

Statement of Environmental Effects

This Statement of Environmental Effects accompanies a Development Application lodged on behalf of Mr J. & Mrs A. Grosse. The proposal seeks approval for the erection of a new dual occupancy dwelling, upon land identified as Lot 21, D.P. 255534 and which is known as No.705 Kains Flat Road, Kains Flat, N.S.W, 2850.

The proposal seeks to maintain the existing house to be used by the extended family. In consideration of this application reference has been made to the following controls:

- *Environmental Planning & Assessment Act 1979*
- *Mid-Western Regional Local Environmental Plan 2012*
- *Mid-Western Regional Development Control Plan 2013*

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

As a result of that assessment, it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

1. THE SITE

The subject site currently comprises of a single allotment of land identified as Lot 21, D.P. 255534 and which is known as No.705 Kains Flat Road, Kains Flat, N.S.W, 2850. The property is a rectangular shaped allotment located on the north eastern side of Kains Flat Road to the south east of its intersection with Red Box Lane. The property has a lot size of 10.037 ha and has a frontage to Kains Flat Road of 160m and a maximum depth of 627.3m.

The site location is depicted in the following street map extract.



Site Location Map

The subject site is a gently sloping allotment having a variable slope from the rear north eastern corner to the front south western corner. Stormwater from the new dwelling is proposed to be collected via a 130,000-litre rainwater tank, with the overflow disposed of to the adjoining stock dam.

Vehicular access to the site is currently provided via a gravel driveway which enters the site in the properties front south eastern corner and extends diagonally towards the rear of the site.

The site is currently occupied by a single storey clad guest house located upon the southern portion of the site. All existing structures are proposed to be retained as part of this application.

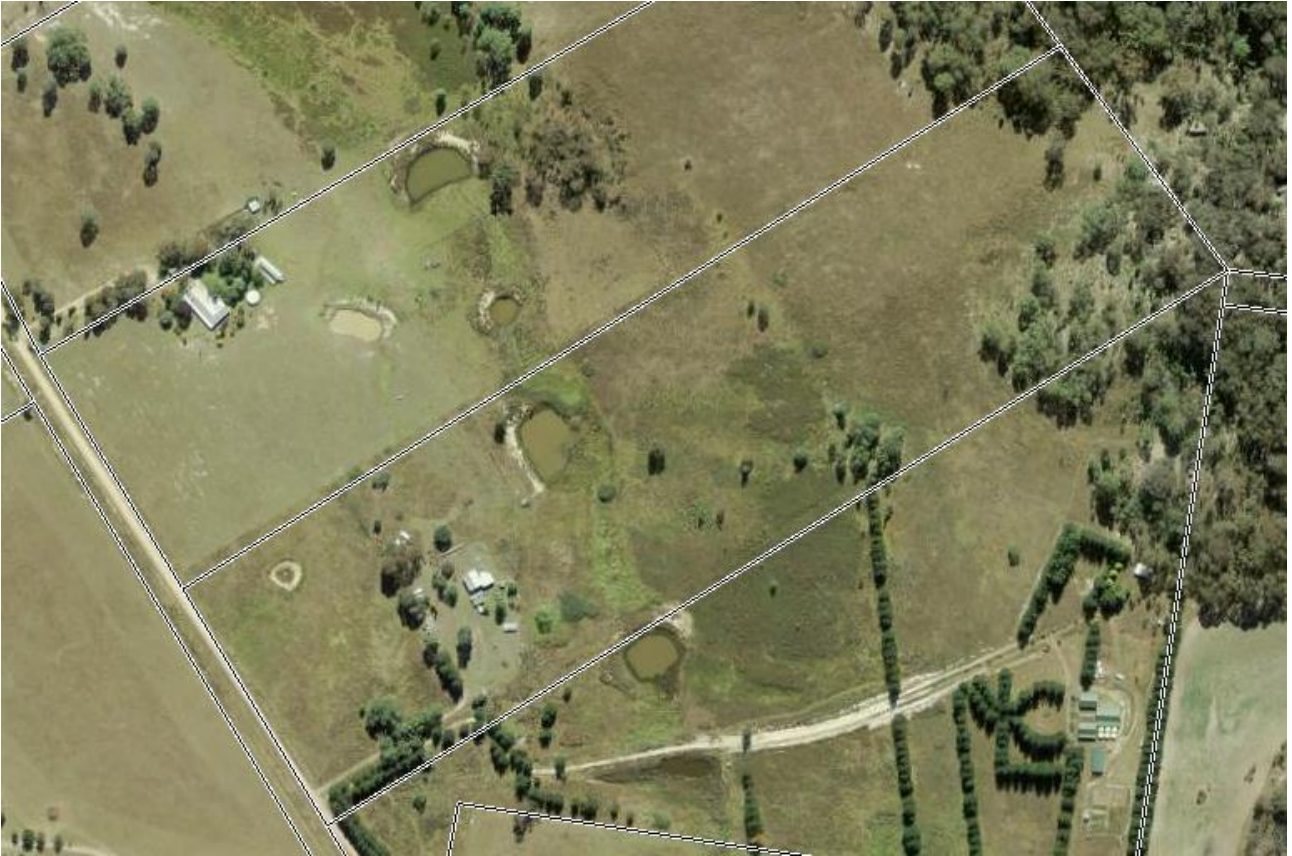
The existing buildings and site are not heritage listed and are not considered to have any heritage significance which would be impacted by the proposed development.

Vegetation located upon the property comprises of a combination of native and exotic species which are generally situated around the perimeter of the property as well as upon the south eastern half of the allotment with the remainder of the property being mostly cleared and supporting pasture areas. The proposal does not require the removal of any existing trees. It is not considered that any of the vegetation proposed for removal is considered to be of such significance as to warrant retention.

The site as it currently presents is depicted in the following photograph:



A view of the existing entrance driveway looking towards the rear boundary



An aerial view of the subject site

2. THE SURROUNDING ENVIRONMENT

The area surrounding the subject site currently comprises of rural residential uses including a range of single and two storey detached dwellings on allotments which are typically similar in size to that of the subject allotment.

The site location within the surrounding environment is depicted in the following aerial photograph.



Aerial Photo of Subject Site & Surrounding Locality

It is not considered that there are any other features of the locality which are relevant to this application.

3. THE PROPOSAL

The proposal seeks approval for the construction of a new 7-bedroom dwelling

The proposal also includes retention of the existing guest house which is a self-contained dwelling for the extended family.

The proposed dwelling will be constructed of a steel frame with hardiplank panel cladding and aluminium framed doors and windows with a Colourbond roof.

All setbacks from the property boundaries to the proposed dwelling are greater than required from the front boundary and 30m from the side boundary and 145m rear boundary. It is considered that the proposed setbacks are responsive to the prescriptive requirements of the Council together with the prevailing setbacks of development within this locality.

The proposed dwelling following completion of the proposed works will comprise the following:

Ground Floor: Kitchen with Pantry, lounge room, playroom/family meals, 7 bedrooms with walk-in-robos, two bathrooms, and laundry.

An addition to the driveway will be included as part of the proposal to suit the proposed dwelling with no changes being proposed to the existing vehicular access to the site for the public road frontage.

All existing vegetation is proposed to be retained as part of this application.

The proposal will incorporate landscaping of the site including hedging, low shrubs and canopy tree planting.

The proposal provides for collected via a 130,000-litre rainwater tank, with the overflow disposed of to the adjoining stock dam Retained water is to be used in accordance with the accompanying BASIX Certificate.

4. ZONING AND DEVELOPMENT CONTROLS

The proposed development is identified as development permissible with the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Local Environmental Plan 2012.

The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Mid- Western Regional Council.

4.1 Planning for Bushfire Protection

The subject site is identified as containing bushfire prone land on Councils Bushfire Prone Lands Map. Therefore, the provisions of *Planning for Bushfire Protection Guidelines* apply to the proposed development.

A Bushfire Hazard Assessment has been undertaken in support of the proposal and has been completed in accordance with the site assessment methodology of these documents and has determined compliance with RFS requirements.

The subject property is an existing residential allotment with street access to Kains Flat Road. In accordance with the bushfire safety measures required to meet the assessed threat level, a construction level of BAL19 is the recommended minimum construction standard and consideration of the site-specific bushfire risk assessment, it is our opinion that when combined, they will provide a reasonable and satisfactory level of bushfire protection to the subject development and Rural Fire Service's requirements for new development in bushfire prone areas.

On this basis the proposal is considered to provide for an appropriate response to the issue of bushfire safety.

4.2 Mid-Western Regional Local Environmental Plan 2012

The subject land is zoned R5 – Large Lot Residential under the provisions of the Mid-Western Regional Local Environmental Plan 2012

The objectives for development within the R5 zone are:

- *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.*

Under the R5 – Large Lot Residential zone a range of uses including that of a *dual occupancy* is permissible with the consent of the Council.

The proposed new dwelling upon the site is considered to be consistent with the above objectives and is permissible upon the site with the consent of the Council.

It is understood that the existing house contains a separate kitchen and under the zone permissible uses, a detached dual occupancy is permissible with the consent of Council.

4.3 Mid Western Regional Council Development Control Plan

The following is an assessment of the applicable prescriptive requirements of the DCP as they apply to the proposal. **Control**

| | Requirement | Proposal | Compliance |
|----------------------------|--|--|-------------------|
| Setbacks – R5 | Front setback >60m Side setback >20m Rear >20m | >145m to existing dwelling 30m 145m | Yes to all |
| Building height | Single storey with a floor level less than 1.0m above NGL | Only minor cut and fill (< +/- 1m) | Yes |
| 5.1 Carparking | 2 spaces per dwelling | Car parking available in rural out building | Yes |
| 5.2 Flooding | Address all performance criteria if in the flood plain | Not in identified flood plain | Yes |
| 5.3 Stormwater Management | The Development proponent shall meet all obligations included on their BASIX certificate | BASIX certificate measures to be met | Yes |
| 5.4 Environmental Controls | Application is to address all relevant parts of the clause | The proposal has addressed all the requirements of the | Yes |

controls or will comply
with the consent
conditions to address any
unidentified archaeological
relics

The proposal as submitted allows for the property to be used by a multi-generational family, meeting the intent and requirements of both the Mid-Western Regional Council LEP 2012 and DCP2013.