



STATEMENT OF ENVIRONMENTAL EFFECTS

Introduction

This Statement of Environmental Effects has been prepared by Progressive Project Solutions to form part of the Development Application relating to the address referenced in the 'Property Details' below. The Development Application is being lodged by Progressive Project Solutions, pursuant to Clause 4.12 of the NSW Environmental Planning & Assessment Act 1979 (as amended). The proposal has been designed to achieve the relevant provisions of clause 4.15 of the NSW Environmental Planning and Assessment Act 1979 (as amended) and the relevant Councils local 'Planning Controls'

Applicant: Progressive Project Solutions

Address: PO Box 491 NAROOMA NSW 2546

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Proposed: *Installation of 'Manufactured Home as Secondary Dwelling'*

Address: *Lot 6 / Section 23 / DP 9704*

Land Zoning: *RU5 – Village*



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1.PROJECT SUMMARY

1.1 Introduction

This report describes the Environmental Effects associated with a DA for Installation of 'Manufactured Home as Secondary Dwelling' at 7 McLachlan Street, Kandos that includes an assessment of environmental factors to identify potential impacts associated with the proposed works and measures to mitigate those effects.

1.2 Project Description

Installation of 'Manufactured Home as Secondary Dwelling'

2. SITE AND CONSTRUCTION PROPOSALS

2.1 The Site

Address of the Proposal:	<i>7 McLachlan Street KANDOS NSW 2848</i>
Property ID:	<i>Lot 6 / Section 23 / DP 9704</i>
LGA:	<i>Mid-Western Regional Council</i>
Zoning:	<i>RU5 - Village</i>
Lot Size:	<i>998 sqm.</i>

The location of the proposal is in an established residential area of Kandos township in the Mid-Western Regional local government area. The area is a small residential town originally established as a mining town. Now it is established with a variety of building types, mainly single-story residences' on modest sized lots.

The site does have an existing residence – with the proposal being for the installation of 'Manufactured Home as Secondary Dwelling' at the rear of the lot. It is a corner block with neighboring residential dwellings surrounding the lot to the east, south and west boundaries.

The subject lot is not Bush Fire Prone. All council provided services available.

There are no other evident issues that would restrict this proposal on the site.

2.3 Adjoining Land

The subject is lot has residential dwellings on the east, south and west boundaries.

2.2 Construction Activities

Installation of 'Manufactured Home as Secondary Dwelling'.

The dwelling will be constructed in compliance with the BCA and the Local Government regulations.

3. PLANNING CONTROL CONSIDERATIONS

The following provides an assessment of the proposal against the provisions of Clause 4.15 of the NSW Environment Planning and Assessment Act 1979 (as amended) and the relevant Councils Planning Schemes

1. Environmental Planning & Assessment Act 1979

Aims & Objectives

The Environment Planning and Assessment Regulation 2000 is made under the EP&A Act and makes provision with respect to numerous legislative concerns including major projects, environmental planning instruments, development control plans, development application, complying development certificates, environmental assessment under Part 5 of the Environmental Planning and Assessment Act 1979, planning bodies and other matters.

Does the proposed development comply with the NSW EP&A Act and SEPP's?

If the proposal does NOT comply with SEPPS then demonstrate compliance with

Acceptable solution(s) and/or justification of how the proposal meets the 'Performance Criteria '

The Proposal complies with the relevant State Government Legislation?



Is additional information attached?

No additional Information attached



3.2 State Specific SEPPS

State Environmental Planning Policy – Biodiversity and Conservation 2021

No Biodiversity issues with this proposal

State Environmental Planning Policy – Building Sustainability Index: BASIX 2004

Not applicable with this application

State Environmental Planning Policy – Exempt & Complying Development Codes 2008

Not applicable with this application

State Environmental Planning Policy – Housing 2021

Full compliance with this policy

State Environmental Planning Policy – Industry and Employment 2021

Not applicable with this application

State Environmental Planning Policy – No 47 Moore Park Showground

Not applicable with this application

State Environmental Planning Policy – No 65 Design Quality of Residential Apartment Development

Not applicable with this application

State Environmental Planning Policy – Planning Systems 2021

Not applicable with this application – not State or Regional significant development

State Environmental Planning Policy – Precincts ‘Central River City’ 2021

Not applicable with this application

State Environmental Planning Policy – Precincts Regional 2021

Not applicable with this application - not a Part 3A project

State Environmental Planning Policy – Precincts Western Parkland City 2021

Not applicable with this application

State Environmental Planning Policy – Primary Production 2021

Not applicable with this application

State Environmental Planning Policy – Resilience and Hazards 2021

Not applicable with this application.

State Environmental Planning Policy – Resources and Energy 2021

Not applicable with this application

State Environmental Planning Policy – State Significant Precincts 2005

Not applicable with this application

State Environmental Planning Policy – Transport and Infrastructure 2021

Not applicable with this application

3.3 Environmental Planning Instruments Mid-Western Regional LEP 2012

This Plan aims to further the objectives of the Mid-Western Regional Council Local Environmental Plan 2012 (LEP) and the particular objectives for the RU5 zoning as stated in the LEP.

Objectives for these lands are to:

- (1) This Plan aims to make local environmental planning provisions for land in Mid-Western Regional in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.
- (2) The particular aims of this Plan are as follows—
 - (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
The proposal is sited in a residential zoning of RU5 – Village.
 - (a) to promote growth and provide for a range of living opportunities throughout Mid-Western Regional,
The proposal promotes growth by providing additional housing and living opportunities in a regional area which relies on continued expansion of the population to develop and maintain essential infrastructures.
 - (b) to encourage the proper management, development and conservation of resources within Mid-Western Regional by protecting, enhancing and conserving—
 - (i) land of significance to agricultural production, and
 - (ii) soil, water, minerals and other natural resources, and
 - (iii) native plants and animals, and
 - (iv) places and buildings of heritage significance, and
 - (v) scenic values,
The proposal does not impede or effect the conservation of any resources listed above.
 - (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,
The lot is not Rural or Primary Production.
 - (d) to foster a sustainable and vibrant economy that supports and celebrates the Mid-Western Regional’s rural, natural and heritage attributes,
The proposal complements the current rural, natural and heritage attributes in the Mid-Western Regional community through the natural external colour plan of the dwelling. By providing an additional living opportunity, the proposal will foster sustainability within the community.
 - (e) to protect the settings of Mudgee, Gulgong, Kandos and Rylstone by—
 - (i) managing the urban and rural interface, and
 - (ii) preserving land that has been identified for future long- term urban development, and
 - (iii) promoting urban and rural uses that minimise land use conflict and adverse impacts on amenity, and
 - (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,
The proposal satisfies the aim as it will not negatively affect any attributes in relation to the settings of the region. There is no vegetation removal or earthworks proposed in the proposal except for minor disturbance to the ground at the location as the result from drilling some pier pads supporting the dwelling along with some small trenches for the purpose of the stormwater and sewer connections.

- (f) to match residential development opportunities with the availability of, and equity of access to, urban and community services and infrastructure,
The proposal satisfies the aim being that it has all council services available, and it is within close proximity to community services and infrastructure.
- (g) to promote development that minimises the impact of salinity on infrastructure, buildings and the landscape.
Not applicable to this proposal, being that in the RU5 – Village zone.

Zone RU5 - Village

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
The proposal provides for the housing need of the village.
- To promote development that is sustainable in terms of the capacity of infrastructure within villages.
The proposal is in line with the objective of the zone being that a 2-bedroom secondary dwelling which is unlikely to put undue pressure on the capacity of the infrastructure in the Kandos Village.

Does the 'Proposed Development' comply with Councils LEP?

If the proposal does NOT comply with Councils relevant DCP then demonstrate compliance with Acceptable solution(s) and/or justification of how the proposal meets the 'Performance Criteria'

The Proposal complies with the relevant Mid-Western Regional LEP?



Is additional information attached?

No additional Information attached



3.4 Environmental Planning Instruments Mid-Western Regional DCP 2013

Aims of Plan

- Implement and support the objectives of the Local Environmental Plan (Mid-Western Regional LEP 2012);
- Define development standards that deliver the outcomes desired by the community and Council;
- Provide clear and concise development guidelines for various forms of development;
- Encourage innovation in design and development by not over-specifying development controls;
- Expedite development approvals by providing clear direction of Council's intent and criteria; and
- Provide certainty of development outcomes for developers and the community.

Does the 'Proposed Development' comply with Councils DCP?

If the proposal does NOT comply with Councils Local Environment Plan, then demonstrate compliance with Acceptable solution(s) and/or justification of how the proposal meets the 'Performance Criteria'

The Proposal complies with the Mid-Western Regional DCP?



Is additional information attached?

No additional Information attached



3.5 Aboriginal Due Diligence

AHIMS Search and Due Diligence Report attached to this application

3.6 BCA & NCC Compliance

Full Compliance

3.9 Energy Efficiency

Full Compliance

4. ENIRONMENTAL CONSIDERATIONS

4.1 Historical use of the Land

The lot is within the urban footprint area of the Kandos precinct. Prior to subdivision it would be safe to assume that this was land was Farming Land and Mining.

4.2 Demolition

No demolition with this proposal.

4.3 Contamination

There is no known contamination on this site.

4.4 Site Constraints

The site has no impeding constraints that will affect this proposal.

4.5 Clearing of Vegetation

Not applicable with this application

4.6 Biodiversity Implications

No Biodiversity Implications with this proposal.

4.7 Bush Fire

The land is not Bush Fire Prone.

4.8 Flood

The Land is not Flood Prone.

4.9 Proposed Earthworks

No earthworks implications with this proposal. There will be minor disturbance to the ground at the location as the result from drilling some pier pads to support the dwelling along with some small trenches for the purpose of stormwater and sewer connection.

4.10 Sediment Controls

Not applicable with this application

4.11 Site Engineering Considerations

There are no engineering implications outside of the engineering requirements of the building that will be addressed at construction stage. There is no impact on council infrastructure.

5. IMPACTS OF PROPOSAL

5.1 Existing Structures on Land

The lot has an existing dwelling.

5.2 Boundary Setbacks

Full compliance.

5.3 Building height

The existing building achieves full compliance with the height requirements of the DCP being a single storey residence 4.419 m from the front of the home.

5.4 Bulk & Scale

Full compliance.

5.5 General Design Principles

The design of the dwelling has consideration for sound design principles regarding solar access, energy efficiency, noise and privacy issues and the like and sits well with the existing homes in the precinct.

5.7 Streetscape Influence

This proposal has minor effect in relation to streetscape as the proposal is a secondary dwelling on the rear of the block, behind the primary residence.

1. Shadowing

No shadowing on neighboring properties due to the positioning of the proposal.

1. Impacts on Neighbouring Properties

The proposal has minimal effects on neighbours in any direction based on the nature of the proposal.

2. Privacy with Neighbours

Nil effect on any neighbours that don't already exist in urban areas.

5.10 Noise effect on Neighbouring Properties

Nil effect on any neighbours due to separation.

5.11 Loss of Views for Neighbouring Properties

The proposal has no effects on neighbours in any direction based on positioning on the lot.

5.12 Site Area – Private Open Space

Ample POS for this proposal based on size of lot and proposed footprint of building.

5.13 Access to Site

Existing access is from McLachlan Street and there is no intention or desire to change the access as part of this application. Refer attached plans.

5.14 Fencing

Fencing is not part of this proposal

5.15 Construction Management Plan

Attached to application

6. SERVICES

6.1 Water

Town Water connected to the dwelling

6.2 Power

Mains power connected to the dwelling

6.3 Telephone and Internet

Telephone and Internet services connected to the dwelling

6.4 Storm Water Management

Connected to existing council infrastructure

6.5 Waste Water Management

Council Sewer connected to the dwelling

6.6 Waste Management Plan

See attached Plan

7. Conclusion

As demonstrated throughout Sections 4 and 5 of this report, the proposed development complies with all NSW State Government and Eurobodalla Shire Council planning controls.

There are no adverse impacts to the subject site, adjoining properties or the locality.

The proposed development is consistent with the provisions of Mid-Western Regional Council DCP & LEP and would not have any adverse environmental impacts on the locality.

In this regard, the subject site would be considered to be suitable for the proposed development as presented in this application.



SoEE – Supplementary Information

Address: Lot 6 / Sec 23 / DP 9704 – 7 McLachlan Street KANDOS NSW 2848
Project: Installation of 'Manufactured Home as Secondary Dwelling'

Mid-Western Regional Council – Development Control Plan - 2013

4.2 AFFORDABLE MULTI DWELLING HOUSING

This Housing SEPP 2021 provides incentives for the development of affordable housing in its various forms and should be used as the guideline for development for the purpose of affordable in-fill development, **secondary dwellings**, multi dwelling housing and residential flat buildings. The policy applies to the Mid-Western region, however, the SEPP **only** applies where development is within **400m of a B2 Local Centre or B4 Mixed Use Zone**.

The purpose of this part of the DCP is to provide guidelines for the development of affordable multi dwelling housing on land that is further than the 400m prescribed by the SEPP.

Definition

"Affordable Housing"

In these provisions the definitions in the SEPP Affordable Rental Housing apply

Affordable Housing Principles

1. (a) Affordable housing is to be created and managed so that a socially diverse residential population representative of all income groups is developed and maintained in a locality.
2. (b) Affordable housing is to be made available to a mix of very low, low and moderate income households.
3. (c) Affordable housing is to be rented to appropriately qualified tenants and at an appropriate rate of gross household income.
4. (d) Land provided for affordable housing is to be used for the purpose of the provision of affordable housing.
5. (e) Buildings provided for affordable housing are to be managed so as to maintain their continued use for affordable housing.
6. (f) Rental from affordable housing, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), is generally to be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing.
7. (g) Affordable housing is to consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the vicinity.

Application

The following provisions apply to development for the purposes of dual occupancies, multi dwelling housing or residential flat buildings if:

- (a) the development concerned is permitted with consent under another environmental planning instrument, and
- (b) the development is on land that does not contain a heritage item that is identified in an environmental planning instrument, or an interim heritage order or on the State Heritage Register under the *Heritage Act 1977*.

This proposal is permitted under the both the Housing SEPP 2021 and the DCP. It is not effected or located in a 'heritage area'

Location

The following provisions apply to land with two street frontages or a single frontage of 25m and:

- Land Zoned R3 Medium Density Residential in Mudgee,
- Within the Conservation Area of Gulgong,
- Within the Village Zones in Kandos and Rylstone, and
- Land within 400m of a Business Zone.

The proposal is located in the RU5 Village zoned area with 2 street frontages

Landscaping

- (a) in the case of a development application made by a social housing provider—at least 35 square metres of landscaped area per dwelling shall be provided, or
- (b) in any other case—at least 30 per cent of the site area is to be landscaped,

Full compliance in excess of 40% of lot landscaped

Solar Access

living rooms and private open spaces for a minimum of 70 per cent of the dwellings of the development shall receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.

The proposed orientation is 'east to west facing' – full compliance

Parking

Parking is to be provided at the following rates:

Type of Parking Spaces provided	
Residential Parking	1 space 1 bedroom flat 1 space per 2 bedroom flat
Overflow Parking	1.5 spaces per 3 bedroom flat or cluster

	dwelling 1 space per 3 units
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Full compliance

Dwelling size

Floor areas are to be as follows:

Unit Type	Floor Area SQM
1 Bedroom Units	45
2 Bedroom Units	70
3 Bedroom Units	85

A residential flat building may contain any combination of one, two and three bedroom units.

Habitable floor space is 60sqm / Deck 11 sqm which equates to 71sqm in total which complies.

Development Density

The following development density applies

Unit Type	Site Area
1 Bedroom unit	1 dwelling per 250 sqm of site
2 Bedroom Unit	1 dwelling per 280 sqm of site
3 Bedroom Unit	1 dwelling per 310 sqm of site

Full compliance

Design

A consent authority must not consent to development to which this section applies

Character of Local Area

Must be used for affordable housing for 10 years

Unless it has taken into consideration the provisions of the *Seniors Living Policy: Urban Design Guidelines for Infill Development* published by the Department of Infrastructure, Planning and Natural Resources in March 2004, to the extent that those provisions are consistent with this Policy.

A consent authority must not consent to development to which this section applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

A consent authority must not consent to development to which this section applies unless conditions are imposed by the consent authority to the effect that:

(a) for 10 years from the date of the issue of the occupation certificate:

(i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and

(ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider, and

(b) a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919*, that will ensure that the requirements of paragraph (a) are met.

(2) Subclause (1) does not apply to development on land owned by the Land and Housing Corporation or to a development application made by, or on behalf of, a public authority.

Land on which development has been carried out under this Division may be subdivided with the consent of the consent authority.