

Statement of Environmental Effects

Pro-forma for minor development

ABOUT THIS FORM

This statement must be completed by the applicant and/or their representative to comply with the requirement of Section 4.15 of the *Environmental Planning and Assessment Act, 1979*. The completed statement must accompany the Development Application and accompanying plans.

Each of the following categories must be completed for all forms of development, building works or activity requiring development consent. The level of detail required will depend upon the nature and scale of the proposed development. Should you be uncertain of any aspect, you should contact Council's Planning and Development Group for advice.

1. PROPERTY DETAILS

Lot Number	Section no.	DP / SP
1		533466
Unit / Street number	Street name	
120	Market Street	
Suburb / Locality	Postcode	
Mudgee	2850	

2. DESCRIPTION OF THE PROPOSAL

What is the proposed development?

Residential Dwelling

Describe your proposal in detail. (Include details such as whether the development will use whole or part of the building(s) or land(s), whether new buildings are proposed, the physical features of the proposed building(s), the nature of the building(s) [eg office, retail industrial etc], materials and colour scheme, signage, disabled access and facilities, seating capacity, tree or vegetation removal).

Applicant proposes to build a 2 bedroom residential dwelling on a corner lot. The lot currently has an existing take away food and convenience retail shop building. The existing building is painted brick structure with corrugated iron hip roof, with shop front facade and verandah. The proposed dwelling is brick veneer 2 storey construction with Colorbond hip and gable roof with dutch gable to break up roof expanse. The concept design was prepared by Barbara Hickson, local heritage Architect and has designed residence keeping with the surrounding streetscape. The design has also been reviewed by Council's Heritage advisor and he has indicated the design acceptable from a hertiage viewpoint. The lot has and existing 3.6m wide Right of Carriage Way. The development has been designed to leave this area unobstructed and is not used in private open space or parking calculations.

3. DESCRIPTION OF THE SITE

What is the area of the site?

411m²

Describe the site (elaborate on the information provided on the site analysis plan. Include information such as the physical features of the site, for example slope and vegetation, existing services).

Existing commercial mixed use lot with a corner store building located in the Mudgee heritage conservation area. The site is flat with no existing trees or established gardens. It is rectangular in shape. The site is turfed.

Describe the use of lands adjoining the site. Will the proposal impact on adjoining property? (Consider issues such as noise, privacy, overland flow of stormwater and other amenity impacts).

The adjoining properties are a single residence on north boundary and a funeral home and mortuary on east boundary. The mortuary has no windows in western wall, therefore privacy will be maintained.

4. PRESENT AND PREVIOUS USES

What is the present use of the site and when did this use commence? Did this use receive development consent?

Commercial food store in B4 mixed use zone.

List the previous uses of the site.

Vacant land.

Have any potentially contaminating activities been undertaken on the property? (Apart from obvious activities such as petrol bowsers and industries, there may be less obvious sources of contamination such as asbestos disposal, old sheep dips and sawmills).

No

Yes – please identify:

If yes, you will need to provide the relevant documentation as outlined in Council's Development Control Plan (DCP).

5. ENVIRONMENTAL CONSTRAINTS

Has the proposed development been designed to respond to the following environmental constraints, where applicable? (Indicate yes, no, or not applicable to each of the following).

	YES	NO	NOT APPLICABLE
Flooding	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bushfire (if yes, is a bushfire report included in your application?) <input style="width: 150px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Groundwater vulnerability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sensitive biodiversity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Saline soils	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Threatened species or habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minimise vegetation removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If yes to any of the above, indicate how the proposed development responds to the constraints

6. UTILITIES AND SERVICES

Provide details of the existing and proposed method of **stormwater** disposal.

The lot is located within an existing residential and mixed land use area and has Council stormwater services.

Provide details of proposed **electricity** supply.

Lot has existing electricity supply.

Provide details of proposed **water** supply.

The lot is located within an existing residential and mixed land use area and has Council water services.

Provide details of proposed **bushfire** firefighting water supply, where relevant.

N/A

Provide details of proposed **sewage management**.

N/A

7. OPERATIONAL AND MANAGEMENT DETAILS (E.G. HOME BUSINESS)

NOTE: This section is not applicable to the construction of a dwelling-house, additions and alterations to a dwelling-house or structures ancillary to a dwelling-house.

Describe in detail the proposed business activity.

Total number of staff	Max no. of staff on duty at any one time	Max no. of clients / customers expected in a day	Max no. of clients / customers expected at any one time

Hours and days of operation

	AM	to		PM	Monday to Friday
	AM	to		PM	Saturday
	AM	to		PM	Sunday
	AM	to		PM	Extended hours on: <input type="text"/>

What are the existing and proposed fire safety measures for the building?

Is legal (eg. Right of Way) vehicular access available from the street to the site? What are the site distances (left and right)? What is the speed limit?

Expected vehicle types associated with the proposal

Number of car parking spaces provided

Location of car parking spaces provided

What are the arrangements for transport, loading and unloading goods? What is the expected frequency of deliveries, size of vehicles and frequency of truck movements?

List machinery associated with the proposed business / activity.

List the type and quantity of raw materials, finished products and waste materials

How will waste be disposed of? (Note: A Trade Waste Approval may be required. Please see Council's website for details)

Identify any proposed hazardous material or processes

8. MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012 (MWRLEP)

What is the land zoned?

B4

What is the proposal for (as defined by MWRLEP)? (There are parent definitions and child definitions in MWRLEP – please use the child definition)

Single Dwelling

Is this use permissible within the zone??

Yes

No – are you relying on existing use rights?

Yes

No – the development is prohibited in the zone and cannot be approved by Council

Expand on how your proposal meets the objectives of the zone.

Mixed use zone.

Does the proposal comply with all the relevant requirements of the MWR LEP? (Please list and address all relevant clauses to your development from the LEP – add extra pages if necessary)

Site is located in the Mudgee heritage conservation area.
The design of the proposed 2 storey residential dwelling has been designed to be sympathetic to surrounding area. The facade design includes double hung windows, corrugated iron hip roof with a cladged dutch gable to break up roof line.

9. MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN 2013 (DCP)

Mid-Western Regional DCP 2013 is structured into sections that are relevant to specific development.

- Part 1 – Introduction
- Part 2 – Fast Track Development Applications
- Part 3 – Discretionary Development Standards
- Part 4 – Specific Types of Development
- Part 5 – Development Standards
- Part 6 – Development in Rural Areas
- Part 7 – Subdivision
- Part 8 – Site Specific Controls
- Appendix A – Flood schedules
- Appendix B1 – MWRC Auspec Stormwater Drainage Design
- Appendix B2 – Stormwater to Stormwater
- Appendix C – Carleon Development Control Plan
- Appendix D – Implementing a Subdivision Consent

NOTE

Mid-Western Regional Community Participation Plan 2019 may require the development to be neighbour notified and/or advertised.

Please list and address the relevant clauses to your development based on the zone of your land (add extra pages if necessary).

Part 3 Discretionary Development Standards.

The proposed dwelling is located in Mudgee heritage conservation area.

- Front setback is 2m for a corner block, carport setback 5.0m.
- Rear setback is 1.0m.
- Double hung windows to front facade elevation.
- Building is double storey with a height of 6.28m with a FFL less than 1 metre above Natural Ground Level.
- Solar access: design includes north facing living areas and private open space, with north facing windows that receive direct sunlight.
- Landscaping has been provided to be enhance visual streetscape amd provide screen to private open space.
- 51m2 of private open space located on the northern side in 2 area. 36m2 with a 5m depth dimension and a smaller 15m2 patio area outside meals room.
- Corner lot, proposed dwelling and existing store address both street frontages.
- Existing Colorbond fencing as noted on site plan on eastern boundary. New 1.5m high Colorbond fence on northern boundary.
- Existing 3.6m wide Right of Carriageway Easement on northern boundary is not impeded and has not been used in calculations of private open space or parking.

Where the proposed development does not comply with a relevant "deemed to satisfy" standard in the DCP, please provide justification for the variation to the standard. (Refer to Section 1.7 of the DCP).

Proposed development does not fit 'neatly' into any particular development control requirements.

Justification for the following variations as follows:

- 2m front setback has been used as proposed residence is located on a corner lot.
- 1 carpark provided on site by means of single garage, applying for 1 street credit for second required carspace.
- Private open space is less than 80m², however is positioned on the northern side of dwelling, has adequate privacy, a minimum 5m dimension as is proportional to the small size of the proposed dwelling.
- Loading and unloading of deliveries to existing shop are not affected as trucks currently park kerb side on road along side shop. Goods are delivered into roller door at side of shop.
- Separation between existing shop and new dwelling is 3m. Compliance between the 2 building classifications is achieved by no windows in the walls separated by the 3m.