

Mid-Western Regional Council
Planning and Building

APPLICATION LODGEMENT GUIDE



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ABOUT THIS GUIDE

This guide explains how to prepare for a variety of Council applications related to development including development applications, construction certificates, complying development certificates and combined development and construction certificate applications.

It provides a simple, step-by-step guide of all the things you need to do when submitting an application.

This guide should be used in conjunction with the application checklist to ensure that you have provided all the correct information, plans and the other necessary documents with your selected application. If your application includes all the required plans and details, Council is more likely to assess and determine the application quickly.

If you are thinking about building or developing in the Mid-Western region, it is important to recognise that not all building work requires the consent of Council.

In some cases, common minor works such as the installation of carports, air conditioners, some portable swimming pools and fences do not require Council approval if they satisfy certain predetermined standards or criteria.

EXEMPT DEVELOPMENT

Exempt development is development that has minimal environmental impact on neighbouring amenity where, subject to satisfying pre-determined standards, there is no need for any planning or construction approval.

COMPLYING DEVELOPMENT

Complying development is development that complies with pre-determined development standards for a particular type of development contained in a state-wide planning document. Planning and construction approval can be obtained with the lodgement of a complying development certificate application with Council or an accredited certifier prior to commencing works.

LOCAL DEVELOPMENT

If, because of the nature of your work, your development falls outside the pre-determined standards of exempt or complying development, then you will be required to lodge a development application with Council.



TYPES OF DEVELOPMENTS AND APPLICATIONS

TYPES OF DEVELOPMENTS

- Dwellings
- Additions to existing dwellings
- Carports
- Garages
- Swimming pools
- Dual occupancies
- Townhouses/villas
- Multiple unit development
- Commercial
- Change of use and industrial developments
- Subdivision of land

EXEMPT DEVELOPMENT

Some forms of development which are of a very minor nature may be classified as exempt development, in which case you do not need Council approval to undertake the works. Some examples of exempt development include some awnings, carports and decks and some instances of change of building use.

If your development falls into the category of exempt development, you do not need to continue with the development application process.

Some minor developments do not require a development application.

These include:

- Decks, pergolas, residential additions and small commercial work – see State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- Satellite dishes and solar water heaters – see State Environmental Planning Policy (Transport and Infrastructure) 2021

COMPLYING DEVELOPMENT

The next level of development is complying development, which deals with minor types of development that fall outside the category of exempt development.

If your development falls into this category, you do not need to continue with the development application process, but will need to obtain a Complying Development Certificate.

WHAT IS A CDC?

A Complying Development Certificate (CDC) is combined planning and construction approval that complies with development standards identified in State Government policy. Approval can be obtained with the lodgement of a Complying Development Certificate application with Council or a private accredited certifier.

LOCAL DEVELOPMENT

This category of development deals with a wide range of development types, from minor works which fall outside exempt and complying development, up to some of the more complex forms of development such as residential flat buildings.

Most dwellings and major additions will be classified as a local development as well as dual occupancy developments, all villa homes, schools and industrial and commercial buildings. Local development is dealt with through the development application process.

TYPES OF APPLICATIONS

WHAT IS A DA?

A Development Application (DA) is a formal request to Council for permission to carry out a proposed development. Development is legally defined as:

- The use of land
- The subdivision of land
- The erection of a building
- The carrying out of work
- The demolition of a building or work

WHAT IS A CC?

A Construction Certificate (CC) is an approval for building works and is obtained after a Development Application has been approved but before any works approved by that DA are carried out. A construction certificate can be issued by Council or a private accredited certifier and ensures the detailed construction plans and specifications are consistent with the development consent and comply with the Building Code of Australia and relevant Australian standards.

FREQUENTLY ASKED QUESTIONS

DO I NEED TO LODGE A DA/CC OR CDC?

You need to lodge a development application if you propose to carry out works that are not exempt or complying development and you wish to do any of the following:

- Erect a new building or structure including outbuildings, swimming pools, retaining walls etc.
- Add to or alter an existing building
- Demolish a building
- Demolish, damage or alter a building or place that is a heritage item
- (In some instances) change the use of an existing building or land to another use
- Subdivide land or strata subdivide a building
- (In some instances) display an advertising sign
- Carry out earthworks, excavation or filling (in some instances)

CAN I CHANGE OR MODIFY AN APPROVAL?

After a DA or CDC is approved and you'd like to modify it you can make an application to do so.

The process to modify an approval is similar to the original approval process. If you are applying to modify an approval, you must provide the information required for your development type in the checklist that is being modified by your application eg if you propose to modify the approved external treatment of the building you will need to provide a modified Colour and Finish Schedule and Elevations of the building.

You will also be charged a fee to modify an approval. Further information on modifying a DA is found towards the end of this Guide.

Any plans you submit must clearly show the proposed modification that you wish to carry out. These changes must be shown as being clouded (or highlighted in some way) to distinguish them from the approved works.



STEP 1

ESTABLISH RELEVANT PLANNING CONTROLS

Obtain a section 10.7 Certificate from Council. This certificate contains important information about your land, such as its zoning, and policies that may apply to it.

COUNCIL CONTROLS AND POLICIES

All development within the Mid-Western Region local government area is covered by two levels of Council controls:

1. The Local Environmental Plan (LEP) is a statutory document that identifies which land uses are permitted within the different zones and some core development standards. Potential applicants should review the LEP prior to proceeding with developing a proposal for any land; and

2. The Development Control Plan (DCP) contains Council's controls on how specific development should proceed. It sets controls for heights of buildings, open space and landscaping requirements, car parking requirements, drainage requirements etc. Council has numerous parts in the DCP which are tailored to suit the type of development proposed. For example, Council has separate parts of the DCP for industrial developments, commercial and residential. You need to obtain a copy of the part(s) of the DCP relevant to the type of development you propose.

NEED OTHER APPROVALS?

You need to be aware that your proposal may require approval from other government agencies.

INTEGRATED DEVELOPMENT

Under the planning laws, you must indicate on the application form whether you need an approval from another government agency specified in the legislation. If your proposal does require one of these approvals, it is classed as 'integrated development'.

A list of integrated developments is found in Section 4.46 of the Environmental Planning and Assessment Act 1979. We strongly advise that you review this section of this Act before completing your application.

The following is a general guide to determining which approval body (and which statutory approval) is relevant to your proposal:

- Item on the State Heritage Register or subject to an Interim Heritage Order – Approval required from the NSW Office of Environment and Heritage [sec. 58 Heritage Act 1977];
- A NSW Office of Environment and Heritage – licensed activity – Approval required from that Office [sections 43(a), 43(b), 43(d), 47, 48, 55 and 122 Protection of the Environment Operations Act 1997];
- Earthworks, hoardings or structures within a public road – depending on the status of the road, the authority could be Mid-Western Regional Council, the Roads and Maritime Services (sec. 138 Roads Act 1993), the Minister for Land and Water Conservation or other agencies;
- Earthworks within 40 metres of a foreshore or a Watercourse – Approval required from the Department of Primary Industries (Water) [Part 3 Approvals Water Management Act 2000];
- Extraction or use of river or groundwater – Approval required from the Department of Primary Industries [Water] sections 89, 90 & 91 Water Management Act 2000;
- Destruction or damage to an Aboriginal relic – Approval required from the National Parks and Wildlife Service [sec. 90 National Parks and Wildlife Act 1974];
- Dredging or reclamation of any waters – Approval required from Department of Primary Industries (Fisheries) [sec. 201 Fisheries Management Act 1994];
- Removal or damage to marine vegetation – Approval required from Department of Primary Industries (Fisheries) [sec. 205 Fisheries Management Act 1994]; and
- Subdivision of land or development of a special fire protection purpose in a bushfire prone area – Approval required from NSW Rural Fire Service [sec. 100B Rural Fires Act 1997].

STEP 1

ESTABLISH RELEVANT PLANNING CONTROLS

A more detailed guide to integrated development is available from the Department of Planning (phone 02 9228 6333 or email information@planning.nsw.gov.au). If you are unsure whether another approval is required, please consult with the relevant agency. Similarly, if your proposal involves any of the above matters, we strongly recommend that you consult with the agency concerned before you lodge a development application.

Applications for integrated development will be referred to the relevant agency to obtain their 'general terms of approval'. These requirements will then be incorporated in the conditions of any development consent issued by Council.

Please note that an additional fee applies to each referral to a government department, under integrated development.

BIODIVERSITY CONSERVATION ACT 2016

All applications to develop land are required to indicate if they're likely to significantly affect threatened species, populations or ecological communities, or their habitats.

The legislation that surrounds this is the Biodiversity Conservation Act 2016 which establishes a framework for determining where impacts upon threatened species, populations or ecological communities, or their habitats are likely to be significant and assessing impacts upon biodiversity.

A Biodiversity Assessment Report will be required if the development applies to any of the following:

- Occurs on or causes an impact to occur on land included in the Biodiversity Values Map (See the Biodiversity Values Map and Threshold Tool nsw.gov.au/Maps/index.html?viewer=BOSETMap or
- Is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3 Biodiversity Conservation Act 2016 or
- Involves clearing of a total area of native vegetation which exceeds the relevant area based threshold below:

MINIMUM LOT SIZE OF THE LAND	AREA OF CLEARING
Less than 1 hectare	0.25 hectare or more
1 hectare or more but less than 40 hectares	0.5 hectare or more
40 hectares or more but less than 1,000 hectares	1 hectare or more
1,000 hectares or more	2 hectares or more



STEP 2

PREPARE PLANS AND DRAWINGS

WHICH PLANS?

You will need to prepare several types of plans and drawings. The actual plans required for your proposal will depend on the type of development proposed.

Please refer to the application checklist, which identifies the plans and documents required to accompany the relevant application type.

The following is a list which you will need to guide you on what plans and documents will be required. However, we recommend that you check with us for any requirements that specifically relate to your proposal or the site.

MAKE YOUR APPLICATION

Applications can only be submitted to Council via the NSW Planning Portal. This means you must log onto the Portal to generate and submit your application.

For an application submitted via the Portal you will not need to complete a Council application form (the Portal will ask you a series of questions that it will create as an “application form”) but you do need to upload to the Portal the plans and reports that are listed in the checklist in this Guide.

After you have submitted your application, Council will review it and either accept it or return your application if something is missing. Once Council is satisfied with the information you’ve submitted you will be sent an invoice to pay the application fees.

After the fee’s are paid, Council can proceed with processing your application. If Council requires additional information you will be contacted via the Portal and you will provide your response via the Portal. Likewise, once Council determines your application you will be informed via the Portal.



STEP 2

LIST OF PLANS AND DRAWINGS

1. ACCESSIBILITY DETAILS

Required for applications involving multiple dwelling and development with public access.

2. ACOUSTIC REPORT

Required for all applications for development within Australian Noise Exposure Forecast (ANEF) contours, directly adjacent to railway corridors, State/Regional Roads and some changes of use with potential for impacting on adjoining properties in relation to noise (eg function centres).

3. AIR QUALITY REPORT

May be required for Industrial applications for development with potential impacts on air quality or for residential development close to pollution sources.

4. ARBORIST REPORT

Required for all applications involving removal of significant trees or will impact any trees on adjoining land.

5. ARCHAEOLOGICAL ASSESSMENT

Required where the site is identified as having potential archaeological significance, known archaeological significance, or where Council deems to have potential archaeological significance.

6. BASIX CERTIFICATE

Required for all new residential developments including alterations and additions over the value of \$50,000.00 and swimming pools with a minimum 40,000L capacity

7. BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT (BDAR)

Required where a development is likely to have any biodiversity

impacts on threatened species and/or threatened ecological communities, is located on the Biodiversity Values Map, or exceeds area clearing threshold.

8. BIODIVERSITY OFFSETS SCHEME THRESHOLD REPORT

Required to determine if it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method (the BAM) to assess the impacts of a proposal.

9. BUSHFIRE CONSTRUCTION SCHEDULE

Required for Construction Certificates and Complying Development Certificates where construction works are proposed in Bushfire Prone Areas or where bushfire may be considered a threat.

10. BUSHFIRE REPORT

Required for all applications involving development works in Bushfire Prone Areas.

11. CONTAMINATION REPORT

Required for all applications involving construction works or a change of use on contaminated land.

12. COST SUMMARY REPORT

Required for most residential, commercial and industrial developments.

13. CUT/FILL AND RETAINING WALLS

Required where application proposes cut/fill and/or retaining walls.

14. DAM DESIGN REPORT

Required where application proposes construction of a dam.

15. DEMOLITION PLAN AND STATEMENT

Required where demolition work is proposed.

16. DESIGN VERIFICATION STATEMENT

Required for construction works involving residential flat buildings

17. ELEVATION DRAWING

Required for all applications.

18. EMERGENCY MANAGEMENT PLAN

Required for Temporary Events to identify hazards and detail emergency procedures.

19. EROSION AND SEDIMENT CONTROL PLAN

Required where development proposes clearing or excavation of existing soil surface, stockpiling or landfill.

20. FIRE SAFETY MEASURES

Required for applications involving a change of building use, and/or alterations to an existing building or a new class 1B or 2-9 building as defined by the Act.

21. FLOOD IMPACT ASSESSMENT REPORT

Required if the development site is affected by flooding or is likely to be affected by flooding/localised drainage.

22. FLOOR PLAN

Required for most applications involving construction works or change of use.

23. FLORA AND FAUNA ASSESSMENT

Required where a site is identified as containing native vegetation or potential habitat for threatened flora or fauna.

STEP 2

LIST OF PLANS AND DRAWINGS

24. HERITAGE MANAGEMENT DOCUMENT

Required for all applications involving works for heritage items and within Heritage Conservation Areas.

25. LANDSCAPE PLAN

Required for new development, and alterations/additions that result in changes to the landscaped area of the site.

26. NOTIFICATION PLAN

Required for all applications requiring notification and/or advertising, as outlined within Councils Community Participation Plan 2019.

27. ON SITE DETENTION PLANS

Required in cases where the proposed development results in an increase in hardstand areas, or an intensification of development on the site.

28. QUANTITY SURVEYORS REPORT

Required where estimated Capital Investment Value exceeds \$3 million.

29. SCHEDULE OF EXTERNAL COLOURS AND FINISHES

Required for new development, and alterations/additions that result in changes to the external appearance of the development.

30. SECTION DRAWING

Required for applications involving construction works.

31. SHADOW DIAGRAMS

Required for all applications resulting in a building being two storeys or more or has potential to overshadow adjoining property.

32. SIGNAGE DETAILS

Required where signage is proposed.

33. SITE ANALYSIS

Required for Commercial/Industrial uses, sites with more than one dwelling and Tourist Accommodation.

34. SITE PLAN

Required for all applications.

35. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Required for all applications.

36. STORMWATER PLAN

Required for most applications involving construction works.

37. STREETSCAPE ELEVATION

Required for some larger applications involving construction works that alter the streetscape.

38. SUBDIVISION PLAN

Required for any Subdivision of Land, Torrens, Stratum or Strata Title Subdivisions and boundary adjustments.

39. SURVEY

Required for all applications involving subdivision or for development proposed in close proximity to lot boundaries.

40. TEMPORARY STRUCTURE DOCUMENTS

Required where a development involves the erection of a temporary structure.

41. TRAFFIC MANAGEMENT PLAN

A traffic management plan identifying how traffic to, from and within the site will be managed.

42. TRAFFIC REPORT

Required for applications with potential for impacting on traffic flow and management on adjoining properties in relation to traffic (eg child care centres, places of worship, schools, subdivision of land).

43. VISUAL IMPACT ASSESSMENT

Required for development that presents significant bulk, height or variations to setbacks or if located on visually sensitive land.

44. WASTEWATER / RECYCLED WATER MANAGEMENT STUDY

Required where a lot does not have access to the reticulated sewer system.

45. WASTE MANAGEMENT PLAN

Required for multi dwelling housing, commercial/industrial development, or where developments front lane ways.

STEP 2

SUBMISSION MATRIX

Plans and documents required to accompany a DA, Modification, Review or Building Information Certificate

	Alterations & Additions to Existing Dwelling	Change of Use (no building works)	Child Care Centre	Commercial/ Industrial	Construction of Dam	Demolition/Pool Infill	Dual Occupancy/Multiple Dwellings	Dwelling/Secondary Dwellings	Home Occupation/Industrial	Mixed Use (Commercial/ Residential)	Residential Outbuildings	Rural Outbuildings	Signage	Subdivision	Swimming Pools	Tourist Accommodation	Temporary Events
Accessibility detail		○	○	○			○			○						○	
Acoustic Report		○	▲	○						○						○	○
Air Quality Report		○		○													
Arborist Report			○	○	○		○	○		○	○	○		○		○	
Archaeological assessment			○	○	○		○	○		○	○	○		○		○	
BASIX Certificate (< 3 months old)	○						▲	▲		▲					○		
Biodiversity Development Assessment Report (BDAR)	○		○	○	○		○	○		○	○	○		○	○	○	
Biodiversity Offset Scheme Threshold Report	○		○	○	○		○	○		○	○	○		○	○	○	
Bushfire Report	○	○	○	○			○	○		○	○	○		○		○	
Contamination Report		○	○	○	○		○	○		○	○	○		○		○	
Cost Summary Report	▲		▲	▲			▲	▲		▲	▲	▲	▲	▲	▲	▲	
Cut/fill and Retaining Walls	▲		▲	▲	▲	▲	▲	▲		▲	▲	▲	▲	▲	▲	▲	
Dam Design Report					▲												
Demolition Plan and Statement	○		○	○		▲	○	○	○	○	○	○		○		○	
Elevation Drawing	▲		▲	▲	▲		▲	▲		▲	▲	▲	▲		▲	▲	
Emergency Management Plan																	▲
Erosion and Sediment Control Plan	▲		▲	▲	▲	▲	▲	▲		▲	▲	▲		○		▲	
Fire Safety Measures		○	○	○	○					○	○	○				○	
Flood Impact Assessment Report	○	○	○	○			○	○		○	○	○		○	○	○	
Floor Plan	▲	▲	▲	▲			▲	▲	▲	▲	▲	▲				▲	
Flora and Fauna Assessment	○		○	○	○		○	○		○	○	○		○	○	○	
Heritage Management Document	○		○	○		○	○	○		○	○	○		○	○	○	
Landscape Plan			▲	○			○			○	○	○		○	○	○	
Notification Plan	○	○	▲	○	○	○	▲	▲	○	○	▲	▲	▲	○		▲	▲
On-Site Detention Plans			○	○			▲			○	○	○		○		○	
Owners Consent	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
Plan of Management				○						▲				○		○	
Quantity Surveyors Report	○		○	○			○		○	○	○	○				○	
Schedule of Colours and Finishes	▲		▲	▲			○	▲		▲	○	○				○	
Section Plan	▲		▲	▲	▲		▲	▲		▲	○	▲			▲	▲	
Shadow Diagrams	○		○	○			○	○		○						○	
Signage Details		○	○	○					○	○			▲			○	○
Site Analysis			▲	▲			▲			▲						▲	
Site Plan	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
Statement of Environmental Effects ^	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
Stormwater Plan *	▲		▲	▲			▲	▲		▲	▲			▲	▲	▲	
Streetscape Elevation	○		○	○			▲	○		▲						○	
Subdivision Plan														▲			
Survey			▲	▲	▲		▲	○		▲	○	○				○	
Temporary Structure Documents																	○
Traffic Management Plan			○	○		○	○		○	○							▲
Traffic Report		○	○	○			○		○	○			○			○	▲
Visual Impact Assessment	○		○	○			○	○		○	○	○	○	○		○	
Waste Management Plan		○	○	○			▲			▲							
Wastewater/Recycled Water Management Study	○		○	○			○	○		○	○	○		○		○	

▲ This information is required

○ This information may be required (refer to attached explanatory document)

* Can include on Site Plan

^ Can incorporate into one document

Council may require the submission of additional documentation (specified in Matrix) in some cases, i.e. complex applications due to site constraints. In these cases, Council recommends discussions occur with a Council Duty Officer, prior to lodgement of the application on 6378 2850.

STEP 2

SUBMISSION MATRIX (CC OR CDC)

	Alterations & Additions to Existing Dwelling	Change of Use (including building works)	Child Care Centre	Commercial/Industrial	Demolition	Dual Occupancy/semi-detached	Dwelling/Secondary Dwellings	Mixed Use (Commercial/Residential)	Multiple Dwellings/attached dwelling	Outbuilding, Garage, Carport, Awning	Residential Flat Building	Signage	Swimming Pools	Tourist Accommodation
Architectural Plans	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
BASIX	○					▲	▲	▲	▲		▲		○	○
Building Specifications	▲	▲	▲	▲		▲	▲	▲	▲	▲	▲	▲	▲	▲
Bushfire Construction Schedule	○	○	○	○		○	○	○	○	○	○			○
Bushfire Report	○	○	○	○		○	○	○	○	○	○			○
Contract Agreement for Certification	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
Cost Summary Report	▲		▲	▲		▲	▲	▲	▲	▲	▲	▲	▲	▲
Design Verification Statement								▲			▲			
Elevations/Sections	▲	▲	▲	▲		▲	▲	▲	▲	▲	▲		▲	▲
Engineering Details	▲	▲	▲	▲		▲	▲	▲	▲	▲	▲	▲	▲	▲
Fire Safety Measures		▲	▲	▲		▲	▲	▲	▲		▲			▲
Floor Plan	▲	▲	▲	▲		▲	▲	▲	▲	▲	▲			▲
Owners Consent	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
Quantity Surveyors Report		○	○	○		○		○	○	○	○			○
Site Plan	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲

▲ This information is required

○ This information may be required (refer to attached explanatory document)

Council may require the submission of additional documentation (specified in Matrix) in some cases, i.e. complex applications due to site constraints. In these cases, Council recommends discussions occur with a Council Duty Officer, prior to lodgement of the application on 6378 2850.

STEP 2

APPLICATION CHECKLIST

Use the application checklist to help you identify all the relevant plans and documents that are required for the submission of either a Development Application, Construction Certificate, Complying Development Certificate. Building Information Certificates must include documents stated in both checklists

The following details must be clearly indicated on your plans and documents that will be lodged:

TITLE BLOCK

Include a title block on every plan showing:

- Name of architect or designer
- Plan number and date (revision number and date)
- Location address and title description of the property

ORIENTATION

Include an accurate north point on every plan. This will help us relate your plans to the actual site. All plans must be to landscape orientation and reports to portrait orientation.

SIZE AND SCALE

All plans must be A3 size and drawn to 1:100 scale. Always show a bar scale.

REDUCED LEVELS

Your plans and elevations must show relevant vertical information from natural ground level (NGL) to:

- Finished floor levels
- Ceiling heights
- Roof ridge level

Levels and contours must be shown relative to the Australian Height Datum (AHD) or Reduced Levels (RL). The use of a datum point on the site as a reference for levels is NOT acceptable.

STATEMENT OF ENVIRONMENTAL EFFECTS

SITE SUITABILITY

- Required for all applications except minor additions or alterations.

PRESENT AND PREVIOUS USES

- Required for all non-residential applications.

DESIGN GUIDELINES

- Required for all applications.

OPERATION AND MANAGEMENT

- Required for all non-residential applications.

ACCESS AND TRAFFIC

- Required for all applications except minor additions or alterations.

GENERAL ACCESSIBILITY

- Required for all non-residential applications.

PRIVACY, VIEWS AND OVERSHADOWING

- Required for all residential and mixed residential/commercial proposals.

AIR AND NOISE

- Required for all applications except minor additions or alterations.

HERITAGE

- Required for all proposals that affect a listed heritage item, land within the vicinity of a listed heritage item, or within a Heritage Conservation area.

SOIL SUITABILITY

Required for sites affected by land contamination and acid sulphate soils.

BUSY ROAD AND RAIL CORRIDORS

Required for any development, including excavation and/or use of crane(s), on land that adjoins a busy road or a rail corridor.

TRAFFIC GENERATING DEVELOPMENT

Required for any development that increases vehicular traffic in accordance with Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007.

NCC AND FIRE SAFETY REPORT

Required for all developments addressing the National Construction Code (formally BCA) and the NSW Appendix. Fire safety measures must include any existing and proposed measures.

STEP 2

PREPARING PLANS

ELECTRONIC COPY AND NAMING CONVENTION

When you submit your application on the NSW Planning Portal you will need to upload each of the plans and documents and select the corresponding document type from the list.

An additional PDF file must be provided that contains all architectural plans including demolition plan, sediment and erosion control plan, site plan, floor plans, roof plan, elevations, sections, door & window schedule and external colour & finishes schedule. You will need to select the document type of 'other' on the portal. The architectural plans must NOT include the survey, stormwater plans, landscape plans, solar access plan and A4 Neighbour Notification Plan which must each be lodged as their own separately named single pdf document on the NSW Planning Portal.

You will need to ensure that each plan and document you upload is accurately named and uploaded against the correct label as seen on the Portal, for example:

- Owners consent
- Signed Application Form
- Floor Plans
- Sections and Elevations
- Survey Plan
- Neighbour Notification Plan
- Solar Access Plans
- Landscape Plans
- Stormwater Plans
- Statement of Environmental Effects
- Costs Summary/Quantity Surveys Report
- Waste Management Plan
- BASIX Certificate
- Contamination Report
- Heritage Impact Statement
- Traffic Impact Assessment
- Arborist Report
- Acoustic Report

AMENDED PLANS

If you are lodging amended plans as part of an application lodged via the NSW Planning Portal those plans must also be lodged via the Planning Portal but you must add the revision number at the end of each amended document eg: floor plans Rev B.



EXPLANATION OF PLANS / REPORTS

1. ACCESSIBILITY DETAILS

The Commonwealth Disability (Access to Premises – Buildings) 2010 or Premises Standard applies to all construction certificates and complying development certificates lodged after 1 May 2011. The Premises Standard aims to improve disabled access into and around buildings.

While the Premises Standard does not apply to DAs, given its requirements on design and physical space, it is strongly advised that you consider it when preparing your DA in order to minimise disruptions or delays at the CC stage.

The Premises Standard applies to new buildings as well as to alterations and additions to existing buildings, such as shops, offices, hotels, medical centres/aged care facilities, larger residential developments eg those with common or community areas such as pools or secure entrances, industrial complexes, public amenities and carparks.

Development that does not require work, such as change of use DAs, are not subject to the Premises Standard, because a CC is not required. Small residential DAs are not subject to the Premises Standard.

The Premises Standard is part of the National Construction Code (NCC). Any consent (eg a DA or CC consent or complying development certificate) that requires compliance with the BCA must address the Premises Standard.

The Access Report will assess the access requirements relevant to the design and construction of the building to ensure compliance with the Disability (Access to Premises – Buildings) Standards 2010 and the Building Code of Australia.

Compliance with the Premises Standard is required for most non-residential development to ensure disabled access into and around a building. It is important to consider disability access at the time of planning so that your initial design or DA will make it through the CC process without need for amendment. In order to minimise modifying plans after development consent has been issued, you are strongly advised to address the Premises Standard as part of your DA. Comments will be made on your DA regarding its compliance with the standard.

2. ACOUSTIC REPORT

Where noise is a major design issue, a report by an acoustic consultant will need to be submitted. It is required for all applications for development within Australian Noise Exposure Forecast (ANEF) contours, directly adjacent to railway corridors, State/Regional Roads and some changes of use with potential for impacting on adjoining properties in relation to noise (eg child care centres, schools, places of public worship and function centres), or where the hours of operation may have impacts on residential properties.

The report must show that the proposal will not cause, or be affected by noise emissions.

- Existing and proposed noise sources (on-site and nearby): main roads, railway lines, aircraft, industries, loading bays, heavy vehicles, restaurants, clubs, hotels, car parks, ventilation and air conditioning units, pumps and pool filters
- Proposed noise reduction measures: noise barriers, building layout and setback, room layout and window placement, building materials, insulation, double glazing
- Construction noise: hours of operation, type of equipment, maximum noise levels, consultation with nearby residents, compliance with State Government environmental guidelines

Report must be prepared by a suitably qualified person.

3. AIR QUALITY REPORT

An air quality report may be required for industrial applications for development with potential impacts on air quality, or for residential development close to pollution sources.

Show the proposal will not cause, or be affected by, air emissions:

- Existing or proposed sources of air emissions (on-site and nearby): industries, spray painting booths, food premises, exhaust systems, waste storage, oil or wood burning stoves or heaters, major roads
- Proposed mitigation measures: placement and height of flues or chimneys; filters and treatment devices; location of waste storage areas and compost heaps

EXPLANATION OF PLANS / REPORTS

4. ARBORIST REPORT

A report prepared by a qualified arborist will need to be submitted with any application that proposes the removal of significant trees on a site or that will impact on trees on adjoining land.

Significant trees that are in good health and condition, that can be sustained in the medium to long term and that make a positive contribution to visual, ecological and natural heritage values of the site, shall be retained as part of any new development. When planning for a new development, the opportunities and constraints provided by the existing trees on the site should be considered from the early stages of the design process. If required, all existing trees, together with all trees located within 5 metres of the boundaries of the site on adjoining properties, are to be assessed by a qualified arborist - minimum Australian Qualification Framework (AQF) Level 5 Diploma of Horticulture (Arboriculture) and/or equivalent experience - as part of the initial site analysis. Those trees identified as suitable for retention are then factored into the design and accorded appropriate tree protection measures.

Council may require an Arboricultural Impact Assessment to be submitted as supporting documentation with a development application that involves the removal and/or retention of trees greater than five metres in height. The Arboricultural Impact Assessment must comply with Australian Standard® AS 4970-2009 Protection of trees on development sites.

Council may also require the applicant to submit a Tree Management Plan to ensure the effective protection of trees on site during demolition and construction works.

The Tree Management Plan shall be submitted either with the development application or prior to the issue of the construction certificate. The Tree Management Plan must be site specific – it is not acceptable to just append generic conditions – and must comply with Australian Standard® AS 4970-2009 Protection of trees on development sites.

5. ARCHAEOLOGICAL ASSESSMENT

Required where site is identified as having potential archaeological significance, or known archaeological significance, or where Council deems that the site may have potential archaeological significance.

Report to be prepared by a suitably qualified person.

6. BASIX CERTIFICATE

BASIX, the Building Sustainability Index, is an interactive, web-based planning tool designed to assess the potential performance of residential development against water consumption and greenhouse gas emission targets prescribed by the NSW Government.

This self-assessment tool is designed to be used by building applicants and others involved in designing residential development proposals. It is accessed via the BASIX website, planningportal.nsw.gov.au/development-and-assessment/basix. Applicants are required to complete a BASIX assessment in relation to their proposal before an application can be lodged with Council.

The BASIX Certificate is generated once a BASIX assessment has been satisfactorily completed. It confirms that the proposed development will meet the Government's water consumption and greenhouse gas emission targets, if it is carried out in accordance with commitments made by the applicant during the BASIX assessment.

Council is unable to consider applications that are lodged without a BASIX Certificate.

Council will not accept a BASIX Certificate more than three months old at the time of lodgement.

A BASIX Certificate is Required for:

- All development that contains all types of new residential dwelling/s, including alterations and additions to existing dwellings valued at \$50,000 or more, and swimming pools and outdoor spas with a minimum 40,000L capacity
- Class 1b tourist accommodation buildings
- Class 4 caretaker's residence within a commercial building

Relocated dwellings and manufactured homes do not require a BASIX certificate.

The following information is to be provided in accordance with Clause 75 of the Environmental Planning and Assessment Regulation 2021:

- BASIX Certificate
- All BASIX commitments to be identified on the plans
- Where applicable, Australian Building Sustainability Association (ABSA) Certification and a set of

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EXPLANATION OF PLANS / REPORTS

stamped plans. The BASIX Certificate must be generated on the Department of Planning and Environment BASIX website: planningportal.nsw.gov.au/development-and-assessment/basix, issued no earlier than 3 months before the date on which the application is lodged.

7. BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT (BDAR)

A (BDAR) is required where a development is likely to have any biodiversity impacts (clearing and/or prescribed) on threatened species and/or threatened ecological communities and is located on the Biodiversity Values Map, or exceeds area clearing threshold, or the impact is considered Significant after application of the Test of Significance (5 part test).

Prescribed Impacts (Section 6.1 BC Regulation 2017), including the removal of non-native vegetation on the Biodiversity Values Map, will trigger the Biodiversity Offset Scheme (BOS) and require a BDAR.

A BDAR must be prepared by an accredited assessor. The accredited assessor public register can be found here: customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor

8. BIODIVERSITY OFFSETS SCHEME THRESHOLD REPORT

The Biodiversity Offsets Scheme Threshold is a test used to determine when it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method (the BAM) to assess the impacts of a proposal.

The Biodiversity Conservation Regulation 2017 sets out threshold levels for when the Biodiversity Offsets Scheme (BOS) will be triggered. The Threshold has two elements:

- Whether the amount of native vegetation being cleared exceeds a threshold area
- Whether the impacts occur on an area mapped on the Biodiversity Values (BV) map published by the Minister for the Environment

The Biodiversity Values Map and Threshold Tool is used to produce a report that states whether a development proposal occurs on land on the BV Map and if the Biodiversity Offsets Scheme is triggered and can be accessed at: lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap

9. BUSHFIRE CONSTRUCTION SCHEDULE

A schedule of construction measures which demonstrate compliance with AS3959 and the Bushfire Attack Level (BAL) relevant to the development as determined in the Bushfire Assessment Report.

This information can be indicated on development plans or as a separate document.

10. BUSHFIRE REPORT

Required where land is identified as bushfire prone on Council's Bushfire Prone Land Map or is subject to grassland hazard (Note: Council's current mapping for bushfire prone land does not include land identified as predominately grasslands which is now identified as vegetation hazard under Planning for Bushfire Protection 2019, or Council considers may be prone to attack from bushfire).

The Bushfire Assessment Report must demonstrate how the proposal will comply with Planning for Bushfire Protection 2019).

- Aim and objectives
- Specific objectives for the development type
- Performance criteria for the bushfire protection measures
- A site plan indicating the proposed asset protection zones on the land

A Single Dwelling Application Kit (available from the NSW RFS website: rfs.nsw.gov.au) can be used for residential infill development (dwellings and alterations/additions in pre-existing subdivisions).

A suitably qualified person must prepare the Bushfire Assessment Report for:

- Developments which have been identified as being a Special Fire Protection Purpose (Section 6.3 of the Planning for Bushfire Protection 2019); or
- Any other development type which proposes an alternate solution as part of the design, or in circumstances Council considers the 'self assessment' to be inadequate

OR

If the development has been certified by an Accredited Certifier, under the Planning for Bush Fire Protection, then a written declaration and supporting information may be submitted in place of a report.

EXPLANATION OF PLANS / REPORTS

11. CONTAMINATION REPORT

In determining all development applications, Council must consider the possibility of land contamination and the implications it has for any proposed or permissible future uses of the land. A precautionary approach will be adopted to ensure that any Land Contamination issues are identified and dealt with early in the planning process.

The initial evaluation can be based on readily available factual information and should be carried out regardless of the nature of the proposed use or the current use. Readily available information may include current zoning and permissible uses and records from previous re-zonings. Aerial photographs, information contained in development applications, building applications and property files for the site.

The information should be as detailed as possible and certified by qualified professionals where possible. The onus is on the applicant to demonstrate that the information is adequate for Council to determine the application. In considering the adequacy of the site's history, Council will take into account:

- If the descriptions of activities on the site are sufficiently detailed
- If there are any large gaps in the history of the site
- If the sources are reliable
- If the information is verified by a professional

The Council may seek further information to make a planning decision such as a Preliminary Investigation (Stage 1) that indicates if the land is/was contaminated or used for listed activities. Listed activities are specified in Table 1 of Managing Land Contamination – Planning Guidelines SEPP55 – Remediation of Land. Council may also require site sampling to be undertaken in accordance with the EPA's guidelines.

12. COST SUMMARY REPORT

A report that presents the estimated cost of carrying out the development, including the following:

- The design and erection of a building and associated infrastructure
- The carrying out of a work
- The demolition of a building or work
- Fixed or mobile plant and equipment.

It does not include:

- Amounts payable, or the cost of land dedicated, or other benefit provided, under a condition imposed under the EP&A Act, Division 7.1 or 7.2 or a planning

agreement

- Costs relating to a part of the development or project that is the subject of a separate development consent or approval
- Land costs, including costs of marketing and selling land
- Costs of the ongoing maintenance or use of the development
- GST

Who can prepare a Cost Summary Report?

- For projects with costs ranging from \$0 to \$150,000, the report can be prepared by applicants or suitably qualified individuals.
- For costs between \$150,000 and \$3 million, the report must be prepared by a suitably qualified person, such as a quantity surveyor, licensed builder, registered land surveyor, architect, or accredited building estimator.
- For projects exceeding \$3 million, a certified quantity surveyor must provide a Quantity Surveyors Report for verification.

13. CUT/FILL AND RETAINING WALLS

Required where application proposes cut/fill and/or retaining walls.

Plan to address the following:

- Plan at 1:100, or 1:200 for larger sites
- Location of retaining walls to be shown on the site plan
- Height of retaining wall/filling showing existing and proposed levels to Australian Height Datum (AHD), including levels of the area surrounding the affected land
- Details of material to be utilised for construction of retaining wall
- Elevation of retaining wall/cross-section of batters

14. DAM DESIGN REPORT

Required where application proposes construction of a dam. Plans and report to address the following:

- Dam capacity and outlet works, including:
 - Spillway capacity and location
 - Any bypass mechanisms such as a low flow bypass
 - Pump capacity if applicable
- The purpose of the dam and the intended use of the water

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- The volume of water proposed for extraction if appropriate
- A catchment yield assessment, which shows an estimate of the maximum dependable yield to be expected from catchment areas and other sources of surface supply. This should show the catchment area and basic hydrology such as expected inflows for various Average Recurrence Intervals.
- Maximum Harvestable Right Dam Capacity calculations for property, including:
 - Size of property
 - Capacity of all existing dams on property
 - Capacity of proposed dam
 - Erosion and sedimentation controls proposed during the construction and stabilisation phases
 - An assessment of the suitability of soil for dam construction
 - The equipment to be used in constructing the dam

If the dam has a capacity of over 5 megalitres include also:

- A detailed hydrological and hydraulic design, prepared by a certified practicing Civil Engineer experienced in dam design/construction
- Details of management system to restrict stock access to the dam and to protect the dam against any other adverse on farm effects

Environmental Attributes:

- Soil types
- Areas of salinity
- Details relating to the species and location of vegetation to be removed

15. DEMOLITION PLAN AND STATEMENT

Required where demolition work is proposed.

Demolition plan to contain the following details:

- Plan at 1:100 or 1:200 for larger sites
- The location of the structure to be demolished, shown via a dotted line
- Elevations indicating the height of the structure above ground level and the distance from the structure to the boundary, or alternatively, a series of photographs indicating this information
- A description of the type of building, eg, house, shops
- A description of the methods of demolition

proposed to be used, and the number of types of major items of equipment to be used in demolition

- A description of the methods proposed for handling and disposing of demolished materials and any hazardous materials
- A description of the proposed sequence of carrying out the demolition works, and an estimate of the number of days it is likely to take to complete all or each of the stages of the work
- Details of the proposed hoardings, fencing, overhead protection and scaffolding.

16. DESIGN VERIFICATION STATEMENT

A Design Verification Statement is a statement by a qualified designer for a residential apartment development which verifies how the design quality principles set out in Schedule 9 of the State Environmental Planning Policy (Housing) 2021 are achieved. It is also to demonstrate how the objectives of Chapter 4 have been met.

17. ELEVATION DRAWING

To address the following:

- Drawings at 1:100, or 1:200 for larger sites
- Drawings to show all elevations of the proposed buildings and to be labelled with relevant orientation (e.g, north, south-west)
- Elevations to include existing buildings if existing buildings are in close proximity to development or if development involves extensions to existing buildings
- Calculated roof pitch
- Building materials and proposed colours to be stated on the plan
- Natural ground levels, floor levels and ceiling levels to Australian Height Datum (AHD)
- Any services located on the roof of the proposed buildings
- Any air conditioning services or gas systems located on balconies or external walls

18. EMERGENCY MANAGEMENT PLAN

An emergency management plan detailing emergency processes and procedures to be followed before, during, and after an emergency or disaster, suitable for the proposed use and nature of the identified hazards.

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19. EROSION AND SEDIMENT CONTROL PLAN

Required where development proposes clearing or excavation of existing soil surface (including demolition, alterations/additions, or new development), stockpiling or landfill.

To be prepared in accordance with Council's Engineering Requirements for Development and Landcom's The Blue Book – Managing Urban Stormwater; Soils and Construction/Planning for Erosion and Sediment Control on Single Residential Allotments.

Plan to address the following at a minimum:

- Plan at 1:100 or 1:200 for larger sites
- Location of appropriate sedimentation and erosion control measures, including but not limited to, sediment fences, all weather access points, gutter and stormwater pit protection measures, stock pile location, and dust control measures.

20. FIRE SAFETY MEASURES

Required to enable Council to consider Clauses 62 to 64 of the Environmental Planning and Assessment Regulation 2021.

Required for applications involving:

- Change of building use, and/or
- Alterations to an existing commercial building or new commercial building

If the proposal involves a change of use of a building:

- A list of Category 1 fire safety provisions that currently apply to the existing building
- A list of Category 1 fire safety provisions that are to apply to the building following its change of use

If the proposal involves additions or alterations to an existing commercial building or new commercial building:

- A scaled floor plan of the whole of the building showing existing and proposed fire safety measures

21. FLOOD IMPACT ASSESSMENT REPORT

A report may be required to be prepared by a suitably qualified person.

If the development site is affected by flooding or is likely to be affected by flooding/localised drainage, the applicant should consult with Council staff to determine the information required to be submitted.

22. FLOOR PLAN

These drawings will clearly document the proposed existing and building/s or works. Plan to address the following:

- Plan at 1:100, or 1:200 for larger sites
- Room names, areas and dimensions
- All existing and proposed works
- Access for disabled, where relevant
- BASIX commitments eg. skylight, rainwater tank
- Layout of building, all processes, storage areas, location of machinery, racking layout and height
- Existing and proposed fire safety measures
- Shop fit out details

23. FLORA AND FAUNA ASSESSMENT

Required where a site is identified as containing native vegetation or potential habitat for threatened flora or fauna and the application does not trigger the Biodiversity Offset Scheme. The Biodiversity Values Map and Threshold Tool can be used to produce a report that states whether a development proposal occurs on land on the BV Map and if the Biodiversity Offsets Scheme is triggered and can be accessed at <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>.

A 5 Part Test of Significance (s.7.3 of the Biodiversity Conservation Act 2016), is to be completed if any threatened species, populations, communities or their habitats, are identified or considered likely to occur within the area of direct or indirect impact. Report to be prepared by a suitably qualified person.

24. HERITAGE MANAGEMENT DOCUMENT

This may be in the form of one or more of the following:

- Where an application seeks approval or exemption for an item listed on the State Heritage Register under the Heritage Act, a Heritage Conservation Management Plan prepared in accordance with the Heritage Division of the Office of Environment and Heritage Conservation Management Planning Review and Endorsement Strategy.
- Where an application is likely to have an impact on the heritage significance of a heritage item or heritage conservation area, a Heritage Impact Statement prepared in accordance with the guidelines:
 - Statements of Heritage Impact

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- The Heritage Division
- Office of Environment and Heritage found on the following link: environment.nsw.gov.au/research-and-publications/publications-search/statements-of-heritage-impact

The Heritage Management Document is to be prepared by a professional heritage consultant as listed by The Heritage Division, Office of Environment and Heritage in the Heritage Consultants Directory: environment.nsw.gov.au/topics/heritage/manage-heritage-items/heritage-consultants-directory

25. LANDSCAPE PLAN

Required for new development, and alterations/additions that result in changes to the landscaped area of the site.

Plan to address the following:

- Plan at 1:100 or 1:200 for larger sites
- Location and identification of existing trees and other significant vegetation on site, and confirmation of those to be retained and those to be removed
- Location and identification of existing trees and other significant vegetation on adjoining sites that are likely to be affected by the proposed works
- Natural and finished ground levels to Australian Height Datum (AHD), and details of all surface treatments and hard landscape elements
- Cross reference to the plan, indicating plant species, quantities and pot sizes at planting
- Layout and construction details of all garden beds, turf areas, edging, paving and fencing
- Details and specifications are to be provided for all elements of the design
- Method of tree protection for those trees to be retained
- Location of any drainage works proposed
- Details of planter boxes, if proposed

26. NOTIFICATION PLAN

Mandatory for all applications requiring notification and/or advertising, as outlined within Councils Community Participation Plan 2019.

The plans to address the following:

- A3 or A4 size
- Site plan, elevations and shadow diagrams on one page or double sided

- Plan must not show interior layout/floor plan of residential development

27. ON SITE DETENTION PLANS

Required in cases where the proposed development results in an increase in hardstand areas, or an intensification of development on the site.

Conceptual on-site detention design, plans and supporting calculations demonstrating that the post-development discharge rates do not exceed the pre-development discharge rates, are to be submitted.

28. QUANTITY SURVEYORS REPORT

Required where estimated Capital Investment Value exceeds \$3 million. To be prepared by a suitably qualified person.

29. SCHEDULE OF EXTERNAL COLOURS AND FINISHES

Required for new development, and alterations/additions that result in changes to the external appearance of the development.

Schedule shall specify colours and finishes, and include the manufacturer's details.

30. SECTION DRAWING

A plan to address the following:

- Section at 1:100, or 1:200 for larger sites.
- Section names and location on plan, eg A/A, B/B etc.
- Longitudinal section of proposed driveway/ramp, including transitions, levels and height clearance, where basement parking is proposed
- Drawings to a suitable scale (i.e. 1:100 OR 1:200)
- Outline of existing building/development on site (shown dotted)
- Ceiling heights
- Room names
- Room and window heights
- Roof pitch and covering
- Site works, finished and proposed floor and ground levels in long section (indicate cut, fill and access grades)
- Construction material details
- Insulation details (where applicable)

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31. SHADOW DIAGRAMS

This plan must show the effect, in plan and elevation, of any existing shadows and any additional shadows cast by your proposal. This is particularly in respect of its overshadowing effect on any windows, private yard spaces, clothes drying areas, and any solar hot water or similar systems on any adjoining property. Draw the plan to the same scale as your survey and architectural plans.

Required for the following:

- All two storey development, including alterations/additions
- Any development that adjoins residential development and has the potential to overshadow such development
- Shadow diagrams may be required for single-storey developments that are situated on an east/west oriented site or highly sloped sites
- Shadow diagrams to address the following:
 - Shadows cast at midwinter (22 June) at 9am, 12 noon and 3pm in plan form, at a scale of 1:200
 - Shadows in plan and elevation form on an hourly basis, if shadows fall on neighbouring windows
 - Location of proposed development and the location of existing development on adjoining site/s
 - Where shadows affect principal areas of private open space, details of the area and percentage of the open space to be overshadowed, at each hour at midwinter (22 June) between 9am and 3pm. Calculations to include details of existing overshadowing
- Diagrams to be drawn to true north

32. SIGNAGE DETAILS

Required where signage is proposed. The following shall be submitted:

- Details of the proposed structure and construction materials
- Size, colours, type and overall design of the sign, including overall height dimension
- Proposed sign wording and method of any illumination
- Location/s of proposed signs to be shown on a site plan
- Type of sign to be stated, as defined under Council's Development Control Plan

33. SITE ANALYSIS

A plan to address the following:

- Plan at 1:100, or 1:200 for larger sites
- Site dimensions and site area; north point; location of existing vegetation; location of other buildings and structures; any heritage features (if applicable); location of fences and boundaries; drainage and effluent disposal (for rural areas); any overshadowing of the site by adjoining development; location, height and use of neighbouring buildings; street frontage features such as street trees, poles, etc.
- Microclimate
- Direction and distance to local facilities
- Details of buffer distances
- Areas of public and private open space
- Sources of nuisance, eg railway noise
- Notable views and potential overlooking

34. SITE PLAN

A plan to address the following:

- Plan at 1:100, or 1:200 for larger sites
- Lot and DP, site address, boundary dimensions, orientation of boundaries, site area, contour levels to Australian Height Datum (AHD), existing vegetation and trees (indicate removal/retention), existing infrastructure, north point drawn to true north
- Outline of existing building/development on site, shown dotted
- Location of proposed new building/development
- Existing and/or new vehicular access to be shown
- Location of all building/development on directly adjoining sites, including location of any windows contained within adjoining buildings
- Details of existing and proposed fencing
- BASIX commitments eg. rainwater tank
- Distance from external walls and outermost part of proposed building to all boundaries
- Summary table calculations of site area, floor area, landscaped area private open space etc

35. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

A Statement of Environmental Effects is required for all types of development. This is a written statement that addresses the matters for consideration contained within Section 4.15 of the Environmental Planning and Assessment Act 1979.

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The Statement of Environmental Effects must indicate the following matters:

- The environmental impacts of the development
- How the environmental impacts of the development have been identified
- Details of requirements under Council's Development Control Plan
- Justification for all variations to the Development Control Plan
- The steps to be taken to protect the environment or to lessen the expected harm to the environment
- Any matters required to be indicated by any guidelines issued by the Director-General
- If an environmental planning instrument requires arrangements for any matter, such as provision of utility services, to be made before development consent may be granted, documentary evidence that such arrangements have been made
- Justification for variation to development standards of the LEP in accordance with Planning and Environment Guidelines

In the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant, a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.

Note: A pro forma Statement of Environmental Effects may only be submitted where works are considered to be minor and adverse environmental impacts are unlikely. This may include development such as signage, single dwellings, change of use applications, strata subdivision.

36. STORMWATER PLAN

This plan will illustrate how stormwater run off from your site will be managed. The plan must show how all of the stormwater captured by the site will be disposed of, for example, if the application proposes to construct a new secondary dwelling rear of an existing dwelling, the plan must show the method of disposal for both buildings, not just the proposed development. You should find out about the drainage requirements that apply to your site before you prepare your drainage plan. This can be obtained by contacting Council's Development Engineering department. You must also consider any information provided with a relevant Stormwater System Report if the site is affected by stormwater flooding or any other Council or private drainage assets.

It is essential to incorporate your drainage design in the initial architectural design process as problems with discharging stormwater runoff from your site may require a redesign of your proposal. Sites that fall away from the street frontage may have difficulty discharging stormwater runoff to the street, requiring a drainage easement to be negotiated through a neighbouring property to discharge the stormwater.

The stormwater plan should include:

- Location of any drainage easement
- Proposed drainage lines, depth, fall and location
- Existing stormwater drainage location including downpipes, connection and discharge points
- If stormwater run-off will increase, show proposed drainage details
- Details of discharging/managing stormwater where property slopes away from street
- Rainwater tank drainage and plumbing plans and specification to AS/NZS 3500.4-2018
- On-site stormwater details prepared by a suitably qualified engineer (if applicable)
- On-site dispersal details prepared by a suitably qualified engineer (if applicable)

37. STREETScape ELEVATION

A plan to address the following:

- Plan at 1:100, or 1:200 for larger sites
- Plan to show subject site, and sites located either side of subject site
- Levels to Australian Height Datum (AHD), including natural ground level, finished floor levels, and ridge height
- Roof pitch of proposed and neighbouring development
- All building works proposed, including fencing
- Position and front elevation of neighbouring development
- Location of power poles and street furniture

38. SUBDIVISION PLAN

A plan to address the following:

- Plan at 1:100, or 1:200 for larger sites
- Clearly nominate existing and proposed boundaries
- Detail accurate areas of proposed lots and access handles
- Plan to show all existing structures on site
- Plan to show all existing vegetation on site

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- Levels to Australian Height Datum (AHD), including contours and spot levels at regular intervals on both the subject site and adjacent footpath/ Council reserve
- Plan to show north point, drawn to true north
- Plan to show location of any easements/ restrictions/services affecting the site
- Plan to show location of any traffic devices within proximity of the subject site, and any services within the footpath area
- Details of preliminary engineering drawings of the work to be carried out

Torrens, Stratum or Strata Title Subdivision plans are generally prepared by a registered surveyor. They should include the same detail shown above but they must also include the location of all proposed or existing buildings on the site and show each dwelling lot, associated courtyard area and car space allotment etc.

39. SURVEY

This plan must be prepared by a surveyor who is registered with the NSW Board of Surveying and Spatial Information (BOSSI).

A plan to address the following:

- Plan at 1:100, or 1:200 for larger sites
- Clearly nominate property boundaries
- Plan to show all existing structures on site
- Plan to show all existing vegetation on site
- Levels to Australian Height Datum (AHD), including contours and spot levels at regular intervals on both the subject site and adjacent footpath/ Council reserve
- Plan to show north point, drawn to true north
- Plan to show location of any easements/ restrictions/services affecting the site
- Plan to show location of any traffic devices within proximity of the subject site, and any services within the footpath area

40. TEMPORARY STRUCTURE DOCUMENTS

Required where a development involves the erection of a temporary structure. The following documents are to be submitted:

- Documentation that specifies the live and dead

loads the temporary structure is designed to meet

- A list of any proposed fire safety measures to be provided in connection with the use of the temporary structure
- In the case of a temporary structure proposed to be used as an entertainment venue, a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with (including any alternative solution proposed)
- Documentation describing any accredited building product or system sought to be relied on for the purposes of Section 4.15 (4) of the Act
- Copies of any compliance certificates to be relied on

41. TRAFFIC MANAGEMENT PLAN

A Traffic Management Plan identifying how traffic to the site will be managed. Contact Council's Development Department for this plan's requirements.

42. TRAFFIC REPORT

Required for traffic generating development, as defined within SEPP (Transport and Infrastructure 2021), or where Council deems the type of development proposed requires submission of a site specific traffic report.

Required for applications with potential for impacting on traffic flow and management on adjoining properties in relation to traffic (eg child care centres, places of worship, schools, large subdivisions).

A Traffic Report needs to be made by a suitably qualified traffic consultant, demonstrating whether the proposed operation of a development will have an impact on the movement of vehicles and traffic in the surrounding road system. The report may need to include measures to mitigate the impact of vehicular movements from the proposal, in order to ensure the efficient operation of the surrounding road network is not compromised.

43. VISUAL IMPACT ASSESSMENT

A report that examines the visual impact of a development in situations where a development presents significant bulk, height or variations to setbacks. To be prepared by a suitably qualified person.

STEP 2

EXPLANATION OF PLANS / REPORTS

44. WASTEWATER / RECYCLED WATER MANAGEMENT STUDY

Required where a lot does not have access to the reticulated sewer system.

An on-site wastewater management system is required to treat and dispose of wastewater effluent associated with the development.

For the purposes of Development Application assessment, Council must be satisfied that the lot is capable of accommodating an on-site wastewater management system based on the circumstances of the proposed development and constraints of the site. To demonstrate this (at DA stage) an applicant may elect to either:

- A. Submit a Section 68 application concurrently with the DA, or
- B. Provide evidence in the form of a report and plans within the Statement of Environmental Effects which demonstrates to Council that there is sufficient area available for effluent disposal from the development. Include the required buffer distances to watercourses, boundaries, buildings.

Option B is suitable only for lots that are not significantly constrained.

In the event that Council considers the lot to be heavily constrained for the development in question, a Section 68 application will be requested to be lodged at DA stage. When assessing Section 68 applications for non-domestic systems, Council will consider these applications on a site specific basis and will require a Wastewater Management Report to be prepared by a suitably qualified and experienced designer.

45. WASTE MANAGEMENT PLAN

This plan will detail waste management and minimisation activities to be carried out during demolition, construction and operation of the premises/development.

This plan will need to:

- Specify waste by type and volume and nominate reuse and recycling potential
- Nominate siting of waste storage and recycling facilities for demolition, construction and final use
- Specify how and where residual wastes will be disposed of
- Show how ongoing waste management of the site will operate.

Required for multi dwelling housing, commercial/ industrial development or where developments front lane ways.



STEP 3

COMPLETE AND LODGE APPLICATION FORM

The following questions on the application form require particular care and attention.

OWNER'S CONSENT

You must obtain the consent of the landowner to submit an application. Before Council can accept your application it must be satisfied that the owners consent you provide is the same as the owners of the property listed in Councils records. If there is more than one landowner, every owner must give their consent. If the owner is a company, the application must be accompanied by an authorised person(s) and their name and position within the company must be clearly shown as required by s127 of the Corporations Act 2001 (Cth). The company's ABN and ASIC details must also be provided. If you are proposing an activity or works within a development that is strata subdivided, you must obtain the consent of the owners' corporation.

If your application is not accompanied by the land owner(s) consent, we cannot accept your application.

GIFTS AND DONATIONS

Have you, or anyone with a financial interest in this application made one or more political donations or gifts to a Councillor or political party, with a total value of or exceeding \$1000 within the past two years?

Persons having a financial interest include you as the applicant or any person on whose behalf you make this application, the property owner or owners, any person who has entered an agreement to acquire the site or any part of it, any members of the family of the persons previously mentioned; developers, architects, designers, engineers, landscape architects, traffic consultants, planning consultants, heritage consultants; builders or any person likely to obtain a financial gain if the proposed development is authorised or carried out.

If one or more donations or gifts with a total value of or exceeding \$1000 is made to a Councillor or political party by you or anyone with a financial interest in this application after the application has been made and prior to the determination of the application, those donations or gifts must also be disclosed by completing the Disclosure Statement. If a gift is made to a Council officer after the date of lodgement of the application

and prior to determination of the application, that gift must also be disclosed by completing the Disclosure Statement. This requirement is in accordance with section 10.2 of the NSW Environmental Planning and Assessment Act 1979.

COPYRIGHT DECLARATION

Most applications lodged with us are required to be notified to allow members of the community to make comment on it. To do this we display (for viewing only) your application on our website. In addition we provide an A4-sized copy of the proposed plans (site and elevation plans – external configuration only) to nearby properties. These plans are posted to neighbours for their information and are published on our website. The plans are also used for requests made under the Government Information (Public Access) Act 2009. While the author of the plans (being the person who drew the plans) is not required to make this declaration, which allows us to copy and publish the A4 plans, the absence of this may impede Councils assessment of the application and may lead to an increased number of objections to your application and may cause delays in the processing of it. We strongly advise the plan author to provide the Copyright Declaration and allow us to publish A4 reduced plans of your application. The Copyright declaration CANNOT be provided by the property owner but only by the designer/architect.

HOW TO LODGE YOUR APPLICATION

All applications and plans to be submitted via the NSW Planning Portal.

Don't forget to include all the required plans and supporting documents:

- Include the BASIX Certificate(s);
- Obtain the landowner's consent; and
- Answer all NSW Planning Portal questions.

FEES

Application fees are calculated on a scale based on the estimated value of works associated with a development (or the number of lots in the case of subdivision). In the days after you submit your

STEP 3

COMPLETE AND LODGE APPLICATION FORM

application on the Portal you will receive an invoice listing the fees to be paid. After you've paid the fees your application will be officially lodged. In order to have an equitable process, we will charge a fee based on the market value of your development. You must provide a value of works estimate that includes:

- The value of works associated with constructing the building
- The value of works associated with preparing the building for use, which must include the value of plant, fittings, fixtures and equipment, as well as the value of their installation
- The value of any works associated with any demolition

LONG SERVICE LEVY

A building industry long service levy applies to all construction work with a value of \$250,000 or more. The levy is charged at a rate of 0.25% of the total value of the proposed work. You can pay the levy when you lodge your development application or you must pay prior to the release of your construction certificate or complying development certificate. Please ask our Customer Service Staff for further details.



STEP 4

AFTER YOU LODGE YOUR APPLICATION

FEES

You will receive an invoice with the fees for your application. After these fees are paid your application will be lodged.

ACKNOWLEDGEMENT

You will be advised via the NSW Planning Portal whether your application has been accepted. Throughout the assessment process the responsible officer will be shown under 'Case Owner' on the application.

IF WE NEED MORE INFORMATION

We may need more information about your application. If we do, we will request this as soon as possible. You must submit any amended plans via the Portal.

PUBLIC NOTIFICATION

Most Development Applications are publicly notified to enable interested persons to submit comments to Council. The submission period varies according to the type of development proposed.

MAKING ENQUIRIES

If you would like to find out how your application is progressing, you can follow it on the NSW Planning Portal or our website via our DA Tracker.

AMENDED PLANS

If your plans are found to be deficient or do not comply with our codes and policies we may ask for amended plans. However, we do not have to ask for or accept amended plans. It is much better if you carefully check your plans before they are lodged to ensure they comply with our requirements. Any amended plans or documents must be lodged via the Portal and be clearly marked with their revision number eg: Rev B.

NOTICE OF DETERMINATION

After your application has been determined, you will receive a Notice of Determination. The Notice will tell you whether we have approved or refused your application. If your application is approved, the notice will give details of any conditions of consent. If your application is refused, the notice will give the reasons for refusal. The notice will also explain your right of appeal.

CONDITIONS OF CONSENT

If your Development Application is approved, then you must ensure that the development is carried out in accordance with any relevant conditions.

You cannot alter or vary the development (or the way in which it operates) unless the terms of the consent are modified. To do this, you must make an application to modify the consent. An additional fee applies.

DEVELOPMENT CONTRIBUTIONS LEVY

Your Notice of Determination may include a condition requiring you to pay a Development Contribution. This is a condition requiring a payment towards the capital cost of providing community facilities such as open space, car parking etc. These contributions are determined in accordance with Council's Development Contributions plans. This sets out the circumstances in which a contribution can be imposed, the formula for calculating contributions and the program of works on which the funds will be spent. You can view or purchase a copy of the relevant Contributions Plan at Council. All Development Contributions are paid into a special account. They cannot be used for any other purpose.

OTHER APPROVALS

A Development Consent DOES NOT permit you to start building. If your proposal involves building, you will need to obtain a Construction Certificate for the detailed building plans or engineering drawings.

You can apply for this either to the Council or to a private certifying authority. You must also appoint a Principal Certifying Authority and notify Council in writing before any construction work.

It is your responsibility to obtain any additional approval that may be required before you commence the development

Mid-Western Regional Council
Planning and Building

APPLICATION LODGEMENT GUIDE

midwestern.nsw.gov.au

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