

STATEMENT OF ENVIRONMENTAL EFFECTS

**TORRENS TITLE SUBDIVISION (ONE
INTO TWO LOTS)**

**1501 PATERSON RIVER ROAD, MOUNT
RIVERS, NSW, 2311 (LOT 20, DP1125086)**

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Prepared for (client)		Adam and Jody Turner		
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EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Adam and Jody Turner (**the client**) to prepare a Statement of Environmental Effects (SEE) for a Torrens title subdivision (one into two lots) at 1501 Paterson River Road, Paterson, NSW, 2311 (LOT: 2 DP1125086) (**the site**) It is noted that according to the NSW Planning Portal the address is known as 1501, whilst 1420 is recognised on Council records, both referring to the same Lot and DP.

The characteristics of the development include:

Proposed subdivision (one into two lots)

The proposed lots will have the following lot sizes:

- a. Proposed Lot 201 – 56.6ha
- b. Proposed Lot 202 – 60ha

Refer to the Survey and Proposed Subdivision Plan provided as **ATTACHMENT 6**.

The key reasons why the proposed development is appropriate are as follows;

- The proposed subdivision is permissible on the site with consent, with all lots meeting the minimum lot size requirement.
- No adverse impact on the existing character or amenity of the area will result;
- No adverse impact on the ecological values of the site is attributable to the proposed development; and
- The proposed subdivision is consistent with the character of the existing area, without burdening the essential services supply.

The SEE will expand on those matters that have been summarised above to assist Council in completing a detailed assessment of the proposed development.

TERMS AND ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
BDAR	Biodiversity Development Assessment Report
EMA	Effluent Management Area
EPA	Environment Protection Authority
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
DA	Development Application
DCP	Development Control Plan
LGA	Local Government Area
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects

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PLANS AND SUPPORTING DOCUMENTATION

This SEE is supported by the following plans and documentation:

Table 1 - Attachments

Attachment	Document	Prepared by	Reference
1	DCP Compliance Table	Perception Planning	J004811 Rev: 1 08/05/2024
2	Certificate of Title	NSW Land Registry	20/-/DP1125086
3	Deposited Plan	NSW Land Registry	DP1125086
4	AHIMS Search Results	OEH	18/03/2025
5	BYDA Search Results	BYDA	18/03/2025
6	Survey and Proposed Subdivision Plan	Delfs Lascelles Consulting Surveyors	13/03/2025 Ref: 25109 Rev: D
7	Hunter Water Corporation Stamped Plans	Hunter Water Corporation	
8	Bushfire Assessment Report	Newcastle Bushfire Consulting	02/04/2025 Rev: 1
9	On-Site Wastewater Report	GSL Environmental	01/04/2025 Ref: 162525
10	Owners Consent	Owners	J004811
11	Clause 4.6 Report	Perception Planning	J004811

1 BACKGROUND

1.1 PURPOSE

The purpose of this Statement of Environmental Effects (SEE) is to assist Council in their assessment and determination and to assist the community in understanding the proposed development.

This SEE has been prepared in coordination with Adam and Jody Turner (**‘the client’**) and other sub-consultants to demonstrate the relevant matters associated with in the proposed development. The SEE examines the existing development and site location, how the proposed development relates to the location and the environment, as well as the planning merits of the development with respect to the relevant legislation, regulation and other requirements. The SEE examines the applicable site attributes and the specifics of the development proposal that are appropriate to the development application stage. The SEE seeks to provide all the relevant data to give a suitable level of certainty to the consent authority that the proposal has a positive impact on the immediate area and the wider surrounds.

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

The objectives of this SEE 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.

1.2 SITE DETAILS

Property Address	1420 (1501) Paterson River Road, Mount Rivers, NSW, 2311
Lot and DP	LOT: 20 DP 1125086
Current Use	Rural Residential - Existing dwelling
Zoning	RU1: Primary Production
Size	Total – approx. 60ha
Site Constraints	<ul style="list-style-type: none">• Minimum lot size – 60ha• Bushfire Prone Land – Vegetation Categories 1 and 3• Drinking Water Catchment• Riparian Lands and Watercourses• Land near Electrical Infrastructure
Owner	Owner's consent has been provided as ATTACHMENT 10 .
DP and 88B Instrument	The site is unencumbered. The Certificate of Title and Deposited Plan are attached as ATTACHMENT 2 and ATTACHMENT 3 .

1.3 SITE DESCRIPTION

The site is located at 1501 Paterson River Road, Paterson, NSW, 2311 shown in (**'the site'**) and has a total area of 116.6ha (**FIGURE 1**). According to council records, the site is addressed as 1420 Paterson River Road, although the NSW Planning Portal Spatial Viewer among other platforms recognise the site as 1501 Paterson River Road. The site is located within an existing rural residential area, in Mount Rivers, within the Dungog Local Government Area (LGA).

The site currently contains an existing dwelling in the eastern portion of the site with an associated swimming pool, shed, and driveway. Further ancillary development in the form of sheds exist further north in the eastern portion of the site. Access for the existing dwelling is facilitated via an existing gravel driveway from Paterson River Road. The property is zoned RU1: Primary Production. The existing Lot is sized 116.6ha. The site consists of a varying topography, with areas of scattered vegetation, dams and managed grassland throughout.

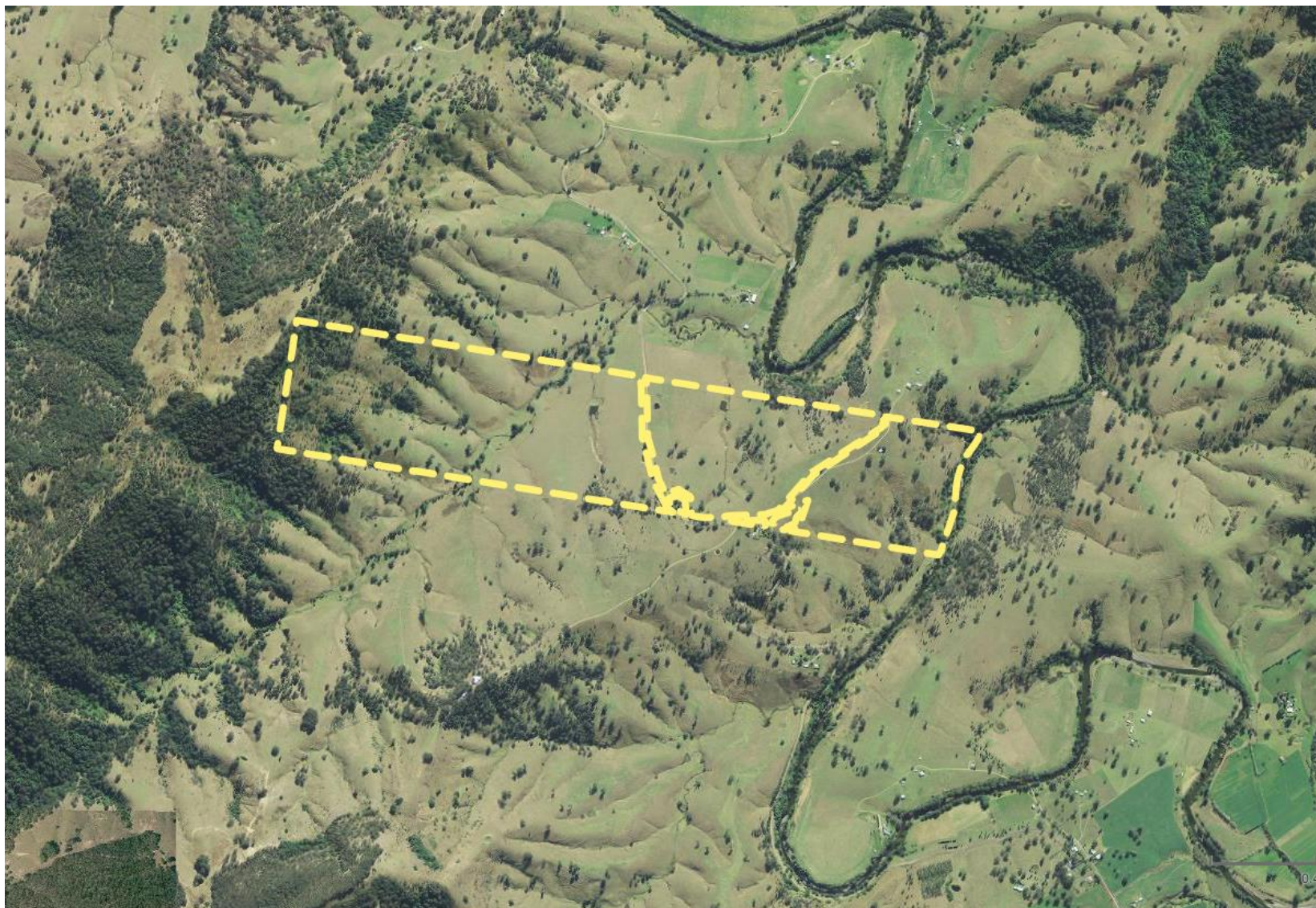


Figure 1 - Locality Map (NSW Planning Portal 2025)

1.4 CURRENT USE AND EXISTING DEVELOPMENT DETERMINATIONS

The site currently contains an existing dwelling with associated swimming pool, three sheds, and driveway.

The Dungog Shire Council DA Tracker identifies the following historic development applications.

Application No.	Application Type	Lodgement Date	Details
106/2019	Construction Certificate	19/08/2019	1420 Paterson River Rd, Mt Rivers 2311 NSW Swimming Pool & Associated Safety Barriers
106/2019	Development Application	23/07/2019	1420 Paterson River Rd, Mt Rivers 2311 NSW Swimming Pool & Associated Safety Barriers

No known compliance matters exist over the site which would pose issues for the proposed development.

2 DESCRIPTION OF THE DEVELOPMENT

2.1 PROPOSED DEVELOPMENT

The characteristics of the development include:

Proposed subdivision (one into two lots)

The proposed lots will have the following lot sizes:

- a. Proposed Lot 201 – 56.6ha
- b. Proposed Lot 202 – 60ha

Refer to the Survey and Proposed Subdivision Plan provided as **ATTACHMENT 6**.

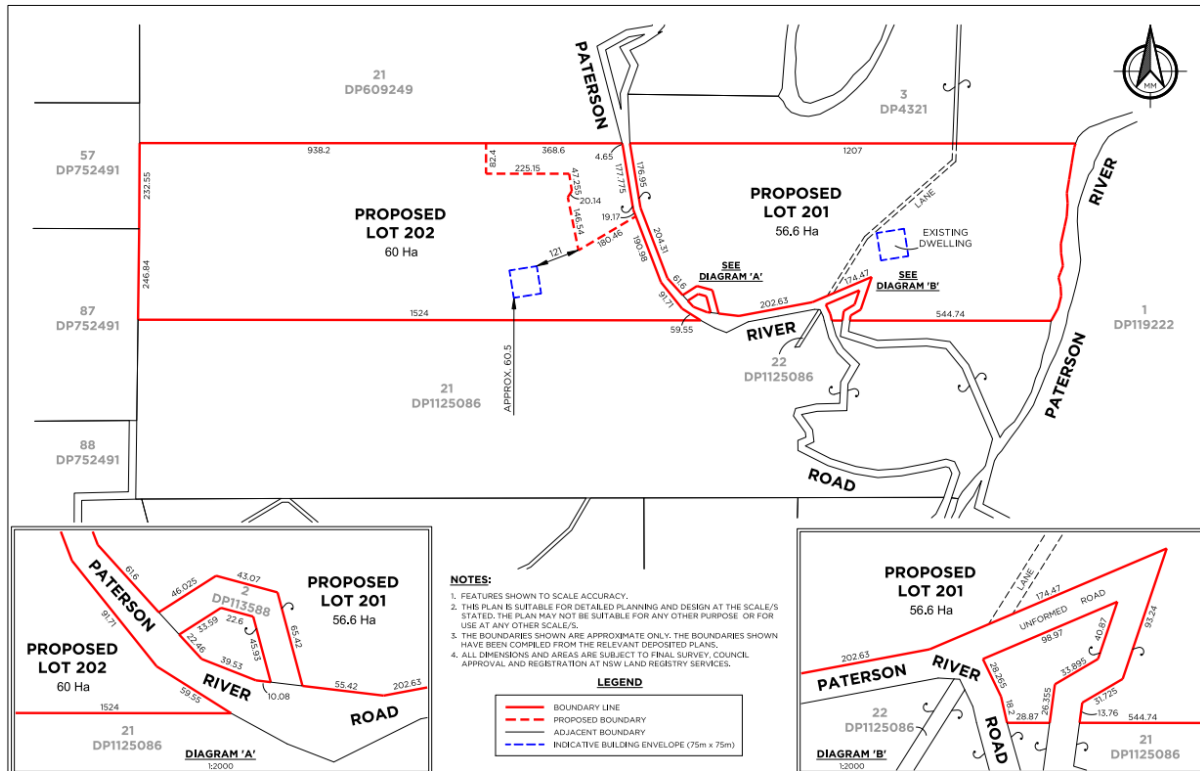


Figure 2 – Survey and Proposed Subdivision Plan (Delfs Lascelles 2025)

3 PLANNING CONTROLS

3.1 ACTS

The following Acts are considered relevant to the proposed development:

- *Environmental Planning and Assessment Act*
- *Rural Fires Act 1997*
- *Biodiversity Conservation Act 2016*
- *Roads Act 1993*
- *Water Management Act 2000*
- *Hunter Water Act 1991*

3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the principal planning and development legislation in NSW and is applicable to the proposed development. Section 4.15 of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15 are addressed in further detail in separate sections of this SoEE below.

- **Section 4.46 – What is integrated development?**

Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the approvals listed within **Table 2** below. The proposed development is classified as integrated development.

Table 2 - Integrated Development

Integrated development	Proposed Development	
Fisheries Management Act 1994	<ul style="list-style-type: none">▪ s 144▪ s 201▪ s 205▪ s 219	N/A
Heritage Act 1977	<ul style="list-style-type: none">▪ s 58	N/A – The site is not identified as a heritage item, nor within a heritage conservation area. An AHIMS search, contained in ATTACHMENT 5 was conducted on 08 May 2024. The search did not identify any Aboriginal sites or places within a 50m buffer of the site. Given the disturbed nature of the locality is unlikely that the development would uncover any Aboriginal artifacts or relics. In the event that an item is unearthed, all works are to cease, and the appropriate authority notified.

Coal Mine Subsidence Compensation Act 2017	<ul style="list-style-type: none"> ▪ s 22 	N/A – The site is not located within a Mine Subsidence Area.
Mining Act 1992	<ul style="list-style-type: none"> ▪ s 63, 64 	N/A
National Parks & Wildlife Act 1974 (as amended)	<ul style="list-style-type: none"> ▪ s 90 	N/A
Protection of the Environment Operations Act 1997	<ul style="list-style-type: none"> ▪ ss 43(a), 47, 55 ▪ ss 43(b), 48, 55 ▪ ss 43(d), 55, 122 	N/A
Roads Act 1993	<ul style="list-style-type: none"> ▪ s 138 	N/A
Rural Fires Act 1997	<ul style="list-style-type: none"> ▪ s 100B 	Yes – The site is identified as Bushfire Prone – Vegetation Buffer and Categories 1 and 3. A Bushfire Assessment Report is attached as ATTACHMENT 9 .
Water Management Act 2000	<ul style="list-style-type: none"> ▪ ss 89, 90, 91 	N/A – The subject site is identified as containing a watercourse, however no works are proposed within 40m of any watercourse.

- **Section 7.11 – Development Contributions**

Development contributions will be calculated and charged in accordance with the Dungog Shire Council City Wide Infrastructure Contributions Plan.

3.1.2 RURAL FIRES ACT 1997

The property is identified as bushfire prone land (**FIGURE 3**). As such referral to the Rural Fires Service is triggered under Section 100B of the Rural Fires Act 1997. A Bushfire Assessment Report is provided as **ATTACHMENT 9**. The assessment concludes that the proposed complies with Planning for Bush Fire Protection (2019) through both acceptable solutions and a performance-based approach. With asset protection zones, BAL-LOW building envelopes, and safe property access provisions in place, the development is considered suitable for approval from a bushfire risk perspective.

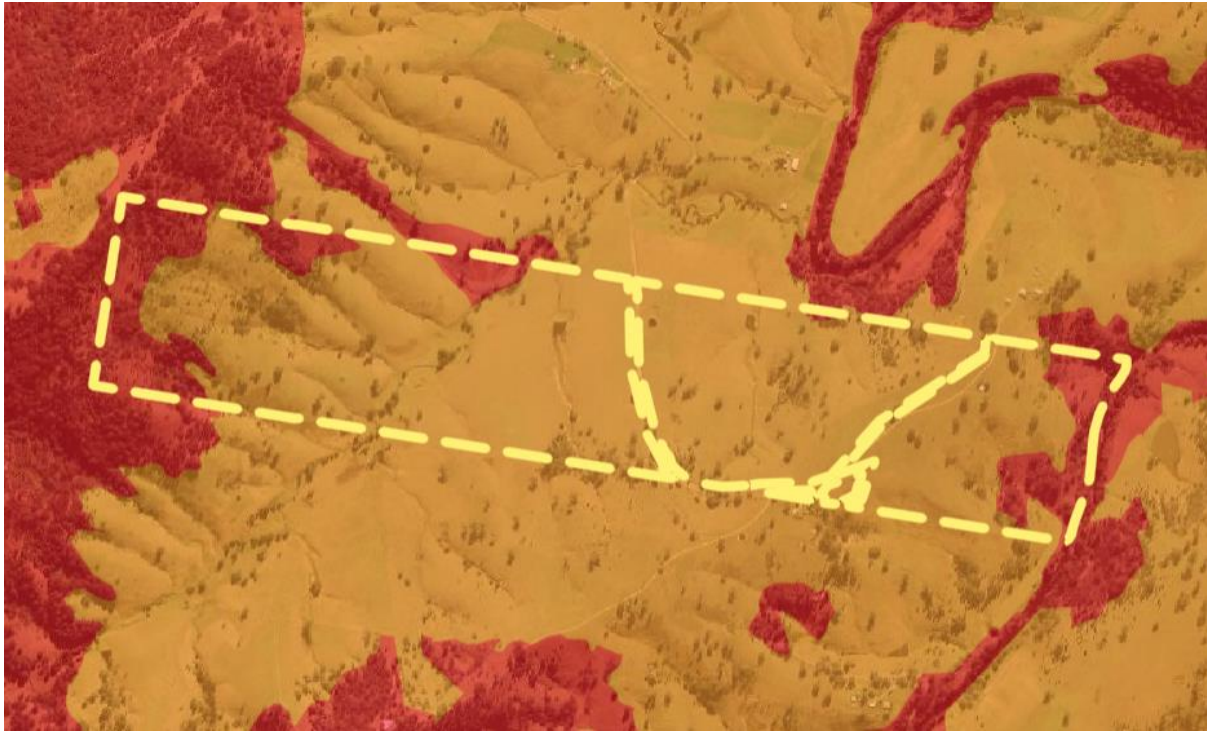


Figure 3 - Bushfire Mapping (NSW Planning Portal 2025)

3.1.3 BIODIVERSITY CONSERVATION ACT 2016

The purpose of this Act is to maintain a healthy, productive, and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Applicants are to supply evidence relating to the triggers for the Biodiversity Offsets Scheme (BOS) Threshold and the test of significance when submitting a development application to the consent authority.

The subject site some areas of biodiversity value and does contain a mapped watercourse.

Vegetation removal is not required as part of this development, noting the building envelopes selected ensure Asset Protection Zones can be accommodated without the requirement to remove vegetation. Accordingly, the proposed development does not trigger the threshold to require a BDAR. It is not anticipated that the proposed development would have significant ecological impacts. To this extent, an ecologist report has not been commissioned.

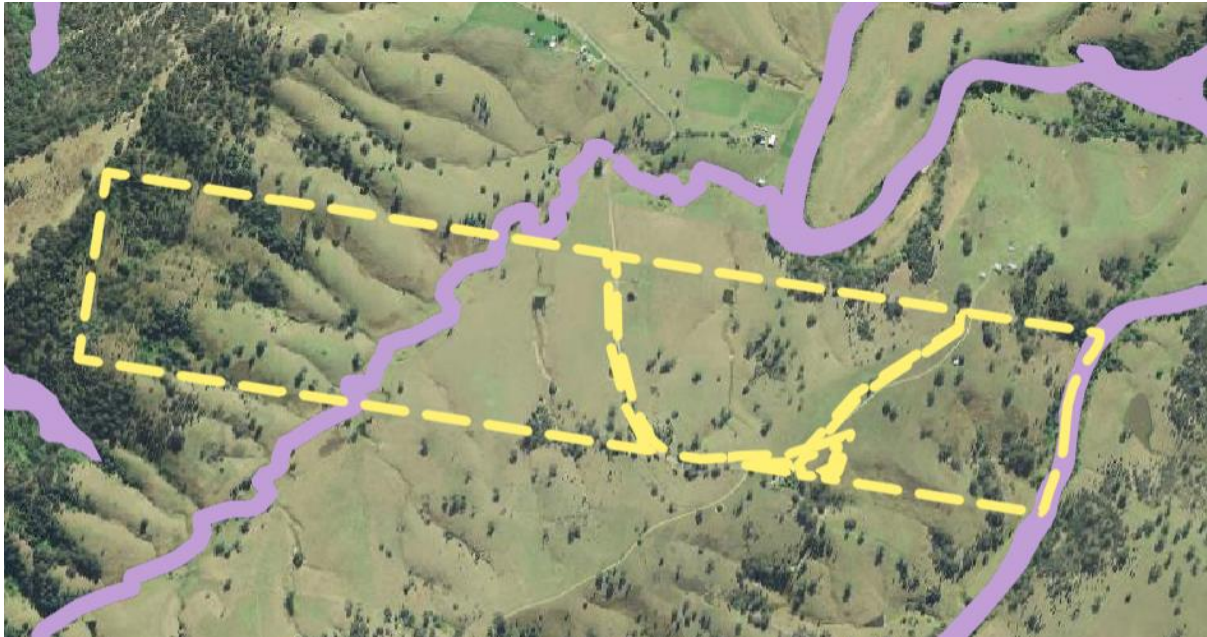


Figure 4 - Biodiversity Values Map (NSW Planning Portal, 2025)

3.1.4 ROADS ACT 1993

Paterson River Road is identified as local government roads (**FIGURE 5**), accordingly, referral to Transport for NSW is not required under Section 138 of the Roads Act 1993. All vehicles will be able to move onto and off each site in a forward direction due to proposed separate driveways to Glenburn Road.

Access to proposed lot 202 will be via proposed separate driveways to Paterson River Road, whilst the existing driveway providing access to the dwelling currently on site will remain as the access for proposed lot 201.

As such the development is not anticipated to compromise road safety. Furthermore, there are sufficient sightlines available to allow safe egress from each lot in a low trafficked environment.

3.1.5 WATER MANAGEMENT ACT 2000

The subject site is located within a Drinking Water Catchment pursuant to the LEP. The site does not contain a mapped watercourse, and no physical works will take place within 40m of any watercourse. The development will not have a lasting impact on any watercourses or waterbodies on or near the site. No further assessment of the Water Management Act is required.

3.1.6 HUNTER WATER ACT 1991

The subject site is located within a Drinking Water Catchment. Appropriate sediment and erosion control measures will be implemented during construction to ensure any potential impact on the drinking water catchment is minimised.

A BYDA search conducted on 18 March 2025 identified that no Hunter Water assets are affected by the proposed development (**ATTACHMENT 6**).

3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

The following SEPPs are considered relevant to the proposed development:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
 - *Chapter 4 – Remediation of Land*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
 - *Chapter 2 – Vegetation in non-rural areas*
 - *Chapter 4 – Koala Habitat Protection 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
 - *Chapter 2 – Infrastructure*

3.2.1 SEPP (RESILIENCE AND HAZARDS) 2021

CHAPTER 4 – REMEDIATION OF LAND

This Chapter applies to the whole state. Under Section 4.6, a consent authority must not grant consent to the carrying out of any development unless they have considered whether the land is contaminated.

The site is currently zoned for residential purposes and contains an existing residence. Considering the historic use for the site has been ongoing as primary production and residential, it is not expected or known that surrounding locality has the potential to be contaminated. To this extent, the future allotments of land are considered suitable for the proposed development.

3.2.2 SEPP (BIODIVERSITY AND CONSERVATION) 2021

CHAPTER 2 – VEGETATION IN NON-RURAL AREAS

The aim of this Chapter is to protect the biodiversity values of trees and other vegetation in non-rural areas. Pursuant to Section 2.3, land zoned RU1 Primary Production is not land to which this Chapter applies. No further assessment of this chapter is required.

CHAPTER 4 – KOALA HABITAT PROTECTION 2021

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. Section 4.4

and Schedule 2 of the SEPP identify the Dungog Local Government Area as land to which the policy applies and subject to the Central Coast Koala Management Area.

The key threats within the Central Coast Koala Management Area have been identified as:

- Habitat clearing and fragmentation;
- Vehicle strike and dog attack;
- Bushfire;
- Invasive plant species;
- Disease;
- Reduction in feed trees; and
- Sea level rise.

The proposed development is considered to have minimal impact on koala habitat and their ability to forage.

To this extent, no impact is identified on koala habitat and the free-living population.

3.2.3 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

CHAPTER 2 – INFRASTRUCTURE

The purpose of this Chapter is to facilitate the effective delivery of infrastructure across the state and identifying matters to be considered in the assessment of developments adjacent to particular types of development.

Division 5, Subdivision 2 Development likely to affect an electricity transmission or distribution network

Section 2.48 – Determination of development applications – Other development

The subject site is currently serviced by electricity and wireless telecommunications, which will be extended to service proposed Lot 202.

Penetration of the ground within 2m of underground electrical infrastructure triggers referral the electricity supply authority is triggered pursuant to Section 2.48(1)(a). It is not anticipated that referral to the electricity authority is warranted in this instance.

Division 12A, Subdivision 2 Development adjacent to pipeline corridors

Section 2.76 – Determination of development applications

The proposed development is not in the vicinity of a 'licenced' pipeline corridor as defined under Section 2.76 (2). Accordingly, the proposed development does not trigger referral to any pipeline operator pursuant to Section 2.76.

Division 17, Subdivision 2 Development in or adjacent to road corridors and road reservations

Paterson River Road is identified as a local public road dedicated to Dungog Shire Council (FIGURE 6).

Access to each proposed lot will be via proposed separate driveways to Glenburn Road.

As such, referral or Transport for NSW (TfNSW) for development on or adjacent to a classified road is not triggered under Sections 2.117, 2.118 and 2.119.

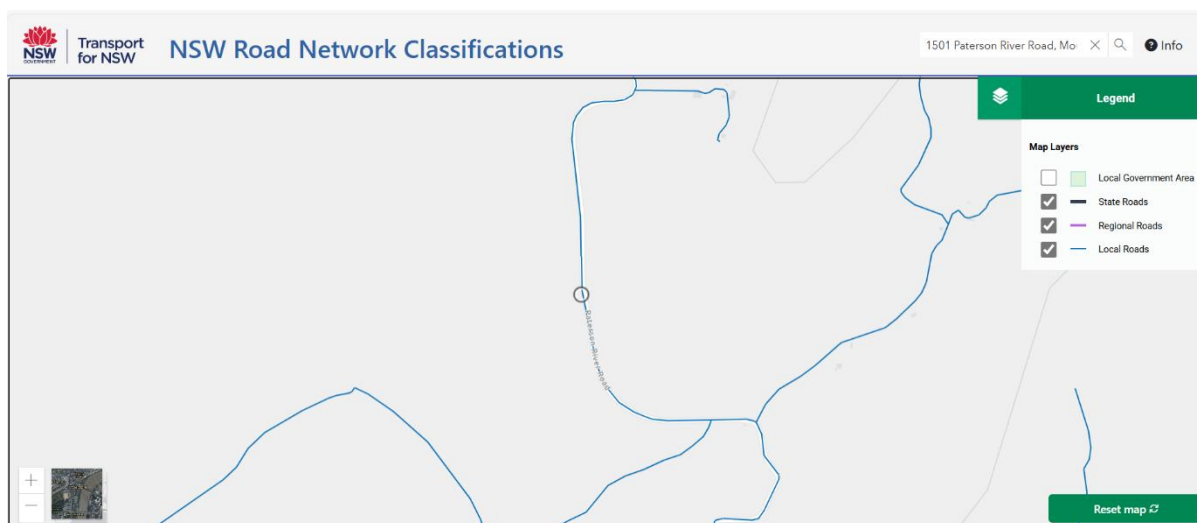


Figure 5 - NSW Road Network Classifications (Transport for NSW 2025)

3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

The following parts of the Dungog LEP 2014 apply to the proposed development:

- **Clause 2.3 – Zone Objectives and Land Use Table**

The subject site is zoned RU1: Primary Production. The proposed development includes a Torrens title subdivision, which is permissible with consent in the zone in accordance with Clause 2.6 below.

The Land Use Table of the LEP identifies the following objectives for the R5 zone:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide for recreational and tourist activities that are compatible with the agricultural, environmental and conservation value of the land.*
- *To promote the rural amenity and scenic landscape values of the area and prevent the silhouetting of unsympathetic development on ridgelines.*

RU1 Land Use Table
<u>Permitted without Consent</u> Environmental protection works; Extensive agriculture; Home occupations; Horticulture; Markets; Roads; Roadside stalls
<u>Permitted with Consent</u> Agritourism; Airstrips; Animal boarding or training establishments; Aquaculture; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Freight transport facilities; Function centres; Group homes; Health services facilities; Helipads; Heliports; Highway service centres; Home-based child care; Home businesses; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Kiosks; Landscaping material supplies; Marinas; Moorings; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Restaurants or cafes; Rural industries; Rural supplies; Rural workers' dwellings; Signage; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures
<u>Prohibited</u> Any development not specified in item 2 or 3

Permissibility: The proposed Torrens title subdivision within the R5 Zone is permitted, as set out within Clause 2.6 of the LEP.

The development proposes two lots, one of compliant minimum lot size and the other which varies slightly and supported by a Clause 4.6 Report. Both are capable of lawfully accommodating future residential accommodation. The proposal is consistent with the prevailing development type and will provide for the housing needs of the community, whilst enabling the proper and orderly development of the rural area. To this extent, the proposed development meets the objectives of the RU1 zone.

- **Clause 2.6 – Subdivision – consent requirements**

Land to which this Plan applies may be subdivided, but only with development consent.

- **Clause 4.1 – Minimum Lot Size**

The objective of this clause applicable to the proposed development is to ensure that lot sizes are able to accommodate development that is suitable for its purpose and that it is consistent with the relevant development controls. The size of any lot resulting from the

subdivision of land to which this clause applies is not to be less than the minimum size shown on the lot size map in relation to that land.

The minimum lot size in relation to the subject site is 60ha. The existing Lot is 116.6ha. The proposed subdivision (one into two lots) seeks to provide one lot of compliant size.

The proposed lots will have the following lot sizes:

- Proposed Lot 201 – 56.5ha
- Proposed Lot 202 – 60ha

Pursuant to Clause 4.6 of the Dungog LEP, Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production if—

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

The proposed subdivision will result in only one lot (201) less than the minimum lot size, however measures more than 90% of the MLS (54ha), noting the Lot measures 56.5 ha in size. A Clause 4.6 Report has been submitted on this basis to support this application, provided at **ATTACHMENT 11**.

- **Clause 5.10 – Heritage conservation**

A search of the Aboriginal Heritage Information Services (AHIMS) database (18 March 2025) did not identify the subject site as containing any Aboriginal sites or places as shown in **ATTACHMENT 5**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person. In this regard, no further assessment against the requirements of clause 5.10 is required.

- **Clause 5.16 – Subdivision of, or dwellings on, land in certain rural, residential or conservation zones**

As per clause (4) in part 5.16 of the Dungog LEP 2014, the following matters are to be taken into account:

- (a) the existing uses and approved uses of land in the vicinity of the development,
- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,
- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

The proposed development is consistent with the historical and current land uses of the site for residential and rural purposes. The location and layout of the proposed lots will not hinder additional permissible land uses as outlined by the zone objectives. The development will have positive environmental effects for the site through the low impact residential uses and associated land management that are enabled via the proposed subdivision.

- **Clause 6.5 – Drinking water catchments**

The objective of this clause is to protect drinking water catchments (DWC) by minimising the adverse impacts of development on the quality and quantity of water entering drink water storages. The subject site is located within a DWC, however there are no physical works which may adversely impact the drinking water catchment proposed. Therefore, no further assessment is required.

- **Clause 6.6 – Riparian land and watercourses**

The objective of this clause is to protect any riparian land or watercourses located on or near the site. The subject site is identified as containing a watercourse however does not contain any riparian lands.

As no works are proposed within 40m of any watercourse, the requirements of Clause 6.6 do not apply.

- **Clause 6.8 – Essential Services**

This clause specifies that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required.

- (a) Potable water will continue to be supplied to the existing dwelling via onsite rainwater tanks. Connection / extension of the reticulated water supply is not available. Future residential development will need to be provided with rainwater collection.
- (b) Electricity services are connected to the site and will need to be extended to service proposed Lot 202.
- (c) Wireless telecommunications services are connected to the site and will need to be extended to service proposed Lot 202.
- (d) The disposal and management of sewage for the existing dwelling is managed by an existing OSSM. Each of the proposed allotments will continue to maintain a minimum 4000m² of usable land for effluent dispersal, per the recommendations contained within the On-site Wastewater Report prepared, contained at **ATTACHMENT 10**.
- (e) Stormwater created by any future development on proposed Lots 202 will be managed via rainwater storage tanks, with overflow being directed across the site to legal points of discharge.

- (f) Access to each proposed lot will be via separate proposed driveways to Paterson River Road. Access to proposed Lot 201 will remain as existing.

The Before You Dig Australia (BYDA) search results are provided at **ATTACHMENT 6**.

- **Clause 6.10 – Williams River Catchment**

The objective of this clause is to protect and improve the environmental quality of the Williams River Catchment. As there are no physical works proposed by this subdivision, it is not anticipated that the proposed development will cause any detriment to the environmental quality of the Williams River Catchment.

- **Clause 6.12 – Protection of rural landscapes in rural and conservation zones**

In accordance with this clause, development consent must not be granted unless the consent authority is satisfied that:

- (a) *any buildings that form part of the development will blend into the landscape and not become silhouetted on a ridgeline, and*
- (b) *the design, bulk and colours of any such buildings will be compatible with the surrounding landscape.*

The proposed subdivision has been carefully designed in an effort to minimise the visual impacts on the rural landscape in regard to future building envelopes and development opportunities.

Careful consideration has been taken regarding the layout and orientation of the proposed lots in order to reduce the likely visual and environmental impacts of the future residential development enabled.

3.4 DEVELOPMENT CONTROL PLAN (DCP)

3.4.1 DUNGOG DCP

Consideration of compliance and/or consistency with the relevant provisions of the Dungog DCP is provided in the Table of Compliance provided at **ATTACHMENT 2**. The Table of Compliance identifies that the proposed development demonstrates full compliance with the relevant provisions of the DCP controls and overarching objectives.

3.5 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

Section 4.15(1)(a)(ii) requires the consent authority to consider:

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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).

At the time of lodgement of this development application there were no draft environmental planning instruments that are relevant to the proposed development or subject site; that should be considered as part of this development application.

4 LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the proposed development and constraints affecting the subject site have been explored throughout this SEE. The following sections detail the major potential impacts and constraints in greater detail, in accordance with Section 4.15(1) of the EP&A Act 1979.

4.1 BUILT ENVIRONMENT

4.1.1 CONTEXT, SETTING AND VISUAL IMPACT

The proposed development achieves compliant minimum lot size for one of the proposed two lots, with the other being a minor variation, and is consistent with the prevailing nature of the locality and is characteristic of other developments in both the local and wider community. There are no anticipated adverse impacts on the residential amenity or built environment as a result of the proposed development.

4.1.2 ACCESS, TRANSPORT AND TRAFFIC

Access to each proposed lot will be via separate proposed driveways to Paterson River Road. Access to proposed Lot 201 will remain as existing.

4.1.3 PUBLIC DOMAIN

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

4.1.4 SERVICES

The subject site is currently serviced by electricity and wireless telecommunications services, which will be extended to service proposed Lots 202. Water and sewer are managed via rainwater tanks and an existing OSSM system which currently services the existing dwelling on proposed Lot 201. Any future residential development on proposed Lot 202 will require rainwater storage tanks and OSSMs.

4.1.5 NOISE AND VIBRATION

No incompatible or adverse noise impacts have been identified as unacceptable in this location. Adverse vibrational impacts are not anticipated.

Future construction noise associated with any residential development of the sites will be as per normal construction times and processes and will cease once construction is completed.

4.2 NATURAL ENVIRONMENT

4.2.1 ECOLOGICAL

The subject site contains some areas of biodiversity value however does not contain a mapped watercourse.

No vegetation removal is required as part of this development. Accordingly, the proposed development does not trigger the threshold to require a BDAR. It is not anticipated that the proposed development would have significant ecological impacts. To this extent, an ecologist report has not been commissioned.

4.2.2 ARCHAEOLOGY

A search of the Aboriginal Heritage Information Services (AHIMS) database (18 March 2025) did not identify the subject site as containing any Aboriginal sites or places as shown in **ATTACHMENT 5**. The site is also not identified within Schedule 5 of the LEP as containing any items or places of heritage significance.

Should any Aboriginal objects be uncovered during works, all works will cease in that location and contact shall be made with the appropriate person.

4.2.3 STORMWATER

Stormwater created by any future development on proposed Lot 202 will be managed via rainwater storage tanks, with overflow being directed across the site to legal points of discharge.

4.2.4 WASTEWATER

Wastewater generated on proposed Lot 202 will be managed through a NSW Health-accredited Aerated Wastewater Treatment System (AWTS) with subsurface irrigation in accordance with the recommendations made in the wastewater report included as **ATTACHMENT 9**. The effluent management system will be designed to minimise public health risks and maximise environmental sustainability through nutrient reuse within vegetated zones.

4.3 SOCIAL AND ECONOMIC

Social

Social impact is best defined by (Armour 1992) that describes changes that occur in:

- People's way of life (how they live, work, play and interact with one another on a day to day basis),
- Their culture (shared beliefs, customs and values), and
- Their community (its cohesion, stability, character, services and facilities).

The proposed development provides an additional lot with dwelling entitlement in the Mount Rivers locality and will facilitate demand for the construction of additional housing to service the needs of the community. The proposed development will be serviced by suitable facilities and services without burdening the existing supply available within the area. Utilities are available and suitable for connection by the development proposal.

The proposed development:

- Will increase the number of residents within the locality, with each lot continuing to meet the objectives of the RU1 Zone;

- Will not disadvantage or benefit any particular social group, rather will provide an additional residential lot to achieve the objectives and requirements of the Hunter Regional Plan 2041 and associated population and dwelling projection;
- Will enhance the cultural life of the community through increasing the number of residents within the Mount Rivers area who will in turn contribute to cultural and community activities when available;
- Will not create areas of insecurity or risk for occupants;
- Will provide the opportunity to increase housing diversity within the wider area and provides for greater housing choice; and
- Provides enhanced social and built infrastructure to positively benefit the new and existing population within the locality and adjoining areas.

There are no anticipated adverse social impacts as a result of the proposed development, rather it is considered the proposal will contribute positively to the social elements of the locality through an increase in residents. The proposed development is not out of character with the existing rural context, will not involve an increased risk to public safety and will not threaten the existing sense of community, identity or cohesiveness, rather will contribute to the increase of these aspects in the locality.

Economic

The proposed development will provide employment opportunities in the locality and support the local building and development industries. This will have direct monetary input to the local economy, and the increased number of residents in the locality will provide ongoing economic input through daily living activities.

The increase in housing opportunities within the area will directly influence and enhance business and employment opportunities in and around the area.

There are no anticipated adverse economic impacts as a result of the proposed development.

4.3.1 SAFETY, SECURITY AND CRIME PREVENTION

No safety or security for crime prevention measures is required as a result of the proposed development. The proposed development will not create any safety, security or crime concerns on or around the site. Additional rural residential development and subsequent habitation of the site will help to further enhance the passive surveillance of the adjoining areas from the site and may contribute to increased safety and security in the area.

4.4 SUITABILITY OF THE SITE

The subject site is located within an existing rural residential area and is relatively clear of vegetation. The site has access to all relevant services, and the proposed development makes good use of the available land within the Dungog LGA.

The application design includes all elements required under the relevant planning instruments, policies, and the Dungog DCP, and there are no anticipated negative impacts on the locality as a result of the development.

To this extent, the site is suitable for development.

4.5 ANY SUBMISSIONS AND CONSULTATION

As part of the DA consideration process it is envisaged Council may place the proposal on public exhibition and send neighbour notification letters to adjoining or adjacent properties.

4.6 PUBLIC INTEREST

The proposal represents the creation of two new residential lots to accommodate residential development in the locality to service the needs of the community. This is consistent with the zone objectives and surrounding land uses and is not anticipated to have any adverse impacts on surrounding properties or the amenity of the locality. The proposed development remains consistent with the rural residential nature of the land and is in keeping with the character of surrounding land uses and existing development. The proposed development is in the public interest.

5 CONCLUSION

This SEE has shown that the development is within the public interest, from a social, economic and environmental perspective. The proposed one into two lot subdivision development is a suitable option for the development of the site. Any relevant matters have been addressed through this SEE.

The key reasons why the proposed development is appropriate are as follows;

- The proposed subdivision is permissible on the site with consent;
- No adverse impact on the existing character or amenity of the area will result;
- No adverse impact on the ecological values of the site is attributable to the proposed development;
- The proposed subdivision is consistent with the land use and layout of the existing area, without burdening the essential services supply;
- The subdivision of the land to create a new lot will directly benefit the community through providing an additional dwelling entitlement. The proposed lots contain areas for building envelopes which are largely unconstrained to meet the housing needs of the growing community population.

It is considered that the proposal will have no impacts on the surrounding properties to that it is likely to adversely affect their enjoyment or amenity. We look forward to Councils determination of this matter. If we can provide any further information or clarity, please do not hesitate to contact us.



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