

B02000 BUILDING PROPOSALS

B02001 - NOTIFICATION OF DEVELOPMENT APPLICATIONS

Previously Policy No. 40101 PC&D 9/5/94 AMENDED - P&CD 13/2/95 AMENDED - P&CD 14/10/96 AMENDED - PCD 14.10.02 AMENDED – Ordinary Council Meeting 20/9/04, AMENDED Council 19/05/08

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Objective

To involve residents in the decision making process when, in Council's opinion the enjoyment of their property may be detrimentally affected by a proposed development or building, after its erection.

Policy

1. Forming an Opinion

In forming an opinion as to whether or not the enjoyment of the adjoining land may be detrimentally affected by a proposed building after its erection, Council will consider the following:

- a. the siting of the proposed building;
- b. the views to and the view from the adjoining land;
- c. the overshadowing of the adjoining land;
- d. the height and bulk of the proposed buildings;
- e. the privacy of the adjoining land;
- f. the means of access and parking provisions;
- g. the likelihood of the adjoining land being detrimentally affected by noise;
- h. the visual quality of the building in relation to the streetscape.

2. Neighbour Notification - Who will be notified and when

- a. As soon as practicable, a notice will be issued after an application is received by Council, but for a period of no less than 10 days before Council determines the application.
- b. Notification will be sent to all owners of adjoining properties, subject to:-
 - i. The General Manager may exercise discretion and limit notification on large sites, where development is remote from all adjoining land owners and reduce notification to those within close proximity and who may be affected.
 - ii. The General Manager may exercise discretion and limit notification for minor development to those land owners within close proximity of the development and who may be affected.
- c. Occupiers of adjoining residential properties with the exception of those described in sub-clause (d) below, will be notified.
- d. That in the case of a body corporate, notice will be sent to the owners of each unit, and to the secretary of the body corporate. Occupiers will not be separately notified.
- e. Notification shall be given on receipt of application to vary any Council building covenants.
- f. If a parcel of adjoining land is owned by more than one person, a notice to one of the owners is taken to satisfy the requirements of that policy.
- g. A notice to an association or a community group shall be given for applications within their respective area.
- h. A sign notifying of a significant development application shall be erected on the premises where the development is proposed to take place. A significant development application is one that would potentially impact on properties greater than adjoining and nearby neighbours and/or determined by the General Manager.

3. Discretionary Notification

- a. The General Manager may exercise discretion and notify additional neighbours on any application.

4. Who Will Not Be Notified

- a. Notification to neighbours shall not be required on development applications for proposals that only involve internal alterations or additions.
- b. Notification of a development application will not be sent to adjoining properties where a development consent has previously been granted and the development application is not significantly amended. (Except where a delay of more than 18 months is involved in the lodgement of a development application following development consent, adjoining properties will be informed of the application).
- c. Applications for a change of use of retail or commercial premises within the Business Zones will not be notified.
- d. Applications for a change of use of industrial premises within the Industrial Zones will not be notified.

4.1 Applications Which Will Not Be Notified

- a. Applications for change of use of retail or commercial premises within the Business Zones.
- b. Application for change of use of industrial premises within the Industrial zones.

5. Details Required

- a. A notice for a development application must include or be accompanied by a plan in an approved form showing the height and external configuration of the building in relation to the site on which it is proposed to be erected.
- b. The names and phone numbers of the Councillors for the particular Ward of the proposal be included on the notification letters.

6. Inspection of Applications

- a. The application and documents accompanying the application, may be inspected at the Environmental Services Division between the hours of 8:30am and 5:00pm, Monday to Friday at the Council Civic Centre (except for public holidays) and the Lane Cove Council Library during normal working hours.

7. Submissions

- a. Submissions concerning the application are to be lodged in writing within ten (10) days from the date of the notification.
- b. Persons who have lodged a submission are to be invited to attend the Planning and Building Committee in support of their written submission.
- c. Advice of the determination of the development application shall be given to all persons making a submission.

8. Renotification

Amended plans that address those concerns raised by objectors and that are considered not to be significantly different from the original proposal, or amended plans that are considered to have no significant impact on the enjoyment of the adjoining land will not be renotified.