

Dual Occupancy and Secondary Dwelling Developments

Development Application and/or Construction Certificate



Office Use DA No: _____

Required Information

This document summarises the submission requirements for applications for **dual occupancies and/or secondary dwellings** and consists of two parts:

- **Part One** contains the submission requirements for a Development Application (DA).
- **Part Two** contains the submission requirements for a Construction Certificate (CC).

A copy of the checklist is available on Council's website; it contains hyperlinks to documents and websites that will assist you in the preparation of your application.

Nothing in this checklist precludes Council from requesting additional information, where Council is of the opinion that the information will assist in the assessment of an application. All plans should be drawn to scale, in ink, on unlined paper and coloured to distinguish new work from existing structures.

Electronic Submission of Documents

Council no longer requires paper copies to be submitted with an application. An electronic copy of all documents - including all written reports/ statements and plans is required to be submitted. Council requests all documents use the following naming convention, any naming conventions outside of the examples provided may result in a delay in the registration of your application:

- Application Form - 25 City Street Newcastle
- Architectural Plan - 25 City Street Newcastle
- Hunter Water Stamp Plan - 25 City Street Newcastle
- SEE - 25 City Street Newcastle
- Stormwater Plan - 25 City Street Newcastle
- Engineering - 25 City Street Newcastle
- Notification Plan - 25 City Street Newcastle

Part One: Development Application (DA) Checklist

Insert a tick (✓) in the column titled Applicant items where the information has been provided and leave blank where not applicable. The relevant sections will be dependent on the application.

Development Applications		Applicant's column to be marked with a tick (✓) if applicable	
Submission Requirements	Required when?	Applicant	Staff
1. A Completed Application Form and this completed checklist (1 electronic copy): A Development Application form is to include consent of all owner/s, contact phone numbers for the applicant and owner and an accurate assessment of the cost of works. The cost of works must include both the cost of materials and the market value of labour. The cost of works will be checked against industry cost guides and you may be required to provide three (3) builders quotes to substantiate estimates, where the amount stated is below industry standards.	All applications.		
2. An Electronic Copy of the Application (1 electronic copy) A pdf copy of all documents and plans contained in the application shall be provided on a non-returnable CD or USB stick. More details about how the file is to be formatted can be found in the document titled Application and Plan Standards available on Council's website.	All applications.		

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Submission Requirements	Required when?	Applicant	Staff
<p>3. Site Plan (1 electronic copy, drawn to a scale of 1:200): The plan is to include:</p> <ul style="list-style-type: none"> • the north point, • boundary dimensions, • the general fall of the site, • the building footprint and the distances of the proposal to the boundaries and all buildings on site, • the location and type of all trees located within the footprint of the proposed works and within 5 metres of the proposed works, including trees on neighbouring properties, public places or footpaths, • any easements, • the location of any powerline, transmission line, underground powerline or electricity substation or tower within the vicinity of the proposed works, • the location of all existing structures and those to be demolished, • the position of any street or lane adjoining the site, • finished levels (contours or spot levels in AHD). • car parking areas and dimensions (show direction of traffic movement, driveway location and • waste bin storage and collection facilities. <p>New work must be clearly distinguished.</p>	All applications		
<p>4. Site Analysis Plan (1 electronic copy, drawn to a scale of 1:200 or 1:500):The plan is to include the following details:</p> <p>Orientation</p> <ul style="list-style-type: none"> • north point (true north) • scale (show ratio and bar scale) <p>Property details</p> <ul style="list-style-type: none"> • property boundaries, dimensions and areas (existing and proposed) • lot and deposited plan numbers • site area (square metres or hectares) • proposed and existing easements, rights of way, sewer mains and services <p>Landform and vegetation</p> <ul style="list-style-type: none"> • contours or spot levels (extend contours into adjoining roads and properties) to Australian Height Data (AHD) • differences in ground levels between the site and adjoining land • stormwater drains, flow paths, drainage easements, watercourses, channels, etc. • extent of any known land filling or contaminated soil • landscape features: cliffs, embankments, retaining walls, foreshores, wetlands, etc. • important views: from the site, from adjoining land • existing vegetation on-site and on adjacent land, streets and reserves: show location, height, canopy spread, species existing roads and pathways 	All applications.		

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<ul style="list-style-type: none"> extent of any environmental constraint areas 			
<p>5. Objection to development standard (1 electronic copy) Clause 4.6 of LEP 2012 enables consideration of a written request justifying the contravention of any development standard. The request must demonstrate:</p> <p>a) that compliance with the development standard is unreasonable or unnecessary in the circumstances, and</p> <p>b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p>	All applications		
<p>6. Elevations (1 electronic copy, drawn to a scale of 1:100). Elevations are to be a fully dimensioned plan showing all faces of the building, existing and proposed windows, and existing and finished floor levels, the height above natural ground level, the type of material to be used in construction. New work must be clearly distinguished.</p>	All applications.		
<p>7. Floor Plans (1 electronic copy, drawn to a scale of 1:100). A fully dimensioned plan showing the size and use of each room/area. New work must be clearly distinguished. Floor plans for additions and alterations to an existing building must show the existing room layout including all existing windows, doors etc.</p>	All applications.		
<p>8. A section through the building (1 electronic copy, drawn to a scale of 1:100): Sections are to show the proposed method of construction and must be fully dimensioned. Sections for buildings with suspended floors must indicate the subfloor clearance of the floor.</p>	All applications.		
<p>9. A driveway section (1 electronic copy, drawn to a scale of 1:100) will be required on steep sites. The driveway should be designed to comply with AS2890, Section 3.02.10 of DCP 2012 and have a maximum gradient of 1:4 with transition grades.</p>	Required where there are changes to existing or new car spaces proposed.		
<p>10. Shadow Diagrams (1 electronic copy, drawn to a scale of 1:100) – The diagrams should indicate in plan view the shadowing impacts for 21 June, for 9am, 12 and 3pm (inclusive) and indicate:</p> <ul style="list-style-type: none"> the existing and proposed shadows, the footprint of buildings and solar panels on adjoining sites, and the impact on adjoining living areas and adjoining private open space. It will be necessary to prepare elevation views where windows to living areas are impacted upon. 	Required where adjoining properties are likely to be impacted. e.g. buildings greater than one storey		
<p>11. Statement of Environmental Effects (SEE) (1 electronic copy): The statement should address the environmental impacts of the development and any steps taken to protect the environment and lessen the</p>	All applications.		

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<p>expected impact. The statement should address the following matters:</p> <ul style="list-style-type: none"> • 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; and <p>Whether or not the development complies with Council's policies (i.e. LEP or DCP) and any applicable legislation, including the Ecological Sustainable Development principles contained with the DCP 2012. Justification for any part that does not comply with policies or legislation should be provided in the statement. For further information on how to prepare a Statement of Environmental Effects please refer to the information sheet on Council's web site.</p>			
<p>12. Notification Plans (1 electronic copy drawn to a scale of not less than 1:200) including site plan, elevations, dimensions of the proposal and all relevant setbacks.</p>	All applications.		
<p>13. Hunter Water Stamped Plans The applicant will be required to satisfy the requirements of the Hunter Water Corporation (HWC). Evidence of consultation with HWC, including plans stamped by the Hunter Water Corporation must be provided. The Corporation has an office located at 36 Honeysuckle Drive, Newcastle and can be contacted on 1300 657 657. For more details on their requirements see their website.</p>	All applications		
<p>14. Mines Subsidence Stamped Plans All applications on properties affected by Mines Subsidence are required to have the plans stamped by the Mines Subsidence Board. Minor structures may be 'Deemed Approved' by the Mines Subsidence Board and be exempt from the need for referral to the Board. The Mine Subsidence Board is located at 117 Bull St Newcastle West, phone (02) 4908 4300 (see their website for more information).</p>	Required where the property is within a Mine subsidence Area.		
<p>15. A BASIX Certificate (1 electronic copy) – is required for all new dwellings and alterations and additions to dwelling houses, confirming compliance with the Government's sustainability targets.</p>	Required where the proposed development has a cost of works of \$50,000 or greater or a swimming pool with a capacity of 40,000 litres or greater.		
<p>16. A schedule of materials and colours of the façade (1 electronic copy). Each sample of the material and colour provided in the schedule must:</p> <ul style="list-style-type: none"> • Describe the composition of the material and colour, 	Required where the proposal is visible from the street.		

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<ul style="list-style-type: none"> Describe the architectural feature that will compromise the material and colour, Identify the location of the material and colour of facades. 			
<p>17. Arborist Report and statement of consistency (1 electronic copy): The report is to include:</p> <ul style="list-style-type: none"> the Tree Retention Value Assessment of each tree in accordance with the requirements of the Tree Management of DCP 2012 Section 5.03 and the Newcastle DCP 2012 Technical Manual "Urban Forest Technical Manual", the heritage assessment requirements of the Newcastle LEP (if the tree is heritage listed or on a land containing a heritage item), and any tree protection measures proposed to be implemented on site. <p>The statement is to indicate that the development application has given regard to the content of the arborist report.</p> <ul style="list-style-type: none"> The application will be accepted without an arborist report in new residential estates. This does not prevent a report being requested at a later date. 	<p>Where trees are located within 5 metres of a proposal and:</p> <p>i) are proposed to be removed or pruned and do not constitute exempt development, or ii) they are to be maintained.</p> <p>See * for exemptions</p>		
<p>18. Landscape Plan (1 electronic copy, drawn to a scale of 1:100 or 1:200). The plan will demonstrate an understanding of the site and its context and show the following details:</p> <ul style="list-style-type: none"> north point scale (show ratio and bar scale) finished surface levels, embankments and grades (indicate extent of cut and fill) existing trees to be retained or removed proposed planting principles (indicative species, location, approximate quantity and mature height) proposed surface treatments (eg turf, paving, bank stabilisation) proposed fences and retaining walls (indicate height and material) the total landscaped area <p>For design details and the required qualifications of designers refer to, Section 7.02 Landscaping, Open Space and Visual Amenity and the Landscaping Technical Manual. All documentation is to be prepared by competent and experienced designers. The name and contact telephone number of the Landscape Architect or design consultant is to be indicated on the required documentation.</p>	<p>Refer to Section 7.02 Landscaping, Open Space and Visual Amenity for guidance on when a landscaping plan is required.</p>		
<p>19. Survey of Existing Australian Height Datum (AHD) (1 electronic copy). Where the property is affected by flooding, a survey of the existing floor level is to be provided to AHD indicating the floor level above the flood planning level. The flood planning</p>	<p>Required where works are proposed and the property is a flood controlled lot.</p>		

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level can be obtained from Council by applying for a Flood Information Certificate .			
<p>20. Stormwater Management Plan (1 electronic copy, drawn to a scale of 1:100 or 1:200). The plan is to illustrate how stormwater will be managed on the site. show the following details:</p> <ul style="list-style-type: none"> north point scale (show ratio and bar scale) existing surface contours (AHD values) proposed finished surface contours (AHD values) proposed building locations and finished floor levels (AHD values) infiltration measures (eg soakage trenches, swales, landscaping, permeable pavements, etc) discharge points to the stormwater drainage system (show levels at these locations) any overland flow paths or flood liable areas present on the land notional location and levels of proposed stormwater pipes and drainage pits notional location and approximate area of any proposed on-site detention (OSD) facilities proposed OSD stored water levels and emergency spillways existing or proposed drainage easements across adjoining land. <p>All drainage is to comply with Section 7.06 Stormwater of Council's Development Control Plan 2012 and the Stormwater and Water Efficiency Technical Manual.</p>	All applications.		
<p>21. Erosion and Sediment Control Plan (1 electronic copy) drawn to a scale of 1:100 or 1:200): The plan is to illustrate how runoff and soils will be managed on the site. The plan is to illustrate how runoff and soils will be managed on the site and show the following details:</p> <ul style="list-style-type: none"> extent of earthworks, stockpiles, access roads, impervious areas, construction entrances, drainage lines proposed runoff diversion measures, such as earth perimeter banks and channels, straw bale perimeter banks, diversion banks and channels, level spreaders, drop down drains and check dams proposed sediment trapping devices, such as sediment fences, sediment traps revegetation and stabilisation areas <p>Plans are to be prepared in accordance with 'Managing Urban Stormwater: Soils and Construction - Volume 1, 4th edition 2004 (the 'Blue Book')</p>	All applications where more than 50m ² of land is being disturbed.		
<p>22. A completed Broad Scale Development Assessment Checklist (1 electronic copy).The checklist is a self assessment checklist against the</p>	For development of a scale greater than dual occupancies in size. However site circumstances		

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design criteria for water sensitive design in Newcastle DCP 2012 Section 7.06 Stormwater and Section 7.07 Water Efficiency .	may require a checklist to be submitted after lodgement.		
23. Statements of intent to negotiate (1 electronic copy). The statement is to outline any negotiations that are in progress to acquire rights for easements to be created over adjoining properties and is to be signed by the owners of the affected properties.	Required where it is proposed to create an easement over an adjoining property/s and the owner/s of the subject land is not owner/s of the land on which the application has been lodged.		
24. Affordable Housing Report (1 electronic copy): The report should address a number of matters set out in State Environmental Planning Policy (Affordable Rental Housing) 2009 . The policy and guidelines are available from the Department of Planning and Infrastructure .	Required ONLY where: i) the existing accommodation has been identified (against an assessment under the State Environmental Planning Policy (Affordable Rental Housing) 2009) as a low rental accommodation residential building, and ii) is either to be altered, added to, subdivided, or in some circumstances, change the use of the building or demolished.		
25. A Geotechnical Report (1 electronic copy). The report is to be prepared by a suitably qualified person and demonstrate that land is: <ul style="list-style-type: none">suitable for its intended use, or demonstrate that remediation works will eliminate the risk.does not impact on the structural integrity of buildings, the health and safety of trees on both adjoining and nearby properties and streets and the geodiversity of the local area.	Required where the development site is considered to be at risk from landslip, subsidence, coastal erosion or any other potential hazardous ground conditions.		
26. Bushfire Assessment Report (1 electronic copy). All residential proposals on Bushfire Prone Land and ancillary structures located within 10 metres of a dwelling house will require a Bushfire Assessment Report. for more information see RFS guidelines . The application must demonstrate compliance with Planning for Bush Fire Protection (as amended). A self assessment report can be completed and downloaded from their website .	Required where the property is within Bushfire Prone Land and in the case of ancillary structures within 10 metres of the dwelling house.		
27. Acid Sulfate Soils Management Plan (1 electronic copy): The plan must be prepared by an appropriately qualified person and: <ul style="list-style-type: none">Identify the extent of excavation and groundwater disturbance,	Required where a development site has been identified as being potentially impacted by acid sulfate soils and the proposed works involve		

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<ul style="list-style-type: none"> Establish whether acid sulfate soils are present on a site and if so whether the proposed works are likely to disturb those soils, Establish whether a comprehensive acid sulfate soils management plan should be prepared, that outlines mitigation and/or monitoring strategies, Provides information to assist with the design of a soil and water assessment program. 	the disturbance of 1 tonne or more of soil, the lowering of the watertable or for works beyond a certain level (as specified in the LEP) below the existing ground surface .		
<p>28. Heritage Impact Statement (1 electronic copy). The statement must:</p> <ul style="list-style-type: none"> address the relevant matters listed in the LEP 2012. assess the extent to which the carrying out of the proposed development would affect the heritage significance of the item, area, place, site or relic. <p>The guidelines for various types of heritage impact statements are available at the following web page. Additional information is also available at Council's web site.</p> <p>More information is available in DCP 2012 in the following sections:</p> <p>Section 5.04 Aboriginal Heritage</p> <p>Section 5.05 Heritage Items</p> <p>Section 5.06 Archaeological Management</p> <p>Section 5.07 Heritage Conservation Areas</p> <p>And the Heritage Technical Manual</p>	Required where the development involves works to any of the following: <ul style="list-style-type: none"> a heritage item or a draft heritage item or on a property of known or suspected Aboriginal heritage or on a property that contains an archaeological site or relic of non-Aboriginal heritage significance and a property within a heritage conservation area, or draft heritage conservation area, where the works are visible to the street or greater than one storey in height, and may be required for development that is within the vicinity of a heritage item or heritage conservation area. 		
<p>29. A 'Cost Summary Report' for Development Details and/or details of any proposed Voluntary Planning Agreement. (1 electronic copy): Applicants are encouraged to contact Council to determine the requirements for the particular development prior to lodging any application. Councils' form outlining the 'cost summary report for development is available on our Website. The s94 contribution plans that apply in the Newcastle LGA are:</p> <p>Section 94A Plan (applies to all development with a cost greater than \$100,000 in the city except where the Western Corridor S94 Contribution Plan 2013 applies), Western Corridor Section 94 Contribution Plan 2013 (Minmi, Maryland, Fletcher and parts of Wallsend and Elernmore Vale</p>	<p>Cost Summary Report – required for developments triggering a S94A contribution i.e. the development has a cost greater than \$100,000 and results in an increased demand for public amenities and public services in an area.</p> <p>Voluntary Planning Agreement - required where it is proposed as an alternate to the payment of Section 94 or 94A levy.</p>		

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Guidelines

Acid Sulfate Soils: Soils containing highly acidic soil layers resulting from the aeration of soil materials that are rich in iron sulphides, primarily pyrite. The soil material has a pH of less than 4 when measured in dry seasonal conditions. Newcastle Local Environmental Plan 2012 provides further guidance as to when an Acid Sulfate Plan is required.

A 149 Certificate will identify properties potentially containing Acid Sulfate Soils.

Class of soil **Works* to which this clause applies**

- 1 Any works.
- 2 Works below the ground surface OR Works by which the watertable is likely to be lowered.
- 3 Works more than 1 metre below the natural ground surface.
Works by which the water table is likely to be lowered beyond 1 metre below natural ground surface.
- 4 Works more than 2 metres below the natural ground surface OR Works by which the water table is likely to be lowered more than 2 metres below natural ground surface.
- 5 Works within 500 metres of adjacent Class 1, 2, 3, or 4 land which are likely to lower the water table more than 1 metre Australian Height Datum on adjacent Class 1, 2, 3, or 4 land.

***Works** means any disturbance of more than one tonne of soils such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins), foundations or flood mitigation works, or the works are not likely to lower the watertable. For other exclusions see Clause 6.1 of the LEP.

A BASIX Certificate identifies the sustainability features required in a building design. At the time of preparing this handout alterations and additions to a dwelling house or a new dwelling house with a cost of works \$50,000 or greater or a swimming pool with a capacity of 40,000 litres or greater triggered the requirement for a BASIX Certificate. Structures such as pergolas, decks, carports and garages are excluded from BASIX assessments and as such they can be excluded from the values of the costs of works when determining if a BASIX Certificate is required. The plans and specifications must also identify the BASIX commitments. Applicants can generate the BASIX Certificate only on the BASIX website. The BASIX certificate or certificates must have been issued no earlier than 3 months before the date on which the application is made: BASIX Help Line on 1300 650 908.

Office Use - Duty Officer

Pre-assessment of plans for lodgement: Issues for resolution (reference items in checklist)

Team	BAT	DAT
Description of proposal		
Application	<input type="checkbox"/> DA	<input type="checkbox"/> CC <input type="checkbox"/> PCA
Accepted	Officer:	Date:

Part Two: Construction Certificate (CC) Checklist

Insert a tick (✓) in the column titled Applicant items where the information has been or leave blank where not applicable. The relevant sections will be dependent on the application.

An application for a Construction Certificate is required to demonstrate the proposals compliance with the Building Code of Australia (BCA) and the development consent. The table below is a summary of the information required for the assessment of a CC.

Construction Certificate Applications		Applicant's column to be marked with a tick (✓) if applicable	
Submission Requirements	Required when?	Applicant	Staff
<p>1. A complete set of plans (1 electronic copy) - reflecting compliance with the conditions of development consent and indicating the location of all fire safety measures. The set of plans includes a site plan, elevations, floor plans and cross sections.</p>	All applications		
<p>2. Engineers Details and/or Certification (1 electronic copy): You will require input from an engineer for the following type of work:</p> <ul style="list-style-type: none"> Concrete footings and/or slabs. A soil classification in accordance with AS2870 shall be nominated for all works involving concrete footings or a slab, Steel members (e.g. beams or posts), Where it is proposed to build on an existing structure, a statement of structural adequacy is required for the existing building/slab to ensure it is capable of carrying the additional loads, and Where a timber frame exceeds the design parameters of AS4055, "Wind Loads for Housing" or AS1684, Residential timber-framed construction, the timber frame must be certified by a structural engineer. A wind classification for the site shall be nominated on the plans. 	All applications		
<p>3. A Detailed Specification (1 electronic copy): The specification must include; the method of construction, the standard to which any the standard to which any framing, wet area flashing, termite protection and glazing shall be installed. A wind classification for the site shall be nominated, in accordance with AS4055 where any timber framing is proposed and a site classification, in accordance with AS2870, where any concrete footing or slab is proposed.</p>	All applications		
<p>4. An Electronic Copy of the Application (1 electronic copy) A pdf copy of all documents and plans contained in the application shall be provided on a non-returnable CD or USB stick. More details about how the file is to be formatted can be found in the document titled Application and Plan Standards available on Council's website.</p>			