

# Statement of Environmental Effects

Prepared by



For Mr & Mrs Charlton

Lot 12 DP 851360

198 Wangat Trig Road

Bandon Grove NSW 2420

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# 1. Property Information

## Site Details

The property is described as Lot 12 DP 851360, No. 198 Wangat Trig Road, Bandon Grove NSW 2420.

## Site Description

The site has an existing two-storey dwelling located on it that is used for residential purposes as well as a farming shed.

The site generally falls in a southerly direction and is just over 57 Hectares in area.

There is lots of mature vegetation located on the site and the proposed development has been designed and located to ensure no existing mature vegetation located on the site that will be affected by the proposed secondary dwelling.

# 2. Proposal

## Description

Proposed detached dual occupancy with farming shed.

## Detailed outline

The proposal will seek approval for a detached dual occupancy for the property owner's son and family to set up home allowing them to help out with the farming requirements as the property owners age in place.

The proposal is to construct a 4 bedroom home built into the existing sloping land with an attached farming shed.

The dwelling and shed will all be clad in the same dark material to minimise the visual impact from adjoining properties as the darker colour will help to blend and reflect less in the natural environment.

# 3. Environmental Planning and Assessment Act 1979 – Section 4.15 Evaluation Considerations

Section 4.15 of the Environmental Planning and Assessment Act 1979 specifies the matters which a consent authority must consider when determining a development application. These matters are addressed as follows:

## ***Section 4.15(1)(a) – Relevant Environmental Planning Instruments, Control Plans, Regulations etc***

Please refer to Sections 4, 5, 6, and 7 of this Statement.

## ***Section 4.15(1)(b) – Impacts of Development***

As the proposal is for a small residential development on a rural lot and the proposal complies with the Council's DCP and over 95% of the other relevant environmental planning instruments as outlined in this Statement, it is noted that any likely impacts would be minimal.

A request for a variation to the Dungog Local Environmental Plan 2014 for the development has been prepared as part of this application. This variation will cause very minimal (if any) impact on the surrounding area.

#### ***Section 4.15(1)(c) – Suitability of the site***

As the proposal complies with Council's DCP and over 95% of the other relevant environmental planning instruments as outlined in this Statement, it is noted that the site should be found to be suitable for this development should the requested variations to the Dungog Local Environmental Plan 2014 as prepared as part of this application be accepted.

#### ***Section 4.15(1)(d) – Submissions***

The application will be advertised as required by Council and the neighbouring landowners will have the means to submit submissions against the proposal. As the proposal complies with Council's DCP and over 95% of the other relevant environmental planning instruments as outlined in this Statement it is not expected that objections will be raised.

#### ***Section 4.15(1)(e) – The public interest***

The proposal is deemed to be in the public interest as the existing residential premises will remain a residential premises.

## **4. Dungog Local Environmental Plan 2014**

Under the provisions of the LEP, the site is zoned **RU1 Primary Production**. The proposal of a detached dual occupancy is permitted within this zone subject to additional constraints and Council consent.

The proposal is for a detached dual occupancy and under Council's DCP the proposal will still be considered as rural use and will continue to provide for the housing needs of the community.

The proposal is designed such that it can be used for rural and remote home-based businesses.

The proposed dwelling will be Single storey in an area with similarly constructed dwellings. As such the proposal respects the amenity and character of surrounding development.

## **5. Dungog Shire Council DCP**

### **Part A.1 - Introduction**

#### **1.7 DEPARTURES FROM THIS DCP**

We are not seeking any variations to the DCP as part of this proposal.

## Part C1 – Residential Development

### 1.2 BUILDING HEIGHT PLANE

The proposed development will not have any negative effect on overshadowing of neighbouring properties, result in reduced privacy or obstruct any views due to rural nature of the lot and the large setbacks.

### 1.3 SET BACKS

The proposed development meets all of the setback requirements as outlined in the DCP.

Front boundary setback min 50m (development will be over 235m)

Property boundary setback min 40m (development will be over 62m)

### 1.4 WATER SUPPLY

Water supply for the proposed development will be solely derived from water re-use tanks with a minimum of 62kL as per the Basix assessment attached to this application.

### 1.5 SEWERAGE

An on-site sewerage management facility will form part of the overall application for this development.

As we will be requesting a variation to the Dungog Local Environmental Plan 2014 to allow us to provide a second on-site sewerage management facility we are requesting that this section of the assessment be conditioned as a requirement that is to be filled before a CC is approved or requested as an RFI once the application has been assessed and recommended for approval on all other items outside of the sewerage.

### 1.6 PROPERTY ACCESS

The existing road access to the site will remain in place and the driveway for the proposed dual occupancy will veer off the main entrance driveway over 100m from the front boundary.

The new driveway to the proposed dwelling will be constructed to meet the Bushfire access requirements as outlined in the attached Bushfire assessment.

### 1.7 PROPERTY IDENTIFICATION

An application for rural addressing number markers has been submitted as part of this application.

### 1.8 ENERGY EFFICIENCY

The development has been designed to meet the international standards for PassivHus and has been assessed for local climate conditions using the PHPP and Basix software to far exceed typical energy efficiency requirements .

### 1.9 BUILDING COMPLIANCE

All building work is to meet compliance with the Building Code of Australia, and the associated standards adopted by the BCA (NCC).

### 1.10 BUSH FIRE PRONE LAND

A Bushfire Assessment has been completed as part of the development proposal, please refer to this separate report and our plans for full details.

### 1.11 ANCILLARY DEVELOPMENT – STUDIOS

There is no studio that forms part of the application.

### 1.12 DEVELOPMENT IN RURAL ZONES

Please refer to the relevant section Part C2 below.

### 1.13 RESIDENTIAL GARAGES

The proposed development is on RU1 zoned land. Therefore, compliance with this part is not required.

## Part C2– DEVELOPMENT IN RURAL RESIDENTIAL ZONES

### 1.1 THE PLANNING CONTEXT

While designing the proposed development we referenced the following planning instruments:

- Dungog Local Environmental Plan 2014
- Dungog Shire Council DCP

## 2. DUNGOG RURAL RESIDENTIAL CONTROL PLAN

### 2.1 INTRODUCTION

Objectives of this Plan

The objectives of the Rural Residential Control Plan are:

1. *To ensure that development within the Zones is consistent with and promotes the principles of environmentally sustainable development.*

The proposed development will be consistent with the local area in providing a rural family home.

The proposed development will be an outstanding example for the local area and beyond showcasing how a home can be designed and built to be truly self-sufficient with the use of 100% electric energy (No use of Gas or solid fuel heating/cooking) it will collect all its own water for re-use and dispose of its sewerage waste via an on-site sewerage management facility.

All while remaining more thermally efficient and comfortable than any code-built house.

2. *To promote coordinated development that will be conducive to closer settlement patterns and/or changes in land uses in the future.*

The proposed development is in close proximity to the existing dwelling on the site and will not result in any subdivision of the existing lot, therefore should only assist in any future changes in the future.

3. *To ensure that development within the Zones is sensitive to the topographic and environmental characteristics of the land.*

The proposed development had been designed to have the short dimension of the dwelling aligned with the existing contours of the site to limit the disturbance of the existing topography. As shown on the cut and fill plan the extent of the area is rather large, this is a

result of wanting to remove the need for any large retaining walls in the natural environment and once the newly shaped batters are completed with grass and plantings will only help to add to the existing natural beauty of the site.

4. *To safeguard indigenous vegetation, habitats and water courses.*  
As part of the development there will be no removal of vegetation or habitats due to the dwelling being located outside of the 100m requirement of the LEP.  
The dwelling will also be over 65m away from the existing creek.
5. *To retain and protect the rural character of the area and areas with high visual significance.*  
With the addition of this dwelling to the site it is estimated that only 2-3 distant farms may be able to visually see the dwelling due to the existing site vegetation, meaning very minimal impact to the existing area.
6. *To provide a network of safe access roads and shared pedestrian and cycle pathways within and between areas developed within the Zones.*  
No new works are planned as part of our proposal.
7. *To minimise the cost to the community of providing, extending and maintaining public amenities and services.*  
There are no services planned for this development.
8. *To ensure that development within the Zones does not prejudice the interests of agriculture within the zone and adjoining areas.*  
The addition of the proposed dual occupancy will not hinder the interests of agriculture as it will only help to strengthen what is possible for housing in a rural context.

## 2.2 PLANNING FOR RURAL RESIDENTIAL DEVELOPMENT

### Roads and Road Access

The existing road access to the site will remain in place and the driveway for the proposed dual occupancy will veer off the main entrance driveway over 100m from the front boundary. The new driveway to the proposed dwelling will be constructed to meet the Bushfire access requirements as outlined in the attached Bushfire assessment.

### Pedestrian and Cycle Access

As there is no works within the road reserve for this development there will be no additional pedestrian or cycle access considered.

### Existing Pattern of Subdivision

The proposed development will not result in and subdivision of the existing lot.

### Habitat Protection

The proposed development was located to carefully consider the existing environment and local habitat.

The dual occupancy has been located in an area of grazed grass land away from the existing rainforest to ensure as minimal impact to the local flora and fauna.



## Bushfire

A Bushfire Assessment has been completed as part of the development proposal, please refer to this separate report and our plans for full details.

## Waterways – River Foreshores

The development is not in close proximity to and rivers.

There is a small creek that trickles and runs after rain events further than 65m away from the proposed dwelling that has been marked on the plans and is to be protected from any negative effect from the build works and ongoing use of the dwelling.

## Visual Impact

The dwelling and shed will be located well below the beak of the ridge line and will all be clad in the same dark material to minimise the visual impact from adjoining properties as the darker colour will help to blend and reflect less in the rural natural environment.

## Future Growth of Settlements

The proposed development is in close proximity to the existing dwelling on the site and will not result in any sub division of the existing lot, therefore should only assist in any future changes in the future.

## 2.5 DWELLING DESIGN AND SITING

### Siting

The proposed dwelling has been located away from the existing rainforest in an open grazed field and well below the top of the ridge line to ensure the retention of the existing natural setting.

The proposed dwelling and shed have been designed to have the short dimension aligned with the existing contours of the site to limit the disturbance of the existing topography. As shown on the cut and fill plan the extent of the area is rather large, this is a result of wanting to remove the need for any large retaining walls in the natural environment and once the newly shaped batters are completed with grass and plantings will only help to add to the existing natural beauty of the site.

The development will be constructed in accordance with the bushfire report to ensure all construction requirements are met.

### Design

As the proposed location is surrounded by existing trees, the dwelling and shed will all be clad in the same dark material to minimise the visual impact as the darker colour will help to blend and reflect less in the natural environment.

The development will be constructed in accordance with the bushfire report to ensure all construction requirements are met.

## 6. State Environmental Planning Policies

Not applicable.

## 7. Conclusion

As demonstrated in this Statement (unless otherwise stated and justified) the proposal complies with relevant state, regional and local environmental plans and Council's DCP as well as the relevant matters of Section 79C of the Environmental Planning and Assessment Act 1979 Section 79C(1).

As such, the proposal is considered to be justified upon its merits and recommended to Council for approval.