



# Statement of Environmental Effects for



## Dual Occupancy and Two (2) Lot Subdivision

23 Dunnachie Street, Mudgee



Lot 91 in DP 1281961



December 2022

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## 1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared for Maas Group Properties and forms part of a development application to Mid-Western Regional Council for the construction of a single-storey detached dual occupancy on Lot 91 in DP 1281961 at 23 Dunnachie Street, Mudgee.

The objective of this proposal is to construct the following:

- Dwelling A: 3 bedroom single storey dwelling with living, kitchen, dining, bathroom, laundry, main bedroom with WIW and ensuite, front patio, double car garage, and car space within the front setback;
- Dwelling B: 4 bedroom single storey dwelling with living, kitchen, dining, bathroom, laundry, main bedroom with WIW and ensuite, front patio, single car garage, and car space within the front setback;
- Landscaping works, including turf, low water garden beds, mesh and colourbond fencing, rainwater tank and concrete paths within the front, side and rear boundaries; and
- Two lot Torrens Title subdivision to allow each dwelling to be located on a separate lot.

The proposal, designed by Maas Group Properties, will present a well-articulated dual occupancy that responds to the existing streetscape and neighbourhood character, established landscaped setting, solar access, and views. In our opinion, the proposal will be consistent with the bulk and scale of development in the surrounding area. The proposed dwellings will present a modern façade comprising a variety of setbacks, materials and finishes at the street frontage to provide a high level of visual interest in the streetscape.

The proposal is in accordance with the relevant zone objectives in the *Mid-Western Regional Local Environmental Plan (LEP) 2012* and satisfies the relevant objectives of the *Mid-Western Regional Development Control Plan (DCP) 2013*. Importantly, the proposal complies with the key development principles, being setbacks, private open space and landscaping, solar access, streetscape character and privacy.

This document is divided into 6 sections. Section 2 contains a site analysis, Section 3 contains details of the proposal, Section 4 and 5 contains the detailed assessment of the application in accordance with Section 4.15(1) of the *Environmental Planning and Assessment (EP&A) Act 1979*, and Section 6 concludes the report. Documents submitted to support the application include:

- Drawings by Avalon Drafting Pty Ltd, No.21364, Sheets 1-8, Issue H, dated 23.11.2022;
- Basix Certificate No. 1309734S\_02, dated 10.12.2022; and
- Basix Certificate No. 1309738S\_02, dated 10.12.2022.

## 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 Locality

The subject site is located approximately 1.6km west of the Mudgee Central Business District (CBD), and is situated within the Local Government Area (LGA) of Mid-Western Regional Council.



(Source: Google Earth)

 Subject Site

Figure 1: Location Plan

### 2.2 Site Description

The subject site is described as Lot 91 in DP 1281961, located at 23 Dunnachie Street, Mudgee. The site is situated to front Dunnachie Street on the west and Goodlet Lane on the south and is characterised as an irregular allotment featuring a dual frontage of 24.55 meters and 30.03m. The subject site has an area of approximately 893m<sup>2</sup> 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 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, the site has frontage to Dunnachie Street and Goodlet Lane each with a carriageway of 18m in width and carrying two lanes of traffic in varied directions.

As discussed throughout the SEE, the proposal is for a contemporary dual occupancy which achieves the desired character of the locality. The proposal has an appropriate relationship with surrounding development through consistency in scale, form, proportion, setbacks, landscaping and materials.

## 4.0 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 pursuant to the relevant heads for consideration. The relevant controls include:

- *Mid-Western Regional Council Local Environmental Plan (LEP) 2012;*
- *State Environmental Planning Policy (SEPP) – BASIX 2004; and*
- *Mid-Western Regional Council Development Control Plan (DCP) 2013.*

### 4.1 Mid-Western Regional Council Local Environmental Plan (LEP) 2012

The site is located within the Mid-Western Regional Local Government Area (LGA) and the *Mid-Western Regional Local Environmental Plan 2012* (LEP) is the applicable Environmental Planning Instrument.

In accordance with Land Zoning Map LZN\_006C of the LEP, the subject site falls within the R1 – General Residential land zone. Dual occupancy is a type of residential accommodation which is permissible with development consent in the R1 zone and the proposal satisfies the objectives of the zone.

#### 4.1.1 Objectives

The relevant objectives for Zone R1 are stated, inter alia:

1. *To provide for the housing needs of the community.*
2. *To provide for a variety of housing types and densities.*
3. *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

In our opinion the proposal is consistent with the relevant objectives of the R1 General Residential zone. The proposal is for a detached dual occupancy which is consistent with the general and low density residential development pattern 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: 893m <sup>2</sup>		
LEP Provisions		Complies / Comments
Permissibility	R1 General Residential	Proposal is permissible within the zone
Flood planning	No	N/A
Heritage Item	No	N/A

<b>Height of Building</b>	8.5m	Complies
<b>Groundwater vulnerability</b>	Yes (vulnerable)	Dwelling development would increase impervious area over the site, therefore reducing potential of water entering groundwater reserves. In addition, all stormwater on-site would be managed and appropriately discharged to Council's infrastructure within Dunnachie Street.
<b>Sensitivity Biodiversity</b>	No	It is unlikely the proposed development would have any adverse impact on the condition, ecological value, and significance of the flora and fauna on the land.
<b>Earthworks</b>	Yes	The cut/fill associated with the proposal is necessary to prepare the site for standard residential development.
<b>Public Utility Infrastructure</b>	Yes	The proposed development would be suitably serviced by essential public utility infrastructure services available within the street network which has already been installed during the creation of these lots.

#### 4.1.2 Minimum Subdivision Lot Size

Clause 4.1(2) in Mid-Western Regional LEP 2012 permits, with development consent, the subdivision of land shown on the Lot Size Map. The subject site is shown on Map LSZ\_006C and has a minimum subdivision lot size of 600m<sup>2</sup>.

The relevant subdivision lot size objectives are stated, inter alia:

1. *to ensure that subdivision of land occurs in a manner that promotes suitable land uses and development,*
2. *to minimise any likely impact of subdivision and other development on the amenity of neighbouring properties,*
3. *to ensure that lot sizes and dimensions are able to accommodate development, consistent with relevant development controls,*
4. *to ensure that subdivision does not have an inappropriate impact on the natural environment,*
5. *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*

Clause 4.1A Minimum lot sizes for dual occupancies, manor houses, multi dwelling housing and residential flat buildings is provided to achieve planned residential density in certain zones. The proposed development is located in zone R1 which is applicable to the Clause. Clause 4.1A(3) has provided that *despite any other provision of this plan, development consent may be granted to development on land to which this clause applies — (b) for the purpose of a dual occupancy (detached), if the area of the lot is equal to or greater than 800 square metres.* Clause 4.1B provides that each resulting lot from a detached dual occupancy subdivision needs to be at least 400 square metres.

The proposal is for a detached two lot (dual occupancy) subdivision on an allotment of 893m<sup>2</sup> in area, providing lot sizes of approximately 492m<sup>2</sup> and 401m<sup>2</sup> which complies with the relevant minimum lot size requirements in the LEP. 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. In considering the merits of the proposal, it is appropriate to refer to the sustainability targets of the SEPP.

BASIX Certificate No. 1309734S\_02 and 1309738S\_02 have been prepared for the proposed development, (prepared by Avalon Drafting and submitted with application) and indicates that the proposed new dwelling will satisfy the relevant water and energy reducing targets.

### 4.3 Mid-Western Regional Council Development Control Plan 2013

The Mid-Western Regional Council DCP 2013 came into force in 2013. The DCP applies to the site and the proposed development. Part 3 of Council’s DCP contains specific desired future character principles relating to single dwellings.

In our opinion, the proposed development is consistent with the design principles for residential dwellings as the proposal is of a contemporary design that is complimentary to the surrounding residential area. Importantly, the proposal will enhance the existing streetscape as the proposal is for a single storey development and is setback from the front boundary to minimise bulk and scale.

The compliance of the proposal with the relevant built form development principles in the Mid-Western Regional Council DCP are summarised in Table 2.

TABLE 2: PROPOSAL COMPLIANCE - MID-WESTERN REGIONAL COUNCIL DCP 2013			
Provision	Requirement	Proposal	Complies
Building Setbacks (Lot size < 900m <sup>2</sup> )	4.5m setback from the street 5.5m from garage to the street Side/rear min 900mm	Setback is > 4.5m Garage is > 5.5m Side setback is > 900mm	YES (Please see attached plans)
Building height	FFL of a single storey < 1m above natural ground level	Proposed dwellings <1m above natural ground level and single storey in nature.	YES
Site coverage	Dual occupancy site coverage < 50%	Coverage < 50%	YES
Solar access	Living areas and private open space areas are to be located to maximum solar access to these areas.	Proposed dwellings have living and PPOS orientated to achieve adequate solar access.	YES
Privacy	Dwellings must be single storey and have a finished floor level less than 1000mm above the natural ground level.	The proposal is for two single storey dwellings 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 at least one space in 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)



Open space	<p>Sufficient private open space to be suitably sized and located.</p> <p>POS area for dual occupancy to be 80m<sup>2</sup> with a minimum dimension of 5m.</p> <p>POS for dual occupancy development is to be located behind the front building line and on the northern, eastern or western side of the dwelling.</p>	<p>POS areas &gt; 80m<sup>2</sup> with a minimum dimension of 5m and properly located behind the front building line of each dwelling.</p>	<p>YES</p> <p>(Please see attached plans)</p>
Fencing	<p>1.8m high fence to all boundaries including private open space areas.</p> <p>All fencing forward of the building line cannot be 'colourbond'</p>	<p>Colourbond fencing is proposed along the side and rear boundaries with a maximum height of 1.8m.</p> <p>No colourbond front fence proposed.</p>	<p>YES</p>
Infrastructure	<p>Surface infrastructure must not be located in front setback or visible from the street.</p>	<p>Rainwater tank, clotheslines, garbage storage facilities are located behind the building line and not visible from the street.</p>	<p>YES</p>
Development near ridgelines	<p>Development shall protect key landscape features and ridgelines.</p>	<p>No ridgelines are impacted upon by the proposed development.</p>	<p>YES</p>
Slopes	<p>Cut is to be limited to 1000mm</p>	<p>Cut is minimal to prepare the site for development.</p>	<p>YES</p> <p>(Please see attached plans)</p>
	<p>Fill is restricted to 600mm. It must be clean fill and a geotechnical assessment issued for the fill to demonstrate compaction to the Australian Standard.</p>	<p>Fill is minimal to prepare the site for development.</p>	
	<p>Any cut and/or fill must be provided with retaining walls, drainage and must be setback a minimum of 300mm from any property boundary.</p>	<p>All cut/fill to be clear of the side boundaries. Appropriate conditions can be incorporated into the consent.</p>	
	<p>Fill must not direct stormwater onto adjoining properties and drainage pits for overland flow paths are to be provided.</p>	<p>All cut/fill will not direct stormwater over boundaries.</p>	
	<p>Cut and fill is not permitted in water or sewer easements.</p>	<p>All cut/fill to be clear of any easements.</p>	
Access	<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>	<p>Concrete driveway is proposed to facilitate access to the dwellings.</p>	<p>YES</p>

Waste Management	Development applications should provide details of an appropriate means of waste disposal via the provision of individual 240 litre mobile garbage, recycling bins to each dwelling.	All waste generated on site during use of the dwellings will be disposed of up to Council's waste collection standards.	YES
	All dwellings should provide an external access to the rear of the development (private open space area) to enable bins to be taken to the street without the need for moving the bine through the dwelling	Each dwelling has been designed to allow for external access to the rear to enable garbage bins to be taken to the street for collection.	
	Waste disposal collection points should not compromise the amenity of future residents in terms of noise, odour or aesthetic impact.	The waste disposal collection will not impede or compromise the amenity of future residents.	

## 5.0 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, in our opinion, unlikely to result in any adverse effects on the locality in terms of water and air quality. Appropriate measures are to be undertaken in respect of the stormwater and runoff and accordingly, the proposal is, in our opinion, acceptable in this regard.

### 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 Aural & Visual Privacy Impacts**

The proposed dwelling has been designed to have regard for visual and acoustic privacy of both future occupants and adjoining properties. Where possible, areas of habitable rooms and POS have been orientated to the side and rear of the dwelling.

## **5.2.4 Environmentally Sustainable Development**

The proposal has employed numerous environmentally sustainable design (ESD) strategies to maximise energy efficiency and to minimise water usage. A BASIX assessment submitted with this report confirms that water and energy reduction targets have been met and includes measures to maintain these targets.

## **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 Dunnachie Street and Goodlet Lane. As the site has been subdivided for residential development within the newly established Logan Estate, electricity, telephone, water and sewerage are readily available.

### **5.3.2 Traffic, Parking & Access**

The development will not substantially increase the traffic volume for the area, with minimal traffic movements expected. The development includes secure car parking spaces, and additional spaces within the front setback.

### **5.3.3 Hazards**

The site is not in an area recognised by Council as being subject to landslip, flooding, bushfire or any other particular hazards. The proposed development will not increase the likelihood of such hazards.

## **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 streetscape of Dunnachie Street and Goodlet Lane with the construction of a well-designed and elegant new single dwelling which will relate well to the subject site and be set within a high quality landscaped setting. The proposal will provide employment during demolition and construction and in the provision of maintenance services once the dwelling is occupied. Additionally, the development does not provide for lots which exceed the demand for housing in the locality.

### **5.4.2 The 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.

As discussed throughout the SEE, the proposal is for a modern dual occupancy with attached garages which achieves the desired character of the locality. The proposal has an appropriate relationship with surrounding development through consistency in scale, form, proportion, setbacks, landscaping, and materials.

For the above reasons, it is our opinion the proposal results in well-designed contemporary buildings which will positively enhance the streetscape and maintain neighbour amenity. We consider the proposal to be in the public interest and recommend the proposal for approval.