



Statement of Environmental Effects for

Dual Occupancy and Two (2) Lot Subdivision

33 Fairydale Lane, Mudgee

Lot 78 in DP 1281961

October 2022

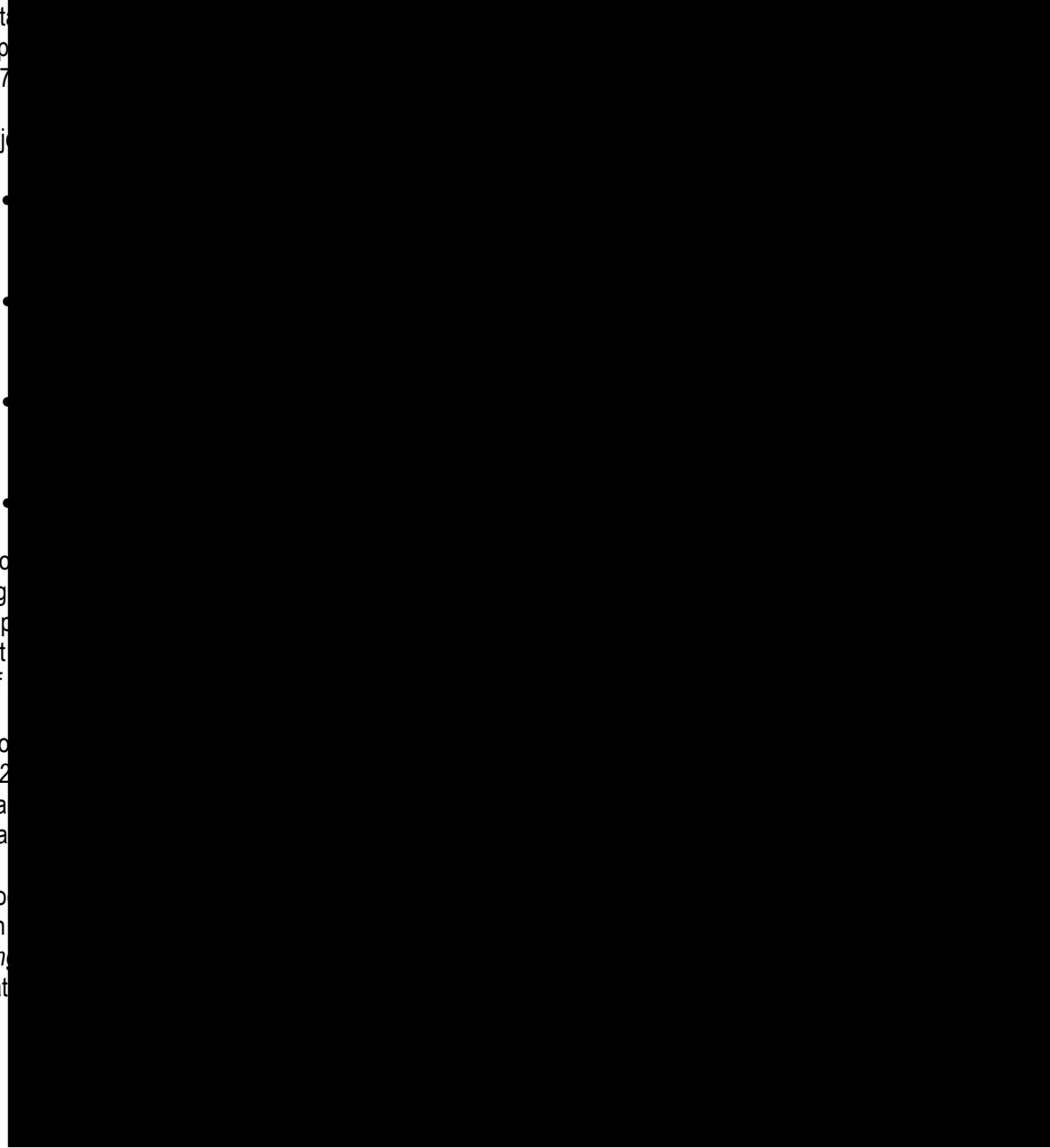
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1.0 INTRODUCTION

This Statement of Development Control is a statement of a development control authority in relation to a development application on Lot 7

The object of this Statement of Development Control is to



The proposed development is to be carried out on the existing site. The proposed development will be carried out at a high level of

The proposed development is to be carried out in accordance with the provisions of the Local Environmental Plan (LEP) 2013. The proposed development is to be carried out in accordance with the provisions of the Local Environmental Plan (LEP) 2013. The proposed development is to be carried out in accordance with the provisions of the Local Environmental Plan (LEP) 2013.

This document is a Statement of Development Control. It is a statement of a development control authority in relation to a development application. It is a statement of a development control authority in relation to a development application.

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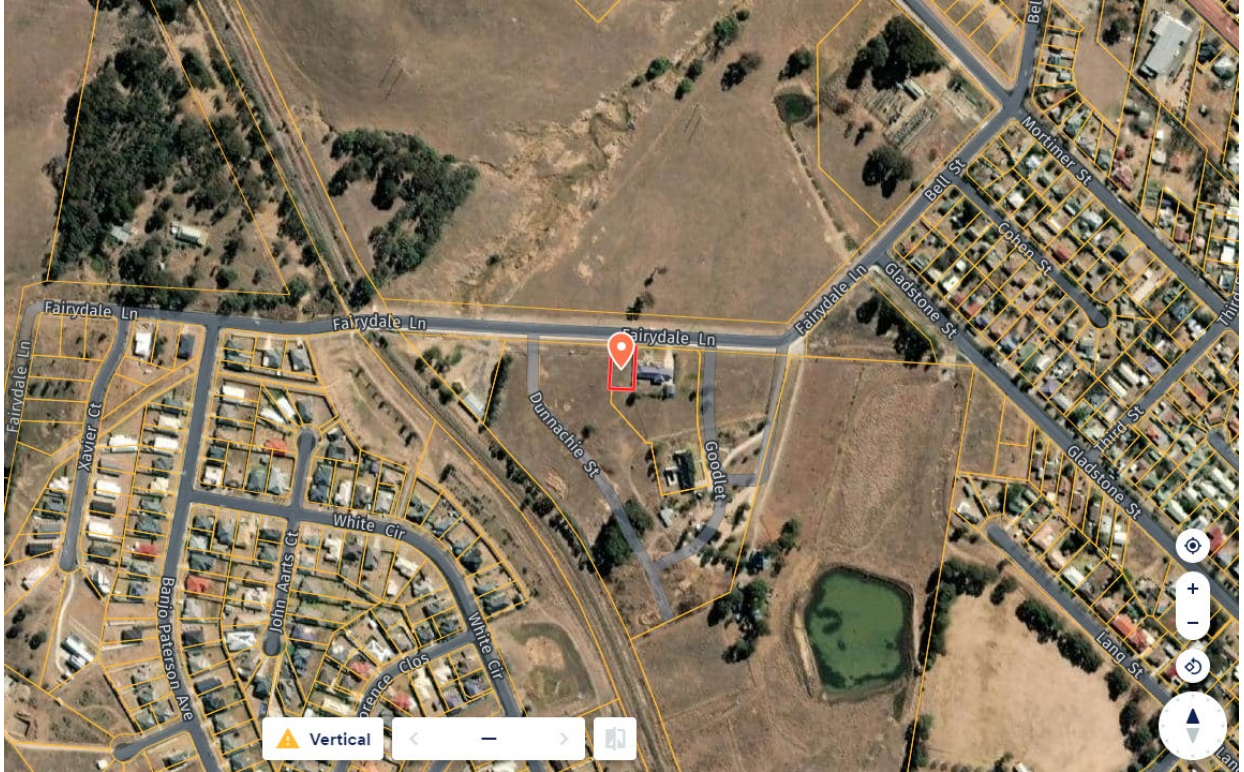
- Basix Certificate No. 1336459S, dated 21.09.2022.

2.0 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 subject site is located within the Local Government Area of Mudgee.



(Source: Google Maps) [Red rectangle on map]

Figure 2.1: Aerial view of the subject site.

2.2

The subject site is described as Lot 78 in DP 1281961, located at 33 Fairydale Lane, Mudgee. The site is situated on the southern side of Fairydale Lane and is characterized as a rectangular allotment featuring a frontage of 23 meters. The subject site has an area of approximately 926.6m² and is clear of all vegetation and is made ready for residential development.

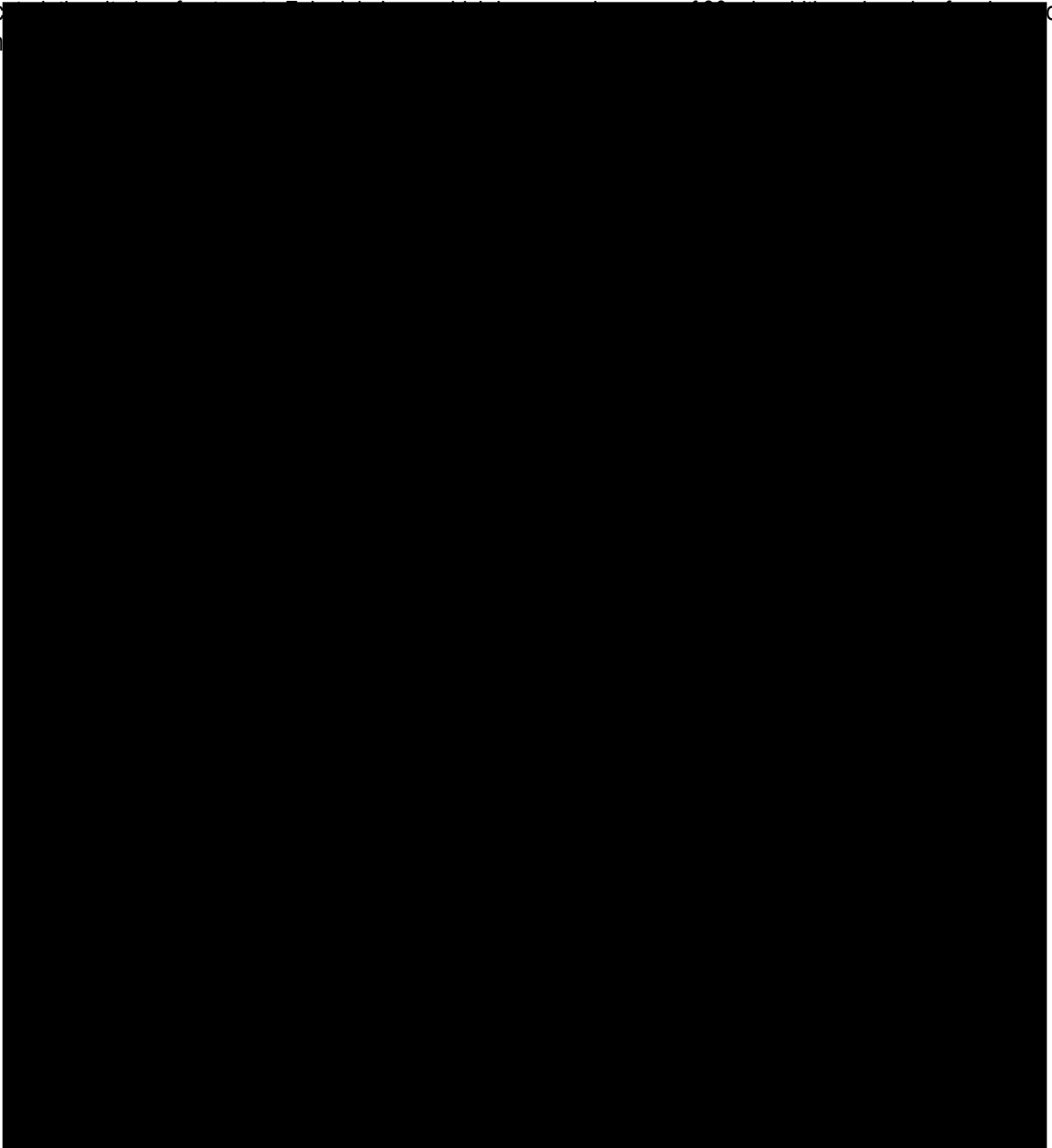
2.3 Existing Character and Context

The surrounding area is predominately residential, characterised by detached and semi-detached single storey dwellings setback from the street boundary. The design of the development is considered to be in keeping with the character of the area.

residential zone and existing streetscape in that it will have no unreasonable impacts upon the function, environmental criteria, built form, urban environment or the residential amenity of the locality.

2.4 Surrounding Road Network

As indicated
traffic in



3.0 DETAILS OF THE PROPOSAL

It is proposed to construct two attached residential dwellings comprising various living spaces, off-street parking, single garages and landscaping works. The proposed Dwelling A has a total Gross Floor Area (GFA) of 169.78m² and Dwelling B has a GFA of 169.78m². **Figure 2** below represents the proposed floor plans of the dwellings.

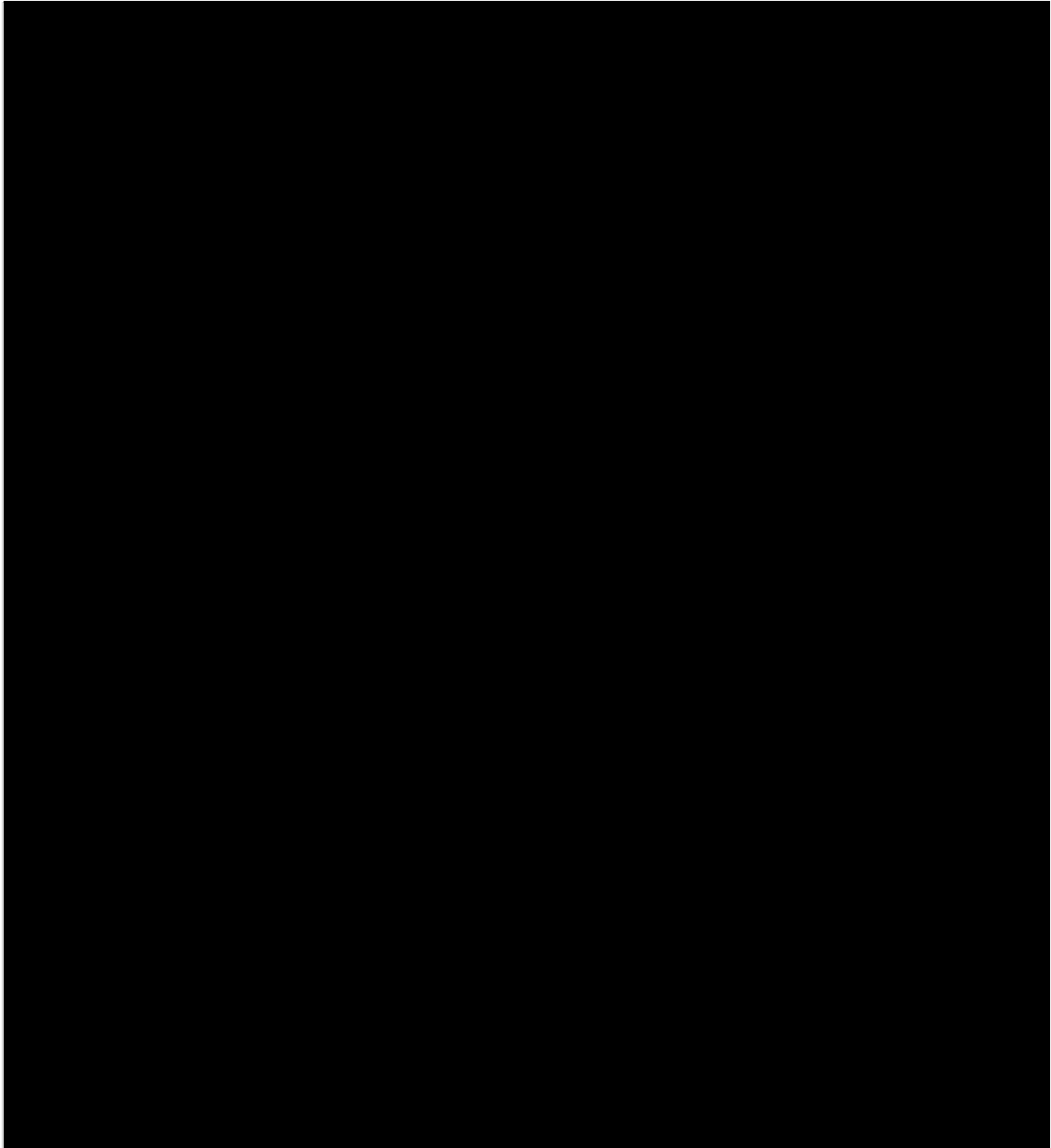


Figure 2: Floor Plan

The proposal has been carefully designed to achieve a balance between dimensions (scale), appearance, style, setbacks, fencing, landscaping, orientation and Councils planning controls.

The design intent for the dwellings is to reinforce the positive characteristics of the neighbourhood by maintaining a consistent built form and scale of development that is well suited to low density residential areas. Landscaping will provide privacy to the occupants and maintain neighbour amenity, views and streetscape.

In our opinion the proposal will positively contribute to the development along the Fairydale Lane frontage, and within the wider residential subdivision. The development is designed as a modern dual occupancy that is in keeping with the desired future character for the area. Furthermore, the proposed development will not adversely impact upon existing resources and infrastructure such as storm water, waste disposal, water, gas, electricity and services as the function and use of the property is in accordance with the residential requirements of the area.

As discussed in the previous section, the character of the locality is defined by its scale, form, and use.

4.0

Pursuant to the site plan, the following are applicable:

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-
-

4.1

The site is located in the Local Environment Plan 2012.

In accordance with the Local Land Services zone. The site is zoned as a residential zone and the proposed development is consistent with the zone.

4.1.1

The relevant provisions of the LEP 2012 are:

- 1.
- 2.
- 3.

In our opinion, the proposed development is for an attached dual occupancy which is consistent with the character of the immediate vicinity. The design will represent an excellent example of contemporary architecture that will make a positive contribution to the streetscape and the built form of the locality. The proposal is appropriate in an area which includes a wide variety of dwelling styles and has been designed to maintain the existing character and amenity of the surrounding dwellings.

A summary of our assessment of the proposed development against the LEP is in the following (see Table 1).

TABLE 1: PROJECT COMPLIANCE – MID-WESTERN REGIONAL LEP 2012
Site Area: 926.6m ²

LEP Provisions		Complies / Comments
Permissibility	R1 General Residential	Proposal is permissible within the zone
Flood planning	No	N/A
Heritage Item	No	N/A
Height		
Group		
Sens		
Earth		
Public Infras		

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The proposal is for an attached two lot (dual occupancy) subdivision on an allotment of 926.6m² in area, providing resulting lot sizes of approximately 424.4m² and 502.2m². The resulting lots each have an area greater than the required minimum of 400m². The proposal will be an appropriate shape and size, will be connected to Council's sewerage reticulation system, and, importantly, will be consistent with the relevant residential development principles as set out in Mid-Western Regional Council DCP 2013.

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

SEPP (Building Sustainability Index: BASIX) 2004 was gazetted on 26 June 2004, and applies to the subject site. SEPP BASIX requires all new residential dwellings in NSW to meet sustainability targets of a 30% reduction in energy use and 40% reduction in water use compared to the targets of the Standard Building Code of Australia.

BASIX Compliance is required for all new residential dwellings in NSW. Drafting of BASIX plans is required for all new residential dwellings. Energy and water consumption targets are set out in the BASIX tables.

4.3

The Mid West Regional Council has approved the proposed development. The development is a dual occupancy.

In our opinion, the proposed development is consistent with the Council's Local Environmental Plan (LEP) and the Council's Development Control Plan (DCP). The proposed development is a dual occupancy and is consistent with the Council's LEP and DCP.

The Council's LEP and DCP are consistent with the State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004.

Proposed			
Building			
(Lot size)			
Building			
Site C			
Solar access	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).	POS is located at the south of the site due to site constraint. Proposed rear POS has adequate solar access during the day.	NO
Privacy	Dwellings must be single storey and have a finished floor level less than 1000mm above the natural ground level.	The proposal is for a single storey dual occupancy with minimal cut/fill to bench the site ready for building works.	YES (Please see attached plans)

Parking	Two (2) spaces per dwelling.	Each dwelling is provided with one space in single garage and one space on concrete driveway within front setback.	YES
Landscaping	Landscaping must be of high quality, smart selection and drought tolerant.	Landscaping to be provided where practical and as per the landscaping schedule.	YES (Please see attached plans)
Oper	<p>REDACTED CONTENT</p>		
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	Cut and fill is not permitted in water or sewer easements.	All cut/fill to be clear of any easements.	
Access	All weather vehicle access is required to ensure that emergency services (fire, ambulance, police) are able to access the dwelling at all times.	Concrete driveway is proposed to facilitate access to the dwellings.	YES

	<p>Development applications should provide details of an appropriate means of waste disposal via the provision of individual 240 litre mobile garbage, recycling bins to</p>	<p>All waste generated on site during use of the dwellings will be disposed of up to Council's waste collection standards.</p>	
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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 and dual occupancy, one and two storey housing types. A key objective of the desired future character objectives for Mid-Western LGA is the introduction of various dwelling sizes complimenting the existing character of the local area and providing low density housing for the community. In our opinion, the proposal represents a high quality design in keeping with the surrounding streetscape and will be a positive precedent for future development in the locality.

5.2.2 Privacy, Views & Overshadowing Impacts

It is noted that we have not undertaken an inspection of nearby properties and our assessment has relied on an inspection of the subject site and survey information. In our opinion the proposed development will not impede the existing privacy or views of the subject or surrounding lots. The development will not present overshadowing within the subject or adjoining lots due to compliant building height and setback controls.

5.2.3

The proposed development is located on the eastern side of the subject site and is adjacent to the eastern boundary of the adjoining lot. The proposed development is a two-storey dwelling with a height of approximately 8.5m. The proposed development is set back from the eastern boundary of the adjoining lot by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m.

5.2.4

The proposed development is located on the eastern side of the subject site and is adjacent to the eastern boundary of the adjoining lot. The proposed development is a two-storey dwelling with a height of approximately 8.5m. The proposed development is set back from the eastern boundary of the adjoining lot by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m.

5.3

5.3.1

As outlined in the previous sections, the proposed development is a two-storey dwelling with a height of approximately 8.5m. The proposed development is set back from the eastern boundary of the adjoining lot by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m.

5.3.2

The development is located on the eastern side of the subject site and is adjacent to the eastern boundary of the adjoining lot. The development is a two-storey dwelling with a height of approximately 8.5m. The development is set back from the eastern boundary of the adjoining lot by approximately 1.5m. The development is set back from the eastern boundary of the subject site by approximately 1.5m. The development is set back from the eastern boundary of the subject site by approximately 1.5m.

5.3.3

The site is located on the eastern side of the subject site and is adjacent to the eastern boundary of the adjoining lot. The site is a two-storey dwelling with a height of approximately 8.5m. The site is set back from the eastern boundary of the adjoining lot by approximately 1.5m. The site is set back from the eastern boundary of the subject site by approximately 1.5m. The site is set back from the eastern boundary of the subject site by approximately 1.5m.

5.4

5.4.1

The proposed development is a two-storey dwelling with a height of approximately 8.5m. The proposed development is set back from the eastern boundary of the adjoining lot by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m. The proposed development is set back from the eastern boundary of the subject site by approximately 1.5m.

5.4.2 Public Interest

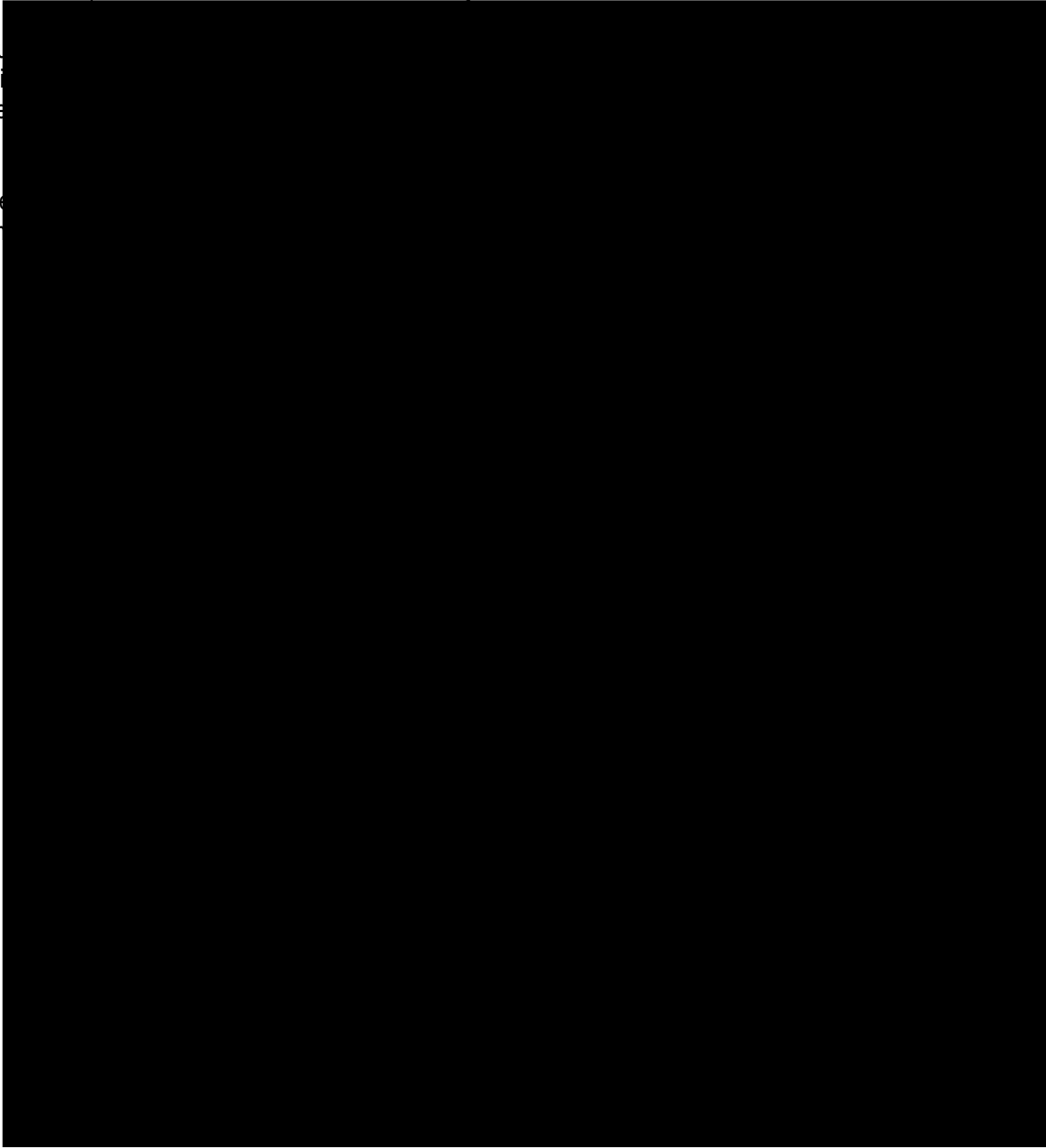
The proposal has been designed with consideration of the adjoining residents' amenity and the streetscape. The intention is to provide modern and well-designed residences which will sit comfortably and appropriately in the streetscape and minimise any changes to the amenity currently enjoyed by neighbours. The proposal is a high-quality development which is appropriate in the locality.

6.0 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 and in our opinion is consistent with the relevant objectives of the Zone.

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