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## **STATEMENT OF ENVIRONMENTAL EFFECTS**

**PROPOSED 4 x SERVICED APARTMENTS, SHED & GRANNY FLAT**

**106 SCHOOL LANE BUDGEE BUDGEE NSW 2850**

**LOT 264 DP755429**

**APPLICANT: HUGH WALKER**

**PREPARED BY: PLAY DESIGN STUDIO**

**DECEMBER 2024**

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## INTRODUCTION

This statement of environmental effects accompanies a review development application **PAN-391442**. Lodged to mid-western regional council on 11/12/230. The Development application was not approved at sitting of Mid Western Regional Council as decided by councilors.

The review of this determination is sort with changes made to the design.

The review of the **PAN-391442** includes for 4 x new serviced apartments, granny flat and shed at **106 School Lane Budgee Budgee NSW 2850**

It is intended to elaborate, where necessary, on aspects covered in the drawings as well as to provide additional information where required. The information following is provided to detail the merit of the above development in relation to the objective performance criteria and provisions set out in the Mid Western Council Development Control Plan, Relevant state environmental planning policies and the local environmental plan. It also provides an assessment of the likely environmental impacts in accordance with Environmental Planning and Assessment Act 1979.

## DISCUSSIONS WITH MID WESTERN REGIONAL COUNCIL

Mid-Western Council Duty Planner was contacted in early November 2023 to discuss the project and planning requirements.

The Duty Town Planner confirmed.

- Building entitlement is on the site from the 1980s
- 6 Serviced apartments is the maximum allowable on site
- Each apartment would need a kitchen/laundry/bathroom facilities
- Potential bushfire report needed due to grasslands.
- Septic tank system required
- 1 x main residence, 1 x Granny flat and 6 x serviced apartments. (Tourist accommodation)

## MID WESTERN REGIONAL COUNCIL LEP DEFINITIONS

*serviced apartment* means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

**Note—**

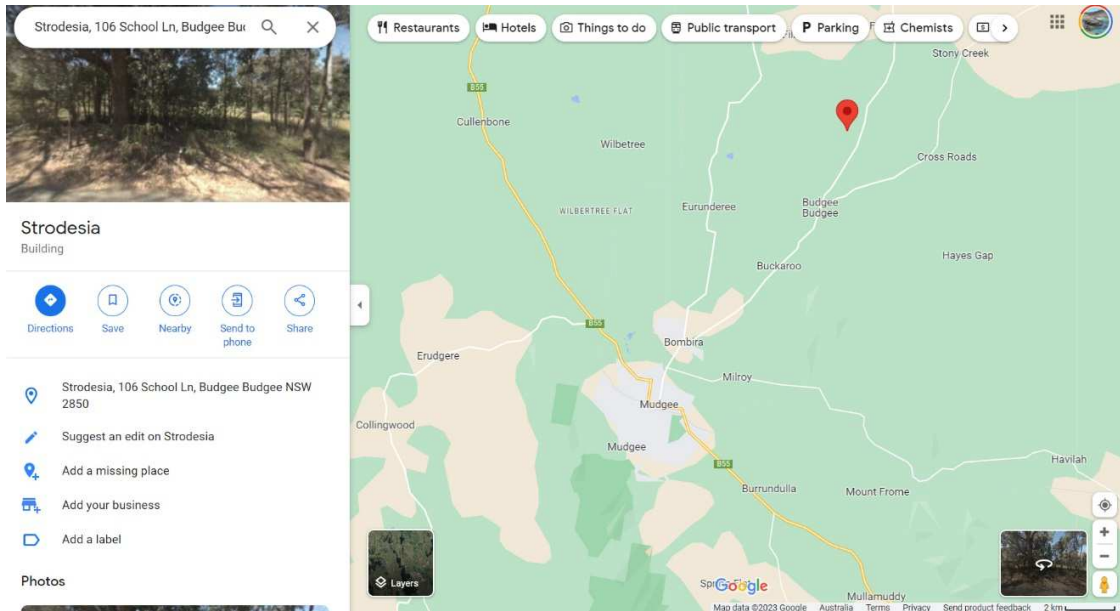
Serviced apartments are a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary

*tourist and visitor accommodation* means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

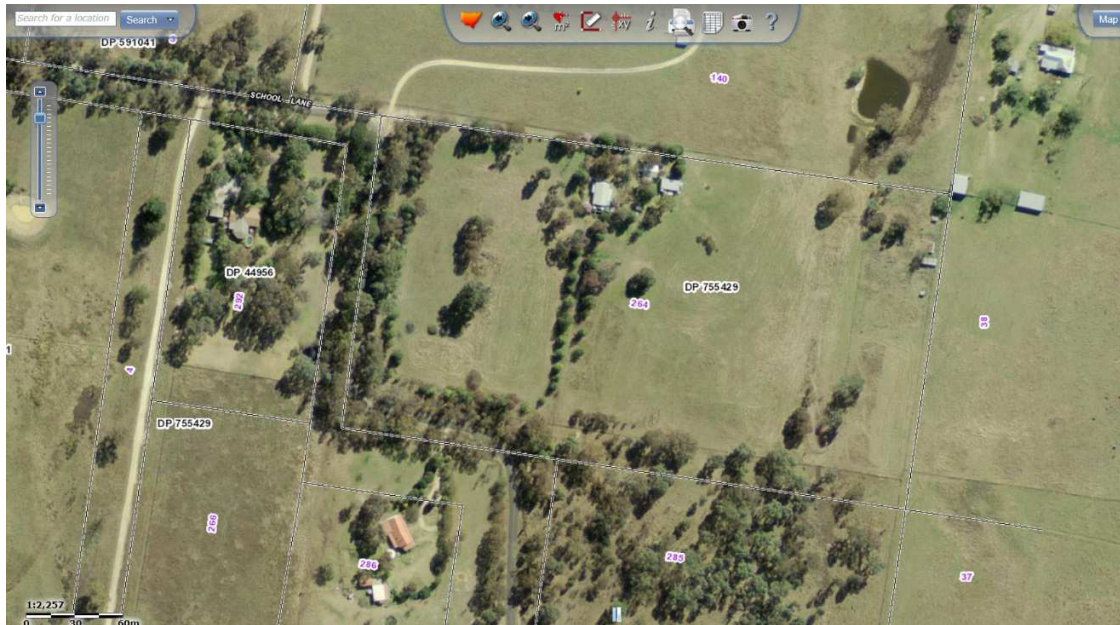
- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,  
but does not include—
- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

## SUBJECT SITE AND LAND

The subject site is located at **LOT 264 DP755429 – 106 School Lane – Budgee Budge** The locality of the site is depicted in **Figure 01** and **Figure 02**.



**Figure 1 - Site Location – Budgee Budge NSW**



**Figure 02 – Satellite Image**

The proposed development site is a large R5 Zoned rural land holding that is located to the north of Mudgee NSW.

The site itself has an existing approved residence and associated out buildings. There is an existing granny flat associated with the main residence on the site. The new owner has bought the property recently and is unsure of the approvals for the granny flat. The new owner will seek any formal council approvals and pay any relevant fees for the formal approval and assessment of the existing granny flat. The existing granny flat is approx 20-30 years old.

The site is approx. 60 hectares and a majority cleared grazing land.

There are minimal trees on site. Trees border the School Lane and there is also a centrally located cluster of trees. The developed site area has a small group of trees that will be retained.

There is existing site access to the northwest of the site that leads to the existing residence. This is accessed off School Lane. A new access point is proposed to the south for the new apartments.

There is a minimal fall across the site area with a slope running from the north to the south.

There are no major easements or services running through the site.

There is no bushfire mapping on the site, there are no flooding issues, there are no major environmental zonings on the site.

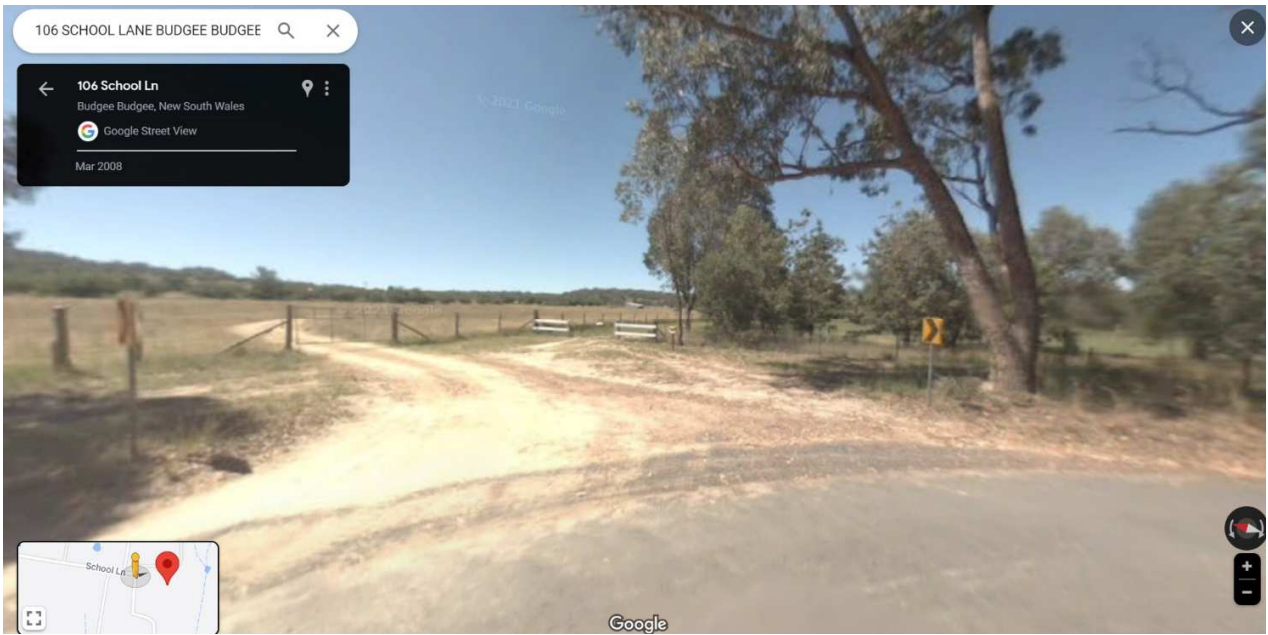
Bushfire and grass fire risk will be taken into consideration in building design to minimise any potential risk.

The development site area requires very little work to accommodate the proposal, minimising impacts on the site and wider context.

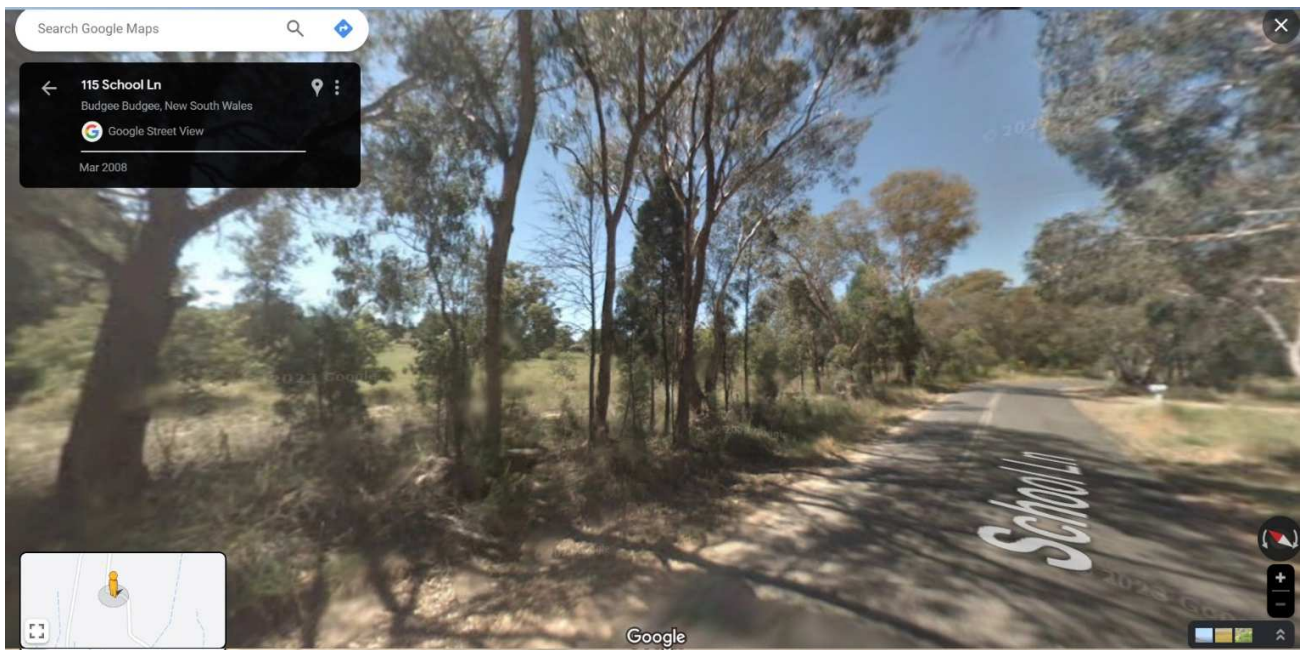
The site has access to power and phone. There is no water or sewer on the site and a section 68 application would be required for a new septic tank system to operate.

School lane is a quiet rural road/laneway and has a bitumen seal, providing excellent all-weather access to and from the site.

The site has a beautiful rural outlook and provides a great opportunity and location for visitors to utilise serviced apartment style accommodation.



**Figure 03** – Existing access off School Lane to main residence.



**Figure 04** – Photo showing southern area of site to the south.

## DESCRIPTION OF PROPOSAL

This DA is being lodged to gain approval for the below listed items to occur on **LOT 264 DP755429 – 106 School Lane – Budgee Budgee**

This application is also a review of [PAN-391442](#) which was not approved by Mid-Western Regional Council in October 2024.

Following the refusal of the original Development application the client has offered significant changes that take into account concerns of local residents and councillors.

### Changes include

1. 4 x 2 Bedroom new serviced apartments consisting of living areas, kitchen, laundry and bathroom
2. 1 x new relocatable shed on site.
3. Approval for existing 2-bedroom Granny flat on site – if not already approved.
4. New bitumen access roads
5. Septic tank system for new apartments
6. Solar Power system - non-commercial residential for site.

The client/owner of the site wishes to construct 4 x new 2-bedroom serviced tourist accommodation apartments on site. The apartments are to be custom built on site of a high architectural quality with a strong rural architectural aesthetic.

The apartments will be tourist accommodation / short term accommodation only. The accommodation will not be used as workers accommodation.

It proposed a maximum stay of 90 days and Minimum 2-night stay.

Each apartment consists of an open plan living / bedrooms / kitchen area. There is also a laundry and bathroom.

Each apartment has its own private outdoor area to enjoy the rural surroundings. There is bitumen carparking and footpath areas for all weather access.

Bitumen roads will maintain safe access through the site and reduce traffic dust in the context.

The apartments will be framed and clad structures utilising concrete slabs. They will be clad in a simple array of timber and metal claddings.

Apartments represent modern rural Australian Architecture, simple elegant and bold forms in the landscape that have many traditional elements, details and maintain a similar bulk and scale to surrounding outbuildings and homes.

The dark colour will blend with the shadows and tree trunks of the surrounding eucalypts.

The apartments are accessed off a new bitumen access road which is part of the existing entry and accessway. No new crossovers or access to School Lane is required. The existing entry off

school lane is proposed to be bitumen to reduce wear and tear, also reducing dust. Signage is proposed to the entry identifying the property, access, speed limits and alike.

Bitumen roadways link the apartments and provide all weather access for guests. 3 x visitor spaces are also provided on site. 1 of the spaces will be accessible. Roadways on site are 500mm wide allowing for 2 cars to pass. Parking areas to comply with AS2890.1

Water for the site is provided via a large 160,000l rainwater tank which will be connected to all apartments. Roof water will be collected off the apartments.

A 45,000l fire fighting rainwater tank is also provided on site.

A new septic tank system will be required to run the new apartments sewerage requirements. A Separate section 68 application will need to be lodged with council for this approval.

1 x accessible apartment is provided to allow accessible persons to stay on site. This will have a designated accessible car space and facilities throughout.

The apartments are simply finished in a dark colour scheme to disappear into the landscape. They present a simple elegant modern Australian architectural character.



**Figure 05** – Typical view of new apartment in landscape. Simple and bold elegant forms. The darker colour will help blend into the landscape.





**Figure 06**– Typical view of apartment. Metal cladding is complemented with charred timber cladding creating a subtle contrast. A pergola patio area adds cover/light and shadow to the façade. Windows to the north to take in good natural light and rural aspect.

In addition to the new serviced apartment the owner wishes gain approval for the existing granny flat on site. The owner bought the site with the existing granny flat included. The owner could not find any relevant approval documentation for this building/structure. The owner would like to gain any relevant approvals if required.

The existing granny flat structure is approx 20-30 years old and a simple residential / weatherboard structure with a gable roof. It has 2 bedrooms, living/kitchen and laundry.

It is also proposed to add additional landscaping to the site to provide additional interest and screening for the development and to surrounding neighbours.

Neighbours have been taken into consideration by moving the new apartments more centrally to site away from existing houses and adding more landscaping and screening. Utilizing the existing road access will reduce traffic issues on School Lane.

The number of apartments has also been reduced by 2 to total 4 proposed new apartments. This allows the apartments to be better spaced out. Furthermore, reducing visitors, vehicles and noise on site. This was implemented to reduce negative impacts on surrounding properties.

The proposal provides quality architectural tourist accommodation close to Mudgee in a rural setting which is considered highly appealing to tourist visiting the area and local wineries.

Additional accommodation is always beneficial in an area with a growing tourist population.

A new relocatable shed is also proposed to be placed on site. It is a small shed with a bathroom. It will be used for storage and a mud room style area for showering etc while doing farm related work and maintenance.

## **MATTERS FOR CONSIDERATION**

The proposal has been assessed having regard to the relevant matters for consideration under the Environmental Planning and Assessment Act 1979. The Matters are assessed under the following sections.

### **ENVIRONMENTAL PLANNING INSTRUMENTS**

#### **Mid Western Regional Council LEP 2012**

Mid Western Regional Council LEP 2012 applies to the subject site. The site is Zoned R5 I and the proposal is permissible with Councils consent.

**Zoning** : R5 Large Lot residential

### **ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT**

There are no draft environmental planning instruments relating to the proposal

### **ANY DEVELOPMENT CONTROL PLAN**

#### **Mid Western Regional Council DCP 2013**



# Property Report

106 SCHOOL LANE BUDGE BUDGE 2850



## Property Details

Address: 106 SCHOOL LANE BUDGE BUDGE 2850  
Lot/Section /Plan No: 264/-/DP755429  
Council: MID-WESTERN REGIONAL COUNCIL

## Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Mid-Western Regional Local Environmental Plan 2012 (pub. 10-8-2012)
Land Zoning	R5 - Large Lot Residential: (pub. 21-4-2023)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	12 ha
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Local Provisions	Refer to Clause 4.2A

## Detailed planning information

### State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

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MID WESTERN REGIONAL COUNCIL DCP 2012

Provisions	Assessment	Compliance
<b>5.1 CARPARKING</b>		
<b>Tourist accommodation and visitor accommodation</b>	<p>2 Car Spaces per unit is provided</p> <p>8 spaces total for serviced apartments 3 x visitor spaces provided</p> <p>1 x accessible space provided for the accessible apartment.</p>	<b>YES</b>
<b>Hours of operation</b>	<p>Apartments will operate 24 hours a day. Typically, most vehicle use will be in the morning and evening.</p> <p>The plan of management outlines the times in which occupants can check in and checkout of the apartments.</p> <p>Site manager to be available 24/7 as required on the designated phone number.</p>	<b>YES</b>
<b>5.2 FLOODING</b>	No flooding issues	<b>YES</b>
<b>5.3 STORMWATER MANAGEMENT</b>	<p>The proposed new serviced apartments each have a roof with gutters and downpipes/</p> <p>Rainwater is collected from apartments and transferred via pvc piping to a 160,000-rainwater tank.</p> <p>Once the 160,000l rainwater tank is full it will overflow into a 45,000l fire fighting rainwater tank.</p> <p>Rainwater tank overflow is sent to an aggregate filled dispersion trench.</p> <p>Serviced apartments will utilise rainwater throughout.</p> <p>Bitumen roads to be designed to move water off roadways.</p> <p>Earthworks and sediment control plan included in this development application.</p> <p>Existing granny flat has downpipes and s/w is sent to a gravel dispersion trench.</p> <p>New shed rainwater is sent via downpipes to a dispersion trench.</p>	<b>YES</b>
<b>5.4 ENVIRONMENTAL CONTROLS</b>		

	<p>No known aboriginal artifacts or sacred sites on development site.</p> <p>Site is not zoned bushfire, however the grass and site is to be managed to reduce bushfire risks. A 45,000l rainwater tank is provided for firefighting. Buildings are metal clad reducing combustibility.</p> <p>Riparian and drainage line Environments are not affected by the proposed development.</p> <p>Pollution and waste from the development will be minimal and have minimal impact on the site. A waste management plan has been included in the development application.</p> <p>Waste management is included in the Plan of management for the site.</p> <p>No threatened species identified on site.</p> <p>No known salinity issues on site.</p>	<b>YES</b>
<b>6 DEVELOPMENT IN RURAL AREAS</b>		
<b>6.1 DWELLINGS</b>	<p>Site is zoned R5 and has an area of approx. 6 Hectares.</p> <p>Setbacks from main frontage and access are 64m Side setbacks on secondary frontage are 35m</p>	<b>YES</b>
<b>6.4 Tourist Accommodation</b>	<p>Site has existing building entitlement and was checked by council town planner.</p> <p>Site has single dwelling permissible under the LEP 2012</p> <p>Development is designed to suit the site, topography, natural features and access.</p> <p>4 x 2-bedroom serviced apartments are proposed.</p> <p>1 x main residence being the existing residence.</p> <p>Approval for the existing granny flat associated with the main residence is also sort.</p> <p>Site is a rural area not urban area.</p> <p>Development has access to existing electrical connection and owner can install off grid solar power.</p> <p>A septic system is required and a section 68 application will be lodged.</p>	<b>YES</b>

	<p>Each serviced apartment has car parking meeting council requirements.</p> <p>No major signage is proposed/</p> <p>Development is located close to existing wine growing areas and close to Mudgee township, a popular and growing tourist location in NSW.</p> <p>The proposal provides quality accommodation in a relaxed rural location.</p>	
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## CONCLUSION

The proposal satisfies the relevant matters for consideration under the Environmental Planning and Assessment Act 1979 and the provisions set out in the Mid-Western Regional Council Development Control Plans Design Criteria and all relevant NSW State Government Planning Policy

The overall design has been amended following previous Development Application attempts and comments received from residents and councilors.

The proposed development is solely for the use of quality tourist accommodation and will not be used for workers accommodation. The plan of management will outline requirements for the site and those using it.

The comments from residents and councilors have been taken into account with the amended design, providing a design that has reduced impacts on the context and the amenity of surrounding properties,

The amended design allows for greater setbacks of apartments, reduced occupants and noise, reduced traffic, reduced risks of loss of privacy.

In summary the proposed new serviced apartments are an elegant, simple and modern addition to the rural landscape of Budgee Budgee.

The apartments provide additional accommodation to people and visitors in the local context. They provide this in a relaxing rural location with minimal impacts on surrounding properties.

The serviced apartments comply with all relevant council and state government requirements.

The proposal will positively contribute to the local economy and community over several years.

The proposal has minimal impact on the site and local context

The proposal provides quality architectural design and finishes that will create a high-quality development that will further enhance the built character of the area.

The proposed apartments utilise simple colours, forms and materials that are typical in Australian rural architecture. They will have minimised impact in the landscaper coupled with new landscaping and screening.

The existing granny flat on site has been there for many years and had minimal impact on the site and context. The granny flat complements the main house and is well setback from neighbours and boundaries. A formal approval for this existing granny flat will stop further compliance issues for existing and future owners of the site.

The new small shed with bathroom will provide storage and amenity for people doing site work and maintenance.

We therefore suggest that proposal should be approved with any additional council input as required.



## **APPENDICES**

### **LETTERS OF SUPPORT FROM LOCAL RESIDENTS**