



## **Statement of Environmental Effects**

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10 Gilmore Street, Vacy NSW 2421, Australia

Proposed installation of moveable dwelling and use as secondary dwelling

## OVERVIEW

This Statement of Environmental Effects (SEE) forms part of a Development Application (DA) submitted to Dungog Shire Council seeking development consent for the installation of moveable dwelling and use as secondary dwelling (The Proposal) located at 10 Gilmore Street, Vacy NSW 2421, Australia (the Site). This DA is made pursuant to the Dungog Local Environmental Plan 2014 (DLEP2014), and the Dungog Shire Council Development Control Plan 2004 as amended March 2020 (DDCP2004). This SEE has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 3 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation).

- the environmental impacts of the development
- how the environmental impacts of the development have been identified
- the steps to be taken to protect the environment or to lessen the expected harm to the environment
- any matters required to be indicated by any guideline issued by the Secretary for the purposes of this clause.

The environmental impacts of the Proposal, including measures taken to protect or lessen the expected harm to the environment, are addressed throughout this SEE.

PROPOSED DEVELOPMENT	
PROPOSAL	Proposed installation of moveable dwelling and use as secondary dwelling
PROPERTY	10 Gilmore Street, Vacy NSW 2421, Australia
	Lot/Section/Plan no: 306/-/DP1164727
LOCAL GOVERNMENT AREA	Dungog Shire Council
CLIENT	Jodie Morton
DATE	December 11, 2025
PROJECT NUMBER	Jodie Morton
REVISION	A

## SITE ANALYSIS

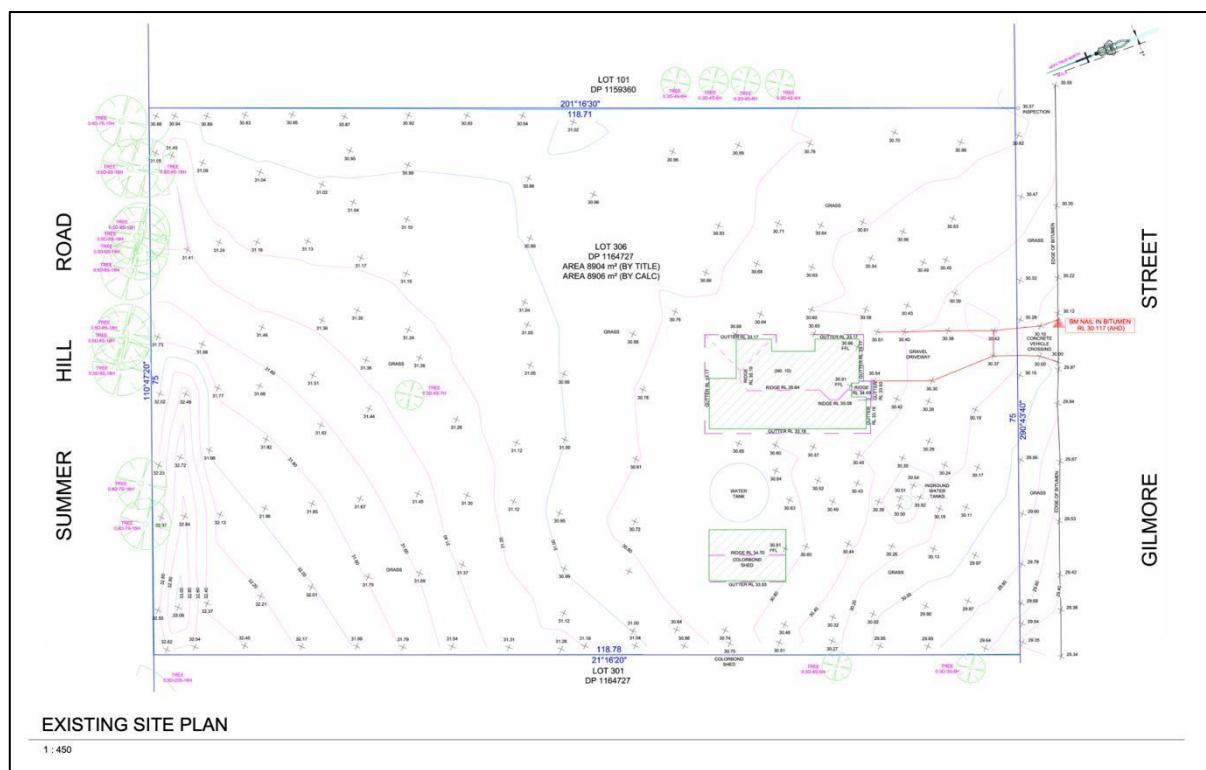


Figure 1: The existing site plan of the Site.

The Site is positioned within a semi rural locality known for its established village setting and surrounding farming activity. The property has a site area of approximately 8,906sqm, is identified as bushfire prone land, and is subject to the DDCP2004. The Site is zoned R5 Large Lot Residential, which facilitates residential development on spacious lots to maintain the area's rural and scenic character. Objectives include providing rural lifestyle housing, minimising environmental and scenic impacts, supporting the orderly development of future urban areas, preventing unreasonable demand on public services, and reducing potential conflicts with both adjacent and intensive land uses. Dwelling houses are permitted with consent under this zoning. The Site comprises a large, regularly shaped lot that accommodates low density residential development consistent with the expectations of the R5 zone. No detailed topographic or vegetation information has been provided, although the substantial lot size aligns with the intended rural lifestyle character of the locality.

The Site is mapped as bushfire prone land, requiring bushfire protection measures to be incorporated to satisfy applicable planning and building standards. No additional environmental constraints such as watercourses or flooding have been identified based on the information available. The Site contains an existing dwelling house, a water tank, and a Colorbond shed located towards the front portion of the allotment. The proposal seeks planning approval for a 2 bedroom, 60 square metre prefabricated modular home positioned to the rear (south-eastern) of the existing development.

The presents a large rural residential allotment consistent with the R5 Large Lot Residential zone and suitable

for low density housing. The principal environmental consideration relates to bushfire risk, which must be addressed through the development assessment process. No information indicates additional environmental or heritage constraints affecting the Proposal.

## SITE IMAGE



Figure 2: Explorer Map Image of the Site reflecting broader location

## LOCALITY ANALYSIS

The village setting offers a semi-rural lifestyle surrounded by farmland and natural landscape. The area maintains a spacious and peaceful character, consistent with its R5 Large Lot Residential zoning. The immediate environment consists of large residential lots, hobby farms, and agricultural activities including cattle, sheep, poultry and equine establishments. The village of Vacy demonstrates a mix of established residences, rural holdings, small acreages, and open landscapes. There is no direct indication of intensive urban development adjacent to the site, and the overall setting promotes a sense of rural community.

Vacy can be accessed via local roads connecting to surrounding towns such as Paterson and Gresford. There are limited public transport options, with approximately five bus services per week in each direction, departing from the village general store. The area is car-dependent for day-to-day travel and access to regional centres. Within the village, residents benefit from a modest range of local services: a public school, general store, oval, school of arts hall, hotel, motel, post office, cafe, and a church. These facilities support daily needs and community engagement without requiring extensive travel outside the locality. Vacy is characterised by a close-knit rural community, with a mix of farming families, retirees, and residents seeking a peaceful semi-rural lifestyle. Community facilities, local events, and venues like the school of arts hall enhance social connection. The area includes a heritage-listed bridge at 128 Main Road, reflecting local history and character.

Future development is anticipated to remain low density, in line with R5 zoning objectives which preserve the semi-rural and scenic qualities of the locality. Large lot residential subdivisions and compatible rural enterprises may occur while maintaining the area's spacious character. Planning controls and environmental constraints, including bushfire risk, will influence the scale and type of further development.

The Site benefits from its rural locality setting, modest local amenities, and a strong sense of community. Future development potential is oriented towards low density, quality housing that aligns with the existing character and planning objectives for Vacy.

## DEVELOPMENT PROPOSAL

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This DA seeks development consent for the installation of a 2 bedroom, 60sqm prefabricated modular home at the Site. The intention is to provide a contemporary, efficient, and low-impact dwelling in keeping with the rural and village character of Vacy, while meeting modern housing needs.

The Proposal comprises the delivery and installation of a prefabricated modular home with two bedrooms, covering a total floor area of 60sqm. The design prioritises efficient use of space and will be located to maximise privacy, respect existing vegetation, and achieve practical access from Gilmore Street. Minimal excavation and site disturbance are proposed, and all service connections will meet relevant standards. No significant outbuildings or additional works are proposed at this stage.

The Site is located within the jurisdiction of Dungog Shire Council and subject to the relevant provisions of the local environmental plan and development control plan. The proposed use as a secondary dwelling is consistent with residential provisions for the zone. Setbacks, building height, and site coverage will comply with local planning requirements. Consideration has been given to providing adequate off-street parking and ensuring sufficient open space is retained on the Site.

The Proposal complements the existing neighbourhood character, which is defined by low-density housing and a rural atmosphere. The modest scale of the dwelling and its prefabricated form are sympathetic to the mix of older cottages and recent development in the area. There will be no changes to the existing landscape area.

The Site does not contain any listed heritage items and is not within proximity to the notable heritage-listed Vacy Bridge. Environmental impacts are expected to be minor, as the modular home design minimises site disturbance and can be installed with a small construction footprint. Care will be taken to preserve existing vegetation where possible, and all development will comply with environmental management requirements, including waste and stormwater controls.

The Proposal provides a sympathetic and appropriate addition to the Site, delivering a modest, modern dwelling that respects both the rural context and neighbourhood character of Vacy. The Proposal responds to planning controls and considers environmental and heritage matters, ensuring it represents a positive outcome for both future residents and the broader community.

## PLANNING ASSESSMENT

The application is to be assessed against the relevant Environmental Planning Instruments below:

### RELEVANT PLANNING INSTRUMENTS

1. Environmental Planning & Assessment Act (1979)
2. Environmental Planning & Assessment Regulations (2021)
3. Dungog Local Environmental Plan 2014

And the following Local Provisions:

### RELEVANT LOCAL PLANNING INSTRUMENTS

1. Dungog Shire Council Development Control Plan

## **ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION (2021)**

Section 25 - Concurrences and/or Approvals

Based on Section 25 of the Environmental Planning and Assessment Regulation (2021), no additional state-level concurrences or approvals appear necessary for the Proposal at the Site aside from the standard local council approval.

Section 27 - BASIX

In accordance with Section 27 of the Environmental Planning & Assessment Regulations (2021), the Proposal at the Site, does not meet the thresholds for a BASIX Certificate requirement as the proposal is for the installation of a moveable dwelling. Therefore, a BASIX Certificate is not required for this application.

## SUITABILITY OF THE SITE

Dungog Local Environmental Plan 2014

### PART 2: PERMITTED OR PROHIBITED DEVELOPMENT

Zone R5: Large Lot Residential	
1 Objectives of Zone	<p>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.</p> <p>To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</p> <p>To minimise conflict between land uses within this zone and land uses within adjoining zones.</p> <p>To isolate housing from existing intensive agriculture or future intensive agricultural areas.</p>
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

In accordance with the DLEP2014, the Site is zoned R5 Large Lot Residential. This zoning designation aims to facilitate residential development on large lots, providing a semi rural lifestyle while maintaining the area's spacious character and landscape values. Although secondary dwellings are not specifically identified as a permitted use within the R5 zone, they are commonly treated as ancillary development to a dwelling house. As dwelling houses are permitted with consent in the R5 zone, a secondary dwelling may also be considered with consent where it remains subordinate to, and associated with, the primary dwelling on the Site. This

approach enables the proposed 60sqm modular home to be assessed within the intent and objectives of the R5 zoning while ensuring compliance with applicable planning controls.

## PART 4: PRINCIPAL DEVELOPMENT STANDARDS

4.3	Height of Building	
	(1)	[Not adopted]
	(2)	

The DLEP2014 does not adopt a maximum building height standard for land within the R5 Large Lot Residential zone. In the absence of a mapped or numerical height control, the proposed secondary dwelling cannot be assessed against a statutory height limit. The structure has a modest overall height of approximately 2.86m, which is low in scale, visually unobtrusive, and well aligned with the semi-rural character of the area. As no height standard applies to the land, the Proposal is compliant with Clause 4.3.

4.4	Floor Space Ratio	
	(1)	[Not adopted]
	(2)	

The DLEP2014 does not apply a floor space ratio (FSR) standard to development in the R5 Large Lot Residential zone. As such, there is no mandatory FSR control against which the proposal must be assessed. The Proposal results in an overall FSR of approximately 0.04:1 across the 8,906sqm allotment, which reflects a very low site intensity and is consistent with the intended large lot rural residential character of the zone. In the absence of an applicable standard, the Proposal is compliant with Clause 4.4.

## PART 5: MISCELLANEOUS PROVISIONS

5.4	Controls relating to miscellaneous permissible uses
(9)	Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater: (a) 60 square metres (b) 33 percent of the total floor area of the principal dwelling.

The proposed secondary dwelling has a floor area of 60sqm, which satisfies the maximum permitted under Clause 5.4(9). The Proposal does not exceed 33% of the floor area of the existing principal dwelling and therefore complies with both available thresholds. On this basis, the Proposal is compliant with Clause 5.4.

5.11	Bush fire hazard reduction
	Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent.

The Site is identified as bush fire prone land. In accordance with Clause 5.11, authorised bush fire hazard reduction work may be undertaken without development consent. The Proposal will address the bushfire protection requirements of the Rural Fires Act 1997 and associated planning and building standards at the development assessment stage. The Proposal is therefore compliant with Clause 5.11.

## Dungog Shire Council Development Control Plan

This plan is known as Dungog Shire Council Development Control Plan. This plan applies to all land within the Dungog Shire Council (LGA). This DCP is to be read in conjunction with the Dungog Local Environmental Plan 2014. If there is any inconsistency between this DCP and the LEP, the LEP will prevail. This DCP has been prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act) and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

The aims of this DCP are to:

- Ensure that development contributes to the quality of the natural and built environments.
- Encourage development that contributes to the quality of the public domain.
- Ensure that development is economically, environmentally and socially sustainable.
- Ensure future development has consideration for the needs of all members of the community.
- Ensure development positively responds to the qualities of the site and its context.
- Ensure development positively responds to the character of the surrounding area.

The below table lists the parts and controls of the DDCP2004 that relate to the Proposal at the Site. The details below are a summary of the analysis and justification in the body of the report and in the plans submitted as a part of this application. Final compliance is required to be assessed and authorised by council, but this report seeks to identify elements of the design that comply, do not comply, or those that should comply based on merit through use of justification. Note that controls that are not affected by the proposed development, as well as controls that do not apply to or are not required of the development may not be indicated in the body of the report to follow and may not be summarised below. Controls that do apply to the proposed development are contained within the compliance summary and in the detailed compliance analysis to follow.

Section	Description	Compliance/Justification
2.2 PLANNING FOR VACY	<p><b>2.2 PLANNING FOR VACY</b></p> <p>Key issues identified during the study process and community consultation are addressed in the Vacy LAP.</p> <ul style="list-style-type: none"> <li>• Roads and road access</li> <li>• Pedestrian and cycle access</li> <li>• Existing pattern of land subdivision</li> <li>• Need to protect habitat</li> <li>• The need to protect the waterways</li> <li>• Flooding along the Allyn and Paterson Rivers</li> <li>• The need to retain the rural character of the area and protect areas of high visual significance.</li> </ul> <p><b>Bushfire</b></p> <p><b>The Issue</b></p> <p>There are areas within the Investigation Zone that are prone to bushfire. These areas are identified on the 'Dungog Shire Bushfire Prone Land' map and shown in Map 4. Within the Vacy Investigation Zone, the main area of bushfire prone land is located in the Lennoxton Road – Vacy Downs area to the south of Vacy. There are also small pockets of bushfire prone areas just north of Summer Hill Road and on the eastern fringe of the Horns Crossing Road area.</p> <p><b>Planning Approach</b></p> <p>All subdivision design must comply with the provisions of the NSW Rural Fire Service requirements as specified in the 'Planning for Bushfire Protection 2001', and/or other relevant bushfire regulations.</p> <p><b>Desired Outcome</b></p> <ul style="list-style-type: none"> <li>• To minimise the risk to people and property from the impacts of bushfire.</li> </ul> <p><b>Visual Impact</b></p>	<p>The proposed 60 sqm single-storey modular secondary dwelling is consistent with the applicable elements of Section 2.2 of the Vacy Local Area Plan, specifically the bushfire and visual impact principles relevant to small-scale residential development. The site at 10 Gilmore Street, Vacy is mapped as bushfire prone land, and the dwelling will therefore be supported by a Bushfire Assessment Report demonstrating compliance with Planning for Bushfire Protection requirements. The structure is located well within the interior of the 8,906 sqm lot and positioned behind the existing primary dwelling, significantly reducing any potential exposure from the street frontage and ensuring an appropriate Asset Protection Zone can be accommodated on-site. In respect of visual impact, the building's modest footprint, single-storey height, muted rural-appropriate finishes and siting away from prominent ridgelines or public vantage points ensure the proposal retains the rural character sought for Vacy. The generous building separation from boundaries and existing vegetation allows the dwelling to integrate into the semi-rural setting without creating visual intrusion into high scenic value areas nominated in the LAP. The proposal therefore satisfies the relevant aims for retaining rural landscape qualities while responding appropriately to local bushfire constraints.</p>

	<p><b>The Issue</b></p> <p>Retention of the rural character and appearance of the Vacy area is very important to both the Vacy community and Shire residents. Areas within the Investigation Zone nominated by the Vacy community as having high scenic value are:</p> <ul style="list-style-type: none"><li>• Mount Johnstone and range to the south of Lennoxton Road.</li><li>• The river flats adjoining the north-western end of Vacy Bridge, between the Paterson River and Summer Hill Road.</li><li>• The rural scenery along Gresford Road on the northern and southern approaches to the Village.</li></ul> <p><b>Planning Approach</b></p> <p>Emphasis is on protecting the character and visual identity of the area. The LAP identifies areas where a visual and view shed analysis will be required as part of the planning process.</p> <p>Design criteria for development with areas of high scenic value may also include:</p> <ul style="list-style-type: none"><li>• Limiting or prohibiting further subdivision and development in areas of high scenic value.</li><li>• Increasing the minimum lot size to avoid impact of dwellings and structures within significant view sheds.</li><li>• Appropriate siting and setbacks of new development, as per the Shire-wide DCP.</li><li>• Use of landscaped buffers, including corridor tree planting along the Gresford Road entrances to Vacy. Buffer zones along collector roads will need to be in one ownership to ensure effective management and control.</li><li>• Siting dwellings so that they front collector roads. Backyards will not be able to have direct frontage to collector roads.</li><li>• Height limits on buildings, including limiting dwellings to single storey.</li></ul> <p>It is recommended that a Corridor Tree Planting Policy be developed for Gresford Road to ensure consistency in species planted.</p> <p><b>Desired Outcomes</b></p> <ul style="list-style-type: none"><li>• Retention of the rural character and setting of Vacy.</li></ul>	
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	<ul style="list-style-type: none"> <li>• Protection of areas of high scenic value, including Mount Johnstone and the rural vistas along Gresford Road.</li> <li>• Minimise visual impact of rural residential development from the main routes through Vacy. New development will be appropriately sited with landscaped buffers or corridor tree planting to these main routes.</li> <li>• Establish entry statements to the village.</li> </ul>	
<p><b>24.3</b> <b>PURPOSE OF</b> <b>THIS CHAPTER</b></p>	<p><b>24.3 PURPOSE OF THIS CHAPTER</b></p> <p><b>24.3.1 Aims</b> This Chapter aims to facilitate sustainable waste management within the Local Government Area in a manner consistent with the principles of ESD.</p> <p><b>24.3.2 Objectives</b> The objectives in pursuit of sustainable waste management include:</p> <p><b>Waste minimisation</b></p> <ul style="list-style-type: none"> <li>• To minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources.</li> <li>• To minimise demolition waste by promoting adaptability in building design and focussing upon end of life deconstruction.</li> <li>• To encourage building designs, construction and demolition techniques in general which minimise waste generation.</li> <li>• To maximise reuse and recycling of household waste and industrial/commercial waste.</li> </ul> <p><b>Waste management</b></p> <ul style="list-style-type: none"> <li>• To assist applicants in planning for sustainable waste management, through the preparation of a site waste minimisation and management plan.</li> <li>• To assist applicants to develop systems for waste management that ensure waste is transported and disposed of in a lawful manner.</li> <li>• To provide guidance in regards to space, storage, amenity and management of waste management facilities.</li> </ul>	<p>The proposed secondary dwelling demonstrates full compliance with the aims and objectives of Section C24.3 of the Dungog DCP by incorporating measures that support sustainable waste management through all project stages. Construction of the 60 sqm modular dwelling inherently minimises waste generation due to its prefabricated form, with most materials fabricated off-site and delivered in measured quantities. A Site Waste Minimisation and Management Plan (SWMMP) will accompany the Development Application, detailing how construction waste streams will be separated, recycled where possible, and lawfully transported for disposal. The dwelling design provides adequate storage capacity for household waste and recycling bins in a discreet location clear of public view and compatible with Council's collection services. By adopting efficient material use, minimising on-site disturbance and committing to lawful waste handling and recycling practices, the development meets the DCP's objectives for resource efficiency, waste minimisation and safe long-term waste management.</p>

	<ul style="list-style-type: none"> <li>• To ensure waste management systems are compatible with collection services.</li> <li>• To minimise risks associated with waste management at all stages of development.</li> </ul>	
<p><b>24.14 CONSTRUCTION OF BUILDINGS OR STRUCTURES</b></p>	<p><b>24.14 CONSTRUCTION OF BUILDINGS OR STRUCTURES</b></p> <p><b>24.14.1 General</b>  Attention to design, estimating of materials and waste sensitive construction techniques and management practices can achieve significant rewards in managing waste.</p> <p><b>24.14.2 Aim</b>  The principal aim of managing this activity is to maximise resource recovery and minimise residual waste from construction activities.</p> <p><b>24.14.3 Objectives</b></p> <ul style="list-style-type: none"> <li>• Maximise reuse and recycling of materials.</li> <li>• Minimise waste generation.</li> <li>• Ensure appropriate collection and storage of waste.</li> <li>• Minimise the environmental impacts associated with waste management.</li> <li>• Avoid illegal dumping.</li> <li>• Promote improved project management.</li> <li>• Optimise adaptive reuse opportunities of existing building/structures.</li> </ul> <p><b>24.14.4 Controls / Requirements</b>  A completed Site Waste Minimisation and Management Plan (SWMMP) shall accompany the application.</p> <p>Note: The type of construction determines whether a development application, construction certificate or complying development statement is required. In all cases a SWMMP must be completed. Maximum waste minimisation and management benefits are achieved when the SWMMP is considered from the earliest stages of the development.</p>	<p>The proposal complies with Section C24.14 by incorporating waste-sensitive construction practices and clear management procedures for the erection of the 60 sqm modular dwelling. The prefabricated building system reduces on-site material handling, offcuts and general construction waste, supporting the objective of maximising resource recovery. The accompanying SWMMP will identify a designated on-site storage area for construction materials and waste, located on a level section of the site away from drainage lines and vegetation, ensuring safe containment of recyclables and residual waste. All building materials will be delivered as needed to prevent deterioration, and any surplus materials will be returned to suppliers or reused where feasible. Contractors engaged for the project will be required to comply with NSW waste transport laws, and records of lawful waste disposal will be retained. Collectively, these measures ensure the development minimises environmental impacts associated with construction waste while complying with Council's controls.</p>

	<p>Estimate volumes of materials to be used and incorporate these volumes into a purchasing policy so that the correct quantities are purchased. For small-scale building projects see the rates in Appendix B Waste/Recycling Generation Rates for a guide.</p> <p>Identify potential reuse/recycling opportunities of excess construction materials.</p> <p>Incorporate the use of prefabricated components and recycled materials. Arrange for the delivery of materials so that materials are delivered 'as needed' to prevent the degradation of materials through weathering and moisture damage.</p> <p>Consider organising to return excess materials to the supplier or manufacturer.</p> <p>Allocate an area for the storage of materials for use, recycling and disposal (considering slope, drainage, location of waterways, stormwater outlets and vegetation).</p> <p>Arrange contractors for the transport, processing and disposal of waste and recycling. Ensure that all contractors are aware of the legal requirements for disposing of waste.</p> <p>Promote separate collection bins or areas for the storage of residual waste. Clearly 'signpost' the purpose and content of the bins and storage areas. Implement measures to prevent damage by the elements, odour and health risks, and windborne litter.</p> <p>Minimise site disturbance and limit unnecessary excavation.</p> <p>Ensure that all waste is transported to a place that can lawfully be used as a waste facility.</p> <p>Retain all records demonstrating lawful disposal of waste and keep them readily accessible for inspection by regulatory authorities such as council, OEH or Safework NSW.</p>	
24.15 SINGLE		The secondary dwelling satisfies the requirements of Section C24.15 by providing appropriate waste storage and collection

<p>DWELLINGS, SEMI-DETACHED AND DUAL OCCUPANCY</p>	<p><b>24.15 SINGLE DWELLINGS, SEMI-DETACHED AND DUAL OCCUPANCY</b></p> <p><b>24.15.1 General</b> The design of waste and recyclables storage areas within the home and property affect ease of use, amenity, the movement and handling of waste for the life of the development.</p> <p><b>24.15.2 Aim</b> To encourage source separation of waste, reuse, and recycling by ensuring appropriate storage and collection facilities for waste, and quality design of waste facilities.</p> <p><b>24.15.3 Objectives</b></p> <ul style="list-style-type: none"> <li>• Maximise reuse and recycling of materials.</li> <li>• Minimise waste generation.</li> <li>• Ensure appropriate collection and storage of waste.</li> <li>• Minimise the environmental impacts associated with waste management.</li> <li>• Avoid illegal dumping.</li> </ul> <p><b>24.15.4 Controls/Requirements</b> A completed Site Waste Minimisation and Management Plan (SWMMP) shall accompany the application.</p> <p>Note: The type of construction determines whether a development application, construction certificate or complying development statement is required. In all cases a SWMMP must be completed. Maximum waste minimisation and management benefits are achieved when the SWMMP is considered from the earliest stages of the development.</p> <p>Plans submitted with the SWMMP must show:</p> <ul style="list-style-type: none"> <li>• The location of an indoor waste/recycling cupboard (or other appropriate storage space) for each dwelling.</li> <li>• The location of an onsite waste/recycling storage area for each dwelling, that is of sufficient size to accommodate Council's waste,</li> </ul>	<p>arrangements for future occupants. The floor plan accommodates an internal waste and recycling cupboard for day-to-day separation of domestic waste streams. A dedicated outdoor waste storage area sized to accommodate Council's standard domestic waste, recycling and green-waste bins is positioned to the side of the dwelling where it is unobtrusive, screened from public view and maintains satisfactory access to the kerbside collection point along Gilmore Street. The storage area is located to minimise travel distance and avoid impacts on neighbouring properties. Space is available within the rear portion of the allotment for a compost container. The design ensures that waste facilities are functional, discreetly integrated and compliant with the DCP objectives for minimising waste, avoiding illegal dumping and maintaining good residential amenity.</p>
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	<p>recycling and garden waste bins. Indicative bin sizes are shown in Appendix C Indicative Bin Sizes.</p> <ul style="list-style-type: none"> <li>• An identified onsite location for a compost container.</li> <li>• An identified kerbside collection point for the collection and emptying of Council's waste, recycling and garden waste bins.</li> </ul> <p>Waste containers are to be stored in a suitable location so as to avoid vandalism, nuisance and adverse visual impacts.</p> <p>A designated area for composting that should not impact on adjoining properties.</p> <p>Where possible, the waste/recycling storage area should be located in the rear yard and minimise the distance of travel to the collection point.</p> <p>The waste storage area is to be easily accessible and have unobstructed access to Council's usual collection point.</p> <p>There should be sufficient space within the kitchen (or an alternate location) for the interim storage of waste and recyclables.</p> <p>The placement of bins for collection at the nominated collection point should ensure adequate traffic and pedestrian safety is maintained.</p> <p>Note: It is the responsibility of dwelling occupants to move bins to the identified collection point no earlier than the evening before collection day and to then return the bins to their storage area no later than the evening of collection day. Bins are to remain in their on-site storage area at all other times.</p>	
<p>2.3 BUILDING LINE SET BACKS TO FRONT PROPERTY BOUNDARY</p>	<p>2.3 BUILDING LINE SET BACKS TO FRONT PROPERTY BOUNDARY</p> <p>2.3.1 Land Zoned RU1 Primary Production and E3 Environmental Management</p> <p>On land zoned RU1 and E3, the minimum setback from the front property boundary shall be:</p> <ol style="list-style-type: none"> <li>1. 140m from a main road; and</li> <li>2. 50m from any other public road.</li> </ol>	<p>The subject site is zoned R5 Large Lot Residential, and Section 2.3.2 of the Dungog DCP requires a minimum front setback of 30 metres for development on R5 land fronting a public road other than a designated "Main Road" (Gilmore Street is not a Main Road under the Roads Act definition). The proposed secondary dwelling is positioned well behind the existing primary dwelling and significantly exceeds the minimum requirement, with an approximate front setback of 84.9 metres from the Gilmore Street frontage. This generous setback</p>

	<p>Note: "Main Road" means a main road within the meaning of the Roads Act, 1993. The Main Roads in Dungog are:</p> <ul style="list-style-type: none"> <li>• Gresford Road;</li> <li>• Dungog Road;</li> <li>• Clarence Town Road;</li> <li>• Bingleburra Road;</li> <li>• Glendonbrook Road;</li> <li>• Tocal Road;</li> <li>• Stroud Hill Road; and</li> <li>• Chichester Dam Road.</li> </ul> <p><b>2.3.2 Land Zoned R5 Large Lot Residential or E4 Environmental Living</b> These setbacks do not replace site specific setbacks included within the Local Area Plans (see Part D of the DCP) for Vacy, Boatfalls Rural Residential Estate and Boulton Drive, Paterson.</p> <p>On land zoned R5 or E4, the minimum setback from the front property boundary shall be:</p> <ol style="list-style-type: none"> <li>1. 70m from a main road; and</li> <li>2. 30m from any other public road; or</li> <li>3. 15m from new roads within the subdivision.</li> </ol> <p>Note: "Main Road" means a main road within the meaning of the Roads Act, 1993. The Main Roads in Dungog are:</p> <ul style="list-style-type: none"> <li>• Gresford Road;</li> <li>• Dungog Road;</li> <li>• Clarence Town Road;</li> <li>• Bingleburra Road;</li> <li>• Glendonbrook Road;</li> <li>• Tocal Road;</li> <li>• Stroud Hill Road; and</li> <li>• Chichester Dam Road.</li> </ul> <p><b>2.3.3 Land Zoned R1 General Residential or RU5 Village</b> On land zoned R1 or RU5, the minimum setback from the front property boundary shall be:</p>	<p>maintains the intended rural character, ensures adequate separation from the road corridor, and preserves the spacious visual setting typical of the Vacy locality. The proposal therefore complies with Clause 2.3 of the DCP.</p>
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	<p>1. 6m for a single storey dwelling and 7.6m for a two storey dwelling; and</p> <p>2. 3m from the side road property boundary on corner allotments.</p> <p><b>2.3.4 Land Zoned IN1 General Industrial</b> On land zoned IN1, the minimum setback from the front property boundary shall be 6 metres.</p> <p><b>2.3.5 Land Zoned B2 Local Centre or B4 Mixed Use</b> On land zoned B2 or B4, the minimum setback from the front property boundary shall be as determined by Council (site specific).</p> <p><b>2.3.6 Land Zoned RU3 Forestry, SP2 Infrastructure, RE1 Public Recreation, RE2 Private Recreation and W1 Natural Waterways</b> On land zoned RU3, SP2, RE1, RE2 and W1, the minimum setback from the front property boundary shall be as determined by Council (site specific).</p>	
<p><b>2.4</b> <b>SIDE AND REAR BOUNDARIES (INCLUDING SECONDARY ROAD FRONTAGE)</b></p>	<p><b>2.4 SIDE AND REAR BOUNDARIES (INCLUDING SECONDARY ROAD FRONTAGE)</b></p> <p><b>2.4.1</b> Land zoned RU1 Primary Production and E3 Environmental Management On land zoned RU1, the minimum setback from side and rear boundaries shall be:</p> <ol style="list-style-type: none"> <li>1. 50 m for lots with an area of more than 60 ha; or</li> <li>2. 40 m for lots with an area of more than 30 ha but less than 60 ha; or</li> <li>3. 30 m for lots with an area of less than 30 ha.</li> </ol> <p><b>2.4.2</b> Land Zoned R5 Large Lot Residential or E4 Environmental Living On land zoned R5 or E4, the minimum setback from side and rear boundaries shall be 10 metres.</p> <p><b>2.4.3</b> Land Zoned R1 General Residential or RU5 Village On land zoned R1 or RU5, the minimum setback from side and rear boundaries shall be:</p>	<p>The proposed secondary dwelling complies with the side and rear boundary setback requirements of Clause 2.4 of the Dungog Shire Council Development Control Plan. The dwelling is positioned to achieve the minimum 10 metre side setback and minimum 10 metre rear setback applicable to land zoned R5 Large Lot Residential. These setbacks are demonstrated on the submitted plans and ensure appropriate separation from adjoining properties, protection of residential amenity, and retention of the spacious rural character intended for the zone. Given the generous lot size and compliant siting of the development, no adverse impacts relating to privacy, overshadowing, visual amenity or noise are anticipated.</p>

	<ol style="list-style-type: none"><li>1. 900 mm for a single storey dwelling; and</li><li>2. 1500 mm for a 2 storey dwelling.</li></ol> <p>2.4.4 Land Zoned IN1 General Industrial On land zoned IN1, the minimum setback from side and rear boundaries shall be 3 metres.</p> <p>2.4.5 Land Zoned B2 Local Centre or B4 Mixed Use On land zoned B2 or B4, the minimum setback from side and rear boundaries shall be as determined by Council (site specific).</p> <p>2.4.6 Land Zoned RU3 Forestry, SP2 Infrastructure, RE1 Public Recreation, RE2 Private Recreation and W1 Natural Waterways On land zoned RU3, SP2, RE1, RE2 and W1, the minimum setback from side and rear boundaries shall be as determined by Council (site specific).</p>	<p>The proposed secondary dwelling complies with the side and rear boundary setback requirements of Clause 2.4 of the Dungog Shire Council Development Control Plan. The dwelling is positioned to achieve the minimum 10 metre side setback and minimum 10 metre rear setback applicable to land zoned R5 Large Lot Residential. These setbacks are demonstrated on the submitted plans and ensure appropriate separation from adjoining properties, protection of residential amenity, and retention of the spacious rural character intended for the zone. Given the generous lot size and compliant siting of the development, no adverse impacts relating to privacy, overshadowing, visual amenity or noise are anticipated.</p>
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2.5  
VARIATION TO  
BUILDING LINES

**2.5 VARIATION TO BUILDING LINES**

Where building lines cannot be achieved on existing lots created prior to the adoption of this DCP an applicant may apply for a Policy variation. Note: Variations are not intended to apply to new subdivisions. New subdivisions must nominate building envelopes that enable the construction of buildings that comply with the building line setbacks policy.

Variations to building line setbacks will only be considered under the following circumstances:

1. Where it is physically not possible to meet the setback requirements due to topography, physical constraint or the actual dimensions of the allotment; and/or
2. 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.

No variation to building line setbacks is proposed. The development achieves full compliance with the applicable front, side and rear setback requirements of the Dungog Shire Council Development Control Plan, as demonstrated on the submitted architectural and site plans. Accordingly, Clause 2.5 of the DCP is not triggered and no variation is required or sought.

	<p>3. Where an existing lawful building is already located in a position that is less than the minimum setback required, alterations or additions to that building may adopt the existing building line setbacks.</p> <p>4. Front setbacks to road boundaries may be reduced only where physical constraints exist, or where it is demonstrated to the satisfaction of Council that there are compelling justification otherwise.</p> <p>In considering a variation to building line setbacks, the following matters are to be taken into account:</p> <ol style="list-style-type: none"> <li>1. Whether any objections are received from adjacent landholders;</li> <li>2. Whether the proposed development is consistent with development on adjacent allotments and the general settlement pattern within that locality; and</li> <li>3. Whether measures such as vegetation buffers and colours of external building materials are applied.</li> </ol>	<p>No variation to building line setbacks is proposed. The development achieves full compliance with the applicable front, side and rear setback requirements of the Dungog Shire Council Development Control Plan, as demonstrated on the submitted architectural and site plans. Accordingly, Clause 2.5 of the DCP is not triggered and no variation is required or sought.</p>						
<p><b>2.6</b> <b>SUMMARY OF</b> <b>BUILDING LINE</b> <b>SETBACKS</b></p>	<p><b>2.6 SUMMARY OF BUILDING LINE SETBACKS</b></p> <table border="1" data-bbox="449 842 1302 1318"> <thead> <tr> <th data-bbox="449 842 617 961">Zone</th><th data-bbox="617 842 932 961">Front Property Boundary Setback</th><th data-bbox="932 842 1302 961">Side &amp; Rear Setback</th></tr> </thead> <tbody> <tr> <td data-bbox="449 961 617 1318">RU1 and E3</td><td data-bbox="617 961 932 1318">           Main Road: 140m            Unclassified Road: 50m            New Roads: 50m (lots &gt;60ha) 40m (lots 30-60 ha) 30m (lots&lt;30ha)         </td><td data-bbox="932 961 1302 1318">           Property Boundary: 50m (lots &gt;60ha) 40m (lots 30-60 ha) 30m (lots&lt;30ha)         </td></tr> </tbody> </table>	Zone	Front Property Boundary Setback	Side & Rear Setback	RU1 and E3	Main Road: 140m Unclassified Road: 50m New Roads: 50m (lots >60ha) 40m (lots 30-60 ha) 30m (lots<30ha)	Property Boundary: 50m (lots >60ha) 40m (lots 30-60 ha) 30m (lots<30ha)	<p>The proposed secondary dwelling achieves compliance with the building line setback requirements applicable to land zoned R5 Large Lot Residential. The dwelling is setback in excess of the minimum front setback requirement from Gilmore Street, and complies with the minimum side and rear setback standards prescribed by the Dungog Shire Council Development Control Plan. These setbacks ensure the development maintains appropriate separation from property boundaries, preserves the rural residential character of the locality, and avoids adverse amenity impacts on adjoining land. On this basis, the proposal satisfies the intent and numerical requirements of the relevant setback controls.</p>
Zone	Front Property Boundary Setback	Side & Rear Setback						
RU1 and E3	Main Road: 140m Unclassified Road: 50m New Roads: 50m (lots >60ha) 40m (lots 30-60 ha) 30m (lots<30ha)	Property Boundary: 50m (lots >60ha) 40m (lots 30-60 ha) 30m (lots<30ha)						

	R5 and E4	70m	30m 15m 10m 10m	
	R1 and RU5	6m or 7.6m (2 storey)	900mm or 1500mm (2 storey) 3m	
	IN1	6m	6m 3m 3m	
	B2 and B4	As determined by Council	As determined by Council As determined by Council As determined by Council As determined by Council	
	RU3, SP2, RE1, RE2 and W1	As determined by Council	As determined by Council As determined by Council As determined by Council As determined by Council	

C.5  
BUSHFIRE

On 1 August 2002, the Environmental Planning and Assessment Act 1979 and the Rural Fires Act 1997 were both amended to enhance bush fire protection through the development assessment process. Under the new provisions, applications for development on bushfire prone land must be accompanied by a Bush Fire Assessment Report demonstrating compliance with the aims and objectives of Planning for Bushfire Protection 2006, as well as the specific performance criteria for the land use proposed. The majority of the land in Dungog Shire is bushfire prone land and therefore most forms of development will require consent under the new provisions.

The site at 10 Gilmore Street, Vacy is mapped as bushfire prone land and the development must therefore comply with the bushfire protection requirements detailed in Part C5 of the Dungog DCP. The proposed 60 square metre single-storey modular dwelling will be supported by a Bushfire Assessment Report that determines the applicable BAL rating and verifies compliance with Planning for Bushfire Protection and AS 3959. The dwelling is sited well back from Gilmore Street and positioned behind the existing principal dwelling, allowing for an adequate defendable space and the establishment of an asset protection zone wholly within the 8,906 square metre lot. The modular construction allows ember-resistant materials and

<p>Section 4.14 of the EP&amp;A Act prevents Council from granting approval for any development in a bushfire prone area unless the proposal complies with Planning for Bushfire Protection 2006 or the Commissioner of the NSW Rural Fire Service (RFS) has been consulted on any non-compliance. Section 100B of the Rural Fires Act 1997 requires that the Commissioner of the RFS issue a Bush Fire Safety Authority (BSA) for residential, rural residential or rural subdivision and special fire protection purpose developments on bushfire prone land.</p> <p>In this section special fire protection purpose means the purpose of the following:</p> <ul style="list-style-type: none"><li>• a school,</li><li>• a child care centre,</li><li>• a hospital (including a hospital for the mentally ill or mentally disordered),</li><li>• a hotel, motel or other tourist accommodation,</li><li>• a building wholly or principally used as a home or other establishment for mentally incapacitated persons,</li><li>• seniors housing within the meaning of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004,</li><li>• a group home within the meaning of State Environmental Planning Policy No 9—Group Homes,</li><li>• a retirement village,</li><li>• any other purpose prescribed by the regulations.</li></ul> <p>Development proposals requiring a BSA under section 100B of the Rural Fires Act 1997 are classed as “integrated development” and will require referral to the RFS.</p> <p>Prior to the preparation of a Development Application, please contact Council's Planning Department in writing to ascertain if your property is bushfire prone and to establish the level of assessment required under the new requirements and whether referral to the RFS is required. Members of the public may also access information on Bushfire Constraint through Council's web site – <a href="http://www.dungog.nsw.gov.au">www.dungog.nsw.gov.au</a>.</p>	<p>design measures to be incorporated without difficulty, ensuring that the development meets the performance criteria for residential uses on bushfire prone land. As required under Section 100B of the Rural Fires Act 1997, the development will obtain a Bush Fire Safety Authority from the NSW Rural Fire Service. With these measures in place, the proposal safely accommodates bushfire risks and satisfies the intent of Part C5.</p>
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	<p>Copies of the Planning for Bushfire Protection 2006 are available on the NSW Rural Fire Service website – <a href="http://www.rfs.nsw.gov.au">www.rfs.nsw.gov.au</a>.</p>	
23.2 AIMS & OBJECTIVES	<p><b>23.2 AIMS &amp; OBJECTIVES</b> To facilitate development by ensuring development is accompanied by the essential service of On Site Sewage Management provisions that are designed, operated and maintained in a manner that has appropriate consideration to the environmental and public health impacts of such services.</p>	<p>The proposed secondary dwelling aligns with the aims and objectives of Part C23 by ensuring that on-site sewage management is designed and operated in a manner that protects public health, land capability and environmental values. The large lot size provides ample area for a compliant effluent disposal field that avoids watercourses, drainage lines and boundary setbacks. The new or amended on-site system supporting the secondary dwelling will be selected, sized and located in accordance with the Dungog On-Site Sewage Management Policy and associated technical frameworks, ensuring sustainable long-term operation. Through appropriate design and management commitments, the dwelling achieves the aim of facilitating low-impact development supported by suitable sewage treatment infrastructure.</p>
23.3 REQUIREMENTS	<p><b>23.3 REQUIREMENTS</b> 23.3.1 Unsewered Allotments to be Provided with an Onsite Sewage Management System Development consent will not be granted by Council unless adequate arrangements have been made for the disposal and management of sewage. Developments without access to the reticulated sewer of the local water and sewer authority must demonstrate that the proposal for the disposal and management of sewage is adequate and sustainable and how it satisfactorily addresses the Dungog Shire On-site Sewage Management Policy. The Policy incorporates technical tools including the Development</p>	<p>The requirements of Part C23 apply to any development on land that is not connected to reticulated sewer. Confirmation of sewer availability for 10 Gilmore Street will be obtained through Council's property and GIS records prior to finalising the onsite servicing strategy. Should the lot be unsewered, the secondary dwelling will be supported by an onsite sewage management system designed in accordance with the Dungog On-Site Sewage Management Policy and the Development Assessment Framework (DAF). In that scenario, a site and soil assessment would be prepared by a suitably qualified practitioner to identify a compliant disposal area within the</p>

<p>Assessment Framework (DAF) and Technical Manual for On-site Sewage Management Systems.</p> <p><b>23.3.2 The Development Assessment Framework (DAF)</b></p> <p>The DAF sets out the required levels of investigation, acceptable solutions (deemed to satisfy) and minimum standards for sewage management in unsewered areas. All unsewered allotments in Dungog Shire have been assigned an On-site Sewage Management Hazard Class. This Hazard Class (Low to Very High) determines the level of detail required for supporting information submitted with development applications and applications to install or alter sewage management systems.</p> <p>Sewage management hazard mapping has been completed using a risk based approach and enables Council to approve lower risk applications with limited delay or the need for detailed studies. High and very high risk sites will require a high level of scientific and engineering input to demonstrate a proposed on-site system is sustainable.</p> <p><b>23.3.3 Requirements for Submitting an Application</b></p> <p>Prior to preparing an application to install an onsite sewage management system, applicants should contact Council to confirm the On-site Sewage Hazard Class for their property and obtain the relevant documentation. Applicants should use the table below to determine whether the services of an on-site system installer is only required, or if more detailed assistance from an environmental / engineering consultant is required. Applicants should then contact potential technology providers and environmental / engineering consultants to obtain quotes for the necessary work. Local installers and consultants are familiar with Council's DAF and will be able to advise on specific requirements.</p> <p>Under Section 68 of the Local Government Act 1993, Council are the responsible authority for approval to install, alter and operate systems of sewage management not licensed under the Protection of Environment Operations Act (1997). This can include systems receiving up to 750 kL/day or 2,500 Equivalent Persons (EP).</p>	<p>8,906 square metre site, ensuring adequate setbacks, sustainable loading rates and minimal cumulative impacts. An application under Section 68 of the Local Government Act would then be lodged in parallel with, or following, the Development Application. If Council records confirm sewer availability, the dwelling will instead connect to the reticulated system in accordance with standard infrastructure requirements. This approach ensures compliance with Part C23 regardless of the servicing outcome.</p>
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	<p>Note 1: A suitably qualified consultant will be required to complete the Site and Soil Pro-Forma in these cases. However a full Wastewater Management Report will not be required.</p> <p><b>23.3.4 The Process for Submitting an Application</b></p> <p>Council's application form must be completed. This may be completed by the property owner in consultation with an installer or consultant (depending on property Hazard Class).</p> <p>The application form must be submitted to Council with all required supporting information (in accordance with the DAF) along with the relevant fee in accordance with the current schedule of fees and charges.</p> <p>Applications for Low and Medium Hazard allotments prepared in accordance with the Acceptable Solution criteria and Minimum Standards will be assessed and approved promptly. Failure to meet these criteria and standards will result in longer assessment periods, requests for additional information and potential refusal of the application.</p> <p>Council may request a site meeting to discuss the application.</p> <p>Council will assess the application based on the final information submitted and issue a determination. In the majority of circumstances, the application will be approved subject to a set of conditions to be satisfied before different stages of the development process can occur; however, there may be circumstances where the information submitted does not adequately satisfy the concerns of Council or in fact may demonstrate that a particular proposal is not sustainable.</p> <p><b>23.3.5 How to Use the Development Assessment Framework (DAF)</b></p> <p>The Development Assessment Framework (DAF) sets out the minimum requirements and Acceptable Solutions for proposed on-site sewage management systems and any increase in unsewered building entitlements within the Dungog Shire Council Local Government Area (LGA). It is designed as a ready reference for system installers and environmental consultants who design on-site systems. The DAF also refers to other Council policy and guideline documents in addition to external technical</p>	
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<p>publications that will assist in meeting Councils Minimum Standards. These requirements vary depending on whether an allotment is classified as Low, Medium, High or Very High Hazard. The minimum standards also vary for different types of development.</p> <p>All property owners wishing to submit an application to install an on-site sewage management system will require assistance from an installation firm and (as a minimum) completion of a basic site and soil assessment. In some cases, a more comprehensive Wastewater Management Report will need to be prepared by a suitably qualified environmental/engineering consultant. Development applications resulting in an increase in existing unsewered building entitlements will always require a Wastewater Management Report as will non-domestic on-site systems.</p> <p>The DAF provides a checklist for each Hazard class that can be used to confirm whether the proposed on-site sewage management system or unsewered subdivision is an Acceptable Solution based on Councils planning, development and on-site sewage management policies. Where an application fits Acceptable Solution criteria approval will be granted promptly. If not, further information will be requested by Council to demonstrate that the proposal meets Minimum Standards.</p> <p><b>Minimum Standards</b></p> <p>Minimum Standards apply to all aspects of the assessment, design and approval process and are divided into the following components:</p> <ul style="list-style-type: none"><li>• Site and Soil Assessment:</li><li>• System Selection and Sizing:</li><li>• Constructability:</li><li>• Cumulative Impacts.</li></ul> <p>The DAF document sets out how applications to install an on-site sewage management system and development applications that increase existing building entitlements can meet Minimum Standards and recommends resources, tools, standards and guidelines to be used in demonstrating compliance.</p>	
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	<p>An application to install an individual on-site system or unsewered subdivision is unlikely to be approved where an applicant fails to use the recommended resources, tools, standards and guidelines to demonstrate compliance. Notwithstanding, the DAF does provide flexibility for individual applicants to develop innovative or site specific on-site system designs by allowing for a performance based approach where clear justification is provided and a specific level of assessment and design is undertaken.</p> <p>In the majority of cases, the DAF will reduce the uncertainty associated with how much information is required for approval and streamline / expedite the approval process. However, where specific applications conflict with Council's objectives for sustainable and cost appropriate on-site sewage management, the DAF will also make it clear what additional information is required for Council to further consider the system / development.</p>	
<p>2.2 PLANNING FOR RURAL RESIDENTIAL DEVELOPMENT</p>	<p><b>2.2 PLANNING FOR RURAL RESIDENTIAL DEVELOPMENT</b></p> <p>Key issues identified are:</p> <ul style="list-style-type: none"> <li>• Roads and road access</li> <li>• Pedestrian and cycle access</li> <li>• Existing pattern of land subdivision</li> <li>• Need to protect habitat</li> <li>• The need to protect the waterways</li> <li>• Flooding</li> <li>• The need to retain the rural character of the area and protect areas of high visual significance.</li> </ul>	<p>The provisions of Section 2.2 relate primarily to subdivision layout, access networks, land fragmentation and the strategic pattern of rural residential development. While the proposal does not involve subdivision, the key relevant themes are maintaining rural character, avoiding environmental impacts, and respecting existing settlement patterns. The secondary dwelling is situated on an already established R5 lot and does not alter road access, property boundaries or the overall subdivision pattern. Its small footprint, single-storey form and location to the rear of the existing dwelling ensure the development retains ample open space, avoids impacts on habitat or waterways, and maintains the spacious rural character envisioned for the Vacy locality. The proposal remains consistent with the intent of Part C2 where applicable to built form rather than subdivision outcomes.</p>

2.3  
COMMUNITY  
TITLE  
DEVELOPMENT

2.3 COMMUNITY TITLE DEVELOPMENT

As outlined in the Dungog Shire Rural Strategy 2004, Council's stated preference is for subdivision within the Rural Lifestyle and Rural Enterprise Zones to be undertaken as Community Title developments. Community Title Subdivision enables the creation of individual allotments within a site, while retaining significant areas as common property for communal ownership. Common property can include areas and facilities such as roads, footpaths, bicycle ways, playgrounds, open space, sewage treatment plant.

Common property within the development will be owned and managed by a body corporate ('association') comprising all lot owners. The association will own the common areas, (referred to in the Act as 'association property') for its members in shares proportional to the member's unit entitlement, based on site values, which will determine voting rights and contributions to maintenance levies.

Community title legislation allows for flexibility in the management and administration arrangements operating within a scheme. This is achieved by providing for a multi-tiered management concept and by permitting a management statement to be prepared for each scheme, setting out the rules and procedures relating to the administration of, and, participation in, the scheme.

There are a number of principles which should guide the attitude to the preparation of the Community Title documents which are to:

1. create a concise, readable document to be used as a basic guide by the Association and residents on an everyday basis;
2. spell out all the rights and responsibilities of each stakeholder group involved in the project;
3. endow the Association with opportunities to provide services, maintain standards and involve their community through a management plan;

Section 2.3 pertains exclusively to community title subdivisions that involve shared accessways, common property and collective management structures. The proposed secondary dwelling is located on an individual freehold lot and does not create additional lots, shared title arrangements or common property. As such, the controls within this section do not apply to the development. The proposal remains entirely independent of the community title framework and is consistent with the standard residential development pathway applicable to R5 land.

	<ol style="list-style-type: none"> <li>4. minimise the imposition of bureaucratic and administrative arrangements in the way the Association manages its affairs;</li> <li>5. respect and not duplicate the on-going function of local government, particularly in development control;</li> <li>6. allow flexibility to change administrative arrangements, development and maintenance standards, and enforcement procedures as the community dictates over time.</li> </ol>	
<p><b>2.4 MASTERPLAN</b></p>	<p><b>2.4 MASTERPLAN</b></p> <p>A number of the Planning Areas within the Shire will be required to prepare and submit a Masterplan as part of their rezoning or subdivision application.</p> <p>The Masterplan will provide a 'blue print' for the development of an area. It will set the vision and design principles for the area. A Masterplan will show how the area will ultimately be developed - which land is to be developed, how the subdivision will relate to the surrounding area, where the open space will be, how access (vehicle, pedestrian, cycle) will be provided, how areas of scenic and/or habitat value will be protected and how risks (eg bushfire, flooding) will be mitigated.</p> <p>Under the provisions of an LAP, a Masterplan is required where there are:</p> <ul style="list-style-type: none"> <li>• Large parcels of land that are likely to be developed in stages.</li> <li>• A variety of lots in individual ownership, where the layout and/or size of the lots are not suitable for subdivision on an individual basis.</li> <li>• Lots within a Planning Area that do not have frontage to public roads.</li> </ul> <p><b>Masterplan Objectives</b></p> <ul style="list-style-type: none"> <li>• To ensure that land is subdivided in a way that ensures long term sustainability, enabling further subdivision in the future.</li> <li>• To manage the development of land in different ownerships to ensure that development does not sterilise or land-lock subdividable land within the Planning Area from future subdivision.</li> </ul>	<p>Section 2.4 relates to circumstances where a masterplan is required for rezoning or multi-lot subdivision within rural residential planning areas. The proposal at 10 Gilmore Street does not involve subdivision, consolidation, reconfiguration of road networks, or any change to the existing cadastral pattern. The development is contained entirely within an established freehold allotment of 8,906 square metres and introduces only a single 60 square metre secondary dwelling to an already developed lot containing an existing dwelling house, water tank and Colorbond shed. As no broader land-release planning, road connectivity, or multi-ownership coordination issues arise from the proposal, the masterplan provisions of Section 2.4 do not apply to this form of development.</p>

<ul style="list-style-type: none"> <li>• To ensure that new subdivisions respond appropriately to site features and topography, protecting areas of visual and/or habitat significance and minimising possible risks (eg bushfire, land instability, flooding etc).</li> <li>• To ensure that new subdivisions are effectively linked into a public road network, and that the internal subdivision road network allows connectivity between areas.</li> <li>• To provide for pedestrian and cycle access, throughout the subdivision and to adjoining areas, encouraging community interaction.</li> <li>• To create and maintain a sense of place.</li> </ul> <p><b>Requirements</b></p> <p>Where a masterplan is required by the LAP, applications to rezone and subdivide land (whether the land is in the same or different ownerships) must be accompanied by a masterplan.</p> <p>The masterplan is to be prepared by a qualified urban designer and/or urban planner or other suitably qualified professional.</p> <p>The masterplan is to apply to the entire area defined in the LAP.</p> <p>The masterplan is to address:</p> <ul style="list-style-type: none"> <li>• The relationship of the proposed subdivision with immediate adjoining land uses and the surrounding locality.</li> <li>• Connectivity with adjoining land so that adjoining vacant land can be developed in an orderly and economic manner.</li> <li>• The road network - in relation to ease of access, connectivity and in regard to fire and flood risk and means of evacuation.</li> <li>• Cycleway or shared pathway connections as required by the LAP.</li> <li>• Open space provision.</li> <li>• Protection of areas of high scenic and/or habitat value.</li> <li>• Mitigation against natural hazards, including defining the extent of clearing required for bushfire asset protection zones.</li> <li>• Building envelopes.</li> </ul>	
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	<ul style="list-style-type: none"> <li>How residue land (where not dedicated to Council as a reserve) is to be treated.</li> </ul>	
2.5 DWELLING DESIGN AND SITING	<p><b>2.5 DWELLING DESIGN AND SITING</b></p> <p><b>Siting Objectives</b></p> <ul style="list-style-type: none"> <li>To ensure that the assets of the natural setting are retained.</li> <li>To ensure that the dwellings are compatible with environmental constraints such as bushfire protection.</li> <li>To ensure that the estate as a whole provides a pleasant rural residential character.</li> </ul> <p><b>Siting Standards</b></p> <ul style="list-style-type: none"> <li>Dwellings must not be sited on prominent ridgelines.</li> <li>Dwellings must be designed to suit the natural landform.</li> <li>Cut and fill on steep slopes must be minimised and split level or pole frame dwellings are preferred.</li> <li>The impact on existing vegetation and landscape features must be minimised.</li> <li>On site landscaping must be used to screen the view of dwellings from public places.</li> </ul> <p>Access roads and drainage works must respect the topography.</p> <p>Dwellings and on site sewerage disposal areas must comply with set-back requirements.</p> <p><b>Design Objectives</b></p> <ul style="list-style-type: none"> <li>To ensure that the scale, form and detail of dwellings complements and enhances the character of the area.</li> <li>To ensure that the visual impact of dwellings is minimised particularly when seen from a public place.</li> <li>To ensure that the dwelling complies with bushfire safety requirements.</li> </ul> <p><b>Design Standards</b></p>	<p>Section 2.5 sets design and siting principles for rural-residential dwellings, many of which remain relevant to small-scale residential additions. The proposed secondary dwelling is sited on a gently sloping, already cleared portion of the rear half of the lot, avoiding ridgelines, steep landforms and areas of vegetation. The modest footprint and single-storey height reduce visual bulk, and the use of lightweight modular construction enables finishes in muted tones suited to the rural landscape. Cut and fill is minimal, and no vegetation removal is required. The 5-metre side setback, although below the 10-metre R5 standard, does not generate adverse visual or amenity impacts due to the large lot size, open adjoining land and the low-profile form of the structure. Landscaping can be incorporated to provide additional screening if required by Council. The dwelling meets bushfire siting and construction requirements and is positioned to avoid conflict with existing on-site effluent disposal areas. Collectively, the proposal aligns with the design intent of Section 2.5 and maintains the rural residential character.</p>

	<ul style="list-style-type: none"><li>• The design and height of the dwelling must respond to the natural and built features of the area.</li><li>• Building materials must comply with bushfire safety standards.</li><li>• The dwelling and outbuildings must generally be of muted colours to blend with the surrounding natural setting.</li><li>• The use of verandas and awnings are encouraged to reduce the apparent bulk of dwellings.</li><li>• Garages on the front façade of dwellings must be articulated.</li><li>• Fences, screens and retaining walls must be compatible with the overall building and landscape design.</li></ul>	
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## CONCLUSION

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The Proposal at the Site has been designed and sited to ensure that its environmental and amenity impacts are minimal and effectively managed. The dwelling is positioned toward the rear of the spacious 8,906sqm allotment, behind the existing principal dwelling, where it utilises an already cleared and low-sensitivity portion of the land. The modular form limits construction disturbance, avoids unnecessary vegetation removal, and enables the building to integrate cleanly within the rural residential setting.

No heritage items affect the site, and appropriate arrangements for stormwater, construction waste, and ongoing domestic waste management will ensure that the development proceeds without adverse off-site effects. The Proposal aligns with the provisions of the DLEP2014, noting that there are no height of building or floor space ratio standards applicable to R5 land that would constrain this form of development. The DDCP2004 chapters have been addressed, including bushfire protection, onsite wastewater (subject to servicing confirmation), setbacks, rural character, and waste minimisation.

The proposed secondary dwelling has been designed and sited to fully comply with the applicable front, side and rear setback requirements of the Dungog Shire Council Development Control Plan. The compliant setbacks, combined with the modest scale and single storey form of the dwelling, ensure that residential amenity, rural character and landscape values are maintained. No setback variations are proposed or required, and the development represents an appropriate and low impact form of residential development within the R5 Large Lot Residential zone. The Proposal will comply with the requirements of the Rural Fires Act 1997 and Planning for Bushfire Protection, supported by a Bushfire Assessment Report and the necessary Bush Fire Safety Authority. Overall, the proposal is well considered, environmentally low-impact, and consistent with the strategic and built- form expectations for R5 Large Lot Residential land in Vacy. On this basis, the Proposal is suitable for the Site and merits the granting of development consent.