



STATEMENT OF ENVIRONMENTAL EFFECTS FOR

a proposed single dwelling, pool and shed at 63 Black
Rock Road, Martins Creek NSW

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EXECUTIVE SUMMARY

Tailored Town Planning Services (Tailored TPS) has been engaged by the client, Trent and Syke Mason, to prepare a Statement of Environmental Effects (SoEE) for a proposed single dwelling, pool and shed at 63 Black Rock Road, Martins Creek NSW 2420.

The proposed development is located within the Dungog Local Government Area (LGA).

The proposal will not create any adverse environmental, social or economic impacts to the immediate and surrounding site.

This SoEE has demonstrated that the proposed development is consistent with the relevant planning framework. This SoEE will expand on the relevant planning framework to assist Council in completing a detailed assessment on the proposed development.

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1 INTRODUCTION

1.1 INTENT OF STATEMENT

This Statement of Environmental Effects (SOEE) has been prepared by Tailored TPS and is to accompany a Development Application (DA) to Dungog Shire Council for a proposed single dwelling, pool and shed at 63 Black Rock Road, Martins Creek NSW 2420.

This SoEE has been prepared in coordination with the client and sub-consultants to demonstrate the relevant matters associated with the proposed development. The SoEE seeks to provide all the relevant data to give a suitable level of clarity and certainty to the consent authority that the proposal has a positive impact on the immediate and surrounding built and natural environment.

It has been prepared on behalf of the client and addresses the matters referred to in Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act), and the matters required to be considered by the consent authority.

This SoEE aims to:

- Describe the existing environment to which the DA relates, including the character of the immediate and surrounding area;
- Describe the proposed development;
- Outline the statutory planning framework within which the DA is assessed and determined; and
- Assess the proposed development in considering the relevant heads of consideration (Section 4.15 of the EP&A Act 1979).

1.2 SITE LOCATION DETAILS AND CHARACTERISTICS

The subject site of this DA is 63 Black Rock Road, Martins Creek, and can be legally identified as Lot 41 DP790223. The site is currently vacant of development. The property is approximately 2.85ha in size and is situated within the Dungog LGA.



Figure 1 - Aerial of the subject site (SixMaps)

2 PROPOSED DEVELOPMENT

2.1 OBJECTIVES AND OVERVIEW OF PROPOSED DEVELOPMENT

The objective of this application is to obtain development consent for the construction of a single dwelling and pool, and associated storage shed on the site.

The proposed single dwelling is 4 bedroom, with kitchen, lounge room, and bathroom and laundry facilities on slab design. A pool is proposed to the north of the dwelling, and a 10.5m x 10.5m storage shed is proposed to the east of the dwelling.

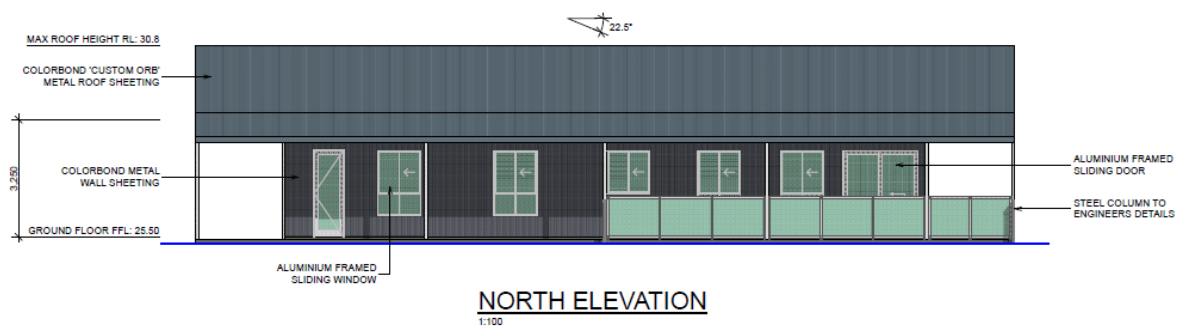


Figure 2 - View of proposed dwelling

The proposed shed is a relocation and reconstruction of an existing shed. Plans have been attached to this proposal.

2.2 SUPPORTING DOCUMENTATION

This application is supported by the following documentation:

- Proposed plans, including floor plan, elevations, sections, site plan
- BASIX
- Owners consent
- Bushfire Threat Assessment
- OSSM
- Stamped HWC plans

3 STATUTORY CONSIDERATIONS

The following Acts and planning instruments are relevant to the proposed development and subject site.

3.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The following Sections (3 & 4) demonstrate the proposal's compliance with the relevant heads of consideration in Section 4.15 (1) of the Environmental Planning and Assessment Act 1979 (EP&A Act), in particular:

(a) the provisions of—

(i) any environmental planning instrument, and

(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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(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

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

(v) (Repealed)

that apply to the land to which the development application relates,

(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,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

3.2 OTHER ACTS

Consideration was afforded to other legislation, including legislation concerning whether the proposal is integrated development. Integrated development is development that, in order for it to be carried out, requires development consent and one or more of the following approvals:

Legislation	Referral Required?
Fisheries Management Act 1994	No

Heritage Act 1977	No
Coal Mine Subsidence Compensation Act 2017	No
Mining Act 1992	No
National Parks and Wildlife 1974	No
Petroleum Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No

Overall, the proposal is not considered to be integrated development.

3.3 STATE ENVIRONMENTAL PLANNING POLICIES

3.3.1 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

When assessing an application for development, Council must consider whether the land is contaminated, and if so, that it can be remediated to be suitable for the proposed development.

The land has been utilized for residential and rural purposes on a small scale, and as such it is considered contamination likelihood would be low. It is considered the land is suitable for the proposed development.

3.3.2 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION 2021)

The Biodiversity and Conservation SEPP is a policy which seeks to protect, conserve and manage native vegetation in NSW.

Chapter 2 is considered irrelevant to the proposed development given the aim is to protect biodiversity values within non-rural areas of the State. The site is zoned R5 Large Lot Residential. It should be noted that no impact to biodiversity values will occur.

The proposal will also not impact koala habitat lands.

3.3.3 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

It is considered that the application will be referred to the relevant bodies for assessment against local infrastructure easements within the site. It is also considered that the site has satisfactory connections to local infrastructure, which in turn can support the proposed development.

3.3.4 STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

A BASIX has been provided as part of the development application, which demonstrates consistency with this SEPP.

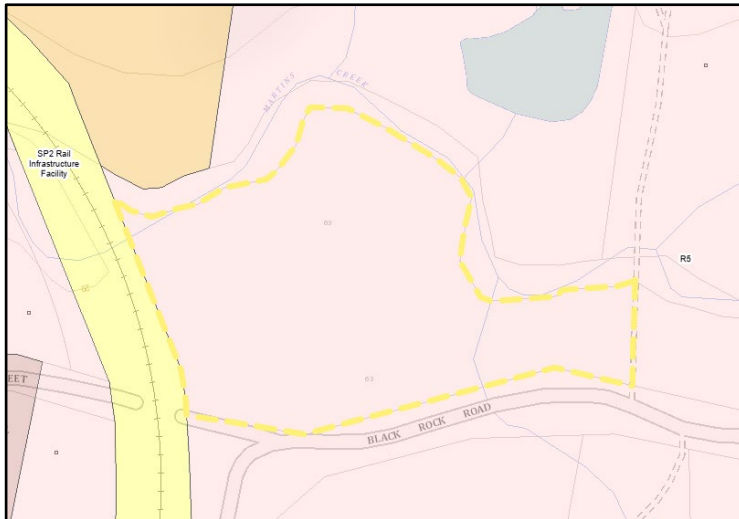
3.4 LOCAL ENVIRONMENTAL PLAN

The subject site is currently governed by the Dungog LEP 2014.

Land Zoning

As noted below, the site is currently zoned R5 Large Lot Residential under Dungog Local Environmental Plan 2014.

Figure 2 - Land Use Zone



1 Objectives of zone

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To isolate housing from existing intensive agriculture or future intensive agricultural areas.*

2 Permitted without consent

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

3 Permitted with consent

Agritourism; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Car parks; Cellar door premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Farm buildings; Farm stay accommodation; Flood mitigation works; Function centres; Home-based child care; Home businesses; Information and education facilities; Jetties; Kiosks; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Respite day care centres; Rural supplies; Sewerage systems; Signage; Tank-based aquaculture; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

As such, dwellings and ancillary development are permitted with consent.

Overall it is considered that the proposed construction of a single dwelling, pool and storage shed complies with the zone objectives and LEP 2014 requirements.

3.5 DEVELOPMENT CONTROL PLAN

The Dungog Council Development Control Plan (DCP) applies to the site and development. The relevant controls and a response to each have been provided below.

Part C –

C1. Residential Development

The proposed dwelling is single storey with a maximum height of 5.3m from floor level to roof peak. Onsite water tanks are proposed, and an onsite waste water management system will be installed to support the dwelling.

C2. Development in Rural Residential Zones

The Lot is not subject to a proposed subdivision.

The site is bushfire prone and as such a bushfire threat assessment has been undertaken.

The proposed development does not detract from the rural character of the surrounding area. The siting of the development has been proposed due to physical constraints including easements within the site. The proposal suits the existing natural landform and does not adversely impact the immediate and surrounding area in any way.

C3. Building Line Setbacks

The proposed development has been sited due to existing easements within the property. The proposed setback to the dwelling is 28.2m with a proposed setback to the shed of 25.2m. Whilst it would seem that the shed is to be constructed in front of the dwelling, the shed and dwelling are in fact line with each other and have varying setback distances due to the boundary layout. The required setback according to the DCP is 30m, however a minor numerical variation is requested due to the existing easements hindering the ability to meet the DCP setbacks. Side and rear setbacks according to the DCP require a distance of 10m. This has easily been achieved.

C4. Erection of Farm Buildings and Outbuildings – sheds

The proposed shed is ancillary to the proposed dwelling and will be utilised for storage. The shed is 10.5 x 10.5m and therefore meets the DCP maximum area for outbuildings/sheds.

The shed will be no higher than 7m, therefore compliant with the DCP.

C5. Bushfire

A Bushfire Threat Assessment has been undertaken to support this proposed development.

C7. Buffer Zones

It is not considered the development will create land use conflict with neighbouring properties.

C23. Onsite Sewage Management

An onsite wastewater management plan has been undertaken and submitted as part of this application.

Overall it is considered that the proposed development meets the general controls and objectives of the Dungog DCP.

4 LIKELY IMPACTS OF DEVELOPMENT

Further to Section 3 above, assessment of Section 4.15 – (1) Matters for consideration of the Environmental Planning and Assessment Act 1979 is continued below:

4.1 CONTEXT AND SETTING

The proposed development demonstrates consistency with the use of the site, and surrounding locality and development. It has also shown to be consistent with the surroundings through its consistency with the applicable planning tools and legislation. It is considered that the proposed development will not detract from the existing environment.

4.2 VISUAL IMPACT

Whilst the site does not have a maximum height of building as per the Dungog LEP, the proposal will not adversely impact neighbouring dwellings in a visual capacity.

4.3 ENVIRONMENTAL IMPACT

Some vegetation is required to facilitate the development, however no biodiversity values will be impacted by the proposal. Overall the environmental impact of the development is considered negligible.

4.4 BUSHFIRE THREAT

The subject site is identified as being bushfire prone. As such, a bushfire threat assessment has been undertaken for the proposed dwelling and shed. This has been attached as part of this DA, and requires construction to BAL 12.5.

4.5 STORMWATER AND WASTEWATER MANAGEMENT

Stormwater is to be dealt with onsite proposed tanks. An onsite wastewater management plan has been attached as part of this DA.

4.6 NOISE AND VIBRATION IMPACT

Noise and vibration impact will be short lived during construction stage and will take place between standard work hours as imposed by Council.

4.7 HERITAGE AND ARCHAEOLOGICAL IMPACT

No known Aboriginal artefacts or European historical significance have been identified on the site or within close proximity.

4.8 MINE SUBSIDENCE IMPACT

The site is not located within a mine subsidence district.

4.9 SOCIAL AND ECONOMIC IMPACT

The proposed development is not considered to produce any adverse social or economic impact on the locality.

4.10 SITE SUITABILITY

The proposed development is a suitable use of the site given its permissibility under the current zone and use of the site.

4.11 PUBLIC INTEREST

The proposed dwelling is permissible under the LEP. This SoEE has addressed any relevant concerns and therefore the proposal is considered to be within the public interest.

4.12 PUBLIC DOMAIN

The proposed development will not have a noticeable impact on any public domain.

4.13 CONSULTATION

Notification will be undertaken in accordance with Council policy.

5 CONCLUSION

This SoEE has been prepared to accompany a development application to Dungog Shire Council for a proposed single dwelling, pool and storage shed at 63 Black Rock Road, Martins Creek NSW 2420.

The proposed development will not create adverse environmental, social or economic impacts, and will in fact provide a well-coordinated and justifiable development of the site and existing use of the site.

Overall, the proposal is consistent with the relevant planning framework and should be supported by Council.



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