

STATEMENT OF ENVIRONMENTAL EFFECTS

DEMOLITION OF EXISTING BUILDINGS, PROPOSED ONE INTO TWO LOT SUBDIVISION, TWO DWELLING HOUSES AND A SECONDARY DWELLING

**46 GEORGE STREET, MUDGEE
(LOT 9 DP37649)**

Prepared on behalf of:
James and Simone Paterson

Prepared for submission to:
MID-WESTERN REGIONAL COUNCIL

Prepared by:



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1. INTRODUCTION

1.1 Overview and Proposed Development

This Statement of Environmental Effects (SEE) has been prepared on behalf of James and Simone Paterson (the applicant) to accompany a development application (DA) for the proposed development of 46 George Street, Mudgee (Lot 9 DP 37649) (the site).

The proposed development consists of:

- Demolition of all existing site buildings
- Proposed one (1) into two (2) lot subdivision (Proposed Lots 91 and 92)
- Establishment of a dwelling on each proposed lot (Proposed Lots 91 and 92)
- Establishment of a secondary dwelling on proposed lot 92

As detailed in the body of the SEE, the proposed development meets the requirements of the *Mid-Western Regional Local Environmental Plan 2012* (LEP) and the development controls of the *Mid-Western Development Control Plan 2013* (DCP).

1.2 Consent Authority

Mid-Western Regional Council ("Council") is the consent authority for the proposed development.

1.3 Environmental Planning and Assessment Act, 1979

The proposed development requires consent in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposal is not Integrated Development pursuant to the provisions of Section 4.46 of the EP&A Act.

1.4 Scope of Statement of Environmental Effects

This SEE accompanies a DA for the proposed development. It has been prepared on behalf of the applicant and includes the matters referred to in Section 4.15 of the EP&A Act and other matters to be considered by Council. The purpose of this SEE is to:

- Describe the land to which the DA relates and the character of the surrounding area;
- Describe the proposed development;
- Define the statutory planning framework within which the DA is to be assessed and determined;
- Assess the proposed development in the light of relevant heads of consideration.

Those drawings and documents provided in support of the DA are identified in the list of appendices in the foreword of this report.

2. THE SITE

2.1 Location

The site is located at 46 George Street, Mudgee (Lot 9 DP37649) within the Mid-Western Regional Council Local Government Area (see Location Plan in **Figure 1**). The site has an approximate area of 1,702m² and has frontage to George Street and Gundys Lane.

The settlement pattern in the general area is low density residential in nature. The general character of the area is shown in the Aerial Photo (**Figure 2**).

The site is zoned R3 Medium Density Residential pursuant to the *Mid-Western Regional Local Environmental Plan 2012* as shown on the Zoning Map (**Figure 3**). The site contains a single-storey dwelling house and ancillary buildings.

A collective of site photographs are illustrated within **Figure 4**.

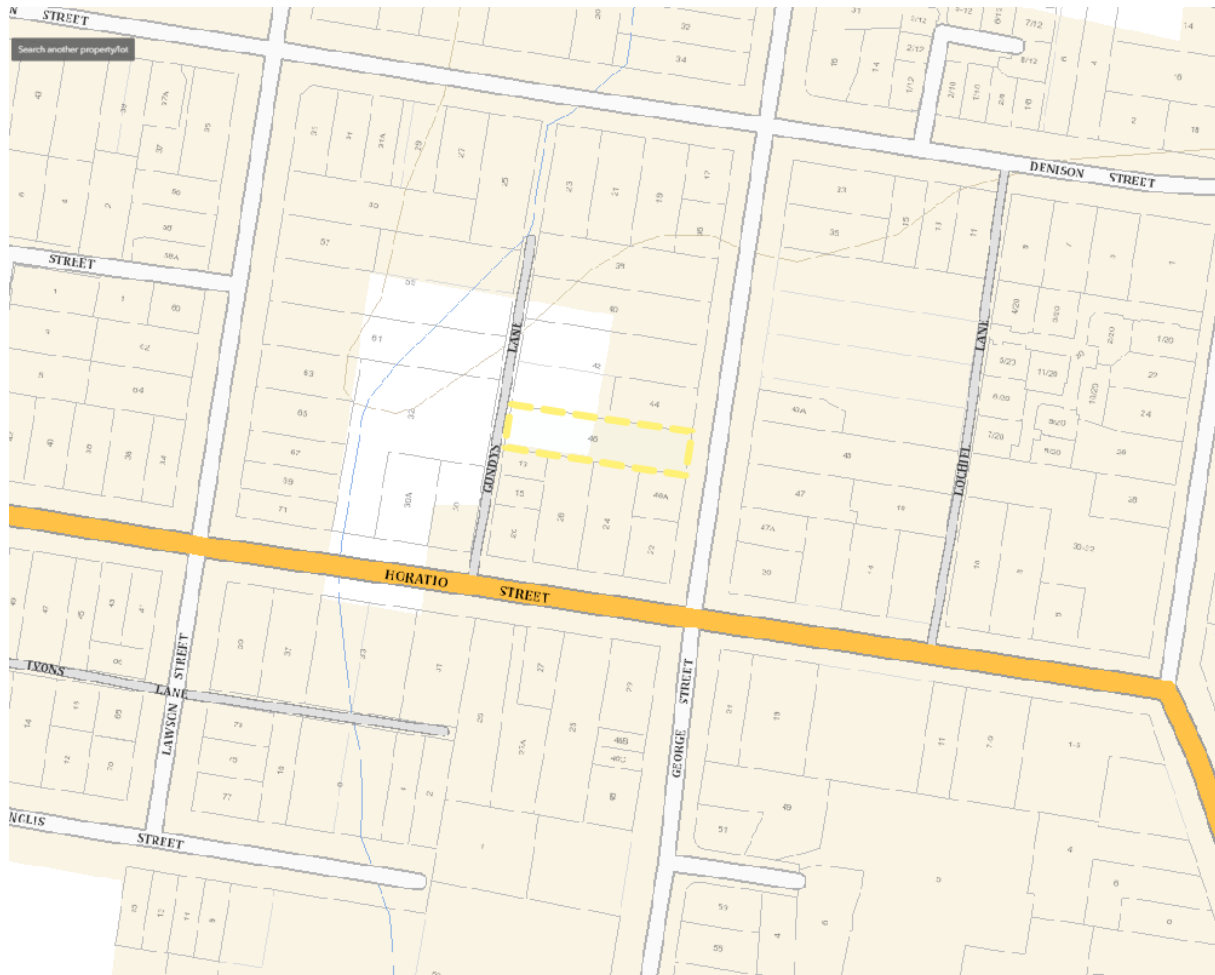


Figure 1: Location Plan. Site indicated by dashed yellow line. (Source: ePlanning Spatial Viewer)



Figure 2: Aerial Photo. Site indicated by dashed yellow line. (Source: ePlanning Spatial Viewer)

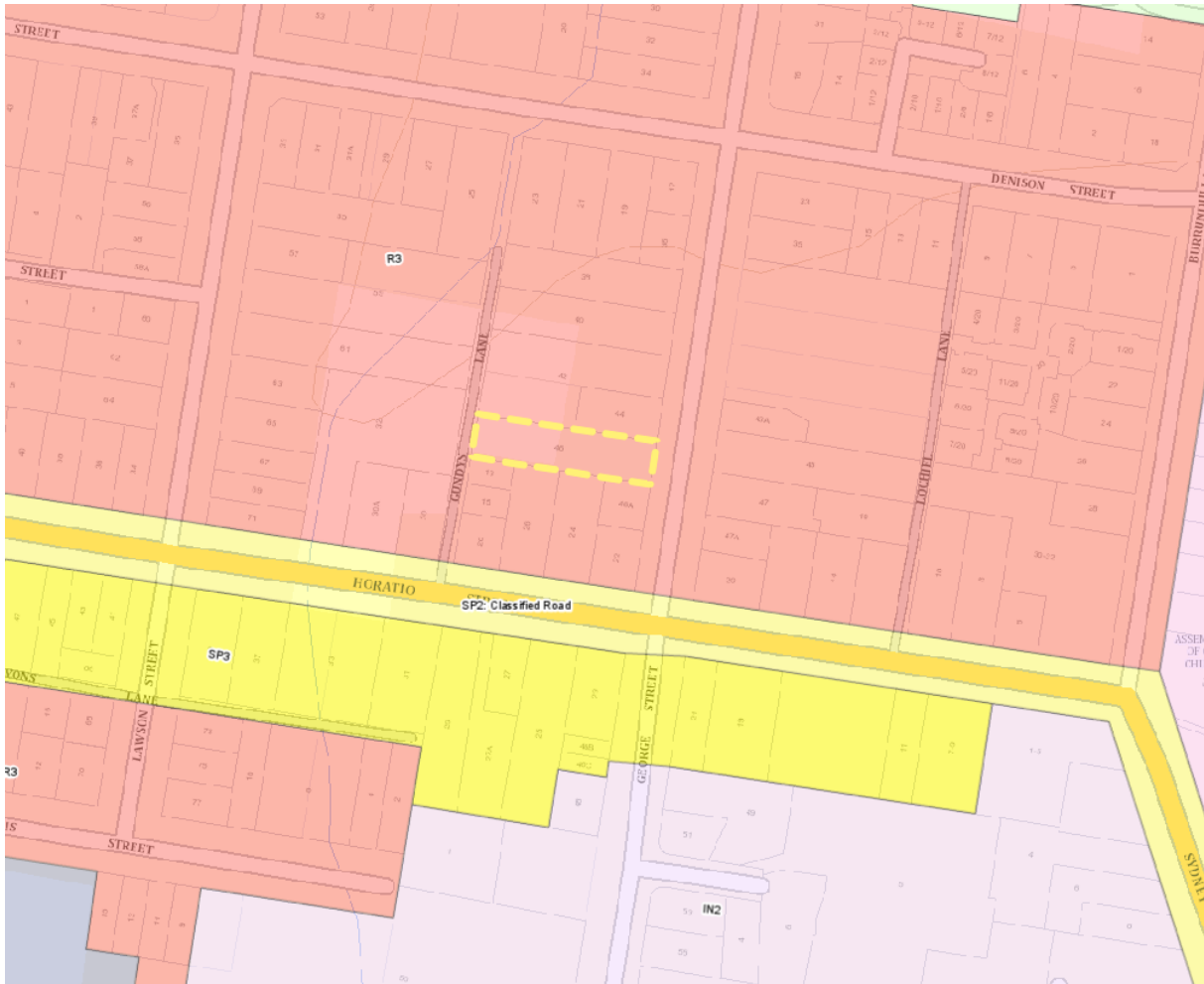


Figure 3: Zoning Map. Site indicated by dashed yellow line. (Source: ePlanning Spatial Viewer)

Figure 4: Site Photos



Photo 1: Front façade of existing dwelling – 46 George Street Mudgee



Photo 2: Street tree adjacent frontage of 46 George Street Mudgee



Photo 3: Vegetation within existing site frontage – 46 George Street Mudgee



Photo 4: View from within the site, looking east towards George Street



Photo 5: Rear façade of existing dwelling – 46 George Street Mudgee



Photo 6: Ancillary structure on site



Photo 7: Looking east from the rear portion of 46 George Street. Ancillary structures shown left and right of image. Dwelling shown in centre of image.



Photo 8: Northern fence and vegetation



Photo 9: Rear (western) frontage to Gundys Lane



Photo 10: Looking north along Gundys Lane

2.2 Title Details, Ownership and Existing Site Characteristics

The subject site is owned by James and Simone Paterson and has an area of 1,702m².

2.2.1 Topography and Site Buildings

The site is generally flat in nature. The site contains an existing dwelling and ancillary buildings. A detailed survey of the site shows the existing improvements (**Appendix 1**).

2.2.2 Vegetation

The site is predominantly cleared of vegetation. There are two (2) existing juvenile conifers (exotic species) occupying the site and one (1) juvenile native eucalypt species (Myrtaceae).

2.2.3 Contamination

There is no history or evidence of any previous contaminating land use that will affect the continued use of the site for residential development.

2.2.4 Bushfire

The site is not identified as bushfire prone land.

2.3 Aboriginal Heritage

A search of the Office of Environment and Heritage Aboriginal Heritage Information Management System (AHIMS) Web Services returned no records of Aboriginal sites or places in or near the subject site. (**Appendix 5**).

2.4 European Heritage

There are no listed heritage items located on the subject site and the site is not within a heritage conservation area.



2.5 Access

The site has access from George Street and Gundys Lane, Mudgee.

2.6 Utility Services

Electricity, council reticulated sewer and water services and communications infrastructure are available to the site.

2.7 Flooding

The site is not identified as being within a Flood Planning Area (Mid-Western Regional Council, 2021).

3. THE PROPOSAL

3.1 Proposed Development

The proposed development consists of:

- Demolition of existing buildings
- Proposed one (1) into two (2) lot subdivision (Proposed Lots 91 and 92)
- Establishment of a dwelling on each proposed lot (Proposed Lots 91 and 92)
- Establishment of a secondary dwelling on proposed lot 92.

Refer to proposed Development Plans in **Appendix 2**.

The development is described in further detail below.

3.1.1 Demolition

All existing structures will be demolished to accommodate the proposed development. Existing structures include: dwelling, multiple sheds, shade structures, vegetation and stormwater tanks. Demolition will be carried out by an experienced licenced contractor. All waste will be sorted on site into stockpiles of materials to be reused, recycled, and disposed to landfill. Existing services will be disconnected and sealed prior to demolition. The site will be securely fenced to prevent unauthorised access during demolition. Erosion and sediment control measures will be installed prior to demolition.

3.1.2 Subdivision

The proposal involves a one into two lot subdivision of the site. Proposed Lot 91 has an area of 707.9m² and frontage to George Street of 20.12m. Proposed Lot 92 has an area of 998.2m² and has frontage to Gundys Lane of 20.12m. An easement to drain water 1 metre is proposed within Lot 91 in favour of Proposed Lot 92. The easement is require to dispose of stormwater to George Street from the dwelling house within Proposed Lot 92.

3.1.3 Dwellings

A four-bedroom, two-bathroom dwelling (referred to on the architectural plans as House 1) is proposed within Proposed 91. The dwelling has been sited and designed to meet height, setback, private open space, car parking, solar access, privacy and amenity requirements. The dwelling includes a subfloor wine cellar. The generous outdoor area includes a boules court, fire pit and general landscape area. A three-car carport adjacent the George Street frontage services House 1.

The same floor plan has been repeated (with the exception of the wine cellar) within proposed Lot 92 and is referred to on the architectural plans as House 2. Again, the dwelling has been designed to comply with key development standards and planning controls and provides high amenity outdoor spaces and opportunity for extensive landscaping. A three-car carport accessed via Gundys Lane services House 2 and the secondary dwelling (see below).

3.1.4 Secondary dwelling

A secondary dwelling is located within proposed Lot 92. The dwelling, referred to on the architectural plans as House 3, is a one-bedroom, one-bathroom dwelling. A private outdoor area provides opportunity for landscaping and outdoor recreation.

3.2 Materials and colours

Materials and colours are notated in the architectural plans (**Appendix 2**). Materials include Colorbond corrugated wall cladding, Newtechwood castellation cladding and Newtechwood decking, James Hardie Matrix and Colorbond metal roofing.



3.3 Utility Services

Electricity, council reticulated sewer and water services and communications infrastructure currently service the existing development. Proposed Lot 92 will require the sewer and water main to be extended to service the lot along with new connections for electricity and telecommunications to allow for future development of the site.

3.4 Access, Parking and Traffic

Proposed Lot 91 is accessed from George Street and Proposed Lot 92, from Gundy Lane. This arrangement is intended to continue.

Each proposed lot is capable of supporting the parking required for residential developments. Both proposed lots seek to accommodate parking on the frontage of each lot.

3.5 Stormwater and Drainage

Stormwater drainage from Proposed Lot 91 - and associated Dwelling 1 - drains to George Street. Stormwater from House 2 is directed to George Street via a proposed inter-allotment drainage easement over proposed Lot 91. Lot 92 – and stormwater from the secondary dwelling - drains to Gundy Lane. A Stormwater Management Plan is provided in **Appendix 6**.

3.6 Vegetation Removal

The proposed development seeks the removal of two (2) existing juvenile conifers (exotic species) and one (1) native juvenile eucalypt species (Myrtaceae). The trees are identified in the Detail Survey Plan in **Appendix 1**.

4. STATUTORY PLANNING CONTROLS

4.1 Environmental Planning & Assessment Act 1979

The proposed development requires consent pursuant to Part 4 of the EP&A Act and is subject to the provisions and analysis of section 4.15 of the EP&A Act. The proposal is not integrated development pursuant to Section 4.46 of the EP&A Act.

The proposed development is permissible with the consent of Mid-Western Regional Council.

4.2 Mid-Western Regional Local Environmental Plan 2012

The relevant provisions of the LEP are outlined in Table 4.2 below.

Table 4.2: Proposed Development Compliance with *Mid-Western Regional Local Environmental Plan 2012*

Mid-Western Regional Local Environmental Plan 2012		
Clause	Clause Detail	Compliance and Commentary
1.2 Aims	<p>(2) The particular aims of the LEP are:</p> <p>(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,</p> <p>(a) to promote growth and provide for a range of living opportunities throughout Mid-Western Regional,</p> <p>(b) to encourage the proper management, development and conservation of resources within Mid-Western Regional by protecting, enhancing and conserving—</p> <p>(i) land of significance to agricultural production, and</p> <p>(ii) soil, water, minerals and other natural resources, and</p> <p>(iii) native plants and animals, and</p> <p>(iv) places and buildings of heritage significance, and</p> <p>(v) scenic values,</p> <p>(c) to provide a secure future for agriculture through the protection of agricultural land capability and by maximising opportunities for sustainable rural and primary production pursuits,</p> <p>(d) to foster a sustainable and vibrant economy that supports and celebrates the Mid-Western Regional's rural, natural and heritage attributes,</p> <p>(e) to protect the settings of Mudgee, Gulgong, Kandos and Rylstone by—</p> <p>(i) managing the urban and rural interface, and</p> <p>(ii) preserving land that has been identified for future long- term urban development, and</p>	<p>The LEP provides for appropriate development within the LGA. The proposal has given due consideration to the site and surrounds and is in keeping with the aims of the LEP.</p>

	<p>(iii) promoting urban and rural uses that minimise land use conflict and adverse impacts on amenity, and</p> <p>(iv) conserving the significant visual elements that contribute to the character of the towns, such as elevated land and the rural character of the main entry corridors into the towns,</p> <p>(f) to match residential development opportunities with the availability of, and equity of access to, urban and community services and infrastructure,</p> <p>(g) to promote development that minimises the impact of salinity on infrastructure, buildings and the landscape.</p>	
2.1 Land use zones	<p>The site is zoned R3 Medium Density Residential</p> <p>The objectives of the R3 Medium Density Residential zone</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To encourage higher-density residential development that is sympathetic to and compatible with the existing character of the Mudgee Heritage Conservation Area. 	<p>The proposed development is permissible with the consent of Council and satisfies the relevant objectives of the R3 zone.</p>
2.6 Subdivision	<p>The clause states that land to which the LEP applies may be subdivided, but only with development consent.</p>	<p>The proposed subdivision is permissible with the consent of Council.</p>
2.7 Demolition	<p>The demolition of a building or work may be carried out only with development consent.</p>	<p>The proposed development is permissible with the consent of Council.</p>
4.1 Minimum subdivision lot size	<p>The size of any lot resulting from a subdivision of land is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p>	<p>The minimum lot size is 600m²</p> <p>Each proposed lot is greater than 600m².</p> <p>Proposed lot 91 is 708m².</p> <p>Proposed lot 92 is 998.2m².</p>
4.3 Height of buildings	<p>The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>	<p>The maximum permissible height is 8.5 metres.</p> <p>The maximum heights of proposed buildings are:</p> <p>House 1: 4.6 metres</p> <p>House 2: 4.6 metres</p> <p>House 3: 3.7 metres</p>

<p>6.4 Groundwater Vulnerability</p>	<p>(1) The objectives of this clause are as follows:</p> <p>(a) to maintain the hydrological functions of key groundwater systems,</p> <p>(b) to protect vulnerable groundwater resources from depletion and contamination as a result of development.</p> <p>(2) This clause applies to land identified as “Groundwater vulnerable” on the Groundwater Vulnerability Map.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:</p> <p>(a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),</p> <p>(b) any adverse impacts the development may have on groundwater dependent ecosystems,</p> <p>(c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),</p> <p>(d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>The site is designated as ‘Groundwater Vulnerable’.</p> <p>The development is designed, sited and will be managed to avoid any significant adverse environmental impact. There are no anticipated adverse impacts on groundwater.</p>
<p>6.9 Essential services</p>	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road access.</p>	<p>Electricity, council reticulated sewer and water services and communications infrastructure currently service the existing development. Proposed Lot 92 will require the sewer and water main to be extended to service the lot along with new connections for electricity and telecommunications to allow for future development of the site.</p>

4.3 Mid-Western Development Control Plan 2013

The DCP provides guidelines for various forms of development; assists Council to expedite development approvals by providing clear direction of Council's intent and criteria; and provides certainty of development outcomes for developers and the community.

Part 3.1 provides guidelines for residential development in urban areas. Part 7.1 of the DCP provides guidelines for the subdivision of land zoned urban.

Table 4.3: Proposed Development Compliance with Mid-Western Development Control Plan 2013

STANDARD	PROPOSED	COMPLIANCE
URBAN SUBDIVISION		
Lot Size		
<p>The minimum lot size is determined by the Mid-Western Regional LEP 2012</p> <p>(a) All lots must have street frontage.</p> <p>(b) As slope increases the minimum size of the lots will be required to increase according to the following:- 0-10° 600m2 10-15° 700m2 15-20° 800m2</p> <p>(c) Development will not be permitted on slopes in excess of 20°. All lots must have a minimum width of 16m at the building line (4.5 metres from the front property boundary) in the case of lots within residential and village zones.</p> <p>Battleaxe handles in R1General Residential and R3 Medium Density Residential and RU5 Village zones must have a minimum width of 4m and R2 Low Density residential and R5 large lot residential zones must have a minimum width of 6m.</p>	<p>Mid-Western Regional LEP 2012 prescribes that the minimum lot size is 600m2.</p> <p>Proposed lot 91 is 707.9m2 and has frontage to George Street.</p> <p>Proposed lot 92 is 998.2m2 and has frontage to Gundys Lane.</p> <p>The slope of the land (both proposed lots included) is below 10°. (see Detail Survey in Appendix 1). The minimum lot size of 600m2 is applicable. Notwithstanding, each of the proposed lots are larger than the minimum lot size.</p>	Yes
Lot Design		
<p>(a) For infill developments in established areas, lot orientation should optimise solar access while taking account of the existing pattern and solar orientation of development.</p> <p>(b) For subdivisions in new release areas and at the edge of established residential areas, orientation should maximise solar access by providing a north-south orientation within the range of 30° east of north or 20° west of north as the preferred option. Lots orientated east-west should have increased width and the midpoint of each lot with access to a minimum of 3 hours sunlight between 9.00 am and 3.00 pm on 21 June (Winter solstice)</p> <p>(c) Lots should be generally rectangular in shape. Lots on the southern side of the road should provide a greater frontage to allow better solar orientation of the future dwelling.</p> <p>(d) Corner lots should be created of a sufficient area to allow development for the purposes of dual occupancies with the supply of appropriately located independent utility connection points.</p>	<p>The proposed lots are generally rectangular in shape and are oriented to maximise solar access.</p>	Yes
Street Design and Layout: N/A.		
Cycleways and footpaths: N/A		

Open Space : N/A.		
Landscaping: See below.		
Utility Services— pre-existing utility services will be augmented to support the proposed additional lot and associated development. See below.		
RESIDENTIAL DEVELOPMENT IN URBAN AREAS		
Building Setbacks		
Deem to Satisfy Criteria R1, R2 and R3 where lot size is less than 900m ² Street: 4.5m to building line; 5.5m to the garage Side/Rear: 900mm	Proposed Lot 91 is 707.9m ² and has frontage to George Street. Proposed House 1 is setback 9.0 metres from George Street at its closest point. Minimum side setbacks are as follows: 1500mm to the south 4815mm to the north	Yes
Deem to Satisfy Criteria R1, R2 and R3 where lot size is greater than 900m ² , less than 2000m ² Street: 6.5m to building line; 7.5m to the garage Side/Rear: 900mm	Proposed Lot 92 is 998.2m ² and has frontage to Gundys Lane. Proposed House 2 is setback 26.25 metres from Gundys Lane at its closest point. Minimum side setbacks are as follows: 1500mm to the south 4815mm to the north	Yes
Deem to Satisfy Criteria R1, R2 and R3 where lot size is greater than 900m ² , less than 2000m ² Street: 6.5m to building line; 7.5m to the garage Side/Rear: 900mm	Proposed House 3 Proposed House 3 is setback 4.5 metres from Gundys Lane at its closest point. Minimum side setbacks are as follows: 1500mm to the south 1125mm to the north	Yes
Building Height		
Deem to Satisfy Criteria Single storey building with a FFL of less than 1 metre above Natural Ground Level	All FFLs are less than 1 metre above Natural Ground Level.	Yes
Site Coverage		
Deem to Satisfy Criteria 35% site coverage	House 1 has a Gross Floor Area (GFA) of 245.47m ² on Proposed lot 91, being 707.9m ² . Site coverage is 34.7% Houses 2 and 3 have a combined GFA of 329.37m ² on Proposed Lot 92, being 998.2m ² . Site coverage is 33%	Yes
Solar Access		
Deem to Satisfy Criteria Living areas and private open space areas are to be located with a northerly aspect (i.e. on the northern or eastern side of the building)	All living, dining and family rooms (Proposed Houses 1, 2 and 3) have a northern aspect. Decks and private open space (Proposed Houses 1, 2 and 3) also have a northerly aspect. Apart from sunlight impediment at 21 June (9:00 a.m. - winter.) to the single-storey dwelling on Lot 3 DP 1203597, solar impacts to neighbouring properties' buildings and private open space are considered satisfactory.	Yes
Privacy		
Dwellings must ensure that reasonable privacy is achieved for new dwellings and existing adjoining residences and private open space	All dwellings have been designed having regard to privacy between proposed lots and adjoining and adjacent land.	Yes

Parking		
<p>a) Development must provide adequate off-street parking to maintain the existing levels of service and safety on the road network.</p> <p>b) Parking areas and access driveways must be functional in design.</p> <p>c) Parking areas should be visually attractive and constructed, designed and situated to encourage their safe use.</p> <p>d) The number of spaces is determined based on the occupation potential (a 'study' is counted as a bedroom).</p> <p>e) Any vehicle entering or leaving the driveway must be visible to approaching vehicle and pedestrians.</p> <p>f) Driveway access to a major road should be avoided where possible.</p>	<p>Three (3) parking space are proposed commensurate with each proposed lot and associated dwellings on each lot. The number of parking spaces allocated for proposed Houses 1, 2 and 3 are adequate having regard to occupancy rates, the availability of public transport and walking distance to Mudgee Town Centre.</p> <p>Parking spaces are located on 'street frontages' behind electric sliding gates so as not to be visually intrusive.</p> <p>The localised nature of George Street and Gundy Lane and their associated limited traffic volumes will easily facilitate the reverse movement of cars existing each of the proposed houses.</p>	Yes
Landscaping		
<p>a) Landscaping must enhance the quality of the built environment.</p> <p>b) Species selection and location should improve energy efficiency through reducing heat gain through windows and deflecting winter winds.</p> <p>c) Plants with low maintenance and water requirements should be selected.</p>	<p>All landscaping will be provided consistent with future owners' tastes whilst having regard to Council's streetscape requirements.</p> <p>Plants with low maintenance and water requirements are encouraged and have been disseminated with the landowner.</p>	Yes
Open Space		
<p>a) Sufficient open space must be provided for the use and enjoyment of the residents.</p> <p>b) 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>c) Open space areas provided must be suitably located and landscaped to obtain adequate sunlight and protection from prevailing winds.</p> <p>d) Private open space for dual occupancy development is to be a minimum area of 80m² and have a minimum dimension of 5 metres (depth and width).</p> <p>e) Private open space for dual occupancy development is to be located behind the front building line and on the northern, eastern or western side of the dwelling.</p>	<p>Sufficient private open space is provided for the purposes of future residents. All proposed houses have open space with a northern elevation.</p> <p>Provision has been made for private lawns, fire pits and boules courts along with garden beds and the like.</p>	Yes
Corner Lots – N/A		
Fencing		
<p>Fencing facing the street or forward of the building line must avoid extensive lengths of 'Colorbond' as it presents a barrier to the street. Solid fencing of a length greater than 30% may be permitted where landscaping is</p>	<p>Fencing along both George Street and Gundy Lane is proposed to consist of 1 metre high metal slat fencing, including associated design requirements for electronic sliding gates to privatise vehicular parking along both 'street' frontages.</p>	Yes

provided to soften the visual impact on the streetscape.		
Infrastructure		
a) Surface infrastructure (e.g. tanks, clotheslines) must not be located within front setback.	All infrastructure is either available, or can be made available to service the proposed development.	
b) Surface infrastructure must not be visible from the street.	All garbage receptacles and clothes lines will be provided out of public view.	
c) Garbage storage locations must be included in landscape plan and show how they will be screened.		
Garages, Outbuildings – N/A		
Development near ridgelines – N/A		
Slopes		
a) Development maximises retention of natural ground levels and contours.	All development is proposed on relatively flat ground.	Yes
b) Drainage is to avoid erosion of gullies, slopes and drainage lines in the locality.		
c) 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.		
d) Cut and fill, earthworks, retaining walls, unprotected embankments and terraces etc. are setback from boundaries such that they do not redirect the flow of surface water onto adjoining properties.		
Access		
a) All weather vehicle access is required to ensure that emergency services (fire, ambulance, police) are able to access the dwelling at all times.	All weather vehicle access is required to ensure that emergency services (fire, ambulance, police) are available to the development.	Yes
Relocated Dwellings – N/A		
Adaptability		
a) Adaptable housing design must incorporate practical and flexible features to meet the changing needs of residents of different ages and abilities over time. For example, hobless shower area, space for wheelchair access, height of light switches, arrangement and size of rooms.	Provided as required.	Yes
Design Principles		
a) Design should maximise surveillance with clear sightlines between public and private places, effective lighting of public places and landscaping that makes places.	All proposed development has been designed in accordance with Council's DCP Design Principles.	Yes
b) Physical and symbolic barriers should be used to attract, channel or restrict the movement of people to minimise opportunities for crime and increase the effort required to commit		

<p>crime.</p> <p>c) Must be sympathetic with existing adjoining and surrounding developments in relation to bulk and height.</p> <p>d) Well-proportioned building form that contributes to the streetscape and amenity.</p> <p>e) Density appropriate to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</p> <p>f) Design must demonstrate efficient use of natural resources, energy and water throughout its full life cycle, including construction.</p> <p>g) Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.</p> <p>h) Optimise amenity (e.g. appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility).</p> <p>i) Optimise safety and security, both internal to the development and for the public domain.</p> <p>j) Design must demonstrate response to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.</p> <p>k) Council will not support dual occupancy development where both dwellings are pre-manufactured or relocatable homes in urban zones.</p>		
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5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

In determining the subject DA, Council is required to consider those relevant matters listed in Section 4.15 (1) of the EP&A Act. Each of the relevant matters is addressed below.

5.1 Section 4.15 (1) (a) – Statutory Planning Considerations

Section 4.15 (1) (a) requires the consent authority to take into consideration:

“(a) the provisions of:

- (i) any environmental planning instrument

Section 4.2 of the report discusses relevant considerations of the *Mid-Western Regional Local Environmental Plan 2012*.



State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 is relevant to the DA. The DA is accompanied by a BASIX Certificate indicating compliance with the SEPP.

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved)

There are no draft environmental planning instruments which are applicable to the proposed development.

(iii) any development control plan

Section 4.3 of the report discusses relevant considerations of the *Mid-Western Development Control Plan 2013*.

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

There are no planning agreements or draft planning agreements which are applicable to the proposed development.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates

There are no specific regulations applicable to the assessment of the proposed development.

5.2 Section 4.15 (1) (b) – Environmental, Social and Economic Impacts

Section 4.15 (1) (b) requires the consent authority to consider:

“(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.”

The relevant matters are addressed below.

5.2.1 Impacts on the Natural Environment

The development is designed, sited and will be managed to avoid any significant adverse environmental impact.

Demolished materials will be recycled.

Site bunding will contain all materials to the development site.

As the site is relatively flat, limited amounts of cut and fill are proposed in association with the proposed development.

All exotic and native vegetation (2 juvenile conifers, 1 juvenile eucalypt (Myrtaceae) and existing lawn) will be removed from the site. New landscaping will be undertaken by future owners.

Whilst the site is designated as ‘Groundwater Vulnerable’, there are no anticipated adverse impacts on groundwater.

5.2.2 Impacts on the Built Environment

The proposed development is compatible with residential development in the vicinity.

Apart from sunlight impediment at 21 June (9:00 a.m. - winter.) to the single-storey dwelling on Lot 3 DP 1203597, solar impacts to neighbouring properties’ buildings and private open space are considered satisfactory.

5.2.3 Social and Economic Impacts

The nature of the impact of sunlight reduction on the single-storey dwelling on Lot 3 DP 1203597 is difficult to quantify, most particularly because the floor plan of the dwelling is unknown.

A search of the Office of Environment and Heritage Aboriginal Heritage Information Management System (AHIMS) Web Services returned no records of Aboriginal sites or places in or near the subject site.

Site redevelopment will result in economic and associated social benefits.

5.3 Section 4.15 (1) (c) – The Suitability of the Site

Section 4.15 (1) (c) requires the consent authority to consider:

“(c) the suitability of the site for the development.”

The suitability of the site for the proposed development is dealt with in this SEE. The proposed development of the land supports Council’s strategic land use objectives for the locality. It is therefore considered that the site is suitable for the proposed development.

5.4 Section 4.15 (1) (d) – Submissions

Section 4.15 (1) (d) requires the consent authority to consider:

“(d) any submissions made in accordance with this Act or the regulations”

Any relevant representations will need to be considered by Council in assessing and determining the application.

5.5 Section 4.15 (1) (e) – Public Interest

Section 4.15 (1) (e) requires the consent authority to consider:

“(e) the public interest”



The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. The development is a permissible form of development and, being consistent with the relevant controls, is considered to be in the public interest.

6. CONCLUSION

The proposed development comprises:

- Demolition of all existing site buildings
- Proposed one (1) into two (2) lot subdivision (Proposed Lots 91 and 92)
- Establishment of a dwelling on each proposed lot (Proposed Lots 91 and 92)
- Establishment of a secondary dwelling on Proposed lot 92.

The proposal has been assessed against the relevant State policies, LEP provisions and DCP requirements and is a permissible form of development. It is reasonable and appropriate when considered under the relevant heads of consideration in Section 4.15 (1) of the EP&A Act and is worthy of favourable consideration by Council.

APPENDICES

APPENDIX 1

Detail Survey Plan

APPENDIX 2

Architectural Plans

APPENDIX 3

Proposed Plan of Subdivision

APPENDIX 4

BASIX Documentation

APPENDIX 5

Aboriginal Heritage Information Management System Search Report

APPENDIX 6

Stormwater Management Plan