

**PROPOSED USE OF RELOCATABLE DWELLING AS
TEMPORARY DWELLING**

**653 WALLAROBBA-BROOKFIELD ROAD,
WALLAROBBA**

**STATEMENT OF
ENVIRONMENTAL
EFFECTS**

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1.0 Introduction

1.1 Site Details

This Statement of Environmental Effects accompanies a Development Application to Dungog Council for the use of an existing relocatable home installed at the subject site as a temporary dwelling while a principal dwelling is being constructed.

Property Address	653 Wallarobba-Brookfield Road, Wallarobba
Lot/ DP/SP	Lot 15 DP 246524
Zone	RU1 Primary Production
Calculations	Total Site Area: 2.175ha Total GFA for temporary dwelling: 56m ²
Existing Structures	Farm Building (Machinery Shed), Rainwater Tank and Relocatable Home

The site is legally described as Lot 15 in DP 246524, and is known as 653 Wallarobba-Brookfield Road, Wallarobba. The site is located on the southern side of Wallarobba-Brookfield Road, with an area of 2.175ha. The site has a frontage of approximately 150m to Wallarobba-Brookfield Road and depths of between 138.75m and 164.36m

The site was until recently vacant and cleared, with a dam and scattered trees in the south-western corner. A shed, rainwater tank, and temporary dwelling were recently constructed on the land and the owners are in the process of applying for a principal dwelling to be constructed on the site. The site is zoned RU1 Primary Production under Dungog Local Environmental Plan 2014.

The site's location is shown in Figures 1 and 2. The location of the shed and temporary dwelling are shown in Figures 3 and 4.



Figure 1 - Locality Plan

Source: NSW Planning Portal Spatial Viewer, 2025



Figure 2 - Aerial view of the site

Source: www.realestate.com.au



Figure 3 - View of Machinery Shed, constructed in 2024 as exempt development



Figure 4 - Existing relocatable home to be used as temporary dwelling while principal dwelling is being constructed

1.2 Surrounding Development

The surrounding development along Wallarobba-Brookfield Road is similar in nature, commonly used for farming, grazing, or rural residential purposes. The area is predominantly rural and agricultural, featuring large acreage properties.

1.3 Background

The property owners have installed a relocatable home on the subject site to live in while they have their principal dwelling constructed. The owners moved here from Sydney and did not have anywhere to live while they had their principal dwelling constructed by Coral Homes. They were unaware of the need to seek approval for a temporary dwelling that will be removed once the principal dwelling is finished.

The owners have lodged a separate application to Dungog Council for the unauthorised relocatable home. The DA is for the use of the relocatable home as a temporary dwelling for a period of two years while constructing their permanent residence.

1.4 Proposed Development

Consent is sought for the use of the use of the recently installed relocatable home within the site as a temporary dwelling for a period of two years while constructing their permanent residence. The relocatable home will be removed prior to an Occupation Certificate being granted for the permanent residence.

The relocatable home the subject to this application is shown in Figures 5-7 and on the 'As Built' plans accompanying the application.

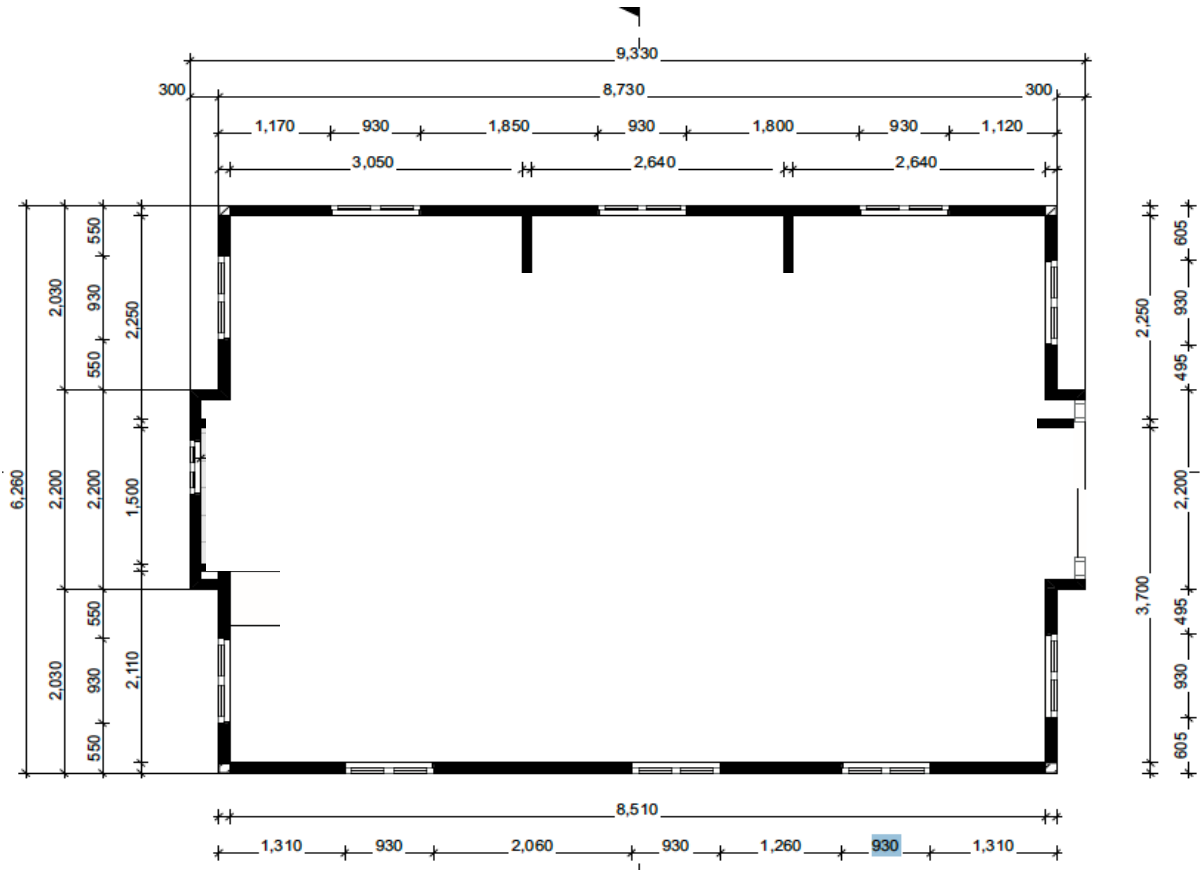


Figure 5 – Floor Plan of the temporary dwelling the subject of this retrospective use application



Figure 6 – Elevations of the temporary dwelling the subject of this retrospective use application

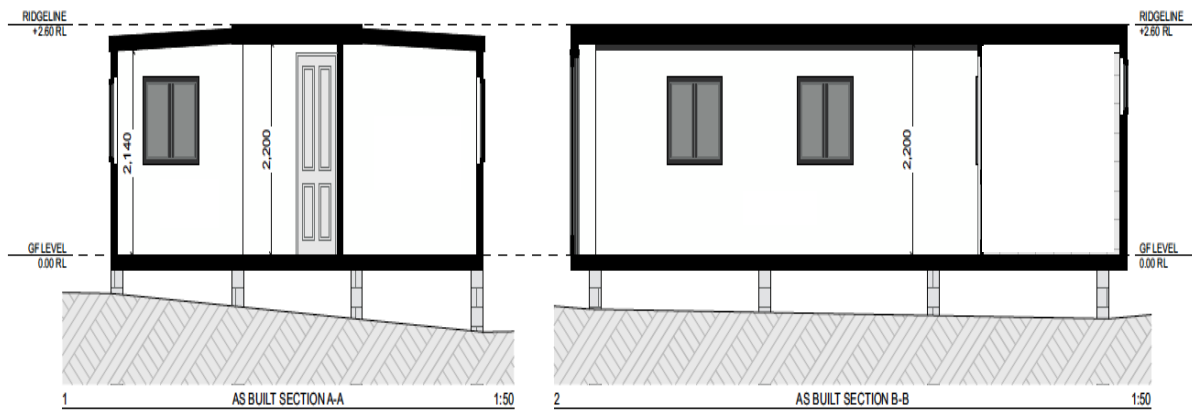


Figure 7 – Sections of the temporary dwelling the subject of this retrospective use application

2.0 The provisions of any environmental planning instruments

2.1 Environmental Planning and Assessment Act 1979 (the Act)

2.1.1 Section 4.14 Consultation and development consent—certain bush fire prone land

The site is identified as a bush fire prone land for the purposes of Section 10.3 of the EPA Act and the legislative requirements for building on bush fire prone lands are applicable. The site is located within a bushfire-prone area. To support the Development Application for a temporary residential dwelling, Hunter Bushfire Services has been engaged to prepare a Bushfire Assessment Report (BAR).

The assessment evaluates the bushfire hazards and potential threats associated with the proposal and recommends appropriate Bushfire Protection Measures (BPMs) in accordance with the aims and objectives of Planning for Bushfire Protection 2019 (PBP 2019), as required by the Environmental Planning & Assessment Amendment (Planning for Bush Fire Protection) Regulation 2020.

In determining the minimum required setbacks and other relevant BPMs, the assessment adheres to the methodology outlined in PBP 2019, with all applicable performance criteria met through acceptable solutions as detailed in the report.

The assessment is based on existing bushfire hazards in and around the site at the time of reporting. The primary identified risk is from woodland and grassland vegetation within 140 metres of the dwelling site. This vegetation type and the associated slope have been assessed as the most significant factors influencing bushfire behavior and separation requirements.

The BAR concludes that the development can be sited at a distance from unmanaged vegetation that results in a Bushfire Attack Level (BAL) of 12.5. As such, the temporary dwelling will be required to comply with the construction requirements for BAL-12.5 to ensure adequate bushfire protection.

2.1.2 Section 4.46 'Integrated Development'

Integrated Development	Section	Applicable
Fisheries Management Act 1994	s144 s201 s205 s219	No
Heritage Act 1977	s58	No
Coal Mine Subsidence Compensation Act 2017	s22	No
National Parks & Wildlife Act 1974	s90	No
Protection of the Environmental Operations Act 1997	ss43 (a), 47, 55 ss43 (b), 48, 55 ss43(d), 55,122	No
Roads Act 1993	s138	No
Rural Fires Act 1997	s100B	No
Water Management Act 2000 & Water Management Amendment (General Regulation 2018)	s89,90,91	No

2.2 State Environmental Planning Policies (SEPPs)

2.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 Coastal Management

The site is not within the coastal environment area or coastal use area.

Chapter 3 Hazardous and Offensive Development

The proposed use is not classified as potentially hazardous or offensive.

Chapter 4 Remediation of Land

The site has historically been used for extensive farming purposes (grazing) only, with no improvements erected until 2024, a farm building (machinery shed). The following aerial photographs from 1976-2001 (Figures 8-11) show the land used for grazing purposes and undeveloped. Given the site's previous and current uses, there is not considered any risk of contamination on the site and no further assessment is necessary.



Figure 8 The site in 1976 showing it as open grazing land



Figure 9 The site in 1984 showing it as open grazing land



Figure 10 The site in 1994 showing it as open grazing land



Figure 11 The site in 2001 showing it as open grazing land

2.2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 - Vegetation in Non-Rural Areas

The site is not identified as containing biodiversity value on the Biodiversity Values Map. No trees require removal.

2.2.3 State Environmental Planning Policy (Sustainable Buildings) 2022

The temporary dwelling is defined as a relocatable home, which is not BASIX-affected development, and the requirement for a BASIX Certificate does not apply.

2.3 Dungog Local Environmental Plan 2014 (NLEP)

2.3.1 Zoning and Zone Objectives

The site is zoned RU1 Primary Production Use Zone, as shown in Figure 12. The objectives of the RU1 zone are:

- 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.

The temporary dwelling installed on the site is consistent with the objectives of the zone. It does not involve the alienation of resource lands and will not impact existing or future primary industry activities. The structure is modest, relocatable, and sited in a manner that preserves the rural character, scenic landscape, and amenity of the area. Its temporary nature ensures there is no long-term conflict with adjoining land uses or visual impact on ridgelines. The proposal supports the ongoing use of the land for rural purposes while allowing for future development of a permanent residence.



Figure 12 – Site Zoning

Source: NSW Planning Portal Spatial Viewer, 2025

2.3.2 Land Use Table

The proposed use is temporary dwelling (dwelling house) and is permissible with consent.

2.3.3 Principal Development Standards

The following table provides an assessment of the proposal against other relevant clauses of DLEP, including consideration of Principal Development Standards.

Dungog Local Environmental Plan 2014		
Clause	Provision	Comment
4.3	Height of buildings	Not adopted within DLEP
4.4	Floor space ratio	Not adopted within DLEP
5.10	Heritage conservation	A search of the AHIMS register reveals no aboriginal sites or declared places on or within 50 metres of the subject site. The site does not contain a listed heritage item and is not within a Heritage Conservation Area.
5.21	Flood planning	The site is not identified as flood prone land.
6.1	Acid sulfate soils	The site is not identified as containing acid sulfate soils.
6.5	Drinking water catchments	The site is located within the 'Special Areas – Williams' Drinking Water Catchment'. A Section 68 Approval (SA66/2024) has been granted for the installation of a septic tank for the temporary dwelling. All wastewater will directed to the approved septic system, ensuring there is no impact on water quality within the Special Area - Williams Drinking Water Catchment.
6.8	Essential services	The site has approval under Section 68 of the Local Government Act for an on-site septic system. The site is connected to reticulated electricity. The site contains a 10,000 litres rainwater tank for water supply. Stormwater overflow has been designed to disperse naturally within the site boundaries, ensuring it does not discharge onto adjoining properties or create any nuisance.
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	The site is located within the Williams River Catchment. A Section 68 Approval (SA66/2024) has been granted for the installation of a septic tank for the temporary dwelling. All wastewater will directed to the approved septic system, ensuring there is no impact on water quality within the Williams River Catchment. Stormwater overflow has been designed to disperse naturally within the site boundaries, ensuring it does not discharge into the Williams River. No erosion or sediment will occur.

Dungog Local Environmental Plan 2014		
Clause	Provision	Comment
	<p>(b) promotes the protection and improvement of the environmental quality of the Williams River Catchment, and</p> <p>(c) will have any significant adverse impacts on water quality within the Williams River Catchment, and</p> <p>(d) is consistent with the Williams River Catchment Regional Planning Strategy published in September 1997 by the Department of Planning and Environment.</p>	<p>The temporary dwelling has had regard to and is consistent with the Williams River Catchment Regional Planning Strategy published in September 1997 by the Department of Planning and Environment.</p>
6.12	<p>Protection of rural landscapes in rural and conservation zones</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) any buildings that form part of the development will blend into the landscape and not become silhouetted on a ridgeline, and</p> <p>(b) the design, bulk and colours of any such buildings will be compatible with the surrounding landscape.</p>	<p>The temporary dwelling is located at the rear of the site, behind where the principal dwelling will be erected and is not located on a ridgeline.</p>

3.0 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

There are no current draft or proposed instruments applicable to the proposal.

4.0 The provisions of any development control plans

4.1 Dungog Development Control Plan 2014 (DDCP)

The following table provides an assessment of the proposed development against relevant sections of DDCP.

Dungog Development Control Plan 2014		
Clause	Provision	Comment
C3. Building Line Setback		
2.3 Building Line Setbacks to front property boundary		
2.3.1. Front setback	On land zoned RU1 and E3, the minimum setback from the front property boundary shall be:- 1) 140m from a main road; and 2) 50m from any other public road.	The temporary dwelling is situated 116 metres from Wallarobba Brookfield Road, which is a local road, complying with the front setback requirement.
2.4.1 side and rear setback	On land zoned RU1, the minimum setback from side and rear boundaries shall be: 1) 50 m for lots with an area of more than 60 ha; or 2) 40m for lots with an area of more than 30 ha but less than 60 ha; or 3) 30m for lots with an area of less than 30 ha.	The temporary dwelling has a setback ranging from 70 to 67 metres on the western and eastern sides of the property, and a 19-metre rear setback. While the side setback requirements are met, the rear setback does not comply with the relevant control. According to the plan, the temporary dwelling is appropriately sited within the property to accommodate its intended temporary use for a period of two years.
2.5 Variation to Building Lines	b) In the RU1 and E3 zones, where the width of an allotment is less than 200 metres and it is unreasonable to apply the standard building line setbacks, the minimum setback to a side or rear boundary is to be not less than 25% of the width of the allotment	Given that the subject site has a width of 144.91 metres, the required minimum setback to a side or rear boundary is 36.23 metres (25% of the allotment width). The proposed rear setback is 19 metres, which does not comply with this requirement. However, the use of the dwelling is temporary, and it does not result in any adverse impacts on the adjoining properties. Therefore, the reduced rear setback is considered acceptable in this instance.
C5. Bushfire		
C5 Bushfire	Various controls	The site is located within a bushfire-prone area. To support the Development Application, Hunter Bushfire Services has been engaged to prepare a Bushfire Assessment Report (BAR). The assessment evaluates the bushfire hazards and potential threats associated with the proposal and recommends appropriate Bushfire Protection Measures (BPMs) in accordance with

Dungog Development Control Plan 2014		
Clause	Provision	Comment
		<p>the aims and objectives of Planning for Bushfire Protection 2019 (PBP 2019), as required by the Environmental Planning & Assessment Amendment (Planning for Bush Fire Protection) Regulation 2020.</p> <p>In determining the minimum required setbacks and other relevant BPMs, the assessment adheres to the methodology outlined in PBP 2019, with all applicable performance criteria met through acceptable solutions as detailed in the report.</p> <p>The assessment is based on existing bushfire hazards in and around the site at the time of reporting. The primary identified risk is from woodland and grassland vegetation within 140 metres of the proposed dwelling site. This vegetation type and the associated slope have been assessed as the most significant factors influencing bushfire behaviour and separation requirements.</p> <p>The BAR concludes that the proposed development can be sited at a distance from unmanaged vegetation that results in a Bushfire Attack Level (BAL) of 12.5. As such, the temporary dwelling will be required to comply with the construction requirements for BAL-12.5 to ensure adequate bushfire protection.</p>
C8. Managing our Floodplains		
8.5 Floodplain Management Plan	Various controls	The site has not been identified as being flood prone land.
C15. Contaminated Land		
Contaminated land	Various controls	<p>The site is not identified as potentially contaminated in Council's record.</p> <p>There is no indication that the site is potentially contaminated. There is no need for additional investigation into possible contamination.</p>
C 16. Biodiversity		
Biodiversity	Various controls	No tree removal is required to accommodate the temporary dwelling.
C 17. Heritage		
Heritage	Various controls	<p>The site does not contain any listed items of heritage significance, nor is it located within a heritage conservation area.</p> <p>An AHIMS search undertaken as part of the Bushfire Assessment reveals no Aboriginal sites or</p>

Dungog Development Control Plan 2014		
Clause	Provision	Comment
		places recorded within or near the site. No further assessment or studies required.
C 20. Off Street parking		
5.1 Location of one site parking	Various control	The subject site is a large property with ample space available for open vehicle parking. The temporary dwelling has been designed without a garage, as it is intended for short-term use until the completion of the principal dwelling on the site.
C23. Onsite Sewage Management		
23.3 Requirement	Various control	The site is located within the 'Special Areas – Williams' Drinking Water Catchment' and holds approval under Section 68 Approval (SA66/2024) for the installation of a septic tank. All wastewater is directed to the approved septic system, ensuring there is no impact on the Williams River.
C 24. Site Waste Minimisation and Management		
Waste Management	<ol style="list-style-type: none"> 1. A completed Site Waste Minimisation and Management Plan. 2. Responsibility for the transfer, collection and disposal of waste/recyclables must be determined at the commencement of the project. 	The temporary dwelling includes the provision of one 240L general waste bin, one 240L recycling bin, and a green waste bin, all stored adjacent to the dwelling and collected by council.

5.0 The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

5.1 Environmental impacts on both the natural and built environments

5.1.1 Noise

The dwelling use generates very low scale residential noise only and will not be offensive.

5.1.2 Air Quality

The dwelling is intended for temporary residential use and does not result in any adverse impact on existing air quality or local climatic conditions.

5.1.3 Hazards

There are no other known hazards or risks, other than those identified previously within this report, that would preclude approval of the temporary dwelling use.

5.1.4 Vegetation and trees

The temporary dwelling use has no impact on trees or vegetation.

5.1.5 Soil and Water

An above-ground rainwater tank with a capacity of 10,000 liters has been installed on-site. Overflow will be managed to disperse naturally within the property boundaries, ensuring it does not discharge onto adjoining properties or cause any nuisance.

5.2 Economic impacts

The temporary dwelling does not have any detrimental economic impacts.

5.3 Social impacts

The temporary dwelling does not have any detrimental social impacts.

6.0 The suitability of the site for the development

Various sections of this Statement of Environmental Effects address the suitability of the subject site and conclude that the site is appropriate for the proposed temporary dwelling use.

The site is of sufficient size to accommodate the temporary dwelling without impacting on the ability to accommodate the principal dwelling and which is intended to be removed upon completion of the principal dwelling. The temporary dwelling is permissible with development consent within the RU1 Primary Production zone.

7.0 The public interest

The proposal is in the public interest in that it:

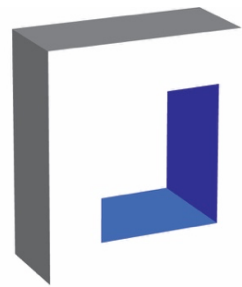
- meets relevant objectives of the RU1 zone.
- is a permissible land use.
- complies with LEP and DCP controls, apart from a variation to the rear setback control. It is noted that the temporary dwelling complies with the objectives of the setback control.
- respects the streetscape and amenity of the locality without impacting on the quality of the environment.

8.0 Conclusion

This Statement of Environmental Effects has considered all natural and built constraints and hazards and found the site to be suitable for the temporary dwelling use. Additionally, it has been found that the temporary dwelling has no detrimental impacts on the natural or built environments.

The temporary dwelling complies with the LEP and DCP, apart from a variation to the rear setback control, which is minor and acceptable for a short term land use.

Given the above, Council's favorable consideration of the application is requested for the retrospective use of the existing relocatable home as a temporary dwelling.



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