

Development Applications

1. Objectives

The objectives of these controls are to:

- identify the requirements and standards for lodging Development Applications and supporting information with Temora Shire Council

2. Introduction

These controls provide information regarding those minimum requirements for the lodgement of Development Applications and supporting information with Council. Prior to lodgement of a Development Application it is recommended that applicants meet and consult with Council.

The requirements in these controls are based on those statutory matters in the *Environmental Planning and Assessment Act 1979 and Regulations* (as amended) regarding information required to support Development Applications.

3. Submission of applications and plans

Applications for development should be submitted with:

- a completed Council Development Application form
- the prescribed fee
- a minimum of four copies of the site and development plans at an appropriate scale (1:100, 1:200, 1:500). Where practical plans at A3 are preferred.

When preparing plans for submission to Council, applicants should consider the following professional services:

- Registered Architects (or at minimum suitable plan drawing services),
- Landscape Architects
- Landscape Designers
- Land Surveyors
- Qualified Civil / Structural Engineers.

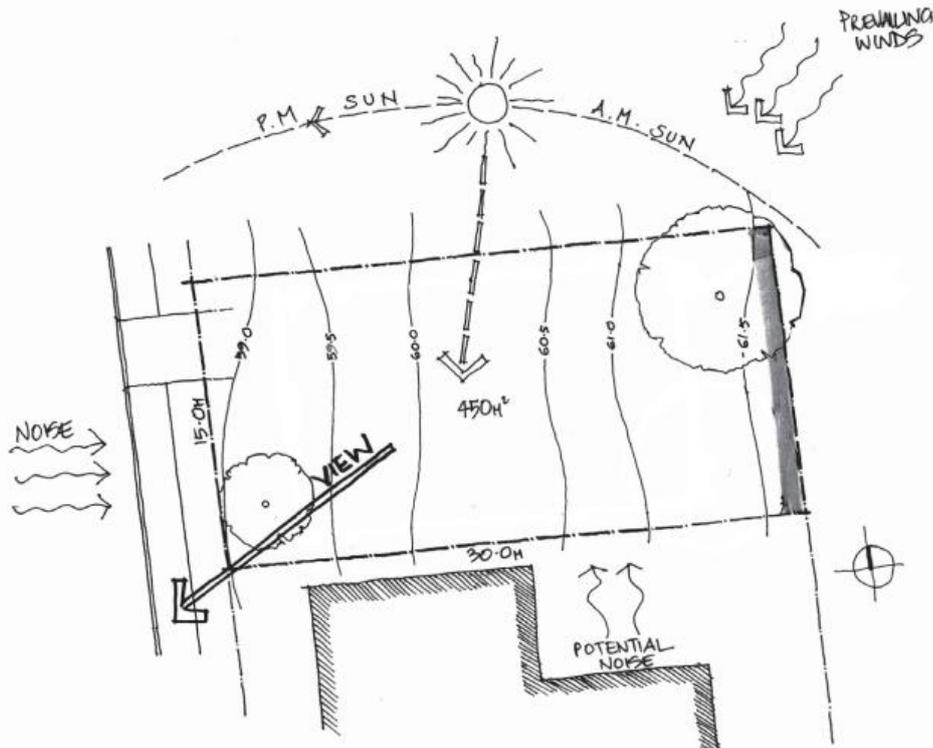
4. Development Plans

The following information provides an outline of Council requirements for plans applying to the development of land and the construction of buildings.

- **Site plans and site analysis plans** - are recommended to be a scale to fit on an A3 sheet for domestic developments or A1 sheet for larger scale commercial / industrial developments.

A site plan and site analysis plan identifies the following:-

- ✓ scale and north point
- ✓ site dimensions and site area
- ✓ spot levels and contours
- ✓ easements for drainage, services and rights of carriageway burdening or benefiting the subject property
- ✓ location of existing vegetation, including species, height, spread of established trees and spot levels at their base
- ✓ major trees on adjacent properties which overhang the subject property
- ✓ location and height of buildings and other structures and all other hard surfaces including paving and driveways
- ✓ calculation of built-upon areas
- ✓ heritage items and conservation areas
- ✓ natural features such as rock outcrops, ledges or watercourse
- ✓ fences and boundaries
- ✓ street frontage features such as street trees
- ✓ existing means of stormwater drainage and any existing stormwater detention systems
- ✓ overshadowing of the site by neighbouring structures and/or vegetation
- ✓ rare or threatened species of flora or fauna
- ✓ significant noise sources on or around the site, such as noisy roads
- ✓ views to and from the site
- ✓ prevailing winds
- ✓ pedestrian and vehicular access to/from the site
- ✓ identification of any contaminated soils on the site
- ✓ built form and character of adjacent and nearby development (streetscape)
- ✓ location, height and use of neighbouring building or structures
- ✓ abutting secluded private open spaces and any windows or doors facing the subject site
- ✓ heritage significance or surrounding buildings or landscape
- ✓ views and solar access enjoyed by adjacent residents
- ✓ any difference in levels between adjacent property boundaries
- ✓ location and spot levels of street frontage features such as road pavement, gutter, footpath and trees



- **Survey Plans** - are recommended to be at a suitable scale to fit on an A1 or A3 sheet. These plans should indicate detailed locations of all lots and the balance of title, dimensions and areas of lots.
- **Detail Plans** - are recommended to be at a suitable scale to fit on an A1 or A3 sheet. These plans should indicate detailed locations of all buildings and activity areas. The plans should show car parking and landscaping details together with details of all signs proposed.
- **North point** - all plans submitted must indicate North
- **Scale** - all plans should be to scale
- **Service lines** - the location of services and service type is particularly relevant in industrial and developments within towns and villages. This includes underground lines such as sewer, power, water, stormwater and gas. Manhole covers, sewer vents, grease traps, drainage pits, hydrants and taps as well as overhead services, especially electricity transmission lines will need to be identified. In the case of building construction surface drainage cross sections detailing the finished internal pavement levels, Council's footpath, kerb and gutter (including gutter invert levels), floor levels and footpath cross sections detailing kerb and gutter, pathway and property boundaries will be required.
- **Levels** - where applicable all plans should indicate falls for surface run-off. This may be done using ratios of percentage slope, i.e. 1 in 80 or 3%. Levels should also be indicated as spot levels or contour lines. Where changes of level are being incorporated into the design, both new and existing levels should be shown. Where walls are being constructed, the height of the wall should be indicated. This may be shown by a simple section.

- **Driveways, car parking and loading bays** – the location of all driveways, parking areas, loading bays and vehicular turning areas are to be identified. Reference should be made to the templates produced in the Traffic Authority of NSW *Part A: “Policies and Guidelines for Traffic Generating Developments – Design Vehicles”*.
- **Landscape details** – are to be provided in accordance with *Section C – Development Controls - Landscaping*

5. Environmental Impacts

Council is required to ensure that sufficient information is provided to enable a detailed assessment of the environmental impact of a proposed development including the proposed means to be implemented to protect the environment and mitigate against any adverse impacts. In determining a Development Application, Council is required to have regard to the matters set out under Section 79C of the *Environmental Planning and Assessment Act 1979*, including any possible impact of that development on the environment or on the amenity of the neighbourhood in which it is located.

The level of detail required to be submitted with a Development Application to enable the likely environmental impact to be properly assessed will vary depending upon the nature and scale of the proposed development

A **Statement of Environmental Effects** will be required to support a Development Application to Council. For simple applications, such as dwellings and sheds, Council has a Statement of Environmental Effects form which must be completed by the applicant. For more complex applications, further detail is necessary for assessment. Applicants should consider engaging professional consultants to assist with the preparation of their Statement of Environmental Effects.

Applicants should discuss their proposal with Council to ascertain the requirements at the pre planning stage.

Local constraints including flooding (local or major waterbodies or rivers), fill, geotechnical hazards or other constraints that may affect the site should be fully detailed in the statement of environmental effects.

5.1 Industrial development

All applications for industrial development must be accompanied by a Statement of Environmental Effects which demonstrates that consideration has been given to any potential adverse environmental impact of the proposal and details of the measures intended to be implemented to mitigate any such impacts.

For industrial development the Statement of Environmental Effects should include the following information:-

- a detailed description of the proposed development and the nature of the proposed industrial activity including details of the type, size and volume of any goods proposed to be manufactured, processed, stored or transported
- details of the proposed hours of operation including any possible shift work
- details of the type, size, capacity and location of any plant or equipment proposed to be installed
- in the case of manufacturing, industrial processing or workshop activity, a schematic flow diagram indicating all factors of production and processes involved as well as the location of any points of possible liquid or gaseous emission or solid waste generation
- an indication of the nature and extent of any noise likely to be generated by any aspect of the proposed development
- details of any chemicals proposed to be used and or stored on the premises including proposed storage arrangements for any hazardous substances
- details of any pollution control measures proposed to be implemented including measures intended to minimise any potential noise emissions
- details of the proposed means of storage and disposal of garbage, liquid wastes and any other form of trade waste or by-product
- in the case of proposed development involving use or storage of any hazardous substances or processes, an adequate preliminary hazard analysis, and
- details of the size and frequency of delivery vehicles or other heavy vehicular movements likely to be generated by the proposed development and any measures proposed to ensure that loading/unloading arrangements do not give rise to any adverse environmental impact
- details of any work or storage of materials proposed to be undertaken outside the confines of a building

5.2 Home Based Businesses

For Home Businesses the Statement of Environmental Effects should include the following information:-

- provide evidence of the qualifications of the operator and staff particularly for applications where it is intended to operate health services or other related activities from the premises e.g. massage, natural and/or alternate therapies.
- identify the nature of the business
- Identify how the proposed use complies with the requirements of *Section C – Development Controls – Home Based Businesses*
- nominate those areas of a dwelling house and site to be used for the home occupation within the development plans

6. Specialist reports

6.1 Traffic generating developments

Where a major traffic generating development may impose a major impact on a given locality, Council may require the applicant to arrange for the preparation and submission of a Traffic and Parking Study by a qualified professional traffic engineer. The NSW Roads and Traffic Authority's publication "*Guidelines for the Assessment of the Traffic Impacts of Development (Part B - Policies, Guidelines and Procedures for Traffic Generating Developments)* Traffic Authority of NSW" provides relevant information.

6.2 Development on Flood Prone Land

Council has identified that certain development on Flood Prone Land must be accompanied with a detailed report from a practising consulting engineer indicating that the development will not increase the flood hazard or flood damage to other properties or adversely affect flood behaviour. Any building associated with the development to be located on flood prone land is to be designed by a practicing consulting engineer to withstand the force of flowing floodwater including debris and buoyancy forces.

It is recommended that proponents for proposals on flood prone land refer to *Section C – Development Controls - Flood Prone Land* and contact Council to discuss whether their development is affected by this requirement.

6.3 Geotechnical assessment

Detailed Geotechnical assessment may be required by Council in conjunction with the submission of a Development Application.

Certain major works i.e. deep earthworks, filling of land, etc, may require geotechnical assessment to identify whether the subject site is suitable for its intended use. Geotechnical assessments are to be carried out by suitably qualified persons.

Where Council has reason to believe that the site is unstable, has been filled, or is not capable of supporting the proposed development, then it may be necessary to submit a geotechnical survey and certified structural engineering design plans for footings.

6.4 Heritage and archaeology

Section C – Development Controls - Heritage and Conservation sets out those submission requirements for applications for heritage items or within the Temora Heritage Conservation Area. Note that some applications will require a statement of heritage impact to form part of the development application.

The Council Local Heritage Assistance Fund provides support for works that will help to conserve the Shire's heritage. The fund is available to support works that will conserve existing character, restore buildings or enhance the streetscape. For more information contact: Council.

Council offers a free heritage advisor service and can assist with preliminary advice on proposals affecting heritage items and sites within the Conservation Area. Contact the Council to arrange an appointment. All development applications received by the

Council to carry out development within the Conservation Area or in relation to a heritage item will be referred to the Heritage Advisor or the Council's heritage officer for review and advice prior to the consideration of the application.

The Temora Museum and Library may be able to assist in obtaining heritage information for buildings within the Conservation Area and from the Local Studies Collection at the Library.

Aboriginal objects and sites are of great significance to Aboriginal communities providing links to culture, environment and knowledge, and are protected under the *National Parks and Wildlife Act 1974* (NP&W Act) Aboriginal heritage sites and archaeological relics can occur in a range of places, including private property. A permit is required to damage or disturb Aboriginal sites under Section 90 of the NP&W Act. Development on land containing a heritage item or within the heritage conservation area should consider the potential for archaeological remains from previous buildings on the site. For example evidence of previous structures could be revealed during excavation. Contact Council to arrange an appointment with the Heritage Advisor if you think this could be relevant to your site. Relics are protected under the provisions of the NSW Heritage Act, so consult Council as soon as items of significance are revealed during excavation.

6.5 'Safer by Design'

Council has entered into a protocol with the NSW Police Service which covers the 'Safer by Design' principles for buildings and public spaces.

Under this protocol, builders, architects and developers are encouraged to adopt project designs which respond to safety and security criteria in the site layout and building design.

If appropriate, the Police Service offers advice on proposed developments before final approvals are issued.

6.6 Noise assessment

In some cases Council may require noise assessments to identify the impact of development on sensitive noise receptors within the Shire. This applies to major noise generating developments including industrial development.

7. Other Government Authority Approvals

In some cases other Government Authority Approvals may be required for your development. These approvals are not considered to be *Integrated Development* under the *EPA Act 1979* – e.g. WorkCover Authority of NSW.

Copies of any relevant approvals are to be submitted to Council with the development application.

8. Servicing Strategy

For development applications involving the subdivision of land Council may require a servicing strategy to demonstrate that it is feasible for the subdivision to be serviced in accordance with the requirements of *Section C – Development Controls - Engineering Standards*.

The strategy shall include evidence that the developer has consulted with Council regard the availability and capacity of services including water, sewer, stormwater telecommunications and electricity.

9. Building Code of Australia

Where a development involves the erection of a building, or other structure, this work will be required to conform to the requirements of the *Building Code of Australia*. This may include:

- **Fire Safety** – including passive fire resistance (e.g. type of construction/materials), access and egress requirements (provision of personal access doors and construction of exits) and services and equipment (e.g. fire hydrants, fire hose reels, sprinklers, portable fire extinguishers, smoke detectors, emergency lighting etc.)
- **Sanitary Facilities** – including public toilets may be required in accordance with Part F2 of the *Building Code of Australia*.
- **Disabled Access** – may be required in accordance with Part D3 of the *Building Code of Australia*.
- **Energy Requirements** - Section J of the *Building Code of Australia* has specific requirements for each class of building.

10. Development Application checklist

Before you lodge your new or amended application, check you have the following:

- ✓ A completed Council Development Application form
- ✓ A minimum of four copies of the site and development plans
- ✓ Statement of Environmental Effects with site photographs
- ✓ Fees, as calculated based on Council's Adopted Fees and Charges Schedule
- ✓ Land owners consent
- ✓ Site Plan fully dimensioned, including a north point, all existing & proposed structures and trees (incl. botanical names, mature height and canopy spread), and all surface treatments, proposed development and other relevant details
- ✓ Proposed External Finishes/Colours for any rendered/painted external surface. One coloured set of all plans and samples is to be submitted, along with the colour names and finish types.
- ✓ Floor Plans including fully dimensioned internal and external size, position of doors and windows, the floor area and intended use for each room
- ✓ Elevations including type and colour of material for all elevations (also driveway paving), finished floor, ceiling and ridge levels relative to natural/proposed ground levels adjacent to walls

- ✓ Sections indicating floor to ceiling height and ridge height
- ✓ Drainage for roof water and surface water, including rainwater tanks, rainwater re-use, stormwater detention and proposed easements
- ✓ Indicative position of clothes drying facility (washing line must not be located within the building line or be visible from the public road) –Residential developments only
- ✓ Details of any proposed cut and/or fill and retaining walls
- ✓ Two (2) A4 reduced copies of each of the above plans for advertising (one set being coloured). All plans to show location of trees
- ✓ 1 copy of Erosion and Sediment Control Plan
- ✓ A BASIX Certificate with all undertakings notated on plans
- ✓ Waste Management Plan: Applicants are required to submit a waste management plan with the development application for the management of waste during the construction and/or demolition phase. Plans should include detail on the disposal means of waste from the construction site
- ✓ 3 copies of Specifications and structural engineering plans/details where a construction certificate is applied for.

11. Post Development Approvals

General

Council accepts no responsibility for costs associated with works required to comply with conditions of development approval.

Council requires the written acceptance of all conditions of consent imposed as part of a development approval, prior to the release of a construction certificate and/or prior to the occupation of the premises and/or prior to work commencing.

Council specifically prohibits the use or occupation, without its consent, of any building until such building has been completed in accordance with the approved plans and specifications and conditions of approval. A final inspection shall be carried out by Council, prior to commencement of the business.

The use of a commercial building or premises requires approval from Council prior to occupation unless the use has been identified within a development application. Any changes in use may require separate approval from Council, if the use is different to the business currently occupying the building or premises.

Engineering design plans

Full engineering design plans shall be submitted to Council for approval, prior to the commencement of work. Submission of engineering drawings and specifications shall conform to *AUS-SPEC Development Specification Series*. Under approved circumstances, full engineering plans, accompanied by an engineering certificate, from a certified Civil Engineer, certifying compliance with *AUS-SPEC Development Specification Series* and *Australian Standards* may be provided to Council.

Works are not to commence until the approved services and engineering plans are returned to the applicant.

A set of final works as executed plans showing all works carried out on the site and the location of all services (drainage, power, sewer, water, gas, Telstra, irrigation, etc), will be submitted to Council.

12. Relevant Section C - Development Controls

The following other parts of *Section C – Development Controls* relevant to Development Applications include:

- *Activities in Public Places*
- *Bed and Breakfast Accommodation*
- *Car Parking*
- *Commercial Development*
- *Contaminated Land*
- *Engineering Standards*
- *Erosion and Sediment Control*
- *Flood Prone Land*
- *Food Premises Fitout and Construction*
- *Heritage and Conservation*
- *Industrial Development*
- *Landscaping*
- *Large Lot Residential Development*
- *Multi Unit Housing*
- *Notification of Development Applications*
- *Sewage Management*
- *Signage*
- *Subdivision*
- *Temora Aerodrome Estate*
- *Temporary Occupation of Land*
- *Village Development*