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13/06/2025

STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared for Mid-Western Regional Council

26 Marskell Circuit, Mudgee NSW 2850



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1. Introduction

This statement of Environmental Effects has been prepared to accompany a Development application to Mid-Western Regional Council seeking consent for the proposed 4 bedroom attached dual occupancy, attached garages with dual driveway crossover and surrounding landscape works located at *26 Marskell Circuit, Mudgee*.

This statement of environmental effects is intended to assist Mid-Western Regional Council in its determination of the proposed development by providing an assessment of the proposed development and to assess the likely impact on the surrounding environment in accordance with the provisions of Section 4.15 of the Environmental Planning & Assessment (EP&A) Act, 1979.

This statement is presented into five sections including a site and context analysis; a description of the proposed development; an environmental planning assessment; and a conclusion.

2. Site Content

2.1 The Site

The subject site comprises of a single allotment and is situated along Marskell Circuit. The site is a standard block with a streetscape frontage to Marskell Circuit.

The site consists of the following frontages:

South Eastern Side Boundary of 46.61m

North Western Side Boundary of 47.09m

North Eastern Front Boundary of 18.78m

South Western front Boundary of 18.005m

The subject site comprises of a total site area of 854.8m² by Title – refer to survey plan.

The natural topography of the site generally falls from the rear of the site to the front of the site with the lowest point of the site being the front boundary.

The site does not contain any trees of significance growth and maturity as the site is clear and empty with minimum existing vegetation shrubs consisting of grass and weeds.

The site is a single lot and is legally identified as Lot 28 | D.P 1307255

The subject dwelling has not been identified as being of heritage significance nor is site situated within a heritage conservation area however is situated on a high biodiversity significance.

The current zoning of the site as defined in Mid-Western Regional Council Local Environmental Plan 2012 is R1 General Residential



Figure 1: Ariel View of subject site.

2.2 Existing Site Conditions

26 Marskell Circuit, Mudgee consists of an empty lot. Existing vehicular access is maintained through via an newly constructed road however no driveway crossover has been created and will form part of this DA application.

The subject site is not constrained by acid sulphate soils. The site has a history of residential use and there is nothing on site that would indicate of potential site contamination pursuant to SEPP 55 Remediation of Land.

2.3 Character of the Locality

Existing development in the immediate vicinity consists of both new modern single housing and dual occupancy (detached and attached) and housing with pitched metal roof forms as well.

Therefore, the Character can be defined as new modern housing which contribute to the overall character of the area which involved infill of empty lots as per recent subdivision patten in Marskell Circuit. Directly across the subject site are empty lots suitable for low rise residential buildings consisting of multiple dwellings, common pathways and dual / shared driveways.

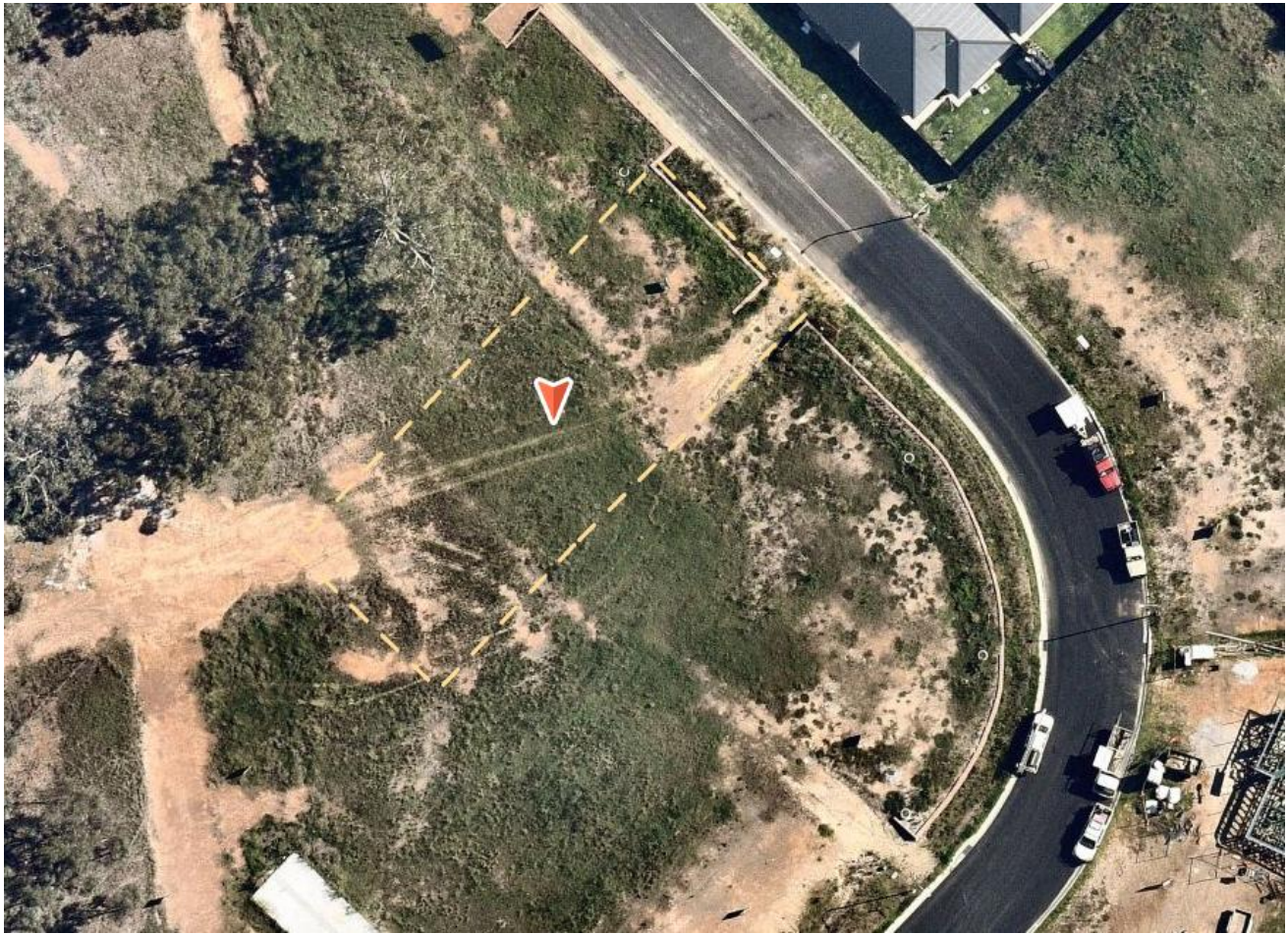


Figure 3: Ariel View from subject site.

2.4 Surrounding Development & Streetscape Character

The subject site shares its South eastern boundary with 28 *Marskell Circuit Mudgee* is an empty lot. Adjoining the site to the South west at 25 *Marskell Circuit, Mudgee* is an empty lot.

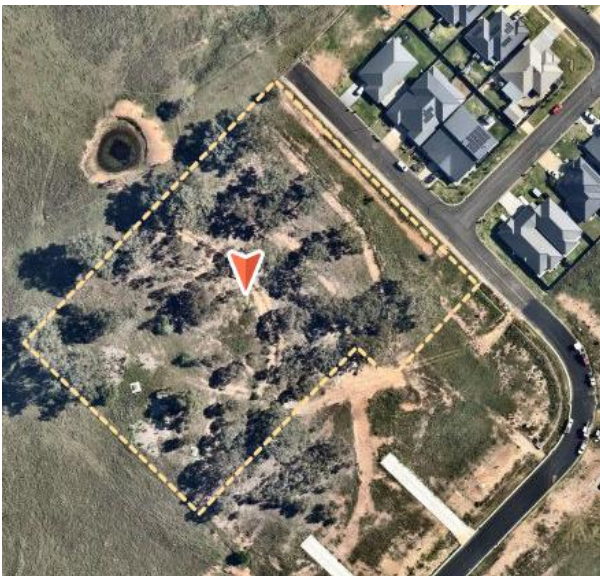


Figure 4: 24 Marskell Circuit, Mudgee

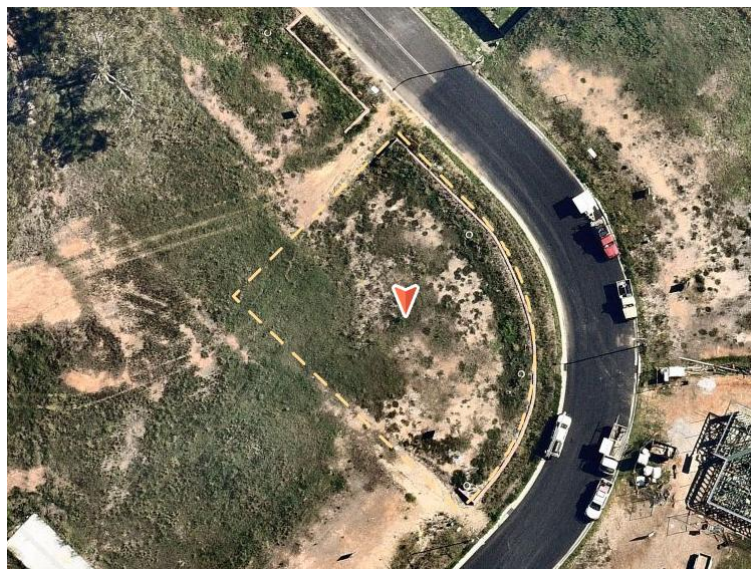


Figure 5: 28 Marskell Circuit, Mudgee

3. Proposed Development

3.1 Proposed Development

The proposal involves a development application for the construction of a 4-bedroom attached single storey dual occupancy, attached garages with dual driveway crossover and surrounding landscape works located.

The design intent of the proposed development is described below.

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

3.2 Over Shadowing & Privacy

The subject site is oriented predominately on a North- western to South eastern axis and therefore most forms overshadowing that is casts on the adjoining properties is limited to the mornings and afternoon. These shadows seem to be of acceptable limits as the development is of a single storey nature. The extent of overshadowing, particularly in a future context is therefore reasonable given the design initiatives as well as the increased setback from the boundaries and single storey construction.

3.3 Parking, Access & Transport

The proposal has been designed without compromising existing parking spaces in the form of open car space within the property and a double lock up garage. Vehicular access is clearly visible from the street and will not compromise pedestrian safety. There is also sufficient sight distances available to view oncoming vehicles and pedestrians along the public domain as well as the street being a no through road.

The subject site has limited access to public transport with bus services operating frequently along nearby Roads and located less than a 15 minute walking distance from site.

3.4 Landscaping

The proposal provides enough existing and new landscaping around the perimeter of the site providing both pervious and impervious areas such as turf and courtyard spaces. The existing landscaping will be replaced and new landscaping will accommodate the site.

3.5 Waste Management

A Waste management plan accompanies the development application, which covers the waste management procedure of demolition and construction.

With regard to ongoing waste management, the dwelling is to be provided one general household waste, recycling, and greenwaste bins, which will be stored at the rear of each dwelling and wheeled weekly to the street on the designated waste collection day.

A detailed Construction Management Plan will be submitted with the Construction Certificate Application to deal with demolition and construction waste management.

3.6 Stormwater Management

The proposed stormwater management is within council DCP guidelines and the requirements listed within the basix certificate. Refer to the project engineer's stormwater plans for further details and specifications.

3.7 Flood Status

The subject site has not been identified as being flood effected.

4. Environmental Planning Assessment

4.1 Preface

The following provides an assessment of the proposed development against Section 4.15 of the EP&A Act, 1979.

4.2 Statutory Compliance

The relevant matters for consideration under Section 4.15 of the EP&A Act, 1979, are described below. The primary statutory document that relates to the subject site and the proposed development is Mid-Western Regional Council Local Environmental Plan (LEP) 2012 and Mid-Western Regional Council Development Control Plan (DCP) 2013 is a non-statutory plan and is intended as a guideline to assessing proposed development. The relevant provisions of these documents and other relevant planning controls are summarized below.

4.3 SEPP No.55 – Remediation of Land

This State Environmental Planning Policy (SEPP) was gazette on 28 August 1989 and applies to the State of NSW. It introduces planning controls for the remediation of contaminated land and requires stage investigations to be made if land is found to be potentially contaminated.

Having liaised with Council's Planning Department regarding a historical search of previous approvals on the subject site and adjacent properties, it is considered that there is no reason to suspect that the subject site contains contamination as the site has been used as existing empty land since the land was first subdivided.

4.4 SEPP Building Sustainability Index: BASIX 2004

SEPP - Building Sustainability Index: BASIX commenced on 1 July 2004 and applies to all residential land in NSW. The aims of the Policy as set out in part 3 of the policy, states Regulations under the Act have established a scheme to encourage sustainable residential development under which applications for certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out.

A BASIX Certificate has been prepared and is submitted with this application under separate cover. Commitments under the BASIX Certificate are detailed on the architectural plans.

4.5 Western Regional Council Local Environmental Plan 2012

Western Regional Council LEP 2012 was published on the Legislation Website on the 10th of August 2012. The aims are.

1. This Plan aims to make local environmental planning provisions for land in Mid-Western Regional in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.
2. The particular aims of this Plan are as follows—
 - a. to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
 - b. to promote growth and provide for a range of living opportunities throughout Mid-Western Regional,
 - c. to encourage the proper management, development and conservation of resources within Mid-Western Regional by protecting, enhancing and conserving—
 - i. land of significance to agricultural production, and
 - ii. soil, water, minerals and other natural resources, and
 - iii. native plants and animals, and
 - iv. places and buildings of heritage significance, and
 - v. scenic values,
 - c. to provide a secure future for agriculture through the protection of agricultural land capability and by maximising opportunities for sustainable rural and primary production pursuits,
 - d. to foster a sustainable and vibrant economy that supports and celebrates the Mid-Western Regional's rural, natural and heritage attributes,
 - e. to protect the settings of Mudgee, Gulgong, Kandos and Rylstone by—
 - i. managing the urban and rural interface, and
 - ii. preserving land that has been identified for future long- term urban development, and
 - iii. promoting urban and rural uses that minimise land use conflict and adverse impacts on amenity, and
 - iv. conserving the significant visual elements that contribute to the character of the towns, such as elevated land and the rural character of the main entry corridors into the towns,
 - f. to match residential development opportunities with the availability of, and equity of access to, urban and community services and infrastructure,
 - g. to promote development that minimises the impact of salinity on infrastructure, buildings and the landscape.

Under the LEP the subject site is located within R1 General Residential

The proposal is considered to comply with the relevant objectives of the zone. The proposal represents an appropriate form of low-density housing which contributes to the attached dual occupancy. The proposal is described as a new construction dwelling houses which is defined within the LEP as follows:

Council LEP will ensure the provision of the proposal to the dwelling meet the following:

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

4.6 Western Regional Council Development Control Plan 2013

Western Regional Council DCP applies to all land within the Region. The relevant provisions of the DCP are detailed in table below, which indicates that the proposal is consistent with the requirements of the DCP

TABLE SUMMARY OF COMPLIANCE			
Control / Standard	Requirement	Proposal	Complies
Minimum Subdivision Lot Size Clause 4.1A	600m2 Dual Occupancy	854.8m2	Yes
Height of Buildings Clause 4.3	8.5m, and 2 storey	1 storey 3m at roof eaves from NGL 5.9m from NGL to Roof Pitch	Yes
FSR Clause 4.4	N/A	N/A	Yes
DCP Clause 2.2 Min Lot Size.	600m2	854.8m2	Yes
Setbacks			
Front	4.5m	4.55m	Yes
Side	0.9m,	0.901m	Yes
Rear	0.9m,	14.9m	Yes
Site Coverage	Max 50% = 427.4m2	385m2 / 45%	Yes

4.7 External Appearance & Design

The proposal will result in the construction of a new single storey dual occupancy. The proposal generally presents itself as a modern dwelling with use of neutral and light colors and materials including use of face brick and timber cladding works to blend in with the overall existing built character of the area

Recently completed developments in the surrounding area present as contemporary and modern dwellings that complement the existing character. The proposal is considered consistent with the existing and desired future character of the area with the use of light colours, solid material and appropriate amount of landscaping.

Proposed external building material and finishes are provided on the submitted elevations.

4.8 Relationship to Neighboring Properties

Solar Access

Shadow diagrams which show the impact of the proposed development on the site and adjoining properties can be prepared and submitted with the development application

Accordingly, the proposed development is generally consistent with the solar access requirements of Councils DCP and provides a high level of amenity for future occupants without compromising the amenity of adjoining properties.

Views

The surrounding properties do not present any significant views to or from the subject site. Therefore, it is considered that the proposed development will not result in the loss of any significant views from adjacent properties or public areas.

Privacy

It is considered that the proposed dwellings will have minimal impacts on privacy to adjoining properties. Living areas of both dwellings are located at ground with adequate glazing and solar requirements being achieved. Furthermore, the proposal is setback in accordance with Council's requirements

The sites internal configuration has been designed to maximize privacy and separation between occupancies. The courtyard spaces between dwellings are separated by solid elements. The dwellings enjoy a high standard of privacy and amenity due to the location of their private open spaces and the well-designed building configuration.

Accordingly, the proposal will not result in adverse visual or acoustic privacy impacts on adjoining properties and between each dwelling of the proposed development.

4.9 Site Suitability

Access to Services

The subject site lies within good reach of local services as well as having good access to community centres in the suburb of Mudgee and surrounding suburbs. The site is situated within a well-established residential area and therefore, electricity, water, telephone, sewer and network services are readily available to the site.

Hazards

The site and area in general is not recognized by Council as being subject to instability, landslip or major bushfire prone. The proposed development is not likely to increase the likelihood of such hazards occurring.

The Public Interest

The proposed development has been designed to relate appropriately to the site and surrounding development. The proposal is compatible with existing development in the area and provides additional residential accommodation in the area that will have minimal adverse impacts on the surrounding environment. Therefore, the proposed development is in the public interest.

5. Conclusion

The proposed development has been assessed in accordance with the provisions of Section 4.15 of the Environmental Planning & Assessment Act, 1979 and Council's planning instruments.

The proposal is permissible in Zone R1 General Residential and responds positively to the circumstances of the site and its context and the provisions of Councils planning framework.

The proposal is that the site proposal has met the zoning requirements of R1 residential zone which is consistent with the neighboring lots and local vicinity of the area.

The proposed development is considered to be of an appropriate form of development and is consistent with the aims and objectives of *the Western Regional Council LEP 2012* and other relevant controls within *Western Regional Council DCP 2013*.

The proposed development has been designed to be sympathetic with the surrounding residential character. The site is considered suitable for the proposed form of residential accommodation resulting in minimal environmental, social or economic impacts to the environment.

The proposal is respectful of the amenity of neighboring residential properties and will provide a high level of residential amenity to future occupants.

The proposal is in the public interest and therefore Council approval is warranted.