



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Secondary Dwelling at No.14 Eleanor Dark Court,
MUDGEES 2850

Prepared for:

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1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) report has been prepared for Stroud Homes Dubbo to accompany a development application to Mid-Western Regional Council for the construction of a secondary residential dwelling at No. 14 Eleanor Dark Court, Mudgee described as Lot No. 342 in DP 1187002.

The proposal is in accordance with the relevant zone objectives in the Mid-Western Regional Local Environmental Plan (MWR LEP) 2012 and satisfies the relevant objectives of the Mid-Western Regional Development Control Plan (MWR DCP) 2013.

The proposed secondary dwelling is considered to be in keeping with the existing land use and streetscape in that it will have no unreasonable impacts upon the function, environmental criteria, built form, urban environment or the residential amenity of the locality.

This document is divided into 6 sections. Section 1 provides a description of the proposal and its background; Section 2 contains a site analysis; Section 3 contains details of the proposal; Section 4 and 5 contains the detailed assessment of the application in accordance with Section 4.15(1A) of the Environmental Planning and Assessment Act (EP&A) Act 1979, and Section 6 concludes the report.



2.0 SITE ANALYSIS

This section contains a description of the following: The Locality; Site Description; Existing Character and Content; and Surrounding Road Network.

2.1 The Locality

The subject site is located within the Local Government Area of Mudgee. The subject site sits within a low density residential land use zone.

2.2 Site Description

The subject site comprises an existing residential dwelling. The land is flat and sparse of shrubbery.

2.3 Existing Character and Context

The surrounding area is characterized by large allotments zoned for primary production.

2.4 Surrounding Road Network

The subject site is accessible off Old Grattai Road. The proposed dwelling is to be accessible via existing driveway access off Old Grattai Road.



3.0 DETAILS OF THE PROPOSAL

The proposal seeks development consent for the construction of a secondary dwelling.

The secondary dwelling will comprise two (2) bedrooms, kitchen, living and dining, comprising a total GFA of 60m².

All building, landscaping and driveway works are to be built and constructed in accordance with the relevant Australian standards, building codes and BASIX commitments as noted on the accompanying plan set.

4.0 PLANNING CONTROLS

In accordance with section 4.15 of the EP&A Act, this section will assess the compliance with the planning controls applicable to the site pursuant to the relevant heads for consideration. The relevant controls include:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- Mid Western Regional Local Environmental Plan (LEP) 2012 and;
- Mid Western Regional Development Control Plan (DCP) 2013.

4.1 Statement of Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP (Building Sustainability Index: BASIX) 2004 was gazetted on 26 June 2004 and applies to the subject site. SEPP BASIX requires all new residential dwellings in NSW to meet sustainability targets of a 30% reduction in energy use and 40% reduction in water use. In considering the merits of the proposal, it is appropriate to refer to the sustainability targets of the SEPP.



A BASIX Report prepared by Avalon Drafting accompanies the development application and demonstrates that the proposed development will satisfy the relevant water and energy reducing targets.

4.2 Mid-Western Regional Council Local Environmental Plan (LEP) 2012

The subject site is zoned RU1 – Primary production under Council’s LEP 2012. Dwellings are permissible with development consent in the RU1 zone and the proposal satisfies the objectives of the zone.

The subject site is zoned RU2 – Rural Landscape under Council’s LEP 2022. **Dwellings (secondary dwellings)** are permissible with development consent in the RU2 zone and the proposal satisfies the objectives of the zone.

A summary of our assessment of the development against the LEP is in the following (see **Table 1** below).

TABLE 2: PROJECT COMPLIANCE – MWRC LEP 2012		
LEP Provisions		Complies / Comments
Permissibility	RU1	Proposal is permissible within the zone
Groundwater vulnerability	Land identified as “Vulnerable land”	The proposal does not involve any proposed land uses or hazardous operations that would result in any groundwater contamination or any adverse impacts on groundwater dependent ecosystems. The proposed development does not include major earthworks and is unlikely to result in any cumulative adverse impact to groundwater
Erection of dwelling houses on land in certain rural zones	Clause 4.2A	Clause 4.2A(4) is applicable as there is an existing lawfully erected dwelling house on the land, and



		this proposal is for a secondary dwelling. In this regard, the proposal complies with Clause 4.2C
Secondary Dwellings on land other than land in a rural zone	Clause 5.4 Total GFA less than 60 square meters, or 65% of the total floor area of the principal dwelling.	The secondary dwelling comprises a total GFA less than 50% of the total floor area of the principal dwelling.
Essential Services	Clause 6.9	Development is in an established residential area with connections to water, sewerage, electricity

4.3 Mid-Western Regional Development Control Plan 2013

The proposal has been assessed in consideration to Councils residential development in urban and rural area provisions.

PART 3: RESIDENTIAL DEVELOPMENT IN URBAN AREAS	
Building setbacks	Proposal complies
Building height	Proposal presents single storey and is compliant
Site coverage	Proposal complies
Solar access	Proposal complies
Privacy	Proposal complies
Parking	Proposal complies
Landscaping	Proposal complies
Open space	Proposal complies
Fencing	Proposal complies
Infrastructure	Proposal complies
Access	Proposal complies
Design principles	Proposal complies
Car parking	Proposal complies
Stormwater managements	Proposal complies. BASIX Certificate accompanies this development application.



PART 6: DEVELOPMENT IN RURAL AREAS (DWELLINGS)	
Primary production – Small lots	Dwelling is expected to support the agricultural use of the land
Building setbacks	Proposal complies

5.0 PLANNING ASSESSMENT

This section will consider the following: the Assessment of Natural Environmental Impact; the Built Environment Impacts; the Site Suitability and the Public Interest in accordance with Section 4.15(1)(b),(c) and (e).

5.1 Assessment of Natural Environmental Impact – S4.15 (1)(b)

5.1.1 Micro Climate Impacts

The proposed development is unlikely to result in any adverse effects to the micro-climate in the locality as the proposal is minor in nature and is permissible with consent.

5.1.2 Water & Air Quality Impacts

The proposed development is unlikely to result in any adverse effects on the locality in terms of water and air quality.

Appropriate measures would be undertaken during construction in respect of stormwater management and run-off control.

5.2 Assessment of Built Environment Impacts – S4.15 (1)(b)



5.2.1 Impact on the Areas Character

The proposed secondary dwelling is consistent with the established surrounding area and is considered appropriate in terms of bulk, scale, building material and building height. In this regard, it is unlikely the proposal will result in any impacts on the areas character.

5.2.2 Privacy, Views & Overshadowing Impacts

It is considered the proposed development will not impede the existing privacy, views or overshadowing of the subject or surrounding lots. The development is appropriately setback and established landscaping maintains privacy.

5.2.3 Aural & Visual Privacy Impacts

The proposed secondary dwelling has been designed to have regard for visual and acoustic privacy of both future occupants and adjoining properties. Where possible areas of habitable rooms and POS have been orientated to the side and rear of the dwelling. As important, the dwelling complies with Mid-Western Regional Council DCP 2013 development principles.

5.2.4 Environmentally Sustainable Development

The proposal has employed numerous environmentally sustainable design (ESD) strategies to maximise energy efficiency and to minimise water usage. A BASIX assessment accompanies this report and confirms sustainability targets have been met.

5.3 Assessment of the Site Suitability – 4.15(1)(c)

5.3.1 Proximity to Service and Infrastructure

The site is within an established residential area, electricity, telephone, water and sewerage are readily available.



5.3.2 Traffic, Parking & Access

The proposal will require short-term construction works and subsequent vehicle and truck movement, however is unlikely to substantially increase the traffic volume for the area, due to the site location and minor temporary works anticipated.

5.4 The Public Interest – 4.15(1)(e)

5.4.1 Social and Economic Impact

The nature of the proposal is unlikely to have any social or economic impacts as the nature of the proposed is minor and is permissible within the residential land use zone.

Importantly, the proposal will provide employment during construction works and ongoing service maintenance.

5.4.2 The Public Interest

The proposal is appropriate in the locality and meets the objectives of the land zone. In this regard, the proposal is considered to be in the public interest.

6.0 CONCLUSION

The proposed development has been assessed in accordance with Section 4.15(1) of the EP & A Act 1979 and Council's planning instruments. The proposal is permissible in the RU1 Zone under the Mid-



Western Regional Council LEP 2012 and in our opinion is consistent with the relevant objectives of the land use zone.

In conclusion of this report, it is considered the proposal has an appropriate relationship with surrounding development through consistency in scale, form, proportion, setbacks, landscaping and materials and presents a positive development outcome in line with local planning controls.

For the above reasons, it is recommended Council approve the proposal for development.