



DEVELOPMENT APPLICATION

for

Two Dwellings (Semi-detached),
Demolition, and Torrens Title Subdivision

***Lot 181 in DP 661448
84 Hospital Road
DUNGOG***

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INTRODUCTION

Site Description

The subject site is identified as Lot 181 in DP 661448 and is located at 84 Hospital Road, Dungog in the Dungog Local Government Area. The site encompasses an area of 2024 square metres.

The site is located on the western side of, and accessed from Hospital Road which is a two way, bitumen sealed through road.

There is an existing weatherboard dwelling located towards the front of the site in the south east corner. There is a large shed located towards the rear of the site and a small shed which is also located at the rear of the site in the far north west corner.

The topography of the site is almost flat with only the slightest of fall towards the rear of the site. There is no vegetation of significance from an ecological perspective on the site.

Surrounding the site are residential lots of various sizes and most of which contain a single dwelling per lot.

The Proposal

The proposal is multi-faceted and includes:

- The demolition of the large metal shed.
- Construction of two semi-detached dwellings (which are not attached to the existing dwelling).
- A one into three lot Torrens Title subdivision of the parent lot, resulting in a single dwelling being located on each lot.

It is specifically noted that the existing dwelling is to be retained. Given that prior to subdivision the development may be viewed as multi-dwelling housing, and post subdivision, the development will certainly not be multi-dwelling housing, all relevant parts of the DCP have been addressed. It is also noted that as per discussions with

Councils planner, no occupation certificate can be issued for either of the new proposed dwellings until such time as the subdivision has been registered.

Also of note is that two of the proposed lots shall have access to Hospital Road via an easement for access, and whilst this is unusual, it is not prohibited. A copy of the Plan of Proposed Subdivision clearly shows the layout as proposed.

Land Ownership

The subject site is owned by Hunnit Property Group Pty Ltd and also by Invest 01 Pty Ltd. The relevant signatures have been provided via a letter of authority to enable lodgement of this Development Application.

STATEMENT OF ENVIRONMENTAL EFFECTS

Dungog Local Environmental Plan 2014

The subject site is zoned R1 – General Residential and the objectives of this zone are:

- *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 allow a mix of community, service and employment activities that are compatible in scale and impact with a residential environment.*

Comment – The development is consistent with the above stated objectives and the proposal is permissible with consent under the Local Environmental Plan (the LEP) and the relevant clauses of the LEP have been addressed below.

Clause 4.1 Minimum subdivision lot size

There is no minimum lot size stipulated for this location and as such, the lot sizes as proposed must be considered acceptable.

Clause 4.3 Height of buildings

There is no stipulated maximum building height in this location and as such, the proposed buildings should be considered acceptable with regard to height.

Clause 4.4 Floor space ratio

There is no stipulated maximum floor space ratio in this location and as such, the proposal cannot be refused on these grounds.

Clause 6.1 Acid Sulfate Soils

The site is not identified as having acid sulfate soils.

Clause 6.4 Stormwater Management

This clause is applicable to the site as it is zoned residential. The objective of this clause is *to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters*. Subclause (3) states that *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development –*

- (a) Is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site filtration of water, and*
- (b) Includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and*
- (c) Avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

Comment – The issue of stormwater management has been carefully considered and a stormwater report has been prepared to quantify the impact and in conclusion it has been determined that this proposed development will actually result in less stormwater leaving the site than the current situation. As such it is considered that the proposal is beneficial in this regard.

Clause 6.5 Drinking Water Catchments

- (1) The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.*
- (2) This clause applies to land identified as “Drinking water catchment” on the Drinking Water Catchment Map.*
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider the following—*
 - (a) whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following—*
 - (i) the distance between the development and any waterway that feeds into the drinking water storage,*
 - (ii) the on-site use, storage and disposal of any chemicals on the land,*
 - (iii) the treatment, storage and disposal of waste water and solid waste generated or used by the development,*
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*
 - (a) the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or*
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment – Given the use of the site is currently residential and the proposed use is residential, the use itself must be considered acceptable. It is noted and agreed that the proposal will result in an intensification of the use, however, given that there is no minimum lot size for the location, it is suggested that the densification is not considered inappropriate or undesirable for the location. As the site is connected to the sewer, there shall be no issue in this regard. Whilst stormwater runoff from the site shall increase as a result of the proposal, this shall be dealt with through the installation of rainwater tanks and a bio-filtration system (refer attached Engineering Design Plans and Stormwater

Report as submitted). As such it is considered that the proposal will have no adverse impact upon the drinking water catchment and should be considered acceptable in this regard.

Dungog Development Control Plan

The sections of the Dungog Development Control Plan relevant to this proposal have been addressed below:

Part C

C.1 Residential Development

1.1 Aim

- *To promote residential development, including tourist accommodation, which is of a high design standard and which is sensitive to and enhances the physical environment and the social fabric particular to Dungog Shire.*

Comment – Given the proposal is for residential development it may be considered that the proposal is consistent with this aim in that it is effectively encouraging residential development. This development is considered to be of a high design standard and is sensitive to the local amenity and environment.

- *To accommodate a variety of residential forms to reflect the growing diversity of household types and incomes, lifestyles and tourist needs.*

Comment – This proposal will assist in increasing the diversity in residential forms in the location.

- *To encourage infill residential development which is compatible with the existing character and which enhances its surroundings.*

Comment – The development is infill which is considered compatible with the existing character and the surrounds.

- *To optimise the provision of infrastructure services in the most efficient and effective manner.*

Comment – Infrastructure and services exist in the location; should these services and/or infrastructure require upgrading as a result of this proposal, this shall be at the cost of the developer. The proposal is consistent with this aim.

- *To ensure adequate access for the disabled, particularly to medium density and non-private residential accommodation.*

Comment – This aim is considered to be not applicable as the proposal is for private residential accommodation.

- *To provide clear guidelines for residential development in the Dungog Local Government Area*

Comment – The guidelines for residential development in this location are clear and the development is compliant with these guidelines.

- *To ensure that residential development does not adversely affect the amenity of the locality*

Comment – The proposal will in no way adversely impact upon the local amenity; it has been designed so that there are no privacy issues or unsightliness.

- *To ensure that residential development meets the expectations of the community and provides health and safety in housing.*

Comment – The development as proposed is considered to be housing which considers health and safety. It is considered that the proposal meets the expectations of the overall community in that it assists in providing much needed housing stocking.

- *To ensure that development is in keeping with adjacent and surrounding properties and does not detract from development in the locality*

Comment – Whilst the development as proposed is going to appear different to the surrounding development due to the age difference, this is acceptable and it is specifically noted and considered that the development as proposed will not detract from the existing surrounding development or the locality in general.

- *To encourage energy efficient design in residential development*

Comment – The proposal meets BASIX and as such is considered to be appropriate with regard to energy efficient design.

1.2 Building Height Plane

There is no stipulated maximum building height. Given the development is a single storey and the placement of the windows has been done with thought, there will be no impact upon privacy or any overshadowing of adjoining properties. The proposal is considered appropriate in this regard.

1.3 Setbacks

The DCP required front setbacks in zone R1 to be 6 metres for a single storey or 78.6 metres for a two storey. The side and rear setback requirements are 900mm for a single storey or 1500mm for a two storey. The development as proposed is all single storey and fully compliant with the required setbacks.

1.4 Water Supply

The site is serviced by the reticulated water supply and each proposed dwelling shall be connected to this supply. In addition, each dwelling shall have a rainwater tank as required for BASIX and this rainwater tank shall be greater than 900mm from any boundary or otherwise it shall be metal so that it is non-combustible.

1.5 Sewerage

The site is connected to the sewer and both proposed dwellings shall also be connected to this sewer.

1.6 Property Access

The necessary driveway and vehicular footpath crossing shall be installed prior to any occupation and the Consent should be conditioned accordingly.

1.7 Property Identification

This part is targeted at Rural properties, however, it is confirmed that each of the proposed lots will be identified appropriately and to Councils satisfaction.

1.8 Energy Efficiency

BASIX has been achieved and this supersedes any DCP requirements. The development is considered compliant with regard to energy efficiency.

1.9 Building Compliance

All building works shall be undertaken in accordance with the BCA and the appropriate and necessary inspections shall confirm that this has occurred.

1.10 Bush Fire Prone Land

The site is identified as not being bush fire prone and no further comment or investigation is required in this regard.

1.11 Ancillary Development – Studios

Not Applicable

1.12 Development in Rural Zones

No Applicable

1.13 Residential Garages

There are no detached garages proposed and as such this point is not applicable.

C.3 Building Line Setbacks

2.1 Aims and Objectives

- a) To ensure physical separation of buildings and uses between adjoining properties that may create community conflict;*
- b) To ensure that development maintains the character of the locality; and*
- c) To enable guidelines for development to be clear and meet community expectation.*

2.3 Building Line Set Backs to Front Property Boundary

2.3.3 Land Zoned R1 General Residential or RU5 Village

The requirements for front setback are 6 metres and the proposal exceeds these requirements and as such is compliant.

2.4 Side and Rear Boundaries (Including Secondary Road Frontage)

2.4.3 Land Zoned R1 General Residential or RU5 Village

The requirements are 900mm and the proposal meets or exceeds these requirements

2.5 Variation to Building Lines

Not Applicable

C.20 Off Street Parking

Each proposed dwelling shall have two car park spaces and both car park spaces are garaged/undercover and this is acceptable and compliant with the DCP. The existing dwelling is to have two car parks, one is shown on the plans and the other is to be located behind as stacked car parking; stacked car parking is not prohibited for a dwelling. It is noted that the car park for the existing dwelling is not identified as being undercover, however, it is expected that as a condition of consent, a carport may be required prior to subdivision. As this carport can be exempt development, plans are not required for this DA.

C.24 Site Waste Minimisation and Management

A Site Waste Minimisation and Management Plan has been submitted as part of the Development Application Package. In summary of this report and to highlight the key components, the following is noted:

- ✓ Demolition of the shed shall include recycling all materials to a Council approved recycling facility.
- ✓ Construction waste shall be minimised through careful planning to avoid accurate material requirements.
- ✓ Any necessary waste shall be sorted into appropriate recycling and also land fill piles with these piles being diverted to an appropriate Council approved facility.
- ✓ Waste from the ongoing use of the dwellings shall be dealt with as per Councils standard waste collection for residential dwellings.

Likely Environmental, Social and Economic Impacts

Environmental – the proposal will not require the removal of any vegetation of significance, nor will the proposal have any other adverse environmental impact. With regard to amenity, the proposal will be complimentary to the existing development in the location. Ultimately the proposal will result in less runoff from the site and as such it is considered that there is no possible adverse environmental impact resulting from the proposal.

Social – the proposal will not have any adverse social impact.

Economic – the proposal will not have any adverse economic impacts. Ultimately the proposal will allow for two additional family units to live in the location and this will result in an increase in expenditure in the local area which is viewed as a positive with regard to the economy.

Rural Fires Act 1997

The site is identified as not being bush fire prone on the relevant mapping. No further investigation or comment is required in this regard and it is especially noted that there is no requirement to refer the proposal to the NSW RFS.

Suitability of the Site for the Development

The site is considered suitable for the proposal for the following reasons:

- The site is zoned appropriately for the proposal.
- The relevant clauses of the LEP and DCP are satisfactorily met.
- There will be no adverse environmental, social, or economic impacts.
- There are no site constraints which would otherwise impede or prevent this development.

The Public Interest

It is considered that there are no reasons relevant to the public interest which would otherwise cause the delay or refusal of this proposal.

CONCLUSION

This proposal is for a development, including demolition, two semi-detached dwellings (to be located on separate lots at the completion of the development), and Torrens title

subdivision of the development at 84 Hospital Road, Dungog, in the Dungog LGA – Lot 181 in DP 661448.

The relevant Planning Instruments have all been addressed and the proposal is considered compliant in all regards. The proposal is hereby submitted to Dungog Council for assessment and approval.

