

STATEMENT OF ENVIRONMENTAL EFFECTS

USE OF ANCILLARY DWELLING (CREATING DUAL OCCUPANCY)

**652 DUNGOG ROAD, HILLDALE 2420
LOT 96 DP739126**

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EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Shane Oliver (the client) to prepare a Statement of Environmental Effects (SEE) for the use of a detached dual occupancy development (the development) at 652 Dungog Road, Hilldale 2420 (Lot 96 DP739126) (the site).

The site is located within Hilldale, in the Dungog local government area (LGA). The site is currently comprised of one lot, with a dwelling house and ancillary shed on the site. The site also contains an existing moveable dwelling, that is lawfully on the site under Subdivision 3 'installation of moveable dwellings on land other than land in caravan parks or camping grounds' Section 77(1)(b) of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (the regulations).

Development consent is specifically sought for the use of a detached dual occupancy, within a moveable dwelling.

The key reasons why the proposed development should be considered acceptable include:

- The proposal is permitted with consent in the land use zone and is consistent with relevant zone objectives.
- The proposal complies with the specific design requirements for dual occupancies, where applicable.
- The proposal will result in no negative social and economic impacts.
- There are no significant issues or impacts arising from the proposal.

The proposal has been assessed against the relevant statutory planning framework to identify and address the key planning requirements and site constraints. These issues have been addressed throughout the SEE to ensure potential environmental issues have been suitably managed or mitigated where possible to allow the proposed development to be approved by the Consent Authority.

TERMS & ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
ASS	Acid Sulphate Soils
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
FFL	Finished Floor Level
DA	Development Application
DCP	Development Control Plan
LEP	Local Environmental 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:

Appendix	Document	Prepared by	Reference
1	DCP Compliance Assessment	Perception Planning	Ref: J004984 Dated: 30/09/2025
2	Site Plan	Perception Planning	Ref: J004984 Dated: 30/07/2025
3	Architectural Plans	MAS Pty Ltd	Ref: D168-843D Dated: 20/05/2025
4	Bushfire Assessment Report	Newcastle Bushfire Consulting	Ref: N/A Dated: 28/08/2025
5	Onsite Wastewater Report	GSL Environmental	Ref: 181625 Dated: 09/09/2025
6	Waste Management Plan	Perception Planning	Ref: J004984 Dated: 30/09/2025
7	AHIMS Search Results	NSW Environment & Heritage	Ref: J004984 Dated: 23/06/2025
8	Hunter Water Stamped Plans	Hunter Water Corporation	Ref: N/A Dated: N/A
9	Estimated Development Cost	Perception Planning	Ref: J004984 Dated: 30/09/2025

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1.0 INTRODUCTION

Perception Planning Pty Ltd has been engaged by Shane Oliver (the client) to prepare a Statement of Environmental Effects (SEE) for the use of a detached dual occupancy development (the development) at 652 Dungog Road, Hilldale 2420 (Lot 96 DP739126) (the site).

This SEE has been prepared in coordination with the client and other sub-consultants to demonstrate the relevant matters associated with the proposed development. The SEE examines the existing site location and conditions, how the proposed relates to the location and the environment, and the planning merits of the proposal with respect to the relevant legislation, policies and related requirements.

The site is located within Hilldale, of the Dungog LGA. The site is zoned RU1 Primary Production, under the Dungog Local Environmental Plan (LEP) 2014, and the proposal is permitted with consent of the Council.

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.

1.1 PURPOSE OF THE STATEMENT

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 accordance with best practice principles, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure and Environment (now DPIE) guide to the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) (s4.15).

The objectives of this SEE area as follows:

- To provide a description of the site 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 (EPIs);
- 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	652 Dungog Road, Hilldale 2420
Lot and DP	Lot 96 DP739126
Local Government Area	Dungog Shire Council
Current Use	Dwelling house, ancillary structures
Zoning	RU1 Primary Production
Size	40,469 m ²
Site Constraints	• Lot Size Map: 60ha • Bushfire Prone Land: Categories 1 & 3
Owner	Owner's consent has been provided on the Application Form for the DA.
DP and 88B Instrument	The site does not have any restrictions preventing the proposed development from occurring on the Title or 88B Instrument.

1.3 SITE DESCRIPTION

The site particulars are detailed in the table above with the site constraints reviewed against the Dungog Local Environmental Plan (LEP) 2014 and state policies. The site is located within Hilldale, of the Dungog LGA. The site consists of one lot, Lot 96 DP739126, and currently contains a dwelling house and ancillary structures

The site is scattered with trees and vegetation throughout, as well as a managed lawn. The gravel driveway connects to Dungog Road, which is classified as a regional road according to NSW Road Network Classification. Development in the surrounding area is classified as rural, with large rural lots containing dwelling houses and agricultural land uses.

The site is not connected to reticulated water or sewer services and therefore uses onsite sewer and tank water. The site has access to electricity.



Figure 1: Locality Plan (ESpatial Viewer, 2025)

1.4 CURRENT USE AND SITE HISTORY

The site is currently occupied by a dwelling house, ancillary structures (shed and detached dual occupancy) and driveway. As stated above, the site contains a 'caravan' on the site, being used in a lawful manner under Section 77(1)(b) of the LG Regulations.

A review of the Dungog Shire Council Development Application Tracker returned no results in a search for applications relating to 652 Dungog Road, Hilldale. It is assumed the existing development on site pre-dates council's electronic filing.

2.0 THE DEVELOPMENT

2.1 PROPOSED DEVELOPMENT

Development consent is sought for the construction of a detached dual occupancy on the subject site. Further details are provided within the Architectural Plans at **APPENDIX 2**. The proposed detached dual occupancy consists of a single storey, moveable dwelling, located to the East of the property. The proposed development consists of three bedrooms, bathroom, laundry and kitchen and dining area. **FIGURES 2-4** provide a visual overview of the proposed development.



Figure 2: Proposed Site Plan (Perception Planning, 2025)

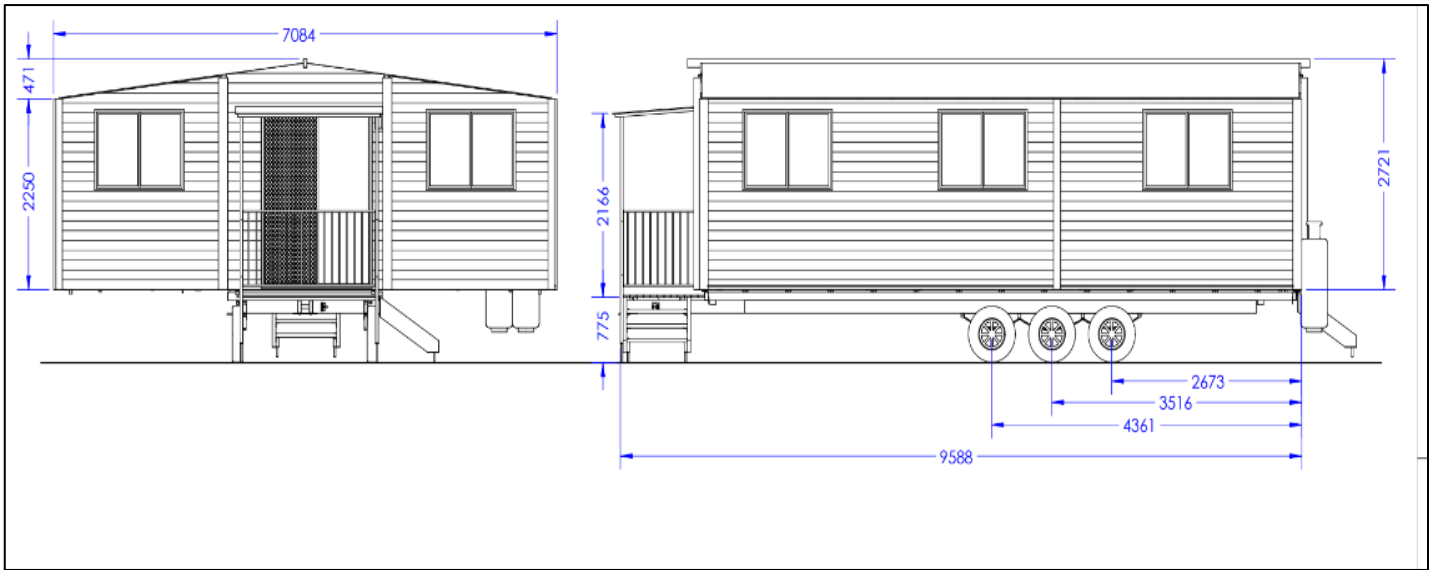


Figure 3: Proposed Elevations (MAS Pty Ltd, 2025)

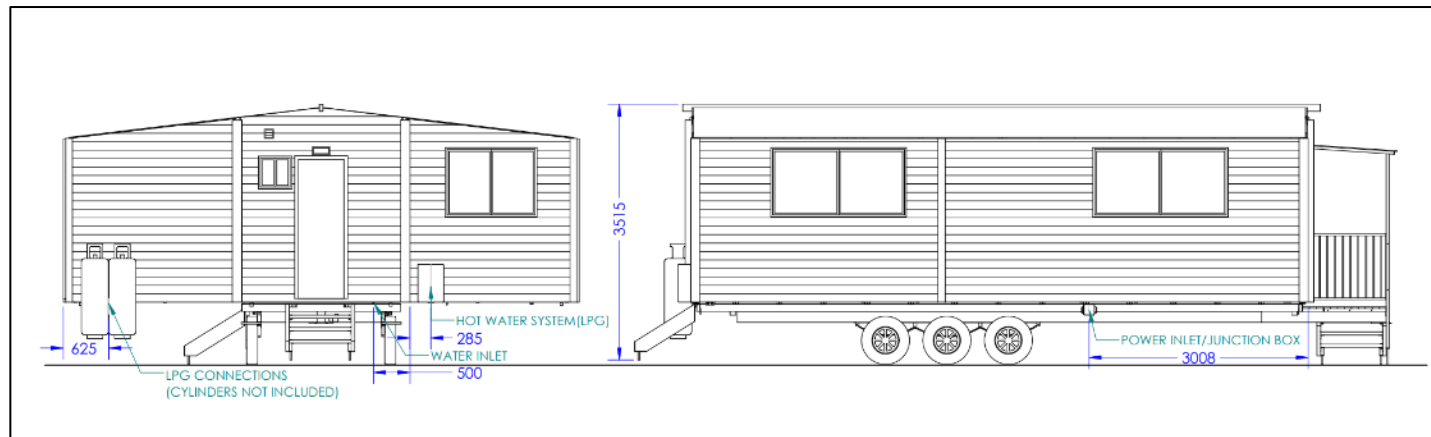


Figure 4: Proposed Elevations (MAS Pty Ltd, 2025)

3.0 PLANNING FRAMEWORK

Section 4.15(1) of the EP&A Act outlines the matters for consideration when determining a Development Application. The following section will address the matters of consideration listed under Section (1)(a).

3.1 ACTS

All Acts have been reviewed, with the following considered relevant to the proposed development.

3.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The *Environmental Planning & 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 development application. The relevant matters for consideration under Section 4.15 are addressed in further detail in separate sections of this Statement below.

- **Section 4.14 – Consultation and development consent – certain bush fire prone land**

This section stipulates that development consent cannot be granted for the carrying out of any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the development aligns with Planning for Bush Fire Protection 2019 (PBP 2019). The site is bushfire prone land, and as such a Bushfire Assessment Report has been prepared for the proposed development at **APPENDIX 4**, demonstrating capability of compliance with PBP 2019. The report also noted that the proposed development can also provide adequate performance solutions, where strict compliance cannot be afforded.

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

Integrated development is development (not being State significant development or complying development) that, for it to be carried out, requires development consent and one or more of the approvals listed within **TABLE 1** below.

Table 1: Integrated development

Integrated development	Section	Assessment
Fisheries Management Act 1994	s 144 s 201 s 205 s 219	N/A
Heritage Act 1977	s 58	N/A
Coal Mine Subsidence Compensation Act 2017	s 22	N/A

Mining Act 1992	s 63, 64	N/A
National Parks & Wildlife Act 1974	s 90	N/A – The AHIMS search conducted on 23 June 2025 (attached as APPENDIX 8) identified no Aboriginal sites or places within a 200m buffer of the site, thus referral to Heritage NSW, and /or issue of a permit is not required as part of the development.
Petroleum (Onshore) Act 1991	s 16	N/A
Protection of the Environment Operations Act 1997	ss 43(a), 47, 55 ss 43(b), 48, 55 ss 43(d), 55, 122	N/A
Roads Act 1993	s 138	N/A – no change to the existing driveway access is proposed.
Rural Fires Act 1997	s100B	N/A – As previously discussed, while the site is bushfire prone, subdivision is not proposed, and the proposal does not have flame zone categorisation. A s4.14 assessment is provided above, and a Bushfire Assessment Report is provided at APPENDIX 4 .
Water Management Act 2000	ss 89, 90, 91	N/A

3.1.2 HUNTER WATER ACT 1991

The subject site is not serviced by Hunter Water assets. Stamped plans from Hunter Water Corporation are provided at **APPENDIX 9**.

3.1.3 BIODIVERSITY CONSERVATION ACT 2016

The proposed site is not identified on the Biodiversity Values Map.

3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

All State Environmental Planning Policies (SEPPs) have been considered. The following SEPPs are considered relevant to the proposed development and are discussed in further detail below.

- *State Environmental Planning Policy (Resilience and Hazards) 2021*

- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*

3.2.1 RESILIENCE AND HAZARDS 2021

Chapter 4 – Remediation of Land

This Chapter applies to the whole of NSW to ensure land is fit for the intended purpose. The legislation states a consent authority must not consent to the carrying out of development on land unless it has given consideration as to whether the land subject to the development is contaminated. Where the land is contaminated a consent authority must determine if the land is suitable in its contaminated state for the development or alternatively determine that the land would be suitable once remediated. A review of the EPA Contaminated Site Register shows the site as not being contaminated. The site is used for residential uses and is a suitable site for this development, given the existing residential uses.

3.2.2 TRANSPORT AND INFRASTRUCTURE 2021

Section 2.122 – Traffic Generating Development

In accordance with Section 2.122, development listed in Schedule 3 is identified as traffic-generating development. The proposed development is not identified under Schedule 3 and therefore does not warrant referral to TfNSW. A net increase of one dwelling is not likely to cause noticeable traffic impacts to Alison Road or the surrounding public road network.

3.3 LOCAL ENVIRONMENTAL PLAN

The Dungog Local Environmental Plan (LEP) 2014 is relevant to the site for the purposes of the proposed development and provides principal development standards to guide development within the Dungog LGA.

Permissibility

The site is zoned RU1 Primary Production under the provision of LEP 2014. The proposed dual occupancy is permitted with consent in this zone.

Zone objectives

The land use table of LEP 2014 identifies the following objectives for the RU1 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 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 proposed development displays broad consistency with the objectives of this zone. The proposed development will not adversely impact resource lands. Further the proposed development is a compatible land use with land uses on the site and in the surrounding area. The rural amenity and scenic values of the site and surrounding area will not be adversely affected by the proposed development. The proposed development will present a building typology that is not out of place within a rural context.

- **Clause 5.10 – Heritage conservation**

The site does not contain nor is it adjacent to any items of heritage significance, nor is it located within a heritage conservation area (HCA).

Further, an Aboriginal Heritage Information Management System (AHIMS) search on 23/06/2025 found no Aboriginal sites or places within a 200m radius of the subject lot (**APPENDIX 8**).

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

This clause is intended to minimise the potential for land use conflict between existing and proposed development on land in the concerned rural, residential and conservation zones. As the site is zoned RU1 Primary Production, and a dwelling is proposed to be erected, consideration of this clause is required.

The proposed development is considered to be generally compatible with existing land uses on the site. Nearby to the proposed development site is an existing dwelling house. Dwelling houses are considered to be compatible with each other. Further, surrounding land uses do not indicate any potential for land use compatibility. The proposed development is considered to be appropriately sited, in terms of its potential impacts on surrounding land uses and vice versa. As such, no further consideration of this matter is required.

- **Clause 6.2 – Earthworks**

Minor earthworks associated with establishment of building foundation, provision of services and drainage infrastructure. There shall be no impacts on adjoining allotments. All water run-off is to be directed to the existing stormwater system.

- **Clause 6.11 – Dual occupancies (detached) in Zone RU1**

This clause applies to the proposed development as it is for a detached dual occupancy within the RU1 Primary Production zone. The proposed development will generally provide a visually consistent built form. The proposed dual occupancy is not of a radically different architectural style compared to existing development on the site. Further, the proposed development will be within 100m of existing development on the site and will have shared infrastructure, such as access. The land is considered to be suitable for the proposed development, as there is substantial space, and access onto the site is appropriate.

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

This clause applies to development occurring in the RU1 Primary Production zone, among others. Due to the existing vegetation screening along Dungog Road, the proposed

development will be screened from public view. This will lessen its overall visual impact. Further, the proposed development is not located on a ridgeline, thus satisfying this clause.

3.4 DEVELOPMENT CONTROL PLAN (DCP)

The Dungog Development Control Plan (DCP) outlines the relevant design controls applicable to the site. Assessment of the development against the relevant parts of DCP is provided in the DCP Compliance Assessment at **APPENDIX 1**.

3.5 SECTION 7.11 – DEVELOPMENT CONTRIBUTIONS PLAN

Development contributions will be calculated and charged in accordance with the Dungog Shire Council Section 7.11 Development Contributions Plan.

4.0 SITE CHARACTERISTICS & KEY DEVELOPMENT ISSUES

This Section will address the following matters of consideration as outline by Section 4.15 of the EP&A Act:

- (a) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (b) the suitability of the site for the development,*
- (c) any submissions made in accordance with this Act or the regulations,*
- (d) the public interest.*

4.1 LIKELY IMPACTS OF THE DEVELOPMENT

Overall, it is considered that the proposed development is unlikely to have any significant adverse impacts on the site or surrounding locality. The site conditions and constraints have been identified within this SEE and have been managed or mitigated where necessary. 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.

4.1.1 BUILT ENVIRONMENT

The proposed development is not likely to have negative built environmental impacts. The proposed development has been sited such that it is screened from the public view, through the use of vegetation screening along Dungog Road. Further, the proposed development utilises existing access arrangements, ensuring that the number of driveways along Dungog Road is minimised. The proposed development is not likely to cause significant increases in traffic demand on the local road network. The proposed development is broadly in line with surrounding development in terms of built form, massing, material and colour choice.

Servicing

The site currently is not serviced by reticulated sewer, and as such, on-site wastewater treatment and disposal is required. The Onsite Wastewater Report at **APPENDIX 6** notes the site is suitable for onsite wastewater treatment and disposal. **FIGURE 5** below shows the proposed irrigation area and wastewater treatment system. The proposed system is considered to be appropriate for the site and proposed development.



Figure 5: Wastewater diagram (source: GSL Environmental, 2025)

Visual Impacts

The proposed development will facilitate a change in the built environment, as it will increase the number of dwellings present on the site, compared to its existing state. However, the overall visual outcome of this change is considered to be minor, due to the site location, and the existing of vegetation screening along Dungog Road. This will minimise the visibility of the dwelling from the public view, reducing the intensity of the proposed visual change. It should be noted that no important views will be obstructed by the proposed development. As such, any potential visual impacts are considered to be minor and acceptable in this site context.

Traffic and Transport

The proposed development is considered to have a minor impact on traffic flows along Dungog Road. Appropriate design has been undertaken to ensure forward in-out movements are maximised, improving overall safety and visibility. The proposed development intends on using the existing driveway on the site.

4.1.2 NATURAL ENVIRONMENT

As the site is cleared, there are no ecological impacts foreseen in relation to the proposed development.

4.3 SOCIAL & ECONOMIC IMPACTS ON THE LOCALITY

It is not considered that there are any adverse social or economic impacts on the locality in relation to the proposed development. The proposed development will continue to provide housing in a growth area and will continue to directly address housing affordability.

4.4 CUMULATIVE IMPACTS

There are no tangible cumulative impacts arising from the proposal, given the small-scale nature of the proposal and its appropriateness within the context of the site and surrounding area.

4.5 SUITABILITY OF THE SITE

The proposal is permitted with consent in the RU1 zone and is consistent with the zone objectives and the intent of relevant requirements contained within LEP 2014 and DCP.

While there is variation to the DCP, it is a minor variation in the context of the development and is acceptable on merit.

No changes to access and services are proposed, and the proposed development broadly reflects existing development in the area. As there are no anticipated negative impacts on the locality, the site is suitable for the proposed development.

4.6 CONSULTATION

Formal notification of development applications is a requirement of legislation. There are different requirements for different development types. Designated, state significant, integrated and advertised development types have specific notification and consultation requirements under the EP&A Act.

Any submission received as a result of notification will be considered. We welcome the opportunity to respond to any submissions to address any concerns expressed by the public.

4.7 THE PUBLIC INTEREST

The subject site is located within a rural residential area, and has scattered vegetation around the site. The site has access to all relevant services and the proposed development is compatible with existing and approved development and makes good use of the land. The application design includes all elements required under the relevant planning instruments and policies 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. The proposed development is in the public interest.

5.0 CONCLUSION

This SEE has shown that the development is within the public interest, from a social, economic, and environmental perspective. The proposed subdivision is the most suitable options 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 proposal is permitted with consent in the land use zone and is consistent with relevant zone objectives.
- The proposal complies with the specific design requirements for dual occupancy development, where applicable.
- The proposal will result in no negative social and economic impacts.
- There are no significant issues or impacts arising from the proposal.

An assessment of the proposal has been carried out within this SEE pursuant to Section 4.15 of the *Environmental Planning & Assessment Act 1979* and supports the proposal.



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