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# Statement of Environmental Effects for Muswellbrook Shire Council

Proposed Ancillary Structure (Shed)

## Property Details

| | | | | | |
|---|---|---|---|---|---|
| Owner | **L. J. FINLAY** | | | | |
| Lot | **6** | Section | **--** | DP | **239686** |
| Street No. | **51** | Street | **Ruth White Avenue** | | |
| Suburb | **MUSWELLBROOK** | | | Postcode: | **2333** |
| Applicant | **CEO Design & Consult Pty Ltd** | | | | |
| Date of Preparation | **3 March 2025** | | | | |

## Description of Proposal

This proposal involves the removal of an existing slab, and construction of a steel framed shed on concrete slab at the above address. Refer attached plans for details on the size and location of the building. External building materials consist mainly of powder coated metal roof sheeting and wall cladding with aluminium and glass for windows if relevant.

The structure will be ancillary to the main residence. It will be used for storage of the owners' vehicles and gardening equipment, and will not be used for or converted to a separate dwelling; or for industrial or commercial purposes.

## Description of the Site

The site is 720.8m² in area and located within an established residential suburb. The site has an existing residence, refer to the site plan for details. Property dimensions, area and orientation are shown on the attached Architectural Plans. Easements and services have been indicated on attached plans where available.

Site constraints including but not limited to Geotechnical, Mine Subsidence, Flooding and Bushfire have been addressed in separate documentation accompanying this report where relevant.

Adjoining land use are of similar zoning and nature to this site and therefore compatible with the proposed development. The implementation of soil erosion control methods and stormwater management within the site ensures no impact on the surrounding environment and allotments.

## Local Planning Controls

### RELEVANT PLANNING INSTRUMENT

Central Coast Local Environmental Plan 2022 (CCLEP 2022)

### CURRENT ZONING

R1 – General Residential

### OBJECTIVES OF ZONE

- 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.
- To enable sensitive infill development of other housing types.
- To allow people to carry out a reasonable range of activities from their homes, where such activities do not adversely affect the living environment of neighbours.
- To promote the principles of ecological sustainable development including energy and water efficient subdivision and housing design.

- To minimise the impact of non-residential uses and ensure these are in character and compatible with surrounding development.
- To ensure that development is carried out in a way that is compatible with the flood risk of the area.

### DESCRIPTION OF HOW THE PROPOSAL MEETS THE OBJECTIVES OF THE ZONE

The proposed development creates no conflict within the zone or adjoining zones.
There will be no impact on conservation or development potential of land identified for future investigation. Therefore this development complies with the zone objectives.

### DEFINITION OF PROPOSED DEVELOPMENT

The LEP defines a dwelling as follows:

> *'dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile'*

The proposed structure will be ancillary to the existing dwelling on the property.

## Muswellbrook Shire Development Control Plan 2010

### Section 6 Residential Development

| **Compliance Table** | | | |
|---|---|---|---|
| **Clause** | **Control** | **Response** | **Complies Y/N** |
| 6.1.2 | <u>Front Setbacks</u><br>(i) Front setback matches the alignment of the primary facades of adjoining buildings. Where different setbacks occur, use the average of the setbacks of those primary facades.<br>(ii) The minimum building line in new residential areas (where there are no adjoining dwelling houses) are to be:<br>Local Street - 4.5 metres<br>Collector Street - 4.5 metres<br>Bulb of cul-de-sac - 4.5 metres<br>New England Highway - 10 metres<br>Corner allotment - 4.5 metres for primary frontage, Secondary frontage:<br>2 metres for lots 450m2 - 600m2; 3 metres for lots 600m2 - 1500m2; 5 metres for lots > 1500m2.<br>(where no driveway access is proposed or provide 5.5m setback to garage door)<br>(iii) The garage width on allotments should not exceed 50% of the site frontage, the remainder of which shall be landscaped. | Shed on corner allotment.<br>Front setback =6.1m | YES |
| 6.1.3 | <u>Side and Rear Setbacks</u><br>(i) A minimum side or rear setback for all dwellings of:<br>- 0.9m for walls up to 3m in height;<br>- 0.9m plus 0.3m for every metre of wall height over 3m and less than 7.2m<br>- For that part of a wall over 7.2m in height, the minimum setback should be increased by 1m for every metre of height | Side setback = 0.9m<br>Rear Setback = 0.9m | YES |

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| | over 7.2m.<br>(ii) Walls may be built to the side and/or rear boundaries where:<br>- The maximum wall height is 3m and there will be no impact on privacy, use of private open space and solar access to adjoining properties;<br>- Any openings comply with the fire resistance levels of the Building Code of Australia and are in filled with translucent or opaque materials.<br>- The wall height and length match an existing or similarly constructed wall on the adjoining site.<br>- Satisfactory arrangements in place for the maintenance of the wall or gutters<br>(ii) Application for zero building line will only be considered where the relevant lot or lots are part of an integrated subdivision design.<br>(iii) Garages, carports, sheds and other ancillary structures shall be setback at least 450mm from a side boundary to ensure they do not encroach upon adjoining lots. Council may vary this requirement where a site survey can be provided to demonstrate boundary alignments relative to constructed fencing locations.<br>(iv) Separation fencing is provided between development land and any adjoining rail corridor. | | |
| 6.1.4 | <u>Building Height and Scale</u><br>(i) Where a building is part of a uniform group of buildings of similar character locate any additions or alterations to the rear and not visible from the street or any public place.<br>(ii) Where a building is to be located amongst buildings having a consistent façade repeat the size, location and proportions of window, door openings and other distinctive features such as roof form.<br>(iii) Dual occupancies, multi dwelling housing and residential flat building developments must be designed and constructed in a form and scale that<br>resembles the detached character of dwelling-houses in the surrounding neighbourhood.<br>(iv) Finishes which are 'textured' rather than bland, through the use of light and shade, diversity in materials and finishes and appropriate decorative treatments.<br>(v) Traditional relationship of roof mass to wall ratio, roof pitch and design, length of unbroken ridgelines, parapets, eaves and roofwater guttering detailing.<br>(vi) The amount and length of unbroken roof ridge lines, unpunctuated facades, fencing and repetitive form should be minimized. | Maximum Shed height = 3.5m<br><br>Selected colours to complement the existing residence | YES |
| 6.1.6 | <u>Garages, Carports and Sheds</u><br>(i) Garages, carports and sheds visible from the street shall compliment (i.e. not detract from) the colour and roof form (i.e. pitch) of the dwelling on that allotment.<br>(ii) Garages and sheds are not located forward of the established building line.<br>(iii) Open carports, less than 36m2 in roof area and no greater than 6m wide, may be built to the side boundary or no closer than 1m to the street frontage provided they meet the objectives of this clause. | Selected colours and roof pitch designed to complement the existing residence.<br><br>Proposed setback is in keeping with existing setbacks. | YES |
| 6.1.9 | <u>Reflective Materials</u><br>(i) Use natural colours, muted and earth tones for major areas of the building, such as walls and roof, and restrict stronger colours to smaller features such as window frames, doors and decorative woodwork.<br>(ii) Avoid extensive use of highly reflective glass, highly reflective metal cladding (such as Zincalume and white Colorbond) and plastics on the exterior of buildings. Use factory pre-coloured materials with low reflective properties. | Proposed non-reflective earth tones and standard window glazing sizes.<br><br>(Refer to plans for details) | YES |

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| | (iii) If highly reflective materials are proposed to be used, the applicant must demonstrate to the satisfaction of Council that the proposed material compliments the surrounding locality, is the most appropriate outcome for the site, and that no nearby or adjoining properties will be adversely affected by glare nuisance. The applicant shall address in detail the alternative options considered in the design process, orientation of the buildings/proposed material, the roof pitch, sun angles, the location of properties and public places that may be affected by glare either in the immediate vicinity or within a wider area in likely to be affected, and any measure to be incorporated into the works to mitigate any potential impacts (eg landscaping, screens and the like)<br>(iv) In the event that a glare nuisance does arise from the use of a material, Council reserves the right to require materials to be treated to address glare nuisance. | | |
| 6.2.2 | <u>Carparking</u><br>(i) Provide on-site carparking in accordance with AS2890.1 and Section 16 of this DCP.<br>(iii) Design access ways and driveways for multi dwelling housing and residential flat buildings to enable vehicles to:<br>- Enter the parking space or garage in a single turning movement.<br>- Leave the parking space in no more than two turning movements.<br>- Avoid queuing on public roads<br>(iv) Comply with AS 1428 - Design for Access and Mobility for multi dwelling housing and residential flat buildings where adaptable housing units are to be provided.<br>(v) Provide manoeuvring space on site for multi dwelling housing and residential flat buildings to allow cars to enter and leave the site in a forward direction.<br>(vi) Provide separate driveway and pedestrian access for multi dwelling housing and residential flat buildings.<br>(vii) Designate disable and visitor carparking for multi dwelling housing and residential flat buildings as common property in any strata plan. | Proposed shed is replacing the existing garage shed which burnt down.<br><br>Existing access and proposed car parking will be in accordance with AS2890.1 and Section 16 of the DCP. | YES |

# Other Local Issues

## FLOOD PRONE LAND

Is the land flood affected? NO
What is the designated AHD flood height? N/A
What is the finished AHD floor level of the proposal? N/A
Comment:

## BUSHFIRE

Is the site classed as bushfire prone? NO
Comment:

### TREES & VEGETATION

Does the proposal involve any clearing? NO
Comment:

### ACID SULPHATE SOILS

Acid Sulphate Classification is: N/A
Comment:

## Section 4.15 Evaluation

Section 4.15 of the EP&A Act provides matters for consideration by Council in the assessment of applications. Below provides comment against each of these considerations:

### Planning Controls & Agreements

The proposal development is a permissible use under the LEP and complies with the requirements and controls of the DCP.

### Impacts of the Development

These matters have been addressed throughout this report. There is not expected to be any impacts on the surrounding area.

### Suitability of the Site

The proposed development is well suited to the subject site.

### Submissions Received

This is a matter for Council to consider.

### Public Interest

The public interest is served by developing the land in an efficient and economical way that provides for the development of the land.

## Conclusion

The proposed development complies with the requirements of the LEP, the relevant controls of the DCP, and other relevant legislation. The site is considered to be suitable for the nature, scale and type of development proposed. It is therefore recommended that Council grant development consent for the proposed development.