



# *Development Application Guide*

*Information for the preparation of  
Applications for Development &  
Construction Certificates*

## Table of Contents

Page 1		Table of Contents
Page 2	Forward	About the Development Application Guide
		Need to Know More?
		List of Terms
		How to Lodge Your Application
Page 3	Am I Required to Complete an Application form	Type of Approval Sought
		Development Application
Page 4	Am I Required to Complete an... (Cont)	Construction Certificate
		Advertising Signs
		Schedule of Fees and Charges
		Privacy Statement
Page 5	Council's Dev Control Unit & Codes & Policies	Development Control Unit
		Council Requirements
		Development Control Plans & Policies
		Section 94 & 94A Cost Reports
		Large Scale Development
Page 6	The Application Form – Item 1	Person Completing This Form
	Item 2	Location of Land & Title Description of Property
	Item 3	Description of Development
Page 7	Item 4	Type of Development Consent
	Item 5	Environmental Impact
	Item 6	Approvals Under Section 68 Local Government Act 1993
Page 8	Item 7	Integrated Development
	Item 8	Principal Certifying Authority & Compliance Certificates
	Item 9	Schedule for Building Work
Page 9	Item 10	Building/Owner Builder Details
	Item 11	Documents Required to be Lodged with Development Application
	Item 11a	Plans
Page 10	Item 11a (Cont)	Site Plans
Page 11	Item 11a (Cont)	Floor Plans
Page 12	Item 11a (Cont)	Elevation Plans
		Fire Safety & Fire Resistance
		Building Perspectives
		Driveway Requirements
		Parking Arrangements
Page 13	Item 11b	Plans Stamped by Hunter Water Corp
	Item 11c	Specifications
	Item 11d	Home Warranty Insurance
	Item 11e	BASIX
Page 14	Item 11f	Statement of Environmental Effects
Page 15	Item 11f (Cont)	Statement of Environmental Effects
	Item 11g	Notification Plans
Page 16	Item 11h	Site Assessment
	Item 11i	Footings
	Item 11j	Landscape Plans
	Item 11k	Stormwater Plans
	Item 11l	Waste Management & Minimisation Plan
Page 17	Item 12	Number of Required Attachments
	Item 13	Affected neighbours
	Item 14	Council Officer/Contact
	Item 15	Compliance Certificate Relied Upon
	Item 16	Owner's Consent
	Item 17	Your Declaration
	Item 18	Disclosure of Political Donations
Page 18	Item 18 (Cont)	Disclosure of Political Donations (Cont)
		Your Notes and Questions
Page 18	Item 19	Waste Minimisation and Management Plan

# FORWARD

**Note:** The New South Wales Department of Planning is currently implementing changes to the Environmental Planning and Assessment Act, 1979 and associated Regulations. Accordingly, the information contained in this guide may be subject to change. For more information on what the proposed changes involve, visit [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

## About the Development Application Guide

This guide has been prepared to assist in the process of completing the application form, preparing plans and any other supporting documents submitted with your application for development, building or subdivision work within Maitland City Council's Local Government Area.

The guide has been designed to help you submit all the required information to support your application, so Council staff can process your application without any undue delay. In accordance with Clause 54 of the Environmental Planning and Assessment Regulation 2000, additional information may be requested once the Development Application has been lodged.

## Need to Know More?

All questions in relation to lodging an application for development and/or a construction certificate, should be adequately answered simply by referring to the application guide.

However, if you have any questions after following the guide, you should contact Council's Customer Service Centre on 49 349700.

If you have technical questions in relation to your proposal, you may contact Council's Duty Town Planner on Ph 02 4934 9827 or Duty Building Surveyor on Ph 02 4934 9782 Monday to Friday 8.30am to 12.30pm. Both duty officers are also available to speak with in person at Council's Customer Service Centre between the above hours.

## List of Terms

EPI	Environmental Planning Instrument	SEPP	State Environmental Planning Policy
REP	Regional Environmental Plan	LEP	Local Environmental Plan
DCP	Development Control Plan	CDC	Complying Development Certificate
BCA	Building Code of Australia	Class	Class of building under the Building Code of Australia
DP	Deposited Plan		
CT	Community Title	SP	Strata Plan
SEE	Statement of Environmental Effects	EIS	Environmental Impact Statement

## How to Lodge Your Application

**Post to:**

The General Manager  
Maitland City Council  
PO Box 220  
MAITLAND NSW 2320

**Document Exchange:**

DX 21613 MAITLAND

**Personal Delivery:**

Administration Building  
285 – 287 High Street  
MAITLAND

**Contact us:**

Phone: 02 49349700  
Fax: 02 49333209  
Web: [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au)

# Am I Required To Complete An Application Form?

## Type of Approval Sought

The following explanations will help you identify what type of application you are required to submit to Council for approval. Once you have determined the application type, you are required to cross the appropriate box. It is possible that you could require more than one application type. If this is the case you will need to cross all the relevant boxes.

## Development Application

### Development that Needs Consent

#### *Local Development*

This is development that requires development consent from Council.

#### **The Following Types of Development Require a Development Application:**

- New buildings, alterations or additions to existing buildings. In some instances these types of proposal may be considered under SEPP 60 – Exempt & Complying Development or SEPP (Exempt & Complying Development Codes) 2008. See additional information on this page;
- Change of use of an existing building or premises.  
(Note: If you are taking over an existing business, it is recommended that you check with Council, to see if the business has a valid development consent);
- Demolition of dwellings, heritage items or any building within a conservation area;
- Earthworks, filling and clearing of land;
- Subdivision of a parcel of land including strata title subdivision of a building, community title subdivisions and boundary adjustments;
- Outdoor dining – refer to Council's guide for lodging an Outdoor dining application;
- POPE – Place of Public Entertainment

#### *Complying Development*

This is development that can be addressed by specified predetermined development standards in accordance with SEPP 60 (Exempt & Complying Development) or SEPP (Exempt & Complying Development Codes) 2008.

Complying Development applications can be approved by either Council or a Private Certifier. If a development meets the defined standard, the application cannot be refused.

Complying Development checklists are available from Council's Customer Service Centre or via the internet: [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au).

#### *State Significant Development*

This is development declared by the Minister to be of state significance. The Minister for Infrastructure & Planning is the consent authority. Council will keep a record of the application and determination in its register of development applications and consents.

### Development that Does Not Need Consent:

#### *Exempt Development*

Certain minor development can be carried out without approval. The details of the types of development that are exempt are found in SEPP 60 (Exempt & Complying Development) or SEPP (Exempt & Complying Development Codes) 2008. Exempt Development checklists are available from council's Customer Service Centre or via the internet : [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au).

## **Construction Certificate**

A Construction Certificate must be obtained before commencing any building and construction work. The certificate assures that the detailed plans & specifications comply with the Building Code of Australia and associated standards or codes, and that your proposal is consistent with your Development Consent.

## **Advertising Signs**

All new advertising structures require consent from Council before their erection.

## **Schedule of Fees and Charges**

Your development application will attract fees in accordance with Maitland City Council's Schedule of Fees and Charges. A full copy of Fees and Charges is available on the Internet at [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au). Alternatively, you may call Council's Customer Service Centre on 02 49349700 for a quote.

## **Privacy Statement**

Maitland City Council complies with the Privacy Code of Practice for Local Government in dealing with all personal information that is to be supplied when an applicant completes an application. However, some of the personal information which is set out in the form will become part of the public record which Council is required to keep pursuant to the Local Government and Environmental Planning and Assessment Acts. The information may be divulged to others in accordance with the provisions of those acts. Furthermore, Council may be required to divulge some personal information pursuant to the Freedom of Information Act.

# Council's Development Control Unit & Codes and Policies

**Our Customer Service Centre can answer the majority of enquiries, so if you are unsure as to whether you are required to submit an application or which type of application is necessary, please phone our Customer Service Centre on 02 4934 9700.**

If you would like us to help you with a specific proposal, it is suggested that you phone Council's Duty Town Planner on 02 4934 9827 or Duty Building Surveyor on 02 9434 9782. The duty officers are also available to speak with in person at Council's Customer Service Centre between the hours of 8.30am – 12.30pm, Monday to Friday – no appointment necessary.

For larger and/or complex proposals we suggest that you meet with our Development Control Unit.

## Development Control Unit

The Development Control Unit (DCU) is a team of senior Council staff who provide advice on complex development, subdivision and construction certificate proposals.

The DCU is available by appointment on Thursday mornings. If you would like to make an appointment with the panel, phone 02 4934 9772 at least one week prior to the desired appointment time.

## Council Requirements

Once you have determined what type of approval is sought from Council, it is important to find out about Council's requirements to enable you to prepare your application. It will assist you greatly if you at least have a basic understanding of the following, where relevant, to your proposal:

- Maitland Local Environmental Plan (LEP) 2011
- Maitland Citywide Development Control Plan (DCP) 2011 (see below)
- Section 94 & 94A Contribution Plans (see further information on this page)
- Design principles and guidelines
- Relevant building regulations
- Previous Council decisions

**The above are an essential starting point for designing your proposal and submitting a correct application to Council for approval.** This information is available from Council's Customer Service Centre, and it will save you time and unnecessary expense if you ask us first.

## Development Control Plans and Policies

The Maitland Citywide Development Control Plan (DCP) 2011 and other adopted Policies could affect your proposal. A Development Control Plan is a document that contains guidelines for development. These guidelines are taken into account when the Council determines an application. The DCP may be inspected and/or purchased at Council's Customer Service Centre, or is available for viewing via Council's web site: [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au).

## Section 94 & 94A Cost Reports

For certain categories of development (largely commercial or industrial) a detailed Cost Report must be submitted with the application. For specified development costing between \$100,000 and less than \$500,000, the Schedule 2 form must be completed and submitted with the development application. For specified development costing more than \$500,000 the Schedule 3 form must be completed and signed by a Registered Quantity Surveyor. These forms may be obtained from Council's Customer Service Centre or via Council's web site: [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au).

## Large Scale Development

If submitting an application for a large scale development involving large reports and plans, it is requested that the additional copies of paperwork required be submitted on Compact Disc – ie One paper copy plus 5 Compact Discs – each containing one complete set of documents and plans.

# The Application Form

Following is a step-by-step guide and explanation of the Application Form to assist you, and to ensure that all relevant information is submitted.

## ITEM 1

### Person Completing this Form – Name & Address Details, etc

Details of the person completing the application form, being the applicant's name, address & phone details. All correspondence relating to the application will be sent to the applicant at the address nominated in this area.

If you are completing the form on behalf of a company, the applicant's name is the company's name. In this case we will also need a contact name within the company who we may refer enquiries to.

## ITEM 2

### Location of the Land to be Developed and the Title Description of the Property

The land title description is required to correctly and unmistakably identify the land. This usually consists of a lot number and deposited plan or strata plan number, with older properties having a volume and folio number identifier.

If more than one lot is involved in the proposal, please specify **all** land involved.

The location of the land consists of a unit/house number, street/road name and a suburb/locality name.

If you are unsure about any of the above, information may be obtained from your rate notice, property deeds or from Council's property maps and records. The zoning of the land can be obtained by viewing Council's zoning maps or a current S149 Planning Certificate. Planning Certificates may be obtained from Council.

#### **Mine Subsidence.**

If your property is located in a Mine Subsidence area, your plans will require stamping by the Mine Subsidence Board. Certain types of minor developments (eg: fencing, cubby houses and signs) do not require plans to be stamped by the board. The Mine Subsidence Board or Council can provide further information and advise if your property is in a Mine Subsidence area.

More information can also be found at [www.minesub.nsw.gov.au](http://www.minesub.nsw.gov.au)

## ITEM 3

### Description of your Proposed Development

This application form is designed to cater for both individual Development, Construction Certificate applications or a combination of both. It is important that you state whether a Construction Certificate application is to be lodged concurrently with the Development Application or whether development consent has previously been granted.

If development consent has previously been granted, please quote the development consent number and the date of determination.

**Development Application / Construction Certificate:-** Please tick the appropriate box, which categorises your proposal.

**Description** - is a broader outline of your proposal. (e.g. swimming pool or additions to existing dwelling) and should also refer to the definition of the development as contained within the Maitland Local Environmental Plan, 2011.

**Estimated Cost of Development / Value of Work** - Is the cost involved in the construction of your proposal. In the case of building work, the fee is based on the estimated cost, including materials and labour.

## ITEM 4 Type of Development Consent

This section of the application form is required to be completed only if the application is for development approval. Please indicate by ticking the appropriate box.

### ***Operational Consent:***

A development application is determined by:

- a) Granting consent to the application either unconditionally or subject to conditions; or
- b) Refusing consent to the application.

### ***Deferred Commencement:***

Development consent may be granted subject to a condition that the consent is not to operate until the applicant satisfies the consent authority, in accordance with the regulations, as to any matter specified in the conditions. Nothing prevents a person from doing such things as may be necessary to comply with the conditions.

### ***Staged Development:***

Development consent may be granted:

- a) for the development for which the consent is sought; or
- b) for that development, except for a specified part or aspect of that development; or
- c) for a specified part or aspect of that development.

Development consent may be granted subject to a condition that the development or the specified part or aspect of the development, or anything associated with the development or the carrying out of the development, must be the subject of another development consent.

## ITEM 5 Environmental Impact

This section of the application form is required to be completed if the application is for development approval. Please indicate by ticking the appropriate box.

- A **Statement of Environmental Effects (SEE)** is required for all development proposals with the exception of Designated Development.
- An **Environmental Impact Statement (EIS)** is required if your proposal is a designated development. Note: The EIS must be included with your application.

### ***Designated Development***

Designated Development is development that is identified under Schedule 3 of the Environmental Planning and Assessment Regulation 2000. It would generally be a type of Local Development that has potentially significant environmental effects.

## ITEM 6 Approvals under Section 68 Local Government Act 1993

Should your application require approval for one or more of the matters listed in Section 68 of the Local Government Act, a separate form listing all the relevant approvals under LGA 1993 must form part of your application form.

You are required to tick yes or no. If you have chosen yes, you are required to complete the separate form included in your Development Application called "Approvals Under Section 68". Your application must be accompanied by such matters as would be required under *S81 of the Local Government Act 1993* if approval is sought under that Act.

## ITEM 7 Integrated Development

This is development which requires the issue of an approval/licence by a separate government body (referred to as the approval body) prior to the commencement of work (e.g. heavy industries). Council will refer a copy of your application to the relevant approval bodies and can only issue consent if the approval body provides its 'general terms of approval'.

Unless otherwise stated, a fee per approval body is required. Council can advise the amount of each fee. It will be necessary to lodge this additional fee with Council at the time of lodgement of the Development Application. The fee should be in the form of a cheque made payable to the relevant Approval Body.

A concurrence fee is also required to be paid to Council for each referral to an approval body. This fee is in addition to the normal development application fee.

When Council receives a development application for Integrated Development, it must refer the application to the relevant approval body which will consider the application and if appropriate, issue its 'general terms of approval'. Council cannot normally determine the DA until it receives the general terms of approval from the approval body.

**Note: An additional set of plans & supporting documents will be required for each Integrated Authority that the application is referred to.**

## ITEM 8 Principal Certifying Authority & Compliance Certificates

After receiving Development Consent, and prior to commencement of work, a Construction Certificate must be issued, and a Principal Certifying Authority (PCA) must be appointed. That authority may be either Council, or an Accredited Certifier from the private sector.

The role (and authority) of the PCA is to ensure that the work is carried out in accordance with the approved Development Application and the Construction Certificate. The PCA also ensures or organises the issue of Compliance Certificates for relevant aspects of the work, and either ensures or performs critical inspections.

The PCA is the only authority that may issue an Occupation Certificate.

For development involving both building work and subdivision work authorized by the same development consent, a clear and separate appointment of the principal certifying authority for each type of work is required on the application form.

In the case of a subdivision, (except Strata Subdivision), only Council (as a PCA) may inspect any associated works and issue a Subdivision Certificate.

- Should you wish to appoint Council as the PCA, you must tick the **yes** box.
- If you choose to tick the **no** box, you are obliged to provide Council details of the PCA appointment at least 2 days prior to commencing construction work.

## ITEM 9 Schedule for Building Work Only (Information for the Australian Bureau of Statistics)

This is to be completed only if your application requires a Construction Certificate. All of this section must be answered, either by answering the questions or ticking the appropriate box.

This section is required for statistical purposes by Council and the Australian Bureau of Statistics.

## ITEM 10 Builder / Owner Builder Details

Please tick the appropriate box on the application form.

**Owner Builder**

An owner builder's permit is to be obtained from the Department of Fair Trading.

You are required to lodge your application with Council, and take a copy of your receipt and plans to the Department of Fair Trading in order to apply for your permit. The Department of Fair Trading will also require you to provide proof of ownership of your property.

Once you have obtained your owner builder's permit you must forward a copy to Council. This must be done prior to the commencement of residential building works.

**Licensed Builder**

Details of a licensed builder are to be provided, detailing their name, address and Licence No.

A certificate of currency issued by an approved insurer under the Home Building Act 1989 is to be submitted prior to the commencement of residential building works.

**Not Known**

If at the time of lodgement the licensed builder is not known, please indicate.

Once this information is available, you are required to notify the Council giving the details of the licensed builder's name and address and licence number.

A certificate of currency issued by an approved insurer under the Home Building Act 1989 is to be submitted.

## ITEM 11 Documents Required to be Lodged with your Development Application

This section provides a matrix which will assist you in determining which documents - and how many copies - are required to accompany your application. Simply find your development type on the left hand side of the table; where a dot appears along that line, you must provide the documents listed at the top of the table in that column.

### ITEM 11a Plans

**Note:** *All plans are to be drawn to a standard scale such as 1:100, 1:200 or 1:500 and the scale is to be nominated on the plan.*

There are three types of plans that are always required to be lodged with your Development Application:

- Site Plan
- Floor Plan
- Elevations

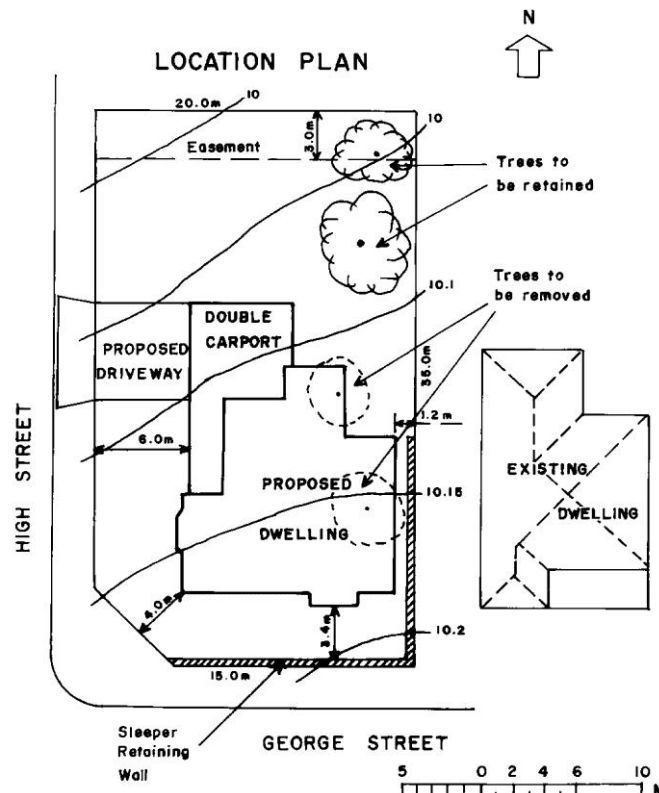
Some applications will require additional plans such as landscape, drainage, bulk earthworks and driveway profile plans.

## ITEM 11a Plans (Cont)

### Site Plan

The site plan is needed to clearly identify the land, existing features and proposed works, and should show:

- Street location and property number of the subject land;
- Property boundaries, site area and north point;
- Any adjoining buildings;
- Any easements, rights of way, public roads, laneways, pathways and possible future subdivision boundaries which apply to the land;
- The extent of excavation and filling;
- Stormwater drainage;
- Any existing vegetation including all trees over 3 metres in height or having a branch spread of 3 metres or more in width, grassland, cultivated land, bush land, scrubland, wetlands, sedge land, disturbed areas etc;
- Retaining walls and fences, both existing and proposed, and their heights;
- Other landscape features including, cuttings, embankments, outcrops, sand dunes, riverbanks swamps, cliffs, rock outcrops, etc;
- Any existing buildings on the land, including their distance from the proposal and the boundary including, walls, yards and any other improvements;
- Any driveways, existing or proposed;
- Any existing parking areas, loading bays, kerb lines, vehicular crossings kerb inlet pits or power poles should also be included;
- Any existing outdoor advertising signs; and
- With the exception of additions to existing development or minor development such as garages / sheds all applications are to be accompanied by a detailed contour plan prepared by a suitably qualified person.



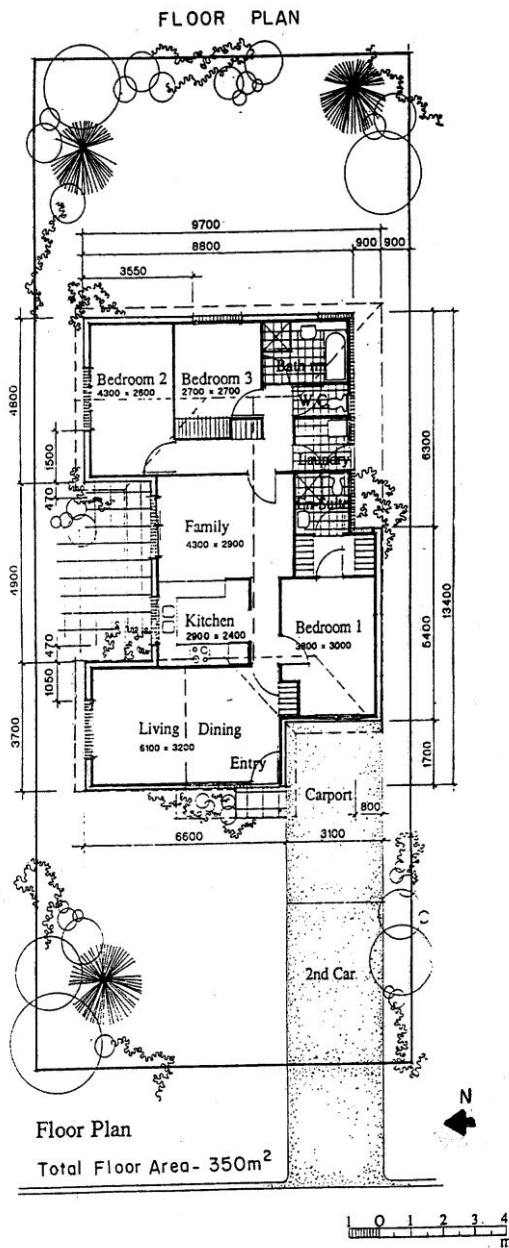
# ITEM 11a Plans (Cont)

## Floor Plan

The floor plan should show:

- Room layout and usage;
- Partitioning;
- Location of windows and doors;
- Access for disabled persons where appropriate; and
- Room and courtyard dimensions and areas

The finished ground levels and finished floor levels, must also be noted on the Floor Plan.



## ITEM 11a Plans (Cont)

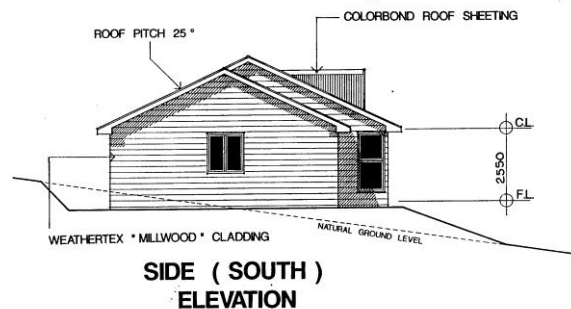
### Elevation Plan

Elevations must show:

- Building façade;
- Windows;
- Roof profile;
- External finishes (eg: wall, roof, window, door and fence materials, paint colour etc);
- At least four views of the building; and
- A structural section through the building.

Further to this, the Elevation Plan must also show:

- Undisturbed Natural Ground Levels (NGL);
- Finished Floor Levels (FFL);
- Finished Ground Levels (FGL);
- Ceiling levels;
- Roof levels;
- Retaining wall levels (top);
- Fence heights (medium density housing);
- Footway and kerb / road levels; and
- Driveway profiles (where appropriate).



### Fire Safety and Fire Resistance

Your plans need to indicate the height, design, construction and provision for fire safety and fire resistance (if any). These measures shall also be addressed within the Building Specification.

### Building Perspectives

For significant proposals or sites of particular interest a perspective drawing or artist's impression should be prepared. You should consult with Council in this regard.

### Driveway Requirements

It is important that your driveway location and grade complies with Council's requirements, and that the level of the garage floor in relation to the road kerb allows vehicle access that complies with Council's Standards.

Where the difference in level between the kerb and the garage floor is greater than +/- 600mm a "Driveway Profile" design is required for approval. For the part of the driveway that crosses the footway or verge, Council must inspect and approve the formwork prior to pouring of concrete.

### Parking Arrangements

A fully dimensioned parking layout plan should be provided that complies with the Car Parking Chapter of Council's Citywide DCP. Where applicable, this should include provision of parking spaces for disabled persons.

## **ITEM 11b Plans Stamped by Hunter Water**

Site plans are required to be stamped by the Hunter Water Corporation to ensure that the development is clear of Hunter Water sewer mains. Hunter Water office locations can be found at their website: [www.hunterwater.com.au](http://www.hunterwater.com.au) , or in the White or Yellow Pages. There is also a Hunter Water office located within Maitland City Council's Administration Building.

## **ITEM 11c Specifications**

The specification is required to describe the construction and materials from which the building is to be constructed, the method of drainage, sewerage and water supply. The specification should also state whether the proposed materials to be used are new or second hand and give particulars of any second hand materials used.

## **ITEM 11d Home Warranty Insurance**

Home Warranty Insurance is required for residential building work that is being undertaken by a licensed builder. It must be provided for any residential building work with an estimated cost of \$12,000.00 or more. Evidence of Home Warranty Insurance must be provided prior to commencement of construction works.

If an owner builder is undertaking the residential building work, no Home Warranty Insurance is required. However, Home Warranty Insurance may be required if the property is sold within six years after completion of the works.

## **ITEM 11e BASIX Certificate**

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves / awnings and wall / ceiling insulation.

A BASIX certificate will be required for the following categories of Development:

- All New residential dwellings including single dwellings and multi-units (e.g. Villas, townhouses and low rise, mid-rise and high-rise developments;
- Swimming pool (or pool with spa) with a capacity greater than 40,000 litres;
- All residential alterations and additions valued at \$50,000 or more.

Minor development including garages, storeroom, carports, gazebos, verandahs and awnings are exempt from BASIX.

The applicant is required to submit the BASIX Certificate with the Development Application or Complying Development Application. The plans and specifications must also identify the BASIX commitments that will be checked by a professional building certifier during construction.

Applicants can generate the BASIX Certificate only on the NSW Department of Planning BASIX website: [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au) . For more information, visit the website or phone the BASIX Help line on 1300 650 908.

## ITEM 11f

### Statement of Environmental Effects

A Statement of Environmental Effects (SEE) is required for all development applications (apart from Designated Development, which requires an Environmental Impact Statement). The information required in a SEE will vary according to the type of development. If you are not sure what details to include please ask our Duty Planner or Duty Building Surveyor for advice.

For some minor development, where the impact will be minimal, Council can provide a standard SEE form to complete and submit with your application.

The SEE must demonstrate that you have considered the environmental impact of the development and it should set out any steps to be taken to mitigate likely adverse environmental impact. The type of details that should be included in a SEE are provided below:

#### a. Introduction/Brief Description of Development

Details are to be provided which explain the nature and scale of the development proposal. A more detailed description of the development is to be provided under the heading "d. Operational Details".

#### b. Planning/Statutory Controls

Information is to be provided in relation to the various planning controls which may affect the proposal. Details of compliance with relevant State Environmental Planning Policies (SEPPs), Regional Environmental Planning Policies (REPs) the Maitland Local Environmental Plan 2011 (MLEP 2011), the City wide Development Control Plan (DCP 2011) or other adopted Council policies must be supplied.

Where a development may be Integrated Development, details of the type of licence or permit required to be issued by a separate government body (an approval body) must be supplied. Refer to Item 7 of this guide.

#### c. Site Analysis & Existing Uses

The site analysis should provide relevant details of your site together with its relationship to adjoining land. Things to consider include any constraints such as slope, existing vegetation, incompatible adjoining land uses, flooding, allotment shape, mine subsidence, etc. Details of utilities, services, recreational facilities, open spaces, vegetation, views and heritage matters should also be included. It is suggested that this type of information may be best illustrated in a clearly notated plan, or with photographs of the site.

Any existing uses on the land need to be identified. You should provide details of the date that the present use commenced and any previous uses of the site. If there are existing buildings on the site that are to be demolished, the age and condition of these buildings should be included.

#### d. Operational Details

A description of the proposed use is required. This may include: -

- the type of activity involved and the equipment to be used;
- the number of employees;
- hours of business/use;
- maximum numbers of customers or clients expected at any one time;
- type of goods / raw materials / finished products; and
- areas set aside for storage and waste disposal whether internal or external to a building.

#### e. Access and Traffic

Provide details on: -

- location, number and dimensions of car parking bays;
- access arrangements including driveways, and footway crossovers;
- details of any street features such as trees, footpaths, pipes and drainage pits, etc., should be shown; and
- for major traffic generating proposals a traffic and parking impact assessment report prepared by a consulting traffic engineer is likely to be required impacts on pedestrian movements, and access for disabled persons should be considered.

**Note: Where development requires construction of a driveway across Council's footpath, a separate application for the footway crossing is required.**

## ITEM 11f

### Statement of Environmental Effects (cont)

#### f. Utility Services & Waste

Waste collection, treatment and disposal arrangements need to be identified. Where amplification of utility services is required, details of arrangements/consultation with relevant public authorities should be included.

#### g. Privacy, Views and Overshadowing

You need to demonstrate how your building/proposal will relate to your neighbours' buildings. Issues to consider include:

- Visual privacy – positioning of windows, views between living areas and private adjoining spaces.
- Acoustic privacy - noise transmission into the development and the need for separation from noise sources and the need to mitigate noise sources from your proposal.
- Views - impact of the development on views from adjoining properties as well as views from the proposed development.
- Overshadowing - where overshadowing is possible or likely you should provide diagrams where the shadows will be cast. Such diagrams need to be done accurately and properly indicate shadows cast onto walls and windows, not just those falling on the ground.

#### h. Flooding and Drainage

Provide details on how your proposal is compatible with flooding and justification that the proposed design will not adversely affect either downstream, or upstream flooding. Council also requires information on the proposed stormwater management controls for water entering, within and leaving the site. If relevant, calculations prepared by a consulting engineer should be included.

#### i. Erosion & Sediment Control

Measures for a general erosion and sediment control strategy, including the proposed construction sequence, critical areas that require special management and proposed rehabilitation measures and on-going maintenance are to be included.

#### j. Heritage Conservation

You should identify if there is any heritage significance associated with the land or any buildings located upon it, or if your proposal will have any impact on other heritage buildings in the locality.

If your proposal involves alterations to a heritage building or is located within a Heritage Conservation Area you will need to demonstrate design measures that will retain the heritage significance of the site. It is recommended that you consult with Council's Heritage Advisor. If your proposal involves a heritage item of State or Regional Significance a conservation plan prepared by a professional heritage architect will generally be required.

#### k. Other Environmental Impact

Specify any other matter that has the potential to impact upon air or water quality, native flora, fauna or habitats, the local community, public health or safety, the local economy, soil or groundwater contamination or existing noise levels.

#### l. Other Impact /Mitigation Measures

Where your proposal is likely to impact upon the environment, provide details of the measures that will be undertaken to mitigate these impacts. Where these impacts are likely to be significant, a report from a professional consultant will be required. Such reports may include on acoustic assessment, preliminary hazard analysis or a flora & fauna assessment.

## ITEM 11g

### Notification Plans

Notification plans are required in some circumstances to inform adjoining property owners and other relevant stakeholders of your development proposal. Notification plans are to be either A3 or A4 in size and must include a site plan and elevations. Floor plans are not required for notification purposes.

## **ITEM 11h Site Assessment – New Dwellings Only**

If it is proposed to install an on-site waste water management system (Sewage Management Facility) a Geotechnical Engineer may be required to undertake an assessment of the site in accordance with Australian Standard 1547 –2000. This assessment will determine the suitability of the site to accommodate an on-site sewage management facility and may also include recommendations for soil improvement. An approval is required under Section 68 of the Local Government Act, 1993.

## **ITEM 11i Footings**

A suitably qualified person, e.g. a Structural Engineer, must design the footings and / or slabs for construction purposes. For residential slabs / footings, the design should be in accordance with Australian Standard 2870.1 (Residential Slabs and Footings) or as otherwise determined by a Practising Structural Engineer.

## **ITEM 11j Landscape Plans**

A detailed Landscape Plan is to be prepared for the development by an appropriate person, such as an architect, building designer, engineer, landscape architect or landscaper. The plan should illustrate the proposed landscape design principles and needs to demonstrate an understanding of the site and its context. The plan is to include any finished surface levels, embankments and grades (indicating the extent of cut and fill). All existing trees to be retained or any trees to be removed are to be indicated on the plan, including proposed plantings (eg species, location, approximate quantity and mature height). Any proposed surface treatments (e.g. turf, paving, bank stabilisation) and proposed fences and retaining walls (indicating the height and materials to be used), are required to be indicated on the plan. Ensure your landscape plan is consistent with your stormwater/drainage plan.

## **ITEM 11k Stormwater Plans**

All developments that generate stormwater runoff from imperious surfaces, and where landscaping, filling/cutting or contouring reshapes or alters flow paths, must be detailed on a stormwater drainage plan. The plan should be consistent with the landscaping design, but should be provided as a separate drawing. The design should address potential impacts, such as erosion and downstream discharge effects. Further assistance for preparation of the detailed plan may be obtained from Council's *Manual of Engineering Standards* and the Citywide Development Control Plan – *Residential Design*, located on the website.

The stormwater drainage plan should be submitted with the development application, and should include details of :- natural and design surface levels, building floor levels, driveway layout, down-pipes and underground pipes and their sizes, overland flow paths, easements (if any), on-site detention tank (if required), pits and any relevant object that may affect drainage, such as gardens, kerbs, retaining walls etc. The plan, whilst not necessarily adequate for construction purposes should be prepared by a person who is qualified and competent in drainage design principles, and upon approval, will subsequently be the basis for a *Construction Certificate* prepared and certified by a qualified person showing full construction details.

## **ITEM 11l Waste Management & Minimisation Plan**

All development applications for residential, commercial and industrial developments are to include a Site Waste Minimisation and Management Plan (SWMMP) as part of documentation submitted to Council. The development plans should also clearly indicate the location of waste management facilities, including recycling bins and the like.

The SWMMP should outline measures to minimise and manage waste generated during demolition and construction processes, as well as the ongoing use of the site. A SWMMP Standard Form, which applies to the construction phase for all categories of development may be obtained from Council's Customer Service Centre or via Council's website [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au). More detailed SWMMPs are required for projects of a larger scale, with additional supporting information required. Please refer to Council's Site Waste Management & Minimisation Chapter of the Citywide Development Control Plan for further details.

## ITEM 12 Number of Required Attachments

When lodging your application you will be required to provide sufficient copies of plans and supporting documentation, as stated on the matrix in the application form.

## ITEM 13 Affected Neighbours

Early consultation can often avoid unnecessary conflict and delays. We therefore urge you to discuss your proposal with your neighbours before submitting your application.

## ITEM 14 Council Officer/Contact

If you have had a meeting with a Council officer to discuss your proposal, please include the name of that officer on the application form.

## ITEM 15 Compliance Certificate Relied Upon

You should clearly identify any compliance certificates that you have submitted to support your application.

Compliance certificates may cover such items as structural, mechanical, hydraulic, or fire safety measures or compliance with development consent conditions such as landscaping or Section 94 & 94A matters.

## ITEM 16 Owner's Consent

Before lodging an application with Council **all property owners must sign the application form.**

If the owner of the property is a company, strata title, body corporate, community title association or trust, the application must be signed by 2 Directors, a Director and Secretary or an authorized person (eg Strata manager). If the company is a proprietary company, a person who is the sole Director and also the sole Secretary may sign the application form. The nature of the position of authority must be stated on the form, eg: Director, Company Secretary, Strata Manager etc.

## ITEM 17 Your Declaration

When you have completed the application form you need to sign the Declaration indicating that all the information you have supplied is true and correct.

Please note that failure to supply Council with the required information may lead to delays or even rejection of your application. If Council requires additional information a request in writing to the applicant will be made.

## ITEM 18 Disclosure of Political Donations

The *Local Government and Planning Legislation Amendment (Political Donations) Act 2008* was passed by both houses of the NSW Parliament on 30 June 2008 and will become effective from 15 September 2008.

This law requires the public disclosure of a *reportable political donation* or gift, made within the previous 2 years, when lodging planning or development applications or commenting on development proposals.

A *reportable political* donation is:

- \$1,000 or more made to or for the benefit of the party, elected member, group or candidate; or

## **ITEM 18**

### **Disclosure of Political Donations (Cont)**

- \$1,000 or more made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor; or
- Less than \$1,000 if the aggregated total of the donations made by the entity or person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) is \$1,000 or more.

If relevant, the statement of disclosure attached to the application form must be completed and submitted with your Development Application.

Amendments to the EP&A Act make it an offence if a disclosure of a reportable political donation or gift is not made in accordance with the Act.

More information on the new legislation may be obtained from council's website: [www.maitland.nsw.gov.au](http://www.maitland.nsw.gov.au).

## **ITEM 19**

### **Waste Minimisation and Management Plan**

On 23<sup>rd</sup> June 2009, Council approved the Site Waste Minimisation and Management Chapter of the Maitland Citywide DCP. This chapter of the DCP seeks to establish a framework for applicants to use to create a site waste minimization and management plan to accompany Development Applications.

The objectives of the DCP are as follows:

- To minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources;
- To encourage building designs, construction and demolition techniques in general which minimise waste generation;
- To assist applicants in planning for sustainable waste management, through the preparation of a site waste minimisation and management plan. This plan is to be completed in the planning stages of a development.

When determining a development application under Section 79C (1) of the *Environmental Planning and Assessment Act 1979* (as amended) (The Act), Council must consider the contents of this DCP. Applicants are therefore required to complete the Waste Minimisation and Management form provided with the Development Application and submit to Council for consideration when lodging a Development Application for all building and/or demolition works.

Please refer to the Waste Minimisation and Management Chapter of the Citywide DCP for further information.

