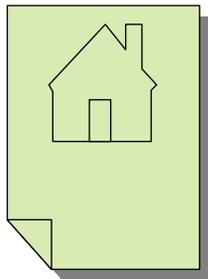




Lithgow City Council

# Development Application (DA) Guide



November 2011

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## ABOUT THE DA GUIDE

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The DA Guide tells you in simple language how to prepare the plans and other supporting documents for your development application.

Use the DA Guide as a checklist. This will help you provide all the required information to support your application so we can deal with your application without delay.

We cannot accept applications, which do not include all the required plans and supporting documents.

## HOW TO FIND OUT MORE

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Most questions about making a development application can be answered simply by referring to the DA Guide.

However, if you do have questions that are not answered by the DA Guide, don't hesitate to contact Council's Environment and Development Department. You can phone us or call in personally.

We recommend that you discuss your development proposal with one of our development assessment officers before submitting a development application. We are always happy to arrange interviews, but please phone (02) 63 549999 for an appointment.

## DO I NEED TO MAKE A DEVELOPMENT APPLICATION?

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Most types of development require a development application. However, there are several exceptions. **Enquire about exempt and complying development or see State Environmental Planning Policy**

## (Exempt and Complying Development Codes) 2008.

Types of development that may need a development application include:

- New buildings and structures
- Alterations and additions to existing buildings
- Most types of change of use of existing buildings or premises i.e. residential to commercial
- Demolition of dwellings, heritage items or buildings in heritage conservation areas
- Alterations or additions to heritage items or buildings in heritage conservation areas
- Subdivision of land
- Strata title subdivision of buildings
- Advertising signs
- Earthworks, filling and clearing

Where construction activities are proposed as part of a development, a Construction Certificate will also be required. This can relate to buildings as well as subdivision construction (eg roads and services). The Construction Certificate may be issued by either the Council or a private certifier. Council offers a service where both the Development Application and the Construction Certificate can be lodged as one combined application providing adequate construction standard plans are available.

If you are taking over an existing business, it's a good idea to check with us to see if the

business has valid development consent. By making a development application, it may be possible to regularise an existing unauthorised use.

*If you are unsure whether you need to make a development application or whether the combined application system will suit your purposes, please contact Council's Environment and Development Department.*

## HOW DO I MAKE A DEVELOPMENT APPLICATION?

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To make a development application, follow these 6 steps:

**STEP 1** Enquire with the Environment and Development Department about Council's Local Environmental Plans, policies and codes.

**STEP 2** Consider all the design issues.

**STEP 3** Prepare your plans and drawings.

**STEP 4** Prepare your Statement of Environmental Effects.

**STEP 5** Complete the Development Application Form.

**STEP 6** Follow the lodgement instructions.

*Each step is completely explained on the following pages. If you need further explanation, don't hesitate to contact us.*

## STEP 1

### ASK OUR STAFF ABOUT COUNCILS POLICIES AND CODES

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Finding out about the Council's requirements is the first step in preparing your application. You need to know about;

- The Lithgow City Local Environmental Plan (LEP) 1994
- Development Control Plans
- Design Principles and Guidelines
- Relevant building regulations
- Previous council decisions
- Likely conditions of consent
- Monetary contributions

These details are an essential starting point for designing your proposal. You will save time and expense if you ask us first.

Our staff can answer most enquiries over the counter or over the phone. If you would like us to respond to a specific proposal, we suggest that you phone (02) 63549999 for an appointment. We will arrange a meeting with the development assessment officer/s responsible for your locality. Please send us a sketch plan in advance to illustrate your ideas. This will focus the discussion and allow us to give a more detailed response.

WE ARE HERE TO HELP.

### NEED OTHER APPROVALS?

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You may also need to be aware that your proposal may require an approval from other government agencies. We can help you identify relevant agencies that have additional approval requirements. However, it is your responsibility to ascertain which approvals are required.



### **Subdivision Guide**

Is to be used for any subdivision proposals.

### **Escarpment Protection**

This DCP aims to protect the escarpment areas around Lithgow by protecting bushland and geological features in the area and requiring development to be sympathetic with the landscape.

### **Off Street Carparking**

This DCP provides guidelines and requirements with respect to the provisions of off-street carparking. i.e. there are specific number of car spaces required for certain developments.

### **Outdoor Advertising**

This DCP provides guidelines in regards to any advertising to allow for appropriately sized and placed advertisement structures. This also prevents over –advertisement.

### **Rural Residential**

This DCP provides requirements for subdivision and housing development within the 1(c) Rural Small Holdings zone under the LEP in regards to disruption to the rural environment, pollution, traffic and landscape.

### **South Bowenfels**

This DCP applied specifically to residential subdivisions and development in the South Bowenfels area (see map in DCP). It provides requirements to create a quality residential amenity through considered siting and design of buildings.

### **Flood Liable Land**

This DCP aims to reduce the impacts of flooding on any development that is found to be flood liable from the 1990 Kinhill Engineers Pty Ltd report. This only includes the urbanised floodplains of Farmers Creek, State Mine Creek and Vale of Clwydd Creek.

### **Animal Boarding & Training Establishments**

This DCP gives guidelines for development regarding controls for animal boarding and training establishments which is defined as a place used for the commercial boarding, breeding, keeping or training of animals and includes riding schools.

### **Unit Development Guide**

This guide is to be used regarding and unit or residential flat developments. The aim is to allow for appropriate use of an allotment and prevent over-development.

### **Industrial**

This DCP applies to industrial development and development within the zone 4 Industrial under the LEP 1994. It provides provisions for industrial development in regards to the existing environment and potential impacts.

### **Rylstone**

Part of the Rylstone shire was amalgamated into the Lithgow Local Government Area in 2004 and hence still requires the use of Rylstone environmental instruments which will apply to all development in this area.

These documents are:

- Rylstone LEP 1996
- Rylstone DCP No. 1 Advertising & Notification
- Rylstone DCP No. 2 Guidelines for Outdoor Signage
- Rylstone DCP No. 3 Exempt & Complying Development
- Rylstone DCP- Rural Roads and Access Standards
- Rylstone Section 94 Contribution Plans
- Rylstone Section 94 Contribution Plans for Rural Roads

Please talk to Council staff for more information on these documents.

### **Marrangaroo Fields Estate**

This DCP attempts to provide a greater rural living opportunity within close proximity to Lithgow urban area through design principles.

### **Bed & Breakfast**

This DCP provides guidelines for establishing a short term tourist accommodation that complies with Council criteria. A Bed & Breakfast Establishment is defined as a dwelling-house used by its permanent residents for the provision of short-term accommodation for commercial purposes which may include meals.

## **STEP 2**

### **CONSIDER ALL THE DESIGN ISSUES**

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Before you can start to prepare a design for your proposal, you need to carefully consider all the issues, which will affect the design. This is the most important step in preparing a development application.

By carefully analysing all the design issues, you will come up with a better development proposal. But best of all, you will save time and expense in the long run.

#### **Your requirements**

Write down a list of what you want to achieve from the proposal. If you don't build these requirements into the design right from the start, then the development is unlikely to be a success.

See "**What do you want to achieve?**" for some design tips.

#### **Council's requirements**

Our business is to guide development in the interests of the whole community. We do this through the implementation of the Lithgow City Local Environmental Plan, 1994 and other related policy documents and codes.

Each document contains requirements in the form of guidelines or objectives. These aim to minimise adverse impacts and maximise positive benefits for the community.

#### **Your site**

The site of your development proposal has inherent constraints and opportunities. You will need to carefully analyse these in order to obtain the most benefit out of the site. See requirements for **Site Analysis in Step 3**.

#### **Your neighbours**

Always consider the likely impact on neighbours! It's possible to avoid unnecessary conflicts and delays by consulting with neighbours *before* finalising your design. Remember, it is our policy to notify affected neighbours about development applications. Your neighbours are likely to be more receptive to your proposal if they hear from you first.

### **WHAT DO YOU WANT TO ACHIEVE?**

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**Good Investment?** The key to a good investment is good design. Consider each of the following points.

**Best use for the site?** You will need to consider the site's inherent constraints and opportunities.

**Efficient Layout?** The physical arrangement of the proposal can have a very big impact on efficiency and convenience. You will need to consider the specific requirements for each activity for the site.

#### **Environmentally responsible development?**

You will need to consider energy-efficient and passive solar design principles, water conservation measures, waste treatment and re-use and soil conservation measures. Building materials can also be important – for example plantation-grown timber.

**Compatibility with adjoining development?**

You will need to consider overshadowing, noise, odour, privacy, views, architectural design, operating hours, vehicle access and many other details.

**Comfortable living or work environment?**

You will need to consider orientation, shading, sunlight and daylight, ventilation, ergonomic design, occupational health and safety and landscaping.

**Positive public image?** Aesthetic and creative design, attractive landscaping, heritage conservation, compatible scale and character and interesting streetscape will secure strong support from the community.

**Flexibility?** Times change. Can the proposal be easily modified to suit changing circumstances in the future?

## **CAPITALISING ON YOUR SITE**

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If you want to take full advantage of your site, you will need to consider.....

- Slope & Aspect
- Solar orientation, energy efficiency
- Overshadowing
- Prevailing winds and breezes
- Existing trees and vegetation
- Soil conditions and stability
- Flooding
- Drainage
- Bushfire
- Soil contamination
- Allotment shape
- Views and scenic impact
- Access (car, truck, foot, cycle, bus, rail)
- Traffic conditions
- Noise sources
- Heritage significance
- Scale and character
- Relationship to adjoining development
- Utility and waste services
- Room for expansion

## **USING A DESIGN PROFESSIONAL**

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Preparing a successful design is a complicated business. Experience shows that extra expense incurred in producing a good design is cost-effective in the long run.

That is why Council encourages applicants to consider using a suitable design professional such as architect, town planner, engineer or environmental scientist.

Before engaging a professional, it's important to check their design experience. Ask about examples of similar development projects that they have been involved in. Make sure the professional clearly understands your requirements.

## STEP 3

### PREPARE YOUR PLANS AND DRAWINGS

Your plans and drawings will show us what you are proposing to do. We need them to fully understand your proposal. The type of plans required will vary depending on the type of development. To find out which plans are required for your proposal, simply refer to the PLANS MATRIX below.

*If your proposal is not covered by any of the Development Types at the left of the Plans Matrix, ask our staff at the Environmental and Planning Services Department.*

**Note: In the case of simple changes of use and minor building work all the required plan details may be incorporated into a single site layout plan.**

#### THE PLAN MATRIX

	Local context plan	Site analysis plan	Plans & elevations	Landscape concept plan	Soil & water plan	Subdivision plan	Shadow diagram
Residential – Single Dwelling/Granny flat/ minor addition/garage/ outbuildings		○	●		●		
Residential – Dual Occupancy/ major addition		●	●	●	●		○
Residential- Medium Density/Bed & Breakfast	○	●	●	●	●		●
Home occupation/Home Industry		●	●	○	○		○
Childcare, school, hospital, church	○	●	●	●	●		○
Business/Industrial: New; Major addition	○	●	●	●	●		○
Business/Industrial: Change of use		●	●				
Business/Industrial: Interior Fitout			●				
Recreation, entertainment, tourist facility	○	●	●	●	●		○
Heritage item; conservation area		●	●	●	○		○
Expand or change “existing use”		●	●	○	○		○
Demolish building		●			○		
Advertising sign		●	●				
Earthworks, filling		●	○	○	●		
Land Subdivision	○	●		○	●	●	
Strata subdivision		○				●	
Swimming pool		●	●		●		○

KEY:

- Details required
- Details may be required (Check with Council staff)

## WHAT TO INCLUDE ON YOUR PLANS...

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To help you prepare your plans, use the following checklist. Include all the listed matters that are relevant to your proposal. If unsure ask Council staff for assistance.

### **Don't forget the date and plan number**

Identify all plans with a plan number and date. Show the date and plan number of any subsequent amendments.

### **Which way is North?**

Include a north point on every plan! This will help officers relate your plans to the actual site.

### **What is the scale of the plan?**

Draw your plans to a standard scale. Show the scale in the title block of every plan. Always draw a bar scale so that dimensions can be easily determined on photocopy reductions.

### **How high is it?**

Your plans should show relevant vertical information, such as contours, ground levels, floor levels, roof levels etc.

In general, levels and contours should be expressed relative to the Australian height Datum (AHD). Where an "assumed datum" is used, you must provide sufficient details for us to accurately interpret your levels.

### **How many copies of the plans?**

Provide Council with at least 4 copies of all documents and dependent on referrals Council may require additional copies.

## **A LOCAL CONTEXT MAP**

*Required only for major urban development with a site exceeding 1 hectare.*

This map illustrates and analyses the site in relation to the local area (generally within 1 kilometre of the site).

Prepare a map from a street directory of similar, and identify the following details;

- North point and bar scale
- Location of the development site

- Local business centres, corner stores, schools, community facilities (eg health clinics, child care centres etc), parks and recreation facilities. – Show 400m radius – 5 minute walking catchment.
- Location of public transport networks and stops – Show 800 metre radius – 10 minute walking distance.
- Destinations of both full and part- time bus services and the nearest bus stops to the site
- Existing pedestrian and cycle routes
- Obstructions to convenient pedestrian circulation (eg. highways, arterial roads, railways, poorly connected street systems, institutional land etc)
- Natural areas such as bushland, wetlands, reserves etc

## **B SITE ANALYSIS PLAN**

*A simple site location plan is sufficient for small dwelling houses, residential alterations and additions, interior alterations and shop fit-outs. A full site analysis plan is required for more complex development.* This plan illustrates and analyses existing conditions at the site in relation to surrounding land and buildings. Draw the plan at a standard scale such as 1:100, 1:200 or 1: 500, and include the following details:

### **Orientation**

- North point ( True North)
- Scale (show ratio and bar scale)
- Aspect to the sun and its movement across the site
- Direction of prevailing winds/breezes

### **Property Details**

- Property boundaries and dimensions
- Lot and deposited plan numbers
- Site area (square metres or hectares)
- Easements, rights of way, sewer mains
- Zoning boundaries

### **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 and channels, etc,
- Extent of any known land fill or contaminated soil
- Landscape features; cliffs, embankments, rock outcrops, retaining walls, wetlands etc
- Important views from the site or from adjoining land
- Existing vegetation on-site and in adjacent land, streets and reserves: show location, height, canopy spread, species

### **Access**

- Public roads, laneways, pathways
- Driveways, parking areas, loading bays

### **Existing and adjoining development**

- Buildings on the site and adjoining land – show location, distance from boundary, height, current use, front and rear entrances
- Overshadowing by adjoining buildings
- Fences & walls: location, height, materials
- Privacy: adjoining private open spaces, facing doors and windows
- Noise, odour and light spillage sources (eg adjoining industries, main roads, railway lines, sports fields, air conditioning units, pool pumps, etc)
- Street frontage features: poles, trees, kerbs, footpaths, crossings, street furniture
- Heritage or archaeological features
- Existing advertising signs

## **C PLANS AND ELEVATIONS**

These plans document the proposed development. Draw the details at a standard scale such as 1: 100, 1: 200 or 1:500.

### **Site plan** to include;

- the location, boundary dimensions, site area and north point of the land;
- existing vegetation and trees
- location and uses of existing buildings on the land;
- existing levels of the land in relation to buildings and roads;
- location and uses of buildings on sites adjoining the land.

### **Plans and drawings describing the proposed development** must indicate:

- the location of proposed new buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development;
- floor plans of proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building;
- elevations and sections showing the proposed external finishes and heights;
- proposed finished levels of the land in relation to buildings and roads;
- building perspectives, where necessary to illustrate the proposed building;
- proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate);
- proposed landscaping and treatment of the land in a Landscape Concept plan (indicating plant types and their height and maturity)

- Proposed methods of draining the land.
- the height and external configuration of proposed buildings in relation to the site on which it is to be erected.
- if the application is for residential development a BASIX certificate is required to accompany the application.
- for major proposals, sites with special significance, prepare a perspective drawing, artist's impression or architectural model to supplement the elevations.
- a street elevation or photomontage view of the street that shows adjacent buildings, materials, roof pitch and form should accompany all 2 or more storey development.

**In the case of subdivisions;**

- details of the existing and proposed subdivision pattern (including the number of lots and location of roads);
- details of consultation with public authorities responsible for provision or amplification of utility services by the proposed subdivision;
- preliminary engineering drawings indicating proposed infrastructure including roads, water, sewerage and earthworks;
- existing and finished ground levels.

**Construction Certificate – Building Work;**

Detailed plans, preferred scale of 1:100 consisting of a block plan and a general plan and or statements that indicates;

- a plan of each floor section,
- a plan of each elevation of the building,
- levels of the each floor and garage relative to a datum on the kerb/road and the levels of the adjacent ground at each corner of the building,

- the height, design, construction and provision for fire safety and fire resistance (if any),
- specifications for the development that describe the construction and materials of which the building is to be built (stating new or second hand) and method of drainage, sewerage and water supply,
- How the performance requirements of the *Building Code of Australia* are to be complied with. Where the application involves an alternative solution to meet the requirements of the BCA the application must be accompanied by;
  - details of the performance requirements that the alternative solution is intended to meet, and
  - details of the assessment methods used to establish compliance with those performance requirements,
- Evidence of any accredited component, process or design sought to be relied upon,
- Structural details in compliance with the relevant Australian Standards, for footings, slabs, steel beams, roof trusses, wall bracing and tie- down as applicable.

**Construction Certificate – Subdivision Work**

Detailed plans showing;

- earthworks,
- roadworks,
- road pavements,
- road furnishings,
- stormwater drainage,
- water supply works,
- sewerage works,
- landscaping works,
- erosion and sediment control works.

Where the proposed subdivision work involves a modification to previously approved plans the plans must be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the modification.

#### **F SOIL AND WATER PLAN**

This plan illustrates how stormwater, runoff and soils will be managed on the site. Draw the plan to a standard scale such as 1:100 or 1:200, and show the following details:

##### **Site:**

- North point
- Scale (show ratio and bar scale)
- Existing surface contours( AHD values)
- Proposed finished surface contours (AHD Values)
- Proposed building locations and finished floor levels (AHD values)

##### **Stormwater:**

- Infiltration measures (eg soakage trenches, swales, landscaping, permeable pavements, etc)
- Discharge points to the stormwater drainage system (show levels at these locations)
- Any overland flow paths or flood liable areas present on the land
- Notional location and levels of proposed stormwater pipes and drainage pits
- Notional location and approximate area of any proposed on-site detention (OSD) facilities
- Proposed OSD stored water levels and emergency spillways
- Existing or proposed drainage easements across adjoining land

##### **Erosion and sediment control:**

- Extent of earthworks, stockpiles, access roads, impervious areas, construction entrances, drainage lines
- Proposed runoff diversion measures, such as earth perimeter banks, diversion

banks and channels, level spreaders, drop down drains and check dams

- Proposed sediment trapping devices, such as sediment fences, sediment traps
- Revegetation and stabilisation areas

#### **G SUBDIVISION PLAN**

This plan illustrates the proposed subdivision layout. Draw the plan to a standard scale such as 1:200 or 1: 500, and show the following details:

- North point & scale
- Existing and proposed boundaries
- Proposed boundary dimensions (metres)
- Proposed lot areas (square metres or hectares) & location of services
- Proposed roads, pathways (width)
- Relationship to existing roads and subdivision boundaries
- Proposed easements and rights of way
- Proposed public reserves, drainage reserves
- Existing and finished levels (contours or spot height with AHD).

#### **H SHADOW DIAGRAM**

This plan is required where lot size, orientation, slope of site or adjoining buildings create the potential for overshadowing. The plan will illustrate the extent of shadows cast by existing and proposed buildings, including buildings on adjoining land. Draw the plan to a standard scale as 1:100 or 1:200, and show the following details:

- North point (true solar north)
- Scale (show ratio and bar scale)
- Position of existing and proposed buildings on site
- Position of existing buildings on adjoining land
- Shadows cast by existing and proposed buildings at the winter solstice (22 June) for 9am, 12 noon and 3pm

## STEP 4 PREPARE YOUR STATEMENT OF ENVIRONMENTAL EFFECTS

So that we can assess the impact of your proposal, we need information in addition to that shown on your plans and drawings. A *Statement of Environmental Effects* is a succinct document outlining the likely impacts of the proposal, and proposed measures to mitigate these impacts.

All development applications require a Statement of Environmental Effects unless the proposal will have only a negligible impact (see below).

The information required in a Statement of Environmental Effects varies according to the type of development. Certain issues are important for some proposals, but not others.

THE ISSUES MATRIX

	Site Suitability	Present & Previous uses	Operation & Management	Social Impact Statement/ Comment	Access & traffic	Privacy, view & overshadowing	Air & Noise	Soil & Water	Heritage	Energy	Waste
Residential – Single Dwelling/Granny flat/ minor addition/garage/ outbuildings		○			●	○			○		
Residential – Dual Occupancy/ major addition		○			○	●		○	○		
Residential- Medium Density/Bed & Breakfast	●	●		○	●	●	●	○	○	●	●
Home occupation/Home Industry	●		●		○		○				○
Childcare, school, hospital, church	●	●	●	○	●	●	●	○		●	●
Business/Industrial: New; Major addition	●	●	●	○	●	○	●	○		●	●
Business/Industrial: Change of use		●	●		●	○	●	○		○	
Business/Industrial: Interior Fitout											○
Recreation, entertainment, tourist facility	●	●	●	○	●	○	●	○		●	●
Heritage item; conservation area	●	●	○		○	○	○	○	●		
Expand or change “existing use”	●	●	●	○	●	○	●	○			●
Demolish building		●		○			●	●	○		●
Advertising sign	○	○				○					
Earthworks, filling	●	●	●		○		●	●			●
Land Subdivision	●	●		○	●			●		○	●
Strata subdivision		●		○							

● Details required ○ Details may be required (check with Council staff)

**Note:** Proposals with negligible environmental impact do not require a Statement of Environmental Effects. For example, residential building work up to the scale of a small single-storey dwelling house, minor building alterations, interior alterations, and shop-fit outs, etc. If your proposal is not covered by the above categories, enquire with Council staff for advice on which issues to address

## WHAT TO INCLUDE IN YOUR SEE...

**To help you prepare your Statement of Environmental Effects please refer to the following checklist of matters that you need to address for each issue relevant to your proposal using the ISSUE MATRIX unless Council asks you for further information.**

### **A SITE SUITABILITY**

Show that the site is suitable for the proposed development. You should consider each of the following:

- Site constraints such as flooding, slope, geotechnical, bushfire and subsidence issues
- Proximity to transport services, shops, community and recreation facilities
- Compatibility with adjoining development
- Compatibility with visual setting (rural, streetscape, ridgeline, escarpment etc)
- Local planning objectives (check with Council's Environmental and Planning Services Department)
- Size and shape of allotments
- Age and condition of buildings

### **B PRESENT AND PREVIOUS USES**

Provide the following details:

- Present use of the site
- Date the present use commenced
- Previous uses of the site (if known)
- Present use of adjoining land
- Whether the present or any known previous use of the site is a potentially contaminating activity (list below)
- A statement as to whether or not you are aware that the site is contaminated land
- Whether there has been any testing or assessment of the site for land contamination.

## POTENTIALLY CONTAMINATING ACTIVITIES

**TABLE 1**

(Managing Land Contamination – Planning Guidelines SEPP 55-Remediation of Land).

- Acid/alkali plant and formulation
- Agricultural/horticultural activities
- Airports
- Asbestos production and disposal
- Chemicals manufacture and formulation
- Defence works
- Drum re-conditioning works
- Dry cleaning establishments
- Electrical manufacturing (transformers)
- Electroplating and heat treatment premises
- Engine works
- Explosives industry
- Gas works
- Iron and steel works
- Landfill sites
- Metal treatment
- Mining and extractive industries
- Oil production and storage
- Paint formulation and manufacture
- Pesticide manufacture and formulation
- Pharmaceutical manufacture and formation
- Power stations
- Railway yards
- Scrap yards
- Service stations
- Sheep and cattle dips
- Smelting and refining
- Tanning and associated trades
- Waste storage and treatment
- Wood preservation

(Source) ANZECC & NHMRC 1992 *The Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites.*

NOTE: It is not sufficient to rely solely on the content of this Table to determine whether a site is likely to be contaminated or not. The Table is a guide only. A conclusive status can only be determined after a review of the site history and, if necessary, sampling and analysis.

If contamination is, or may be, present you must investigate the site and provide Council with the information it needs to carry out its planning functions. The appropriate level of investigation will depend on the circumstances and may involve one or more of the following stages in the investigation process.

STAGE 1 – Preliminary Investigation

STAGE 2 – Detailed Investigation

STAGE 3 – Remedial Action Plan

STAGE 4 – Validation and Monitoring

### **C OPERATIONAL DETAILS**

Describe how the development will operate

- Type of business
- Number of staff
- Maximum number of customers or clients expected at any one time
- Hours and days of operation
- Production processes, flow diagram
- Type and quantity of raw materials, finished products, waste products
- Arrangements for transport, loading and unloading of goods (give details of frequency of truck movements and size of vehicles)
- Identify any proposed hazardous materials or processes (eg LPG, anhydrous ammonia, chlorine, sulphur dioxide, liquefied gas, other poisonous gases, ammonium nitrate, dry pool chlorine, clinical waste).

### **D SOCIAL IMPACT**

If the answer to any of the following questions is YES or POSSIBLY, the issue will need to be appropriately addressed in the Statement of Environmental Effects:

**(Note: In cases where the social impact is likely to be significant, a Social Impact Statement prepared by a qualified social practitioner may be required. – If unsure please enquire with the staff of the Environment and Development Department.**

- Will the proposal be likely to give rise to a significant increase or reduction in the number of persons on the site?
- Will the proposal disadvantage or benefit any particular social group?
- Will the proposal be likely to give rise to an increase or decrease in employment opportunities in the locality?
- Will the proposal have a significant impact upon the existing housing stock in the locality, particularly low rental housing?
- Will the proposal impact upon existing community meeting places or give rise to an increased demand for community facilities or services in the locality?
- Will on-site support services be required?
- Will the proposal be likely to give rise to increased conflict in the community or adversely impact upon community identity?
- Will the proposal be likely to enhance or detract from the cultural life of the community?
- Will the proposal create areas of insecurity or risk for occupants or pedestrians within or adjacent to the development?
- Will the proposal be likely to give rise to increased community concern regarding public safety?

In the case of the majority of proposals, it is expected that any social impact will be able to be adequately addressed by means of an appropriate comment or comments in the Statement of Environmental Effects, with a full Social Impact Statement only required in the case of major projects which are out of character within the existing urban context, involve an increased risk to public safety or are likely to threaten the existing sense of community identity and cohesiveness (eg public transport facility, complex, hospital, correctional centre).

## **E ACCESS & TRAFFIC**

Show that there is adequate provision for access:

- Pedestrian amenity (paving weather protection, security lighting, seating)
- Proposed bicycle facilities (eg racks, storage lockers)
- Location of access points or existing
- Existing bus, rail and taxi services
- Vehicle access to a public road (show grade)
- Resident, staff, customer and visitor parking arrangements
- Parking calculations
- Will there be any conflicts between vehicles, pedestrians and cyclists?- outline proposed traffic management measures
- For major travel-generating proposals, attach an access and traffic impact assessment report by a transport consultant.

## **F PRIVACY, VIEWS AND OVERSHADOWING**

Show how the proposed development will affect privacy, views and overshadowing:

### **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
- Headlight glare, floodlights and other light spillage

### **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

- Measures to mitigate external noise sources (eg traffic noise, placement of air conditioners & pool filters)

### **Views:**

- Impact of the proposed development on views from adjoining or nearby properties
- Design options for protecting views
- Views from the proposed development

### **Overshadowing:**

- Where lot size, orientation, slope of site or adjoining buildings, create the potential for overshadowing, include a shadow analysis prepared by a consulting architect. Consider shadows from adjoining buildings as well as the proposed development.

## **G AIR & NOISE**

Show that the proposal will not cause, or be affected by, air or noise emissions.

### **Air:**

- Existing sources of odour, smoke or fumes (on-site and nearby): eg industries, food premises, agriculture, waste storage or treatment facilities, oil or wood burning stoves or heaters
- Proposed mitigation measures: placement and height of chimneys and flues; air pollution control equipment, odour controls, buffer areas, location of waste storage areas.

### **Noise:**

- Existing noise sources (on-site and nearby) – main roads, railway lines, industries, transport terminals, loading bays, heavy vehicles, restaurants, clubs, hotels, ventilation and air conditioning units, pumps, compressors
- Construction noise: hours of operation, type of equipment, predicted noise levels, consultation with nearby residents

- Operational noise; plant and equipment, relationship to sensitive receptors, predicted noise levels, hours of operation
- Proposed noise reduction measures – noise barriers, building layout and setback, room layout and window placement, building materials, insulation, double glazing
- Where noise is a major design issue, attach a report by an acoustic consultant. Include predicted noise reduction measures.

## H SOIL AND WATER

Show how the proposal will deal with all aspects of soil and water management:

**Reticulated supply:** if amplification of water and sewerage services is required provide details of how this will be carried out, including details of consultation with Council's Engineering Services Department

**Water efficiency:** does the proposal incorporate appliances that are at least AA rated? (eg water efficient shower roses, toilets and aerators on bathroom hand basins and kitchen sinks)

**Water sensitive design:** proposed infiltration and water harvesting measures (eg swales, ponds, porous pavements, infiltration trenches, mulching and groundcovers, low water-demand native plants, rainwater tanks)

**Drainage:** proposed management controls for flows entering, within and leaving the site; proposed on-site detention calculations prepared by a consulting engineer; justification that the proposed design measures will not adversely affect flooding of other land

**Easements:** provide copies of letters of intention to grant interallotment drainage easements across downstream properties

**Flooding:** design measures that will make the proposed development compatible with the flood environment.

**Water quality control:** liquid waste treatment, reuse and disposal, bunding of fuel, oil and chemicals; emergency spill contingency procedures, stormwater diversion and treatment, potential for impact on downstream waterways

**Erosion and sediment control:** soil and erosion hazard characteristics, proposed construction sequence, critical areas requiring special management, dust control measures, proposed maintenance strategy, rehabilitation and revegetation measures (relate to landscape concept plan)

## I HERITAGE

The type of information required depends on whether your proposal relates to a listed heritage item or to a heritage conservation area. Please enquire with Council's staff at the Environmental & Planning Services Department.

### **Demolition or alteration of a heritage item**

Provide a Statement of Heritage Impact prepared by a professional heritage consultant.

### **Demolition within heritage conservation area**

Provide a Heritage Assessment prepared by a professional heritage consultant, and a structural report prepared by professional engineer.

### **Alteration within heritage conservation area**

A Statement of Heritage Impact prepared by a professional heritage consultant may be required. Incorporate the assessment into the Statement of Environmental Effects (or provide separate report), and cover the following issues;

- Historical development of the site
- Description of the item and its setting(eg garden, fences, ancillary buildings, etc)
- Contribution to streetscape: height, scale, mass, setback, fenestration, architectural style and period
- Heritage significance (use State Heritage Inventory Criteria)
- Effect of proposal on the heritage significance of the building and its setting and streetscape
- Design options and rationale for the preferred option
- Proposed conservation policies and principles

### **J ENERGY**

Show how the proposal promotes energy efficiency:

**Orientation:** is one of the building's axes between 30° east and 20° west of true north? Will windows and solar collectors have good solar access? Are heavily used rooms on the northern side?

**Sun control:** proposed awnings, pergolas, blinds, and trees to maximise summer shade and minimise winter shade

**Insulation:** proposed roof, ceiling, wall and floor insulation; double glazing, door and window seals

**Natural ventilation:** will window placement maximise cross ventilation?

**Heating, cooling & lighting:** does the proposal incorporate energy-efficient heating, cooling and lighting systems?

**Clothes drying:** is there an outdoor drying space with solar access?

**Water heating:** does the proposal incorporate a hot water system with a greenhouse score of 3.5 or greater?

### **K WASTE**

Show how the proposal promotes waste minimisation: "avoid, re-use, recycle"

- Does the proposal incorporate at-source waste separation facilities? (aluminium, steel, glass, plastics, paper, organic waste etc)
- Proposed recycling collection from commercial, industrial, accommodation, restaurant and entertainment premises
- Domestic food and organic waste collection and composting
- Litter control program for take-away food premises, sporting venues, etc
- How will building waste be re-used, recycled or disposed?
- Arrangements for hazardous building wastes such as asbestos and contaminated soil

### **How many copies of the Statement of Environmental Effects are required?**

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Provide Council with **3 copies** of the SEE.

## STEP 5

### COMPLETE THE DEVELOPMENT APPLICATION FORM

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There are some questions on the form which require particular care and attention. Council draws your attention to:

#### **Approvals under S68 Local Government Act 1993.**

The matters listed in Attachment A require Council approval in addition to development consent. By ticking any boxes that are relevant, you will avoid the need to make a separate application.

#### **Other Agency approvals Integrated Development**

Some proposals, because of their nature, need other kinds of approvals (eg licences, permits). Your proposal is known as integrated development if you need development consent and one or more of the approvals that have been set out in Attachment B. Follow though each group of questions in Attachment B to decide whether you need any of these approvals. If you have identified you need one or more of these approvals, please include this with your application.

***We recommend that you consult with the relevant approval body before you submit your development application.***

#### **Construction Certificate**

You can apply for a construction certificate if you have prepared detailed building plans and specifications.

Council offers a service where combined applications involving a development application and construction certificate are lodged together.

In the case of relatively simple development proposals it may be possible to make both applications at the same time. For more complicated development, it will usually be more practical to apply for a construction certificate after you have obtained development consent.

#### **Owner's Consent**

You must obtain consent of the landowner. If there is more than one landowner, every owner must sign. If the owner is a company or owner's association, the application must be signed by an authorised person under common seal. If signing on the owner's behalf, please state your legal authority and provide suitable documentary evidence (for example, copy of power of attorney, trust deed, etc).

**We cannot accept your application unless it is signed by all relevant landowners.**

#### **Applicants Signature**

You must sign your application. **We cannot accept an unsigned application.**

## STEP 6

### SEND YOUR APPLICATION AND FEES

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Now you're ready to submit your application.

### HOW TO LODGE YOUR APPLICATION

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To: The General Manager  
Lithgow City Council  
PO Box 19  
LITHGOW NSW 2790

Then send it to Council by mail or courier. You can also lodge your application in person at the counter of the Environment and Development Department.

#### DON'T FORGET TO:

- **Include all required plans and supporting documentation**
- **Obtain the landowner's consent**
- **Pay the relevant development application. Construction certificate fee and long service levy.**

### HOW TO PAY YOUR FEES

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**Cash or Eftpos:** Only for applications lodged in person over the counter. You can pay by cash between 8.30am to 4pm Monday to Friday (excluding public holidays).

**Cheque:** Make cheques payable to Lithgow City Council

**Debit Card:** All cards except for American Express can be accepted.

**Fees are calculated on a scale based on the estimated cost of development or on the number of additional lots for a subdivision. The fee scale is set by State Government regulation. Ask Council staff for a current Development Application Fee.**

## WHAT HAPPENS AFTER I LODGE MY APPLICATION?

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### A Acknowledgement

Council will acknowledge that we have received your application. You will receive a receipt specifying the amount of fees paid (if received by mail) and the registered Development Application number.

### B If Council needs more details

Council may need further details about your application. If so, we will request this by writing or by telephone, fax or E-mail as soon as possible after receiving your application. A letter will be sent confirming any request made by telephone.

The planning laws permit us to request further details within 21 days.

### C Public Notification and dispute resolution.

Most development applications are publicly notified to enable interested persons to submit comments to the Council. The notification period is generally between 14 and 30 days.

Council officers will seek to resolve any conflicts between the applicant and objectors before the application is determined by Council.

### D Enquiring about your application

If you would like to find out how your application is progressing, you can telephone Council for details. Contact the officer who is dealing with your application. Council will advise you of that officer's name when your application is acknowledged.

Please do not telephone until at least 2 weeks after the lodgement of your application. You can assist staff by quoting the Development Application number in all enquiries.

### **E If there is a delay**

The planning laws give you certain rights if there is an undue delay in the determination of your development application. Contact the officer dealing with your application for further information.

### **F Notice of Council's Determination**

After your application has been determined you will receive a "Notice of Determination of Development Application".

The Notice will tell you whether your application has been either approved unconditionally, approved with conditions or refused.

If your application is approved, the Notice will give details of any conditions of consent, and the reasons for those conditions. It will also tell you when the consent becomes effective, and when it will lapse.

If your application has been refused, the Notice will give the reasons for refusal. The Notice will also explain your right of appeal to the Land and Environment Court.

### **G Your Development**

If your development application is approved, then you must ensure that the development is carried out in accordance with any relevant consent conditions. PLEASE READ ALL CONDITIONS CAREFULLY AND SEEK CLARIFICATION IF NECESSARY.

In general, you cannot alter or vary the development (or the way in which it operates) unless the terms of the consent are modified. For further details, contact the officer dealing with the application.

### **H Other approvals**

In many instances, development requires an approval or licence from another government agency. For example if you ticked any of the boxes for integrated approval you may need to obtain an additional approval or permit. It is your responsibility to obtain these approvals before you commence the development.

## **IF YOU DISAGREE WITH YOUR NOTICE OF DETERMINATION**

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If you are dissatisfied with the determination of your development application, contact us immediately. We will arrange a meeting as soon as possible to clarify issues. Options available to you include:

**Modification of Consent:** You can apply for a modification of consent. You must complete an application form and pay an application fee. No guarantee of Council approval can be made.

**Appeal to the Land & Environment Court:** You can lodge an appeal within 6 months of the day on which you received your Notice of Determination. The Court will arrange a mediation conference if this is acceptable to both parties.

**Review of Determination:** A review of the determination made by Council can be lodged within 6 months of the determination date. Please refer to Section 82A of the *Environmental Planning and Assessment Act 1979*.

# **Attachment A- Other Approvals** **under Local Government Act 1993**

## **Section 68 Approvals**

Approvals under Section 68 of the Local Government Act 1993 which may be required are:

<b>Part under Section 68</b>	<b>Approvals for</b>
Part A- Structures or places of public entertainment	Install a manufactured home, movable dwelling or associated structure on land.
Part B- Water Supply, sewerage and stormwater drainage work	Water supply work to draw water from Council supply, install or alter or disconnect meter connected to service pipe, sewer works, stormwater drainage works, connect of private drain or sewer to Council services
Part C- Management of waste	Transport of waste over public place, place waste or waste storage container in public place, disposal of waste to Council sewer, install or alter waste treatment device or system, and operate system of sewer management.
Part D- Community land	Trade or business, entertainment for public, construct of temporary structure for entertainment, fee or payment for entertainment, set up/operate of loudspeaker or sound amplifying device, deliver public address or hold religious or public meeting on community lands.
Part E- Public roads	Swing or hoist goods, expose any article or overhang items from shop window or doorway or awning, over any public roads.
Part F- Other activities	Includes: public carpark, caravan or camping ground, manufactured home estate, install or domestic solid fuel heater (other than portable), install or operate amusement devices, use standing vehicle or any article for the purpose of selling in public place, and activities prescribed by regulations.

## Attachment B- Integrated Development

Under Section 91 of the Environmental Planning & Assessment Act 1979 the following are classed as Integrated Development requiring separate Government approval:

<b>Approval Type</b>	<b>Provision</b>	<b>Under Act</b>
<b>Permits for aquaculture</b> being any works (including removal of vegetation, constructing dam, floodgate, causeway or weir and netting etc.) to be done in or on foreshores of rivers, lakes, dams or other public water land.	Sections 144, 201, 205 and 219	<i><u>Fisheries Management Act 1994</u></i>
Works to or in <b>heritage listed</b> areas or buildings	Section 58	<i><u>Heritage Act 1977</u></i>
Alter or erect structures or any subdividing of land in a <b>Mine Subsidence District</b>	Section 15	<i><u>Mine Subsidence Compensation Act 1961</u></i>
Grant for <b>mining lease</b>	Sections 63 & 64	<i><u>Mining Act 1992</u></i>
Consent to knowingly destroy, damage, deface of a relic of <b>Aboriginal place</b>	Section 90	<i><u>National Parks and Wildlife Act 1974</u></i>
<b>Environmental Protection licence</b> to authorise scheduled activities and control carrying out of non-scheduled activities for the purpose of regulating water pollution from activities (for large industrial or commercial developments)	Sections 43 (a), (b) & (d) 47, 48, 55 and 122	<i><u>Protection of the Environment Operations Act 1997</u></i>
Erect structure, carry out work in or over, dig up or disturb, remove structure or tree, pump water into, or connect a road to <b>any public road</b> .	Section 138	<i><u>Roads Act 1993</u></i>
Authorisation of subdivision for residential use of land or development of land in regards to <b>Bushfire prone land</b> .	Section 100B	<i><u>Rural Fires Act 1997</u></i>
<b>Water use</b> , water management work or activity approvals- Part 3 Chapter 3.	Section 89, 90 and 91	<i><u>Water Management Act 2000</u></i>

### Contact Details for state agencies

#### **NSW Fisheries & Aquaculture**

Internet: [www.dpi.nsw.gov.au/fisheries](http://www.dpi.nsw.gov.au/fisheries)  
 Phone: 1300 550 474  
 Email: [information-advisory@dpi.nsw.gov.au](mailto:information-advisory@dpi.nsw.gov.au)

#### **Office of Environment & Heritage**

Internet: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
 Phone: 131 555  
 Email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

#### **NSW Heritage Office**

Internet: [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)  
 Phone: (02) 9873 8500  
 Email: [heritage@heritage.nsw.gov.au](mailto:heritage@heritage.nsw.gov.au)

#### **NSW Office of Water**

Internet: [www.water.nsw.gov.au](http://www.water.nsw.gov.au)  
 Phone: 1800 353 104  
 Email: [infomation@water.nsw.gov.au](mailto:infomation@water.nsw.gov.au)

#### **Mine Subsidence Board- Singleton**

Internet: [www.minesub.nsw.gov.au](http://www.minesub.nsw.gov.au)  
 Phone: (02) 65 724 344

#### **Transport, Roads and Maritime Services**

Internet: [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au)  
 Phone: 132 213  
 Email: [rta\\_contact\\_centre@rta.nsw.gov.au](mailto:rta_contact_centre@rta.nsw.gov.au)

#### **National Parks and Wildlife Services**

Internet:  
[www.environment.nsw.gov.au/nationalparks](http://www.environment.nsw.gov.au/nationalparks)  
 Phone: 1300 361 967  
 Email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

#### **Sydney Catchment Authority**

Internet: [www.sca.nsw.gov.au](http://www.sca.nsw.gov.au)  
 Phone: 1300 722 468  
 Email: [info@sca.nsw.gov.au](mailto:info@sca.nsw.gov.au)