Statement of Environmental Effects

for the Proposed Demolition Work and Tourist Accommodation, with Manager Residence,

29 Horatio Street, Mudgee being Lot 1 DP997883

ENVIRONMENT & PLANNING

prepared for

Mr J Consadine

Aug 2023

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VERSION AND AMENDMENT CONTROL HISTORY

VERSION	DATE	DESCRIPTION	QA/QC
001	JULY 2023	DRAFT FOR CLIENT REVIEW	CLIENT
002	AUG 2023	FINAL	EY



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1 INTRODUCTION

1.1 OVERVIEW

Atlas Environment and Planning has been engaged by Mr James Consadine to prepare a Statement of Environmental Effects to describe the proposed development of 29 Horatio Street, Mudgee.

Separate Supporting Documents:

- Plans of the Tourist Accommodation prepared by Preferred Design and Drafting (18 Sheets);
- BASIX Certificate for Multi Dwelling Development Cert Number 1396671M (date of issue 16 June 2023);
- Civil plans Stormwater Management Report prepared by Triaxial Consulting.

2 BACKGROUND

2.1 SITE IDENTIFICATION

The proposed development involves one existing Lot with frontage to Horatio Street (see Figure 1). The site is located approximately 2.2km from Mudgee Post office, via Market Street and Castlereagh Highway (Douro Street and Horatio Street).

The main road frontage forms part of Classified Road (Castlereagh Highway B55). The land also has frontage to Lyons Lane.

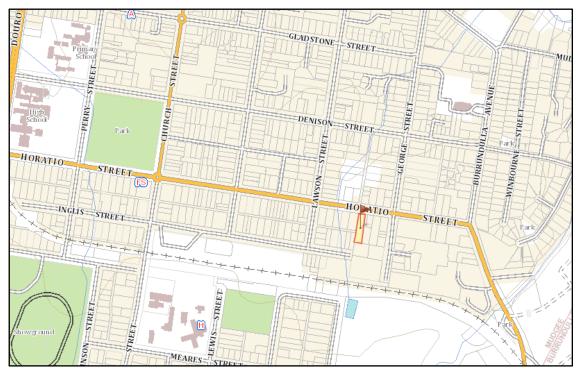


Figure 1: Site Location

Source: (NSW Government Land and Property Information- six maps viewer).

Owner/ Client: Mr James Consadine.

Property Description: The subject land includes approximately 1664m². The lot is regular in shape with frontage to Horatio Street and Lyons Lane. The existing property includes a weatherboard cottage and separate storage sheds. Driveway access is on the western side of the lot onto Horatio Street, no physical access is utilised onto Lyons Lane.

Site address: 29 Horatio Street Mudgee.

Land description: Lot 1 DP997883



The land was subject to previous assessment by Atlas Environment and Planning for a proposed two lot subdivision in December 2019. At this time, the subdivision DA0156/2020 was approved, and not acted upon. The structures that existed at that time (i.e. weatherboard house, metal storage shed, and brick and metal storage shed) remain on the land today. The cottage and existing shedding have previously been leased separately and shared access. No changes to land use have occurred since the time of the previous Council approval, i.e. no indication the land is unsuitable for redevelopment.

The area is characterised by mixed development representative of the land zoning occurring in the area. The neighbouring land to the east is developed for serviced apartments, and motel with frontage to Horatio Street (zoned SP3 Tourist). To the south of the subject land the E4 General Industrial zoning is representative of existing development including building and plumbing supplies, panel beaters, irrigation suppliers. Land opposite is primarily residential development with some existing commercial uses.



Figure 2: Aerial – 29 Horatio Street MUDGEE

Source: (Google Earth imagery)

Prior to progression of the proposed development concept, a site analysis was carried out to identify any site issues. Photos of current site conditions are provided below.





Plate 2: Existing dwelling at 29 Horatio Street

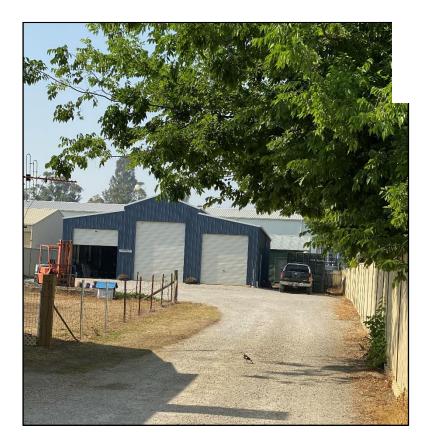


Plate 1: View to south - existing storage sheds



In summary the following is noted:

- The subject land is zoned SP3 Tourist pursuant to the Mid-Western Regional Local Environmental Plan 2012. Tourist and Visitor Accommodation is permitted with consent.
- The development land is not subject to hindering easements or covenants.
- No hindering environmental issues are known for the land. The land is mapped as being within the probable maximum flood (PMF) level for overland flow.
- The development site has frontage to a classified road and design should be considerate to minimising impact on the road and associated traffic.
- Potential for land use conflict has been assessed as minimal with the nearest land uses similarly being residential and tourist accommodation in nature.
- The land is already serviced with electricity, reticulated water and sewer. (Water meter on eastern side of frontage, and electricity meter on western front corner of the lot).
- The land does not include any significant trees to consider retaining for inclusion as future established landscaping.



4 THE PROPOSAL

4.1 DESCRIPTION OF THE DEVELOPMENT

The proposed development has the following key components:

- Demolition of existing structures;
- Serviced apartments (6 x cabins);
- Onsite managers' residence (permanent occupant for employee associated with tourist accommodation).

The development is permissible with development consent in accordance with the provisions of the Mid-Western Regional Local Environmental Plan 2012 (MWR LEP 2012).



Figure 3: Excerpt of proposed 'Site Overview' (Drawing 05) prepared by Preferred Design and Drafting (NTS)

4.1.1 Demolition work

The applicant will engage a contractor to comply with Council requirements for demolition work.

Planning and procedures for the demolition work will be able to comply with the Australian Standard AS 2601-2001 The demolition of structures.

No known asbestos material has been identified at the site.

4.1.2 Proposed Tourist Accommodation

The development proposes the construction of six (6) separate cabins for tourist accommodation. The cabins will be for serviced apartments as defined in the Mid-Western Regional Local Environmental Plan 2012.

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents. *Note—*



Serviced apartments are a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

Refer to the complete set of development plans prepared by Preferred Design and Drafting.

- One cabin (cabin 6) is designed as an accessible cabin. (Associated car space will comply with AS2890.6).
- All cabins are self-contained (including laundry facilities) and designed with two (2) bedrooms.
- All cabins have a dedicated car parking area adjacent to the allocated cabin.
- The cabins are each configured and designed to provide separation to a north facing patio.

4.1.3 Managers' Residence

The servicing of the cabins will be carried out by an on-site manager, i.e., one employee. The on-site manager unit 7 is also provided with 2 bedrooms and ensuite. This unit forms permanent residential accommodation for the employee and design aspects considerate for a permanent occupant have been included in the layout.

4.1.4 Servicing

The new development can be serviced to Council standards. The land is connected to Council reticulated services, with water main and sewer in Horatio Street. Existing water meter is proposed to be utilised for the site. Hydrants are located in Horatio Street, providing coverage of the proposed development site.

4.1.5 Works in the Road Reserve

The existing location of the driveway (5m wide) into the land is to remain. Minor increase to the width (achieve 6m) is proposed. This improves the safety and ability of cars to pass, if necessary, at the entry to the development.

A separate s138 Roads Act approval will be sought if required by Council, at the Construction Certificate application stage.





5 LEGISLATIVE CONTEXT

5.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1976.

This Statement of Environmental Effects aims to assist in this consideration. Further assessment of relevant LEP and SEPPs are addressed below.

5.1.1 Integrated Development

Part 4 Division 4.8 Section 4.46 of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) outlines what is 'Integrated Development'. This development is not 'integrated' as referred in the Act.

It is noted that the land falls outside of mapped bush fire prone land. No new works are proposed in vicinity to the nearest natural watercourse, Redbank Creek. The unnamed watercourse mapped to the west of the site has been transformed within the constructed urban drainage network.

5.1.2 Evaluation- Part 4 Division 4.3 Section 4.15

The following sections refer to relevant matters:

Section 6 refers to Part 4 Division 4.3 Section 4.15:

Part 4 Division 4.3 Section 4.15 (1) (a) the provisions of:

- (i) any environmental planning instrument, and
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
- (iii) any development control plan, and
- (iii) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

Section 7 refers to Section 4.15 (1)(b) to (e)

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.



6 EVALUATION - LEGISLATION

6.1 STATE ENVIRONMENTAL PLANNING POLICIES

6.1.1 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Provisions of the SEPP (Exempt and Complying Development Codes) have been considered. In relevance to the proposal and in respect of demolition and redevelopment as proposed, no components are sought to be developed as 'exempt development' (Subdivision 38 Subdivision 2.75 Specified development).

The proposed building work does not meet development specified for this code and hence a development application is required, including for demolition work.

6.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) requires planning authorities to consider potential for contamination at a site prior to planning decisions being made. Clause 4.6 requires Council as the consent authority to consider prior to determination of a development application, whether the site is contaminated and suitable for the proposal (see excerpt of clause below). No detail of history has been indicated on maps that would suggest previous incompatible land use.

The subject land was subject to recent approval for residential subdivision (DA0156/2020). Site investigations carried out at that time did not highlight any potential site history or use that would indicate the site is not suitable for tourist accommodation and redevelopment as proposed. Based on this, the proposal should not be hindered for reasons of potential for site contamination.

Clause 4.6 Contamination and remediation to be considered in determining development application

- (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......

6.1.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Not applicable to provisions of this SEPP.

6.1.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

It appears that an existing electricity power pole is within 3m of the driveway work. The upgrade of the driveway is minor work; however Council will need to consider whether referral to Essential Energy is required.

2.48 Determination of development applications—other development

- (1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—
- *(a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
- (b) development carried out—
- *(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
- (ii) immediately adjacent to an electricity substation, or
- (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is—
- *(i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or*
- *(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,*
- (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.
- (2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—
- (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
- (b) take into consideration any response to the notice that is received within 21 days after the notice is given.
- (3) Subsection (2) does not apply to development specified in subsection (1)(b) if the development involves only one or more of the following—
- (a) internal alternations to a building,
- (b) a change of use of an existing building,
- (c) a change to the hours of operation specified in the development consent,
- (d) a subdivision that does not involve construction work.

At the pre-lodgement meeting it was raised that the development would be referred to Transport for NSW for comment due to intensification of use of the site on a classified road. The Horatio Street frontage forms the Castlereagh Highway. MWRC must consider the provisions of the SEPP, in particular section 2.119, below:

2.119 Development with frontage to classified road

(1) The objectives of this section are—

⁽a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and



- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.
- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—
- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—
- *(i) the design of the vehicular access to the land, or*
- (ii) the emission of smoke or dust from the development, or
- *(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

In this case, the nature and volume of traffic that will access the site is similar to adjoining development. The minor widening of the driveway at the boundary will facilitate passing of cars and improves road safety.

6.1.5 State Environmental Planning Policy (Sustainable Buildings) 2022

This Policy commences on 1 October 2023. Not applicable.

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

The development is BASIX affected development for which the Regulations require a BASIX certificate to accompany a development application.

BASIX commitments are detailed in the plans and certificate provided with the application.



The Mid-Western Regional Local Environmental Plan 2012 (LEP) applies to the subject site. The subject land is zoned SP3 Tourist.

Zone SP3 Tourist

1 Objectives of zone

• To provide for a variety of tourist-oriented development and related uses.

2 Permitted without consent

Home-based child care; Home businesses; Home occupations; Roads; Water reticulation systems

3 Permitted with consent

Amusement centres; Aquaculture; Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Dual occupancies; Dwelling houses; Eco-tourist facilities; Entertainment facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Health consulting rooms; Helipads; Hostels; Information and education facilities; Kiosks; Multi dwelling housing; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Secondary dwellings; Semi-detached dwellings; Timber yards; Tourist and visitor accommodation

4 Prohibited

Any development not specified in item 2 or 3

<u>COMMENT</u>-

The subject land is zoned to attract development to serve tourists to the Region. The purpose of the development is tourist accommodation and is consistent with the zone objective. The permanent dwelling house is ancillary accommodation for an on-site manager for the serviced apartments (type of tourist accommodation), also permissible with consent. The location is appropriate for the type of development and aims to serve tourists and short-term visitors to Mudgee region.

Other relevant provisions of the MWRLEP 2012 are discussed below:

Clause 2.7 Demolition requires development consent

<u>COMMENT</u> – This application includes seeking consent for demolition work. Existing dwelling and shedding will be demolished to allow for redevelopment.

Clause 4.2A Erection of dwelling houses and dual occupancies on land in certain zones

<u>COMMENT</u> – Does not apply to the SP3 zone. The dwelling houses and tourist accommodation are permissible with consent in the zone.



Part 5 Miscellaneous provisions

Clause 5.21 Flood planning

The site is not within the flood planning area (outside the 1 in 100 ARI flood limit), The site is affected by the PMF (probable maximum flood). Flooding does not constrain the development of the land for tourist accommodation. Access and emergency escape will be via Horatio Street. No fill is proposed to be brought to the land, that may affect the flood behaviour causing any affectation on adjoining land. (Refer to the separate report prepared by Triaxial Consulting for more detail).

Part 6 Additional local provisions within the Mid-Western Regional LEP.

Clause 6.1 Salinity – No evidence of soil salinity has been noted as occurring at the proposed development site. However, salinity potential is inherent to the Mid-Western Regional LGA and the potential susceptibility of future dwellings and crops to salt damage in the subject development site should be acknowledged.

Clause 6.3 Earthworks – Separate earthworks are not proposed.

Clause 6.4 Groundwater vulnerability - This clause applies to land identified as "Groundwater vulnerable" on the Groundwater Vulnerability Map (Sheet GRV_006). The mapping applies to this development site. With connection to services the development is not expected to have impact on groundwater.

Clause 6.9 Essential services – Pursuant to this clause the consent authority is required to be satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable road access.

The land can be serviced to Council standards (and any changes to connections are subject to conditions of approval).

The provisions of the Mid-Western Regional Development Control Plan 2012 (DCP) provide design standards for development and is addressed below.



6.2.1 COMPLIANCE WITH MWRC DEVELOPMENT CONTROL PLAN

Compliance with the Mid-Western Regional Development Control Plan (2013) is discussed. The DCP does not have specified provisions for development of land in the SP3 Tourist zone. Tourist accommodation provisions of the DCP are applicable to rural zones only and not considered relevant for compliance assessment. The development includes a permanent occupancy in the manager's residence only, as such the compliance with provisions of the 'general housing and ancillary structures deemed to satisfy' provisions are noted in this report, for comparison purposes to criteria that would be applicable in residential zones. DCP provisions considered most relevant are addressed in the table below. Section 5.1 Car parking includes provisions for Tourist Accommodation. No departures from the DCP are identified.

A written justification to vary deemed to satisfy requirements for housing is not necessary in this case, as the provisions do not apply in the SP3 zone, however referencing the development standards for dwelling houses and the site overall, that has an accommodation component, is useful to ensure good design is achieved.

DCP Provisions	Comments
Dwellings - 2 spaces per dwelling – 1 space to be a garage, 1 space may be provided in a stacked arrangement in front of the garage provided that the space is contained wholly within the site.	A carport for undercover parking is proposed with a second allocated space (labelled CP8 and CP9).
Tourist and Visitor Accommodation - 1 space per unit, plus	No restaurant use proposed.
2 spaces per 3 employees plus if restaurant included space per 7 m2 gfa or 1 space per 3 seats whichever is greater (Restaurant). 1 space per 4m2 for licensed flu including outdoor seating or dining	1 space per unit is proposed, with an additional space at the front of the development, also overflow parking in street frontage is available.
	The development will employ one person for site management and maintenance/cleaning.
	No additional employee spaces are required as less than 3 employees are proposed. In addition, the car parking for an employee will be available at unit 7 on site manager's unit. There is no demand to require an additional employee space.

Table 1: Compliance with the DCP Part 5.1 Car Parking



 Table 2: Comparison to dwelling house provisions in residential zones (not applicable to SP3

 Tourist zone)

DCP Provisions			Comments	
Building Setbacks			The plans depict a side setback of min 900m.	
Zone	Street	Side/Rear	Secondary Frontage for Corner lots	The front setback is averaged between the adjoining buildings and achieves 9.5m from
R1, R2 and R3 where Lot size is greater than 900m2, less than 2000m2	6.5m to building line or average of adjoining properties 7.5 to the garage	900mm	2m	front boundary to building line.
Building height			Single storey only.	
Privacy Single storey development achieving setbacks do not require specific privacy controls.			Single storey – no issues.	
Design				
75% of the Private open space and internal living areas should have access to sunlight for 3 hours a day between 9 am and 3 pm with direct access to the main living areas.			A shadow plan has been provided.	
80m2 of private open space is provided with a minimum dimension of 5 metres.			The manager unit is provided with 55m2 of private open space. With dimensions suitable for use (min 5.2m). The space can provide a patio undercover area, seating and clothes drying space. Refer to the landscaping plan. The POS for unit 7 includes clothes line on eastern fence line, and the POS space is not restricted further by any additional rain water tank or structure.	
No windowless facades at the street frontage(s).			No windowless façade proposed.	
	Street elevations are to include at least 5% of openings including windows, doors.			Street view perspective is provided.
Garages – the aggregate width of the garage door or carport shall not exceed 45% of the front elevation of the dwelling.			N/A.	
For corner allotments no fences, structures or landscaping exceeding 1 metre in height are to be located within the triangle formed by a sight line 12 metres x 6 metres form the intersection of the two street boundary lines.				N/A
Cannot be a transportable or relocated building.			Noted.	



DCP Provisions	Comments	
Parking		
Provision for parking of two vehicles behind the building line including at least one space undercover.	Carport parking space and second space provided adjacent to Manager unit.	
Utilities	No utility easements are known for the development site that may hinder the development.	
Fencing	No new fencing is proposed. Refer to the landscaping plan.	
Access	Driveway is not hindered by slope. The width of the existing driveway is to be widened to 6m improve safety for passing cars.	
Garages, Outbuildings and Carports	Undercover car port parking is proposed for the Manager	
Ridgelines	N/A	
Slope & Cut and Fill	No slope issues with the land. Stormwater can be directed through gravity without any significant ground level changes.	
Pools	N/A - No pool proposed.	
Energy Efficiency New Dwelling – Has a BASIX Certificate.	The development is BASIX related development. In accordance with the Regulations the application is supported with BASIX certificate for the dwelling and tourist accommodation.	
Permissibility	The land does not have a minimum lot size	
The lot is to comply with the minimum area as designated	applicable for dwellings.	
on the LEP 2012 Lot Size Map or compliance must be achieved with Clause 4.2A for rural dwellings.	Dwellings are permissible with consent in the SP3 zone.	
Heritage	N/A – no listed items associated with the site or adjoining land.	



7 EVALUATION - ENVIRONMENTAL IMPACTS

7.1 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

This section considers the likely impacts of the proposed development, including environmental impacts on both the natural and built environments.

7.2 SOIL AND SURFACE WATER

7.2.1 Potential Impacts – Soil and Surface Water

The proposed demolition work and tourist related development does not trigger integrated development provisions due to works within 40m of a waterway. Under the Water Management Act 2000 (WM Act) an approval is required to undertake controlled activities on waterfront land.

Potential soil impacts due to the demolition work, site preparation works, and development of the cabins may include exposure of soils to increased erosion and offsite sediment transport through general site disturbance for construction. This limited disturbance is not expected to have any long-term impact and can be managed in an erosion and sedimentation control plan.

7.2.2 Mitigation Measures – Soil and Surface Water

Mitigation measures should be adopted to minimise potential for impacts to soil and water.

- Erosion and sediment controls are to be established prior to any site disturbance.
- Methods within the '*Managing Urban Stormwater: Soils and Construction Volume 1*' (Landcom 2004) are to be employed where relevant.
- The provisions of the DCP 5.4 Environmental Controls Building in a saline environment can be implemented.
- During site preparation, should any unexpected heritage be uncovered, the works should cease and Council and DPE Heritage be contacted for advice.

7.3 VISUAL AMENITY

The proposed development of tourist accommodation will not lead to any significant changes to the visual amenity of the area. The site has a cottage that will be replaced. The neighbouring development is for similar cabins for serviced apartments. The design has considered the frontage to a classified road and no specific mitigation measures are required.

7.4 CUMULATIVE ISSUES

No significant potential cumulative issues have been identified because of the proposed development. Minor traffic increase attributed to tourist accommodation use is insignificant to the road network.



7.5 SOCIAL AND ECONOMIC IMPACTS

This section considers the likely social and economic impacts of the development in the locality. Socially the proposal will have minimal impact. The development is an opportunity within Mudgee's tourism focussed precinct and seeks to redevelop for a suitable purpose in the zone. Development within Mid-Western Regional LGA that may have positive economic flow on effects.

7.6 SITE SUITABILITY

REVIEW OF SITE ISSUES - An overview of site issues is provided:

The proposed tourist accommodation will not cause conflict with the land use of adjoining SP3 and Residential zoned properties.

The subject land is mapped and identified as 'Groundwater Vulnerable' in the Mid-Western Regional Local Environmental Plan 2012. No hindrance to development.

ZONING AND PERMISSIBILITY OF THE PROPOSED DEVELOPMENT – Serviced apartments are consistent with the zone objectives and is permissible with consent. Overall, the proposed redevelopment of land will support the expected land use, being consistent with the zone objectives, and having mitigated environmental impacts.

SIZE AND SHAPE OF THE LAND - The shape of the land and topography presents no particular hindrance for redevelopment. The site design can comply with requirements and incorporate adequate area for a future dwelling.

COMPATIBILITY WITH ADJOINING DEVELOPMENT - Overall, no issue has been identified that would indicate that the land is not suitable for tourist accommodation as designed.

7.7 PUBLIC SUBMISSIONS

Any submissions made in accordance with the EP&A Act or the Regulations received during the notification period for the development application would be required to be considered by Council in the assessment of the application.

7.8 PUBLIC INTEREST

Section 4.15(1)(e) requires consideration of the public interest in assessing the proposed development. The proposal is not likely to have wider public implications. Council has previously supported similar plans for cabin development in the locality.



8 CONCLUSION

This Statement of Environmental Effects supports the plans and describes the proposed development and where relevant outlines proposed actions that demonstrate measures to be undertaken to ensure consistency with the setting and objective of the zone, and outline what plans are in place to ensure mitigation of any potential environmental impacts.

The proposed development is not likely to impact negatively upon the traffic in Horatio Street and is consistent with the objective set out in the Mid-Western Regional Local Environmental Plan 2012. The proposed tourist related development has taken into consideration the constraints of the site dimensions and access available. Also, building design has sought to achieve good access to natural sunlight and provide opportunity for each cabin to have a private area for outdoor seating.

The proposed development presents suitable layout, design, and long-term management taking into consideration the identified site constraints. The inclusion of a dwelling (unit 7) for an onsite manager will assist in ensuring visitors are well catered for and the site supervision is expected to ensure maintaining minimal impact to neighbouring occupants.

This Statement of Environmental Effects has described the proposed development and considered the potential impact to the local setting and environment. In accordance with the *Environmental Planning & Assessment Act 1979* an Environmental Impact Statement is not required and Mid-Western Regional Council is able to undertake assessment and subsequent determination of a development application for demolition work and redevelopment for tourist accommodation based on this SEE and Stormwater Management Plan; the plans and BASIX Certificate.