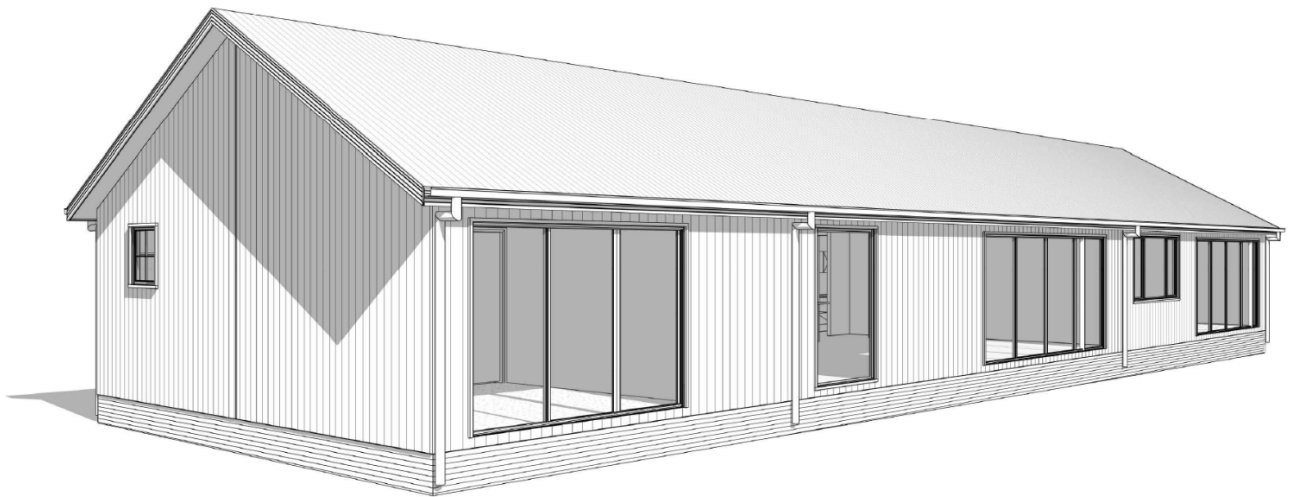


STATEMENT OF ENVIRONMENTAL EFFECTS



435 Kaludabah Road PIAMBONG NSW 2850

Lot 899 DP 1278019

**DEVELOPMENT APPLICATION FOR INSTALLATION OF A NEW
MANUFACTURED HOME AND CONNECTIONS TO EXISTING ON-
SITE SERVICES.**

STATEMENT OF ENVIRONMENTAL EFFECTS

435 Kaludabah Road PIAMBONG NSW 2850

Lot 899 DP 1278019

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1.0 INTRODUCTION

This report describes the site, surrounding properties, proposed development, provides background information and justifies the proposed development as part of a development application to Mid-Western Regional Council with regards to Lot 899 DP 1278019, currently described as 435 Kaludabah Road PIAMBONG NSW 2850.

Pursuant to Mid-Western Regional Local Environmental Plan 2012, the site is currently zoned RU1 Primary Production, and the proposed use is permissible with consent. This report should be read in conjunction with the architectural plans submitted as part of the Development Application.

The proposed single storey manufactured home has been designed with consideration to the subject site's topography, orientation, existing amenity and its relationship to neighbouring development and scenic quality. The proposal aims to maintain the objectives and to comply with all the requirements of Mid-Western Regional Local Environmental Plan 2012 and Mid-Western Regional Development Control Plan 2013.

2.0 SITE ANALYSIS

2.1 SITE LOCATION + CONTEXT

The subject site is located approximately 17.5km Northwest of Mudgee and approximately 16.5km Southwest of Gulgong. The subject site is located on the eastern side of Piambong, 4km from the Castlereagh Highway. Piambong is a rural area where the surrounding development consists of a mixture of grazing land and lifestyle rural properties.

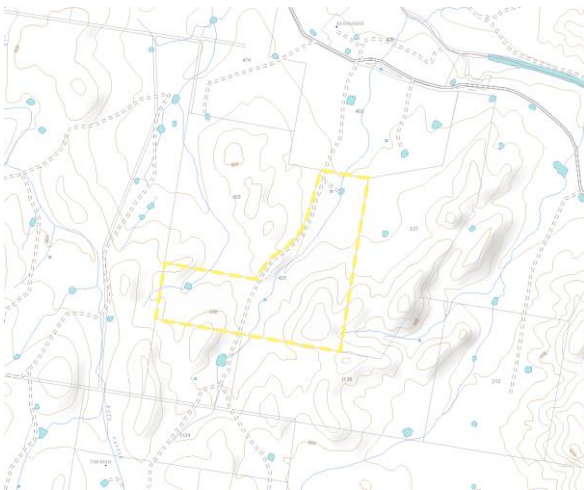


Figure 1. Location Map



Figure 2. Satellite Image

2.2 SITE DESCRIPTION

The subject site is an irregular 'L' shape with maximum dimensions of 1294.10m long and 1400.00m wide and has an area of 10.4ha.

2.3 LANDFORM + TOPOGRAPHY

The site has tributary that runs from south to north that flows into Cudgegong River. The subject site is regarded as relatively flat that rises at the south end of the property. The flat land has been cleared for grazing retaining some trees for shade. The higher, more hilled areas retain significant vegetation. The proposed location for the Manufactured Home is clear and flat.

2.4 EXISTING DEVELOPMENT

Access to the subject site from Kaludabah Road is via an existing Right of Carriage way through the neighbouring allotment. There is an existing approved shed and an existing approved manufactured home with services. The existing approved manufactured home is to be redesignated to be a secondary dwelling, with the proposed manufactured home being the primary dwelling.

3.0 SURROUNDING DEVELOPMENT

The site is in an existing rural area dominated by grazing land and woodland. The surrounding development consists of generally large sized allotments with a mixture of grazing land and lifestyle rural properties. Allotments consist of single storey homes and farm buildings with varying materials and finishes. The existing homes and farm buildings in the area are generally set well back from the road and are concealed by vegetation.

4.0 PROPOSAL

This application is to seek approval for the installation of a new manufactured home and connections to existing on-site services and for the existing approved manufactured home is to be redesignated to be a secondary dwelling. The new manufactured home will consist of 3 Bedrooms, 3 Bathrooms, Study, Living Area, Kitchen, and Laundry.

No demolition will take place.

No trees will be removed.

PROPOSAL CALCULATIONS

Total Site Area	100 400.0m²
Private Open Space	80.0m ²
Proposed Manufactured Home Floor Area	232.2m ²
Existing Manufactured Home Floor Area	60.0m ²
Existing Shed Floor Area	300.0m ²
Total Floor Area	592.2m²
Floor Space Ratio	0.006:1 or 0.6%

5.0 MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012

Mid-Western Regional Local Environmental Plan 2012 seeks to manage sustainable growth and provide development opportunities that are compatible with the prevailing rural character and amenity of rural areas. Below illustrates the relevant clauses that apply to the subject site.

5.1 LAND ZONING

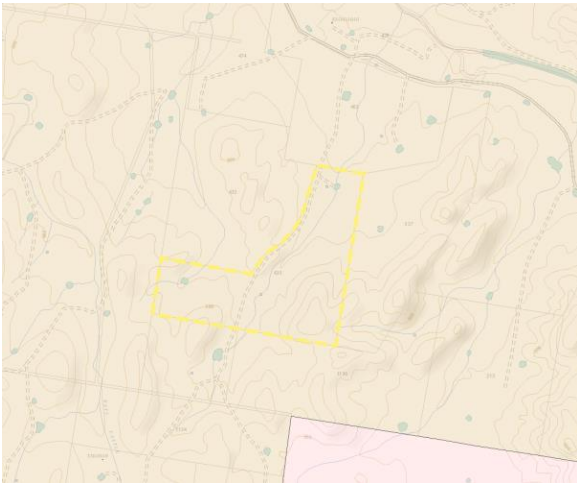


Figure 3. Zoning Map

ZONE RU1 PRIMARY PRODUCTION

1 OBJECTIVES OF ZONE.

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the visual amenity and landscape quality of Mid-Western Regional by preserving the area's open rural landscapes and environmental and cultural heritage values.
- To promote the unique rural character of Mid-Western Regional and facilitate a variety of tourist land uses.

2 PERMITTED WITHOUT CONSENT

Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems

3 PERMITTED WITH CONSENT

Aquaculture; Building identification signs; Business identification signs; Cellar door premises; Dwelling houses; Extractive industries; Farm buildings; Home industries; Intensive livestock agriculture; Landscaping material supplies; Markets; Open cut mining; Plant nurseries; Restaurants or cafes; Roadside stalls; Any other development not specified in item 2 or 4

4 PROHIBITED

Amusement centres; Attached dwellings; Backpackers' accommodation; Boarding houses; Boat building and repair facilities; Car parks; Centre-based child care facilities; Commercial premises; Correctional centres; Crematoria; Educational establishments; Exhibition homes; Exhibition villages; Freight transport facilities; Group homes; Health services facilities; Heavy industrial storage establishments; Hostels; Industrial retail outlets; Industries; Local distribution premises; Marinas; Mortuaries; Multi dwelling housing; Passenger transport facilities; Places of public worship; Public administration buildings; Pubs; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Semi-detached dwellings; Seniors housing; Service stations; Sex services premises; Shops; Shop top housing; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wholesale supplies

ASSESSMENT:

The site is located in RU1 Primary Production Large Lot residential zone where a dwelling house is permissible with consent. It is a low-impact residential development designed for single household. The building mass and scale is compatible with the surrounding developments without unreasonable adverse impacts regarding overshadowing, traffic, overlooking issues. The proposed development is sited in an appropriate location.

5.2 PRINCIPAL DEVELOPMENT STANDARDS

- 4.2A Erection of dwelling houses, dual occupancies and tourist and visitor accommodation on land in certain zones
- 3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the land:
 - a) is a lot that is at least the minimum size shown on the Lot Size Map in relation to that land.

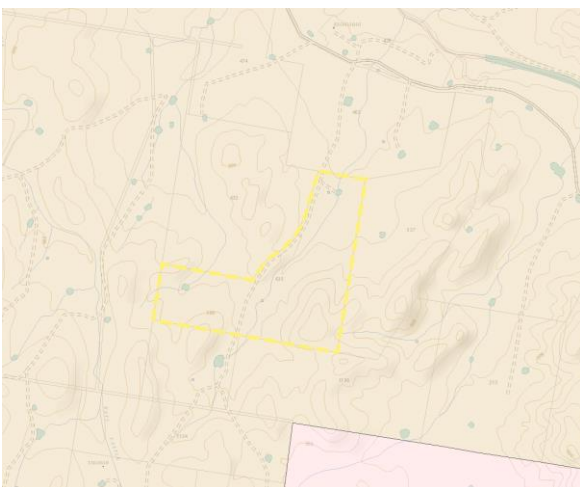


Figure 4. Lot Size Map

ASSESSMENT:

The subject site must have a minimum lot size of AD 100 ha as per the Lot Size Map. The site has an existing area of 100.4 ha and therefore complies with this requirement.

5.3 BUILDING HEIGHT

4.3 Height of buildings

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.

ASSESSMENT:

The relevant Height of Buildings Map does not specifically indicate a maximum Building Height, therefore the maximum building height must comply with the requirements outlined in Mid-Western Regional Development Control Plan 2013. Refer to Part 6 Mid-Western Regional Development Control Plan 2022 of this document.

6.0 MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN 2013

An assessment has been carried out using **Part 2 Fast Track Development Applications Chapter 2.1 General Housing and Ancillary Structures “Deemed to Satisfy” Provisions** although Transportable or Relocated Building (meaning a manufactured home) do not meet these criteria, to assist Mid-Western Regional Council in their assessment. Also non-compliant to the **Part 2 Fast Track Development Applications Chapter 2.1 General Housing and Ancillary Structures “Deemed to Satisfy” Provisions** is the proposed fill depth and lack of retaining walls and BASIX Certificate.

6.1 Part 2 Fast Track Development Applications Chapter 2.1 General Housing and Ancillary Structures “Deemed to Satisfy” Provisions

Control	Requirement	Proposed
BUILDING SETBACKS		
RU1 Greater than 5ha in area	Minimum Street Boundary Building Offset: 60m	Complies
	Minimum Rear Boundary Building Offset: 20m	Complies
	Minimum Side Boundary Building Offset: 20m	Complies
Garage door Articulation	The aggregate width of the garage door or carport shall not exceed 45% of the front elevation of the dwelling.	Complies
RESIDENTIAL AMENITY		
Building Height	Single storey (Single storey dwelling is one that has only one storey (as defined by the BCA) and the Finished Floor Level (FFL) is less than 1 metre above natural ground level.	Complies

Privacy	Single storey development achieving setbacks do not require specific privacy controls.	Complies
DESIGN		
Private Open Space	80m ² of private open space is provided with a minimum dimension of 5 metres. 75% of the Private open space and internal living areas should have access to sunlight for 3 hours a day between 9am and 3pm with direct access to the main living areas.	Complies
Street Frontage	No windowless facades at the street frontage(s). Street elevations are to include at least 5% of openings including windows, doors.	Complies
Garages	Garages – the aggregate width of the garage door or carport shall not exceed 45% of the front elevation of the dwelling.	Complies
Transportable or Relocated Building	Cannot be a transportable or relocated building.	Does Not Comply
CAR PARKING AND ACCESS		
PARKING	Provision for parking of two vehicles behind the building line including at least one space undercover.	Complies
ACCESS	All weather two-wheel drive access. Driveways to be located a minimum of 6m from an intersection. For rural area the minimum sight distances are: 250m in the 100km/hr speed zone and 180km/hr for the 80km zone. Where the driveway exceeds a slope of 6% appropriate erosion and sediment control is to be incorporated into the design of the access.	Complies
RIDGELINES AND EARTHWORKS		
Ridgelines	Development roofline must not project above the ridgeline where visible from any public road or place.	Complies
Slope and Cut + Fill	The slope of the development site cannot exceed 15 degrees. Cut is to be limited to 1000 mm. Fill is restricted to 600 mm. It must be clean fill and a geotechnical assessment issued for the fill to demonstrate compaction to the Australian Standard. Any cut and/or fill must be provided with retaining walls, drainage and must be setback a minimum of 300 mm from any boundary. Fill must not direct stormwater onto adjoining properties and drainage pits for overland flow paths are to be provided. Cut and fill is not permitted within water or sewer easements.	Complies* * A pad was excavated at the time of the shed construction in the proposed house location
Energy Efficiency	New Dwelling – Has a BASIX Certificate.	Does not Comply. With Part 2. Does comply with Part 6 As a relocatable home is not within the definition of building under the EP&A Act, a BASIX certificate is not required as per Planning Circular PS 21-016.

Control	Requirement	Proposed
PERMISSIBILITY		
Permissibility	The lot is to comply with the minimum area as designated on the LEP 2012 Lot Size Map or compliance must be achieved with Clause 4.2A for rural dwellings.	Does not Comply. With Part 2. Does comply with Part 6 A dwelling house is permissible. Although the method of construction does not constitute a dwelling, the result is permanent and indistinguishable from a dwelling house.

7.0 ADDITIONAL ASSESSMENT OF THE PROPOSAL

Location

The proposal is considered to be an appropriate location as the use of the site is in keeping with the surrounding area the same. The development is permissible in the zone with consent. A detailed assessment of the location is detailed above.

Amenity

The proposed manufactured home will have minimal impacts on the existing and future amenity of the locality.

Design of the Premises

All proposed structures will be of new construction. No existing buildings or structures will be retained.

The proposal will be a visual improvement to the existing site and surrounding areas. The proposal effectively fills the allocated area, while incorporating styles which complement existing buildings. The visual impact of the proposed development is that which is conceived from the planning controls.

Access

The existing site is accessible from Kaludabah Road and this access will remain the same. The driveway gradient is acceptable. The home will have car parking provisions for 2 cars under the proposal and the driveway itself can easily allow for another two cars off the street. The proposal will not be a major traffic generator.

Privacy and Shadowing

The proposed manufactured home has been designed to eliminate any possibilities for the invasion of privacy. The building has been designed to follow the sloping terrain. The habitable room windows will not directly overlook any windows of adjoining properties. The proposed development complies with the building height and building envelope setbacks. The proposal adequately considers site constraints including slope and site orientation to ensure that the proposal meets the solar access requirements.

The home faces North providing the living area and the 2 main bedrooms with good access to sunlight. The Western side elevation windows are minimal. Headlight glare will be no different to other homes in the area.

Noise

No noise or odour pollution beyond standard residential acceptable levels is foreseen to be produced from the proposal.

Stormwater and Site Management

Stormwater solution and details are outlined on the 'Site Plan + Earthwork' drawing.

Soil and Water Management during construction is detailed on the 'Site Plan + Earthwork' drawing.

Acid Sulfate Soils

The subject site has not been identified as at risk of generating Acid Sulfate Soil.

Flooding

The subject site is not located within a flood prone area.

Bushfire

The subject site has not been identified as being bushfire prone land.

Biodiversity Values + Terrestrial Biodiversity

The subject site has been identified as Terrestrial Biodiversity. The proposed manufactured home has been designed and will be constructed outside the area's mapped as Terrestrial Biodiversity. No vegetation will be removed or disturbed as part of the proposal and is therefore considered to have no impact on any existing Terrestrial Biodiversity.

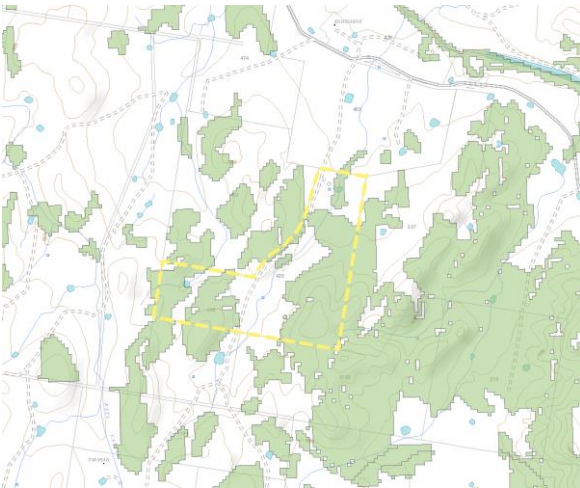


Figure 5. Terrestrial Biodiversity

Groundwater Vulnerability

The subject site has been identified as being Groundwater Vulnerable. The proposed manufactured home will have no impact on the groundwater being depleted or contaminated.

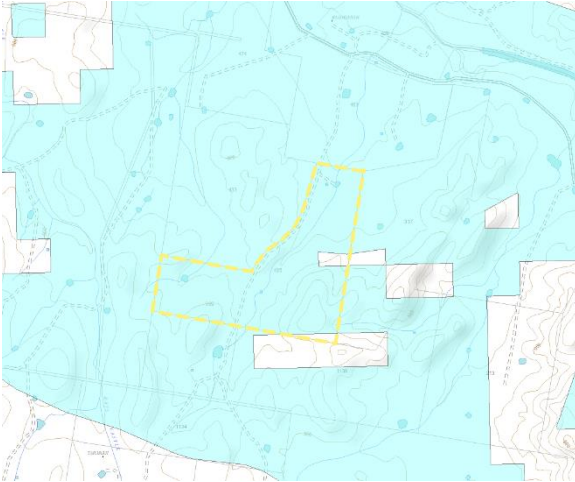


Figure 7. Groundwater Vulnerability

Tree Removal

No trees are proposed to be removed as part of this application.

Heritage

The subject site is not a heritage item, nor is it located within a heritage conservation area or located within the direct vicinity of a heritage item.

SECTION 4.15 CONSIDERATIONS

General

In considering this development application, Mid-Western Regional Council must consider the relevant planning criteria in Section 4.15 of the Environmental Planning and Assessment Act, 1979.

Statutory and Policy Compliance – s4.15(1)(a)

The proposal has been assessed in relation to all relevant SEPP's and LEP's above in the Statement of Environmental Effects.

The SEPP's which is relevant to the proposal are:

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

As a relocatable home is not within the definition of building under the EP&A Act, a BASIX certificate is not required as per Planning Circular PS 21-016.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4, Clause 4.6 of State Environmental Planning Policy Resilience and Hazards 2021 states:

- 1) A consent authority must not consent to the carrying out of any development on land unless:
 - a. it has considered whether the land is contaminated, and
 - b. if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 - c. if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
- 2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.
- 3) The applicant for development consent must carry out the investigation required by subsection and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

The site is considered acceptable for the proposed development. Given that the site has historically been used for residential and the proposal is not a contaminating use, the site is considered to be consistent with State Environmental Planning Policy Resilience and Hazards 2021.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The site is considered acceptable for the proposed development. No trees are proposed to be removed. The subdivision has been approved recently for residential use. No trees are proposed to be removed and a building envelope included with the approval, it is consistent with State Environmental Planning Policy (Biodiversity and Conservation) 2021

The Local Environmental Plan which is relevant to the proposal is:

Mid-Western Regional Local Environmental Plan 2012)

the proposal is considered to satisfy the above relevant Local Environmental Planning Instrument as the development is within zoning regulations. It remains consistent with the relevant objectives of the LEP as it promotes the orderly and economic development of the LGA in a manner consistent with the need to protect the environment and does not adversely affect the identity of the area.

Natural Environment Impacts – s4.15(1)(b)

The works proposed will not affect the natural environment. Waste will be managed and collected effectively. Furthermore, there is no endangered flora on the site that might be affected.

Throughout the period of construction, all measures will be taken to ensure that any noise, dust and vibration will be kept to a minimum.

Social and Economic Impacts – s4.15(1)(b)

The proposal is unlikely to have any social or economic impacts on the surrounding area.

Built Environment Impacts – s4.15(1)(b)

The proposed manufactured home with ancillary attached verandas and erection of a new ancillary shed have been designed to have minimal impacts on the surrounding built environment.

Suitability of the Site for the Development – s4.15(1)(c)

The site is well located in terms of suitability, as the proposal is situated in a residential zone.

9.0 CONCLUSION

This report has addressed the requirement and relevant provisions of of Mid-Western Regional Local Environmental Plan 2022 and Mid-Western Regional Development Control Plan 2013. The assessment illustrates that the proposed manufactured home with ancillary attached verandas and erection of a new ancillary shed will have no adverse effects on the surrounding community development. The site will be upgraded and will improve the amenity of the local community. The works will be consistent with the residential appearance of the surrounding dwellings and will be beneficial to the current appearance of the subject property.

If you require additional information or clarification, please do not hesitate to contact the undersigned on [REDACTED] or via email at [REDACTED]

