

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED DUAL OCCUPANCY AND BOUNDARY ADJUSTMENT

60 DAVIES ROAD, KANDOS NSW 2848 (LOT 8 & 9 SEC.12 DP 8955)



CLIENT: MUDGEES BUILDER

DATE: 14 SEPTEMBER 2023

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1. INTRODUCTION

1.1. PURPOSE

This Statement of Environmental Effects (SEE) has been prepared on behalf of Mudgee Builder (the applicant) to accompany a development application (DA) for a dual occupancy and boundary adjustment on land known as 60 Davies Road, Kandos NSW 2848 (Lots 8 & 9 Section 12 DP8955) (the site).

The SEE summarises findings of specialist reports and demonstrates that the proposed development has been formulated having full and proper regard to existing development controls and environmental qualities of the site and its surroundings.

1.2. CONSENT AUTHORITY

The proposed development requires consent under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Mid-Western Regional Council (Council) is the consent authority for the proposed development.

1.3. INTEGRATED DEVELOPMENT PROVISIONS

The proposed development is not integrated development pursuant to the provisions of Section 4.46 of the EP&A Act.

1.4. SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS

This SEE accompanies a DA for the proposed development. It has been prepared on behalf of the applicant and includes the matters referred to in Section 4.15 of the EP&A Act and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the proposed development;
- Describe the land to which the DA relates and the character of the surrounding area;
- Assess any environmental impacts and provide mitigation measures where relevant; and
- Define the statutory planning framework within which the DA is to be assessed and determined.

1.5. PERMISSIBILITY

Pursuant to the Mid-Western Regional Local Environmental Plan 2012 (LEP 2012), dual occupancies and boundary adjustments are permitted with consent within the RU5 Village zone. The proposal has been formulated having regard to the provisions of LEP 2012 and the Mid-Western Regional Development Control Plan 2013 (DCP 2013).

2. SITE AND SURROUNDING AREA

2.1. SITE SUMMARY

Address	60 Davies Road, Kandos NSW 2848
Lot and DP	Lots 8 & 9 Section 12 DP8955
Zone	RU5 Village
Land Area	2521m ²
Existing Structures	Temporary structure, service station

2.2. SITE AND SURROUNDING AREA

The subject site is a corner lot and has two frontages. It has a frontage to Davies Road of 51.42m (west), and a frontage to Rodgers Street of 55.48m (south), per a Detail Survey prepared at **Appendix 4**. The site can generally be considered flat, with a small rise to the north-east. An aerial is provided at *Figure 1*.

The site is largely cleared of vegetation, with much of the site covered in lawn. The east side of the site (proposed for development) consists of fill material, per the Geotechnical Investigation prepared at **Appendix 6**. The rest of the site is a concrete hardstand, which forms part of the existing service station on the site. The prevailing urban form in the area is low density residential development, on rectangular lots, forming a grid pattern. The site contains views of the hills that border the Kandos Township to the south and south-east. The Gwabegar-Wallerawang railway line is located to the west of the subject site.



Figure 1: Aerial view of site (source: NSW Planning Portal Spatial Viewer)

More generally, the subject site is approximately 6.4km to the south of Rylstone, and approximately 46km to the south-east of Mudgee, the largest town in the Mid-Western LGA. The land use zones that surround the subject site include RU5 Village to the north, east and south, and SP2 Rail Infrastructure Facilities to the west (*Figure 2*). As shown by *Figures 3 and 4*, the site and the surrounding area has a maximum building height of 8.5m, and a minimum lot size of 600m².

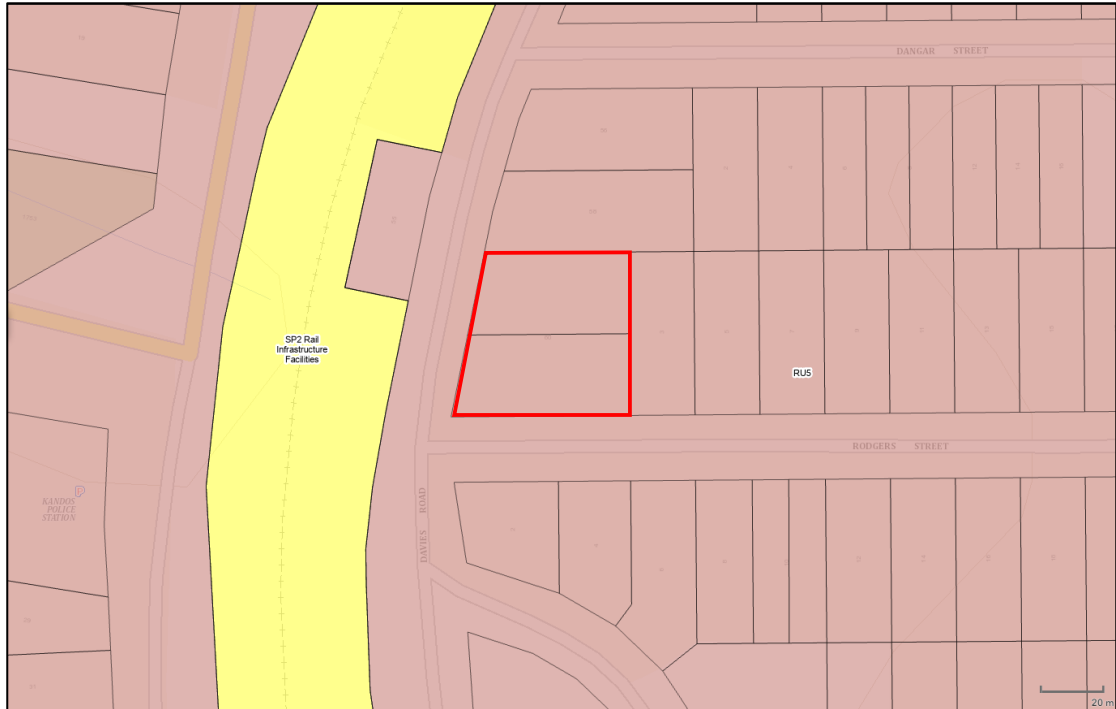


Figure 2: Land use zone map (source: NSW Planning Portal Spatial Viewer)

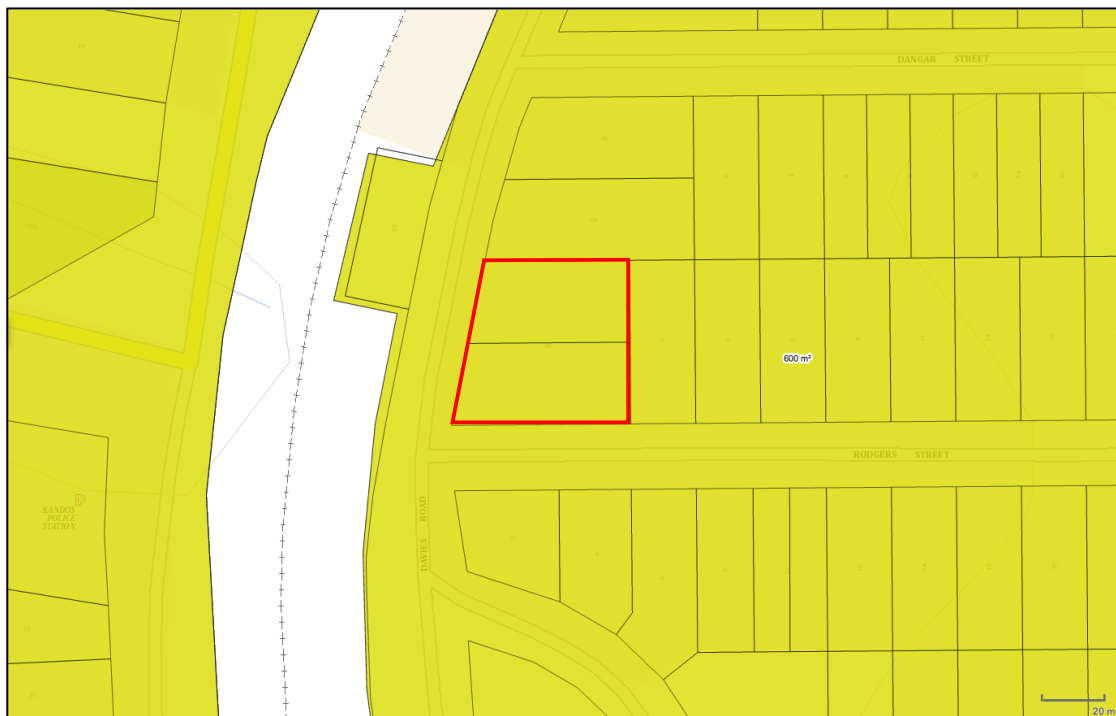


Figure 3: Lot size map (source: NSW Planning Portal Spatial Viewer)

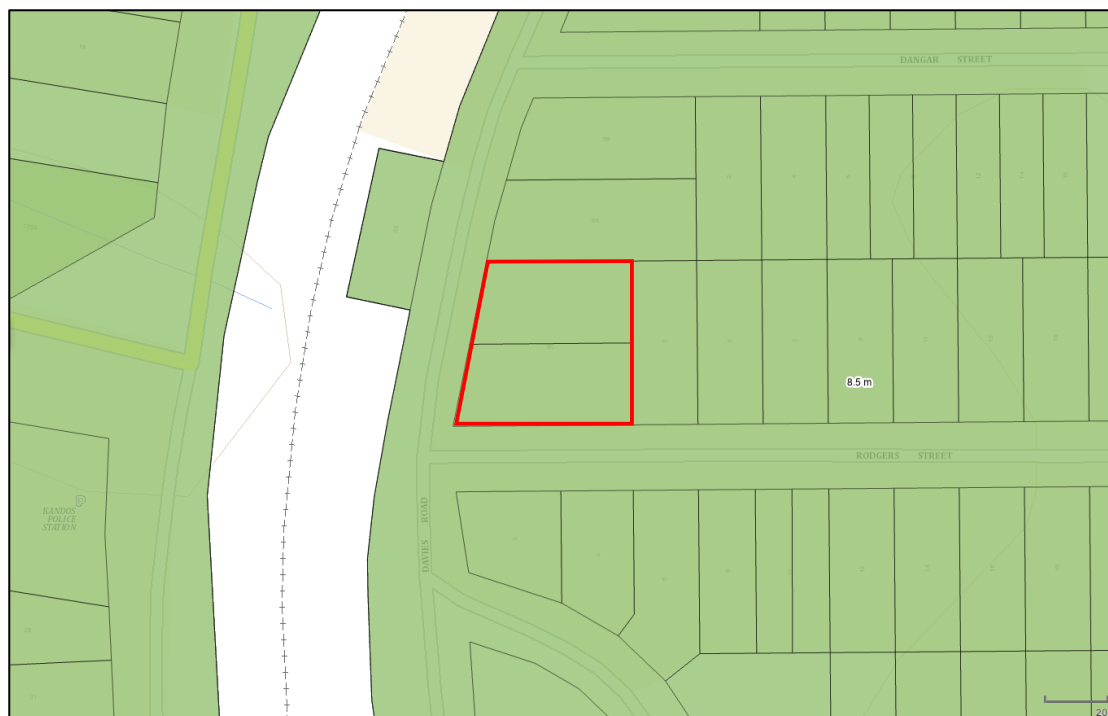


Figure 4: Height of buildings map (source: NSW Planning Portal Spatial Viewer)

2.3. KEY FEATURES

2.3.1. Vegetation

As previously mentioned, the site has been historically cleared of vegetation, with grassed area and fill material forming the eastern part of the site, and concrete hardstand on the west. The site is not mapped on the Biodiversity Values (BV) map or the Terrestrial Biodiversity map, pursuant to LEP 2012.

2.3.2. Heritage

The subject site does not contain any items, nor is it adjacent to any items of local, State or Aboriginal heritage significance, pursuant to LEP 2012. Additionally, the site is not within or adjacent to a heritage conservation area (HCA).

An Aboriginal Heritage Information Management System (AHIMS) search (**Appendix 1**) was conducted on 28/08/2023 and found no Aboriginal sites or places within a 200m radius of the subject site. The site is located within the Bathurst Local Aboriginal Land Council (LALC).

2.3.3. Bushfire

The subject site is not bushfire prone, per NSW Rural Fire Service mapping.

2.3.4. Soils and Geotechnical

The site is not identified as any class of land for acid sulfate soils, or subject to groundwater vulnerability mapping, pursuant to LEP 2012. Additionally, the site is not located within a proclaimed mine subsidence district. It should be noted that a preliminary geotechnical investigation was carried out for the site, and the findings of which are provided at **Appendix 6**. The purpose of that investigation is to provide guidance as to the expected foundation condition so that a suitable foundation design can be prepared for the proposed residential dwelling.

2.3.5. Flooding

The subject site is not identified as flood prone land, pursuant to LEP 2012 mapping. Additionally, the subject site was not featured in the *Mudgee Flood Study* of 2021.

2.3.6. Traffic and Access

The subject site has multiple kerb cut-outs (driveway crossovers) for access. It has one to access the vacant portion on the site (south), another on the south for access into the service station, and two cut-

outs on the western side of the site for additional access into the service station. The frontage to Davies Road contains a pedestrian footpath. Part of the site contains fencing, down the middle, to form a physical boundary between the east and west.

2.3.7. Site Photos

The following site photos were obtained by de Witt Consulting during a site visit on 07/02/2023.



Image 1: View of existing development onsite



Image 2: View of vacant part of site



Image 3: View east down Rodgers Street



Image 4: View of bordering vegetation



Image 5: View of site towards Rodgers Street



Image 6: View of adjacent development to the east

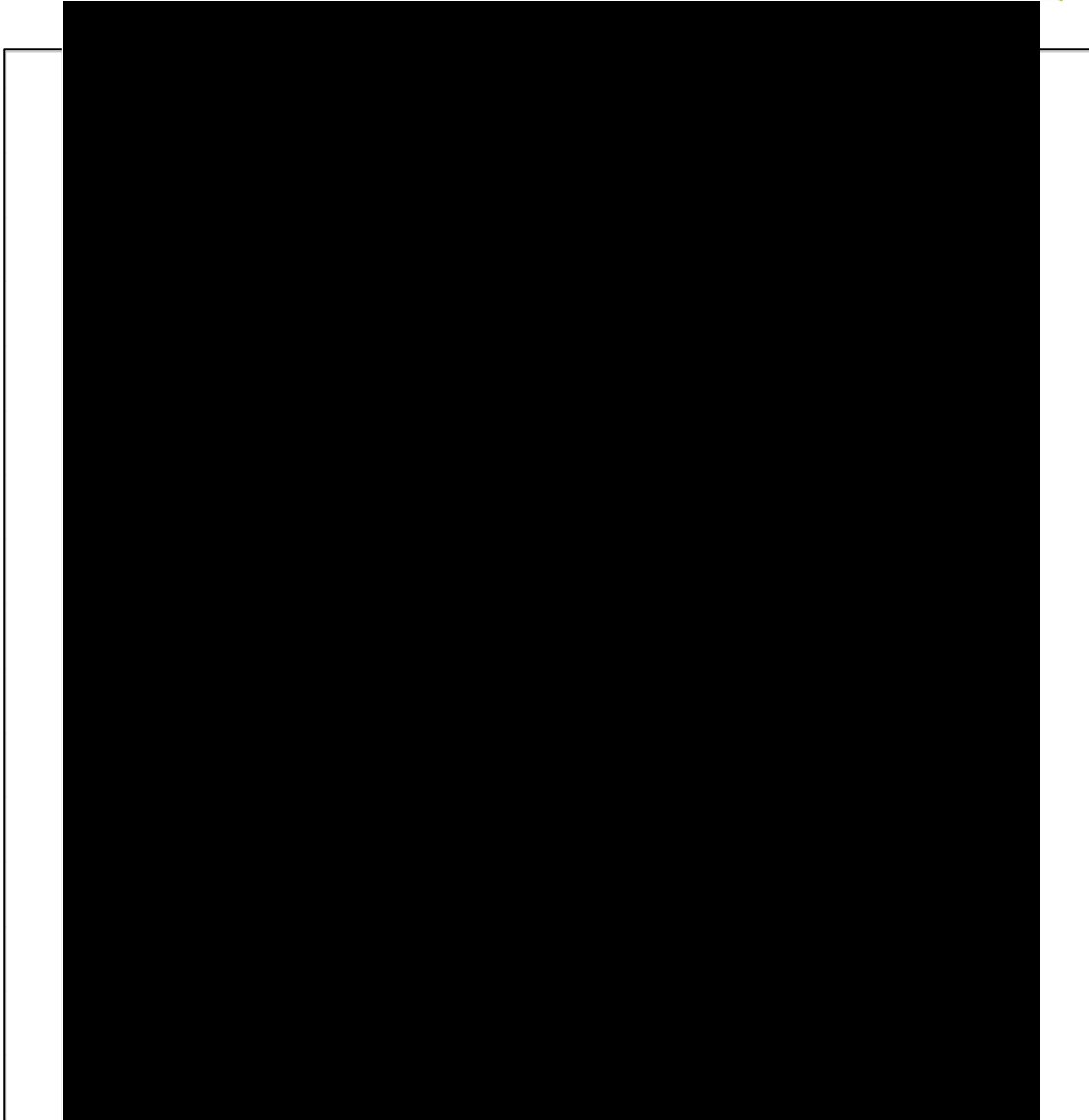


Figure 6: Proposed floor plan (source: Mudgee Builder)

3.2.1. Visual Amenity

The proposed development uses sympathetic material and colour choices, to ensure the development fits into the existing established urban fabric of Kandos. The proposed development will use brick veneer walls, in a darker colour, as well as a Colorbond custom orb corrugated roof sheeting. Aluminium window frames will provide a stronger contrast with the darker materials for the walls and roof. The proposed fencing between each dwelling will be Colorbond, which is suitable and expected for development of this nature. The proposed roof has a 20 degree pitch, with 450mm eaves. This style of roof is suitable for development of this nature. *Figures 7-9* below show the proposed external design, as well as a 3D rendering of the front and rear of the proposed dual occupancy.

Overall, the proposed building design is one that is comparable with nearby residential dwellings, being of similar scale, materials and design, and therefore will harmonise within the existing streetscape.

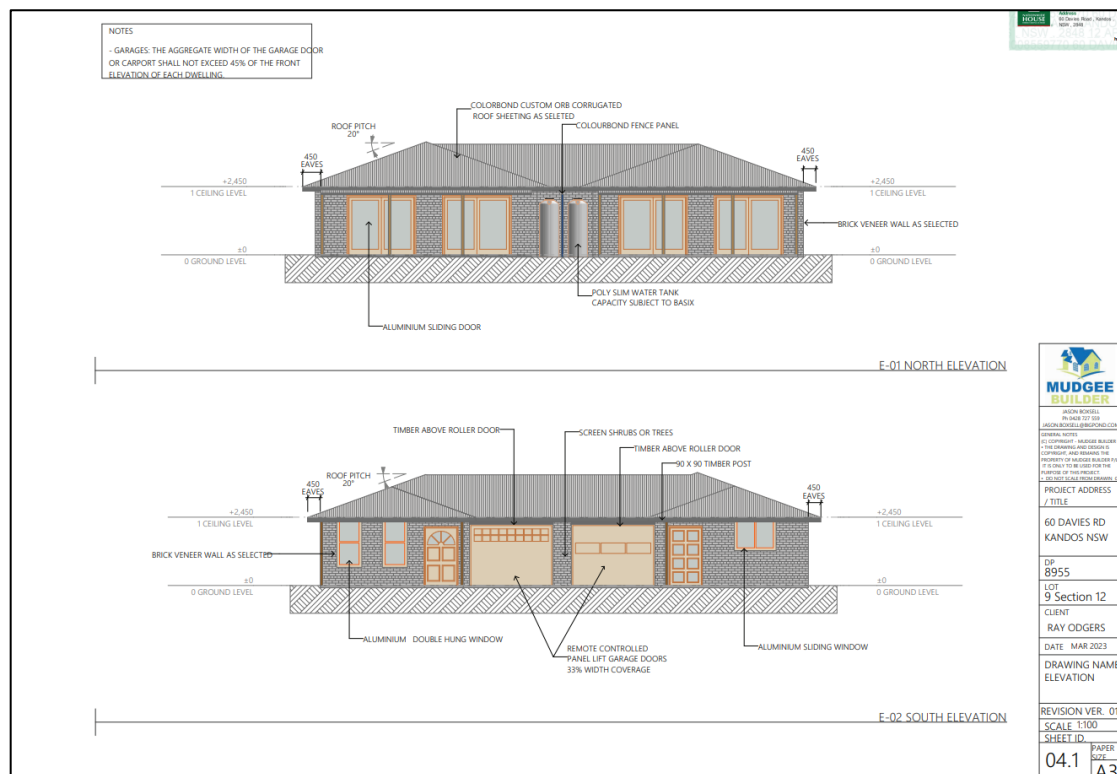


Figure 7: Proposed north and south elevations (source: Mudgee Builder)

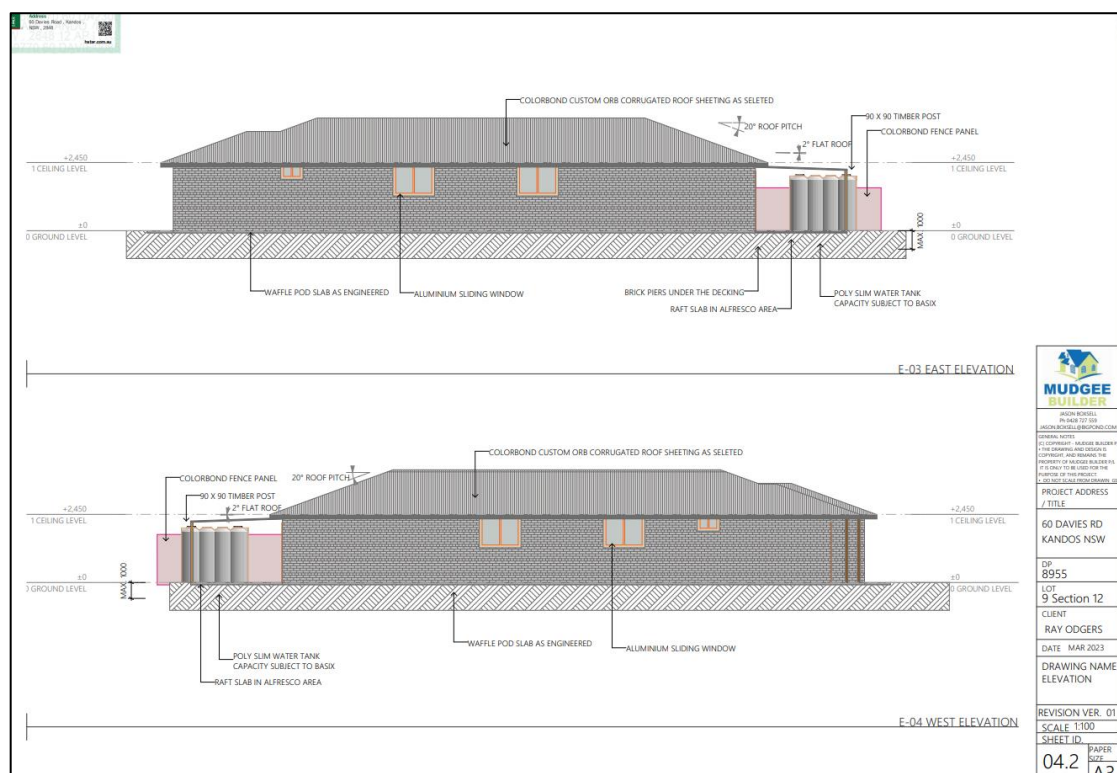


Figure 8: Proposed east and west elevations (source: Mudgee Builder)



Figure 9: 3D renderings of front and rear of proposed dwellings (source: Mudgee Builder)

3.2.2. Traffic, Parking and Access

Each proposed dwelling will be accessed from Rodgers Street. Vehicular access will be via a shared driveway hardstand (with landscaping creating a central border). Each dwelling will have a single vehicle driveway, and the ability for another vehicle to be parked in a stacked arrangement in front of the garage, ensuring compliance with DCP parking controls. The cumulative total frontage taken up by garage openings is 33%, which is in line with DCP controls, and contributes to an improved visual amenity outcome, particularly when compared to strictly complying with the DCP control (designing the widest allowable opening). Access into each dwelling will be via their front doors, which are adjacent to the garage openings. Each door is an easily identifiable location, which ensures ease of access.

3.2.3. Services

To ensure compliance with DCP and LEP controls on servicing, a proposed concept sewer design has been prepared for the proposed development, provided at **Appendix 10**, and overleaf at *Figure 10*. Key features of this design include removing the existing sewer main on the vacant portion of the land and re-routing it slightly to the west, where it will run from the street to close to the north of Proposed Lot 108, close to the proposed property boundary. It will then cross over into Proposed Lot 109 and connect with the existing sewer main to the north of this proposed lot. This will keep the sewer main clear of any buildings. The piping will be made from uPVC and constructed to WSA Sewerage Code of Australia 02-2014-3.1 and Mid-Western Regional Council standards. An extract of this plan is provided below at *Figure 9*. The appropriate approvals will be sought for this connection post DA stage.

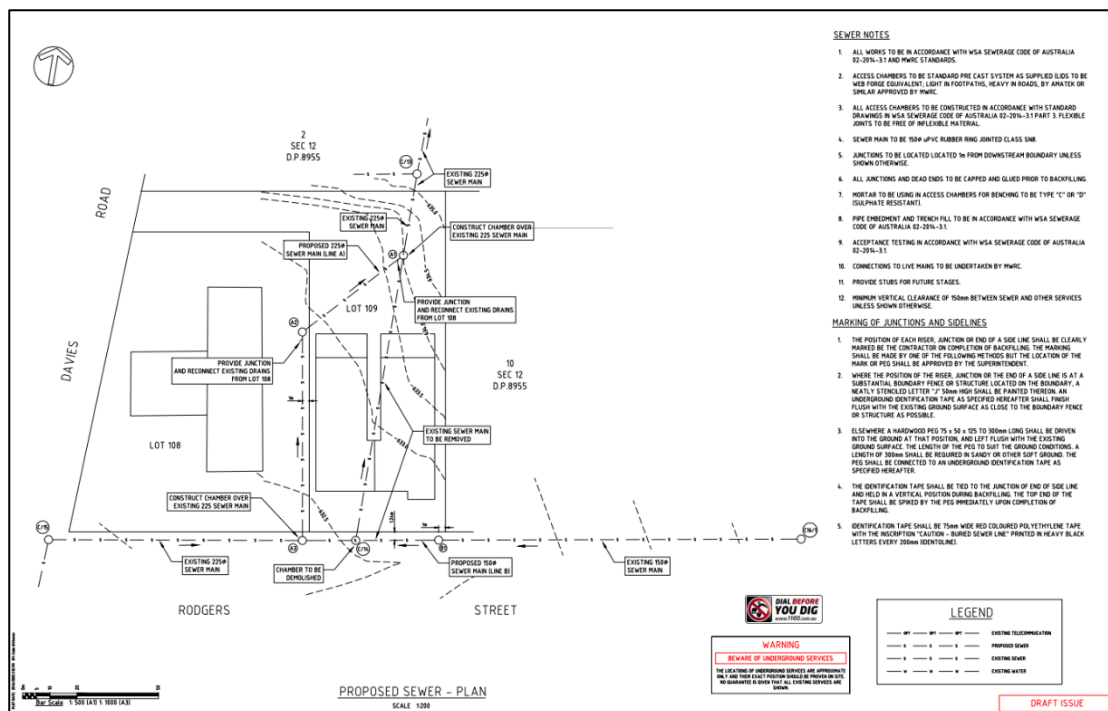


Figure 10: Concept sewer design (source: de Witt Consulting)

4. STATUTORY PLANNING CONTROLS

4.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS 2021

The proposed development will require consent under the provisions of Part 4 of the EP&A Act. The proposal is not integrated development pursuant to section 4.46 of the EP&A Act. Additionally, the proposed development is **not** considered to be:

- Designated development pursuant to Schedule 3 of the Environmental Planning and Assessment Regulations 2021 (the Regulations) or any other environmental planning instrument;
- State significant development (SSD) or State significant infrastructure (SSI) pursuant to Section 4.36 of the EP&A Act; and
- Regionally significant development pursuant to the State Environmental Planning Policy (SEPP) (Planning Systems) 2021. The development will have a CIV of less than \$5/\$30 million and therefore will not trigger regionally significant development.

Therefore, the proposed development is 'local development' and Council is the relevant consent authority.

4.2. RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

Table 4.2.1 address the relevant SEPPs in accordance with Section 4.15(1) of the EP&A Act.

Table 4.2.1: Relevant SEPPs

SEPP	COMPLIANCE
State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Remediation of Land	Chapter 4.6 of this SEPP sets out that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purposes for which the development is carried out. A search of the EPA Contaminated Sites Register has found that the site is not listed on the register, and there are no sites on the register within proximity to the subject site. Whilst the site is located adjacent to an existing Service Station, all infrastructure associated with this land use is located outside the proposed new lot boundary for the development site and the building footprints themselves. There is no indication of any possible contamination occurring on the development site itself. There is a suitable spatial separation achieved between the proposed residential land use and the existing Service Station. Based on this, no further consideration is required.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	This SEPP was enacted to ensure buildings are designed to use less potable water and minimise greenhouse gas emissions by setting energy and water reduction targets for residential houses and units. A BASIX assessment has been undertaken as part of the proposed development by a qualified Building Sustainability Assessments consultant. The certificate is provided at Appendix 7 with NatHERS Certificate at Appendix 8 . It details that the new dwellings comply with thermal comfort, water, and energy standards.

4.3. MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012

The Mid-Western Regional LEP 2012 provides a planning framework to facilitate development in an appropriate manner with due consideration to ecologically sustainable development. Relevant clauses of LEP 2012 are discussed in Table 4.3.1.

Table 4.3.1: Consistency with relevant clauses of LEP 2012

CLAUSE	CONSISTENCY
2.1 Land use zones	The subject site is zoned RU5 Village. Land uses permitted with consent in this zone are as follows:

CLAUSE	CONSISTENCY
	<p><i>Bee keeping; Centre-based child care facilities; Community facilities; Dwelling houses; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Tank-based aquaculture; Any other development not specified in item 2 or 4</i></p> <p>Uses prohibited in this zone (item 4) are as follows:</p> <p><i>Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Cellar door premises; Correctional centres; Crematoria; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Hazardous storage establishments; Heavy industries; Jetties; Livestock processing industries; Local distribution premises; Offensive storage establishments; Open cut mining; Rural workers' dwellings; Sawmill or log processing works; Sex services premises; Stock and sale yards; Waste disposal facilities; Waste or resource transfer stations; Water recreation structures</i></p> <p>As noted above, dual occupancies (attached or detached) are not identified as being a prohibited land use. As such, they are taken to be permitted with consent in accordance with item 3. The proposed boundary adjustment is permitted with consent. The proposal is consistent and permissible pursuant to Clause 2.1.</p>
2.3 Zone objectives and land use table	<p>The objectives of the RU5 Villate zone are as follows:</p> <ul style="list-style-type: none"> <i>To provide for a range of land uses, services and facilities that are associated with a rural village.</i> <i>To promote development that is sustainable in terms of the capacity of infrastructure within villages.</i> <p>The proposed development is generally consistent with the objectives of the land use zone in question. The scale of the proposed development can be considered reasonable in the context of a rural village, as it does not dramatically increase the density or demand on infrastructure or local services. The proposed development is consistent with surrounding built form in terms of land use, scale and design.</p>
4.1 Minimum subdivision lot size	<p>The subject site has a minimum lot size of 600m². The proposed lots resulting from the boundary adjustment will be 1,361m² for Proposed Lot 108 and 1,161m² for Proposed Lot 109. Each lot is larger than the minimum lot size and is consistent with this clause.</p>
4.1A Minimum lot sizes for dual occupancies, manor houses, multi dwelling housing and residential flat building	<p>This Clause applies to land in Kandos that is within zone RU5 Village. The Clause requires that for <i>the purposes of a dual occupancy (attached), the area of the lot is equal to or greater than 600 square metres</i>. As above, the resultant Lot 109 is 1,161m² and therefore compliant with Clause 4.1A.</p>
4.3 Height of buildings	<p>The proposed development has a maximum permissible building height of 8.5m. The proposed development has a maximum building height that is lower than the maximum building height permissible on the site and is consistent with this clause.</p>
6.1 Salinity	<p>As shown in the Capertee soil landscape report (DPE), the soils in this landscape tend to have low levels of salinity. The nearest salinity measurement points indicate 'no salting evident'. It is not expected that the salinity levels on the subject site will cause adverse impacts to the proposed development or surrounding areas.</p>
6.3 Earthworks	<p>Any earthworks are standard and will be considered as part of this application.</p>
6.9 Essential services	<p>The proposed development will have access to reticulated water, sewage, electricity, communications and appropriate stormwater drainage and conservation. A concept sewer design is included with the DA package (Appendix 10), and stormwater management</p>

CLAUSE	CONSISTENCY
	plans are also included (Appendix 3). Electricity and telecommunications will be augmented for connection as part of the detailed design. The proposed development will have suitable road access from Rodgers Street via a new driveway crossover.

4.4. MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN 2013

The Mid-Western Regional DCP 2013 provides guidance to development of land under LEP 2012 and is intended to act as an integrated planning document. The purpose of the DCP 2013 is to supplement LEP 2012 and provide additional information to take into account when preparing a development application. An assessment of the proposed development against applicable DCP requirements is provided in Table 4.4.1 below.

Table 4.4.1: Consistency with Mid-Western Regional DCP 2013

CLAUSE / CONTROL	CONSISTENCY
Part 3 – Discretionary Development Standards	
3.1 – Residential Development in Urban Areas (Single Dwellings and Dual-Occupancies)	
<i>We note that this section applies to ‘urban’ land, and RU5 Village is a ‘rural’ zone. However, we have applied the controls in Section 3.1 considering the proposal is to include a ‘dual occupancy’ and the controls therefore more relevant. Where other sections may be more relevant, a note is provided.</i>	
Building setbacks	<p>The proposed dual occupancy will be set back 7.5m from the front property boundary, and it will have a 950mm side setback on the west, and a 1,600mm side setback on the east. Rear setback is considered to be more than compliant. These setbacks are considered to be compliant with the proposed lot size, since it is under 2,000m². The garages are set back further than the 7.5m setback, ensuring their compliance with this control (where garages are setback at least 5.5m). The setbacks are considered to be compatible with existing and future urban development patterns and are considered to be entirely appropriate in this instance.</p> <p>Note. In Section 6.1 Dwellings of the DCP, the setback for dwellings in the RU5 zone is 7.5m so the proposal is therefore also consistent with this section.</p>
Building height	The subject site has a maximum building height of 8.5m. The proposed development is deemed to satisfy as it is a single storey building with a FFL at natural ground level. Adjacent properties are unlikely to be adversely impacted by the proposed development regarding shadowing or overlooking (discussed below).
Site coverage	The proposed development is deemed to satisfy this control as it has a site coverage area of 32%, which is less than the 35% deemed-to-satisfy maximum. Stormwater runoff will be minimised by appropriate drainage. This includes rainwater harvesting, as well as limiting the amount of concrete hardstand. As noted in this control, dual occupancy development cannot exceed 50% site coverage. The proposed development is consistent with that control. Overall, the proposed development has an appropriate bulk and scale for existing residential development in the surrounding area.
Solar access	<p>The proposed development is deemed to satisfy this control as the internal living areas and private open space areas are located on the northern side of each proposed dwelling. This maximises their solar potential, ensuring appropriate levels of light during the day. The proposed eaves will provide appropriate levels of sun protection in the summertime, without adversely impacting wintertime solar access. Large north-facing sliding door windows will allow easy access between the private open space areas, and the internal living areas. They will also maximise solar access potential.</p> <p>Shadow diagrams are not necessary for the single storey development, also considering the orientation of the development being north-south, with the public domain to the south and appropriately setback. Therefore, only minor shadows would fall to the residential development to the east in the afternoons, none to the residential to the north, and none of affect to the Service Station to the west in the morning.</p>

Privacy	The proposed development is deemed to satisfy this control as it has an FFL that is at the natural ground level. This improves accessibility outcomes, as well as ensuring the building is not set too high, better aligning visual privacy outcomes with the desired built form. Standard 1.8m high boundary fencing is an accepted measure for mitigating overlooking for single-storey developments where the site's are predominantly flat and level. Also, the adjoining dwellings to the north and east are located slightly upslope so overlooking is further mitigated. Therefore, there are no privacy impacts based on the proposed FFL, scale of the development and topography.
Parking	The proposed development is deemed to satisfy this control as it provides two car parking spaces per dwelling, where one is garaged, and the other is provided as a single file stacked arrangement on the driveway hardstand. The proposed design of the driveway is considered to be suitable for a development of this nature, with landscaping used to break up the size of the hardstand and put a physical barrier (plantings) between each access. The driveways are considered to have appropriate sight distances, to ensure safety for the residents, pedestrians, and other drivers in the area.
Landscaping	Standard landscaping (turf and drought resistant species) will enhance the overall amenity of the proposed development.
Open space	The proposed dual occupancies will have sufficient private open space area and is deemed to satisfy with minimum 80m ² (minimum 5m dimension) achieved for both dwellings. The private open space area is located on the northerly side of each dwelling and is easily accessible from internal living areas. Given this location, the private open space will have substantial access to the sun.
Corner lots	While not strictly a corner lot following the boundary adjustment (proposed battle-axe), the proposed Lot 109 will have a secondary frontage to Davies Road. The development is not required to address this frontage, as it is a minor frontage, and is 6.13m wide.
Fencing	The proposed development is deemed to satisfy this control, as a 1.8m Colorbond fence is proposed to divide the dual occupancy residences.
Infrastructure	The proposed water tanks are located to the rear of each proposed dwelling, which ensures that they are not visible from the street, improving the overall visual amenity outcome of the proposed development.
Garages, outbuildings	The proposed garages are considered to integrated well into the design of the development, and generally are consistent with this control.
Development near ridgelines	N/A – Proposed development is not on a ridgeline.
Slopes	As shown on the Architectural Plans at Appendix 2 , the maximum cut proposed is 600mm and the maximum fill proposed is 900mm. This amount is considered to be reasonable in this instance, and otherwise the site retains much of the natural ground levels. The proposed cut and fill is not likely to direct stormwater onto other properties. A Soil Report is provided at Appendix 6 .
Access	The proposed development is considered to comply with this control. A concrete driveway has been provided for residents, visitors and emergency service vehicles.
Relocated dwellings	N/A – Proposed development not a relocatable dwelling.

Adaptability	The proposed development will have an FFL at the natural ground level, which will improve accessibility outcomes for people with a disability.
Design Principles	<p>The proposed development has substantial window coverage on the front elevation, which will improve natural surveillance outcomes. The proposed development uses physical and symbolic barriers to channel and restrict the movement of people. Physical barriers include fencing, either between the proposed dual occupancies or between boundaries around the site, and symbolic, such as the landscaping used to channel vehicles and pedestrians to each residence.</p> <p>The proposed design is considered to be sympathetic to surrounding development and does not introduce any fundamentally different design choices compared to the surrounding residential development. The bulk and height is consistent with surrounding development, remaining at a single storey. The proportions of the proposed development are such that it doesn't present much of the bulk to the street, where the bulk runs the length of the lot, out of the view of those viewing from the front. As previously noted, the design of each dwelling has been optimised for efficient use, such as northerly facing private open spaces and internal living areas; this maximises their solar access. The dwellings are laid out in a logical fashion, with living and dining areas in one space, and sleeping areas in another area.</p> <p>The proposed development does not introduce inappropriate levels of density for the surrounding area and locality in general. Additionally, the proposed development is permitted within this land use zone and can be considered within 'expected' forms of development for this zone and area.</p> <p>The proposed development adheres to relevant efficiency regulations and standards, such as NatHERS and BASIX. As previously noted, each dwelling will have a rainwater tank, which will divert rainwater away from town stormwater systems, enabling it to be reused.</p>

Part 5 – Development Standards

5.1 – Car Parking

Car parking rates	Per DCP guidelines, the proposed development provides two car parking spaces per dwelling in the dual occupancy, where one is stored in the garage, and the other is provided in a stacked arrangement in front of the garage.
Landscaping	As shown on the Architectural Plans at Appendix 2 , landscaping is provided to improve visual amenity of the driveway hardstand, as well as provide visual cues for vehicular parking.

5.3 – Stormwater Management

As required, the proposed development will intend on meeting BASIX targets and performance measures set out in **Appendix 7**. Additionally, a Civil Engineering Plan at **Appendix 3** has been prepared for the proposed development, which outlines erosion and sediment control measures for the proposed development, as well as stormwater management measures. The stormwater management measures include roof water collected and directed to a 7,000L rainwater tank (per dwelling), with overflow discharged at the street. This is an appropriate system for the scale of the development.

5.4 – Environmental Controls	
Protection of Aboriginal archaeological items	An AHIMS search was conducted on 28/08/2023 and found that there are no Aboriginal sites or places within a 200m radius of the subject area.
Bushfire management	N/A – The subject site is not bushfire prone land, per NSW Rural Fire Service mapping.
Pollution and waste management	The proposed development will not create trade waste and is unlikely to cause any adverse environmental impacts on adjoining properties, stormwater or sewerage systems or waterways. The subject site is not mapped as Groundwater Vulnerable, pursuant to LEP 2012. The proposed development is consistent with this control.
Threatened species and vegetation management	N/A – As previously discussed, the subject site is cleared of vegetation, and is not mapped as land of high sensitivity biodiversity or BV.
Building in saline environments	<p>An eSPADE report on the Capertree soil landscape, in which the subject land is located, was viewed on 29/08/2023. It notes: “<i>High levels of soil salinity are apparent and common across the landscape. Landform elements affected include drainage lines, depressions, footslope terraces, lower slopes and more rarely, mid and upper slopes. Some obvious areas of salt accumulation occur on low angle slopes in the vicinity of Clandulla</i>”</p> <p>It should be noted that the soil breakdown table noted generally low levels of salinity. Additionally, nearby testing shows ‘no salting evident’. No further consideration required.</p>
Part 7 - Subdivision	
7.1 – Urban Subdivision	
Lot size	The subject site has a minimum lot size of 600m ² . The proposed lots resulting from the boundary adjustment will be 1,361m ² for Proposed Lot 108, and 1,161m ² for Proposed Lot 109. Additionally, each proposed lot will have a larger than required minimum frontage. It should be noted that Proposed Lot 109 will have a secondary battle-axe access, with the secondary frontage off Davies Road being 6.135m in width (compliant with the 4m requirement for handles). The proposal is compliant with the lot size requirements.
Lot design	The proposed boundary adjustment improves the orientation of future development, enabling the proposed dual occupancy to have its respective internal living areas and private open spaces on a northerly aspect. This improves overall solar access outcomes. The lots are rectangular in shape and large enough for a developable footprint, whilst also taking into account matters such as landscaping and solar orientation.
Utility services	As noted in Appendix 10 , a Concept Sewer Plan has been provided to demonstrate how the proposed subdivision and development meet requirements for sewerage. Reticulated services will be amplified as part of the detailed design.
Drainage	Proposed drainage infrastructure is discussed in 5.3 Stormwater and shown at Appendix 3 .

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

5.1. SECTION 4.15(1)(A) – STATUTORY PLANNING CONSIDERATIONS

In determining the subject DA, Council is required to consider those relevant matters listed in section 4.15(1) of the EP&A Act. Each of the relevant matters is addressed below.

Section 4.15(1)(a) requires the consent authority to take into consideration the provisions of any environmental planning instrument (EPI), draft EPI, DCP, planning agreement that has been entered into under section 7.4 of the EP&A Act or under the EP&A Regulations 2021.

These matters (and others) are addressed in Section 4 of this report, and below.

The proposal is permissible with the consent of Council and is generally consistent with the provisions and objectives of Mid-Western Regional LEP 2012 and DCP 2013.

5.2. SECTION 4.15(1)(B) – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The following table provides an overview of the potential impacts of the development on the natural and built environments.

Table 5.2.1: Assessment of Environmental Effects

IMPACT	COMMENT
Accessibility	The proposed development is not expected to cause any adverse accessibility outcomes. Mitigations come in the form of an FFL at natural ground level, ensuring low to no-step access.
Biodiversity	The proposed development is not expected to have any negative biodiversity impacts. The subject site is currently cleared of vegetation.
Bushfire	N/A – Site not bushfire prone
Economic	No negative economic impacts are expected relating to the proposed development. The proposed development is likely to have positive economic impacts through increased employment at the construction phase, and the general economic benefits of increased housing supply.
Effluent Disposal	A Concept Sewer Plan has been provided for effluent management, at Appendix 10 .
Erosion and Sediment Control	Erosion and sediment control measures will be in place, as outlined in Appendix 3 .
Flood	N/A – Site is not flood prone
Geotechnical	Salinity levels are low in this area, and unlikely to impact the proposed development. A Soil Report has been prepared for the proposed development, at Appendix 6 .
Heritage	As previously discussed, there are no heritage matters at play regarding the proposed development.
Safety and Security	Proposed development is not of a scale that requires a full-scale crime risk assessment. Typical safety and security practices are in place for a development of this nature, such as lockable doors and windows, clear transitions from public to private spaces, and fencing.
Social	No negative social impacts are expected for the proposed development. As required in s4.15(1)(e) of the Act, the public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and controls. The proposed development is permissible use and is considered to be in the public interest, rendering a positive social impact.
Stormwater	A Stormwater Plan has been provided in the Civil Engineering Plans at Appendix 3 which outlines the solutions taken to manage stormwater on the site. It is considered that stormwater is managed suitably.
Traffic	The proposed development is unlikely to have significant impacts on the local traffic and road network.

IMPACT	COMMENT
Visual	The proposed development has been sited to ensure the development 'fits in' with surrounding development, and will not produce unreasonable privacy, shadowing or built form impacts.

Overall, the proposal is substantially consistent with the objectives and development controls contained within the various environmental planning instruments and development controls that apply to the site (see Section 4). The proposed development will not result in an adverse impact to the environment and is consistent and compatible with existing built form onsite and in the surrounding area. The proposed development comprises orderly economic development of the site for purposes for which it is zoned and currently used. The proposal will not pose any negative social or economic impacts.

5.3. SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE

Suitability of the site for the proposed development is dealt with in Section 2. The site overall is considered to be suitable for the proposed development, with minimal environmental and planning constraints.

5.4. SECTION 4.15(1)(D) – SUBMISSIONS

Any relevant representations will need to be considered by the Council in the determination of the development application.

5.5. SECTION 4.15(1)(E) – PUBLIC INTEREST

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and substantially in accordance with the prevailing planning controls. The development is a permissible form of development and is therefore considered to be in the public interest.

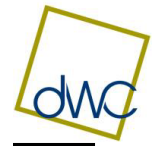
6. CONCLUSION

This SEE has been prepared on behalf of Mudgee Builder to accompany a DA for a boundary adjustment and construction of an attached dual occupancy at 60 Davies Road, Kandos NSW 2848.

As discussed in the SEE, the subject site is suitable for a development of this nature. It is relatively flat and has limited environmental and planning constraints. The proposed boundary adjustment and dual occupancy development are substantially compliant with relevant LEP and DCP controls and contribute to an improved urban outcome with dwellings that have sufficient open space, are oriented well and designed such that their visual impact upon surrounding properties is minimal. The proposed development makes a positive architectural contribution to the surrounding area and Kandos as a whole.

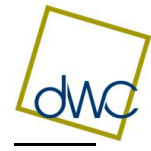
The proposal is reasonable and appropriate when considered under the relevant heads of consideration in Section 4.15(1) of the EP&A Act and is considered to be worthy of favourable determination by Council.

APPENDICES



APPENDIX 1

AHIMS Search Result



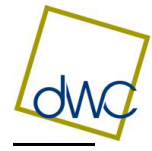
APPENDIX 2

Architectural Plans prepared by Mudgee Builder



APPENDIX 3

Civil Engineering Plans prepared by MPC Consulting Engineers



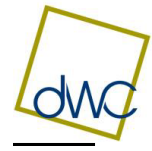
APPENDIX 4

Detail Survey prepared by de Witt Consulting



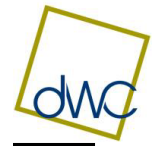
APPENDIX 5

Plan of Proposed Subdivision prepared by de Witt Consulting



APPENDIX 6

Geotechnical Assessment prepared by Barnson



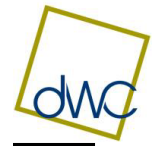
APPENDIX 7

BASIX Certificate prepared by Certified Energy



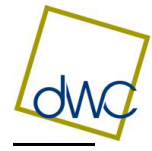
APPENDIX 8

NatHERS Summary Certificate prepared by Certified Energy



APPENDIX 9

Slab Design prepared by Barnson



APPENDIX 10

Concept Sewer Design prepared by de Witt Consulting