

DCP COMPLIANCE TABLE

**TORRENS TITLE SUBDIVISION (ONE
INTO THREE LOTS), ASSOCIATED
VEGETATION REMOVAL, AND CIVIL
WORKS**

**405 MARTINS CREEK ROAD, PATERSON,
NSW, 2421 (LOT 2, DP 1057313)**

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Section	Requirement	Proposed	Complies
Part A – Administration			
	This Part relates to development application requirements.	The proposed development application will be submitted to Council consistent with those requirements.	Yes
Part B – Exempt and Complying Development			
	This Part relates to exempt and complying development.	The proposed development does not meet the development standards for complying development.	N/A
C2 – Residential Development -			
1.3 Setbacks	<i>These setbacks do not replace site specific setbacks included within the Local Area Plans (see Part D of the DCP) for Vacy, Boatfalls Rural Residential Estate and Boulton Drive, Paterson.</i> On land zoned R5* or E4*, the minimum setback from the front property boundary shall be:- 1) 70m from a main road; and 2) 30m from any other public road; or 3) 15m from new roads within the subdivision.	Martins Creek Road is not categorised as a main road by this DCP. The proposed lots all provide sufficient areas such that future development can achieve compliance with the front setback requirement of 30m. These Lots allow the potential future dwellings to have minimal visual impact on the site and surrounds.	Yes

Section	Requirement	Proposed	Complies
	Note: "Main Road" means a main road within the meaning of the Roads Act, 1993. The Main Roads in Dungog are:- • Gresford Road; • Dungog Road; • Clarence Town Road; • Bingleburra Road; • Glendonbrook Road; • Tocal Road; • Stroud Hill Road; and 1) Chichester Dam Road.		
1.4 Water Supply	Where the land is not serviced by a reticulated water supply the development is to be provided with a minimum of 20,000 litres of stored water.	The subject site is not serviced by Hunter Water, as such any future development would require the collection and storage of water for domestic supply.	Yes
1.5 Sewerage	Where the land is not serviced by reticulated sewer, the development is to be serviced by an approved onsite sewerage management facility. Council's Department of Environmental Services should be contacted regarding on-site effluent disposal requirements. Applications for sewerage management facilities must be lodged prior to or in conjunction with residential development applications.	The subject site is not serviced by Hunter Water. Any future development would be required to comply Council's OSSM policies. Each of the proposed allotments will continue to maintain a minimum 4000m² of usable land for effluent dispersal, per the recommendations contained within the On-site Wastewater Report prepared, contained at ATTACHMENT 11. The existing dwelling on proposed Lot 1 is currently serviced by an existing OSSM.	Yes

Section	Requirement	Proposed	Complies
1.6 Property Access	Access to residential properties is to also include a vehicular footpath crossing between the edge of bitumen and property boundary (with pavement thickness minimum 150mm and bitumen sealed 3m wide including turnouts).	Access to each proposed lot will be via the proposed shared driveway to Martins Creek Road. Refer to the Civil Works Plans provided as ATTACHMENT 8 .	Yes
1.7 Property Identification	Rural properties are required to ensure that satisfactory arrangements have been made with Council for the supply and erection of a property identification number in accordance with Council's Rural Addressing Program.	Rural address numbering will be provided at Subdivision Certificate stage.	Yes
1.8 Energy Efficiency	Energy efficient buildings should be designed to maximise the solar access of the property. Buildings should have living areas facing north and bedrooms facing south, provide cross flow ventilation in all directions by placing windows in suitable locations, concrete slabs placed directly on the ground and internal masonry walls with direct sunlight provide thermal mass for heating qualities.	These controls apply to residential building works. No residential building works are proposed.	N/A
1.9 Building Compliance	All building work is to meet compliance with the Building Code of Australia, and the associated standards adopted by the BCA.	This control applies to building works. No residential building works are proposed.	N/A

Section	Requirement	Proposed	Complies
1.10 Bushfire Prone Land	In the event that is identified as being bush fire prone the development must meet the requirements of Planning for Bush Fire Protection.	The property is identified as bushfire prone land. As such referral to the Rural Fires Service is triggered under Section 100B of the Rural Fires Act 1997. A Bushfire Assessment Report is provided as ATTACHMENT 10 .	Yes
1.11 Ancillary Development – Studios	Council may consider an application to construct a studio on rural property where it can be demonstrated that the studio is required by the owner of the land to carry out a particular activity that cannot be carried out by its nature within the residential house. Studios shall not contain a kitchen nor be capable of separate habitation. Studios must be contained wholly within 30m of the external walls of the dwelling house. Studios must be less than 60 square metres and should not contain internal partitions other than those necessary for ablution facilities or demonstrably required for the use of the studio, i.e. photography darkroom. There are only two rooms allowable in the studios. If this cannot be achieved, then studios must be attached to existing dwelling.	These controls apply to residential garages. No ancillary studios are proposed.	N/A

Section	Requirement	Proposed	Complies
1.13 Residential Garages	Within the Residential 2(a) and Village 2(v) zone the enclosed floor area of a detached garage shall be a maximum of 4 bays.	These controls apply to residential garages. No residential garages are proposed.	N/A
C3 – Building Line Setbacks			
2.3 BUILDING LINE SET BACKS TO FRONT PROPERTY BOUNDARY			
2.3.2 Land Zoned R5 Large Lot Residential or E4 Environmental Living	<i>These setbacks do not replace site specific setbacks included within the Local Area Plans (see Part D of the DCP) for Vacy, Boatfalls Rural Residential Estate and Boulton Drive, Paterson.</i> On land zoned R5* or E4*, the minimum setback from the front property boundary shall be:- 1) 70m from a main road; and 2) 30m from any other public road; or 3) 15m from new roads within the subdivision. Note: "Main Road" means a main road within the meaning of the Roads Act, 1993. The Main Roads in Dungog are:- • Gresford Road; • Dungog Road; • Clarence Town Road;	Martins Creek Road is not categorised as a main road by this DCP. The proposed lots all provide sufficient areas such that future development can achieve compliance with the front setback requirement of 30m. These Lots allow the potential future dwellings to have minimal visual impact on the site and surrounds.	Yes

Section	Requirement	Proposed	Complies
	• Bingleburra Road; • Glendonbrook Road; • Tocal Road; • Stroud Hill Road; and • Chichester Dam Road.		
2.4 SIDE AND REAR BOUNDARIES (INCLUDING SECONDARY ROAD FRONTAGE)			
2.4.2 Land Zoned R5 Large Lot Residential or E4 Environmental Living	On land zoned R5 or E4, the minimum setback from side and rear boundaries shall be 10 metres.	The proposed building envelopes provide sufficient areas such that future development can achieve compliance with this setback requirement of 30m. These setbacks allow the potential future dwellings to have minimal visual impact on the site and surrounds.	Yes
C5 – Bushfire			
C.5	Under the new provisions, applications for development on bushfire prone land must be accompanied by a Bush Fire Assessment Report demonstrating compliance with the aims and objectives of Planning for Bushfire Protection 2006, as well as the specific performance criteria for the land use proposed. Section 4.14 of the EP&A Act prevents Council from granting approval for any development in a bushfire prone area unless the proposal complies with Planning for Bushfire Protection	The property is identified as bushfire prone land. As such referral to the Rural Fires Service is triggered under Section 100B of the Rural Fires Act 1997. A Bushfire Assessment Report is provided as ATTACHMENT 10.	Yes

Section	Requirement	Proposed	Complies
	2006 or the Commissioner of the NSW Rural Fire Service (RFS) has been consulted on any non-compliance. Section 100B of the Rural Fires Act 1997 requires that the Commissioner of the RFS issue a Bush Fire Safety Authority (BSA) for residential, rural residential or rural subdivision and special fire protection purpose developments on bushfire prone land.		
C15 - Contaminated Land			
15.4 Control Requirements	Council shall ensure that all development in Dungog Shire is carried out having regard to the requirements of the Dungog Shire Council Contaminated Land Policy, along with all supporting guides and documents that may from time to time exist to guide the management of contaminated land.	This Chapter applies to the whole state. Under Section 4.6, a consent authority must not grant consent to the carrying out of any development unless they have considered whether the land is contaminated. The site is currently zoned for residential purposes. Considering the historic use for the site has been ongoing as residential, it is not expected or known that surrounding locality has the potential to be contaminated. To this extent, the future allotments of land are considered suitable for the proposed development.	Yes

Section	Requirement	Proposed	Complies
C16 - Biodiversity			
NEW DEVELOPMENT AND BIODIVERSITY	New development proposals are required to take into account biodiversity issues. This means that developers make an assessment of the regional biodiversity context of the site and site specific habitat attributes. If important biodiversity values are likely to occur, then site specific survey may be required, and a proposed development may require modification, redesign or relocation. Dungog Shire Council is required to make an assessment of the adequacy of the proposed development and accompanying information. Applications may be refused if adequate supporting information is not provided or if the location of a proposed development is not suitable. The Council is responsible for assessing the biodiversity impacts of development applications and for determining whether a significant effect on threatened species is likely to occur. This forms part of the approval process and will be reflected in conditions of development consent.	The subject site contains areas of biodiversity value and a mapped watercourse (Tuckers Creek). Vegetation removal is required for the proposed driveway. The proposed development does not trigger the threshold to require a BDAR. It is not anticipated that the proposed development would have significant ecological impacts. To this extent, an ecologist report has not been commissioned.	Yes

Section	Requirement	Proposed	Complies
C23 – Onsite Sewage Management			
23.3.1 Unsewered Allotments to be Provided with an Onsite Sewage Management System	Development consent will not be granted by Council unless adequate arrangements have been made for the disposal and management of sewage. Developments without access to the reticulated sewer of the local water and sewer authority must demonstrate that the proposal for the disposal and management of sewage is adequate and sustainable and how it satisfactorily addresses the Dungog Shire On-site Sewage Management Policy. The Policy incorporates technical tools including the Development Assessment Framework (DAF) and Technical Manual for On-site Sewage Management Systems.	The subject site is not serviced by Hunter Water, with no reticulated sewer available for connection. Any future development would be required to comply Council's OSSM policies. All proposed lots are large enough to cater for onsite sewage management should dwellings be proposed for development. The existing dwelling on proposed Lot 1 is currently serviced by an existing OSSM.	Yes
C24. Site Waste Minimisation and Management			
24.15.4 Controls/Requirements	A completed Site Waste Minimisation and Management Plan (SWMMP) shall accompany the application.	A site waste minimisation plan has been attached as ATTACHMENT 14 .	Yes