

# Minor Residential Developments

## Statement of Environmental Effects template

116 Adelaide Street,  
Raymond Terrace NSW 2324

PO Box 42  
Raymond Terrace NSW 2324

**p** (02) 4988 0255 | **f** (02) 4987 3612  
**e** council@portstephens.nsw.gov.au

**DX** 21406 | **ABN** 16 744 377 876

The Statement of Environmental Effects template is to be used for minor development types, including dwelling houses, dual occupancies, minor subdivisions, secondary dwellings, alterations and additions and ancillary structures (sheds, carports, pools, deck and/or patios, etc).

Additional specialist assessments, reports and plans may be required to be submitted. Council's Development Application Supporting Handbook (DASH) sets out the information required to accompany a DA.

### PART A

### PROPERTY DETAILS

Unit/Street Numbers	Street Name	Suburb	Postcode	Lot Number	DP/SP

### PART B

### PROPOSED DEVELOPMENT AND SITE PARTICULARS

#### Proposed development

Describe the development, including details such as whether new buildings are proposed, if the development will use whole, or part, of the building(s)/property, physical features of the building, nature/general use of the buildings, materials and colour scheme, signage, etc.

## **Subject site and adjoining properties**

Describe the subject site including the total site area in m<sup>2</sup>. Provide details of physical features, such as slope, vegetation, existing services and existing structures. Also describe the use and development on adjoining properties.

## **Site history**

Detail the existing and historic uses of the site, including existing structures and activities.

Note: Where potentially contaminating activities have occurred, a Preliminary Site Investigation Report should be provided in support of your application.

## State Environmental Planning Policies (SEPPs)

List any State Environmental Planning Policies (SEPPs) applicable to your proposed development and provide details demonstrating compliance with the associated provisions of the relevant SEPP(s).

Note: The regularly applicable SEPP(s) have been included in the table below, (amend where necessary).

Applicable SEPP	Comments
<b>SEPP (Sustainable Buildings) 2022</b> <b>Chapter 2 - BASIX</b> <u>Note:</u> To determine whether a BASIX certificate needs to be submitted with your application, please refer to <a href="#">NSW Government BASIX tool</a> .	
<b>SEPP (Resilience and Hazards) 2021</b> <b>Chapter 2 Coastal Management</b>	
<b>SEPP (Resilience and Hazards) 2021</b> <b>Chapter 4 Remediation of land</b> <u>Note:</u> Provide details of any potential contaminating activities that have previously occurred on the site.	
<b>SEPP (Biodiversity and Conservation) 2021</b> <u>Note:</u> Provide details of the site's ecological values (koala feed trees, threatened species habitat, important habitat features, e.g. hollow bearing trees). If removal is required, an Ecological Impact Assessment is to be submitted with your application.	
<b>[INSERT ADDITIONAL SEPPs HERE]</b>	

## Port Stephens Local Environmental Plan

List the provisions of the Port Stephens Local Environmental Plan (LEP) applicable to your proposed development and provide details demonstrating compliance.

Note: The regularly applicable LEP provisions have been included in the table below. Amend where necessary to ensure all relevant provisions applicable to the proposed development have been addressed.

Applicable LEP provision	Comments
<b>2.1 Land use zones</b> <u>Note:</u> Detailed assessment against the zone objectives is required.	
<b>4.1 Minimum lot size</b> <u>Note:</u> This clause applies to application for the subdivision of land or boundary realignment.	
<b>4.1B Minimum lot sizes for dual occupancies, multi-dwelling housing and residential flat buildings</b> <u>Note:</u> Development types listed above must meet the minimum lot size requirements within this clause.	
<b>4.1C Exceptions to minimum lot sizes for certain residential development</b> <u>Note:</u> This clause provides exceptions to the minimum lot sizes referred to in Clause 4.1.	
<b>4.2B Erection of dwelling houses on land in certain rural, residential and environment protection zones</b>	
<b>4.3 Height of buildings</b> <u>Note:</u> If the structure is two storeys or greater, or has the potential to overshadow neighbouring properties, shadow diagrams will need to be submitted.	
<b>4.6 Exceptions to development standards</b> <u>Note:</u> A Clause 4.6 variation request letter must be completed and submitted with the proposed development application.	

<p><b>7.1 Acid sulfate soils</b></p> <p><u>Note:</u> Provide details of acid sulfate soil class and details of any proposed excavation.</p>	
<p><b>7.2 Earthworks</b></p> <p><u>Note:</u> A detailed cut and fill plan must be submitted with the proposed development application.</p>	
<p><b>7.5 Development in areas subject to aircraft noise</b></p> <p><u>Note:</u> If your land subject to the Australian Noise Exposure Forecast 2025? The development needs to comply with Section B6 of the Port Stephens Development Control Plan.</p>	
<p><b>7.6 Essential services</b></p> <p><u>Note:</u> Adequate supply of water, electricity, sewage management, stormwater drainage and suitable vehicle access must be available.</p>	
<p>[INSERT ADDITIONAL CLAUSES HERE]</p>	

## Other relevant legislation

List the other relevant legislation applicable to your proposed development (i.e. Rural Fires Act 1997, Water Management Act 2000 etc.) and provide an assessment against the relevant requirements.

Note: The regularly applicable provisions have been included in the table below, (amend where necessary).

<p><b>Bushfire – Rural Fires Act 1997</b></p> <p><u>Note:</u> Is your land categorised as bushfire prone land? If yes, the development will need to be accompanied by a bushfire report demonstrating compliance with the Planning for Bushfire Protection 2019.</p>	
<p>[INSERT ADDITIONAL PROVISIONS HERE]</p>	

## Port Stephens Development Control Plan (DCP)

List the provisions of the Port Stephens Development Control Plan (DCP) applicable to your proposed development and provide details demonstrating compliance. Should an objective or requirement not be met, justification and an alternative solution should be provided.

<b>Chapter B – General provisions</b>	
Note: The regularly applicable controls have been included in the table below, amend where necessary.	
<b>Provision</b>	<b>Compliance and comment</b>
<b>B2 – Natural Environment</b> <u>Note:</u> If the land is identified as containing critical habitat, threatened species, populations or ecological communities, an Ecological Impact Assessment is to be submitted with your application.	
<b>B3 – Stormwater Management</b> <u>Note:</u> A Stormwater Drain Management Plan may need to be submitted with your application.	
<b>B4- Flooding</b> <u>Note:</u> Refer to <a href="#">Council's online mapping portal</a> to determine if your land is flood prone, and obtain a flood certificate from Council for more information on your site.	
<b>B5- Road Network and Parking</b> <u>Note:</u> Provide details of how many on-site car parking spaces will be provided. Provide further information demonstrating adequate vehicle manoeuvring.	
<b>B6 – Aircraft Noise and Safety</b> <u>Note:</u> Development needs to take aircraft noise and safety into consideration. Refer to Council's online mapping portal to identify the location of your site.	
<b>B7 – Heritage</b> <u>Note:</u> Refer to 'Heritage Reports' and 'Aboriginal Heritage Assessment' if your site is within a heritage conservation area or identified as containing a heritage item.	

## Chapter C – Development types

Note: The regularly applicable controls have been included in the table below. Amend where necessary.

Provision	Compliance and comment
<b>C1 – Subdivision</b>	
	Building setbacks:
	Building height:
	Streetscape and privacy:
	Site coverage and landscaping:
<b>C4 – Residential Development</b> Dwelling houses, secondary dwelling, dual occupancy or ancillary structures.	Private open space:
	Natural ventilation:
	Garages and driveways:
	Site facilities:
	Ancillary development:

**Chapter D – Specific areas**

Note: Required if your site falls within one of the specific areas referred to in Chapter D of the Port Stephens DCP.

<b>Provision</b>	<b>Compliance and comment</b>
[INSERT CHAPTER HERE]	

**Other comments (where applicable):**

## YOUR PRIVACY

Port Stephens Council is committed to protecting your privacy and we take reasonable steps to comply with relevant legislation and Council policy.

**Purpose:** The purpose of this form is to address the documentation and lodgement requirements of the Environmental Planning and Assessment Act 1979 and Regulations 2021.

**Intended recipients:** Council employees, contractors and other third parties where appropriate.

**Supply:** A Statement of Environmental Effects is required to be provided with any development application under the Environmental Planning and Assessment Act 1979 and Regulations 2021.

**Consequence of non-provision:** Council may not take action on the development application or reject the application.

**Storage and security:** This document will be placed on the relevant file and/or saved in Council's records management system in accordance with Council policy and relevant legislation.

**Access:** Only the intended recipients will have access to your personal information. If you are seeking to access your personal information from Council, please contact the Privacy Officer on 4988 0255.