for the development

The Site is already being used for the purposes of a principal dwelling and a secondary dwelling. The change of use to a dual occupancy enables these two existing dwellings to be used independently and subdivided and sold separately but, on the ground, there is not significant discernible change to the existing development. No work is necessary to render the two dwellings to be suitable for the purposes of dual occupancy and subdivision. In this respect, it is considered that the Site is highly suited to the Proposal with negligible external impacts.

It is therefore considered that the Subject Site is suitable for the Proposal.

6.8. S4.15(1)(d) Any submissions made

Should Council wish the applicant to respond to any issues raised in any objections received, we would be happy to provide a response on Council's request.

6.9. S4.15(1)(e) The public interest.

The Proposal is considered to be in the public interest as it is expanding the local housing market and enabling the existing principal and secondary dwellings on the Site to be utilised for housing by a wider range of people including owner occupiers, investors/landlords and tenants without the restriction of being required to use the two adjacent dwellings in association with one another.

7. conclusion

Having addressed all of the relevant considerations for assessment for this development application for a change of use to a dual occupancy and carrying out a subdivision of one lot into two lots at 1A-3 Tallawang Road, Gulgong, Creedence Planning has concluded that the Proposal will not have any material detrimental impacts on the heritage significance of the adjoining heritage item or on the amenity of adjoining residential properties. The Proposal does not result in any significant non-compliances with applicable planning provisions that have not already been assessed and approved under a previous development application.

Accordingly, the Proposal is recommended to Council for approval.

This Report Was Prepared and Checked By: