

Statement of Environmental Effects



468 Pine Brush Road, Glen William NSW 2321

Reference: CP032026

Date: March 2026

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Introduction

This Statement of Environmental Effects (SEE) has been prepared to accompany the development application (DA) for a Swimming Pool and Associated Safety Barriers at 468 Pine Brush Road, Glen William NSW 2321. The aim of this SEE is to assist Council with the assessment of the DA by outlining the following matters:

- The site background and context;
- Details of the proposed development;
- The environmental impacts of the proposed development, and how these have been identified;
- How environmental impacts have been mitigated or minimised;
- Council development controls;
- Any other relevant matters as set out in the relevant legislation.

Applicant

Development Assist Consultants have been authorised to lodge this Development Application to Council with the consent of the landowners – signed owners consent accompanies this application.

Site Details

Property Address	468 Pine Brush Road, Glen William NSW 2321
Lot/Section/Deposit Plan	25/-/DP812257
Zone	RU1 - Primary Production
Property Size	691,290m ² Approx.
Property Constraints	Drinking Water Catchment, Bushfire Prone Land, Biodiversity Value (BV) Map
Consent Authority	Dungog Shire Council

The site is located at 468 Pine Brush Road, Glen William NSW 2321. There is an existing dwelling currently situated on the site. The site is generally of irregular shape and the development area features mostly level topography – due to previous retaining and benching. The site is surrounded by other similar developments.



Figure 1: Site Location (Six Maps, March 2026)

Past and Current Use

The site is currently contains an existing dwelling house. No further information was available on Council's DA Tracker at the time this document was prepared.

Approvals Sought

The application seeks development consent for a Swimming Pool and Associated Safety Barriers. The approval is sought through Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Consultation

The proposal has been reviewed against the applicable planning controls, which include the Dungog Local Environmental Plan 2014 (LEP) and the Dungog Development Control Plan 2014 (DCP). No further formal or informal consultation has been held with Council staff prior to the preparation of this document.

Proposed Development

The proposal includes the following Development:

Swimming Pool:

The installation of an inground fibreglass swimming pool and associated safety barriers.

The safety barrier as identified on the submitted plans, will have an effective height of not less than 1200mm, ensuring compliance with Australian Standard AS-1926.1-2012.

Summary:

It is considered that the development strongly aligns with the aims and objectives as listed in Part A of Councils DCP. Namely, it is considered to inspire innovative design within the subject zone, while ensuring the development does not have adverse impacts on existing amenity.

Planning Controls

The following planning controls have been considered in relation to proposed development, and are addressed within this SEE to support the proposal.

Environmental Planning & Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the relevant legislation under which approval for the proposed development is sought. This SEE has been prepared in accordance with the matters of consideration under *section 4.15 Evaluation* of the EP&A Act, as outlined in within this document.

Integrated Development

Integrated Development is development that, in order for it to be carried out, requires development consent and one or more approvals from a NSW State Government Agency. Integrated Development links development consent for matters under Part 4 of the Environmental Planning & Assessment Act 1979 with any associated approval, licence, consent, permission, or permit required under other legislation.

The aim of Integrated Development is to promote a unified, whole of government approach to the assessment of development in New South Wales.

Act	Provision	Approval	Comment
Fisheries Management Act 1994 (NSW Fisheries)	s144	Aquaculture permit.	Not Applicable
	s201	Permit to carry out dredging or reclamation work.	Not Applicable
	s205	Permit to cut, remove, damage, or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease.	Not Applicable
	s219	Permit to: a) Set a net, netting or other material, or b) Construct or alter a dam, floodgate, causeway, or weir, or c) Otherwise create an obstruction across or within a bay, inlet, river or creek, or across or around a flat.	Not Applicable
Heritage Act 1977 (NSW Office of Environment & Heritage)	s58	Approval in respect of the doing or carrying out of an act or matter referred to in s57(1).	Not Applicable
National Parks & Wildlife Act 1974 (NSW Office of Environment & Heritage)	s90	Grant of an Aboriginal heritage impact permit.	Not Applicable
Protection of the Environment Operations Act 1997 (Environment Protection Authority)	ss 43(a), 47 and 55	Environment protection licence to authorise carrying out of schedule development works at any premises.	Not Applicable
	ss 43(b), 48 and 55	Environment protection licence to authorise carrying out of schedule activities at any premises (excluding any activity described as a	Not Applicable

		“waste activity” but including any activity described as a “waste facility”.	
	ss 43(d), 55 and 122	Environment protection licence to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.	Not Applicable
Roads Act 1993 (Roads & Maritime Services)	s138	Consent to: a) Erect a structure or carry out a work in, or over a public road, or b) Dig up or disturb the surface of a public road, or c) Remove or interfere with a structure, work or tree on a public road, or d) Pump water into a public road from any land adjoining the road, or e) Connect a road (whether public or private) to a classified road Development is NOT Integrated Development under s138 if in order for the development to be carried out, it requires the development consent of Council and the approval under s138 of the same Council. i.e. works on roads under the care and control of Council including classified roads. Development is ONLY Integrated Development for works on or impacting on motorways i.e., M7 & M5.	Not Applicable
Rural Fires Act 1997 (NSW Rural Fire Service)	s100B	Authorisation under Section 100B in respect of bushfire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes.	
Water Management Act 2000 (Department of Primary Industries – Water)	ss 89, 90, 91	Water use approval, water management work approval or activity approval under Part 3 of Chapter 3 of the Act.	Not Applicable

Designated Development

Designated Development refers to developments that are high-impact developments (e.g., likely to generate pollution) or are located in or near an environmentally sensitive area (e.g., a wetland). There are two ways a development can be categorised as 'designated development':

- The class of development can be listed in Schedule 3 of the EP&A Regulation as being designated development, or
- An LEP or SEPP can declare certain types of development to be designated.

The proposed development is not deemed Designated Development.

Section 4.15 EP&A Act

Section 4.15 of the EP&A Act outlines the matters for consideration in the determination of a Development Application. The relevant matters for consideration are addressed individually below.

Environmental Planning Instruments

Dungog Local Environmental Plan 2014

LEP Provision	Details	Comment
Objectives of Zone RU1	▪ To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. ▪ To encourage diversity in primary industry enterprises and systems appropriate for the area. ▪ To minimise the fragmentation and alienation of resource lands. ▪ To minimise conflict between land uses within this zone and land uses within adjoining zones. ▪ To provide for recreational and tourist activities that are compatible with the agricultural, environmental and conservation value of the land. ▪ To promote the rural amenity and scenic landscape values of the area and prevent the silhouetting of unsympathetic development on ridgelines.	The proposal strongly aligns with the objectives as listed in the Zone RU1 land use table.
Land Use Table	<u>Permitted with Consent</u> Agritourism; Airstrips; Animal boarding or training establishments; Aquaculture; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities;	The subject site is Zone RU1 Primary Production. Swimming pools which are Ancillary Development to a Dwelling House are

	Community facilities; Correctional centres; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Freight transport facilities; Function centres; Group homes; Health services facilities; Helipads; Heliports; Highway service centres; Home-based child care; Home businesses; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Kiosks; Landscaping material supplies; Marinas; Moorings; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Restaurants or cafes; Rural industries; Rural supplies; Rural workers' dwellings; Signage; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures	permissible with consent in the subject zone.
4.1 Minimum Subdivision Lot Size	60 ha	There is no change to the existing lot size proposed at part of this development.
4.3 Height of Buildings	Not prescribed	The proposed swimming pool is to be built at existing ground level.
4.6 Exception to Development Standards	Clause 4.6 outlines the requirements when a proposal seeks to contravene/vary a principal development standard	There is no 4.6 variation request for this application.
6.5 Drinking water catchments	(1) The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages. (2) This clause applies to land identified as "Drinking water catchment" on the Drinking Water Catchment Map. (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider the following— (a) whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following— (i) the distance between the development and any waterway that feeds into the drinking water storage,	It is not anticipated the proposed development would have any adverse impact on the quality and quantity of water entering the drinking water storage. The following discussion is raised for Council's consideration: ▪ The development is located approximately 350 metres from Bee Farm Creek and is not in close proximity to any defined

	(ii) the on-site use, storage and disposal of any chemicals on the land, (iii) the treatment, storage and disposal of waste water and solid waste generated or used by the development, (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	watercourse or drainage line - No storage or disposal of chemicals, including potentially contaminating or hazardous materials or goods are proposed within the subject application - Additionally, given the size of the site and unbuilt area, it is considered to preserves existing vegetation and natural landscapes, which act as buffers to filter contaminants before they reach water bodies. - Erosion and Sediment Controls measures will be in place, during and until the completion of the development. Again, it is anticipated that Council will imposed conditions of consent to this effect.
7.1 Acid Sulfate Soils	Not mapped as potentially containing Acid Sulfate Soils	Not applicable
7.2 Earthworks	The objectives of Part 7.2 are as follows: (a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, (b) to allow earthworks of a minor nature without requiring a separate development consent	There are no foreseen impacts of the minimal earthworks that will be required for the proposed development. They are considered standard for normal swimming pool installation.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal is not defined as BASIX Affected Development, as it is not:

- A New Dwelling;
- Alterations or Additions to a Dwelling with a Value of \$50,000 or more; or
- A Swimming Pool with a Volume of Greater than 40,000 Litres.

Proposed Environmental Planning Instruments

Nil

Development Control Plan

The application is considered to achieve compliance with the aims, objectives and controls of the Dungog Development Control Plan 2014 (DCP).

Potential Impacts for Consideration

Aboriginal Archaeology

The proposed development is not anticipated to cause any impact or damage to Aboriginal objects, as it is located within an existing residential site area with existing ground disturbances. It is expected that Council will undertake an AHIMS register search to see if further investigation is required.

Access and Traffic

No change to the access to the site is proposed as part of this application. Due to the minor nature of the development, it is not considered to be significant with regard to traffic generation, and is unlikely to result in any unacceptable level of impact on the local road network.

Bushfire

The site is located within a bushfire prone mapped area. The proposal is for a swimming pool, and there are no construction requirements for this type of development, as outlined in the Australian Standard for Construction of Building in bushfire-prone areas (AS 3959:2018).

Further, Part 8.3.2 of the document Planning for Bushfire Protection 2019 - stipulates that Class 10a (sheds, garages etc.) structures within 6m of Class 1a dwelling must meet the same construction requirements as the dwelling. However, swimming pools are Class 10b structures, once again there are no applicable bushfire requirements in accordance with this document or the referenced standard.

Flooding

The development area is not identified as flood prone in accordance with available mapping. Given the minor nature of the proposed works, no adverse flooding impacts are anticipated.

In the event that any flooding constraints apply, it is expected that appropriate conditions of consent will be imposed by Council, including requirements relating to the location and protection of electrical equipment associated with the swimming pool.

Heritage

The site does not contain any Heritage Listed items, is not within a Heritage Conservation Area, and is not anticipated to impact on any other items of Heritage significance.

Ecology

There are no foreseen ecological impacts anticipated as result from the proposed development.

The development area is clear of the Biodiversity Values Mapped area. Therefore, the Biodiversity Conservation Act or Regulation are not triggered, and the Biodiversity Offset Scheme does not apply.



Figure 2: BV Mapping

Noise and Vibration

No potential noise or vibration impacts to the proposed development have been identified. Noise generated as a result of construction noise will be in accordance with the *Protection of the Environment Operations Act 1997* and any conditions of the development consent.

Public Domain

Considering the minor nature of the proposed works within an existing site, it is not anticipated there will be an unacceptable level of impact to the public domain.

Services

All services to the site are existing which are appropriate for the proposed development.

Site Context

The proposed development considered to be consistent with the surrounding locality, and the existing, and future-desired, character of the area.

Social and Economic Impact

The proposed development is for structures ancillary to an existing dwelling house. It is not considered that the development will result in a negative social or economic impact.

Visual Impact

The development has been designed in a way and style that complements the area and is considered to align with Councils DCP. The development is not anticipated to have an adverse impact to the surrounding community and is consistent with the existing streetscape.

Site Suitability

The subject site is zoned RU1 Primary Production, and the proposed development strongly aligns with the objectives of this zone. The site is considered appropriate for the proposed development as it is surrounded by similar development and structures of the same nature.

Submissions

The development application may require notification to adjoining landowners in accordance with Council's Community Participation Plan. Given the minimal impacts of the proposal, and its consistency with the state and local planning instruments and strategies, as well as surrounding development, it is not anticipated to raise significant or material objection.

Public Interest

The proposed development is in the public interest as:

- It provides for the orderly and economic use of an existing site;
- It caters for modern day domestic requirements;
- It will provide employment with associated social and economic benefits during the construction of the development.

Conclusion

As demonstrated within this SEE and the supporting documentation, the proposed development is considered to achieve the following outcomes:

- Inspire innovative design;
- Ensure the development does not have an unacceptable level of impact on the existing amenity;
- Respond to the existing, and desired-future, character of the site, and the qualities of the surrounding built and natural environments;
- Addresses Council's development controls.

The proposal is for a Swimming Pool, and Associated Safety Barriers. It is considered that the development will contribute to the site through built form and landscape that responds to, and respects, the local context.

The SEE demonstrates that the development strongly aligns with the objectives of Council's LEP and DCP, and that health, safety, and amenity have all been carefully considered in the design, while ensuring the proposal will not have an adverse impact on the environment.

It is recommended that Council approve the application as proposed.

Supporting Documentation

- Architectural Plans
- Pool Details/Specifications
- Signed Owners Consent
- Site Waste Minimisation and Management Plan
- Hunter Water Stamped Plan

Disclaimer

While we have made every attempt to ensure that the information contained within this document is correct, Development Assist Consultants (author) is not responsible for any errors or omissions, or for the results obtained from the use of this information. Development Assist Consultants has relied upon a range of external data/information in the preparation of this documentation. In no event will Development Assist Consultants be liable for any decision made or action taken in reliance on the information within this document, or for any consequential, special, or similar damages.