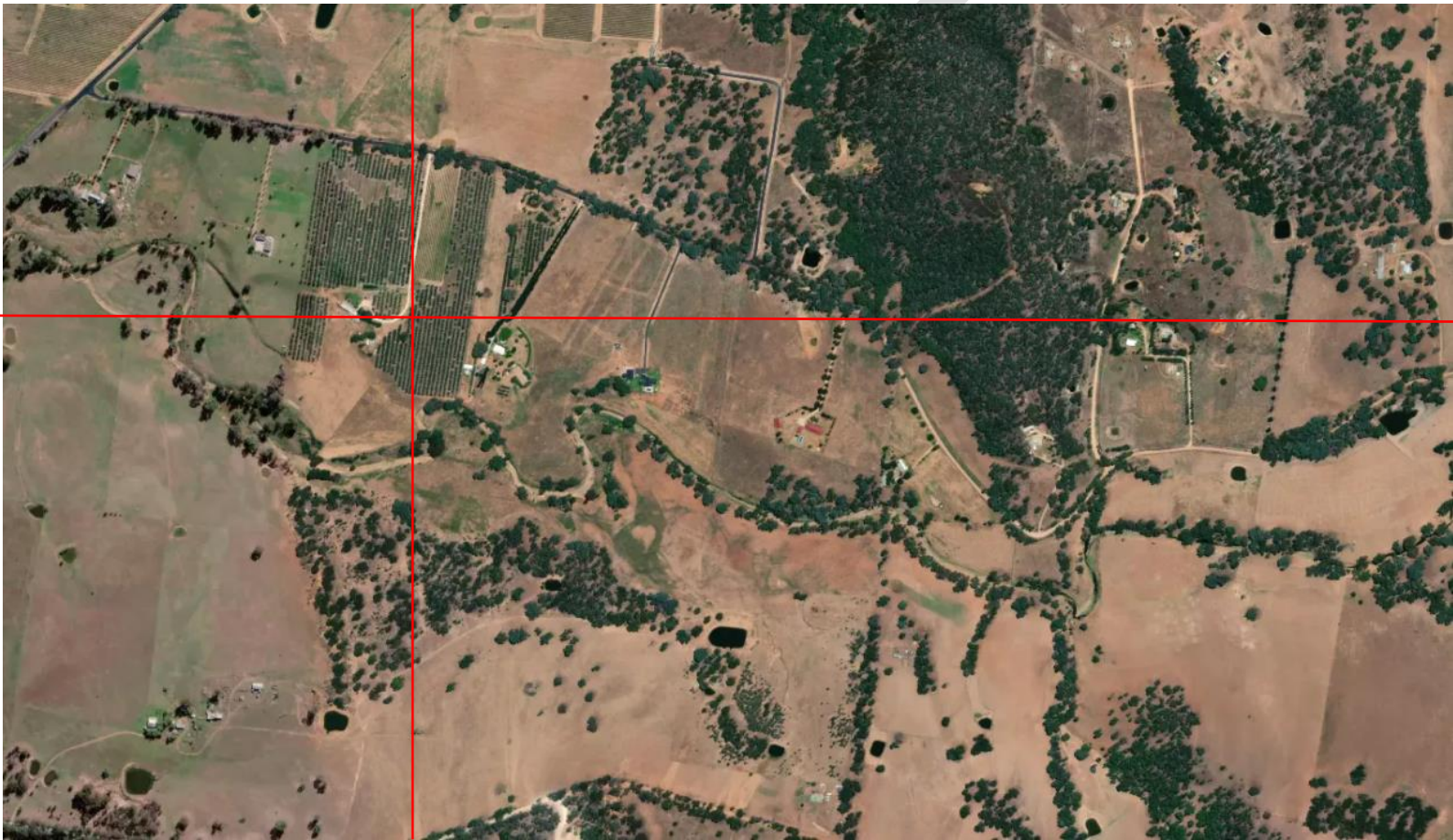


STATEMENT OF ENVIRONMENTAL EFFECTS

DUAL OCCUPANCY DEVELOPMENT

66 PIPECLAY LANE, BUDGEE BUDGEE NSW 2850 (LOT 1 DP1226239)



CLIENT:

DATE: 5 JUNE 2024

PREPARED BY:



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Appendix 5:	NatHERS Certificate prepared by Cameron Anderson Architects

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1. INTRODUCTION

1.1. PURPOSE

This Statement of Environmental Effects (SEE) has been prepared on behalf of Megan & Peter Price (the applicant) to accompany a development application (DA) for a dual occupancy development on land known as 66 Pipeclay Lane, Budgee Budgee NSW 2850 (Lot 1 DP1226239) (the site).

The SEE summarises findings of specialist reports and demonstrates that the proposed development has been formulated having full and proper regard to existing development controls and environmental qualities of the site and its surroundings.

1.2. CONSENT AUTHORITY

The proposed development requires consent under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Mid-Western Regional Council is the consent authority for the proposed development.

1.3. INTEGRATED DEVELOPMENT PROVISIONS

The proposed development is not integrated development pursuant to the provisions of section 4.46 of the EP&A Act.

1.4. SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS

This SEE accompanies a DA for the proposed development. It has been prepared on behalf of the applicant and includes the matters referred to in section 4.15 of the EP&A Act and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the proposed development;
- Describe the land to which the DA relates and the character of the surrounding area;
- Assess the likely impacts on the natural and built environmental impacts and social and economic impacts in the locality
- Identify mitigation measures where relevant; and
- Define the statutory planning framework within which the DA is to be assessed and determined.

1.5. PERMISSIBILITY

Pursuant to the Mid-Western Regional Local Environmental Plan (LEP) 2012, dual occupancies are permitted with consent within the R5 Large Lot Residential zone. The proposal has been formulated having regard to the provisions of LEP 2012 and the Mid-Western Regional Development Control Plan (DCP) 2013.

2. SITE AND SURROUNDING AREA

2.1. SITE SUMMARY

Address	66 Pipeclay Lane, Budgee Budgee NSW 2850
Lot and DP	Lot 1 DP1226239 (Figure 1)
Zone	R5 large Lot Residential (Figure 2)
Land Area	12.15ha
Existing Structures	Dwelling house, associated shed structures

2.2. SITE AND SURROUNDING AREA

The site is a large, irregularly shaped lot with a frontage of 267.06m to Pipeclay Lane, per the Detail Survey provided at **Appendix 2**. The site is bordered by similar development to its east and west, and Pipeclay Creek forms a 76.78m southern boundary. The site is approximately 450m from Ulan Road, which travels from Mudgee to Ulan.

The site contains a dwelling house, and multiple sheds, including those that service the existing olive grove that covers much of the site. The site contains a septic tank for the existing development on the site. As shown by the aerial image at *Figure 1*. The site contains a gravel driveway that travels approximately 350m southward to the built environment on the site. As discussed, much of the site's native vegetation has been cleared for the olive grove, with remnant vegetation existing along the northern boundary and the southern boundary, where it is associated with the riparian area for Pipeclay Creek.

The surrounding environment can be described as rural residential, with a prevailing dwelling density that can be considered low. The surrounding area has small-scale agricultural and viticultural enterprises, including olive groves, particularly to the site's immediate east. The surrounding area shares the site's prevailing natural environment, with large swathes of native vegetation being cleared over time for residential and agricultural purposes.



Figure 1: Aerial view of site (aerial © Aerometrex 2024)

More generally, the site is approximately 8.5km north-east of Mudgee. The site is zoned R5 Large Lot Residential, shown on *Figure 2*. Land to the south is zoned RU4 Primary Production. The site has a 12ha minimum lot size, shown by *Figure 3*. Land to the south has a 20ha minimum lot size.

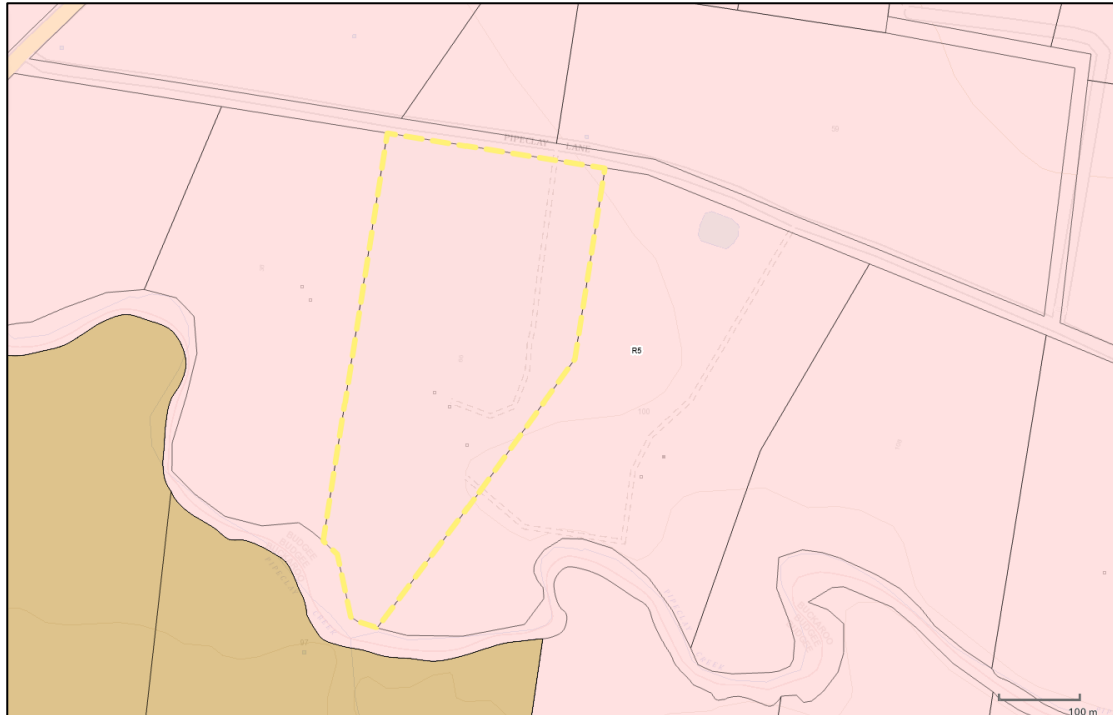


Figure 2: Land use zone map (source: NSW Planning Portal Spatial Viewer)

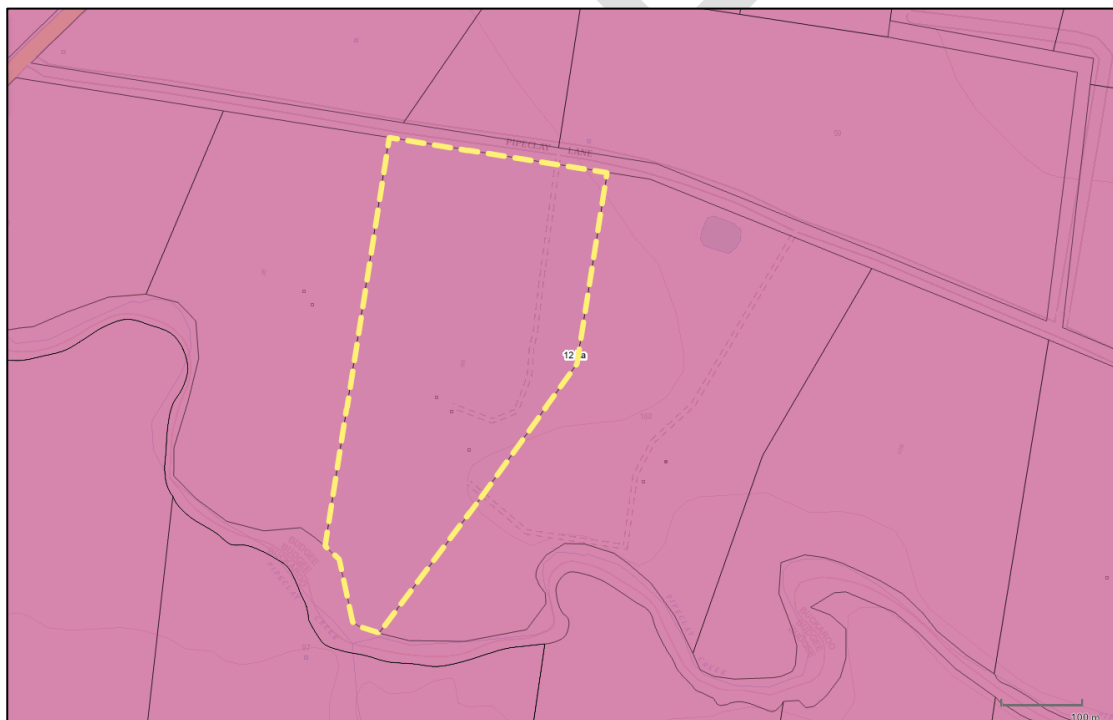


Figure 3: Minimum lot size map (source: NSW Planning Portal Spatial Viewer)

2.3. KEY FEATURES

2.3.1. Vegetation

As previously discussed, the site is largely cleared of native vegetation, to make way for the olive grove that covers most of the site. Remnant vegetation exists on the northern boundary, which run along Pipeclay Lane. Additionally, vegetation exists around Pipeclay Creek, forming the riparian area associated with the creek. Parts of the site are identified on the Biodiversity Values (BV) map, of which an extract is provided at *Figure 4* overleaf. The areas identified on this mapping include the aforementioned border vegetation on the northern, and the riparian vegetation associated with Pipeclay Creek.



Figure 4: Biodiversity Values map (source: NSW Planning Portal Spatial Viewer)

HeritageAn Aboriginal Heritage Information Management System (AHIMS) search was conducted on 24/05/2024 and found no Aboriginal sites or places within a 200m radius of the subject site. This report is provided at **Appendix 1**. The site is not mapped as sensitive Aboriginal landscape. The site is located within the Mudgee Local Aboriginal Land Council (LALC).

There are no items of local, State or Aboriginal heritage significance on the site or in the immediate surrounding area, per a review of the LEP 2012 heritage register. The site is located outside of the Mudgee Heritage Conservation Area (HCA).

2.3.2. Bushfire

The subject site is not located in an area identified as bushfire prone, per NSW Rural Fire Service mapping.

2.3.3. Soils and Geotechnical

The subject site is not identified as any class of land for acid sulfate soils, per LEP 2012. The site is not located in a proclaimed mine subsidence district. The site is identified on the Groundwater Vulnerability map, per LEP 2012 mapping.

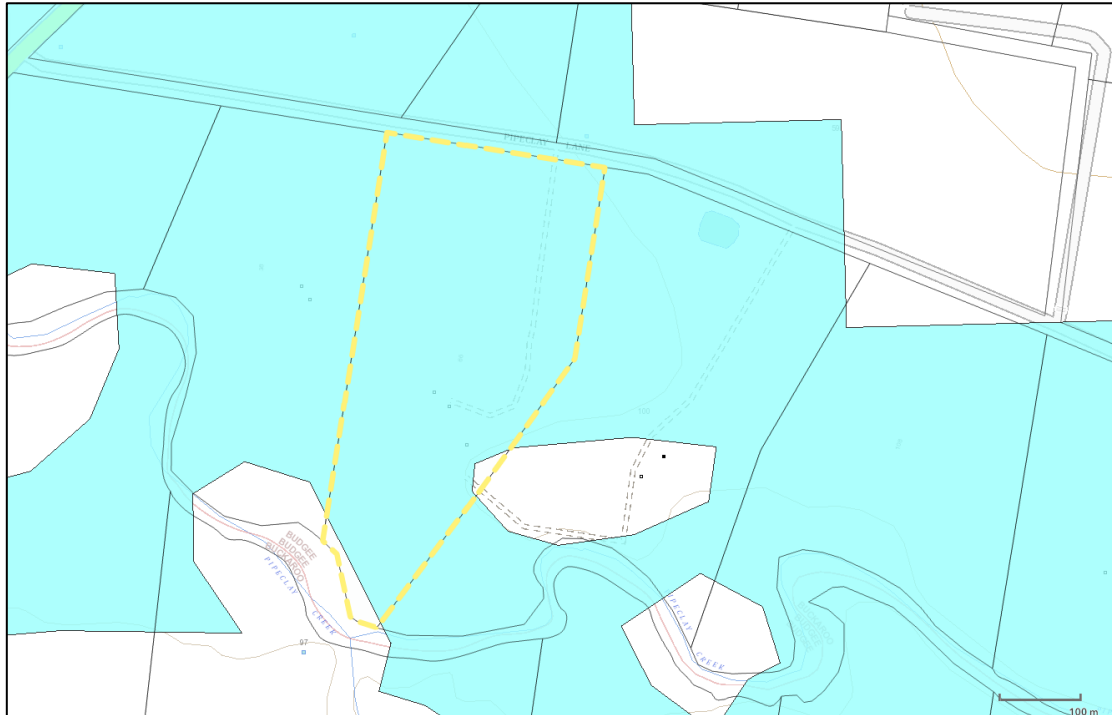


Figure 5: Groundwater vulnerability map (source: NSW Planning Portal Spatial Viewer) A review of the eSPADE database shows that the site is located mostly in the Craigmore and partially in the Cudgegong soil landscapes. In both soil landscapes the soil is considered to be low in salinity. The Craigmore soil landscape, in which the specific proposed development is located, is considered to be appropriate for urban development, while the Cudgegong soil landscape is considered to be less appropriate for urban development.

2.3.4. Flooding

The site is not considered to be flood prone. The site is located outside of the study area for the *Mudgee Flood Study of 2021*.

2.3.5. Traffic and Access

Legal access to the property is derived from a gravel entryway and driveway off Pipeclay Lane. Pipeclay Lane itself is a sealed roadway that travels from Ulan Road in the west to Buckaroo in the east. As such, the site has sealed road access to Mudgee.

2.3.6. Site Photos

The following site photos were obtained by de Witt Consulting during a site visit on 23/05/2024.

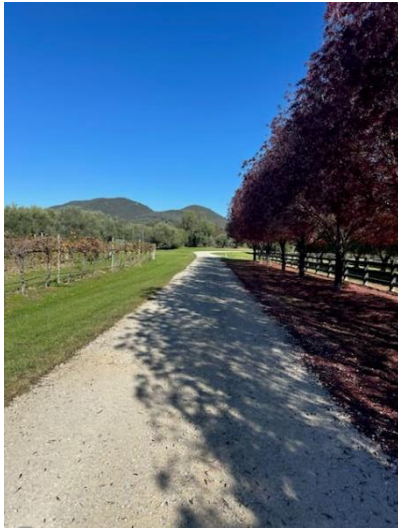


Image 1: View of access into site



Image 2: View of gravel driveway



Image 3: View of site structures, gravel driveway in foreground



Image 4: View of approximate building area, cleared



Image 5: View of driveway access and its condition



Image 6: View of approximate building area, adjoining vegetation in background



Image 7: View of shed structure on the site, olive grove in background



Image 8: View of existing single dwelling on site

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3. THE PROPOSAL

3.1. SUMMARY OF PROPOSED DEVELOPMENT

The DA seeks consent for the construction of an additional dwelling on the subject site, rendering it a dual occupancy (detached) development. Architectural Plans for this dwelling are provided at **Appendix 3**. *Figure 6* below shows where the proposed dwelling will be located, in relation to the existing dwelling and other structures on the site. *Figure 7* shows the proposed elevations of the

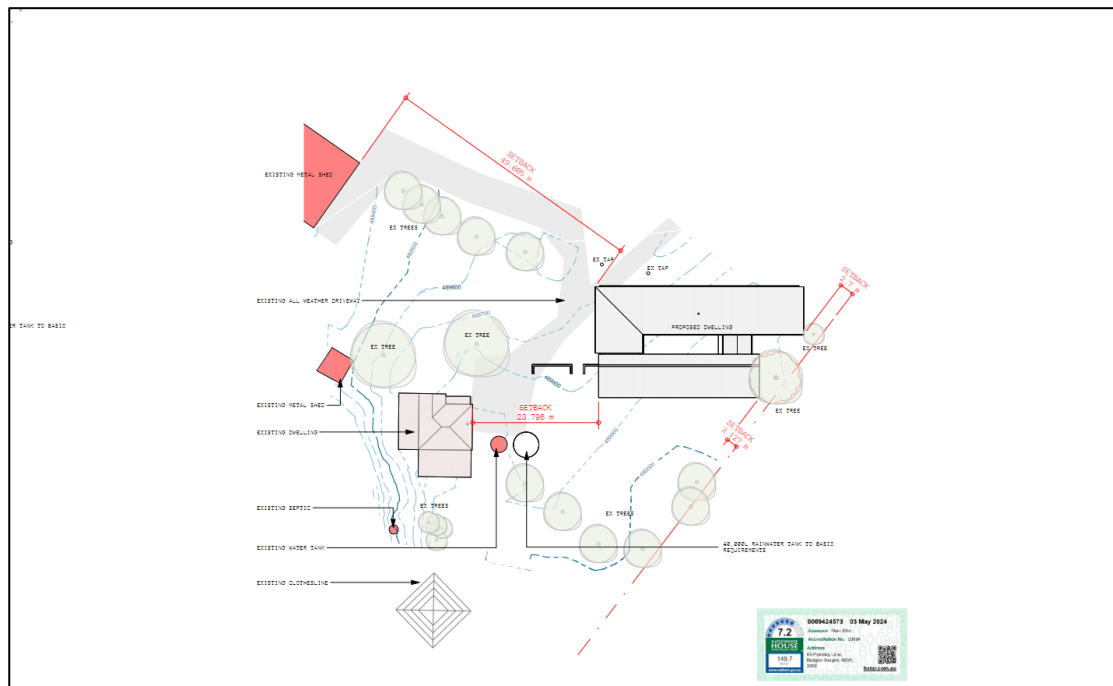


Figure 6: Proposed site plan (source: Cameron Anderson Architects)

The proposed dwelling will be sited over one storey and will contain 6 bedrooms. A key part of the proposed development is a central courtyard, that can be accessed from all directions. The proposed main internal living areas will be located on the northern side of the proposed development, benefiting from adequate sunlight access. The proposed development includes a wine cellar below the laundry. The proposed development is sited approximately 23m from the existing development on the site, providing sufficient separation distances between each dwelling, ensuring that privacy outcomes are appropriate. This will also ensure plenty of space for separate outdoor open space areas for each dwelling.

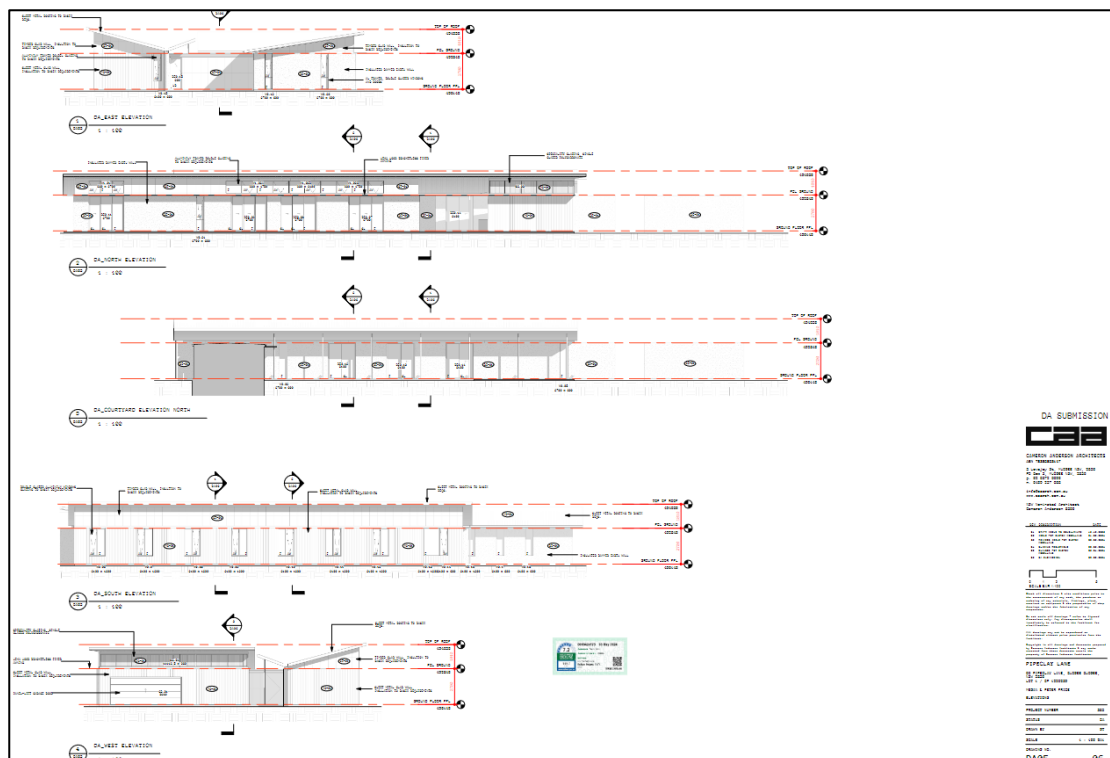


Figure 7: Proposed elevations (source: Cameron Anderson Architects)

3.1.1. Traffic and Access

The proposed development will use the existing access arrangements on the site, as shown on the site plan at *Figure 6*. The proposed garage that forms part of this development will be able to hold two vehicles, rendering it compliant with Council controls.

3.1.2. Services

Existing services on the site are to be augmented to suit the proposed development. Further discussion of services is provided in Table 2 of this report.

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1. STATUTORY PLANNING CONTROLS

4.1.1. Environmental Planning and Assessment Act 1979 and Regulation 2021

The proposed development will require consent under the provisions of Part 4 of the EP&A Act. The proposal is not integrated development pursuant to section 4.46 of the EP&A Act. Additionally, the proposed development is **not** considered to be:

- Designated development pursuant to Schedule 3 of the Environmental Planning and Assessment Regulations 2021 (the Regulations) or any other environmental planning instrument;
- State significant development (SSD) or State significant infrastructure (SSI) pursuant to section 4.36 of the EP&A Act; and
- Regionally significant development pursuant to the State Environmental Planning Policy (SEPP) (Planning Systems) 2021. The development will have a estimated development cost of less than \$30 million and therefore will not trigger regionally significant development.

Therefore, the proposed development is considered to be ‘local development’ and Council is the relevant consent authority.

4.2. ENVIRONMENTAL PLANNING INSTRUMENTS

4.2.1. Relevant State Environmental Planning Policies

Table 1 address the relevant SEPPs in accordance with section 4.15(1) of the EP&A Act.

Table 1: Relevant SEPPs

SEPP	COMPLIANCE
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Remediation of Land	Chapter 4.6 of this SEPP sets out that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purposes for which the development is carried out. The site is not listed on the EPA Contaminated Sites Register. Additionally, a review of the NSW Historical Imagery Viewer shows the site has been used for rural and agricultural purposes for some time. It does not suggest any potential for contamination or contaminating land uses on the site. No further consideration is required in this instance.
State Environmental Planning Policy (Sustainable Buildings) 2022 Chapter 2 Standards for Residential Development – BASIX	This SEPP was enacted to ensure buildings are designed to use potable water and minimise greenhouse gas emissions by setting energy and water reduction targets for residential houses and units. A BASIX Certificate and NatHERS Certificate have been provided at Appendix 4 & 5 , respectively, that show that the proposed development meets or will meet the relevant water reduction targets, as well as energy efficiency targets.

4.2.2. Mid-Western Regional Local Environmental Plan 2012

The Mid-Western Regional Local Environmental Plan (LEP) 2012 provides a planning framework to facilitate development in an appropriate manner with due consideration to ecologically sustainable development. Relevant clauses of LEP 2012 are discussed in Table 2.

Table 2: Consistency with relevant clauses of LEP 2012

CLAUSE	CONSISTENCY
1.2 Aims	<p>The LEP provides for appropriate development within the LGA. The proposed development has been considered against the LEP and are in keeping with the aims of the LEP.</p>
2.1 Land use zones	<p>The subject site is zoned R5 Large Lot Residential. Land uses permitted with consent are outlined below.</p> <p><i>Bed and breakfast accommodation; Cellar door premises; Dual occupancies; Dwelling houses; Garden centres; Home industries; Intensive plant agriculture; Landscaping material supplies; Markets; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Pond-based aquaculture; Roadside stalls; Secondary dwellings; Serviced apartments; Tank-based aquaculture; Waste or resource transfer stations; Water recycling facilities; Any other development not specified in item 2 or 4</i></p> <p>As shown above, <i>dual occupancies</i> are permitted with consent in this zone. This renders the proposed development compliant with this clause.</p>
2.3 Zone objectives and land use table	<p>The objectives of the R5 zone are outlined below.</p> <ul style="list-style-type: none"> • To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. • To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. • To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. • To minimise conflict between land uses within this zone and land uses within adjoining zones. <p>The proposed dual occupancy development intends on providing quality housing, whilst also avoiding areas of environmental sensitivity on the site. The proposed development is located asway from Pipeclay Creek. The site is located a substantial distance from Mudgee so will not hinder the appropriate development of the township. An addition of one dwelling will not create an unreasonable burden on existing public facilities or services. Land use conflict will be discussed in Clause 5.16 of this LEP. Notwithstanding, the proposed development displays general compliance with the objectives of the R5 zone.</p>
4.1 Minimum subdivision lot size	<p>The site has a 12ha minimum lot size. No subdivision is proposed within this DA.</p>
4.2A Erection of dwelling houses, dual occupancies and tourist and	<p>The subject site is R5 land, which is identified in this clause. This clause intends on minimising unplanned rural residential development, and to control rural residential density affected by historical subdivision patterns in R5 Large Lot Residential zones.</p>

CLAUSE	CONSISTENCY
visitor accommodation on land in certain zones	The proposed development is consistent with this clause as the existing lot is larger than the prescribed minimum lot size. The site is 12.15ha, per the Detail Survey at Appendix 2 , and the minimum lot size is 12ha. Additionally, there is already a lawfully erected dwelling house on the site. The site conditions therefore satisfy this clause.
4.3 Height of buildings	The site does not have a prescribed maximum building height in the LEP. Notwithstanding this, the proposed development has a maximum building height of 4.51m. This is considered to be commensurate with the existing development on the site and in the surrounding area and is considered to be appropriate for the rural residential context of the site. The proposed building height will not block important views or cause adverse overshadowing or privacy impacts.
4.4 Floor space ratio	Not applicable. No FSR controls have been prescribed for the site. Notwithstanding, the proposed development will not add undue density to the site.
4.6 Exceptions to development standards	Not applicable. No development standard is proposed to be varied.
5.10 heritage conservation	As previously discussed, the proposed development is not located on a site that contains or is adjacent to any local heritage items, and there are no Aboriginal sites or places within a 200m radius of the subject land.
5.16 Subdivision of, or dwellings on, land in certain rural, residential, or conservation zones	<p>This clause controls for potential land use conflict. The site is identified as being subject to this control as it is R5 Land.</p> <p>The existing land uses on the site and in the vicinity of the site include olive groves, small scale agricultural enterprises and rural residential development. The proposed development will not have an adverse impact on the existing and approved uses on the site or surrounding area, as it is similar to existing rural residential development in the area. Additionally, the existence of this dwelling will not have any impacts on any existing olive grove enterprises on site or in the adjacent property to the east. Overall the proposed development is not considered to be incompatible with the existing uses on the site and surrounding area. It is a permissible form of development, that is sited in an appropriate location. The proposed development will not hinder the viability of existing land uses.</p>
6.1 Salinity	Per 2.3.4 of this report, the site is located within a soil landscape that is low in salinity. Further, a review of the eSPADE database shows that nearby soil testing (<i>survey number: 1004749</i>) has 'no soil evident'. No further consideration is required in this instance.
6.3 Earthworks	Any earthworks are standard and are considered to be as part of this application. Appropriate erosion and sediment controls will be in place to manage potential risks relating to earthworks.
6.4 Groundwater vulnerability	Much of the site is on land identified as groundwater vulnerable. The proposed development is unlikely to cause significant adverse impacts to the groundwater or groundwater dependent ecosystems. No further consideration is required.

CLAUSE	CONSISTENCY
6.9 Essential services	<p>Regarding each key servicing consideration:</p> <ul style="list-style-type: none"> • Water – There is no town water at this site, so water will come from rainwater tanks, subject to BASIX requirements at Appendix 4. • Electricity – The subject site will connect to existing services on the site, which will be augmented as required. • Sewage – The proposed development will use an OSSM system, which will be subject to a separate Council application (s68). • Stormwater – BASIX will be adhered to in this instance. • Access – The site has existing access, which will be used and is appropriate in this instance.

4.3. REGIONAL AND LOCAL PLANS AND POLICIES

MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN 2013

Mid-Western Regional Development Control Plan (DCP) 2013 provides guidance to development of land under LEP 2012 and is intended to act as an integrated planning document. The purpose of the DCP 2013 is to supplement LEP 2012 and provide additional information to take into account when preparing a development application. An assessment of the proposed development against applicable DCP requirements is provided in Table 3 below.

Table 3: Consistency with Mid-Western Regional DCP 2013

CLAUSE / CONTROL	CONSISTENCY
Part 3 – Discretionary Development Standards	
3.1 Residential Development in Urban Areas (Single Dwellings and Dual-Occupancies)	
<p><i>We note that this section applies to ‘urban’ land, and R5 Large Lot Residential is a ‘rural’ zone. However, we have applied the controls in Section 3.1 considering the proposal is to include a ‘dual occupancy’ and the controls therefore more relevant. Where other sections may be more relevant, a note is provided.</i></p>	
Building Setbacks	<p>Note. In Section 6.1 Dwellings of the DCP, the side and rear setback for dwellings in the R5 zone of this lot size is 20m so the proposal is not consistent with this section. A discussion is provided below.</p> <p>As noted, the site is larger than 5ha in area. This means that the proposed setback is required to be at least 60m. In this instance, the proposed setback to the front property boundary is more than 300m, complying with this control. The Site Plan shows that the proposed development has a minimum side setback of 2.127m. This is a substantial departure from the minimum 20m prescribed by the DCP.</p> <p>It is noted that the proposed setback is larger than the BCA guidelines of 900mm, enabling safe passage between the property boundary and the dwelling house. It should be noted that the proposed development is approximately 175m away from the adjacent property’s dwelling, meaning potential privacy concerns have been mitigated. Further, the proposed boundary setback variation will not cause any undue ecological impacts, as the site is already cleared of vegetation. This location will provide the dwelling with adequate separation between adjoining lot’s dwellings, and the existing dwelling on the site (23.796m).</p>
Building Height	The proposed development has a building height of 1 storey, and an overall height of 4.51m. This is considered to be compliant with this control and is commensurate with the types of development found in the immediate surrounding area.
Site Coverage	As the site is 12ha, and the gross building area is 639m ² , including the basement, the proposed development is substantially compliant with this control, when considering existing development on this site.
Solar Access	The proposed development is not considered to cause undue impacts on solar access for existing development on the site and adjoining development. As the proposed development is single storey and 23m from existing development on the site,

	<p>there are unlikely to be adverse impacts on solar access on that dwelling. Regarding development on the adjoining lot, there is a more than 300m separation distance, rendering any potential shadow issues from a single storey dwelling as null.</p> <p>As shown in the Architectural Plans at Appendix 3, the main living areas are located on the proposed development's northern side, ensuring strong access to the sun, particularly during winter. The proposed development has substantial eaves, which will control potential heat issues during summer, particularly in the north facing living areas.</p>
Privacy	Reasonable privacy is achieved based on the single storey nature of the proposed development, as well as the substantial separation distance between existing development on this site and adjoining development.
Parking	All proposed parking within the proposed development is provided off-street. Further, all parking provision is provided within the proposed garage, providing a less cluttered landscape. The proposed development is to use the existing driveway access on this lot, which is considered to be eminently acceptable, given distance from the public road network.
Landscaping	Existing landscaping on the site is considered to be acceptable. It's noted that there are no landscaping requirements under 6.1 of this DCP. However, existing olive groves in on the site and adjoining site will provide adequate screening of the proposed development.
Open Space	Given the size of the existing site being 12.15ha, the site is considered to be a 'deemed to satisfy' matter. The site has substantial opportunity for open space.
Fencing	Existing fencing on the site is considered to be adequate for the proposed development and is commensurate with the existing fencing style in the area.
Infrastructure	Given the distance from the street, no surface infrastructure will be visible. Location of tanks etc will be subject to the construction certificate stage. Given substantial separation distances from adjoining development, there is not considered to be any negative visual impacts.

Part 5 – Development Standards

5.1 Car Parking

Parking Provision	The proposed garage has the capacity for 2 car parking spaces, which exceeds the requirements for dual occupancy. Additional car parking (where required) can be provided near the house and throughout the site as a whole.
5.3 Stormwater Management	
Performance Targets	Refer to the BASIX Certificate provided at Appendix 4 for water management performance targets.
5.4 Environmental Controls	
Protection of Aboriginal Archaeological Items	<p>An AHIMS Search was conducted on 24/05/2024 and found no Aboriginal sites or places within a 200m search radius. In the event of unexpected finds during subdivision works, the following procedure should be put in place:</p> <ul style="list-style-type: none"> • Should any Aboriginal objects be encountered during works associated with this section of the study area, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object, the archaeologist will provide further recommendations. These may include notifying Heritage NSW and Aboriginal stakeholders. • Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity, you must: <ul style="list-style-type: none"> - Immediately cease all work at that location and not further move or disturb the remains. - Notify the NSW Police and Heritage NSW's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location. <p>Not recommence work at that location unless authorised in writing by Heritage NSW.</p>
Bushfire Management	The site is not mapped as bushfire prone. No further consideration is required.
Riparian and Drainage Line Environments	A Detail and Contour Survey (Appendix 2) shows Pipeclay Creek at the southern border of the site. The proposed development is suitably set back from the river by approximately 330m. The works do not require a Controlled Activity Approval (CAA), being outside the 40m waterfront land buffer and not within a vegetated riparian zone (VRZ). Integrated referral is not required to the Natural Resources Access Regulator (NRAR).

<p>Pollution and Waste Management</p>	<p>The subject site is located on Groundwater Vulnerability mapping. The proposed development is not likely to impact the groundwater given the nature and scale of disturbance proposed. Standard construction conditions, such as erosion and sediment controls, would be suitable in this instance in mitigating impacts.</p> <p>A separate application for on-site sewage management would be submitted post-DA and would be suitably designed to ensure no groundwater contamination.</p>
<p>Threatened Species and Vegetation Management</p>	<p>As previously discussed, the site contains Biodiversity Values (BV) mapped land on the northern boundary and the southern boundary, along Pipeclay Lane and the riparian vegetation along Pipeclay Creek, respectively. The proposed development is sited such that it avoids clearing vegetation mapped as high sensitivity. No Biodiversity Development Assessment Report is required to support this application. No trees are proposed to be removed as part of this application.</p>
<p>Building in Saline Environments</p>	<p>According to the Craigmores and Cudgegong soil landscape report, salinity is identified to be low. Nearby salinity sampling indicates 'no salting evident'. The proposed subdivision will not be impacted by the salinity levels (if at all) and will not change the salinity levels in the ground.</p>

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5. SUMMARY OF ENVIRONMENTAL EFFECTS

5.1. SECTION 4.15(1)(A) – STATUTORY PLANNING CONSIDERATIONS

In determining the subject DA, Council is required to consider those relevant matters listed in section 4.15(1) of the EP&A Act. Each of the relevant matters is addressed below.

Section 4.15(1)(a) requires the consent authority to take into consideration the provisions of any environmental planning instrument (EPI), draft EPI, DCP, planning agreement that has been entered into under section 7.4 of the EP&A Act or under the EP&A Regulations 2021.

These matters (and others) are addressed in Section 4 of this report, and below.

The proposal is permissible with the consent of Council and is generally consistent with the provisions and objectives of Mid-Western Regional LEP 2012 and DCP 2013.

5.2. SECTION 4.15(1)(B) – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The following table provides an overview of the potential impacts of the development on the natural and built environments.

Table 4: Assessment of Environmental Effects

IMPACT	COMMENT
Accessibility	The proposed development is at a single storey and is not of a scale where additional accessibility reporting is required. Notwithstanding, there are no expected adverse accessibility impacts relating to the proposed development.
Acoustic	There are likely to be minimal acoustic impacts as a result of the proposed development, associated with standard construction noises during standard construction times, and general residential noises during operation which are commensurate with the surroundings.
Air Quality	Standard dust reduction conditions during construction are appropriate to manage any impacts.
Biodiversity	As previously discussed, the proposed development is sited such that it avoids tree removal and avoids any BV mapped land. There are no anticipated adverse biodiversity impacts relating to the proposed development.
Bushfire	The subject site is not bushfire prone, and the proposed development does not increase the bushfire risk to the property or surrounding area.
Economic	The proposed development will have positive economic impacts by virtue of construction work, being the demand for labour and material resources. There would be no negative economic impacts.
Effluent Disposal	This would be dealt with under a separate application (s68) to be submitted to Council.
Erosion and Sediment Control	Standard erosion and sediment controls are appropriate for this development.
Flood	The site is located adjacent to Pipeclay Creek. However, the site does not register on any flood prone land mapping. Notwithstanding, the development has been appropriately set back from the watercourse as a conservative approach.

IMPACT	COMMENT
Geotechnical	As previously discussed, the site is groundwater vulnerable, and that there is little to no salting evident on the site. No groundwater vulnerability issues are expected for the proposed development.
Heritage	As discussed throughout this report, no heritage impacts are expected resulting from the proposed development, as there are no local, State or Aboriginal items and places on the site or surrounding area.
Safety and Security	A CPTED assessment is not required for the proposed development. The proposed development will follow standard safety and security guidelines for dwellings of this nature.
Social	Positive social impacts from the proposed development can be derived from the expansion of housing supply to assist in meeting demand for current and future residents. No negative social impacts are associated with the proposed development.
Stormwater	The proposed development will comply with BASIX requirements for capture and re-use. No significant adverse stormwater impacts are expected for the proposed development.
Traffic	Traffic impacts for the proposed development are to be minor in scale since it is a single dwelling, and appropriate access already exists on the site. Appropriate parking facilities are provided in the proposed development.
Visual	Visual impacts associated with the works are anticipated to be negligible. Existing vegetation on the site, being the olive grove, provides substantial visual buffers to the public domain and adjoining properties. No vegetation is proposed to be cleared, so the landscape will not be altered to a substantial extent. Further, the dwelling is entirely appropriate for the area, being consistent with surrounding rural residential land uses and is suitably separated in any case.
Water	<p>The proposed development is unlikely to have an impact on the groundwater vulnerability of the area, noting the minor nature of the works proposed.</p> <p>Potable water will be supplied by at least a 40,000L water tank, per the BASIX Certificate at Appendix 4.</p>
Waste	Standard waste management practices will be in place. There is no demolition proposed. Construction waste will be managed by the approved contractor, with a focus on re-use where possible or excess materials returned to the supplier where possible. A construction waste compound will be provided within the curtilage of the construction area and disposed of to a licensed waste facility as required (Mudgee Waste Facility is the closest). Construction waste volumes are unknown at this stage.

Overall, the proposal is substantially consistent with the objectives and development controls contained within the various environmental planning instruments and development controls that apply to the site (see Section 4). The proposed development will not result in an adverse impact to the environment and is consistent and compatible with existing built form onsite and is compatible with development in the surrounding area. The proposed development comprises orderly economic development of the site for purposes for which it is zoned and currently used. The proposal will not pose any negative social or economic impacts.

5.3. SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE

Suitability of the site for the proposed development is dealt with in Section 2. As discussed throughout this report, the site is considered to be wholly suitable for the ultimate detached dual occupancy development that will result from this DA. The proposed development has been sited such that it avoids natural constraints such as Pipeclay Creek, and its associated biodiversity considerations. The site is large, meaning its capacity for two dwellings is considered to be reasonable in this instance.

5.4. SECTION 4.15(1)(D) – SUBMISSIONS

Any relevant representations will need to be considered by the Council in the determination of the development application.

5.5. SECTION 4.15(1)(E) – PUBLIC INTEREST

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and substantially in accordance with the prevailing planning controls. The development is a permissible form of development and is therefore considered to be in the public interest.

6. CONCLUSION

This SEE has been prepared on behalf of Megan and Peter Price (the applicant) to accompany a DA for a dual occupancy development at 66 Pipeclay Lane, Budgee Budgee NSW 2850.

The proposed development displays general compliance with key LEP and DCP controls, with minor non-compliance relating to setback. This has been justified through the site context and particulars, where the impact of the proposed variation is considered to be negligible.

The proposed development has avoided vegetation clearing in sensitive areas on the site and is overall considered to be an appropriate form of development for the area. The proposed development has massing that is commensurate with development in the surrounding area, and the dwelling itself will not cause negative built environment impacts, such as overshadowing or privacy impacts on adjoining development.

The proposal is reasonable and appropriate when considered under the relevant heads of consideration in section 4.15(1) of the EP&A Act and is considered to be worthy of favourable determination by Council.



APPENDICES

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APPENDIX 1

AHIMS Search Result

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APPENDIX 2

Detail Survey prepared by de Witt Consulting

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APPENDIX 3

Architectural Plans prepared by Cameron Anderson Architects

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APPENDIX 4

BASIX Certificate prepared by Cameron Anderson Architects

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APPENDIX 5

NatHERS Certificate prepared by Cameron Anderson Architects

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