



PLANNING AND BUILDING APPLICATION LODGEMENT GUIDE

**3 steps to preparing and
lodging an application**

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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 Canterbury-Bankstown, 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, swimming pools and fences do not require Council approval if they satisfy certain pre-determined standards or criteria.

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 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.

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:

- dwellings;
- additions to existing dwellings;
- carports;
- garages;
- swimming pools;
- dual occupancies;
- townhouses/villas;
- multiple unit development;
- commercial; and
- change of use and industrial developments.

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;
- secondary dwellings – see State Environmental Planning Policy (Affordable Rental Housing) 2009; or
- satellite dishes and solar water heaters – see State Environmental Planning Policy (Infrastructure) 2007.

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 “C.D.C.”?

A **complying development certificate** 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 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 “D.A.”?

A **development application** (or “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; and
- the demolition of a building or work.

What is a “C.C.”?

A **construction certificate** is an approval for building or subdivision 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.

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; or
- carry out earthworks, excavation or filling.

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 in this Guide 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 to wish to carry out. These changes must be shown as being clouded (or highlighted in some way) to distinguish them from the approved works.

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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 Canterbury-Bankstown 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 will need to obtain a copy of the LEP prior to proceeding with developing a proposal for any land; and

2. The Development Control Plan (DCP) contains Council's policies 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 of the DCP most 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'.

Development that involves or relates to any of the matters listed in Section G on the DA form may be 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 The City of Canterbury Bankstown (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 in a bushfire prone area – Approval required from NSW Rural Fire Service [sec. 100B *Rural Fires Act 1997*].

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. Cheques should be made out to the agency concerned.

Biodiversity and 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 development will be likely to significantly affect threatened species and a Biodiversity Development 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 <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>); or
- Involves clearing of a total area of native vegetation which exceeds the relevant area based threshold below; or

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

- 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*.

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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 required plans and documents required to accompany the relevant application type.

The following is a list of plans and documents 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

Most applications can only be submitted to Councils 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 contact you 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 addition 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.

1. Survey Plan

Required for all applications involving construction works or subdivision.

2. Site Analysis Plan

Required for all applications.

3. Floor Plan

Required for most applications involving construction works.

4. Elevations and Sections

Required for all applications.

5. Shadow Diagram

Required for all applications resulting in a building being two storeys or more.

6. Neighbour**Notification Plans**

Required for most applications.

7. Statement of**Environmental Effects**

Required for all applications.

8. Waste Management Plan

Required for all applications where the value of works exceeds \$100,000.

9. BASIX Certificate/Commitments

Required for all new residential developments including alterations and additions over the value of \$50,000.00.

10. Subdivision/Strata Subdivision Plan

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

11. Erosion/Sediment Control Plan

Required for all applications involving construction works.

12. Plan of**Management**

Required for commercial and industrial uses and for residential uses with communal facilities.

13. Cost Summary Report

Required for all applications involving construction works under \$500,000.

14. Quantity Surveyor Report

Required for all applications involving construction works over \$500,000, and for all residential applications for dual occupancies or larger in the Bankstown, Revesby and Bass Hill wards. To be prepared by a qualified registered Quantity Surveyor.

15. Building Code of Australia Upgrade and Fire Safety report

Required for new buildings and alterations and additions to existing buildings. A list of existing and proposed fire safety measures must accompany this report.

16. Demolition Plan and Statement

Required for all applications involving demolition works.

17. Schedule of Materials, Colours and Finishes

Required for all applications involving construction works.

18. Landscape Plan

Required for all applications involving construction works.

19. Streetscape Elevation/Model

Required for some larger applications involving construction works.

20. Concept Drainage Plan/OSD Details

Required for all applications involving construction works.

21. Acoustic Report

Required for all applications for development within 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 (for example child care centres).

22. Traffic Report

Required for applications with potential for impacting traffic flow and movements on adjoining properties in relation to traffic (for example child care centres, places of public worship, schools).

23. Heritage Impact Statement

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

24. Arborist Report

Required for all applications involving removal of significant trees.

25. Geotechnical/Contamination Report

Required for all applications involving construction works on contaminated land.

26. Stormwater System Report

Required for all applications involving construction works in flood-affected areas, as indicated on Council Flood Maps.

27. Bushfire Report

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

28. Acid Sulfate Soils Management Plan

Required for some applications involving construction works in Acid Sulfate Soils.

29. Access Report

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

30. 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.

31. Contract Agreement for Certification

Required for all certification services when Council is appointed as the certifying authority.

32. Sydney Water Approved Plan

Required for all construction works.

33. Building Specifications

Required for all construction works.

34. Engineering Details

Required for all construction and subdivision works.

35. Fire Safety Measures

Required for construction works for Class 2 to 9 buildings.

36. Design Verification Statements

Required for construction works involving residential flat buildings.

PLANNING AND BUILDING APPLICATION CHECKLIST

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

	Dwelling house and secondary dwellings	Swimming pools	Alterations and additions (dwelling)	Garage, outbuilding, carport, awning	Demolition	Subdivision	Dual occupancy/semi-detached	Multi dwelling housing/attached dwelling	Residential flat building	Change of use	Mixed use (commercial & residential)	Commercial/industrial/manufacture	Alterations and additions (other)	Signage	Boarding House	Modification Applications	Applicant Checklist	Council checklist - supplied
Owners Consent	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Electronic Copy on USB or via Email (Building Information Certificate and LTD only)	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●			
Architectural Plans	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Survey Plan (<6 months old)	●	○	●	○	●	●	●	●	●	○	●	●	●	○	●	○		
Site Analysis Plan	●	●	●	●	●		●	●	●	●	●	●	●	●	●	○		
Floor Plan	●		●	●	○		●	●	●	●	●	●	●		●	○		
Elevations/Sections	●		●	●	○		●	●	●	○	●	●	●	●	●	○		
Shadow Diagram	●		○				●	●	●		●	●	●		●	○		
Neighbour Notification Plan	●	○	●	●	○	○	●	●	●		●	●	○	●	●	○		
Statement of Environmental Effects	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Waste Management Plan	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	○		
Basix Certificate (<3 months old)	●	○	○				●	●	●		●				●	○		
Subdivision/Strata Plan						●	○	○	○		○	○	○		○	○		
Erosion/Sediment Control Plan	●	●	●	●	●	○	●	●	●		●	●	●	●	●	○		
Plan of Management									●		●				●	○		
Cost Summary Report	●	●	●	●									●	●		○		
Quantity Surveyor Report							●	●	●		●	●	○		●	○		
BCA Upgrade/Fire Safety Report			○			○				○			○			○		
Demolition Plan and Statement					●	○										○		
Schedule of Colour and Finishes	●		●	●			●	●	●	●	●	●	●	●	●	○		
Landscape Plan	●	●	●	●			●	●	●		●	●	●		●	○		
Streetscape Elevation							○	●	●		●	○	○		●	○		
Drainage Plans/OSD Details	●	●	●	●			●	●	●	○	●	●	●		●	○		
Acoustic or Traffic Report	○			○			○	○	○	○	○	○	○		○	○		
Heritage Impact Statement	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○		
Arborist Report	○	○	○	○		○	○	○	○	○	○	○	○		○	○		
Geotechnical/Contamination Report	○	○	○	○	○	○	○	○	○	○	○	○	○		○	○		
Stormwater System/Flood Report	○	○	○	○	○			○	○	○	○	○	○		○	○		
Bushfire Report	○		○	○		○	○	○	○	○	○	○	○		○	○		
Acid Sulphate Soils Management Plan	○	○	○	○		○	○	○	○	○	○	○	○		○	○		
Disability Access Report								○	○	○	●	●	●		○	○		
Air Quality Report										○		○	○					
Design Verification Statement									●		●							

Property:

Application No.:

Date:

CSO Initials:

Legend:



Mandatory for all applications



May be required

PLANNING AND BUILDING CC OR CDC CHECKLIST

Plans and documents required to accompany

	Dwelling house and secondary dwellings	Swimming pools	Alterations and additions (dwelling)	Garage, outbuilding, carport, awning	Demolition	Subdivision	Dual occupancy/semi-detached	Multi dwelling housing/attached dwelling	Residential flat building	Change of use	Mixed use (commercial & residential)	Commercial/industrial/manufacture	Alterations and additions (other)	Signage	Applicant Checklist	Council checklist - supplied
Owners consent	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲		
Architectural Plans	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲		
Contract Agreement for Certification	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲	▲		
Sydney Water Approved Plan	▲	▲	▲	▲			▲	▲	▲	▲	▲	▲	▲	▲		
Building Specifications	▲	▲	▲	▲			▲	▲	▲	▲	▲	▲	▲	▲		
Engineering Details	▲	▲	▲	▲		○	▲	▲	▲	▲	▲	▲	▲	▲		
Fire Safety Measures								▲	▲	▲	▲	▲	▲			
Design Verification Statement									▲		▲					

Property:

Application No.:

Date:

CSO Initials:

Legend:



Mandatory for all applications



May be Required



Mandatory for CC and CDC



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 Certificate or a combined Development Application and Construction Certificate need to use both the Application and the CC/CDC Checklist.

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); and
- 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 and 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.

How many copies?

Hard copies are not required and will not be accepted. All applications (except for Building Information Certificates and Land Title Dealing applications) must be lodged via the NSW Planning Portal. An application for a Building Information Certificate or Land Title Dealing must be lodged at Council with all documents submitted on a USB or via email.

For alterations and additions to existing buildings all plans must be coloured to indicate the area of the alteration or addition.



Electronic Copy and Naming Convention

From 14 April 2020 we are introducing a more efficient and faster Development Application process, with all applications and plans to be submitted via the NSW Planning Portal.

This change applies to:

- All Development Applications;
- Applications to Modify Consents (s4.55 applications);
- Review of Determination (s8.2 applications);
- Construction Certificates;
- Complying Development Certificates; and
- Subdivision Certificates.

Applications for Building Information Certificates and Land title Dealings will continue to be received in USB format or via email, Please note: the USB will not be returned.

When you submit your application on the Portal you will need to upload each of the plans and documents onto the Portal 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.

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. Survey Plan

This plan must be prepared by a surveyor who is registered with the NSW Board of Surveying and Spatial Information (BOSSI). The plan must not be more than six months old at the time of lodgement.

The plan must show the exact location of buildings and other features on the site, at the same scale as the plans and elevations. The plan must include the following details:

- north point (true north);
- scale (show ratio and bar scale), lot dimensions and areas;
- date, plan number, amendment number;
- position of all existing structures, contours and spot levels;
- position of structures, including trees on adjoining land (including the street and adjoining parks or open space), especially window locations in adjoining buildings with top and bottom of sill heights;
- position of existing trees on both the site and adjoining sites (including the street and adjoining parks or open space), and reduced level at the base of such trees, and their height and canopy spread; and
- the location and levels of any solar panels on adjoining lots.

2. Site Analysis Plan

This plan illustrates and analyses existing site conditions in relation to surrounding land and buildings. It should demonstrate how site constraints and opportunities have been identified and then considered and incorporated into the proposed development. It should NOT include details of the proposed development (these are to be shown on the site and floor plans).

Draw the plan at a 1:100 scale and include the following details which are relevant to your proposal:

- orientation;
- north point (true north);
- scale (show ratio and bar scale); and
- date.

Property details

- property boundaries and dimensions;
- lot and deposited plan numbers;
- site area (in square metres); and
- easements, rights of way, sewer mains.

Landform and vegetation

- contours or spot levels (extend contours into adjoining roads and properties);
- differences in ground levels between the site and adjoining land;
- stormwater drains, flow paths, drainage easements, watercourses, channels, etc;
- extent of any known landfill or contaminated soil;

- landscape features such as cliffs, rock outcrops, embankments, retaining walls, foreshores, etc;
- important views from the site and from adjoining land; and
- existing vegetation including the location, height, canopy spread, species.

Access

- public roads, laneways, pathways; and
- driveways, parking areas, loading bays.

Existing development

- show existing buildings on the site and adjoining land including distances from boundaries, height, current uses, front and rear entrances, location of all windows adjacent to boundaries of the development site (include the room use associated with those windows), and location of solar panels on adjoining sites. A streetscape elevation is required for development involving two or more storeys;
- overshadowing by adjoining buildings;
- fences and walls: location, height, materials;
- swimming pools;
- privacy: adjoining private open spaces, facing doors and windows;
- noise, odour and light spillage sources (e.g. main roads, railway lines, tennis courts, sports fields, air conditioning units, pool pumps, existing advertising signs etc.);
- street frontage features: light poles, trees, kerbs, drainage inlet structures, footpaths, crossings, traffic control devices, street furniture, bus shelters and stops etc; and
- heritage or archaeological features.

Visual privacy:

- window placement relative to adjacent dwellings and common areas;
- views between living rooms and the private yards of other dwellings;
- use of screen planting, hedges, walls or fences to improve privacy; and
- headlight glare, light spillage.

Your plans must show all adjoining (or nearby) residential properties as they relate to your proposal. This means that your plans must show the neighbours' dwellings including the location and size of windows that adjoin your site as well as the room use of those windows. In addition, the privacy plan must show the private open space on adjoining or nearby properties. Your proposal must not unreasonably impact on the privacy and general amenity of your neighbours.

Acoustic privacy:

- placement of active use outdoor areas relative to bedrooms;
- separation of roads, parking areas and driveways from bedroom and living room windows;
- noise transmission between dwellings; and
- measures to mitigate external noise sources (e.g. traffic noise, placement of air conditioners, exhaust systems, pool pumps).



Views

- impact of the proposed development on views from adjoining or nearby properties;
- design options for protecting views; and
- views from the proposed development.

3. Floor Plans

These drawings will clearly document the proposed existing and building/s or works. Plans, elevations and sections must be drawn to 1:100 scale and include the following details:

Plans

- north point (true north) and scale (show ratio and bar scale);
- title block indicating name of architect/designer, date of preparation, plan number, amendment number (where relevant) and client's name and address of subject property;
- location of proposed new buildings, alterations or works (show setback distances from boundaries and adjoining buildings);
- room layout, partitioning, location of windows and doors;
- room dimensions, areas and proposed use of each room;
- courtyard dimensions and areas;
- walls and fences;
- total floor area and floor space ratio;
- disabled persons access (if required);
- vehicle entrance and exit driveways;
- car parking and loading areas (show dimensions); and
- waste bin storage and collection facilities.

4. Elevations and Sections

These drawings will clearly document the proposed building/s or works. Plans, elevations and sections must be drawn to 1:100 scale and include the following details:

Elevations and sections

Draw an elevation viewed from each direction and at least one section showing:

- date, plan number, amendment number;
- building facade, windows, roof profile;
- external finishes (e.g. wall, roof, window, door and fence materials, paint colours, etc);
- Window and door schedule (showing all dimensions);
- existing and finished ground levels, floor levels, ceiling levels and roofline levels (show driveway grade);
- chimneys, flues, exhaust vents and ducts (show height in relation to adjoining roof levels);
- retaining walls and fences (indicate height); and
- extent of excavation or filling of the site.

CHECKLIST:

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 or land within the vicinity of a listed heritage item.
- ☐ **Additional Items**
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.

5. Shadow Diagram

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, and show the following details:

- north point (true north);
- scale (show ratio and bar scale);
- date, plan number, amendment number;
- position of existing and proposed buildings on the site;
- position of buildings, windows with associated room use, private open space and any solar panels on adjoining land;
- shadows cast at the mid-winter solstice and at the equinoxes at 8am, noon and 4pm. Additional times and dates, e.g. hourly at mid-winter, may also be required;
- if the proposal is replacing an existing building, show change in shadows from existing to proposed development; and
- provide an analysis of your shadow diagrams prepared by a consulting architect. Consider shadows from adjoining buildings as well as the proposed development.
- View of the sun/Sun Eye diagrams are required for Residential Flat Buildings, Mixed Use Developments and Boarding Houses in order to establish solar access into the proposed development and the shadow cast onto neighbouring properties.

6. Neighbour Notification Plans

Neighbour notification plans are reduced A4-sized copies of the site plan and elevations of a proposed development. The reduced elevations should be exact copies of the elevations submitted with the DA, and the reduced site plan must not show any of the internal layout of the proposed development. All of this information must be provided on one A4 sheet.

7. Statement of Environmental Effects

A Statement of Environmental Effects details the likely impacts of the proposal, and the proposed measures that will mitigate these impacts. It is a written statement about the proposal that supports your plans and drawings.

What to Include?

Your statement should address all the issues that are applicable to your proposal. The statement details your proposal and expands on the information shown on the plans. The statement tells us what you're proposing to do and how you're going to do it.

The statement must detail how your proposal complies with our codes and policies. The statement must demonstrate how the proposal meets the development controls found in our LEP, DCP and other relevant codes. Simply stating that

the proposal complies with our codes is not satisfactory; the statement must demonstrate how compliance is achieved.

For applications that do not propose any work, such as change of use applications, a Statement of Environmental Effects is still required. The statement must outline how the use is permissible and complies with our codes and policies but also how the use will operate if consent is granted e.g. number of staff, hours of operation, vehicular access and loading and waste management.

The checklist on page 8 is a guide to the issues relevant to different types of proposals. You should also check for any specific requirements applicable to your proposal or your site.

8. 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; and
- show how ongoing waste management of the site will operate.

9. BASIX Certificate/Commitments

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.

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

The BASIX Certificate, generated once a BASIX assessment has been satisfactorily completed, 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.

If you are proposing alterations or additions to an existing dwelling valued at \$50,000 and above or a swimming pool (or spa) with a volume greater than 40,000 litres a BASIX Certificate is required.

BASIX Certificates require different commitments to be shown on the plans at different stages of the development, either "On DA Plans" or "On CC/CDC Plans", with some commitments

needing a "Certifier Check". Plans must be consistent with the BASIX Certificates at all times.

Further information on BASIX can be obtained from www.basix.nsw.gov.au or by calling 1300 650 908.

10. Subdivision Plan

This plan will clearly illustrate the proposed land subdivision layout. Draw the plan to a standard scale such as 1:100 or 1:200 and show the following details:

- north point (true north) and scale (show ratio and bar scale);
- date of preparation and plan number;
- existing and proposed boundaries;
- existing lot and deposited plan numbers including adjacent lots;
- relationship to existing roads and subdivision boundaries (show width of roads);
- proposed lot numbers, boundary dimensions and proposed lot areas (square metres);
- proposed roads, pathways (indicate width);
- proposed easements and rights of way; and
- proposed public reserves, drainage reserves (if applicable).

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.

11. Erosion/Sediment Control Plan

This plan will illustrate the specific methods of erosion and sediment control that will be used to meet the site conditions at various stages of construction. Show the following details:

Basic Site Information

- north point (true north);
- scale (show ratio and bar scale);
- date, plan number and name of person who has prepared the plan;
- contours – initial and final; and
- existing and proposed boundaries.

Construction Details

- 'site' or 'disturbed area';
- location of stockpiles and secure chemical storage area;
- location of temporary and permanent Soil and Water Management Controls; and
- vehicle access point/s.

Stormwater Management

- location of drains, downpipes, pits and watercourses;
- proposed integration with on-site detention/infiltration; and
- stormwater discharge point (if proposed).

Major Projects

- details on staging of works;
- location of any vegetation to be removed; and
- proposed re-vegetation program.

Other details may be required depending on the scale of the development and specific requirements of the site. Please ask us for further information and sample plans if required.

12. Plan of Management

Required for all commercial and industrial uses and for residential type uses (including boarding houses, groups homes and hotels) with shared or communal facilities.

13. Cost Summary Report

All applications for construction works must demonstrate how the value of the works has been determined. For development valued at less than \$500,000, a value of works estimate can be provided by the applicant, architect, designer or builder but must include the methodology used to calculate the estimate. Irrespective of the type of work proposed, any development valued at \$500,000 or more must provide a Quantity Surveyors Report

14. Quantity Surveyors Report

For development valued greater than \$500,000, a value of works estimate must be prepared by a registered Quantity Surveyor.

A Quantity Surveyor's report is required for all applications involving construction works over \$500,000, and for all residential applications for dual occupancies or larger in the Bankstown, Revesby and Bass Hill wards (regardless of value).

The value of works estimate must include the value of costs such as labour (i.e. specialist tradespeople) as well as the value of materials and fixtures to be used, as opposed to what the developer is paying for them. For example, if labour is being provided "for free", that labour still has a value which must be accurately included in the estimate of the value of works.

15. NCC (formally BCA)/ Fire Safety Report

A National Construction Code (NCC), formally the Building Code of Australia, Report relating to the proposed development must be submitted with the application. Commencing with classification and size of the development, the report must address all issues that affect the development detailed in the NCC, including the NSW appendix.

Alternative Solutions will need to be indicated identifying the areas that do not comply with the 'Deemed-to-Satisfy' provisions of the NCC. These must be prepared in accordance with the requirements of A0.8 of the former BCA.

A schedule of the fire safety measures must be submitted detailing what the existing AND proposed measures are and how they are, or will be, installed to comply with the relevant Australian standards.

16. Demolition Plan and Statement

The Demolition Plan will consist of a site plan identifying the buildings to be demolished, location of security fencing, waste storage areas, temporary toilet facilities, erosion and sediment control fencing, stabilised vehicle access point and tree protection measures.

The Demolition Statement will identify the hazardous materials in the building, methods of demolition and waste disposal and the requirements for asbestos clearance certificates.

17. Schedule of Materials, Colours and Finishes

If your application involves a new building or additions to an existing building, we need to know full details of your proposed external finishes and materials. You should include details of proposed brick styles and colours, roof tiles, doors and window frames, balustrading, colour schemes for painted areas and details of hard-paved surfaces. These details must be provided in colour. Brochures from the manufacturers of the products cannot be used. Details of the manufacturer and product name and range must be shown. A streetscape elevation of the development indicating the proposed finishes is required.

18. Landscape Plan

This plan should be prepared by a qualified landscape architect or consultant and should illustrate the proposed landscape design for your proposal. The plan should demonstrate an understanding of the site and its context. Draw the plan to match the scale of the architectural and survey plans and show the following details:

- north point (true north) and scale (show ratio and bar scale);
- name of the landscape designer or company, their contact details and professional qualifications;
- date, plan number, amendment number (where relevant);
- finished surface levels, embankments and grades (indicate extent of cut and fill);
- location, species and canopy spread of all existing trees to be retained or removed, including any affected trees on adjoining properties or Council's nature strip. This must include ALL trees covered by our Tree Preservation Order (TPO);
- arboricultural advice detailing the protection or removal of trees;
- proposed tree and shrub planting, including number of each species, their location, massing and mature height, and any proposed edging and mulching;
- proposed surface treatments and restoration e.g. turf, paving, bank stabilisation, mounds;
- reduced levels at the base of trees and their height and canopy spread;
- driveways and carparking areas;
- location of letter boxes, drying areas and garbage receptacles;



- finished surface levels, including embankments, grades and contours;
- location of stormwater pipes and pits, including any on-site detention;
- proposed fences and retaining walls (indicate height and material);
- erosion and sediment control measures; and
- maintenance program.

19. Streetscape Elevation/ Architectural Model

Streetscape Elevation

A streetscape elevation should show the proposed building in the context of buildings on either side and demonstrate how the design of the proposed building as viewed from the street is not inconsistent with the existing buildings.

Model

For larger scale developments, particularly residential flat buildings and/or mixed commercial residential buildings and/or boarding houses, a 3D model may be required.

The model will create a three-dimensional illustration of the architectural form of the proposal and its relationship to adjoining development and topographical features. The model must be to scale and may be required for mixed residential/commercial developments, and large-scale residential or commercial developments. We may also require models for other developments. We will determine the necessity for a model to be submitted after we have received your application. In some cases, we may ask for a coloured perspective instead of a model.

20. Stormwater Drainage Plan

This plan will illustrate how stormwater runoff 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 found in Council's Development Engineering Standards and Development Control Plan. 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, Sydney Water 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. Council prohibits the use of pump-out systems other than for underground basement car parks where the only area being pumped is the driveway and associated sub-soil drainage system.

Your drainage design must be prepared by a registered Civil Engineer and include provision for on-site detention (OSD) where necessary.

Information to be included in your proposal includes, but is not limited to, the required information listed. The individual circumstances of your site and development may warrant further information to be provided for consideration as part of your application.

NOTE: Stormwater plans that are thorough and concise, with the appropriate information presented, are less likely to incur delays during assessment.



21. 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 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 (e.g. child care centres, schools, places of public worship), or where the hours of operation may have impacts on residential properties.

Noise

Show 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, transport terminals, 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

22. 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).

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.

23. Heritage Impact Statement

The purpose of a Heritage Impact Statement is to provide Council with sufficient information for it to determine the impact of the proposed development on the heritage item concerned. The Heritage Impact Statement should be prepared by a professional heritage consultant. To determine the level of detail required and who should prepare the Heritage Impact Statement, consult Council's Heritage Adviser before submitting the application.

A Heritage Impact Statement must address the following:

- summarise the historical development of the heritage item and its setting (the setting is the immediate area or locality in which the item is situated. It includes gardens, fences, other buildings and features on the land on which the heritage item is situated as well as surrounding buildings and features in the streetscape);
- describe the heritage item and its setting (the description of the item should address the period and style of the heritage item, its materials and finishes, its form, and its setbacks and orientation on the property. The description

should also address the setting of the item in similar terms as well as the visual relationship between the item and its setting);

- assess the condition and integrity of the heritage item (integrity refers to how original the heritage item is and how much change has occurred to it over time);
- state why the heritage item is significant*;
- describe the proposed development and specify the changes which would be made to the heritage item and its setting;
- assess the impact which the changes would have on the heritage item and its setting including both positive and negative impacts (if any);
- describe measures designed to mitigate negative impacts (if any) on the heritage item and its setting; and
- state whether any other development options were considered and why the preferred option was selected.

For sites of State significance (listed on the State Heritage Register), or of exceptional significance to the local area, a Conservation Management Plan (CMP) may also be required. Check with Council's Heritage Adviser to confirm whether a CMP is required.

*For guidance on assessing the significance of a heritage item, refer to the publication titled *Assessing Heritage Significance*, available from www.heritage.nsw.gov.au.

24. 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. Accordingly, 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 requires 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, and s8.5 of the Tree Management Manual, available from Council's website.

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, and s8.6 of the Tree Management Manual, available from Council's website.

25. Geotechnical/ Contamination Report

Contaminated Land:

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. Contaminated land issues may arise, for example, with sites that have been previously used for industrial activities or with sites that were used as service stations etc. For further information, please refer to Council's Contaminated Lands Policy.

26. Stormwater System/ Flood Report

In determining all development applications which propose the construction of a building, Council must consider the impact of any potential flooding on the proposed building. Also, Council must consider the impact of any building on the potential estimated floodway. Council has mapped all of the estimated potential floodways in the former Bankstown LGA catchment and the maps are readily available for viewing on Canterbury-Bankstown's web site. Also, there will be a notation on a Sec 10.7 Certificate if the subject property falls within an estimated flood affected lot. This does not apply to lots in the former Canterbury LGA.

Prior to preparing your plans, you should apply for a Stormwater Information Application (SIA) and purchase, from Council, a Stormwater System Report (SSR) via the SIA. The developer must have the consultants prepare all of the proposed documentation based on any estimated flood levels and flood requirements recommended in the SSR. In some instances, the SSR will recommend you provide a flood impact study for any proposed buildings to be constructed on the site.

You will need to submit your SSR and, if required, the flood impact study to Council with your development application.

If your site is not flood affected you won't require an SSR.

27. Bushfire Report

A report will need to be submitted with any application for works on bushfire prone land. The report will need to assess the proposed building work against the Rural Fire Service Planning for Bushfire Protection Guidelines 2006 and nominate the bushfire attack levels and relevant requirements appropriate to the design and construction of the building. Applications for subdivision of bushfire prone

land are integrated development under Section 100B of the *Rural Fires Act 1997* and will need to be referred to the NSW Rural Fire Service.

The Canterbury DCP 2012, Part B11 relates to urban bushland areas which are not bushfire prone on the LEP map, in which a bushfire assessment may be required.

28. Acid Sulfate Soils Management Plan

Acid Sulfate Soils (ASS) contain iron sulphides underground that are usually stable when they remain undisturbed. However, when exposed to air, after drainage or excavation works, the soils rapidly form sulfuric acid. This acid can leach into the surrounding area acidifying neighbouring drains, wetlands and creeks, causing severe environmental damage. This leaching of acid can also affect public and private infrastructure by causing serious damage to steel and concrete structures such as the foundations of a building.

In Canterbury-Bankstown, acid sulphate soils have been identified in the vicinity of the Georges River, Cooks River, Wolli Creek and Salt Pan Creek. Areas of up to a kilometre from these waterways may be affected by ASS. Therefore, if you are proposing development anywhere within this vicinity, which involves excavation works for a basement carpark, drainage works or the like, you should check to determine whether your land is affected by ASS.

Former Bankstown LGA

Some works in ASS-affected areas will require an ASS Management Plan (see Clause 6.1 of the BLEP 2015 to determine whether an ASS Management Plan is required).

Former Canterbury LGA

If your property is affected by ASS, you can either proceed to prepare an ASS Management Plan or undertake a Preliminary Assessment to confirm whether an ASS Management Plan is required.

An ASS Management Plan must be prepared by a qualified geo-technical engineer in accordance with the ASS Manual published by the Department of Urban Affairs and Planning. The plan will provide a framework for the on-going management and monitoring of the impacts on acid sulfate soils throughout the development. Although there is no set standard for the level of detail to be provided in a management plan, the plan should reflect the level of risk from the potential disturbance or oxidation of acid sulfate soils, and as a minimum should address the following matters:

- an overview of environmental attributes of the site and surrounds;
- an overview of any proposed works;
- a description of the acid sulfate soil mitigation strategies incorporating a schedule of constraints;
- a monitoring program for soils and the surface and sub-surface water quality;
- a description of a pilot project or field trial; and
- a description of the contingency procedures to be implemented at the site to deal with unforeseen events.

Prior to preparing an ASS Management Plan, you may need to undertake a preliminary assessment or a detailed assessment, including a soil survey with soil analysis, carried out in accordance with the Laboratory Methods Guidelines within the ASS Manual.

You will need to submit your ASS Management Plan or Preliminary Investigation to Council with your development application.

29. Disability (Access to Premises – Buildings) Standard

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 DA's, 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 e.g. 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 DA's, are not subject to the Premises Standard, because a CC is not required. However they must (as well those DA's mentioned above) still address the requirements in our own Development Control Plan. Small residential DA's are not subject to the Premises Standard.

The Premises Standard is part of the NCC. Any consent (e.g. 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.

30. 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.

Air

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; and
- proposed mitigation measures: placement and height of flues or chimneys; filters and treatment devices; location of waste storage areas and compost heaps.

31. Contract Agreement for Certification

The Contract Agreement for Certification is a written agreement outlining the certification services requested by the client to be provided by Council acting as the certifying authority for building or subdivision works.

32. Sydney Water Approved Plan

The plans of the proposed building work approved by Sydney Water through Tap In™ or a Water Servicing Coordinator.

33. Building Specification

Specifications of the building describe the construction, materials and standards of which the building is to be built and the method of drainage, sewerage and water supply. The specifications will also state whether the materials to be used are second-hand and (in the case of second-hand materials) give particulars of the materials to be used.

34. Engineering Details

Engineering details will consist of plans and design compliance certificates which indicate the design of structural elements, electrical services, hydraulic services, mechanical services, stormwater drainage systems and sediment and erosion control measures relevant to the construction of the building.

35. Fire Safety Measures

Fire safety measures is a list of any existing fire safety measures provided in relation to the land or existing building on the land and a list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

36. 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 in SEPP 65 are achieved and demonstrates how the objectives in parts 3 and 4 of the Apartment Design Guide have been achieved.

3

STEP 3: COMPLETE APPLICATION FORM AND LODGE APPLICATION

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

Applications submitted on the NSW Planning Portal aren't required to be accompanied by a Council application form. Applications submitted to Council off the Portal do require a Council application form.

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 at our Customer ServiceCentres and the local library or 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

From 14 April 2020 we are introducing a more efficient and faster Development Application process, with 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 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; and
- 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 \$25,000 or more. The levy is charged at a rate of 0.35% 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.

After you lodge your Application

A. Fees

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

B. Acknowledgement

You will receive advice as to the officer assessing your application and the registered development application number.

C. 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.

D. 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.

E. 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".

F. 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.

G. Local and Sydney Planning Panels

Your application may be referred to our Local Planning Panel for consideration. Larger developments may be referred to the Sydney South Planning Panel.

H. 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.

I. 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.

J. 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 Councils 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.

K. 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.

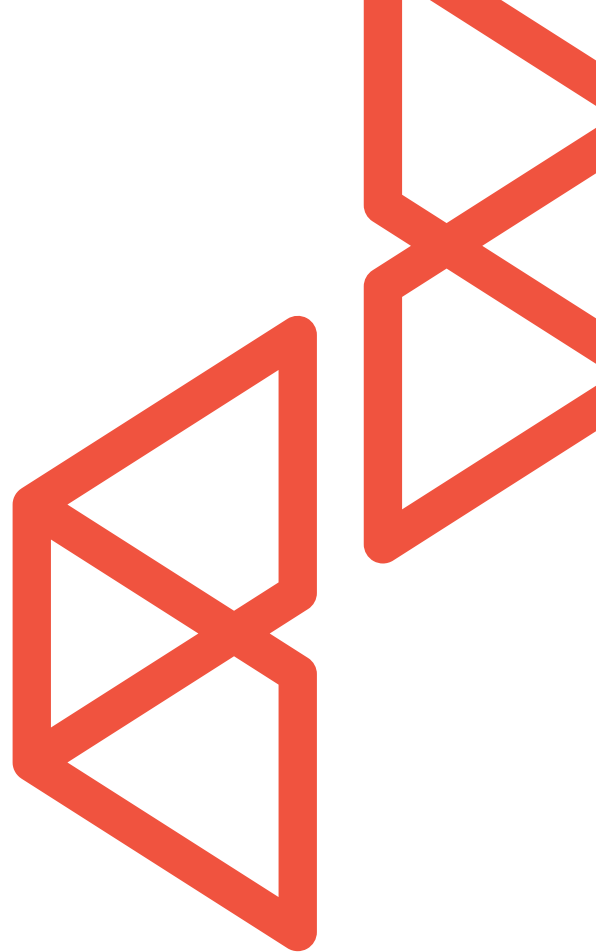
It is your responsibility to obtain any additional approval that may be required before you commence the development

Disagree with your Notice of Determination?

If you are dissatisfied with the determination of your development application, contact us immediately so we can clarify issues and discuss your options.

Options available to you include:

- a **Review of Determination** of your application under section 8.2 of the *Environmental Planning and Assessment Act 1979*. You must submit the review via the NSW Planning Portal. You cannot seek a review if the proposal is designated development or integrated development. Under the provisions of the *Environmental Planning and Assessment Act*, we may only review a decision within six months of the date shown on the Notice of Determination. After this six month period a decision cannot be made. You must ensure that an application for a Review of Determination gives us a reasonable period in which to review its decision (a minimum period of three months is required). The six month period to determine a Review has been temporarily extended to twelve months;
- an application to **Modify a Development Consent** under section 4.55 of the *Environmental Planning and Assessment Act*. This may be appropriate if you disagree with particular conditions of consent or decide to amend certain aspects of the proposal. You must submit the application via the NSW Planning Portal (even if the original DA was not). Applications to modify a consent must go through a similar process as the original application, including any necessary notification and advertising. Therefore, it is important that you allow sufficient time to obtain our approval before proceeding with any modifications to your proposal. Any plans you submit must clearly show the proposed modification that you wish to carry out. These changes are best shown as being clouded (or highlighted in some way) to distinguish them from the approved works. Modifications must ensure that the development, once modified, remains substantially the same as the development for which was originally granted; or
- an appeal to the **Land and Environment Court**.



**City of Canterbury
Bankstown**

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