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# STATEMENT OF ENVIRONMENTAL EFFECTS



**20 STEEL DRIVE, SPRING FLAT**

**Erection of a Shed**

**28 August, 2023**

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# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared for SUNRAI Designs and forms part of a development application to Mid-Western Regional Council for the erection of a new shed at 20 Steel Drive, Spring Flat.

The objective of this proposal is to create a functional shed storage space upon the property in the most appropriate location and with minimal impact upon surrounding properties and the streetscape.

The proposal is in accordance with the relevant zone objectives contained in the Mid-Western Regional Local Environmental Plan (MWRLEP) 2012 and generally satisfies the relevant objectives and controls of the Mid-Western Regional Development Control Plan 2013 (MWRDCP).

This document is divided into 6 sections. Section 2 contains a site analysis, Section 3 contains details of the proposal, Sections 4 and 5 contain the detailed assessment of the application in accordance with Section 4.15(1) of the Environmental Planning & Assessment (EP&A) Act 1979, and Section 6 concludes the report. The following details accompany this SEE:

- Architectural Plans.

# 2 Site Analysis

This section contains a description of the following: The Locality; Site Description; Existing Character and Context; and Surrounding Road Network.

## 2.1 The Locality

The subject site is located within the locality of Spring Flat on the urban fringe of Mudgee and is located within the Local Government Area (LGA) of Mid-Western Region.



FIGURE 1: LOCATION PLAN (SIX MAPS)

## 2.2 Site Description

The subject site is located on the northern side of Steel Drive within the urban fringe residential area of Mudgee and is known as 20 Steel Drive, Spring Flat or Lot 46 DP 1262954.

The site is regular in shape, generally flat in topography and contains a total area of 3328m<sup>2</sup>, which is typical for residential properties in the area. The site is also subject to

two easements, one being a notable electricity easement enveloping the rear of the site and the other being a 3m wide drainage easement traversing the south-eastern boundary.

The site has recently benefited from a development consent for a dwelling house, which is under construction.

## **2.3 Existing Character and Context**

The surrounding area is predominantly low density residential, characterised by single dwellings on larger lots and smaller rural holdings.

A drainage reserve, being Sawpit Gully, also defines the immediate area to the west.

The outcome of the development is considered to be in keeping with the character of the residential area in that it will have no unreasonable impacts upon the function, environmental criteria or the residential amenity of the locality.

## **2.4 Surrounding Road Network**

The site has frontage to Steel Drive with vehicular access gained from same via an existing driveway crossing. Steel Drive is a two lane sealed road that connects through to Broadhead Road, which provides access to the north back to Mudgee. Steel Drive is not identified as a Classified Road in accordance with the Roads Act 1993 with MWRC the designated roads authority.

No new driveway crossings are proposed with the shed used for ancillary overflow storage servicing the existing dwelling house..



# 3 Details of the Proposal

It is proposed to undertake the following works upon the site:

- Erection of a storage shed for property maintenance purposes and household item storage with a footprint of 73.5m<sup>2</sup> and an overall height of 4.7m.

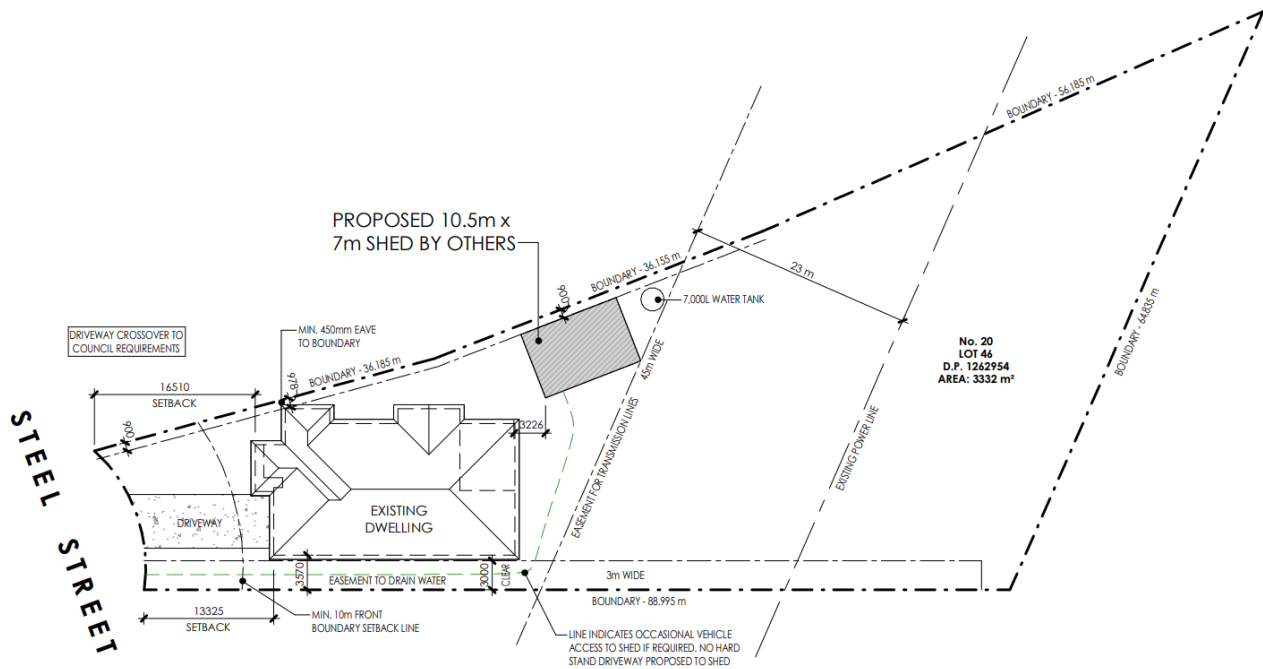


FIGURE 2: LAYOUT (SUNRAI DESIGNS)

The proposal will result in a functional and appropriate storage solution for the dwelling house when factoring the constraints of the easements, whilst presenting to the streetscape in a consistent manner to the surrounding area.

# 4 Planning Controls

Pursuant to section 4.15(1)(a) of the EP&A Act, this section will assess the compliance with the planning controls applicable to the site and relevant to the proposal pursuant to the relevant heads for consideration. The relevant controls include:

- Mid-Western Regional Local Environmental Plan (MWRLEP) 2012;
- State Environmental Planning Policy (Resilience & Hazards) 2021;
- Mid-Western Regional Development Control Plan 2013 (MWRDCP).

## 4.1 Mid-Western Regional Local Environmental Plan (MWRLEP) 2012

The subject site is zoned R2 – Low Density Residential under Council’s MWRLEP 2012 (see Figure 3). *Dwelling houses* are permissible with consent in the zone under the group definition of *residential accommodation* and the proposal is considered to satisfy the objectives of the zone. The shed is considered an ancillary aspect to the dwelling house.

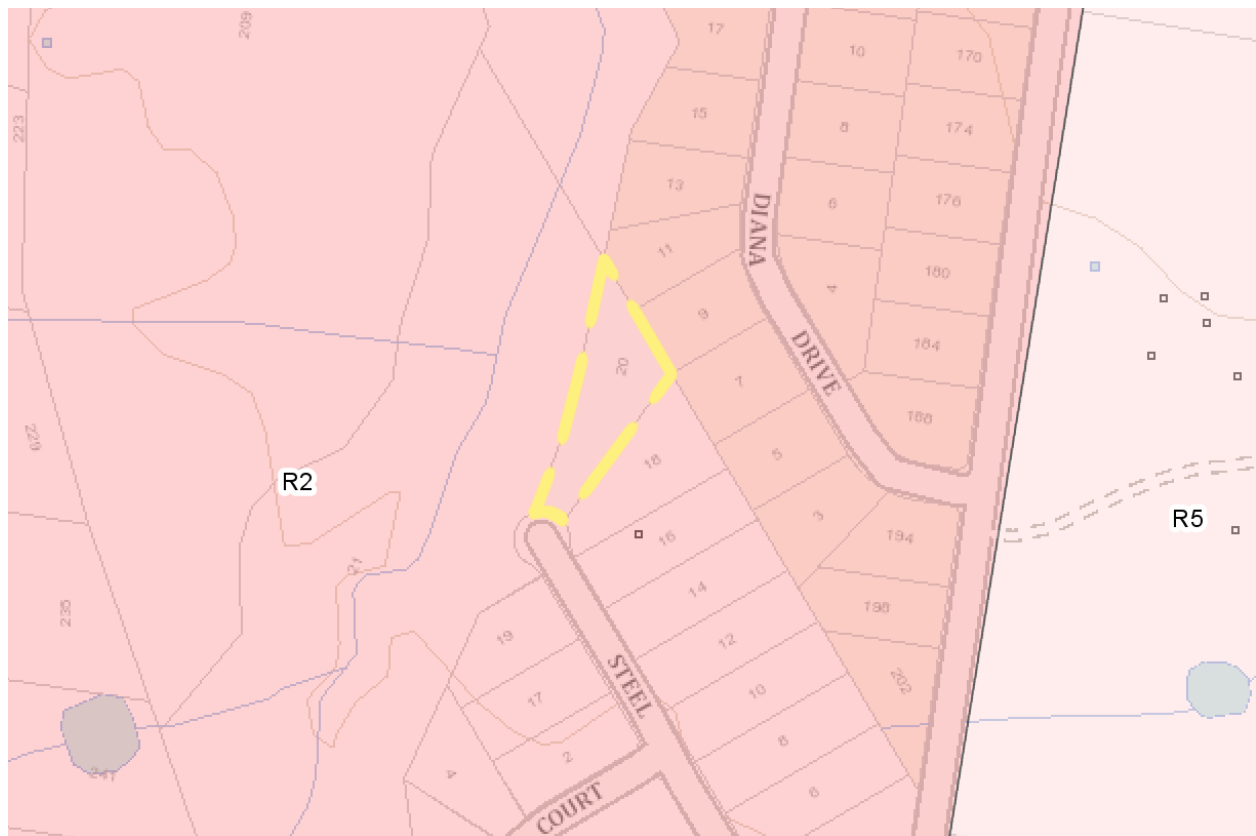


FIGURE 3: EXTRACT FROM ZONING PLAN  
(SOURCE: MID-WESTERN REGIONAL LEP 2012)

### 4.1.1 Zone Objectives

The relevant objectives for Zone R2 are stated:

1. *To provide for the housing needs of the community within a low density residential environment.*

**Comment:** The proposed shed will support the residential use of the property in the low density residential environment.

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

**Comment:** The proposal is for an ancillary shed, which will not impede other land uses from being considered in the area.

In our opinion the proposal is consistent with the relevant objectives of the R2 Low Density Residential zone as detailed above. The proposal is intended to support the residential use of the site that is commensurate with the surrounding area.

A summary of our assessment of the proposed development against the relevant LEP provisions is in the following table (see Table 1):

### 4.1.2 Other LEP Provisions

TABLE 1: PROJECT COMPLIANCE – Mid-Western Regional LEP 2012	
Site Area : 3328m <sup>2</sup>	
LEP Provisions	Complies / Comments
6.1 Salinity	The proposal does not involve any major physical works apart from standard footings for the shed. Subsequently, no impacts related to salinity are expected. Any salinity related impacts are expected to be addressed with a condition of consent.
6.4 Groundwater vulnerability	The proposal does not involve any major physical works apart from standard footings for the shed. Subsequently, no impacts related to the groundwater table are reasonably expected.



<b>6.9 Essential services</b>	<p>All essential services associated with a residential location are already available and connected to the site.</p> <p>These are not expected to be affected by the proposal.</p>
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## 4.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The object of this policy is to provide a mechanism to ensure remediation of contaminated land is undertaken within the planning framework.

Part 4 of the SEPP requires the consent authority (Mid-Western Regional Council), before determining a development application, to consider whether the land is potentially contaminated and if so whether the land is suitable in its current state for the proposed use.

Clause 4.6(1) of the SEPP prescribes the specific considerations for the consent authority as noted below:

*(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.*

**Comment:** No potentially contaminating activities are undertaken on the property or have been known to have been undertaken on the property. No further consideration of the SEPP is considered necessary.

## 4.3 Mid-Western Regional Development Control Plan 2013

The Mid-Western Regional DCP 2013 applies to the site and the proposed development.

Part 3.1 'Residential Development in Urban Areas' contains specific controls relating to the proposal and the relevant sections, as they relate to a shed, are addressed in the table below.

TABLE 2: PROJECT COMPLIANCE – Mid-Western Regional DCP 2013																				
Relevant sections applicable to this proposal.																				
DCP Provisions				Complies / Comments																
<b>Building setbacks</b>  The deem to satisfy controls for a lot size of 3328m² are: <table><tr><th>Zone</th><th>Street</th><th>Side/Rear</th><th>Secondary Frontage for Corner Lots *</th></tr><tr><td>R1, R2 and R3 where Lot size is less than 900m2</td><td>4.5m to building line 5.5m to the garage</td><td>900mm</td><td>0m for garages in laneways  2m to side boundary</td></tr><tr><td>R1, R2 and R3 where Lot size is greater than 900m2, less than 2,000m2</td><td>6.5m to building line 7.5 to the garage</td><td>900mm</td><td>2m</td></tr><tr><td>R2 where 2000m2 to 1ha</td><td>10m</td><td>2.5m</td><td>5m</td></tr></table>				Zone	Street	Side/Rear	Secondary Frontage for Corner Lots *	R1, R2 and R3 where Lot size is less than 900m2	4.5m to building line 5.5m to the garage	900mm	0m for garages in laneways  2m to side boundary	R1, R2 and R3 where Lot size is greater than 900m2, less than 2,000m2	6.5m to building line 7.5 to the garage	900mm	2m	R2 where 2000m2 to 1ha	10m	2.5m	5m	Southern street setback: 43.9m.  Eastern side setback: 21.2m.  Western side setback: 900mm.  Refer to comments at the end of this table regarding the western side setback.  Rear northern setback: 45m.
Zone	Street	Side/Rear	Secondary Frontage for Corner Lots *																	
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R2 where 2000m2 to 1ha	10m	2.5m	5m																	
<b>Building height</b>  The deem to satisfy controls are: <div>Deem to satisfy is a single storey building with a FFL of less than 1 metre above Natural Ground Level.</div>				Proposal is single storey with a FFL generally at ground level.																
<b>Site coverage</b>  The deem to satisfy control is: <div>Deem to satisfy is 35% site coverage</div>				12.8% site coverage proposed.																
<b>Solar access</b>  The deem to satisfy control is: <div>Deem to satisfy Living areas and private open space areas are to be located with a northerly aspect (i.e. on the north or eastern side of the building).</div>				N/A. Not considered required for a shed.  The shed will not impede solar access to the existing dwelling or the POS.																

<b>Privacy</b>  The deem to satisfy control is:  <div> Deem to satisfy  Dwellings must be single storey and have a finished floor level less than 1,000 mm above the natural ground level. </div>	N/A. Not considered required for a shed.
<b>Parking</b>  The deem to satisfy control is:  <div> Deem to Satisfy  Two (2) spaces per dwelling </div>	Two secure spaces provided on site within the existing double garage.  Proposed shed will not impact the parking requirements or facilitate additional parking.
<b>Landscaping</b>  The DCP requires landscaping of a quality nature, low maintenance and positioned to improve energy losses and gains to the dwelling.	The proposal incorporates high quality landscaping throughout.
<b>Open space</b>  The deem to satisfy control is:  <div> Deem to satisfy  Private open space to be on the northern or eastern side of dwelling with direct access to living areas. Area to be 80m<sup>2</sup> with a minimum dimension of 5 metres. </div>	N/A. Not considered required for a shed.  The shed will not impede the POS for the dwelling with ample space continuing to be provided.
<b>Corner lots</b>  The DCP requires the development to address both street frontages and not incorporate utility windows into a street elevation.	N/A. Site not a corner lot.
<b>Fencing</b>  The deem to satisfy control is:  <div> Deem to Satisfy  1.8 metre high fence to all boundaries including private open space areas.  All fencing forward of building line cannot be 'Colorbond' (All Residential zones excluding R5 zone). </div>	N/A. No fencing proposed.
<b>Infrastructure</b>  The DCP requires surface infrastructure to not be within street setback or visible from the street.  Garbage storage areas are to be screened.	No infrastructure is proposed within the front setback area of the site.
<b>Garages, outbuildings</b>  The DCP identifies several controls relating to garages and outbuildings including floor area and height.	The controls allow for a maximum area of 120m <sup>2</sup> and no height limit.  The shed is proposed with an area of 73.5m <sup>2</sup> and a height of 4.707m, which is typical for the

	<p>surrounding area.</p> <p>Please note the site area is &gt;2000sqm and the MWRDCP 2013 DOES NOT prescribe a development standard for this situation.</p> <p>However, the overall height of the shed is considered appropriate with a barn style roof form proposed to provide interest to the structure. Approximately 92% of the roof area will be below 4.5m in height with the wall heights generally extending to a height of only 2.7m.</p> <p>This is considered an improved outcome compared to the potential allowed within the DCP for a smaller site, which could involve a shed with a footprint of 100m<sup>2</sup> and wall heights extending to 4.5m for the entire structure.</p>
<p><b>Development near ridgelines</b></p> <p>The DCP prescribes controls relating to sensitive architectural design and building placement in proximity to ridgelines.</p>	N/A. Property not near a ridgeline.
<p><b>Slopes</b></p> <p>The deem to satisfy controls are:</p> <div data-bbox="201 1083 777 1310"> <p>Deem to Satisfy</p> <ul style="list-style-type: none"> <li>• Cut is to be limited to 1,000 mm.</li> <li>• 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.</li> <li>• Any cut and/or fill must be provided with retaining walls, drainage and must be setback a minimum of 300 mm from any boundary.</li> <li>• Fill must not direct stormwater onto adjoining properties and drainage pits for overland flow paths are to be provided.</li> <li>• Cut and fill is not permitted within water or sewer easements</li> </ul> </div>	No significant earthworks are required to facilitate the proposal with the site already generally flat in topography.
<p><b>Access</b></p> <p>All weather vehicle access is required to ensure that emergency services (fire, ambulance, police) are able to access the dwelling at all times.</p>	The site will continue to have suitable access.
<p><b>Relocated dwellings</b></p> <p>Dwellings proposed to be re-sited must be of a suitable standard both aesthetically and structurally.</p>	N/A.
<p><b>Adaptability</b></p> <p>Adaptable housing design must incorporate practical and flexible features to meet the changing needs of residents of different ages</p>	N/A.

and abilities over time. For example, hobless shower area, space for wheelchair access, height of light switches, arrangement and size of rooms.	
<b>Design principles</b>  The DCP lists 11 broad design principles to be considered when undertaking residential development.	The proposal is considered to achieve all of the relevant design principles as discussed throughout this report.

### **Western Setback Variation**

The proposal results in a variation to the 'deemed to satisfy' control of 2.5m regarding the western side setback control. A setback of 900mm is being proposed for the shed.

The DCP notes that a variation can be considered where there are circumstances to support the proposal and the objectives of the relevant standard are still achieved. This is discussed below and concludes that the objectives and intent of the control are readily achieved and that support can be given by the consent authority.

The two relevant objectives of the 'setback' standards for this circumstance are as follows:

*a) Setbacks must be compatible with the existing and/or future desired streetscape.*

**Comment:** The setback is still considered compatible with the future desired streetscape with the shed incorporated into the overall site layout and to present to the street as a separate structure with no perceivable encroachment to the west as this area will only identify as an open drainage area.

*b) Side or rear building setbacks are to demonstrate no unreasonable adverse impact on the privacy or solar access of adjoining properties.*

**Comment:** There will be no development adjoining to the west as this area is set aside as a drainage reserve.

It should be noted that the actual useable area of the lot that is not within the easement is 1096m<sup>2</sup> and the majority of the lots along Steel Drive are also burdened by a smaller 'true' lot size that results in a restrictive building envelope. It is envisaged that many dwellings and sheds proposed in this area will also require a variation to some development standards to allow for appropriate dwellings to be facilitated.

Please note that the proposal is only seeking variation to one DCP development standard, which is considered appropriate on balance.

# 5 Planning Assessment

This section will consider the following: the Assessment of Natural Environmental Impact; the Built Environment Impacts; the Site Suitability and the Public Interest in accordance with Section 4.15(1)(b),(c) and (e).

## 5.1 Assessment of Natural Environmental Impact – S4.15 (1)(b)

### 5.1.1 Micro Climate Impacts

The proposed development is unlikely to result in any adverse effects to the micro-climate in the locality.

### 5.1.2 Water & Air Quality Impacts

The proposed development is unlikely to result in any adverse effects on the locality in terms of water and air quality.

## 5.2 Assessment of Built Environment Impacts – S4.15 (1)(b)

### 5.2.1 Impact on the Areas Character

The surrounding built environment comprises a mix of single dwellings in a low density residential environment and also a rural context. The proposal will not impact this character as discussed throughout this report.

### 5.2.2 Privacy, Views & Overshadowing Impacts

The proposed development will not impede the existing privacy or views of the subject or surrounding lots. The development will not provide overshadowing within the subject or adjoining lots.

### 5.2.3 Aural & Visual Privacy Impacts

The proposed development, being within a standard residential area and generally compliant with the relevant planning provisions, will not result in any significant privacy concerns for adjoining properties.



#### **5.2.4 Environmentally Sustainable Development**

The proposal will have minimal impact with regards to ESD subject to standard conditions imposed by the consent authority.

### **5.3 Assessment of the Site Suitability – 4.15(1)(c)**

#### **5.3.1 Proximity to Service and Infrastructure**

As outlined, the site is accessible via Steel Drive. As the site has recently been created, electricity, water, sewer, internet and telephone are also readily available.

#### **5.3.2 Traffic, Parking & Access**

The development will not increase the traffic volume for the area, as the proposal is for a shed only to provide storage for the existing dwelling. It is expected that the current road network is capable of continuing to support the minimal traffic movements.

No separate vehicular access is necessary to support the storage function of the shed, with all storage items to be moved between the shed and the dwelling as needed and on an infrequent basis.

#### **5.3.3 Hazards**

The site is not subject to any known hazards such as bushfire threat, flooding, landslip and the like.

### **5.4 The Public Interest – 4.15(1)(e)**

#### **5.4.1 Social and Economic Impact**

The proposal will make a positive contribution to the Mid-Western Region by facilitating the improvement of housing stock and the creation of employment.

#### **5.4.2 The Public Interest**

The proposal is in the public interest as it satisfies the objectives of the MWRLEP 2012 and MWRDCP 2013 and will not set any undesirable planning precedents.

## 6 Conclusion

The proposed development has been assessed in accordance with Section 4.15(1) of the EP&A Act 1979 and Council's planning instruments. The proposal is permissible in the R2 Low Density Residential Zone under the Mid-Western Regional LEP 2012 and in our opinion is consistent with the relevant objectives of the Zone.

As discussed throughout the SEE, the crux of the proposal is to facilitate the erection of an ancillary storage shed that will sit comfortably within the low density residential area with no impact upon the streetscape as the property is positioned at the end of the cul-de-sac. The proposal is generally compliant with the provisions of the MWRDCP 2013, with the western side setback considered reasonable for the circumstances of the site and on balance with all other considerations.

For the above reasons the proposal is considered to be in the public interest and is recommended for approval subject to standard conditions.