

Modification to DA Application  
Statement of Environmental Effects  
in respect of  
Proposed new commercial building  
At  
No. 20, Lot 4, DP 758830, Sec. 3  
King Street, Paterson. NSW 2421

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## INTRODUCTION

This report accompanies a Modification to approved Development Application to Dungog Shire Council, the Consent Authority, for the development on Lot 4, DP. 758830, No. 20 King Street, Paterson.

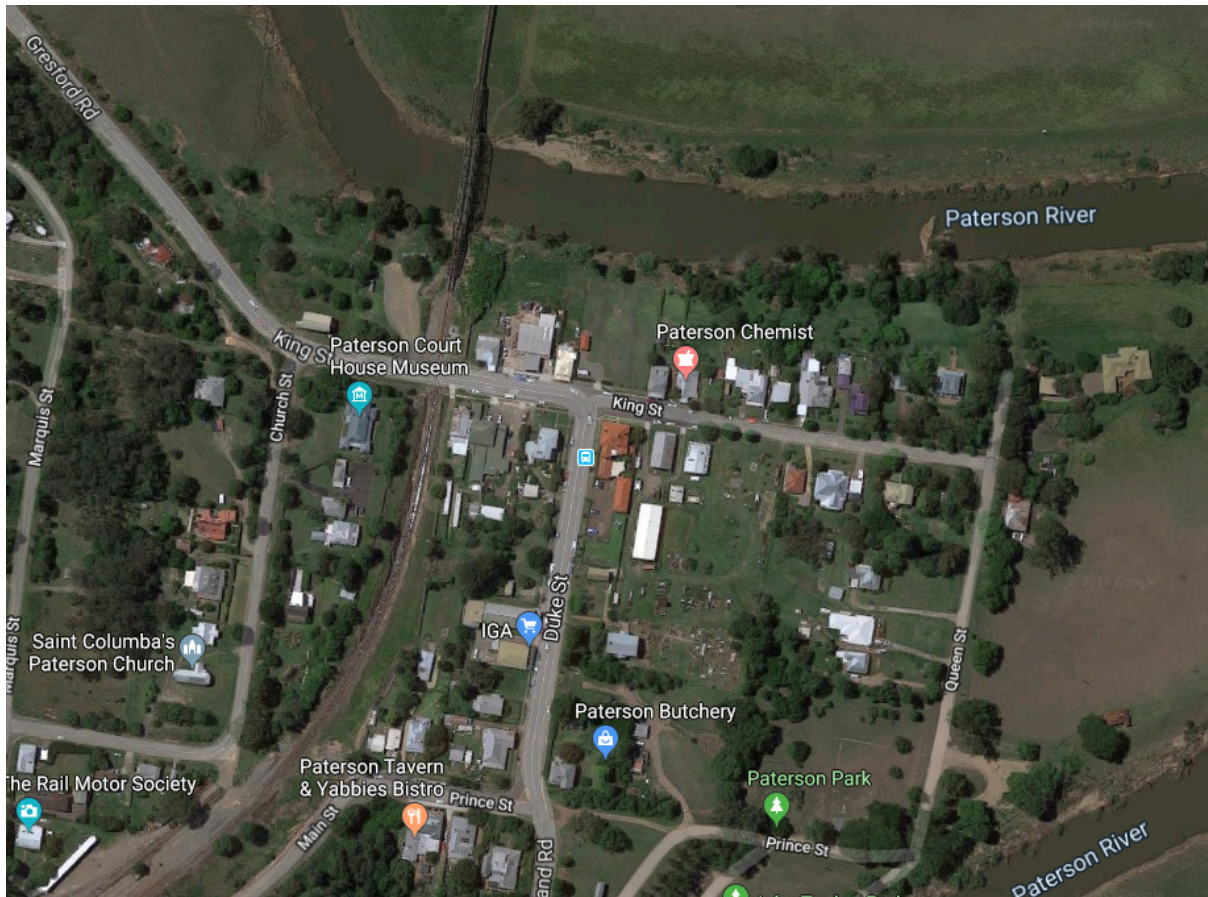
The new building satisfies the development standards for development under Dungog Shire Council LEP 2014 & Development Control Plan requirements in a RU5 Village Zone and E3

Environmental Management, Paterson Village Significance Local

This report describes the development proposal, the site and its context and comprises the required Statement of Environmental Effects.

## The Site

The site of the proposed development is known as Lot 4, DP. 758830, No. 20 King Street, Paterson. The site is located on the northern side of King Street. The site is vacant with only turf vegetation.



## Site Dimensions

The site has a frontage to King Street of 18.9m., side boundaries of 70.01 m., and 18.9 m to rear boundary with a total area of approx. 1323.189 m<sup>2</sup>.

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## **Topography**

The site has a slope of approximately 10 metres from the front street boundary to the rear boundary. King Street is kerbed and guttered across the site frontage. The land is situated in the Paterson Village Significance area, Acid Sulfate Soils Zone Class 1 & 5 and a Flood Planning area.

## **Proposed Development**

### **Design**

The proposed amended design, as shown on the attached drawings, incorporates a commercial building single storey with car parking area at the rear of the site off the side driveway. The external building material will be of durable material ie facebrick wall cladding of medium sandstone color with neutral color roof sheeting and gutter. These colors are a guide only and at time of construction may change due to availability of bricks. The roof line has been amended to a ridge with hip at rear to reduce the building cost. The appearance is still in keeping with the heritage influence of the area. The rear car parking has been reduced after a meeting between the owner Bruce Kelly and council staff. The cost of the approved car parking area made the project unviable for it to go ahead. The discussion was relating to the delivery vehicle and customers would generally park in the street, and that shopping in Paterson would be to visit a number of shops at the same time.

### **\*Hours of Operation & Employee Details**

The operation of the commercial shop will require approx. 1-2 full/part time employees. The operating hours of the commercial shop would be ie. 8.30am till 6.00pm Sunday to Saturday. The use of the commercial shop at time of application will be a Chemist shop. Any goods delivered would be approx. once a week in a small van. These deliveries generally would be via street parking. The number of customers that would be expected at any one time may be 2-3.

There is no noise generated by this business and any waste products would be disposed of by the use of the council's collection services.

Paper will be recycled through collection each week.

### **\*Provisions of Environmental Planning Instruments**

### **Zoning**

#### **\*RU5 - VILLAGE**

#### **1 Objectives of zone**

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote the growth of individual settlements as local service centres.
- To encourage a variety of mixed-use development.
- To enhance the character, including the cultural and built heritage, of each village.

#### **2 Permitted without consent**

Extensive agriculture; Home occupations; Markets; Roads; Roadside stalls

#### **3 Permitted with consent**

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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**

Air transport facilities; Airstrips; Animal boarding or training establishments; Dairies (pasture-based); Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Heavy industries; Industrial training facilities; Intensive livestock agriculture; Intensive plant agriculture; Open cut mining; Pond-based aquaculture Rural workers' dwellings; Secondary dwellings.

#### **\*Aims of Plan**

- (1) This Plan aims to make local environmental planning provisions for land in Dungog in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
  - (a) to protect rural lands, natural resources, and items and areas of heritage significance,
  - (b) to manage development to benefit the community,
  - (c) to promote the principles of ecologically sustainable development and sustainable water management, and to recognise the cumulative impacts of climate change,
  - (d) to protect, enhance and provide for biological diversity, including native threatened species, populations and ecological communities, by long term management and by identifying and protecting habitat corridors and links throughout Dungog,
  - (e) to encourage a mix of housing to meet the needs of the community,
  - (f) to protect agricultural lands by preventing adverse impacts from non-agricultural land uses,
  - (g) to strengthen retail, agricultural and tourism opportunities.

#### **\*Heritage Conservation**

##### **(1) Objectives**

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Dungog,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

##### **(2) Requirement for consent**

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
  - (i) a heritage item,
  - (ii) an Aboriginal object,
  - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
  - (i) on which a heritage item is located or that is within a heritage conservation area, or

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- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
  - (f) subdividing land:
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

### **\*Heritage**

The proposed development site is located on the northern side of King Street and is vacant. It is unknown what may have been constructed on this site in the past.

The new building has been set away from the existing dwelling at No. 18 King Street and is sympathetic to this building. The scale of the new development is in proportion to the surrounding buildings. The views to the adjacent buildings such as No 18 King Street is maintained from the intersection of King & Duke Street. The main flow of traffic is to the left or west away from the new development. The vacant site to the west of the new development is mostly vacant except for a weatherboard garage and a small gravel car park.

During construction if any archaeological items are found then the builder will inform Council of details.



Site location and surrounding sites

### **\*Streetscape and Local Character**

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The proposed development site is located on the northern side of King Street. The streetscape varies with existing older residential dwellings surrounding the development site and commercial buildings of various forms and ages along the street. Some of the surrounding dwellings are used for commercial purposes. The Paterson Local Area Plan is the force in this area for development. The proposed development has been designed to meet the requirements that are permitted in the zone.

Landscape planting of hedging in the side driveway setback and to the rear of the development reduces the bulk and provides privacy to the adjoining residential neighbors.

The new development is of single storey construction and designed in keeping with the Heritage style buildings surrounding the site. See attached photos of surrounding buildings.

The new building has been set to the western side of the site for a number of reasons

1. To provide distance to the existing double storey dwelling at No 18 King Street
2. So that the site entry driveway is away from the intersection traffic area



Intersection at Duke & King Street



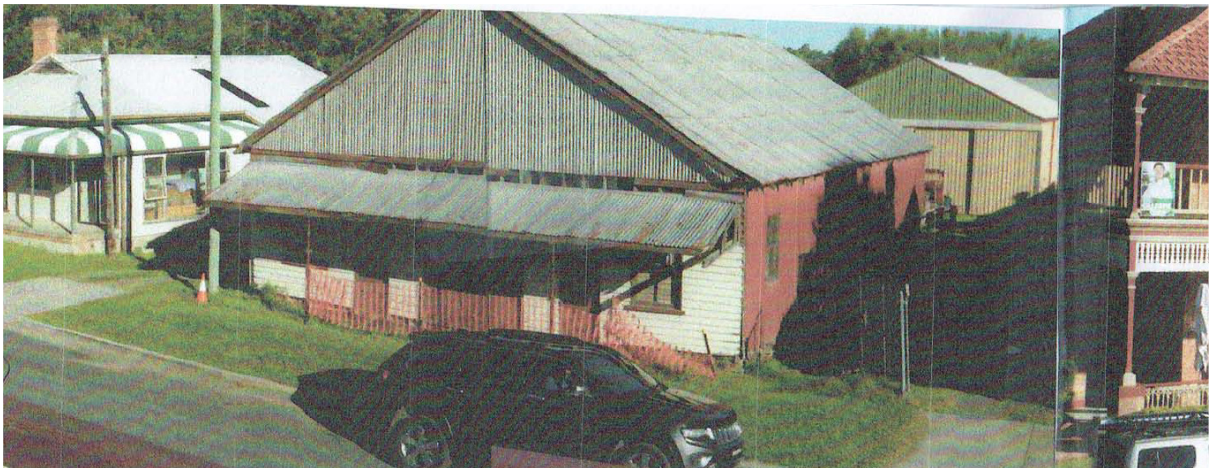
Development site



Adjacent neighbors to the east



Adjacent site to the south



Adjacent sites to the south



Rear of existing site



Existing fence line and retaining wall to eastern boundary



Development to the east at front boundary / footpath



Existing western boundary and adjacent property



Looking east along King Street

**\*Bushfire Risk – DCP**

The site is not identified as bushfire prone land.

**\*Mine Subsidence - DCP**

The site is not in a Mines Subsidence area.

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**\*Flood Control Lot - DCP**

The site is identified as a Flood Control Lot. The Flood line is approx. half way up the site from the northern boundary. This line is below the area of construction.

**\*Acid Sulfate Soils - DCP**

The site is identified as in an Acid Sulfate Area Class 1 & Class 5. The Class 1 zone is closest to the river at the northern end. Class 5 area is where the building construction area is located. So there will be no Class 1 area disturbed.

**\*Water Bodies, Waterways and Wetlands – DCP**

The proposed development is not anticipated to have any adverse impact on the stormwater quality, as appropriate erosion prevention and sediment controls will be implemented during the construction phase of the new building & car park. The stormwater from the roof & carpark will be collected into a rainwater tank with slow release from the tank. See Stormwater design drawing.

**\*Erosion and Sediment Control – DCP**

Erosion prevention and sediment controls are detailed on the submitted plans.

**\*Ecological Values – Flora and Fauna – DCP**

This site is clear of vegetation, with only turf vegetation growing. There is no Flora or Fauna affected directly or indirectly by this development.

**\*Essential Infrastructure – DCP**

All services are currently available to the site except for sewerage. The site is serviced by electricity, reticulated water and telephone. The design for a sewer system will be provided with the Construction Certificate Application

**\*Energy Efficiency – DCP**

A Section J report for the commercial shop is required only for a Construction Certificate.

**\*Stormwater - DCP**

The stormwater from the new development and car park will drain to a rainwater tank and then overflows controlled to the rear of the site in accordance with the design prepared by Forum Engineers.

**\*Vehicle parking Provision - DCP**

The carparking spaces provided for the shop totals 2 cars including the disabled space. Car parking is required for a commercial shop at the rate of 1 per 20 sq metres as per Council's requirements. After discussion with Dungog Shire Council DA Approving staff member we have provided only 2 car parking spaces that includes disabled and possible delivery space due to the limited traffic of Paterson Town.

To create a car parking area behind the building that provides disabled access to the footpath causes some problems that can only met by filling and retaining the car parking area. The reduced car parking has reduced this area of fill substantially. The provision of a disabled car parking space governs the height of the rear parking area.

The new sealed carparking area will be marked by white lines and has a designated disabled car parking space with an adjacent space with bollard to comply with AS2890.

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Signage will be provided at front of development to state car parking at the rear of site. Given the nature of shoppers, many will park in front of the shops being a low level traffic street for ease of shopping.

### **\*Building Siting, Form – DCP**

#### **Front & Side Setbacks – DCP**

The new building is set flush with the front boundary similar to adjacent sites. The western side boundary setback is a min. 150mm. The new building is setback approx. 5.8 metres from the eastern boundary to provide for a metre wide landscaping strip along driveway and a safe pedestrian path from rear parking area.

#### **\*Building Depth – DCP**

The proposed building has a maximum depth of 14 metres. This is well under the allowable in the council's DCP.

#### **\*Building Heights – DCP**

The proposed building has a maximum height to of approximately 7.75 metres and meets the council's requirements. The ceiling height is 3300 mm clear to underside of suspended ceiling. A federation style front façade has been incorporated into the design with an awning over footpath similar to adjacent neighbour.

#### **\*Site coverage and Unbuilt Areas – DCP**

The site coverage is approx. 27 % for the building development including parking /turning area.

#### **\*Privacy – DCP**

Privacy to the adjacent dwelling eastern side boundary is provided by a landscaped hedge along the side boundary adjacent to the driveway area.

#### **\*Landscape Design – DCP**

The objective is to provide landscape design that complements the nature and scale of the development and contributes to the desired streetscape character.

Landscape design should support a functional, safe, and pleasant pedestrian environment, informs and responds well with the built form.

Ensure that landscaping and architectural features are integrated and complementary.

Landscaping is to be robust and require minimum maintenance.

The Landscape design provides the above requirements, enhancing the development in streetscape and shade.

### **\*Building Waste Management**

#### **Demolition Waste**

If any demolition is required it will be undertaken by licensed demolition contractors. As the site is vacant it is unlikely that there will be anything to demolish. Any recyclable materials will be sorted from non recyclable materials and each stored in an appropriate container, such as a skip.

Inert waste such as concrete and roof tiles will be recycled to Concrush. Metals recycled to a recycling centre. Non recyclable materials will be disposed of to landfill. If any asbestos is found, it will be disposed of in accordance with the relevant Australian Standards for disposal of this hazardous waste.

Green waste	Recycled waste	Inert waste	General waste
0 m <sup>3</sup>	0 m <sup>3</sup>	0 m <sup>3</sup>	0 m <sup>3</sup>

### Building Waste

Building waste will be collected and recyclable materials sorted from non recyclable. The latter being collected in a suitable container (such as a skip) prior to being disposed of to council landfill. The recyclable materials will be sorted. Inert materials, such as broken bricks and tiles, will be first used as backfill where possible, the remainder disposed to a suitable recycling centre (such as Concrush). Non inert materials, such as metals and plastics will be delivered to a waste recycling centre. Any trees/shrubs removed will be cut up for firewood. Sawdust, small off cuts and tree branches will be mulched for use on garden beds, and the excess disposed of to council landfill. Note – Any material suitable for recycling will be recycled to suitable businesses as selected by the appointed builder (which is unknown at this point of time). All work will be conducted in accordance with industry standards and as required by the EPA etc. Any manufacturers who may take back left over material for recycling will be utilized to reduce any landfill to council's waste facility.

Green waste	Recycled waste	Inert waste	General waste
0 m <sup>3</sup> Landscaping recycling centre	2 to 3 m <sup>3</sup> Recycling centre	3 to 5 m <sup>3</sup> Backfill	1 to 2 m <sup>3</sup> Council landfill

### Operational Waste Commercial shops

Operational Waste expected from the proposal will be separated into individual 240 litre wheelie bins for general waste, green waste and recyclable waste, which will be disposed of via councils kerb side waste and recycling collection service. Expected waste from the shop would include cardboard boxes, plastic bags or wrapping.

Green waste	Recycled waste	Inert waste	General waste
<1.0 m <sup>3</sup> Compost or Green waste bin	<1.0 m <sup>3</sup> per fortnight Kerb side collection	0 m <sup>3</sup> N/A	<1.0 m <sup>3</sup> Kerb side collection

In conclusion, the proposed development is a practical design solution for the site and achieves a standard well above the surrounding area.

#### Disclaimer

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