



STATEMENT OF ENVIRONMENTAL EFFECTS

Dwelling House

60 Lord Street Dungog
Lot B DP 195583

December 2024

www.townplanningcollective.com.au

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Table of Contents

1	Introduction	4
2	The Site	4
3	The Proposal	5
4	Planning Assessment	6
4.1	Environmental Planning & Assessment Act 1979 (The Act).....	6
4.1.1	Objectives Of The Act.....	6
4.1.2	Section 4.15 Assessment	7
4.1.3	Legislation And Controls	8
4.2	Environmental Planning Instruments.....	8
4.2.1	State Environmental Planning Policy (Resilience and Hazards) 2021.....	8
4.2.2	State Environmental Planning Policy (Transport And Infrastructure) 2021	9
4.2.3	State Environmental Planning Policy (Biodiversity And Conservation) 2021	9
4.2.4	Dungog Local Environmental Plan 2014	10
4.2.5	Dungog Development Control plan 2014	13
5	Environmental Assessment	16
5.1	Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	16
5.2	Aboriginal Archaeology	16
5.3	Context And Setting	16
5.4	Visual Impact	16
5.5	Stormwater.....	16
5.6	Privacy Impacts.....	16
5.7	Access, Transport and Traffic	17
5.8	Public Domain.....	17
5.9	Social And Economic Impact	17
5.10	Suitability of the Site	17
5.11	The Public Interest.....	17
6	Conclusion.....	17

1 Introduction

This Statement of Environmental Effects accompanies a development application for the construction of a new dwelling on site located at 60 Lord Street, Dungog (Lot B DP 195583).

The objectives of this SoEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s; and
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.

This SoEE has been prepared in accordance with best practice principles, in particular, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure's (now the Department of Planning and Environment) guide to the *Environmental Planning and Assessment Act (EP&A Act) 1979* (s4.15).

2 The Site

The key characteristics of the site are summarised below:

Location	The subject site is an existing, vacant lot that is part of a larger combined lot with Lot 12 Sec 28 DP758366 collectively known as 60 Lord Street. Located on the larger site contains an existing single storey weatherboard dwelling with a corrugated roof. The area is surrounded by single storey dwellings in a residential landscaped setting.  Figure 1: Aerial image of the site (subject lot highlighted in yellow)
Legal Description	Lot B DP 195583
Zoning	Pursuant to LEP 2014, the site is in Zone R1 General Residential (Figure 2 is an extract from the Land Zone Map).



Figure 2: Zoning map of the subject site.

Heritage

The site is located within the Dungog Residential Precinct heritage conservation area.



Figure 3: Heritage map of the subject site.

3 The Proposal

The proposed development provides for the construction of a new single storey dwelling providing the following:

- Master bedroom with ensuite
- 2 x bedrooms
- Bathroom

- Combined kitchen and living room
- Laundry
- Alfresco
- Single car garage

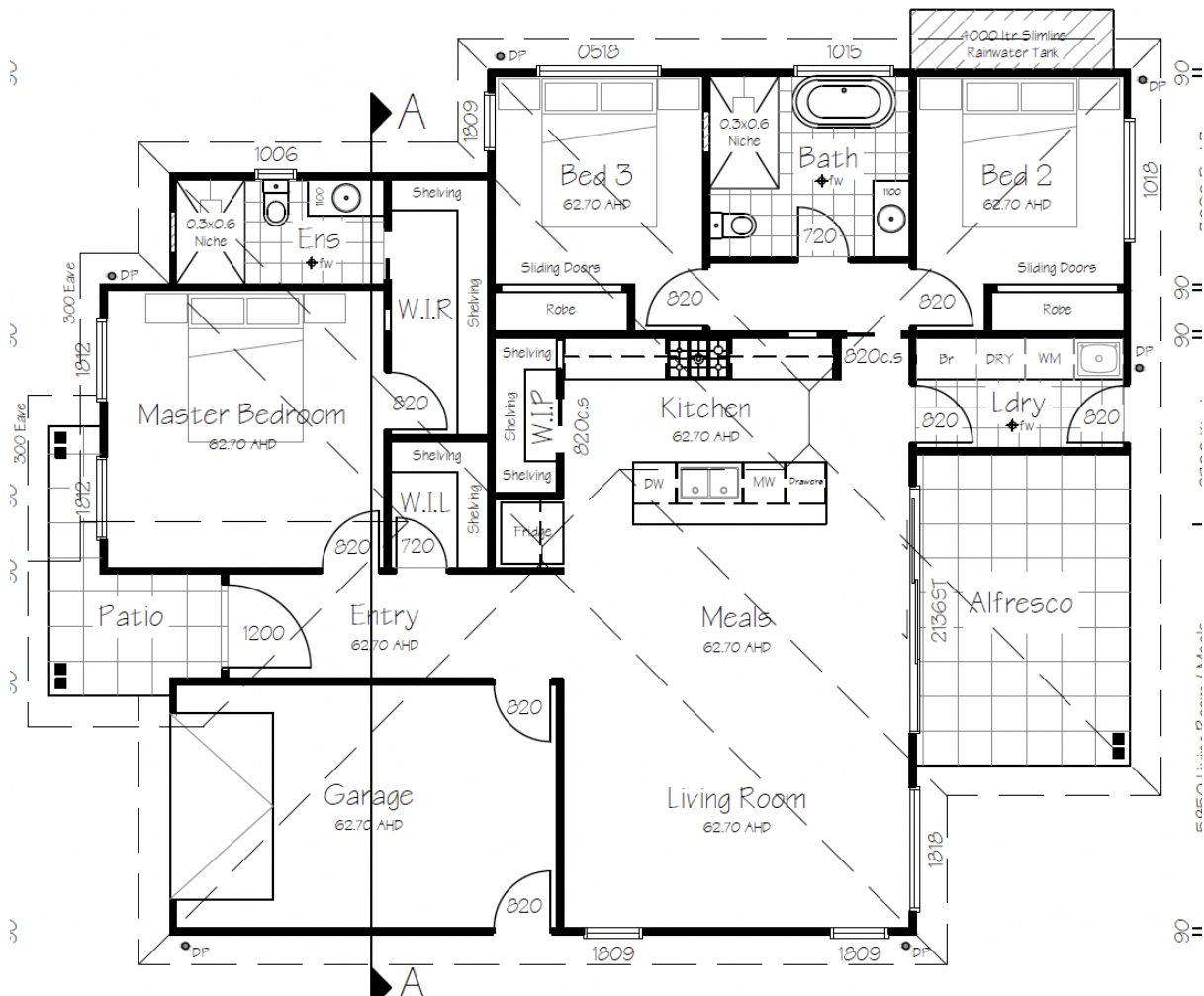


Figure 4: Extract of proposed floor plans

4 Planning Assessment

4.1 Environmental Planning & Assessment Act 1979 (The Act)

In New South Wales (NSW), the relevant planning legislation is the Environmental Planning and Assessment Act 1979 (EP&A Act). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the Department of Planning & Environment (DP&E). In 2017, the Act was amended to provide a range of updated objectives.

4.1.1 Objectives Of The Act

The objects of the EP&A Act are:

- (a) *To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*

- (b) To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- (c) To promote the orderly and economic use and development of land,
- (d) To promote the delivery and maintenance of affordable housing,
- (e) To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- (f) To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- (g) To promote good design and amenity of the built environment,
- (h) To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- (i) To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- (j) To provide increased opportunity for community participation in environmental planning and assessment.

It is considered that the proposal is consistent with the objectives of the EP&A Act.

4.1.2 Section 4.15 Assessment

Section 4.15 of the EP&A Act outlines the matter for consideration in the determination of a Development Application. The relevant matters for consideration are addressed individually below.

Section 4.15 Assessment Summary		
Clause No.	Clause	Assessment
(a)(i)	The provision of: Any environmental planning instrument, and	The EPI's relevant to the proposed development are discussed in Section 4.2 of this report.
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	N/A
(iii)	Any development control plan, and	The proposal has been considered against the requirements of the DCP
(iiia)	Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and	There are no planning agreements applying to the site or development.
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Not subject to this application.

(v)	(Repealed)	-
(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,	In accordance with Section 4.22 of the EP&A Act, the likely impacts of the carrying out of development need not be considered. The likely impacts of the proposal are discussed in Section 4 and 5 of this report.
(c)	The suitability of the site for the development,	The site is suitable for its intended purpose.
(d)	Any submissions made in accordance with this Act or the regulations,	For consideration following notification of the development.
(e)	The public interest.	The development is in the public interest.

4.1.3 Legislation And Controls

In relation to the proposed development, the relevant legislation and planning controls include the following:

- State Environmental Planning Policy (Resilience And Hazards) 2021
- State Environmental Planning Policy (Transport And Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity And Conservation) 2021
- Dungog Local Environmental Plan 2014
- Dungog Development Control plan 2014

The requirements of these are discussed at Section 4.2 of this Statement.

4.2 Environmental Planning Instruments

4.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

The following table considers the risk of the site being contaminated:

Matter for consideration	Yes	No
Does the application involve re-development of the site or a change of land use?	X	
Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	X	
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations,		X

railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation		
Is the site listed on Council's Contaminated land database?		X
Is the site subject to EPA clean-up order or other EPA restrictions?		X
Has the site been the subject of known pollution incidents or illegal dumping?		X
Does the site adjoin any contaminated land/previously contaminated land?		X
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	X	

A review of aerial photographs indicates that the development site has historically been utilised for residential purposes with no known potentially contaminating activities being conducted on the site.

4.2.2 State Environmental Planning Policy (Transport And Infrastructure) 2021

In accordance with Clause 2.121 of the Transport and Infrastructure SEPP, the consent authority must give written notice of a development application to Transport for NSW (TfNSW) for development specified in the Table in Schedule 3 of the SEPP. The proposed development does not trigger any requirements under the SEPP.

4.2.3 State Environmental Planning Policy (Biodiversity And Conservation) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of eleven now repealed SEPP's being:

- SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)
- SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)
- SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)
- Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)
- SEPP No 19—Bushland in Urban Areas (SEPP 19)
- SEPP No 50—Canal Estate Development (SEPP 50)
- SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)
- Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)
- Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)
- Willandra Lakes Regional Environmental Plan No 1 – World Heritage Property (Willandra Lakes REP).

Chapter 2 of the SEPP contains planning rules and controls from the former Vegetation SEPP relating to the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.

This chapter seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

No vegetation is required to be removed with the development application

Chapter 3 – Koala habitat protection contains provisions from the Koala SEPP 2020 and, as an interim measure, applies in the NSW core rural zones of RU1, RU2 and RU3, except within the Greater Sydney and Central Coast areas. Given the sites location and zoning this chapter is not applicable to the development.

Chapter 4 – contains the land-use planning and assessment framework from the former Koala SEPP 2021 for koala habitat within Metropolitan Sydney and the Central Coast and applies to all zones except RU1, RU2 and RU3 in the short term. The site is not identified as containing koala habitat and accordingly this chapter is not applicable to this development.

Chapter 5 – contains the provisions from the former Murray REP, which establishes a consistent and co-ordinated approach to environmental planning and assessment along the River Murray. Given the sites location, this chapter is not applicable to this development.

Chapter 6 – contains provisions relating to water catchments, also incorporating clauses from the now-repealed Chapters 7-12 of this SEPP. This chapter does not apply as the site is not within a specified catchment.

4.2.4 Dungog Local Environmental Plan 2014

Dungog Local Environmental Plan 2014 is the applicable local planning instrument for the site. The table below provides a summary of the key development standards that apply to the site under the LEP.

Dungog Local Environmental Plan 2014			
Clause	Controls	Comment	Compliance
Zoning	R1 General Residential	'Dwelling Houses' are permissible with Council consent in the R1 General Residential zone.	Yes
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the R1 General Residential, As it will provide a dwelling that is sympathetic to the scenic, aesthetic and cultural heritage qualities of the built and natural environment.	Yes
2.6	Subdivision – Consent Requirements	No subdivision is proposed.	Yes
2.7	Demolition Requires Consent	No demolition required	Yes
Part 4 Principal Development Standards			
4.3	Height of Buildings	Not adopted	N/A
4.4	Floor Space Ratio	Not adopted.	N/A
Part 5 Miscellaneous Provision			
5.10	Heritage Conservation	The site is located within a Heritage Conservation Area known as Dungog Residential Precinct Heritage Conservation area. The site is not listed as a heritage item. A heritage impact statement accompanies the	Yes

		development application which identifies that the proposed dwelling design is compatible with the heritage conservation area.	
Part 6 Additional Local Provisions			
7.2	Earthworks	This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation will have minimal adverse environmental or amenity impact. The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area. It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.	Yes
6.5	Drinking water catchment (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,	The site is mapped as being within the Williams drinking water catchment area. The proposed development is for a dwelling house and will not result in any negative impacts on the quality or quantity entering the drinking water storage area.	Yes

	(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.		
6.10	Williams River catchment (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development— (a) promotes the sustainable use of land, water, vegetation and other natural resources within the Williams River Catchment, and (b) promotes the protection and improvement of the environmental quality of the Williams River Catchment, and	The development is mapped as being within the Williams River catchment area. The proposed development is for a dwelling house and is located in a residential area zoned by Council. The development is considered to be a sustainable use of the land and will not negatively impact the water, vegetation or natural resources within the catchment area.	Yes

	(c) will have any significant adverse impacts on water quality within the Williams River Catchment, and (d) is consistent with the Williams River Catchment Regional Planning Strategy published in September 1997 by the Department of Planning and Environment.		
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4.2.5 Dungog Development Control plan 2014

Dungog Development Control plan 2014 (DCP) applies to the site and outlines specific development requirements for residential development. The provisions of the DCP must be considered in the assessment of the proposed development. The table below provides an assessment of the development against the relevant provisions of the DCP.

Dungog Development Control Plan 2014 Compliance Table			
Clause	Controls	Comments	Compliance
PART C			
1 RESIDENTIAL DEVELOPMENT			
1.2	Building Height Plane The building height plane, in combination with building height limits prescribed in the current instruments, forms the maximum building envelope for all residential development.	The site is not mapped as providing a maximum height of building limit under the LEP. Despite this, the development is a single storey dwelling and will result in no negative overshadowing on neighbouring properties with the development being of a scale that is compatible with surrounding dwellings within the area.	Yes
1.3	Set backs Building line set backs vary depending on the property location, solar access requirements and Council set back requirements. For further information please refer to Section 5 (Section C.3) – Building line setbacks, of this DCP	The setbacks comply with section C.3 as discussed later in the report.	Yes
1.4	Water Supply Council encourages the installation of water tanks on existing buildings (please note that any	The proposed development provides water storage tanks as per the requirements of BASIX. The site has access to reticulated water.	Yes

	water tanks within 900mm of the property boundary must be non-combustible). Where the land is serviced by Council's reticulated water supply the development shall be connected to the service at the applicant's expense. Where the land is not serviced by a reticulated water supply the development is to be provided with a minimum of 20,000 litres of stored water. If the development is on rural land the development is to be proved with an additional 22,500 litres of stored water in a non-combustible tank fitted with a 65mm storz coupling for fire fighting purposes.		
1.5	Sewerage Where that land is serviced by Council's reticulated sewer, the development is to be connected to the service at the applicant's expense. Note headworks and water demand charges may apply.	The development will comply.	Yes
1.6	Property Access Property access is to be provided in accordance with Council's Engineering requirements.	The proposed access will comply.	Yes
1.8	Energy Efficiency Energy efficient buildings should be designed to maximise the solar access of the property. Buildings should have living areas facing north and bedrooms facing south, provide cross flow ventilation in all directions by placing windows in suitable locations, concrete slabs placed directly on the ground and internal masonry walls with direct sunlight provide thermal mass for heating qualities.	The building has been designed with industry standards regarding energy efficiency.	Yes

C.3 – BUILDING LINE SETBACKS			
2.3 BUILDING LINE SET BACKS TO FRONT PROPERTY BOUNDARY			
2.3.3	Land Zoned R1 General Residential or RU5 Village On land zoned R1 or RU5, the minimum setback from the front property boundary shall be:- 1) 6m for a single storey dwelling and 7.6m for a two storey dwelling; and 2) 3m from the side road property boundary on corner allotments.	The proposed dwelling complies with the front building setback as shown on the plans with a 6.003m setback.	Yes
2.4 SIDE AND REAR BOUNDARIES (INCLUDING SECONDARY ROAD FRONTAGE)			
2.4.3	Land Zoned R1 General Residential or RU5 Village On land zoned R1 or RU5, the minimum setback from side and rear boundaries shall be:- 1) 900mm for a single storey dwelling; and 2) 1500mm for a 2 storey dwelling.	The site provides the following side setbacks: Northern side: 1.5m Southern side: 4.26m The development provides a substantial rear setback beyond the required.	Yes
17. HERITAGE			
3. Matters to be considered in determining applications for Development of a heritage item or in a Heritage Conservation area			
3(3)	When determining an applications for development in any heritage conservation area, a consent authority must take into account any impacts of the proposed development on the physical character of the heritage conservation area and any features which give the area heritage significance, as described in Schedule Five of this plan	The proposed development is accompanied by a heritage impact statement that shows that the proposed development complies with the physical character of the heritage conservation area.	Yes
20. OFF STREET PARKING			
Rates	1 space per dwelling. At least 1 space per dwelling to be undercover.	The proposed development provides a single car undercover garage.	Yes

5 Environmental Assessment

5.1 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat

The proposal has been assessed in relation to potential flora and fauna impact considerations. The implications for the project were assessed in relation to key biodiversity legislation and policy including:

- Environment Protection and Biodiversity Conservation Act 1999
- Environmental Planning and Assessment Act 1979
- Biodiversity Conservation Act 2016

The development has been designed to avoid the removal of any crucial native vegetation with the location of the works being located on existing cleared land. Based on the development not requiring the removal of any trees it is considered the development does not require a formal ecological assessment and is considered to satisfy the requirements under the biodiversity legislation above.

5.2 Aboriginal Archaeology

The requirement for an Aboriginal Heritage Impact Assessment (AHIA) is based on Part 2 of the NPWS Guidelines for Aboriginal Heritage Impact Assessments. Part 2 states that an AHIA is generally not required where:

- a) The proposed development is on land previously subject to intensive ground disturbance and the development will impact only on the area subject to the previous disturbance;*
- b) The impact of the proposed activity is unlikely to cause any additional damage to Aboriginal objects than that which has already occurred; and*
- c) The proposed development is in an area that has been identified in strategic planning, rezoning or other assessment studies as having low Aboriginal heritage potential.*

Based on the abovementioned points it is noted that the proposed development is not likely to cause any damage to Aboriginal objects as the development is located within an existing disturbed site.

5.3 Context And Setting

The proposed development has demonstrated consistency of the surrounding locality through the environmental planning regulations and site features informing the overall development design. It has also shown to be consistent with the surroundings through its consistency with the character of the area.

5.4 Visual Impact

The development has been designed in a way and style that complements the area particularly considered the hazards relating to the site.

5.5 Stormwater

Stormwater details are provided on the site plan/site analysis plan submitted with the proposed development. The stormwater is shown to be directed toward Lord Street on the southern side of the property. The overflow from the proposed water tank is to be connected to the stormwater system servicing the dwelling.

5.6 Privacy Impacts

The proposed development has been designed to retain existing privacy for the occupants as well as not impacting on the privacy of adjoining neighbouring properties.

5.7 Access, Transport and Traffic

Due to the small nature of the development, it is not considered to cause any impact on the local road network.

5.8 Public Domain

The proposed development will not have an impact on any public domain. The development contributions derived from this development in providing infrastructure and public domain improvements.

5.9 Social And Economic Impact

The proposed development should have no negative social or economic impact on the area.

5.10 Suitability of the Site

The proposed development is considered to be suitable on the site for the following reasons:

- The proposal is consistent with the zone objectives;
- The proposal is consistent with the relevant LEP and DCP controls;
- The proposal is capable of managing competing land uses;
- The proposal will not result in any adverse impacts on the environment; and
- There are no environmental constraints on or around the site of such significance as to preclude the proposal.

5.11 The Public Interest

The proposed development is considered to be in the public interest.

6 Conclusion

This Statement of Environmental Effects comprehensively demonstrates that the proposed development is an appropriate and suitable development when tested against the relevant heads of consideration detailed within the section 4.15(C) of the *Environmental Planning & Assessment Act, 1979*.

This report has identified all key issues associated with the proposal and demonstrated that the proposal can be developed appropriately with respect to these issues. The proposal is consistent with the zone objectives and other planning provisions and will make a positive contribution to the area.

The proposal is considered acceptable and should be approved because:

- The site is suitable for the proposal;
- The SoEE has identified all constraints associated with the land and demonstrated that the proposal can be undertaken whilst effectively minimising these constraints;
- The proposal will generate positive social and economic impacts;
- The proposal will generate only negligible environmental impacts; and
- The proposal is within the public interest.

The proposal has been assessed in accordance with S.4.15 of the EP&A Act 1979. This assessment has concluded that under the zone the development is a permissible land use.

The Development Control Plan has also been considered and proposal generally complies with the DCP in all respects of the controls.

This report has assessed environmental considerations of the proposal, including heritage, flooding, access, ecological considerations, waste management, stormwater runoff, Aboriginal archaeology

and servicing, and has concluded that there are no likely adverse environmental impacts associated with the proposal and that infrastructure either is, or can be developed to support the proposal.