

DUAL OCCUPANCY

# STATEMENT OF ENVIRONMENTAL EFFECTS

12 Little Bayly Street  
Gulgong NSW 2852

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ISSUE B

Prepared for  
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SUNRAI*designs*<sup>o</sup>  
innovative • eco • developments

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## 1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared by Sunrai Designs and forms part of the Development Application Documentation for a Proposed Dual Occupancy to be located at 12 Little Bayly Street, Gulgong NSW 2852.

This statement seeks to demonstrate that the proposal complies with the Mid-Western Regional Council Development Control Plan 2013 Amendment 5 (MWRC DCP) and the Mid-Western Regional Council Local Environmental Plan 2012 (MWRC LEP)

This Statement should be read in conjunction with the following plans;

<b>Title</b>	<b>Drawing no.</b>	<b>Prepared by</b>
Title Page	611CHA-00 ISSUE D	SUNRAI designs
Site Plan	611CHA-01 ISSUE D	SUNRAI designs
Subdivision & Area Calculations	611CHA-02 ISSUE D	SUNRAI designs
Survey Plan	611CHA-03 ISSUE D	SUNRAI designs
Floor Plan	611CHA-04 ISSUE D	SUNRAI designs
North & East Elevations	611CHA-05 ISSUE D	SUNRAI designs
South & West Elevations	611CHA-06 ISSUE D	SUNRAI designs
Section	611CHA-07 ISSUE D	SUNRAI designs
Perspectives	611CHA-08 ISSUE D	SUNRAI designs
Level & Detail Survey Plan	38188-L01	Barnson
BASIX Certificate	1185468S_02	Planning Industry & Env.

## 2.0 SUBJECT PROPERTY

### 2.1 Description

Title Description:	Lot 4	Sec 21	DP758482
Site Area:	1011 m2	Parent Lot	
Frontage:	20.115m	Parent Lot to Little Bayly Street	
Frontage:	20.115m	Parent Lot to Belmore Street	
Zone:	R1	General Residential	
Map Reference	005C	MWRC LEP	
Heritage	Yes	Located within the Heritage Conservation Area	
Building Height	5m	Maximum for zone	



**Mid-Western  
Regional Local  
Environmental  
Plan 2012**

Land Zoning Map - Sheet LZN\_005C

Zone	
B1	Neighbourhood Centre
B2	Local Centre
B3	Commercial Core
B4	Mixed Use
B5	Business Development
E1	National Parks and Nature Reserves
E3	Environmental Management
IN1	General Industrial
IN2	Light Industrial
IN3	Heavy Industrial
R1	General Residential
R2	Low Density Residential
R3	Medium Density Residential
R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU3	Forestry
RU4	Primary Production Small Lots
RU5	Village
SP1	Special Activities
SP2	Infrastructure
SP3	Tourist

**Cadastre**  
 Cadastre 23/12/2021 © Spatial Services

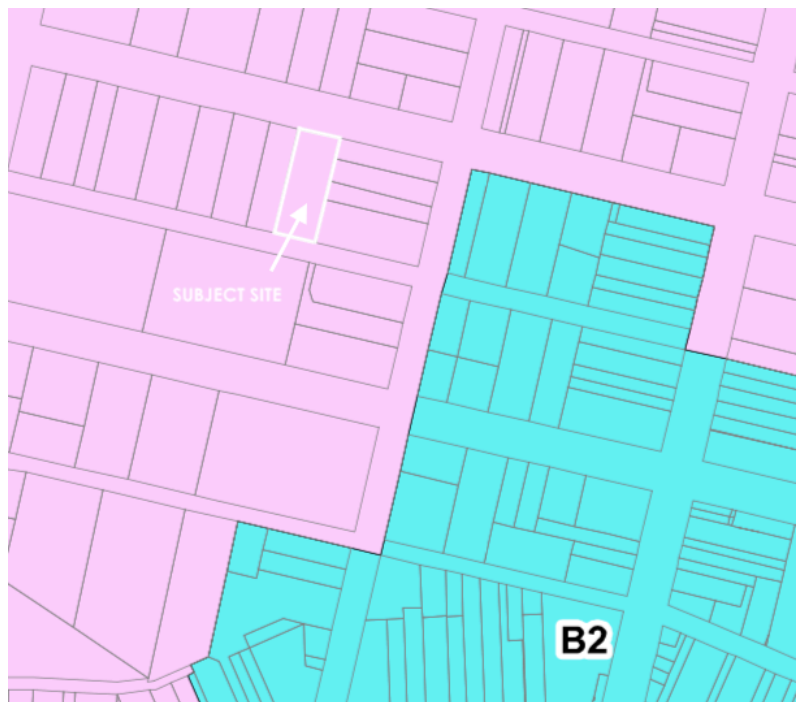


Figure 1 - Extract from MWRC LEP Land Zoning Map - Sheet LNZ\_005C



Figure 2 - Extract from Six Maps <https://maps.six.nsw.gov.au> - Satellite View of Site (shown shaded)

This site is located within a Heritage Conservation Area under the MWRC LEP. The property is not listed as a significant Item on the local register however the neighbouring properties at No's. 56,58,60,62 Medley Street are listed as a locally significant items - I321,I322, I324 respectively. There are also significant items located across the street on Little Bayly Street.

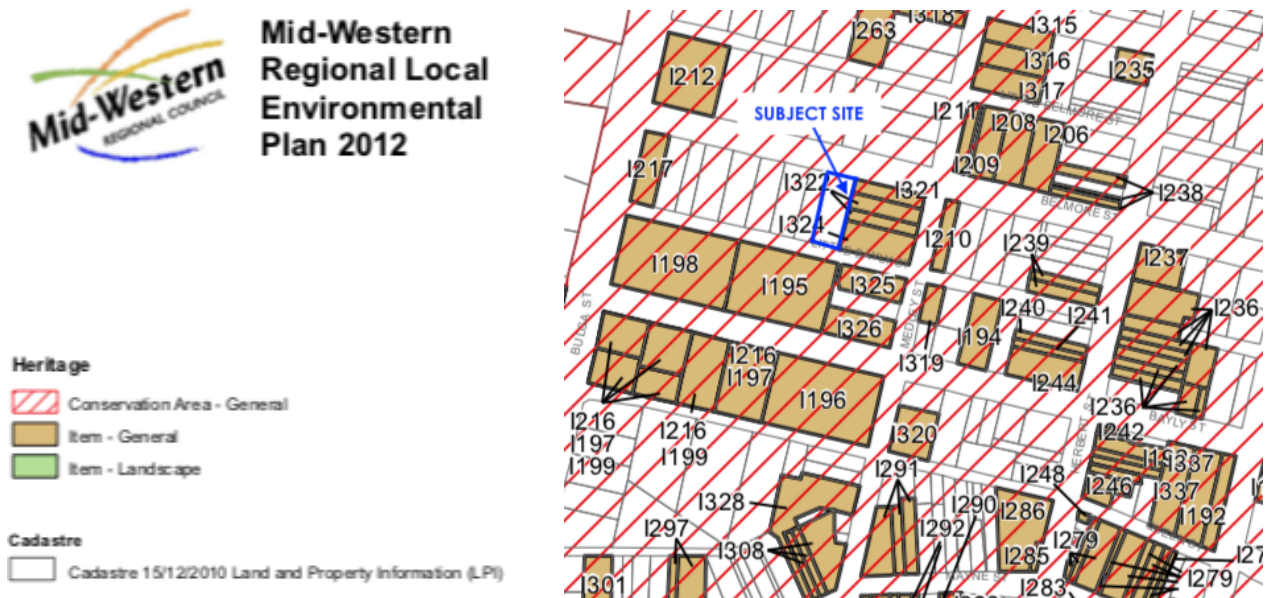


Figure 3 - Extract from MWRC LEP Heritage Map - Sheet HER\_005C

## 2.2 Existing Building & Site

The existing site is located wholly within the Mid-Western Regional Council government area and within the limits of Gulgong township.

The site is relatively level, clear of vegetation with exception of three established trees and fenced with a mix of materials including metal and timber paling. The allotment is rectilinear with a street frontage to Little Bayly Street and to Belmore Street.

An existing dwelling and multiple small fibre cement clad outbuildings are erected on the site. The existing dwelling is in average condition and is occupied occasionally. The dwelling is fibre cement clad with pitched iron roof and front verandah. It is not listed as a significant item on the local heritage register however it has some heritage significance. It is proposed that this residence remain unchanged.

Three additional fibre cement clad outbuildings are located behind the residence and are used for storage. It is proposed that one will remain as ancillary to the existing residence and two will be demolished.

The site has two street frontages. The existing dwelling addresses Little Bayly Street with the rear yard extending all the way through to Belmore Street.



## **2.3 Adjacent Buildings & Streetscape**

The site is located within an early settled area of the township between Little Bayly and Belmore Streets. The nearest cross street is Medley Street.

Neighbouring the site in all directions are residential homes and buildings of heritage value. The site is located within the Heritage Conservation Area of Gulgong. The neighbouring dwellings to the east at 56,58,60 & 62 Medley Street all have their rear yards adjoining the subject site. They are listed on the local heritage register. The buildings front Medley Street and are some distance from the subject site due to the land size.

The streetscape on Little Bayly Street is inconsistent, most allotments on this street within this town block use Belmore Street as their primary frontage, there are only two other dwellings on the same side of this street that address Little Bayly Street, the neighbouring property that has been recently constructed as a dual occupancy to 62 Medley Street and 1 Bulga Street several lots away. The street has no kerb or gutter, is sealed for single width only and is a relatively minor street.

The streetscape on Belmore Street is more consistent with the majority of dwellings on both sides of the street facing Belmore Street all with similar setbacks. Some of these allotments also address Medley Street, meaning the first allotment on each side of the street is the secondary boundary dominated by fencing. The road is double width with kerb and guttering. The dwellings in Belmore Street are of mixed construction and styles, including a modern brick veneer double garage dwellings, weatherboard clad cottages and fibre cement bungalows.

## **3.0 PROPOSED DEVELOPMENT**

### **3.1 General Description**

It is proposed that the existing dwelling and adjacent outbuilding remain on the allotment, while the rear of the site is developed as a dual occupancy. The proposed residence will address Belmore Street and provide appropriate infill development to this street continuing the consistency and maximising land use in a residential area.

The proposed dwelling will have three bedrooms be weatherboard clad with colorbond roof. A front verandah will wrap around the gabled facade. The double garage will be setback to minimise bulk. The design has a cottage feel, the roof mass has been minimised to match the mass of neighbouring dwellings maintaining the heritage character of the street.

It is proposed that the parent allotment be subdivided into two Torrens Title lots as demonstrated on the attached Subdivision Plan.

### **3.2 Building Setbacks**

The MWRC DCP, Part 3 Discretionary Development Standards - Single Dwellings & Dual Occupancy requires a 6.5m setback to the street (Garage 7.5m) and 900mm to side and rear boundaries. It is proposed that a 4.5m setback be considered in this instance to be consistent with the streetscape. The neighbouring two properties, to the west, have a 4.5m front setback. The site to the east has no setback to Belmore Street, the fence is located

on the boundary with the dwelling fronting Medley Street and having a secondary frontage setback of approximately 1m.

The side setbacks are 900mm or greater.

Variation: Front setback from 6.5m to 4.5m to match the neighbouring building.

### **3.3 Building Height**

The deemed to satisfy controls require a single storey building with a FFL of 1m or less above natural ground. The proposed dwelling while needing to be raised slightly to achieve fall to the sewer main will still maintain a height no greater than 1m above FFL to natural ground at the worse point, reducing to 250mm above natural ground. Complying with the this control.

### **3.4 Site coverage**

The development bulk and scale is consistent with the immediate vicinity, the site coverage is 30.5%, less than the maximum of 35% for Deemed to Satisfy Provisions and 50% for Discretionary Standards.

### **3.5 Design**

The proposed dual occupancy will not result in a mirror reverse duplication of design. One dwelling is existing, the second dwelling will face the opposite street and be newly constructed.

The living areas and master bedroom are located to receive north or north eastern sunlight, with the remainder of the rooms receiving sunlight throughout the day. The proposed dwelling will have good access to sunlight and will not impede solar access of neighbouring properties.

The dwellings on this site will be separated by more than 3m.

The design will compliment the streetscape in scale, articulation, roof form, setbacks and landscaping. It fronts the street with a clearly defined entrance, has a wrap around verandah, gable with fenestration, is articulated to create multiple gables. There is outlook over the street from the bedrooms, a living area that opens to the north, east and south providing good connection with outdoor areas. The master bedroom is located away from the street for privacy with outlook to the east and south. The service rooms are located on the west providing additional privacy for the proposed dwelling and neighbours.

Both dwellings have direct access to a street, for both pedestrians and car parking.

The garage doors account for 31% of the front elevation, less than the maximum of 45%. Two smaller doors have been used rather than a single large door to be sympathetic to the area, like the single door free standing garages common to many allotments in the area. The garage has also be setback 6m from the facade to minimise its appearance in the street.

The proposed dwelling is not transportable or relocated.



### 3.6 Slope / Cut and Fill

No cut and fill is proposed on the site. The finished floor level is required to be 250mm higher than natural ground adjacent to the garage to ensure adequate fall can be achieved to the nearest available sewer main in Little Bayly Street. From this height the floor level will be maintained and any fill will be contained within the footprint of the building with a deep edge beam. The natural ground will remain unchanged in a similar way to the dwellings uphill from the site.

### 3.7 Open Space

The majority of the private open space for dwelling one is achieved on the north. The area exceeds the minimum size of 80sqm and the width and length of 5m x 5m. The possible private open space is approximately 200sqm.

The private open space has been provided in two areas for dwelling two. The total area is 162sqm exceeding the 80sqm minimum and achieves a minimum of 5m x 5m. The area is located on the south east and south west of the site however the minimum area is setback from the building to ensure minimal overshadowing. In addition there is secondary private open space of 58sqm for this dwelling to the east, less than 5m wide but useable. The living area also has direct access to a north facing verandah. The front yard will include additional garden space on the north.

An alfresco area is accessed directly from the living area and is near ground level for easy access to open space.

### 3.8 Parking

The deemed to satisfy parking controls for dual occupancy are;

- Each dwelling to have two car parking spaces, at least one being a garage. The second space may be provided in a stacked arrangement in front of the garage providing the space is contained wholly within the subject site.
- All parking and manoeuvring areas to be hardstand.
- Driveways to be located 6m from an intersection.

The proposed dwelling will satisfy this control with two undercover car parking spaces plus an area for two more spaces behind the boundary. The proposed driveway will be concrete and is directly accessed from Belmore Street more than 6m from an intersection.

The existing residence is an older building, no works are proposed to this dwelling as part of the development. The heritage nature of the building does not allow for a garage to be added to the building easily nor would it be in keeping with the character of the building.

The dwelling is located on what is essentially a laneway with only two other building also using this laneway as the primary access. It is a quiet street and parking safety is low risk. The site is currently fenced and provides a gateway with an uncovered off street parking area.

It is proposed that this off street space continue to be utilised, although it will be moved to the west slightly to avoid the proposed sewer easement. The amended site plan shows where this space is located and is capable of catering for two cars in a stacked arrangement. The dwelling is 2 bedrooms in size and is not occupied on a regular basis. Parking on this site for its current use is infrequent.

The dwelling is old and may likely be replaced or renovated in the future, building a structure to house a car infrequently is considered unreasonable when no other works are proposed at this stage. There is space around this dwelling to provide for off street parking and meet the objectives of the discretionary standards as outlined below, noting also that the discretionary provisions refer only to parking areas and do not require an enclosed structure or undercover space :

a) Development must provide adequate off-street parking to maintain the existing levels of safety on the road network.

**Comment:** Off Street parking can be provided to maintain the existing levels of safety

b) Parking areas and access driveways must be functional in design.

**Comment:** Parking areas will be functional and will operate like the majority of residential driveways. Driveway access will be more than 6m from an intersection.

c) Parking areas should be visually attractive and constructed, designed and situated so encourage their safe use.

**Comment:** A car parking space, without a structure will be the most attractive solution in this circumstance.

d) The number of spaces is determined based on the occupation potential. Note: rooms that can be used as a bedroom, e.g. 'study' are counted as a bedroom.

**Comment:** The occupation of this building is minimal, a single person visits the site from time to time. Two spaces in a stacked arrangement are considered adequate and in line with the existing arrangement.

e) Any vehicle entering or leaving the driveway must be visible to approaching vehicle pedestrians.

**Comment:** Vehicles will be visible to pedestrians. This lane/street is not serviced by a footpath, pedestrian access is minimal.

f) Driveway access to a major road should be avoided where possible.

**Comment:** Driveway is not on a major road.

### 3.9 Utilities, Waste & Surface Infrastructure

The dwellings are located clear of all utility infrastructure.

All structures will be located more than 1.5m to the centre line of water or sewer mains.

Reticulated water, electricity, telecommunications and sewer are currently provided to the site and it is proposed that the development be connected to the existing infrastructure.

The closet sewer main to the site is in Little Bayly Street, in order to achieve enough fall to this sewer the FFL at the garage position is required to be 250mm above natural ground level. It will also require an easement to be created as part of the development that provides access across the second allotment to the sewer main. This has been indicated on the concept servicing plan submitted with this application.

Achieving a sewer connection for this site was more difficult than expected considering the location of the site is in a built up residential area. We considered three options;

1. Extending the sewer main from Medley Street - This would involve approximately 55m of extension and as the sewer manhole is located in the nature strip the extension would require trenching adjacent to the established stand of trees in Belmore Street and involve other agencies who also have services located in this vicinity. The cost was considerable and may have had an impact on the tree viability.
2. Install a pump out system - which was not ideal with potential for failure if maintenance lapsed.
3. Raise the building floor level to achieve the fall to existing sewer main - This also is a more costly measure than the original proposed slab on ground option but we feel that it is more in keeping with the character of the site and the best outcome from a cut and fill perspective while also meeting the deemed to satisfy requirements of the DCP and only resulting in a minor variation the the height limit set by the LEP.

The servicing plan also demonstrates how the water and electricity might be supplied to the site from the nearby infrastructure.

The stormwater will be gravity fed to the street network.

Surface infrastructure such as tanks and clothes lines will not be located within the front setback. There is ample space behind the building lines to store garbage bins and this infrastructure. The bins will be taken to the street for collection at the appropriate time. All infrastructure will be clear of the minimum primary open space.

Each dwelling will have its own individual mailbox.

### **3.10 Fencing**

Fencing in this area is generally 1.5m high and consists of wire netting, timber paling, colorbond, zincalume and galvanised iron fencing.

The existing fence on the eastern boundary is not located on the boundary as determined by survey. It is out of alignment by more than a 1m in some places. Four individual properties have their rear boundary as part of this eastern boundary on the subject site. A recently completed dual occupancy dwelling at 62 Medley Street has a 1.5m zincalume fence close to the actual boundary, this will remain. The remaining galvanised fencing is located incorrectly. The neighbours have been notified of this discrepancy and are willing to demolish the existing fence and re-instate in the correct position. It is proposed that the

entire eastern fence be demolished and a new 1.5m colorbond fence be installed on the actual boundary to meet up with the newly constructed fence to 62 Medley Street rear boundary.

The existing fence on the western boundary is new and will remain. The southern boundary is fenced with a low open mesh fence and will remain unchanged. No fence is proposed on the north boundary as part of the proposal.

A 1.5m colorbond dividing fence will be erected between the two dwellings on this site to align with the height of existing fences with a minimum of 3m rear setback to each.

#### **4.0 OBJECTIVES OF THE ZONE**

The subject land is zoned R3 - Medium Density Residential. The proposal is permitted with consent in this zone.

The objectives of the zone are;

- To provide for the housing needs of the community.

**Comment:** The proposal will provide housing for the community.

- To provide for a variety of housing types and densities.

**Comment:** The proposal will provide a variety of housing types. This development provides an opportunity for modern living within the heritage conservation area close to the town centre in a streetscape that will benefit from infill housing.

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

**Comment:** The proposal meets this objective by providing residential infill development that can better address the streetscape and compliment the surroundings than the current dilapidated outbuildings that currently exist on the site.

#### **4.1 Other LEP Provisions**

##### **Clause 4.3 Height of Buildings - LEP Provision**

(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.

(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.

The proposed single storey dwelling is of appropriate height for the context of the area, with the proposed ridge line being of a similar height to the neighbouring building to the west. The proposed dwelling has multiple ridge lines in an attempt to reduce the bulk of the roof, it is only one of these ridge lines that exceeds the height limit of 5m by a minor amount, 450mm which is less than a 10% variation. In addition this particular ridge line runs perpendicular to the street, meaning the variation is less imposing on the streetscape. Unlike the neighbouring property that has a ridge line running parallel to the street and noticeably very close to the maximum height limit for most of the facade.

It is also considered the best design outcome in keeping with the heritage character of Gulgong and the immediate streetscape. A lower pitched roof will be inconsistent with the surrounding heritage buildings. We have reduced the roof pitch from the desired 27 degrees to the now proposed 25 degrees in an attempt to reduce the height variation while still maintaining the heritage character.

The proposed building will follow the fall of the land and sit on the site in a similar way to the neighbouring buildings uphill from the development, in that it will be raised slightly on the high side and have a raised wrap around verandah on the low side as the land falls away. This creates consistency in the streetscape and also allows us to access the town services such as the sewer main located in Little Bayly Street and avoid cut and fill on the site.

After further investigation of site levels in relation to the existing sewer main, it has been determined that in order to achieve the required fall to the sewer main the floor levels need to be kept at the height shown on the plans as a minimum. Lowering the building is unreasonable considering the additional costs of extending the sewer main from Medley Street by 55m, interfering also with the established stand of street trees along Belmore Street. It is also considered unnecessary to reduce the height of the building considering the minor nature of the variation. The streetscape will not be impacted noticeably or at all by this variation.

**Variation: 9% variation to height limit with 5.45m rather than the required 5m at the ridge line or 3% (190mm) if measured on the high side of the site. A 5m offset line following the land slope shown on the attached section on sheet 07 of the plan set indicates clearly the minor nature of this variation. We seek a variation to this provision as we believe it still meets the objectives of the LEP for the reasons stated above.**

#### Clause 5.10 Heritage Conservation

(1) The objectives of this clause are as follows;

- (a) to conserve the environmental heritage of Mid-Western Regional Council area,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The proposal is considered to respectfully conserve the Gulgong HCA in that the infill design is of a modest style with a hipped roof an articulated facade that includes a

gabled section and wrap around verandah presenting as a sympathetic single storey residence of appropriate proportions within the existing streetscape.

The materials are consistent with the character of the area being a combination of timber trim and weatherboards with an iron roof.

Although a design for modern living and requiring a garage, this element has been stepped back and designed to reduce bulk despite the size of the dwelling being larger in response to modern living standards.

Without this development the site will present to the streetscape as a rear yard to a lesser quality building that fronts Little Bayly Street, the various outbuildings will remain and the streetscape will look incomplete with a vacant site where a dwelling could comfortably sit and compliment the streetscape.

## **5.0 CONCLUSION**

This Statement of Environmental Effects when read in conjunction with the plans, as prepared by Sunrai Designs clearly outlines the proposed development and demonstrates that there will be no significant impact on the environment or locality. The proposal satisfies Part 3 'Discretionary Development Standards' of MWRC DCP Amendment 5 with exception to one minor variation that we seek approval for.

1. Variation: Front setback from 6.5m to 4.5m to match the neighbouring property & streetscape.

The proposal also complies with the MWRC LEP 2012 meeting all the objectives of the zone while seeking a variation to the height limit of less than 10%

2. Variation: 9% variation to the height limit. 5.45m rather than the required 5m for a small section of the roof area.