



Tel: 02 8004 0460
www.auswideconsulting.com.au
info@auswideconsulting.com.au
ABN 13 143 437 432

STATEMENT OF ENVIRONMENTAL EFFECTS

**38 Queen Street, Warialda
NSW 2402**

PROPOSED ATTACHED DUAL OCCUPANCY

Prepared for:	Precise Designs
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Gwydir Shire Council Development Application #:	TBA



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Introduction

This Statement of Environmental Effects has been prepared to accompany a development application for the construction of a single storey attached dual occupancy development at 38 Queen Street, Warialda.

The proposed development is defined as a form of 'dual occupancy' which is a permissible form of development with consent in the RU5 Village Zone under the provisions of the *Gwydir Local Environmental Plan 2013*.

The Development Application is supported by this Statement of Environmental Effects and is to be assessed in conjunction with the following plans/documentation:

- Architectural plans prepared by Precise Designs, Revision A, dated 03.05.22.

This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000. The purpose of this document is to detail the proposed development, review the applicable planning regime relating to the works, assess the degree of compliance and examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15 of the Environmental Planning and Assessment Act, 1979. In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any harm to environmental amenity have been addressed in this report.

The design of the proposed development has considered the character of the locality in respect to height, size, bulk, scale, setbacks, materials, and finishes. The proposal is sympathetic to the amenity of adjoining dwellings in respect to privacy, solar access, acoustic privacy, and visual impact.

As the assessment of the proposal has not identified any significant environmental or amenity impacts it is concluded that the development is acceptable and worthy of the support of Gwydir Shire Council.

Background and Existing Conditions

The subject property is located within the Gwydir Local Government Area (LGA) and may also be identified as Lot 2 DP603869. The property is rectangular in shape with a site area measuring 797m² in size. The site has a primary frontage measuring 20.115m to Queen Street.

The site is currently vacant of any structures and slopes significantly to the rear North-eastern corner of the site.



Figure 1: Location of the Subject Property

The property is located within and subject to the planning policies of the Gwydir Local Environmental Plan 2013 and the RU5 Village zone. Surrounding the properties are similar land uses in low density residential lots and the site is adjoined at the rear by a Public Recreational Area and Warialda Preschool.

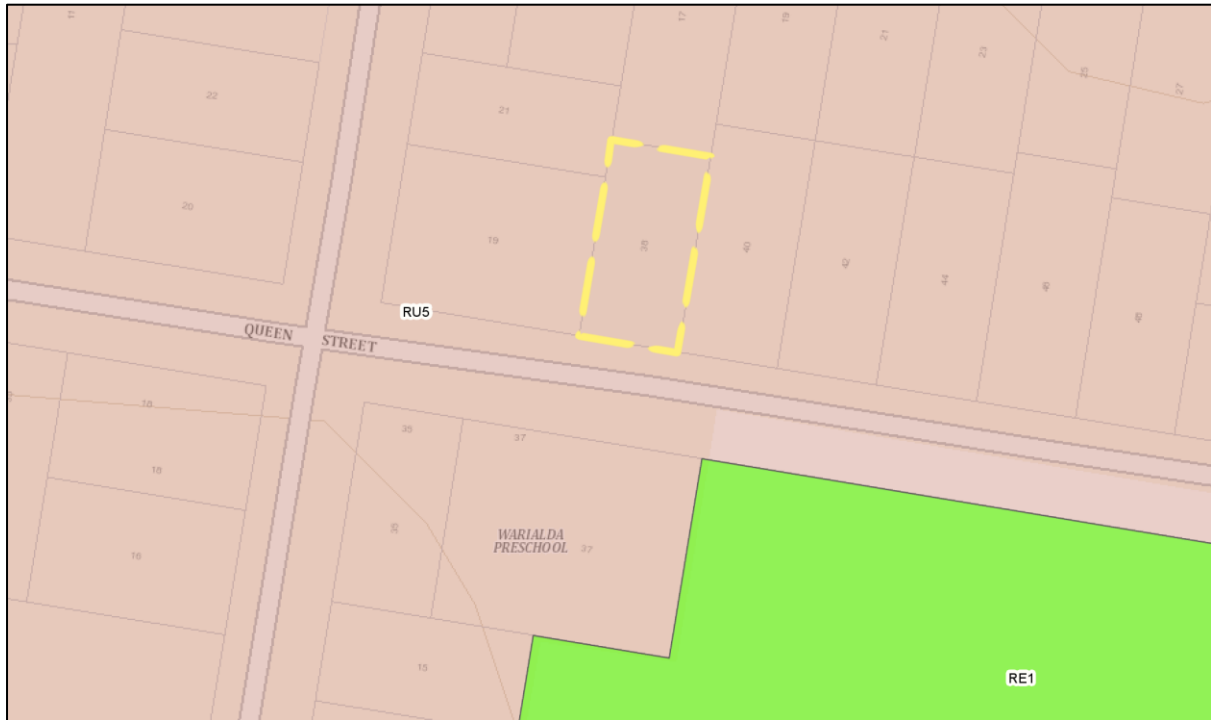


Figure 2: Local Zoning Plan of the Subject Property

Source: NSW Planning Portal (June 2022)

Development Proposal

The proposal primarily seeks the construction of a single storey attached dual occupancy development comprising of the following:

Unit A

Ground Floor

- Attached single garage and hardstand
- Entry and porch
- Bedroom 1 with ensuite and walk in robe
- Bedroom 2 and Bedroom 3
- Kitchen
- Bathroom
- Laundry
- Living and Dining room
- Patio

Unit B

Ground Floor

- Attached single garage and hardstand
- Entry and porch
- Bedroom 1 with ensuite and walk in robe
- Bedroom 2 and Bedroom 3
- Kitchen
- Bathroom
- Laundry
- Living and Dining room
- Patio

The following table further indicates certain attributes of the development:

Provision:	Proposed:
Building Height	5.95m
Floor Space Ratio	Unit A: 0.34:1 Unit B: 0.34:1
Setbacks	Front: 6m Sides: 1.35m and 1.35m Rear: 10.93m
Landscaped Area	Site A: 35% Site B: 35%
Private Open Space	Site A: Minimum 20sqm at rear Site B: Minimum 20sqm at rear

The proposed works are shown in the following plans.

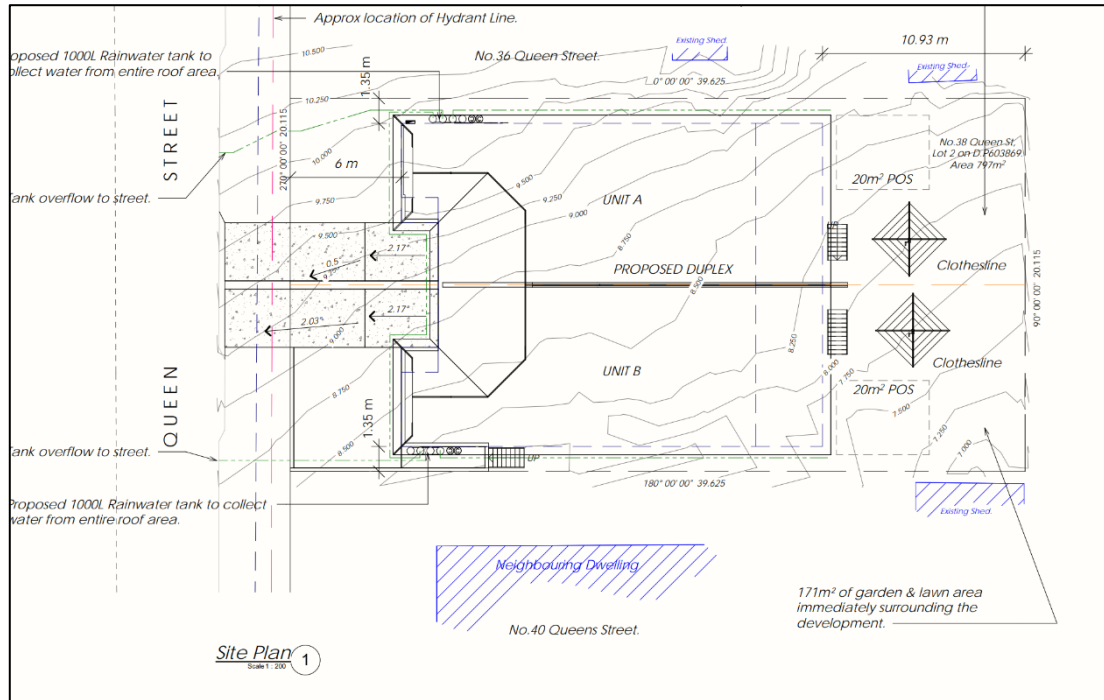


Figure 3: Proposed site plan
Source: Precise Designs (May 2022)

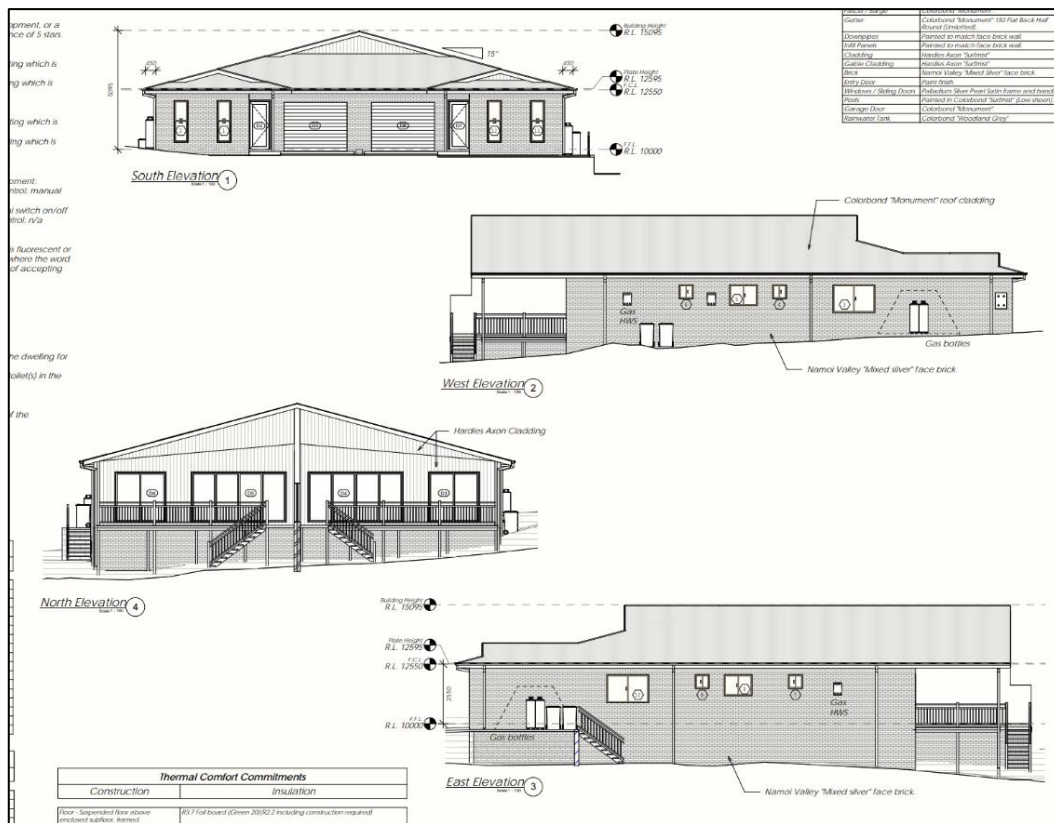


Figure 4: Proposed elevations
Source: Precise Designs (May 2022)



Environmental Assessment

The proposal has been assessed under Section 4.15 (1) of the *Environmental Planning and Assessment Amendment Act, 1979*.

The following planning instruments and controls are relevant to the assessment of this proposal:

- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021; and*
- *Gwydir Local Environmental Plan 2013*

Section 4.15 (1)(a)(i) Environmental Planning Instruments

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

The application has been assessed against the requirements of the Policy and includes a BASIX Certificate for the proposed dwellings.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 requires that consent must not be granted to the carrying out of any development on land unless Council has considered whether the land is contaminated or requires remediation for the proposed use.

The potential contamination and remediation of the site was addressed during the subdivision stage of the site. A further assessment under this Policy is not required at this stage, the site is now considered to be suitable.

Gwydir Local Environmental Plan 2013

RU5 Village

1 Objectives of zone

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*

2 Permitted without consent

Building identification signs; Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Roads; Water reticulation systems

3 Permitted with consent

Agricultural produce industries; Centre-based child care facilities; Community facilities; Dwelling houses; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Tank-based aquaculture; **Any other development not specified in item 2 or 4**

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat launching ramps; Boat sheds; Cellar door premises; Charter and tourism boating facilities; Correctional centres; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Heavy industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Resource recovery facilities; Roadside stalls; Rural industries; Rural workers' dwellings; Sex services premises; Waste disposal facilities; Wharf or boating facilities

Response:

The dual occupancy is a permissible form of development under the GLEP 2013 as per above as it is not listed in the prohibited list. Regarding the zone objectives - the proposal is considered to provide for the housing and needs of the growing Gwydir community and provides an additional type of housing.

There is expected to be minimal impact on the local built and natural environment. The development will be carried out using best practices, sustainable design methodology and constructed using high quality materials.

Gwydir Local Environmental Plan 2013

Relevant provisions of the Gwydir Local Environmental Plan 2013 are considered below:

Part 4 Principal Development Standards		
Development Standard	Requirement	Comment
4.1 Minimum subdivision lots size	Minimum lots size permitted: 550sqm	N/A strata subdivision proposed.
4.2B Erection of dwelling houses on land in certain rural and residential zones	<p>Development consent must not be granted for the erection of a dwelling house on land to which this clause applies unless the land—</p> <ul style="list-style-type: none"> • is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land, or • is a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or • is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, 	<p>Complies.</p> <p>Lot is larger than 550sqm. Lot was created prior to 2013.</p>
4.3 Height of Building (HOB)	No requirement.	N/A
4.4 Floor Space Ration (FSR)	No requirement.	N/A
Part 5 Miscellaneous Provisions		
5.10 Heritage conservation	The site does not contain a heritage item and is not within a heritage conservation area.	

5.11 Bush fire hazard reduction	The site is not classified as bushfire prone.
5.21 Flood Planning	The site is not classified as flood prone.
Part 6 Additional Local Provisions	
6.1 Earthworks	Excavation is proposed as required due to slope of the land. Appropriate measures are proposed.

Section 4.15 (1)(a)(iii) Development Control Plans

Gwydir Shire Council does not currently possess a Development Control Plan.

Section 4.15 (1)(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

It is considered that the proposed development will have minimal environmental impact onto the natural and built environment of the subject site and its surrounding neighbouring properties. The proposed attached dual occupancy is intended to benefit the subject site, the owners of the property and compliment the streetscape with minimal impact onto adjoining properties.

During construction, noise and building impacts will be minimised through observance of the requirements of the Environmental Protection Authority and Local Authorities. All noise emissions will comply with Australian Standards. As such the proposed development poses minimal detrimental impacts on both the natural and built environments.

Section 4.15 (1)(c) Suitability of the Site for the Development

The site is considered to remain suitable for the proposed development, owing largely to:

- The proposed attached dual occupancy is a permissible form of development which meets the objectives of the zone R5 Village;
- The proposal is consistent with the objectives and relevant development standards of the Gwydir Local Environment Plan 2009;
- The development will have minimal significant environmental, social or economic impacts onto adjoining properties.

Section 4.15 (1)(d) Any submissions made in accordance with this Act or the regulations

Council is responsible for the referral of the application to relevant Government bodies and to adjoining owners. Any submissions will be reviewed by the applicant and Council during the assessment process, and duly considered.

Section 4.15 (1)(e) Public Interest

Given that the relevant issues have been addressed with regard to the public interest as reflected in the relevant planning policies and codes, the development is unlikely to result in any adverse impact to the public interest in the circumstance of the case, particularly noting the predominantly compliant and minor nature of the proposal.

Conclusion

It is concluded that the development proposal to seek council approval, for the attached dual occupancy at 38 Queen Street, Warialda. The proposal is supported on the following grounds:

- A Development Application is submitted to the Gwydir Shire Council containing necessary drawings and reports. All associated documents referenced in this statement are to be provided with the Application;
- The proposal is suitable for the RU5 Village zone and meets the current zoning objectives;
- The proposal meets the requirements of the Gwydir Local Environment Plan 2013;
- There will be minimal adverse social, economic or environmental impacts;
- Impacts to the amenity and character of the surrounding established area are negligible; and
- The proposal is considered acceptable in terms of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.