

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot 150 DP 1013533
150 Gladstone Street
Mudgee

PROPOSED DEVELOPMENT: Construction of a detached dual occupancy



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INTRODUCTION

This Statement of Environmental Effects is submitted to Mid-Western Regional Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a detached dual occupancy. This report is based on plans prepared by Macarthur Architectural, Drawing No. 7168-3, Issue J, dated 19.02.2024.

The proposed works include:

- Construction of a detached dual occupancy consisting of
 - o Single storey dwelling 1 – three (3) bedrooms, an open plan kitchen, family and meals room, a laundry and attached single garage.
 - o Single storey dwelling 2 – three (3) bedrooms, an open plan kitchen, family and meals room, a laundry along with an attached alfresco and single storey garage.

The subject site is located west of Blackman Crescent and is rectangular in shape. The allotment has a frontage of 20.09m, a width of 40.25m and total site area of 800m². The site currently contains two existing sheds, two rainwater tanks, a gazebo which have received approval (DA0190/2022) to be demolished along with the subdivision of the land.

All necessary services are available on the site. The subject site has a sewer line crossing the middle of the subject site. Drainage from the development is to be directed to the street via a rainwater tank collection system in accordance with the Concept Drainage Plan attached to this application.

The neighbourhood generally consists of a mix of one and two storey dwellings as anticipated within an existing residential area. The subject site is not identified to be a heritage item or in conservation areas, although is within proximity to the following:

- Heritage item no. 11 Park Avenue, Tomb memorial to James Blackman and family, Listing No. l188 (east of the site)
- Heritage item no. 156 Gladstone Street, Listing No. l69 (south west of site)
- Conservation area – Mudgee, Listing No.C1 (east of the site)

The following sections of this statement address the likely impact of the proposal.



LEGISLATIVE REQUIREMENTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 – Standards for Residential Development - BASIX

State Environmental Planning Policy (Sustainable Buildings) 2022 requires all residential development in New South Wales to achieve a minimum target for energy efficiency, water efficiency and thermal comfort. The proposed development has been assessed in accordance with the relevant provisions of the Sustainable Buildings SEPP. It is demonstrated on the BASIX Certificate submitted with this application that the proposal achieves the required rating for energy efficiency, water efficiency and thermal comfort.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.



State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

Clause 2.98 Development adjacent to rail corridors

- (1) *This section applies to development on land that is in or adjacent to a rail corridor, if the development—*
- (a) *is likely to have an adverse effect on rail safety, or*
 - (b) *involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
 - (c) *involves the use of a crane in air space above any rail corridor, or*
 - (d) *is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is not located within proximity to a railway corridor, and does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.

Division 17 Roads & Traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

Clause 2.119 Development with frontage to classified road

- (1) *The objectives of this section are—*
- (a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
 - (b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*
- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*



- (i) the design of the vehicular access to the land, or*
- (ii) the emission of smoke or dust from the development, or*
- (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located within proximity to a classified road, and does not have a frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

The aims of this chapter of the policy are understood to relate to the protection of the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural area through preservation of trees and other vegetation.

The proposed development does not require the removal of any trees to allow the dual occupancy development. Additional planting can be provided post development to ensure amenity of the allotment is maintained as a result of the development.

Mid-Western Regional Local Environmental Plan 2012

The LEP is divided into several Parts and the relevant provisions that apply to the subject development are listed, together with a comment with respect to compliance.

Part 2 Permitted and prohibited development

Clause 2.2 Zoning of land to which this plan applies

The subject site is zoned R1 General Residential pursuant to Clause 2.2 of Mid-Western Regional Local Environmental Plan 2012.



The proposed development is defined in the Plan as a *"dual occupancy (detached)"* which *"means 2 detached dwellings on one lot of land but does not include a secondary dwelling."*

Dual occupancy (detached) is a type of dual occupancy which means *"means a dual occupancy (attached) or a dual occupancy (detached)"* and is a type of *'residential accommodation'*.

Residential accommodation is defined in the plan as *"a building or place used predominantly as a place of residence, and includes any of the following—*

- (a) attached dwellings,*
- (b) boarding houses,*
- (baa) co-living housing,*
- (c) dual occupancies,*
- (d) dwelling houses,*
- (e) group homes,*
- (f) hostels,*
- (faa) (Repealed)*
- (g) multi dwelling housing,*
- (h) residential flat buildings,*
- (i) rural workers' dwellings,*
- (j) secondary dwellings,*
- (k) semi-detached dwellings,*
- (l) seniors housing,*
- (m) shop top housing,*

but does not include tourist and visitor accommodation or caravan parks.

residential care facility means accommodation for seniors or people with a disability that includes—

- (a) meals and cleaning services, and*
- (b) personal care or nursing care, or both, and*
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,*

but does not include a dwelling, hostel, hospital or psychiatric facility."

The identified zone permits the development of "residential accommodation", therefore a 'dual occupancy (detached)' is permitted subject to development consent from Council.



Clause 2.3 Zone objectives and land use table

The objectives of the R1 Zone are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed development is compatible with the existing and future character of the locality. The development is suitably located on the allotment to ensure there is minimal impact on the surrounding properties and the values of the area.

The development is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site.

The proposed dwelling is a suitable development for the site and is considered to meet the objectives of the R1 zone.

Part 4 Principal Development Standards

Clause 4.1A Minimum lot sizes for dual occupancies, manor houses, multi dwelling housing and residential flat buildings

The Council requires proposals for dual occupancy (detached) to be sited on lots to equal to or greater than 800m². The proposed development has a total site area of 800m² and therefore is capable of dual occupancy (detached) development.

Clause 4.2 Erection of dwelling houses, dual occupancies and tourist and visitor accommodation on land in certain zones

The subject site is identified to be located with R1 Zone and therefore this Clause does not apply.



Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m	House 1 – 5.385m House 2 – 5.755m	Yes Yes

Clause 4.6 Exceptions to development standards

The proposal does not contravene the development standards of the LEP.

Part 5 Miscellaneous Provisions

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance. Despite the subject site being located within proximity to items of heritage significance including Mudgee conservation area, it is considered that there is an appropriate separation containing existing development that there would be no impact on the heritage items and conservation areas.

Clause 5.11 Bushfire Hazard Reduction

The subject site is not identified as being bushfire prone land.

Clause 5.21 Flood Planning

The subject site is not known to be located within a flood planning area.

Part 6 Additional Local Provisions

Clause 6.3 Earthworks

Minor ground disturbance is required to provide a level platform to site the proposed dual occupancy. The extent of earthworks is not considered excessive for the topography of the site. All earthworks



can be suitably battered and/or retained to ensure structural adequacy and minimal impact on the adjoining properties.

Clause 6.4 Ground Vulnerability

The subject site is identified as ground water vulnerable on the Groundwater Vulnerability Map. Suitable waste water and stormwater management has been incorporated within the design with supporting documentation accompanying the subject development application.

Clause 6.5 Terrestrial Biodiversity

The subject site is not known to be located within an area of terrestrial biodiversity.

* * *

Conclusion with respect to LEP requirements

The proposal satisfies the objectives and requirements of the MWRLEP 2012.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Mid-Western Regional Council Development Control Plan 2013

The DCP is divided into several sections of generic and specific development types controls. An Assessment of the subject proposal against the Fast Track Development Applications Controls has been provided below.



Part 2 Fast Track Development Applications

2.2 Dual occupancy development "Deemed to Satisfy" Provisions

Criteria to qualify for the 'fast track application'

Requirement	Provision	Compliance
<u>Min. lot size</u> Detached dual occupancy -800m ²	Lot proposed 800m ²	Yes
<u>Building setbacks –</u> Zone R1 <900m ² Min. 4.5m to building line or average of adjoining properties. Min. 5.5m to the garage 900mm to side and rear	4.986m provided 5.501m provided Min. side setback 1.89m Min. rear setback 1.114m	Yes Yes Yes Yes
<u>Building height –</u> Single storey Finished Floor Plans <1m above NGL	Single storey proposed Both dwellings <1m	Yes Yes
<u>Design –</u> No mirror reversed or duplication of design of two dwelling when fronting streets. 75% internal living areas receive min. 3hrs sunlight between 9am -3pm on 21 June For attached and detached dual occupancies any separation between the two dwellings min. 3m apart Complement appearance of streetscape through the replication of scale, articulation, roof forms, setbacks and landscaping of surrounding lots.	Proposed only 1 dwelling fronting street. Capable of complying – see attached shadow diagrams 9.14m provided Proposed development single storey dwellings in keeping with the surrounding scale, and incorporate a	N/A Yes Yes Yes



<p>All dual occupancies must have direct street frontage; that is no dual occupancy can be developed in a battleaxe arrangement</p> <p>No windowless facades at the street frontage(s).</p> <p>Street elevations are to include at least 5% of openings including windows, doors.</p> <p>Dwellings shall not be relocated or manufactured homes.</p> <p>Garages – the aggregate width of the garage door or carport shall not exceed 45% of the front elevation of each dwelling.</p> <p>Cannot be a transportable or relocated building.</p>	<p>cottage architectural style with pitched roof.</p> <p>No – proposed house 2 located behind house 1 however, note similar development arrangements in the surrounding area (204, 204A) and it is not uncommon for dual occupancy to be configured as to be one behind the other.</p> <p>Proposed house 1 includes windows to the front facade</p> <p>Provided</p> <p>No relocated or manufactured homes proposed.</p> <p>Both dwelling garages <45%</p> <p>No transportable or relocated building proposed.</p>	<p>Merits consideration</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u>Slope & cut and fill -</u> Max. slope 15° Max. cut 1m Max. fill 600mm Any cut/fill must be provided with retaining walls, drainage and must be setback a minimum of 300 mm from any boundary</p>	<p><15% <1m <600mm Capable of complying</p>	<p>Yes Yes Yes Yes</p>



<p>Fill must not direct stormwater onto adjoining properties and drainage pits for overland flow paths are to be provided.</p>	<p>Suitable earthworks treatment proposed to minimise overland flow to adjoining properties.</p>	<p>Yes</p>
<p>Cut and fill is not permitted within water or sewer easements</p>	<p>Proposed earthworks will not impact the existing sewer line.</p>	<p>Yes</p>
<p><u>Open Space –</u> Be on the northern or eastern side of the dwelling with direct access to the main living areas. Cannot be forward of the building line Min. 80m² 5mx5m Decks, balconies and alfresco areas at or near ground level may only be counted as principal private open space area where they have direct northerly aspect and are no more than 25% of the private open space requirement. Min. 75% of each required private open space area, courtyard, balcony, terrace or the like shall receive at least three hours effective sunlight between the hours of 9.00 am and 3.00 pm on 21 June (Winter solstice).</p>	<p>House 1 - south western side House 2 – north western side</p> <p>Provided behind building line Provided Noted</p> <p>House 1 – provided sunlight received between 12pm-3pm House 2 – provided sunlight received between 9am-3pm</p>	<p>No – See below Yes</p> <p>Yes Yes</p> <p>Yes Yes</p>
<p><u>Site Coverage –</u> Max. 35%</p>	<p>Max. site coverage permitted - 280m² Proposed 282.1m² / 35.2625%</p>	<p>No – see below</p>
<p><u>Parking –</u> Each dwelling min. two car parking spaces and min.1 provided in a garage. All parking and manoeuvring areas to be hardstand.</p>	<p>Provided both dwelling have a garage proposed capable of provided 1 space.</p> <p>Provided</p>	<p>Yes</p> <p>Yes</p>



Driveways to be located 6m from an intersection.	Provided	Yes
<u>Utilities –</u> Buildings and structures located min.1m from light/power poles	Capable of complying	Yes
Structures located min. 1.5m from centre line of water/sewer main	Capable of complying	Yes
Dual Occupancy will not be permitted on allotments < 5 ha where reticulated water and sewer is not connected.	Existing reticulated water and sewer connection available.	Yes
<u>Fencing –</u> All dual occupancy developments are required to provide a 1.8m high fence on the boundary of the development site and between private open space areas of individual units. All fencing which is in front of the building line shall be constructed of timber and/or masonry materials. Max. 1.8m side and rear fences behind building line.	Capable of complying	Yes
	No fencing forward of the building line proposed	Yes
	Capable of complying	Yes
<u>Heritage –</u> Heritage items are excluded from the fast-track provisions	Proposed subject site is not identified to be a heritage item	N/A

Variation Request

Open Space Orientation – Council’s DCP requires private open space to be provided on the northern or eastern side of the dwelling with direct access to the main living areas. The proposed dual occupancy development provides private open space to house one on the south western side of the dwelling and therefore requires a variation to this control.

It is considered that the proposed private open space for house 1 has been provided in the most suitable location, to be accessible from the open plan family/meals room, to achieve the required amount of area and dimensions and solar access.



Despite the POS area not meeting with the orientation requirement, it is considered to serve its purpose and will not detract from the amenity of the dwelling. It is requested that Council support the minor variation in this instance as the overall siting of the development is appropriate for the site and is capable of achieving the objectives of the control.

Site Coverage – Council's DCP requires a dual occupancy development to have a 35% maximum site coverage to meet the requirements of the fast-track development applications. The proposed development has a total site coverage of 35.2625%, therefore requires a variation to this control to allow the minor increase of 0.2625%.

It is noted that the proposed development complies with Part 3 Discretionary development standards outlined below which allows up to 50% site coverage.

The proposed dwellings have been designed and sited appropriately for the orientation and size of this particular allotment. Despite the minor increase in site coverage, it is not anticipated to have any detrimental impact onto adjoining properties as it remains below the permitted ridge height, exceeds side and rear setback controls and is not considered to cast shadows beyond a level anticipated for this allotment.

The design of the dual occupancy on this particular allotment is considered to give a high degree of consideration to the size of the allotment, orientation of the site and adjoining dwellings. This results in the dwellings being able to accommodate the slightly increased site coverage without having any detrimental impact beyond that of a compliant proposal.

The overall development is considered to meet the objectives of the development control plan despite the numerical non-compliances. The proposed dual occupancy is not considered to result in any impact beyond that of a compliant proposal, and is therefore considered a suitable outcome for this particular site.



Part 3 Discretionary Development Standards

3.1 Residential Development in Urban Areas (Single dwellings and Dual Occupancies)

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<p><u>Building setbacks –</u> Compatible with the existing and/or future desired streetscape.</p> <p>Side or rear building setbacks are to demonstrate no unreasonable adverse impact on the privacy or solar access of adjoining properties.</p> <p>Garages min.5.5 metres from the front boundary.</p> <p>Side and rear walls within 900mm and eaves within 450mm of boundaries are to comply with the BCA requirements for fire rating.</p>	<p>Compliant side and rear setbacks. Proposed front setback considered acceptable provided with landscaping to further reduce the visibility of the development from the streetscape.</p> <p>Complaint setbacks and proposed landscaping to ensure no impact on adjoining properties.</p> <p>5.501m provided</p> <p>N/A min. side setback 1.89m and min. rear setback 1.114m</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u>Building height –</u> Elevated housing developments must minimise the impact on areas of predominantly single storey housing. Building height must ensure that adjacent properties are not overlooked or overshadowed.</p>	<p>Compliant LEP height and single storey</p>	<p>Yes</p>
<p><u>Site coverage -</u> Stormwater run off must not exceed infrastructure capacity</p> <p>Must be an appropriate bulk and scale for the existing residential surrounds.</p>	<p>Stormwater drainage plan provided</p>	<p>Yes</p> <p>Yes</p>



Dual occupancy development is not to exceed 50% site coverage.	Proposed development is single storey in keeping with surrounding residential developments. <50% /292.1m ²	Yes
<u>Solar Access –</u> Dwellings to be positioned to maximise solar access to living areas. Living areas and garden areas to be orientated north to maximise solar access	See shadow diagrams – proposed dwelling capable of receiving an acceptable amount of solar access throughout the day in the living areas and private open space.	Yes
<u>Privacy –</u> Must ensure that reasonable privacy is achieved for new dwellings and existing adjoining residences and private open space.	The siting of the dwelling provides suitable boundary setbacks, contributing to spatial separation and openness between the dwellings. The articulated design of the dwelling will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.	Yes
<u>Parking –</u> Must provide adequate off-street parking Parking and driveways must be functional in design	Provided Capable of complying	Yes Yes
<u>Landscaping –</u> Landscaping must enhance the quality of the built environment Species selection and location should improve energy efficiency through reducing heat gain through windows and deflecting winter winds	Capable of complying – see supporting landscape plan	Yes
<u>Open Space -</u> Sufficient open space must be provided	Provided	Yes



<p>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>Min. 80m² and dimension 5mx5m Is to be located behind the front building line and on the northern, eastern or western side of the dwelling.</p>	<p>Provided</p> <p>Provided</p> <p>Provided - both garages behind the front building line and in the western setback.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u>Fencing –</u> Fencing facing the street or forward of the building line must avoid extensive lengths of ‘Colorbond’ as it presents a barrier to the street.</p> <p>Solid fencing of a length > 30% may be permitted where landscaping is provided to soften the visual impact on the streetscape.</p>	<p>No street frontage fencing. 1.8m colourbond fence proposed at the rear of house 1 private open space to separate the proposed dwelling and at the rear of house 2.</p> <p>N/A – no fencing proposed visible from the streetscape.</p>	<p>Yes</p> <p>N/A</p>
<p><u>Infrastructure –</u> Surface infrastructure (e.g. tanks, clotheslines) must not be located within front setback. Surface infrastructure must not be visible from the street. Garbage storage locations must be included in landscape plan and show how they will be screened.</p>	<p>Capable of complying</p> <p>Capable of complying</p> <p>Provided on proposed site plan</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u>Garages, Outbuildings -</u> Outbuildings must not negatively affect the amenity of the streetscape or adjoining properties. Lot size 751-1000m² - max. 80m² shed Max. 4.5m height</p>	<p>N/A – no outbuildings proposed and garages to be attached to proposed dwellings.</p>	<p>N/A</p>
<p><u>Slopes -</u></p>		



<p>Maximise retention of natural ground levels and contours</p> <p>Cut and fill, earthworks, retaining walls, unprotected embankments and terraces etc are setback from boundaries such that there is no impact on the privacy or visual amenity of adjoining dwellings and their private open space</p>	<p>Minimal cut and fill proposed to provide a driveway and parking spaces. Proposed dwellings to be sited on platform.</p> <p>Appropriate setbacks provided to ensure no impact on the privacy or visual amenity of adjoining dwellings.</p>	<p>Yes</p> <p>Yes</p>
<p><u>Access –</u> All weather vehicle access is required to ensure that emergency services (fire, ambulance, police) are able to access the dwelling at all times.</p>	<p>Proposed driveway capable of complying</p>	<p>Yes</p>
<p><u>Design principles –</u> Maximise surveillance with clear sightlines between public and private places</p> <p>Be sympathetic with existing adjoining and surrounding developments in relation to bulk and height. Well-proportioned building form that contributes to the streetscape and amenity.</p> <p>Council will not support dual occupancy development where both dwellings are</p>	<p>The proposed development provides sight lines from the dwelling to the street and has a habitable room overlooking the street frontage.</p> <p>The development is of a standard residential scale in keeping with surrounding developments. The proposed development is not inconsistent with the development within the surrounding area which is characterised by dwellings with suitable architectural features to ensure that the development is in keeping with the street scene.</p> <p>No pre-manufactured or relocatable homes proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>



pre- manufactured or relocatable homes in urban zones.		
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Part 5 Development Standards

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>5.1 Car parking</u> Dwellings (including dual occupancy) – min. 2 spaces per dwelling -Min. 1 space provided in a garage	Provided both dwelling have a garage proposed capable of provided 1 space.	Yes
<u>5.2 Flooding</u>	N/A – subject site is not identified to be flood prone.	N/A
<u>5.3 Stormwater management</u> All development will need to address the issues associated with managing water on the site.	Stormwater drainage plan provided	Yes
<u>5.4 Environmental controls</u> Bushfire management Sites identified to be affected by bushfire hazard to comply with the guideline "Planning for Bushfire Protection" and where required; the Australian Standard AS 3959 - Construction of Buildings in Bush Fire Prone Areas. House slabs and footings – Must comply with measures specified	N/A – subject site is not identified to be bushfire prone land Capable of complying and confirming via appropriate consent condition.	N/A Yes

Conclusion with respect to DCP requirements

The proposed development complies with of the relevant development controls relating to retaining walls within the Mid-Western Regional Development Control Plan 2013.



(iia) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality

The following matters are understood to be relevant when considering on site impacts.

Siting and Design

The proposed single storey development will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the dual occupancy provides suitable boundary setbacks in keeping with the surrounding area, contributing to spatial separation and openness between dwellings. The articulated design will limit the impact on the adjacent properties in terms of bulk, privacy and overshadowing and will not dominate any perceived views enjoyed by others.

The front façade is appropriately articulated and contains a variety of roof forms and elements along with a central entry feature. In this way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

Sedimentation Control

Due to the topography of the site, minor earthworks will be required for the construction of a level building platform, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in accordance with Council's policy with compliance required as a condition of consent.



Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged to occur during construction.

(c) The suitability of the site for the development

The subject site is within an established residential area within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed dual occupancy development, the subject of the application, can be constructed with all services necessary and have been designed to suit site constraints and the character of the surrounding residential setting.

The proposed works are permissible with development consent under the provisions of Mid-Western Regional Local Environmental Plan 2012, and generally satisfies the objectives of the Mid-Western Regional Development Control Plan 2013, as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.



CONCLUSION

The proposed development has been considered in respect of the relevant Environmental Planning Instruments and is deemed to be satisfactory with respect to those requirements taking into consideration the overall merits of the design presented.

The residential use of the site is permissible with development consent under the provisions of Mid-Western Regional Local Environmental Plan 2012, and can satisfy the objectives of the relevant development control plan for the area.

It is considered that the construction of a detached dual occupancy will complement and blend with the existing and likely future character of Mudgee. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

The appropriateness of the development has been evident within this statement and within the supporting documentation submitted to Council. The proposed detached dual occupancy appropriately identifies and relates to the sites use as a residential development.

Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activity is considered acceptable and maintains the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under S4.15 of the E P and A Act 1979.

Given the relevant planning policies, codes and requirements of the EP & A Act 1979 have been duly satisfied the proposed development is on balance worthy of approval.

OLIVIA MCQUAID (PIA (ASSOC.))
Town Planner
Urban Planning & Building Consultants

6 June 2024