

STATEMENT OF ENVIRONMENTAL EFFECTS

Project:
New Dwelling at
99 MERINDA ST HARGRAVES 2850
Lot: 4 Section: 5 DP: 758501

Prepared by:
Scope Architects
Xu Kha
Architect Reg No: 7994

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1. Overview of the proposal

The proposed development is for the construction of a new dwelling house which includes:

- Subsurface basement to be used as a cellar and storage
- Ground floor level will accommodate a kitchen, living & dining space
- First floor will accommodate a bedroom, bathroom and office.
- Externally the house will have a small deck and swimming pool at the ground level. The first floor will have a balcony attached to the bedroom.
- A single car carport will be provided

2. The site

The site is located on the eastern side of Merinda St. The property is accessed via a small access road and is situated directly behind 105 Merinda St to the west. To the north, another house is located on 97 Merinda St. To the east is an open pasture and Louisa Creek before bushland beyond Louisa Creek. The property is within the Mid-Western Regional Council RU5 (Village) zoning



3. Planning controls

Item	Existing	Proposed	Control	Compliance
Zoning	RU5	1 unit	1unit/1000sqm	existing
Site Area	328sqm		Minimum 1000sqm	n/a
FSR	n/a	No change	0.50:1	n/a
Building Height	na	3.1	8.5m	Yes
Building Setbacks				
Front west	n/a	6.185	7.5m	No
Side south	n/a	n/a	0.9m	Yes
Side north	n/a	0.4m	0.9m	Yes
Rear	n/a	n/a	3m	Yes
Car parking	n/a	1	Min 1 spaces	Yes



4. Building Height

The proposed dwelling has a maximum height of 6.85m. The cellar and storage room is proposed to be primarily underground with the rear of the room approximately 1m above the existing ground level

5. Setbacks

Proposed Front Setback (WEST) : GROUND FLOOR : 4500mm & FIRST FLOOR 4800mm.

REQUEST TO VARY FRONT SETBACK CONTROL

The DCP requires 7.5 metre setback for properties in the RU5 zone. It is requested that Council consider reducing the setback controls to 4.5 metres for the ground floor and 4.8 metres for the first floor for the following reasons

1. The block is significantly undersized (minimum lot size is 1000sqm) and the area in front of a 7.5m setback would represent 39% of the site area
2. to require the full 7.5m setback would detrimentally impair the ability to effectively locate a house on the property
3. The property is not located directly on Merinda St and is accessed via an access road. The amount of traffic along this access road is minimal which is similar to a residential laneway in an urban area
4. Precedent – there are a number of examples of houses that are not compliant with the front setback within close proximity such 105 Merinda St. It is considered that 99 Merinda St can also comply with the objectives of the DCP with a reduced setback
5. Amenity – The primary amenity of the property is to the rear. There are open fields, a creek and bushland. By reducing the front setback a greater portion of the property can be used to take advantage of the amenities.
6. If the 7.5 metre setback was observed the primary open space for the property would be to the west looking towards the rear of 105 Merinda St. This would cause greater impact on 105 Merinda St in relation to privacy and overlooking. The design allows the private open space for 99 Merinda St to be shielded by the building itself
7. The proposal is compliant with the objectives of the Mid-Western Regional Council DCP & LEP

Proposed Side Setbacks

North: 2.6m to carport. 6.2m to ground floor & 2.6m to the first floor. The proposed setbacks are compliant

South: 4.8m to the ground floor and 4.6m to the first floor. The proposed setbacks are compliant

Proposed Rear Setback

East: varies from 4.2m to 5.82m at the ground floor and 7.5m to 10.1m on the first floor. The terrace on the first floor shares the same setbacks as the ground floor of 4.2m to 5.82m. The swimming pool is setback 1.8m. The proposed setbacks are compliant

6. Swimming Pool

The proposed pool is located at the rear of the property. The proposed setbacks are 1.8m to the rear and 2.6m to the side boundary. This location minimises impact on neighbouring properties.

7. Site Coverage

The site coverage for this proposal is 28% which is considered appropriate for the site

8. Solar Access

The proposal does not detrimentally impact solar access of neighbouring properties

9. Privacy

The proposed external spaces are located at the rear of the property to minimise impact on neighbouring properties. The first floor does not have windows proposed for the western elevation to minimise impact on neighbouring properties

10. Car parking and access

The proposal allows for 1 carparking space.



11. Landscaping and Open space

The area available for landscaping is 192sqm which represents 58% of the site. Additionally approximately 40sqm of decking and terrace space has been provided for residents to use and enjoy the property

12. Stormwater

All stormwater is to be collected and stored in the proposed 10,000 litre capacity tanks

13. Bushfire

All construction to comply with the bushfire protection assessment report prepared by Eco-Logical 09.11.2021+

14. Plumbing & Drainage Works

Section 68 application is appropriate for this proposal. All water to be supplied by the proposed rainwater tanks. Sewer to be in accordance with K&H Geotechnical Services report

15. Sewer

The proposal allows for an aerated septic system combined with a pump out system as recommended by K&H Geotechnical Services. Refer to report dated November 2021. The tank location will be determined on site by the engineer and contractor.

16. Stormwater management

A small increase in impervious area is proposed as part of this application. The stormwater collected by the proposed carport roof will be directed to the existing stormwater system which discharges to West St.

17. Driveway Application

Section 138 application not appropriate for this application. No kerbs on access road

18. Basix

Included in DA submission documents

19. Section 79C(1) Evaluation

Section 79C(1) of the Environmental Planning & Assessment (Amendment) Act 1997 specifies the matters which a consent authority must consider when determining a development application. The following is a summary assessment of the proposed development against the Matters for Consideration in s79C(1) of the Act.

(a)(i) The provisions of any environmental planning instrument.

The site is zoned RU5 under the Mid-Western Regional LEP 2012. The proposed development is permissible with consent. The proposal satisfies the provisions in the planning instruments.

(a)(ii) The provisions of any draft environmental planning instrument.

There are none relevant.

(a)(iii) Any development control plan.

The proposal satisfies the relevant controls in the Mid-Western Regional Council DCP 2013 (Amendment 5) with the exception of the front boundary setback. This small non compliance does not impact neighbouring properties in any way. The proposal will have a positive impact on the streetscape so can be supported for approval.

(a)(iv) Any matters prescribed by regulations.

There are none relevant.

(b) Likely impacts of that development.



There is a positive improvement to the streetscape and no increased overshadowing impact or reduced level of privacy will be likely as a result of this proposal.

(c) The suitability of the site for development.

This proposal is suitable for the property.

(d) Submissions.

None at this stage.

(e) Public interest.

The proposed development has very little impact on the general public.

20. Conclusion

The overall design has minimal effect on neighbouring properties. As this proposal is compliant with all but one DCP numerical control but still meets all the objectives of both DCP & LEP, this proposal should be supported for approval.

