



Alteration to Existing Residence

48 Court St,

Mudgee

Lot 1 Section 23

DP 758721

Created by:

Perry Le Brocq

Moment Design Studio



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1. INTRODUCTION

This Statement of Environmental Effects has been prepared to accompany a Development Application for the proposed residence at 48 Court St, Mudgee; Lot 1 Section 23 DP 758721.

The proposal has been prepared in accordance with the provisions of The Mid-Western Regional Local Environmental Plan 2012 and Mid-Western Regional Development Control Plan 2013.

The proposed works consist of alterations to an existing single storey occupancy. The alterations consist of a new laundry, kitchen, bathroom and ensuite with minor external alterations.

Careful consideration has been given in determining the location, site layout, dwelling design and landscaping of the proposal to ensure that the needs of future residents will be met, and that the development provides a high standard of housing which is compatible with surrounding development.

2. ASSESSMENT

2.1 LOCATION



Figure 1 - Locality map

2.2 SITE CHARACTERISTICS

The site is nominated as Lot 1 Section 23 DP 758721. It has an area of approx. 2,023 square metres, with a Northern Street frontage of 50.1m to Gladstone St and 40.4m to Court st on the east. The site is zoned as R3 Medium Density Residential. The residence is an item of Environmental Heritage identified in schedule 5 of the Mid-Western Regional Local Environmental Plan 2012.

There is an existing one storey dwelling with garage on the site. The site is generally flat with a slight slope to the northeast of the property.

Refer to Appendix 5.4 Planning Certificate

2.3 BUSHFIRE

The site is not bush prone land.

2.4 STREETScape AND SURROUNDING DEVELOPMENT

Surrounding the site has a number of residential buildings in concurrence with the site zoning, varying storeys and forms. There is a wide variety of styles, ages, construction materials and conditions in the surrounding built stock ranging from Inter-war, through post-war and up to present day construction.

Materials used in construction vary from lightweight cladding to masonry. Roof pitches vary from flat to steeply pitched with Skillion, Gable and Hip Roof forms. The topography of this portion of the street is flat in nature. The area of Mudgee has several Heritage listed items with aging buildings present within the immediate vicinity of the lot.

2.5 SERVICES

The range of available services existing on the site includes telephone, power (electricity), sewer and water.

3. DETAILS OF PROPOSAL

3.1 SITE PLANNING

The existing dwelling's footprint is not proposed to be altered.

3.2 ZONING

The site is in an R3 Medium Density Residential. Refer to Appendix 5.1 LEP Maps

3.3 HEIGHT LIMIT

The proposed residence is in accordance with the height limits. The Height limit imposed on the site in this location is 8.5m. Refer to Appendix 5.1 LEP Maps

3.4 STREETScape AND FRONT SETBACKS

Not Applicable due to no alterations to external footprint.

3.5 REAR AND SIDE SETBACKS

Not Applicable due to no alterations to external footprint

3.6 PRESENT AND PREVIOUS USES

A single residential dwelling is currently located on the site. Both neighbouring properties are also single dwellings currently.

3.7 OPERATION + MANAGEMENT

Not Applicable.

3.8 SOCIAL IMPACT STATEMENT

Not Applicable.

3.9 ACCESS AND TRAFFIC

Two Vehicular parking spaces will be provided for the dwelling.

3.10 PRIVACY VIEWS AND OVERSHADOWING

3.10.1 VISUAL PRIVACY

The proposed new apertures have no impact on visual privacy.

3.10.2 OVERSHADOWING

Not Applicable as no additional external envelope is proposed.

3.10.3 VIEW SHARING

The proposed residence is in accordance with not intruding on existing neighbours' views.

3.10.4 ACOUSTIC PRIVACY

There are no perceived acoustic issues and the proposal.

The local amenity is generally perceived as being relative to the acoustic impact of land uses within the local area. Such impact is a product of noise generating sources, separating distance and the effect of amelioration measures.

Noise and vibration emitted from the proposed dwelling house is considered negligible. The proposed residential dwellings are unlikely to further emit noise above existing background noise and would hence easily comply with the maximum noise emission of 5dB(A) above existing background noise (as per Australian Standard 1055, "Acoustic – Description and Measurement of Environmental Noise")

No more noise will be generated than from normal residential households. The construction of the new residences provides a very good standard of quality to lower the noise, with an externally insulated structure and insulated roof space (above ceiling & between rafters).

During construction, hours of operation specified by the development consent will be adhered to in order to mitigate noise to manageable hours of the day. Consultation with the neighbours will be undertaken to ensure disturbance is minimised.

3.11 SOIL AND WATER

The site is not impacted by Acid sulphate soils

3.11.1 EROSION CONTROL MEASURES

Erosion and Sediment control will be implemented throughout the proposed construction period.

3.11.2 GEOTECHNICAL

The site is classified under Lake Mac Council as Geotechnical Zone T6

3.12 HERITAGE

The residence is an item of Environmental Heritage identified in schedule 5 of the Mid-Western Regional Local Environmental Plan 2012. Refer to Appendix 0

Heritage Item Report

The proposed has been discussed with Graham Hall, a Heritage adviser, at the Mid-Western Council Heritage Memorandum. Refer to Appendix 5.3 Heritage Advisor Support Letter with Sketches

3.12.1 ALTERATION WORKS

The proposal looks to demolish the following items:

- **External Non-original enclosure**

This enclosure facing Gladstone street is to be demolished, with space to be reinstated with a deck to match that the style of the original building design.



Figure 2 : Photos of the Non-Original Enclosure proposed to be demolishing

- **Kitchen and the non-functioning chimney**

Located on the Southwestern of the building are proposed to be removed. Replaced with a new kitchen and open ceiling void with skylights to provide much needed natural light and amenity to the living spaces of the dwelling. The new skylights have been strategically located on the southern side of the building to minimise any significant impact to the heritage fabric.



Figure 3: The Dilapidated Kitchen and Non-functioning Chimney

- **Rear Aluminium Windows & Double Door**

The non-original aluminium rear windows and double door have been proposed to be removed, along with the shingle cladding. The opening will be replaced with a new sliding door to provide a connection between the living areas and the north facing courtyard



Figure 4: The Aluminium windows and rear double door proposed to be demolished

3.13 WASTE

It is proposed that waste construction materials where possible be separated and disposed of at recycling waste depots. Such materials include timber and steel.

4. CONCLUSION

This report addresses planning issues relevant to the proposed construction of the alteration of the dwelling at 48 Court St, Mudgee.

The alterations to the residence have been designed to respect the existing residential fabric, aiming to not only pose no significant impact to the heritage condition currently but improve the heritage nature of the dwelling by reinstate several distinct and important heritage features.

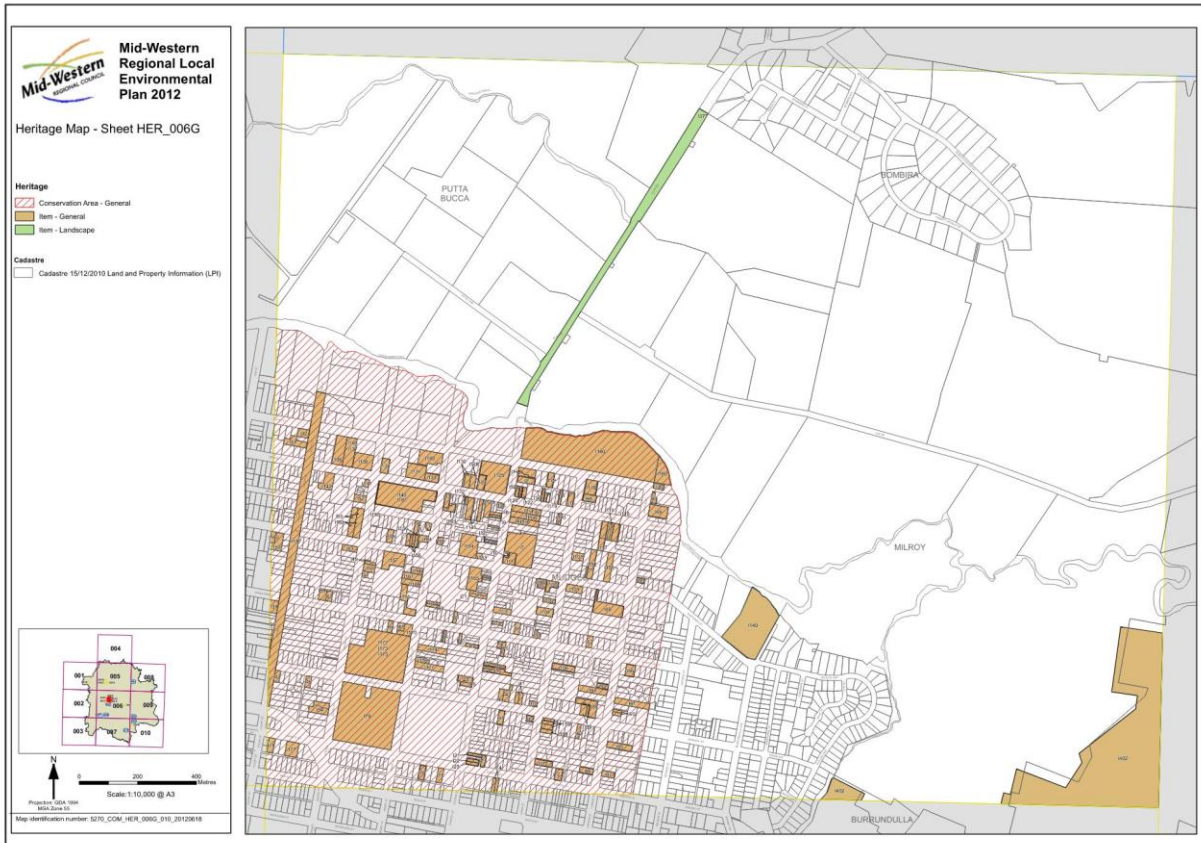
The dwelling is designed to maximise the environmental opportunities provided by the specific location, orientation and its context while not impacting adversely on the streetscape the building currently exhibits.

The proposed dwellings will significantly improve the amenity of the existing site condition.

It is the intention that this proposal will be a welcomed addition and upgrade to its locality and that the dwelling and its site will share mutual benefits. The applicant hopes that the Council would look favourably on such an application.

5. APPENDICES

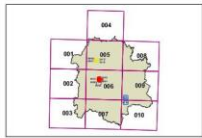
5.1 LEP MAPS



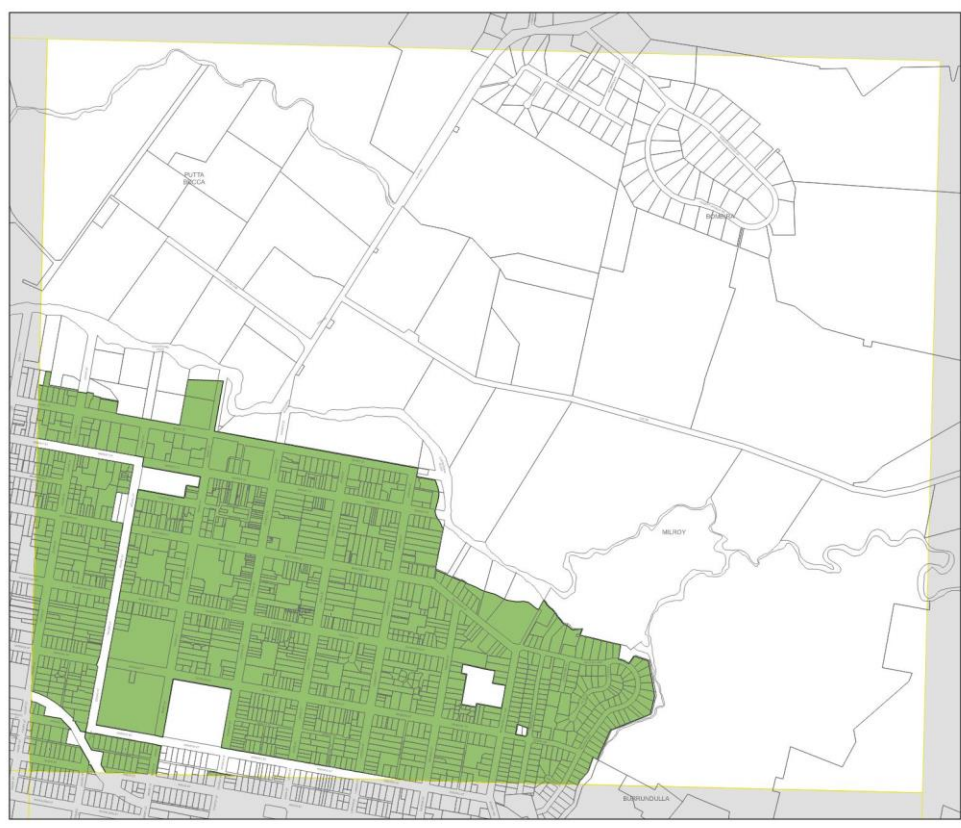
Height of Buildings Map -
Sheet HOB_006G

Maximum Building Height (m)
5
8.5

Cadastral
Cadastral 1:51222910 Land and Property Information (LPI)

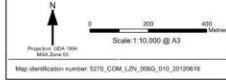
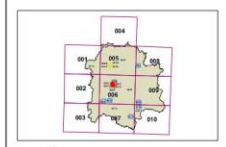


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Map Identification number: 5075_2506_HOB_006G_01_20120416

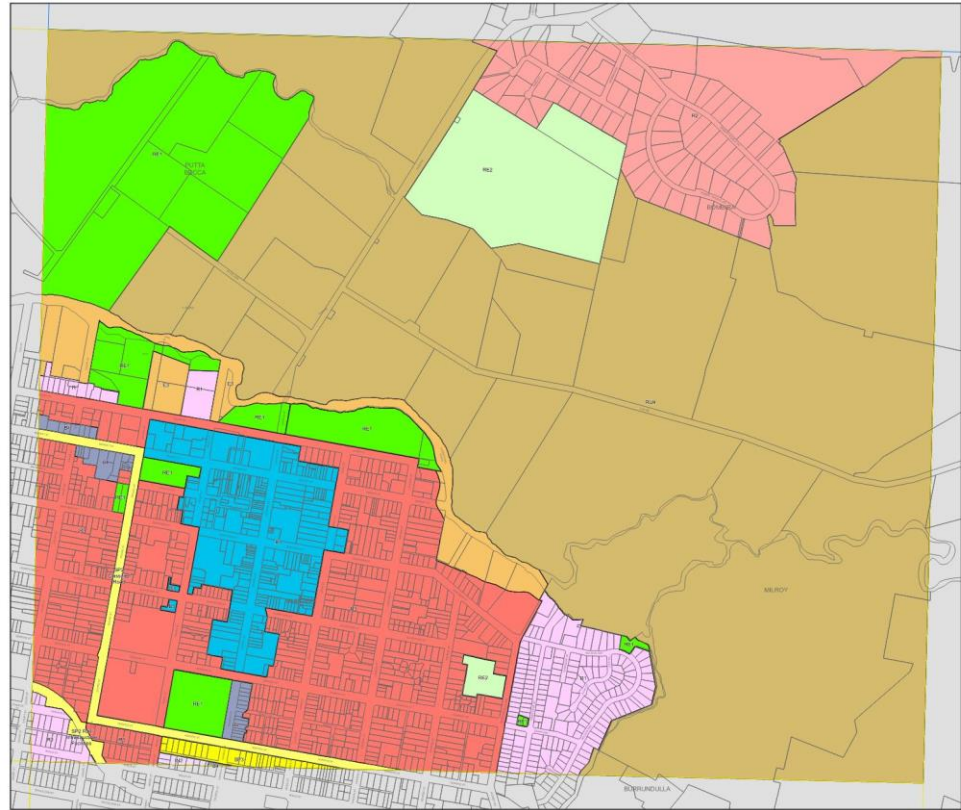


- Zone**
- N11 Neighbourhood Centre
 - N12 Local Centre
 - C1 Commercial Core
 - M1 Mixed Use
 - B1 Business Development
 - NP National Parks and Nature Reserves
 - EM1 Environmental Management
 - GI1 General Industrial
 - LI1 Light Industrial
 - HI1 Heavy Industrial
 - GR1 General Residential
 - LR1 Low Density Residential
 - MR1 Medium Density Residential
 - LR1 Large Lot Residential
 - PR1 Public Recreation
 - PR2 Private Recreation
 - PP1 Primary Production
 - FO1 Forestry
 - PP2 Primary Production Small Lots
 - VI1 Village
 - INF1 Infrastructure
 - TO1 Tourist

Cadastre
 Cadastre 15/12/2010 Land and Property Information (LPI)



Map identification number: 5270, COM LZN_006G_916_20120619



5.2 HERITAGE ITEM REPORT

Item Details

Name

House

Other/Former Names

Address

48 Court Street MUDGEE NSW 2850

Local Govt Area

Mid-Western Regional

Group Name

Item Classification

Item Type

Built

Item Group

Residential buildings (private)

Item Category

House

Statement Of Significance

Assessed Significance Type

Endorsed Significance

Local

Date Significance Updated

Listings

Listing Name	Listing Date	Instrument Name	Instrument No.	Plan No.	Gazette Page	Gazette Number
Heritage study						
Local Environmental Plan	10/0/2012	Mid-Western Regional Local Environmental Plan 2012	134			

Heritage Item ID

2070034

Source

Local Government

Location

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
48	Court Street	MUDGEE/NSW/2850	Mid-Western Regional	Unknown	Mudgee	Wellington	Unknown	Primary Address

Description

Designer

Builder/Maker

Construction Year Start & End

Circa

Period

- 1900

YES

Unknown

Physical Description

Updated

Large federation brown brick house with hipped and gabled roofs concave curved corrugated iron verandah roof on two sides of corner. Entrance by corner verandah steps. Fine timber balustrade with carved spindles and turned verandah posts. Arched valance board. Casement and double hung sash windows (clear glass). Timber paneled door with leadlight diamond pattern glazing. High face brick chimneys (banded and splayed).

Physical Condition

Updated

Modifications And Dates

No fence - Inappropriate.

DA8/1991 - Garage/workshop.

Further Comments

Federation house of distinction.

Garden sympathetic to period.

Integrity: Good. Condition: Good. Conservation Area.

History

Historical Notes or Provenance

Updated

Historic Themes

Records Retrieved: 0

National Theme	State Theme	Local Theme
No Results Found		

Assessment

Criteria a) Historical Significance	Include	Exclude
Criteria b) Historical Association Significance	Include	Exclude
Criteria c) Aesthetic/Technical Significance	Include	Exclude
Criteria d) Social/Cultural Significance	Include	Exclude
Criteria e) Research Potential	Include	Exclude
Criteria f) Rarity	Include	Exclude
Criteria g) Representative	Include	Exclude
Integrity/Intactness		Updated

References

This report was produced using the State Heritage Inventory managed by Heritage NSW. Check with your relevant local council or NSW government agency for the most up-to-date information. This report does not replace a Section 167 certificate or a Section 10.7 Certificate (formerly Section 149).

28/06/2022 07:40 AM 4 of 6

References

Records Retrieved: 2

Title	Author	Year	Link	Type
Snapshot: Statements of Significance	Barbara Hickson	2018		Written
Mudgee Heritage Study	Hughes Trueman Ludlow	1985		Written

Heritage Studies

Records Retrieved: 0

Title	Year	Item Number	Author	Inspected By	Guidelines Used
No Results Found					

Procedures / Workflows / Notes

Records Retrieved: 0

Application ID / Procedure ID	Section of Act	Description	Title	Officer	Date Received	Status	Outcome
No Results Found							

Management

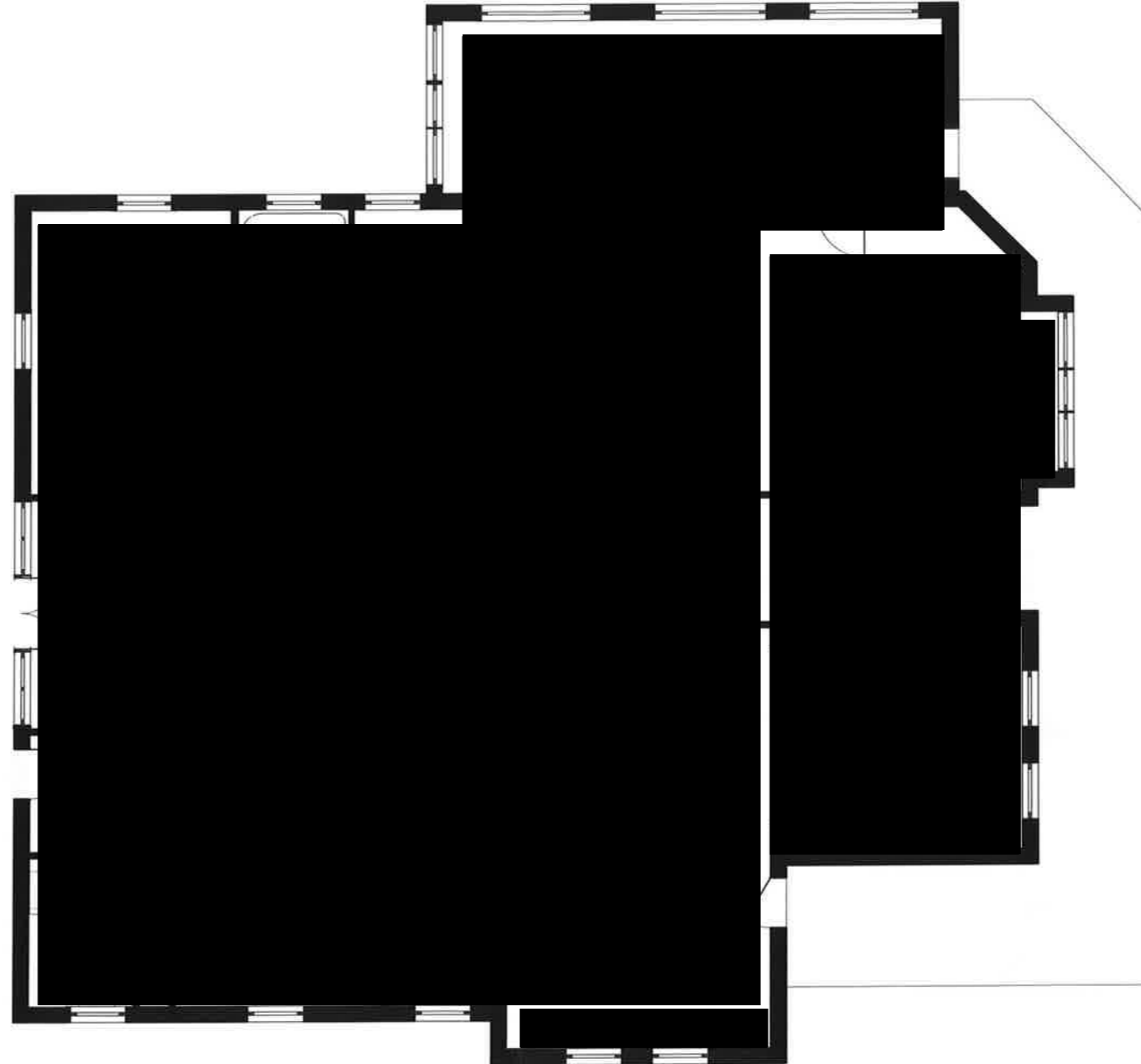
Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Management Summary

5.3 HERITAGE ADVISOR SUPPORT LETTER WITH SKETCHES



EXISTING

1:100



issue	date	description
A	21/04/2022	ISSUE FOR DISCUSSION
B	28/04/2022	ISSUE FOR DISCUSSION
C	2/05/2022	ISSUE FOR HERITAGE REVIEW



Notes
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Use figured dimensions only. Do not scale from drawings.
There is no guarantee the accuracy of content and format for copies of drawings issued electronically.
The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.

project
**48 COURT ST MUDGEES
2850**

drawing title
EXISTING

drawing scale	drawn	verified
AS SHOWN @ A3	PL	PL
project #	status	
22017	SD	
drawing #	issue	date
101	C	2/05/2022



DEMOLITION PLAN

1:100

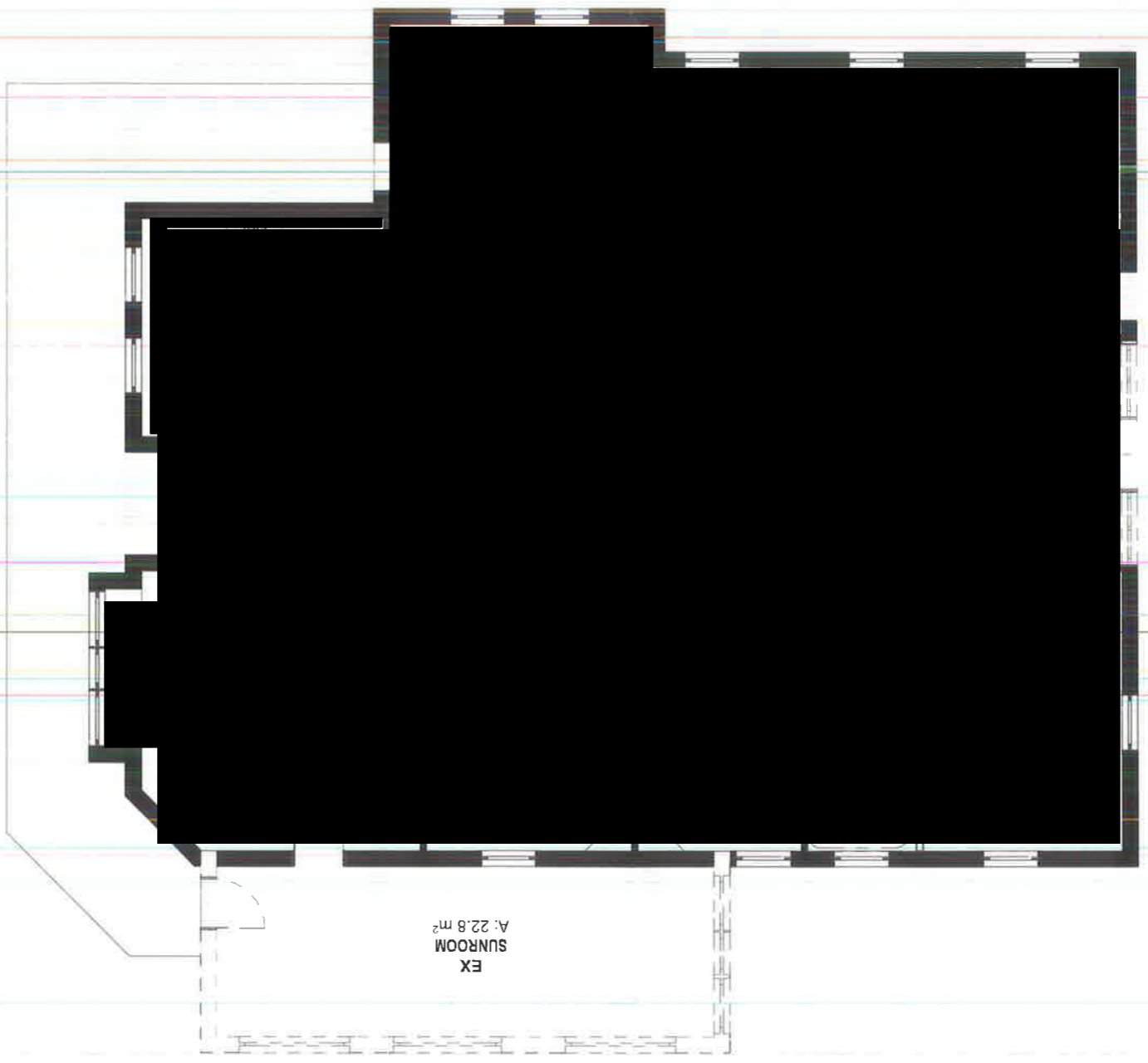
issue	date	description
A	21/04/2022	ISSUE FOR DISCUSSION
B	28/04/2022	ISSUE FOR DISCUSSION
C	2/05/2022	ISSUE FOR HERITAGE REVIEW



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 Drawings are to be read in conjunction with all relevant documents.
 There is no guarantee of accuracy. Do not scale from drawings.
 Drawings have been checked electronically.
 Dimensions of the building shall remain as shown unless otherwise stated. All
 dimensions are to be confirmed on site and approved for removal.

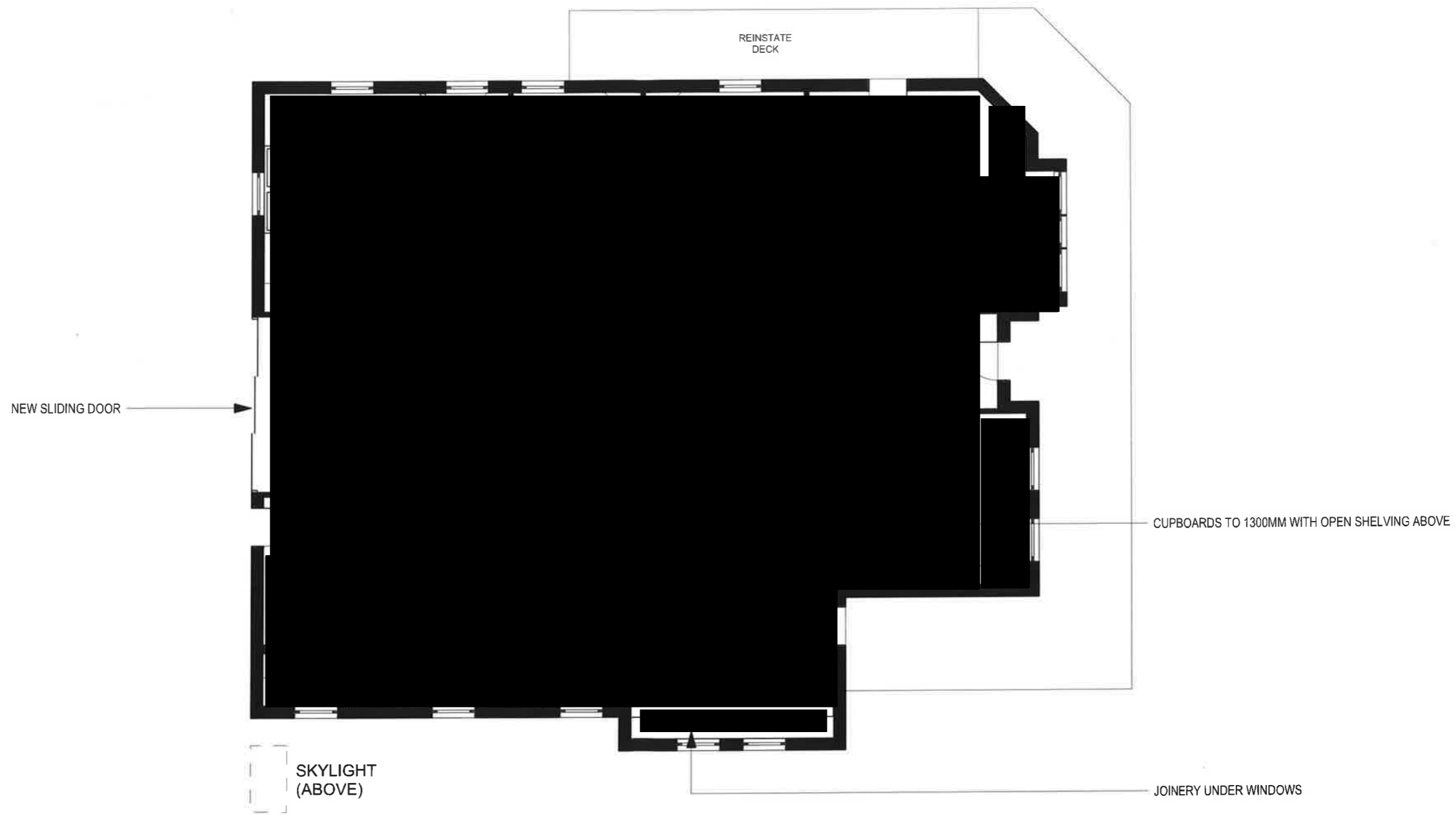
Project
 48 COURT ST MUDGEE
 2850

DEMOLITION



EX
 SUNROOM
 A: 22.8 m²

Drawing No.	Project No.	Date
102	22017	2/05/2022
AS SHOWN @ A3	SD	C
Where	Status	
PL		



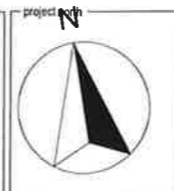
- NOTES:**
1. ALL SKYLIGHTS TO BE OPERABLE
 2. ALL ROBES TO BE FLOOR TO CEILING

PROPOSED

1:100



issue	date	description
A	21/04/2022	ISSUE FOR DISCUSSION
B	28/04/2022	ISSUE FOR DISCUSSION
C	2/05/2022	ISSUE FOR HERITAGE REVIEW



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project
**48 COURT ST MUDGEES
2850**

drawing title
PROPOSED

drawing scale	drawn	verified
AS SHOWN @ A3	PL	PL
project #	Status	
22017	SD	
drawing #	issue	date
103	C	2/05/2022

5.4 PLANNING CERTIFICATE



Planning Certificate

Under Section 10.7 Environmental Planning and Assessment Act 1979

APPLICANT



Certificate No:	PC0452/2022
Receipt No:	461487
Date:	27 October 2021
Property No:	491
Customer Ref:	RJS:JE:227411
Property Address:	48 Court Street MUDGEE NSW 2850
Property Description:	Lot 1 Sec 23 DP 758721

In accordance with Section 10.7(2) of the Environmental Planning and Assessment Act 1979, it is certified that at the date of this certificate the following prescribed matters relate to the land:

INFORMATION PROVIDED PURSUANT TO SECTION 10.7(2) OF THE ACT:

MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012

This planning instrument was published 10 August 2012 on the NSW Legislation website and applies to all the land within Mid-Western Region Local Government Area.

Currently the land is zoned:

R3 Medium Density Residential

Note: where two or more zones appear the property is affected in part by each zone.

Land use Zoning Table:

The following land use zoning table(s) apply to the land the subject of this Certificate.

Zone R3 Medium Density Residential

2 Permitted without consent

Home-based child care; Home businesses; Home occupations; Roads; Water reticulation systems.

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Educational establishments; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Garden centres; Group homes; Health services facilities; Home industries; Information and education facilities; Markets; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential accommodation; Respite day care centres; Seniors housing; Sewage reticulation systems; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Water recycling facilities; Water storage facilities.

4 Prohibited

Advertising structures; Farm stay accommodation; Hotel or motel accommodation; Pond-based aquaculture Rural workers' dwellings; Any other development not specified in item 2 or 3.

OTHER PRESCRIBED INFORMATION PURSUANT TO SECTION 10.7(2) OF THE ACT:

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21-Caravan Parks

State Environmental Planning Policy No 33-Hazardous and Offensive Development

State Environmental Planning Policy No 36-Manufactured Home Estates

State Environmental Planning Policy No 50-Canal Estate Development

State Environmental Planning Policy No 55-Remediation of Land

State Environmental Planning Policy No 64-Advertising and Signage

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Contribution Plans

Mid-Western Regional Contributions Plan 2019.

The Land is Not Subject to Road Widening

Council's records indicate that the land the subject of this Certificate is NOT affected by any road widening or road re-alignment under:

- 1) Division 2 of the Roads Act, 1993;
- 2) Section 262 of the former Local Government Act, 1919;
- 3) Any Environmental Planning Instrument
- 4) Any resolution of Council.

Coastal Protection

Council has not been notified, by the Department of Public Works, that the land the subject of this Certificate is affected by the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

Risk of Land Slip or Subsidence

No information available re land slip or subsidence. Land is not within a Proclaimed Mine Subsidence District.

Identified Critical Habitat

The land the subject of this Certificate does not contain any identified critical habitats.

SEPP (Exempt & Complying Development Codes) 2008

Complying Development may not be carried out on this land under the State Environmental Planning Policy SEPP (Exempt and Complying Development Codes) 2008 (unless the development is a detached outbuilding or swimming pool). The land is excluded land as the land is within a heritage conservation area or draft conservation area under the Mid-Western Regional Local Environmental Plan 2012.

If only a part of a lot is land to which this clause applies, complying development must not be carried out on any part of that lot.

However, within the RU1 - Primary Production, RU3 - Forestry, RU4 - Primary Production Small Lots and R5 - Large Lot Residential zones Complying Development under the Rural Housing Code MAY be carried out on the part of the lot to which this clause does not apply. Please contact Council to discuss this possibility further.

SEPP (Exempt & Complying Development Codes) 2008

Complying Development may not be carried out on this land under the State Environmental Planning Policy SEPP (Exempt and Complying Development Codes). The land is excluded land as the land contains an item or draft item of environmental heritage under the Mid-Western Regional Local Environmental Plan 2012.

If only a part of a lot is land to which this clause applies, complying development must not be carried out on any part of that lot.

However, within the RU1 - Primary Production, RU3 - Forestry, RU4 - Primary Production Small Lots and R5 - Large Lot Residential zones Complying Development under the Rural Housing Code MAY be carried out on the part of the lot to which this clause does not apply. Please contact Council to discuss this possibility further.

No Acquisition by Public Authority

The land the subject of this certificate is NOT subject to acquisition by a public authority under a planning scheme or a draft planning instrument.

Environmental Heritage Item

The land the subject of this certificate is an item of Environmental Heritage identified in Schedule 5 of the Mid-Western Regional Local Environmental Plan 2012.

Land Within Conservation Area

The land the subject of this Certificate is within a Heritage Conservation Area as identified in the Mid-Western Regional LEP 2012.

Flood related development controls

The subject land, or part of the subject land, is below the Probable Maximum Flood (PMF), as identified in the Mid-Western Regional Council - Mudgee Flood Study, February 2021, and may be subject to flood related development controls.

Dwelling Houses - All Other Zones

Mid-Western Regional Local Environmental Plan 2012 does not specify a minimum lot size for the erection of a dwelling in this zone. Approval must be obtained either through the Development Application or Complying Development Certificate process prior to the erection of a dwelling on this land.

The following Development Control Plan applies to the land:

Mid-Western Regional Development Control Plan 2013.