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| NOTE: Please complete all sections identified in red text. The below comments are a guide only – please amend or delete text as applicable to the proposed development. |

# SITE LOCATION AND DETAILS

|  |  |
| --- | --- |
| **Statement prepared by:** | *Insert details* |
| **Date prepared:** | *Insert details* |
| **Property address:** | *Insert details* |
| **Zone:** | *Insert details* |
| **Lot size:** | *Insert details* |
| **Existing Structures/Use:** | *Insert details* |

**Site photos**

*Please include site photos here.*

**Table of submitted documents**

*Please list the supporting plans and documents submitted with the application.*

|  |  |  |  |
| --- | --- | --- | --- |
| *Supporting Document* | *Drawing Nos/ Page Nos / Version / Reference No* | *Prepared by* | *Dated* |
| *Site Plan* |  |  |  |
| *Floor Plan* |  |  |  |
| *Elevation Plan* |  |  |  |
| *Section Plan* |  |  |  |
| *Stormwater Management Plan* |  |  |  |
| *Waste Management Plan* |  |  |  |
| *Bushfire Report* |  |  |  |
| *Arborist Report* |  |  |  |
| *Other* |  |  |  |

# PROPOSED DEVELOPMENT

This section describes the proposed development, and to is include details on (but not limited to):

* Any proposed retaining walls
* Any demolition proposed
* Any proposed tree removal
* Any proposed changes to vehicle access
* Volume in litres of any proposed swimming pool

# STATUTORY AND POLICY COMPLIANCE

* 1. **STATE ENVIRONMENTAL PLANNING POLICIES (SEPP)**

*Outline compliance with any relevant SEPP's (including but not limited to):*

[State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004](https://www.legislation.nsw.gov.au/#/view/EPI/2004/396)

A BASIX certificate has been submitted with the application

or

The proposed development is exempt from the need for a BASIX certificate.

[State Environmental Planning Policy (Transport and Infrastructure) 2021](https://legislation.nsw.gov.au/view/pdf/asmade/epi-2021-732)

The proposed development site is not adjacent to a rail corridor

And

The proposed development site is not impacted by an electricity tower, electricity easement, substation or power line.

And

The proposed development does not have frontage to a classified road.

# NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012 (NLEP)

The proposed development is considered to satisfactorily address the relevant Clauses of NLEP 2012 as outlined in the Table below:

| **NLEP 2012 Clause** | **Comment** |
| --- | --- |
| **Clause 2.3 - Zone Objectives and Land Use Table** | The site is zoned **insert zone**. The development is defined **as insert proposed development** which is a permissible use in the zone and considered to be consistent with the objectives of the zone. |
| **Clause 2.7 - Demolition** | No demolition is proposed.  Or  Outline any proposed demolition. |
| **Clause 4.3 - Height of Buildings** | The height of the development is ***insert proposed HOB***and does not exceed the development standard of ***insert maximum HOB***. maximum in the LEP.  *OR*  As the allotment is located in a heritage conservation area, no building height development standard applies. |
| **Clause 4.4 - Floor Space Ratio** | The floor space ratio of the proposed buildings on the site is **insert proposed** FSR and does not exceed the development standard of 0.**insert maximum FSR**:1 maximum in the LEP.  OR  As the allotment is located in a heritage conservation area, no floor space ratio development standard applies. |
| **Clause 5.10 - Heritage Conservation** | The proposed development will have no impacts on the significance of any conservation area and/or heritage items. |
| **Clause 5.21 Flood planning** | The proposed development is not situated on flood prone land.  Or  The proposed development is situated on flood prone land. All new works are in accordance with nominated flood planning levels. A flood information certificate has been obtained and submitted with the application. **State the proposed minimum floor levels of the development.** |
| **Clause 6.1 -**  **Acid sulfate soils** | Nominate the Acid sulfate soil level and any impacts on the proposed development, e.g. The site is identified as having Class 5 Acid Sulfate Soils. Given the nature of the site and scale of the proposed works the development is not likely to result in disturbance of ASS nor the lowering of the water table on adjacent ASS class land and as such submission of an Acid Sulfate Soils Management plan is not required for the development works. |
| **Clause 6.2 -**  **Earthworks** | No earthworks are proposed to facilitate the development.  Or  Earthworks required for the proposed development are considered to meet the requirements of this clause and are further discussed under DCP 5.01 Soil management |

# NEWCASTLE DEVELOPMENT CONTROL PLAN 2023

The proposed development is considered to satisfactorily address the relevant Sections of the NDCP as outlined in the Table below: *(Note: provide a detailed description of how the proposed development complies with relevant Sections of the NDCP as listed below)*

|  |  |
| --- | --- |
| **Part B - Site Planning Controls** | |
| **Control** | **Comment** |
| **B1(a) Flood management - pre 2019 flood studies** | The proposed development is not located on flood prone land.  Or  A Flood Information Certificate has been submitted with the application and the proposed development has been designed in accordance with the flood planning levels nominated. |
| **B1(b) Flood management - post 2019 flood studies** | The proposed development is not located on flood prone land.  Or  A Flood Information Certificate has been submitted with the application and the proposed development has been designed in accordance with the flood planning levels nominated. |
| **B2 Bushfire protection** | The proposed development is not located on land identified as bushfire prone.  Or  A Bushfire Assessment Report prepared by a person who is recognised by the NSW RFS as a qualified consultant in bushfire risk assessment has been submitted with the application. **State the recommended BAL level(s)** |
| **B3 Mines subsidence** | The proposed development is not on land identified as mine subsidence affected.  Or  The proposed development is on land identified as mine subsidence affected. The proposal meets the Subsidence Advisory NSW "Exempt Development" criteria. **Detail how proposal meets exemption criteria.**  Or  A copy of Subsidence Advisory NSW stamped plans has been submitted with the application. |
| **B4 Aboriginal cultural heritage** | The site is not an item of aboriginal heritage and is not known to contain an aboriginal object. Reference to the Aboriginal Heritage Information Management System (AHIMS) search has confirmed that there is no known Aboriginal cultural heritage in or within the vicinity of the allotment. |
| **B7 Land contamination** | The proposed development is not located on contaminated land. |

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| **Part C - General Development Controls** | |
| **Control** | **Comment** |
| **C3 Vegetation preservation and care** | The proposed development footprint is not within 5m of trees on adjoining properties and does not require the removal of any trees on the subject property that are further than 3m from the footprint of the proposal.  Or  The proposed development seeks approval to remove trees on the subject property that are further than 3m from the footprint of the proposal. An arborist's report addressing the rationale for tree removal and addressing any potential impacts on trees on adjoining properties that are within 5m of the proposed works has been submitted with the application. |
| **C4 Stormwater** | The proposed development does not include any additional roof area and therefore does not generate any additional stormwater discharge.  Or  Provide details of proposed method of stormwater management such as discharge to street gutter, drainage easement or onsite dispersion trench. If connection to an existing system is proposed provide detail of that system's method of discharge. Note that dwelling additions larger than 50m2 require onsite discharge controls and all roofs greater than 10m2 in Coastal Wetlands catchments must drain to a rainwater tank. |
| **C5 Soil management** | The proposed development requires minimal or no excavation.  Or  To facilitate the proposed development, it will be necessary for earthworks to be undertaken which will alter the existing surface levels of the land*.* **Provide height and depth of proposed cut and fill and the height of any proposed retaining walls.**  Adequate sedimentation and erosion management will remain in place for the construction period. |
| **C6 Waste management** | Provide details of proposed construction and/or demolition waste management. |
| **C11 Development adjoining laneways** | The proposed development does not adjoin a laneway.  Or  The proposed development adjoins a laneway. **Provide details of the setback from the boundary with the laneway** |
| **C12.12 Open space and landscaping (single dwellings and ancillary development)** | The development provides adequate landscaped area, deep soil areas and tree provision in accordance with the controls. **Provide the following detail - Lot size, landscaped area size and landscaped area as a percentage of lot size (identifying percentage of deep soil areas) and existing/proposed trees on site.**  Or  The landscaped areas provided meet the objectives of this section. **Detail reasons why the controls cannot be achieved.** |

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| **Part D - Development Controls by Land Use** | |
| **D2 Single dwelling and ancillary development** | |
| **Control** | **Comment** |
| **D2.8.0 Street frontage appearance** | **Primary Road Frontage**  The proposed development:   * maintains the primary road frontage setback of existing structures on the site. * has a front door and a window of a habitable room facing the primary road. (delete this point if no changes proposed to existing dwelling primary street elevation). * does not propose a bathroom or ensuite window facing the primary road.   Or  The proposed development:   * is setback a minimum of the average distance of buildings within 40m either side of the lot on the primary road frontage **State the proposed setback**.   has a front door and a window of a habitable room facing the primary road. (delete this point if no changes proposed to existing dwelling primary street elevation).  does not propose a bathroom or ensuite window facing the primary road.  Or  The proposed development:   * is setback a minimum of 4.5m on the primary road frontage as there is not an established setback **State the proposed setback**. * has a front door and a window of a habitable room facing the primary road. (delete this point if no changes proposed to existing dwelling primary street elevation). * does not propose a bathroom or ensuite window facing the primary road. |
| **Corner Lot (secondary road frontage)**  The site is not a corner lot  Or  The proposed development:   * maintains the secondary road frontage setback of existing structures on the site. * has a window to a habitable room that is at least 1m3 in area that faces and is visible from the secondary road. (delete this point if no changes proposed to existing dwelling secondary street elevation).   Or  The proposed development:   * is setback a minimum of 2m on the secondary road frontage. * has a window to a habitable room that is at least 1m3 in area that faces and is visible from the secondary road. (delete this point if no changes proposed to existing dwelling secondary road elevation |
| **Articulation Zone**  The proposed development does not include any building elements within the articulation zone.  Or  **If elements are proposed within the articulation zone provide a description as to how the objectives or controls have been met.** |
| **D2.9.0 Side/rear setbacks (building envelope) - lots with a width less than 10.5m** | The lot width is 10.5m or greater.  Or  The proposed development maintains the existing side and rear boundary setbacks.  Or  The proposed development is in accordance with the controls. **Provide the following detail - Lot width at building line, side boundary setbacks, height of walls facing side boundaries, length of any proposed boundary walls in metres and as a percentage of the lot depth, rear boundary setbacks for any part of a building up to 4.5m in height and for any part of a building higher than 4.5m.**  Or  The proposed development exceeds the controls but meets the objectives. **Detail how the objectives are met**. |
| **D2.10.0 Side/rear setbacks (building envelope) - lots with a width 10.5m or greater** | The lot width is less than 10.5m.  Or  The proposed development maintains the existing side and rear boundary setbacks.  Or  The proposed development is in accordance with the controls. **Provide the following detail - Lot width at building line, side boundary setbacks, height of walls facing side boundaries, length of any proposed boundary walls in metres and as a percentage of the lot depth, rear boundary setbacks for any part of a building up to 4.5m in height and for any part of a building higher than 4.5m.**  Or  The proposed development exceeds the controls but meets the objectives. **Detail how the objectives are met**. |
| **D2.11.0 Building design and layout** | **Provide details of how the proposed development satisfactorily addresses the controls.** |
| **D2.12.0 Private open space** | The development is provided with a principal area of private open space of minimum size 4m x 4m, in accordance with the controls.  Or  The development is provided with adequate private open space which is usable and meets the needs of the occupants in accordance with the objectives. **Detail how the objectives are met**. |
| **D2.13.0 Visual and acoustic privacy** | The proposed development does not create direct views into adjoining properties and is not impacted by outside noise levels in any proposed living rooms or bedrooms.  Or  The proposed development meets the controls. **Comment on views into adjoining properties from any proposed living area windows or new raised outdoor spaces and comment on any external noise sources impacting upon any proposed habitable areas. Describe any proposed privacy screening and/or any proposed noise attenuation methods.** |
| **D2.14.0 Solar access** | The proposed development does not exceed 4.5m in height and maintains solar access to adjoining properties in accordance with the controls.  Or  The proposed development exceeds 4.5m in height and a shadow diagram has been submitted demonstrating that maintenance of solar access to adjoining properties in accordance with the controls.  **And**  **Provide details of how the proposed development satisfactorily addresses controls C-1, C-2 and C-4.** |
| **D2.15.0 View sharing** | The proposed development does not obscure views or vistas to water, city skyline or iconic views.  Or  The submitted plans identify existing views and demonstrate how view sharing is achieved. |
| **D2.16.0 Carparking and vehicular access** | Vehicular access and carparking areas comply with the provisions of AS2890 Parking Facilities and Council's Standard Drawing A1300 and the controls. **State the proposed dimensions of any carparking spaces, driveway widths and drive crossing widths.**  Or  Vehicles can enter and exit the site in a safe manner and carparking structures do not dominate the streetscape meeting the performance criteria **Detail how the objectives are met.** |
| **D2.17.0 Ancillary Development - carports and garages** | The proposed development does not include a garage or carport.  Or  Where a garage or carport is proposed **state the floor area, maximum height, front, side and rear boundary setbacks and if facing a laneway the setback from the boundary of the property on the opposite side of the laneway.** |
| **D2.18.0 Ancillary Development - detached studios** | The proposed development does not include a detached studio.  Or  Where a detached studio is proposed **state the proposed use, the floor area, maximum height, side and rear boundary setbacks.** |
| **D2.19.0 Ancillary Development - fences** | Where fencing is proposed **provide details of how the proposed development satisfactorily addresses the controls.** |
| **D2.20.0 Ancillary Development - secondary dwellings** | The proposed development does not include a secondary dwelling.  Note: for developments containing a secondary dwelling please use the secondary dwelling checklist and Statement of Environmental Effects template. |
| **D2.21.0 Ancillary Development - swimming pools** | The proposed development does not include a swimming pool.  Or  Where a swimming pool is proposed **state the maximum height of any decking around the pool and the height and width of any coping around the pool.** |

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| **Part E - Place and Precincts Controls** | |
| **Control** | **Comment** |
| **E1 Built and landscape heritage** | There are no heritage items located within the vicinity of the proposed development. |
| **E2 Heritage Conservation Areas** | The proposed development is not within a Heritage Conservation Area  Or  The proposed swimming pool is located in the rear yard and is no closer to the side boundaries than the existing dwelling.  Or  The detached studio is not visible from the street and is no closer to the side boundaries than the existing dwelling. |
| **E3 Tighes Hill local character** | The proposed development is not within the Tighes Hill local character area.  Or  **Provide details of how the proposed development satisfactorily addresses the controls.** |
| **E4 Kotara local character** | The proposed development is not within the Kotara local character area.  Or  **Provide details of how the proposed development satisfactorily addresses the controls.** |