

DUNGOG SHIRE COUNCIL

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Subdivision of Lot8 DP 1113883

38 MYLES STREET DUNGOG

Hugh Merrell



*Hill Top Planners Pty Ltd
PO Box 469
MAITLAND NSW 2320*

*Tel: 40427 938 250
richard@hilltopplanners.com.au*

August 2026

STATEMENT OF ENVIRONMENTAL EFFECTS
Proposed Subdivision of Lot8 DP 1113883
38 MYLES STREET DUNGOG

1. INTRODUCTION

Hill Top Planners have been commissioned by Hugh Merrell to prepare a Statement of Environmental Effects for a proposed two lot subdivision of an allotment of land comprising 1434m² located within the township of Dungog. The site is zoned R1 General Residential pursuant to Dungog LEP 2014. The site is located within the town of Dungog and will provide additional accommodation opportunities. The application is made pursuant to the provisions of Clause 4.1 of the Dungog LEP 2014.

The property comprises urban land and contains a dwelling house located towards the northern corner of the site. The development is consistent with Council's planning strategies for the Shire and is a permissible form of development in the zones.



Figure 1 *Site viewed Myles Street*

2. SITE ANALYSIS

2.1 Site Context

The site is located at the intersection of Myles Street and Lord Street in the town of Dungog.

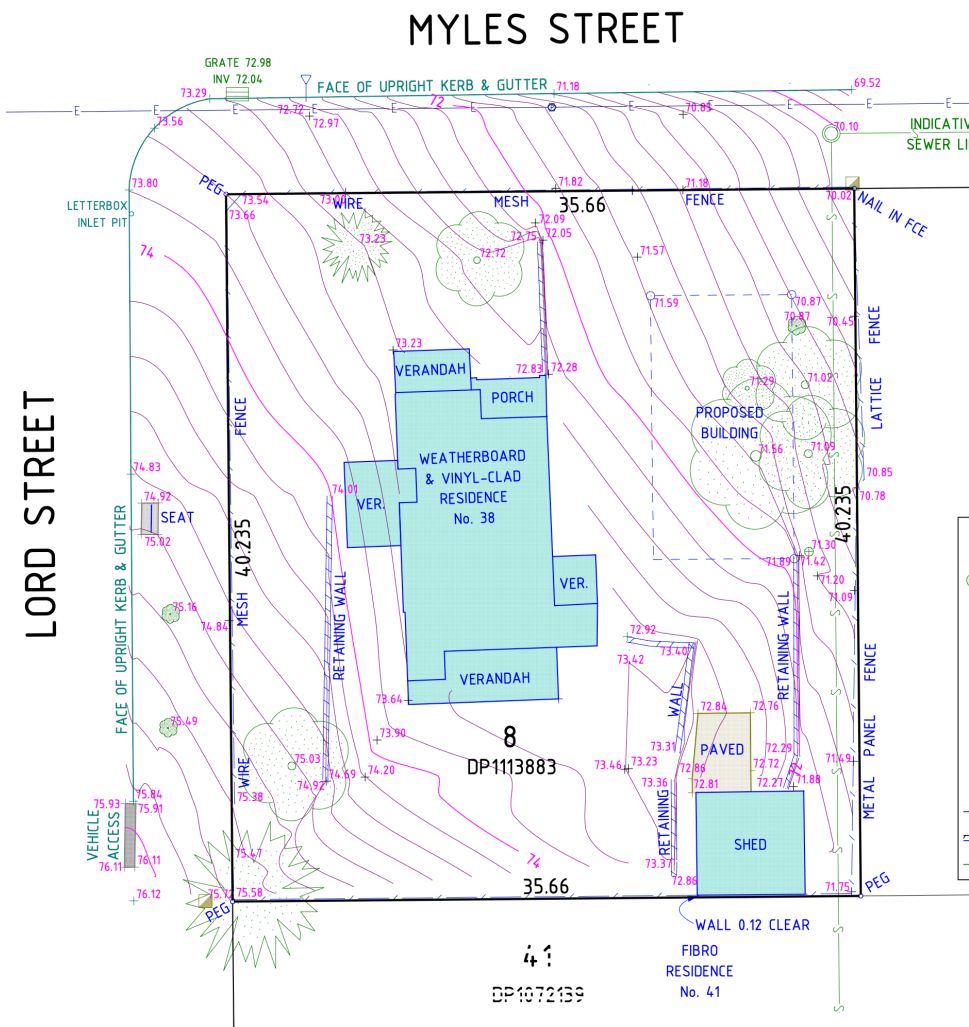


Figure 2 Site survey of the property

2.2 Site Description

The site is described as Lot 8 DP 1113883 and is rectangular in shape. Comprising 1434 square metres in area the site has a frontage to Myles Street of 35.66 metres and a frontage to Lord Street of 40.24 metres. The site is moderately sloping across the lot with a fall of 5 metres in elevation. The site is not effected by flooding or any other natural risk. The site is fenced and contains a large single storey weatherboard and clad dwelling positioned towards the Lord Street side of the lot. There are several trees and scrubs surrounding the dwelling.

A small weatherboard shed is located towards the rear of the site.

The site is connected to all utility services. Both frontages are kerbed and guttered.

2.3 Surrounding Development

The site lies within the urban area of Dungog which contains a mix of allotment sizes and dwelling types. Average residential lot size in Dungog is estimated at around 900 – 1200 square metres. Dwellings adjoin the site on all sides.

3. PROPOSED SUBDIVISION

The proposal is for the land to be subdivided into two lots. Lot 38 will comprise an area of 797m² and contain the existing dwelling. Lot 37 comprises an area of 637m² and will have a frontage to Myles Street of 13.5 metres and a frontage of 4.2 metres to Lord Street. It is intended that consent for the construction of a small cottage will be sought upon completion of the subdivision.

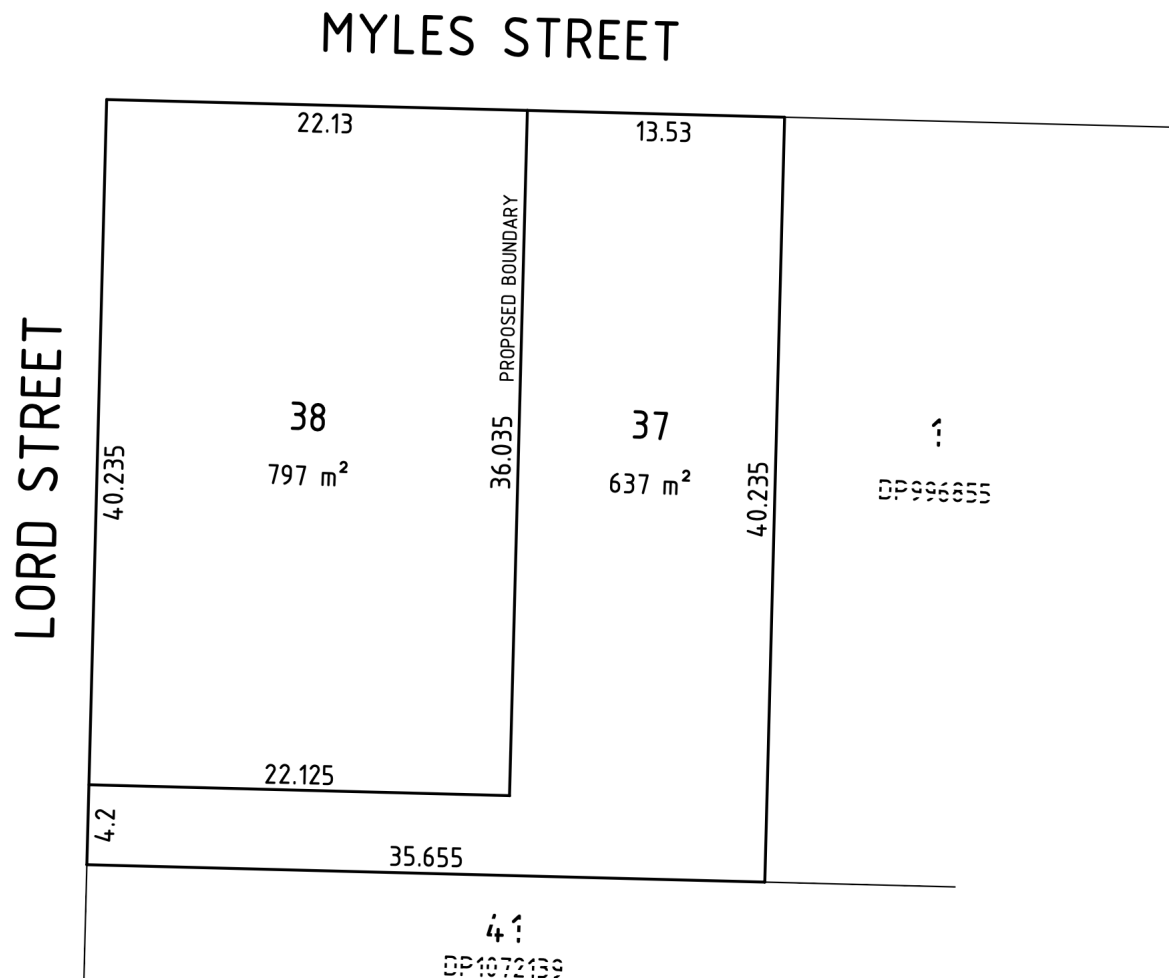


Figure 3 Proposed Subdivision

4. STATUTORY CONSIDERATIONS

Planning controls for the subject land are provided for via the provisions of Dungog LEP 2014 and Dungog DCP No. 1. The site is zoned R1 General Residential.

An assessment of the application against the aims and objectives of the Dungog LEP 2014 and Dungog DCP #1 is provided.

DUNGOG LOCAL ENVIRONMENTAL PLAN 2014

	Provisions of Environmental Planning Instrument	Comment
1.	The site is zoned R1 General Residential under DLEP 2014. The objectives of R1 zone are: • To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To allow a mix of community, service and employment activities that are compatible in scale and impact with a residential environment.	The proposed development is in accordance with Council's planning policies to support urban consolidation in existing urban areas. The development will increase opportunities for housing in Dungog. The site is not environmentally sensitive land. The site is located in the town of Dungog where a range of urban facilities and services are provided. Varying lot sizes provide for a variety of housing forms. Design is for residential allotments only. Other permissible land uses could be developed on each allotment.
2.	Clause 4.1 Minimum Subdivision Size (1) The objectives of this clause are as follows: (a) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area, (b) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties, (c) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls, (d) to ensure that lot sizes and dimensions allow dwellings to be sited to protect natural features and retain	The proposal does not involve the construction of any new roads. The existing linear urban pattern is maintained. The impact is considered to be minimal as the likely locations for new dwelling on Lot 37 will not unduly impact on the amenity of neighbours. Having an area of 637m², Lot 37 contains a sufficient area to accommodate a moderately sized dwelling (200m²), plus a carport/garage accessible off Lord Street. The lot layout will not unduly impact on natural features or views enjoyed by others. Each lot is of

special features such as trees and views, (e) to protect and enhance waterways by restricting the creation of new riparian rights through subdivision so as to prevent increased direct access onto rivers. (2) This clause applies to a subdivision of any land shown on the <u>Lot Size Map</u> that requires development consent and that is carried out after the commencement of this Plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the <u>Lot Size Map</u> in relation to that land. (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	sufficient size to ensure each dwelling will enjoy views over the township. Not relevant to this application. The site is included on the Lot size map however there is no minimum lot size provided for on Map Sheet LSZ_009AC The site is not subject to a minimum allotment size. Not applicable
---	--

Dungog DCP No. 1

There are no provisions in the DCP relating to subdivision of R1 General Residential zoned land.

Heritage

The site is located within the Dungog Heritage Conservation Area. A Statement of Heritage Impact accompanies the development application.

Notwithstanding, the proposed development is for land subdivision only and not for a new dwelling on Lot 37, the subdivision of the site will not result in a material visual change to the local environment due to the slope of the land, and the context of the site.

5. ENVIRONMENTAL CONSIDERATIONS

5.1 Site Analysis and Suitability

The site is north facing with direct access to Lord and Myles Streets. The site slopes upwards from Myles Street thus affording each of the proposed lots with an elevated building site with views over the town. The site drains to Myles Street. Being located within the Dungog township, the site is well suited for residential development.

A future dwelling on proposed Lot 37 will not result in a detrimental visual impact as this cottage will have a different finished floor level than either the existing dwelling or the adjoining dwelling on #36 Myles Street. Each of the allotments comprise an area which has ample opportunity for deep soil landscaping.

The site is considered well suited for residential subdivision.

5.3 Services

Reticulated water, telephone and electricity services exist in Myles Street to service the development. A sewer main runs along the eastern boundary of the site. Due to the slope of the site, stormwater drainage can be channelled to Myles Street without the need of any easements being required.

5.4 Subdivision Layout

Myles Street is a local road speed limited to 50 kph. It is a wide road of some 30m in width with 18m of roadway between K&G. Lot 37 fronts Myles Street.

The existing road network is operating well below design capacity and the increase in traffic generated by the development can satisfactorily be accommodated without the need for up grading of the road network in the vicinity of the development.

5.6 Drainage – NorBE Summary Statement

Due to the slope of the land, both lots can independently drain to Myles Street. Once entering Council's drainage network, the water is managed by council's stormwater management system prior to discharge into the Williams River.

An existing stormwater pipe discharging water from the existing dwelling, via a detention tank, will need to be relocated so as to lie outside of Lot 37. The site is located within the *Williams River Water Catchment* area and an assessment of the development in accordance with *Hunter Water Development Guidelines - NorBE* is required.

A development is considered to meet the NorBE requirement if it satisfies one or more of the following criteria:

- a) *has no identifiable or potential impact on water quality, or*
- b) *will contain any water quality impact on the development site and prevent it from reaching any watercourse, waterbody or drainage depression on the site, or*
- c) *will transfer any water quality impact outside the site where it is treated and disposed of to a standard approved by the Consent Authority.*

The development proposal is classified as a *Module 1* and does not trigger a referral to Hunter Water.

Module 1

Development Type - Less complex developments that are a minor risk to water quality – typically include new single dwellings, dual occupancy or townhouses, multi-dwelling housing (3 dwellings or less), subdivisions (3 lots or less), or changes and additions to existing dwellings, in sewerred areas.

All effluent generated by the existing and future residential development will be managed via connection to the reticulated sewer system which is available to the site.

The proposed 1 into 2 lot subdivision has considered potential water quality impacts in alignment with the *Hunter Water Development Guidelines* and other applicable standards. Sediment and erosion during construction and wastewater and stormwater contaminants during occupation are the only potential risks identified. The subdivision *per se*, does not result in any material increase in the discharge of stormwater from the site as there is no increase in hard stand areas. No roadworks are proposed.

Any subsequent development on Lot 37 and/or Lot 38 which increases hard stand area has the potential to increase stormwater flow offsite. The following mechanisms are available to mitigate any potential impact on the water quality of the *Williams River Catchment*:

- Installation of a detention tank to the new dwelling with first flush mechanism,
- Installation of sedimentation fencing along the low side of Lot 37 during any earthworks,
- Retention of landscape areas, plus additional plantings where possible.

Overall, it is considered that NorBE is achievable for the identified potential water quality risks.

4. CONCLUSION

The proposed subdivision will make a positive contribution to the social and economic fabric of Dungog through providing a site for an additional dwelling.

The site is considered well suited to the development due to it being located within the urban area of Dungog and within close proximity to a range of urban services. The site has few constraints and the size of the lots will ensure the character of Dungog is not compromised.

The development satisfies the objectives of the zone and the provisions of the Dungog LEP 2014.

It is recommended that Council grants approval to the proposed subdivision of the property, as proposed.

Richard Bennett

BTP (NSW), B LegS (Macq), MPIA
Certified Practising Planner

12th August 2026