

DREW ROBERTS CONSULTING

STATEMENT OF ENVIRONMENTAL EFFECTS

Secondary Dwelling

CLIENT: SUNRAI DESIGNS

DATE: 8 AUGUST 2022

PROJECT: 2023/10

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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared for SUNRAI Designs and forms part of a development application to Mid-Western Regional Council for a secondary dwelling at 156 Gladstone Street, Mudgee.

The objective of this proposal is to create a highly desirable and modern secondary dwelling with minimal impact upon the heritage significance of the principal dwelling and curtilage.

The proposal is in accordance with the relevant zone objectives contained in the Mid-Western Regional Local Environmental Plan (MWRLEP) 2012 and generally satisfies the relevant objectives and controls of the Mid-Western Regional Development Control Plan 2013 (MWRDCP).

This document is divided into 6 sections. Section 2 contains a site analysis, Section 3 contains details of the proposal, Sections 4 and 5 contain the detailed assessment of the application in accordance with Section 4.15(1) of the Environmental Planning & Assessment (EP&A) Act 1979, and Section 6 concludes the report. The following details accompany this SEE:

- Architectural Plans; and
- BASIX Certificate.

2 Site Analysis

This section contains a description of the following: The Locality; Site Description; Existing Character and Context; and Surrounding Road Network.

2.1 The Locality

The subject site is located within the town of Mudgee and is located within the Local Government Area (LGA) of Mid-Western Region.



FIGURE 1: LOCATION PLAN (SIX MAPS)

2.2 Site Description

The subject site is located on the northern side of Gladstone Street within the fringe residential area of Mudgee and is known as 156 Gladstone Street, Mudgee or Lot 2 DP 1061477.

The site is regular in shape, generally flat in topography and contains a total area of approximately 1094m², which is typical for residential properties in the area. The site

also benefits from vehicular access at the rear of the site via a battle-axe handle extending to First Street.

Existing improvements on the site consist of a 4 bedroom dwelling, detached shed, mature landscaping and front fencing.

2.3 Existing Character and Context

The surrounding area is predominantly residential, characterised by a mixture of single dwellings, multi-unit dwellings and Blackman Park to the east. The majority of buildings are single storey in nature.

The outcome of the development is considered to be in keeping with the character of the residential area in that it will have no unreasonable impacts upon the function, environmental criteria or the residential amenity of the locality.

2.4 Surrounding Road Network

The site has frontage to Gladstone Street with vehicular access gained separately from First Street via an existing battle-axe handle. Gladstone Street is a two lane sealed road that provides a connection between East Mudgee, through the downtown and through to Fairydale Lane. Gladstone Street is not identified as a Classified Road in accordance with the Roads Act 1993 with MWRC the designated roads authority, however, no new works within the road reserve are required to facilitate the development. Subsequently, no S138 application is necessary.

It should be noted that additional parking will not be provided as a part of the proposal. The proposal will benefit from clause 53(2)(b) of State Environmental Planning Policy (Housing) 2021, which ensures additional parking is not required beyond what already exists on the site.

3 Details of the Proposal

It is proposed to undertake the following works upon the site:

- Erection of a detached secondary dwelling containing 3 bedrooms, open plan kitchen/living area and bathroom;

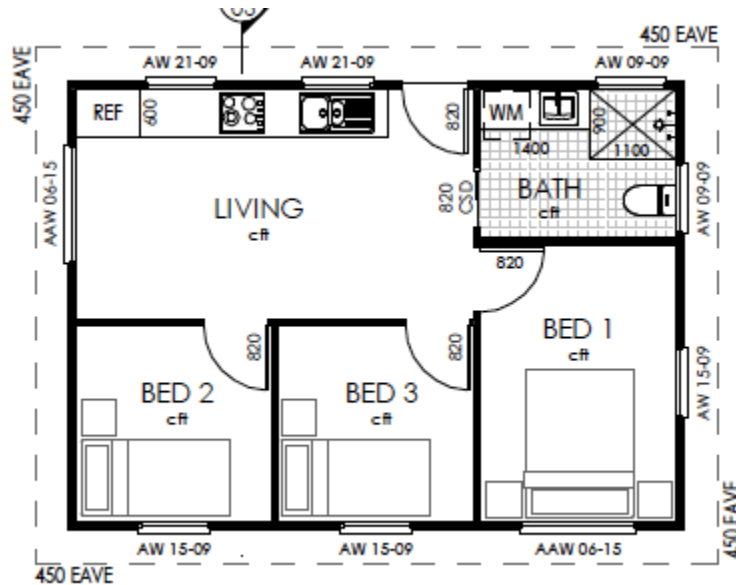


FIGURE 2: LAYOUT (SUNRAI DESIGNS)

The proposal will result in a highly desirable, modern dwelling with a simple pitched roof with gable ends and recycled galvanised iron cladding to sit comfortably within the curtilage of the heritage listed principal dwelling.

4 Planning Controls

Pursuant to section 4.15(1)(a) of the EP&A Act, this section will assess the compliance with the planning controls applicable to the site and relevant to the proposal pursuant to the relevant heads for consideration. The relevant controls include:

- Mid-Western Regional Local Environmental Plan (MWRLEP) 2012;
- State Environmental Planning Policy (Housing) 2021;
- State Environmental Planning Policy (Resilience & Hazards) 2021;
- Mid-Western Regional Development Control Plan 2013 (MWRDCP).

4.1 Mid-Western Regional Local Environmental Plan (MWRLEP) 2012

The subject site is zoned R1 – General Residential under Council’s MWRLEP 2012 (see Figure 3). *Secondary dwellings* are permissible with consent in the zone under the group definition of *residential accommodation* and the proposal is considered to satisfy the objectives of the zone.



FIGURE 3: EXTRACT FROM ZONING PLAN
(SOURCE: MID-WESTERN REGIONAL LEP 2012)

4.1.1 Zone Objectives

The relevant objectives for Zone R3 are stated:

1. *To provide for the housing needs of the community.*

Comment: The proposed secondary dwelling will provide for additional affordable housing within the town of Mudgee.

2. *To provide for a variety of housing types and densities.*

Comment: The proposal will add variety to the existing housing stock both on the site and within the immediate area.

3. *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment: The proposal is for a secondary dwelling, which will not impede other land uses from being considered in the area.

In our opinion the proposal is consistent with the relevant objectives of the R1 General Residential zone as detailed above. The proposal is intended to create an additional affordable housing dwelling within the town of Mudgee.

A summary of our assessment of the proposed development against the relevant LEP provisions is in the following table (see Table 1):

4.1.2 Other LEP Provisions

TABLE 1: PROJECT COMPLIANCE – Mid-Western Regional LEP 2012	
Site Area : 1094m ²	
LEP Provisions	Complies / Comments
Clause 4.3 Height of Buildings	
(1) The objectives of this clause are as follows— (a) to establish a maximum height limit to which buildings can be designed in particular locations, (b) to enable infill development that is of similar height to existing buildings and that is consistent with the heritage character of the towns of Mudgee, Gulgong, Kandos and Rylstone.	<p>The proposed secondary dwelling is of an appropriate height for the context of the area with the proposal for a single storey structure utilising a standard pitched roof/gable end design.</p> <p>This is considered the best design outcome in keeping with minimising the dwellings presence within the curtilage of the heritage item.</p>

<p>(2) 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 height prescribed is 8.5m</p> <p>The proposed dwelling will have a height of 3.86m.</p>
<p>Clause 5.4 Controls relating to miscellaneous permissible uses</p>	
<p>(9) Secondary dwellings on land other than land in a rural zone</p> <p>If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—</p> <p>(a) 60 square metres, (b) 50% of the total floor area of the principal dwelling.</p>	<p>The proposed secondary dwelling will have a floor area of 44.88 square metres, which will not exceed the default maximum limit of 60 square metres.</p>
<p>Clause 5.10 Heritage Conservation</p>	
<p>(1) Objectives The objectives of this clause are as follows—</p> <p>(a) to conserve the environmental heritage of Mid-Western Regional,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p>	<p>The proposal is considered to satisfy the objectives in that the heritage item and the surrounding curtilage is conserved in a responsible manner.</p>
<p>(2) Requirement for consent Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <p>(i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p>	<p>Development consent is being sought for the works described in this SEE.</p>

<p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	
<p>(3) When consent not required However, development consent under this clause is not required if—</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development— (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development— (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p>	<p>N/A. Development consent is being sought.</p>

<p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p>	
<p>(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>The existing 'house' is listed as the item of environmental heritage under schedule 5 of the MWRLEP 2012 (item no. 169).</p> <p>The building inventory sheet derived from the Mudgee Heritage Study of 1985 notes that the dwelling was erected circa 1905, of an edwardian style and includes notable features including gabled front end, substantial bullnose verandah, double hung sash windows, high corbeled brick chimneys x3 and various examples of fine trimming, that is likely to be original.</p> <p>Some minor unsympathetic elements exist on the site including lattice work and metal mesh front fencing.</p> <p>No negative effects are expected as a result of the proposal with the secondary dwelling to sit comfortably within the rear yard of the site at a distance of 10m from the dwelling itself.</p> <p>The design is considered the most appropriate outcome with regards to the current context of the existing dwelling. The building is detached substantially from the principal dwelling to ensure it is not perceived as a part of the principal dwelling or to encroach within the curtilage of the dwelling. Given the design elements of the secondary dwelling, including the use of a standard pitched and gable end design, small size and use of high quality recycled galvanised iron cladding, the proposal will be akin to a detached shed sitting within the rear yard of the dwelling rather than a building of any greater substance that could be regarded as 'crowding' of the site.</p> <p>The sensitive design scope and positioning is considered a positive outcome for the site with no negative impacts expected upon the heritage item and it is considered Council should support the proposal in accordance with the intent of this clause.</p>
<p>(5) Heritage assessment The consent authority may, before granting consent to any development—</p>	<p>N/A. No heritage management document considered necessary.</p>

<p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	
<p>(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>N/A. A heritage conservation management plan is not considered necessary.</p>
<p>(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)—</p> <p>(a) notify the Heritage Council of its intention to grant consent, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<p>N/A. No archaeological sites present on the property.</p>
<p>(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—</p> <p>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</p> <p>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into</p>	<p>N/A. No Aboriginal place of heritage significance present on the site.</p>

consideration any response received within 28 days after the notice is sent.	
<p>(9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	N/A. The dwelling is not a State heritage item.
<p>(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p> <p>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>	N/A. Clause not proposed to be utilised.
6.1 Salinity	The proposal does not involve any major physical works apart from standard footings for the secondary dwelling. Subsequently, no impacts related to salinity are expected. Any salinity related impacts are expected to be addressed with a condition of consent.

6.4 Groundwater vulnerability	The proposal does not involve any major physical works apart from standard footings for the secondary dwelling. Subsequently, no impacts related to the groundwater table are reasonably expected.
6.9 Essential services	<p>All essential services associated with a residential location are already available and connected to the site.</p> <p>These are not expected to be affected by the proposal.</p>

4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The object of this policy is to provide a mechanism to ensure remediation of contaminated land is undertaken within the planning framework.

Part 4 of the SEPP requires the consent authority (Mid-Western Regional Council), before determining a development application, to consider whether the land is potentially contaminated and if so whether the land is suitable in its current state for the proposed use.

Clause 4.6(1) of the SEPP prescribes the specific considerations for the consent authority as noted below:

(1) A consent authority must not consent to the carrying out of any development on land unless—

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Comment: No potentially contaminating activities are undertaken on the property or have been known to have been undertaken on the property. No further consideration of the SEPP is considered necessary.

4.3 State Environmental Planning Policy (Housing) 2021

Chapter 3, Part 1 of SEPP (Housing) 2021 prescribes some additional controls when considering a development application for a secondary dwelling. The following table addresses those clauses that are relevant to the proposal.

TABLE 2: PROJECT COMPLIANCE – State Environmental Planning Policy (Housing) 2021	
SEPP Provisions	Complies / Comments
Clause 50 Application of Part	
This Part applies to development for the purposes of a secondary dwelling on land in a residential zone if development for the purposes of a dwelling house is permissible on the land under another environmental planning instrument.	This clause confirms that the development proposal is subject to this part.
Clause 51 No Subdivision	
Development consent must not be granted for the subdivision of a lot on which development has been carried out under this Part.	Development consent for subdivision is not being sought.
Clause 52 Development may be carried out with consent	
(1) Development to which this Part applies may be carried out with consent.	This clause provides for permissibility of the proposed secondary dwelling.
<p>(2) Development consent must not be granted for development to which this Part applies unless—</p> <p>(a) no dwellings, other than the principal dwelling and the secondary dwelling, will be located on the land, and</p> <p>(b) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area permitted for a dwelling house on the land under another environmental planning instrument, and</p> <p>(c) the total floor area of the secondary dwelling is—</p> <p>(i) no more than 60m², or</p> <p>(ii) if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.</p>	<p>Only the principal dwelling and secondary dwelling will be located on the land.</p> <p>There are no other EPI's that apply to the lot that prescribe a maximum floor area for a dwelling house.</p> <p>The secondary dwelling is proposed with a floor area of 44.88m².</p>

Clause 53 Non-discretionary development standards—the Act, s 4.15	
(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	Noted.
<p>(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—</p> <p>(a) for a detached secondary dwelling—a minimum site area of 450m²,</p> <p>(b) the number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out.</p>	<p>The proposal is for a detached secondary dwelling and the subject site has an area of 1094m².</p> <p>The driveway extending from First Street contains hard stand space for vehicular parking. This parking will not be affected or reduced as a result of the proposal and therefore Council as the consent authority cannot refuse the proposal on the basis of insufficient parking.</p>

4.4 Mid-Western Regional Development Control Plan 2013

The Mid-Western Regional DCP 2013 applies to the site and the proposed development.

Part 3.1 '*Residential Development in Urban Areas*' contains specific controls relating to residential development and the relevant sections, as they relate to the proposal, are addressed in the table below. It should be noted that the MWRDCP 2013 does not contain specific controls relating to secondary dwellings, however this section is considered the most appropriate in determining the suitability of the proposal for the site.

TABLE 3: PROJECT COMPLIANCE – Mid-Western Regional DCP 2013

Relevant sections applicable to this proposal.

DCP Provisions	Complies / Comments																
<p>Building setbacks</p> <p>The deem to satisfy controls for a lot size of 1094m² are:</p> <table><tr><th>Zone</th><th>Street</th><th>Side/Rear</th><th>Secondary Frontage for Corner Lots *</th></tr><tr><td>R1, R2 and R3 where Lot size is less than 900m2</td><td>4.5m to building line 5.5m to the garage</td><td>900mm</td><td>0m for garages in laneways 2m to side boundary</td></tr><tr><td>R1, R2 and R3 where Lot size is greater than 900m2, less than 2,000m2</td><td>6.5m to building line 7.5 to the garage</td><td>900mm</td><td>2m</td></tr><tr><td>R2 where 2000m2 to 1ha</td><td>10m</td><td>2.5m</td><td>5m</td></tr></table>	Zone	Street	Side/Rear	Secondary Frontage for Corner Lots *	R1, R2 and R3 where Lot size is less than 900m2	4.5m to building line 5.5m to the garage	900mm	0m for garages in laneways 2m to side boundary	R1, R2 and R3 where Lot size is greater than 900m2, less than 2,000m2	6.5m to building line 7.5 to the garage	900mm	2m	R2 where 2000m2 to 1ha	10m	2.5m	5m	<p>Street setback to be maintained with no changes. The secondary dwelling is located behind the principal dwelling.</p> <p>Eastern side setback: 2.5m</p> <p>Western side setback: 10.7m</p> <p>Rear northern setback: 8.5m</p>
Zone	Street	Side/Rear	Secondary Frontage for Corner Lots *														
R1, R2 and R3 where Lot size is less than 900m2	4.5m to building line 5.5m to the garage	900mm	0m for garages in laneways 2m to side boundary														
R1, R2 and R3 where Lot size is greater than 900m2, less than 2,000m2	6.5m to building line 7.5 to the garage	900mm	2m														
R2 where 2000m2 to 1ha	10m	2.5m	5m														
<p>Building height</p> <p>The deem to satisfy controls are:</p> <div>Deem to satisfy is a single storey building with a FFL of less than 1 metre above Natural Ground Level.</div>	<p>Proposal is single storey with the FFL generally at natural ground level.</p>																
<p>Site coverage</p> <p>The deem to satisfy control is:</p> <div>Deem to satisfy is 35% site coverage</div>	<p>28.9% site coverage proposed.</p>																
<p>Solar access</p> <p>The deem to satisfy control is:</p> <div>Deem to satisfy Living areas and private open space areas are to be located with a northerly aspect (i.e. on the north or eastern side of the building).</div>	<p>The open plan living/kitchen area is orientated generally to the north-east for optimal solar access. The proposal also utilises taller windows with the standard window head being raised to 2.4m. This will ensure maximum light penetration and efficient layout of the compact space.</p> <p>The dwelling is positioned to be able to share private open space with the principal dwelling. The oversized rear yard and lot size is considered readily sufficient to accommodate the POS, which is orientated to the north.</p>																

<p>Privacy</p> <p>The deem to satisfy control is:</p> <div> <p>Deem to satisfy</p> <p>Dwellings must be single storey and have a finished floor level less than 1,000 mm above the natural ground level.</p> </div>	<p>Complies, as noted previously.</p> <p>The proposal has been afforded a generous setback to the nearest neighbour at 154 Gladstone Street of 3m.</p> <p>A highlight window has also been incorporated into the living room north-western elevation for additional privacy.</p>
<p>Parking</p> <p>The deem to satisfy control is:</p> <div> <p>Deem to Satisfy</p> <p>Two (2) spaces per dwelling</p> </div>	<p>N/A. Refer to the non-discretionary development standards contained within SEPP (Housing) 2021.</p>
<p>Landscaping</p> <p>The DCP requires landscaping of a quality nature, low maintenance and positioned to improve energy losses and gains to the dwelling.</p>	<p>Proposal is for a secondary dwelling within the rear section of the site only. No changes to the existing landscaping is proposed or necessary.</p>
<p>Open space</p> <p>The deem to satisfy control is:</p> <div> <p>Deem to satisfy</p> <p>Private open space to be on the northern or eastern side of dwelling with direct access to living areas. Area to be 80m² with a minimum dimension of 5 metres.</p> </div>	<p>Refer to comments above.</p> <p>As the proposal is for a secondary dwelling the property is not able to be subdivided. Subsequently, the expectation is that a co-living arrangement is established between the two dwellings, which primarily relates to shared open spaces.</p>
<p>Corner lots</p> <p>The DCP requires the development to address both street frontages and not incorporate utility windows into a street elevation.</p>	<p>N/A. Site not a corner lot. The First Street frontage is purely for vehicular access.</p>
<p>Fencing</p> <p>The deem to satisfy control is:</p> <div> <p>Deem to Satisfy</p> <p>1.8 metre high fence to all boundaries including private open space areas. All fencing forward of building line cannot be 'Colorbond' (All Residential zones excluding R5 zone).</p> </div>	<p>N/A. No change to existing fencing proposed.</p>
<p>Infrastructure</p> <p>The DCP requires surface infrastructure to not be within street setback or visible from the street.</p> <p>Garbage storage areas are to be screened.</p>	<p>The secondary dwelling and associated infrastructure and bin storage areas are all to be located at the rear of the site and not within view of either Gladstone Street or First Street.</p>

<p>Garages, outbuildings</p> <p>The DCP identifies several controls relating to garages and outbuildings including floor area and height.</p>	N/A. No garages or outbuildings proposed.
<p>Development near ridgelines</p> <p>The DCP prescribes controls relating to sensitive architectural design and building placement in proximity to ridgelines.</p>	N/A. Property not near a ridgeline.
<p>Slopes</p> <p>The deem to satisfy controls are:</p> <div style="background-color: #e0f0ff; padding: 10px; border: 1px solid #000;"> <p style="text-align: center; margin: 0;">Deem to Satisfy</p> <ul style="list-style-type: none"> Cut is to be limited to 1,000 mm. Fill is restricted to 600 mm. It must be clean fill and a geotechnical assessment issued for the fill to demonstrate compaction to the Australian Standard. Any cut and/or fill must be provided with retaining walls, drainage and must be setback a minimum of 300 mm from any boundary. Fill must not direct stormwater onto adjoining properties and drainage pits for overland flow paths are to be provided. Cut and fill is not permitted within water or sewer easements </div>	N/A. No significant cut/fill required to undertake the works.
<p>Access</p> <p>All weather vehicle access is required to ensure that emergency services (fire, ambulance, police) are able to access the dwelling at all times.</p>	The site will continue to have suitable access.
<p>Relocated dwellings</p> <p>Dwellings proposed to be re-sited must be of a suitable standard both aesthetically and structurally.</p>	N/A. No relocated dwelling to be utilised.
<p>Adaptability</p> <p>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.</p>	N/A. No adaptable housing proposed.
<p>Design principles</p> <p>The DCP lists 11 broad design principles to be considered when undertaking residential development.</p>	The proposal is considered to achieve all of the relevant design principles as discussed throughout this report.

5 Planning Assessment

This section will consider the following: the Assessment of Natural Environmental Impact; the Built Environment Impacts; the Site Suitability and the Public Interest in accordance with Section 4.15(1)(b),(c) and (e).

5.1 Assessment of Natural Environmental Impact – S4.15 (1)(b)

5.1.1 Micro Climate Impacts

The proposed development is unlikely to result in any adverse effects to the micro-climate in the locality.

5.1.2 Water & Air Quality Impacts

The proposed development is unlikely to result in any adverse effects on the locality in terms of water and air quality.

5.2 Assessment of Built Environment Impacts – S4.15 (1)(b)

5.2.1 Impact on the Areas Character

The surrounding built environment comprises a mix of single dwellings and multi-dwelling housing. The proposal will not impact this character as it is simply a small secondary dwelling positioned at the rear of the site and will not be visible from either Gladstone Street or First Street.

5.2.2 Privacy, Views & Overshadowing Impacts

The proposed development will not impede the existing privacy or views of the subject or surrounding lots. The development will not provide overshadowing within the subject or adjoining lots.

5.2.3 Aural & Visual Privacy Impacts

The proposed development, being within a standard residential area and generally compliant with the relevant planning provisions, will not result in any significant privacy concerns for adjoining properties.

5.2.4 Environmentally Sustainable Development

The proposal will have minimal impact with regards to ESD subject to standard conditions imposed by the consent authority.

5.3 Assessment of the Site Suitability – 4.15(1)(c)

5.3.1 Proximity to Service and Infrastructure

As outlined, the site is accessible via Gladstone Street and First Street. As the site already contains an existing dwelling, electricity, water, sewer, internet and telephone are also readily available.

5.3.2 Traffic, Parking & Access

The development will not significantly increase the traffic volume for the area, as the proposal is for a small secondary dwelling only. It is expected that the current road network is capable of continuing to support the minimal traffic movements.

It should be noted that no additional parking is provided and no parking is required as per the non-discretionary development standards contained within SEPP (Housing) 2021.

5.3.3 Hazards

The site is not subject to any known hazards such as bushfire threat, flooding, landslip and the like.

5.4 The Public Interest – 4.15(1)(e)

5.4.1 Social and Economic Impact

The proposal will make a positive contribution to the Mid-Western Region by facilitating the improvement of housing stock and the creation of employment.

5.4.2 The Public Interest

The proposal is in the public interest as it satisfies the objectives of the MWRLEP 2012 and MWRDCP 2013 and will not set any undesirable planning precedents.

6 Conclusion

The proposed development has been assessed in accordance with Section 4.15(1) of the EP&A Act 1979 and Council's planning instruments. The proposal is permissible in the R1 General Residential Zone under the Mid-Western Regional LEP 2012 and in our opinion is consistent with the relevant objectives of the Zone.

As discussed throughout the SEE, the crux of the proposal is to facilitate the erection of a small secondary dwelling positioned comfortably within the rear of the site where no significant impacts are anticipated with regards to the amenity of surrounding properties or to the heritage fabric of the principal dwelling. The proposal is generally compliant with the provisions of the MWRDCP 2013 as deemed relevant.

For the above reasons the proposal is considered to be in the public interest and is recommended for approval subject to standard conditions.