

DEVELOPMENT APPLICATION FORM

made under Part 4 of the *Environmental Planning and Assessment Act, 1979*

OFFICE USE ONLY:

Date of Receipt:

Parcel No:

Application No:

About this form

You can use this form to request approval to undertake development within the Kiama Municipal Council local government area.

TYPE OF APPLICATION

Development Application	Save Money: 10% reduction in Construction Certificate Fees if lodged at the same time as the Development Application
Combined Development Application and Construction Certificate • The DA form and CC form must be submitted together	

NOTE: Information provided on this application (excluding Part A and non-exhibition plans) will be publicly available.

How to complete this form

- Ensure that Parts A and B have been filled out correctly, and are stored as separate PDFs on a USB/disc.
- All fields are mandatory and must be completed before submitting the application.
- Once completed you must submit this form electronically, by mail or in person. Refer to the Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for further information.
- Ensure all information outlined in the relevant checklist is provided at the time of lodgement. Failure to provide the required information will result in the application being rejected.

Part A – Personal Information

A1 PROPERTY/SITE DETAILS

Lot:		Section:		DP/SP:	
House No:		Street:			
Suburb:					

A2 APPLICANT DETAILS

Name/Company:		Phone:	
Contact Name:		Mobile:	
Postal Address:			
Email:			

I/We the applicant/s note in accordance with Section 12 and 12B of the *Local Government Act 1993*, this application and all associated documents may be made available for inspection and copying at Council by any member of the public (subject to Copyright Legislation).

Applicant Signature:

Date:

X

Note: All enquires and correspondence relating to this application will only be discussed with or directly through the nominated contact.

A3 CONSENT OF OWNERS

This section must be signed by every property owner. If the owner is a Strata Title Body Corporate, consent to lodging the application must be signed by an authorised person under the common seal of the body corporate. If the owner is a company, either the signature of an authorised person identifying their office held, signed under the company seal, or if no company seal, two directors' signatures and their office held, one director and a company secretary and their office held, or in the case of a proprietary company that has a sole director who is also the company secretary – that director's signature and office held.

As the owner/s of the above property, I/we consent to this application and to any subsequent inspections required to be undertaken by Council officers in the assessment of this application.

Name/Company:		Phone:	
Contact Name:		Mobile:	
Postal Address:			
Signatures of all owners:	X	X	
Do you wish to alter the current listed address held by Council including rates notices to the above address?		No	Yes
Office use only:	Checked by:		

A4 AUTHORITY TO SIGN: Section 127 of the Corporations Law

Signature of authorised person:	Signature of authorised person:
X	X
Name of authorised person:	Name of authorised person:
Office held:	Office held:
Important: Every owner must sign this form (or attach a separate letter signed by each owner if more space is required). Incomplete or inaccurate information on this section may result in rejection of the application.	
Is the subject land Crown Land?	No Yes – attach Authority
Office use only:	NAR Numbers:

A5 APPLICANT DECLARATION – to be signed after completing Parts A & B of this form

All of the details sought in this form must be provided. On-site inspections are carried out prior to the determination of any application. The applicant undertakes to take all necessary steps to make access available to the property to enable the inspection to be carried out. As a result of this inspection, or from a preliminary assessment, further information may sometimes be required. The Assessing Officer will contact you soon after their initial inspection if this is the case.

Failure to provide the required documentation of an acceptable standard will result in your application being returned.

What you need for lodgement		
	Development Application Form	
	Development Application Checklist and all associated plans and documents	
	BASIX Certificate (if applicable, refer to relevant checklist)	
	Fees and Charges (in accordance with Council's adopted fees and charges)	
Disclosure of Political Donations and Gifts		
This section must be completed and signed by all persons with any financial interest in this application.		
Any reportable political donation to a Councillor and/or gift to a Councillor or Council employee within a two (2) year period before the date of this application must be publicly disclosed.		
Are you aware of any person with a financial interest in the application who made a reportable donation or gift in the last two (2) years?		No Yes
If yes,	Complete and attach a Political Donations and Gifts Disclosure Statement (available from Council's website).	
If no,	In signing this application, I undertake to advise the Council in writing if I become aware of any person with a financial interest in this application who has made a political donation or has given a gift in the period from the date of lodgement of this application and the date of determination.	
Note: Failure to disclose relevant information is an offence under the Act. It is also an offence to make a false disclosure statement.		
Conflict of Interest		
To ensure transparency in Council's decision-making process and to avoid potential conflicts of interest applicants are to make a declaration as to whether they are a Council employee or are related to a Council employee or Councillor.		
I am an employee/Councillor or relative of an employee/Councillor of Kiama Municipal Council		No Yes
If yes, state name and relationship:		
Important Notice:		
<ul style="list-style-type: none"> I understand that Council will not process applications that are incomplete or non-complying with lodgement requirements. I understand that incomplete applications will be returned to applicants within 14 days (see Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality'). I understand that building work will be valued independently by using the latest building cost indicators. I apply for approval to carry out the development or work described in Parts A and B of this application. I declare that all the information provided as part of the application is, to the best of my knowledge, true and correct. I also understand that if the information is incomplete, the application may be delayed, rejected or more information may be requested. I acknowledge that if the information provided is misleading, any approval granted may be void. I accept delays in processing will arise out of any inadequacies in the material submitted in support of the application. I declare that the electronic data provided is a true copy of all plans and associated documents submitted with this development application and the data is not corrupted or does not contain any viruses. Each document is no bigger than 20MB, PDF and is named in accordance with Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality'. I understand that information provided on the USB will be publicly available. I have stored Parts A and B of this form as separate PDFs on the USB/disc. I understand that the Council will use the information and materials provided for notification and advertising purposes and that material provided will be made available to the public for inspection and copying at Council's Administration Building and on Council's website. 		
Applicant Name: (print name)	Applicant signature:	Date:
	X	

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Part B – Proposed Development

Note:

- Information provided on this Part B will be public information and will be placed on the Council's website.
- All fields on this form are mandatory and must be completed before submitting the application.

B1 PROPERTY/SITE DETAILS

Lot:		Section:		DP/SP:	
House No:		Street:			
Suburb:					

B2 APPLICANT DETAILS

Name/Company:	
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B3 PROPOSED DEVELOPMENT DESCRIPTION

Description of development:

- Provide details of everything that you want Council to assess, including any demolition, proposed use/s and any signage

	Erect, alter or add to a building or structure		Change the use of land or building (or BCA classification)
	Subdivide land or building		Demolition
	Carry out work		Signage
	Other (specify) -		

Type of development: (tick appropriate box/es below)

	Single dwelling		Food premises
	Residential alterations/additions		New industrial building
	Secondary dwelling		Industrial fit-out
	Dual occupancy		Community/education facilities
	Multi-dwelling housing		Subdivision – residential
	Residential flat buildings		Subdivision – rural
	Seniors living		Subdivision – other
	Outbuilding (garage, carport, etc)		Boundary adjustment
	Shop top housing		Temporary use
	New commercial/business building		Mixed use
	Commercial/business fit-out		Other -

B4 COST (including materials and labour)

This is the estimated total cost of any construction, internal fit-out and demolition, including GST and labour. Council checks your estimate against current building cost indices. Developments with no construction work such as subdivisions or change of uses have a separate standard fee and no estimate cost is required.

Cost to nearest thousand (including materials and labour): \$

To accompany this application form, you must **provide** one of the following:

>\$100,000 - <\$1 Million: a cost summary report prepared by the applicant or a suitably qualified person

>\$1 Million: a Quantity Surveyor's Report prepared by a registered Quantity Surveyor

Cost Summary Guide:

Refer to the 'Building Construction Cost Guide' at the back of 'Council's Guide to carrying out Development or an Activity in the Kiama Municipality' for applicable rates.

Main floor area (excluding verandahs and garages)	m ² x \$	/ m ² = \$
Floor area of verandahs and balconies	m ² x \$	/ m ² = \$
Floor area of garages and parking	m ² x \$	/ m ² = \$
Cost of additional components (e.g. pools etc.)	m ² x \$	/ m ² = \$

B5 PRE-LODGEMENT ADVICE

Have you been given any pre-lodgement advice on this application? No Yes

If yes, provide the name of the Council Officer/Date of DAU meeting -

Name of officer:

Date of advice/meeting:

B6 TYPE OF APPLICATION (tick the applicable box/es below)

Is this Development Application for a Concept Development? No Yes

If yes, is it for: Concept Stage One Stage Two Later Stage

The *Environmental Planning and Assessment Act 1979* defines a Concept Development Application (DA) as one which sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the sites are to be the subject of subsequent DAs. The application may set out detailed proposals for the first stage of development.

Is this Development Application for Designated Development? No Yes

If yes, **Attach** an Environmental Impact Statement (EIS), as defined by the *Environmental Planning and Assessment Act 1979*

If no, **Attach** a Statement of Environmental Effects (SEE), as defined by the *Environmental Planning and Assessment Act 1979*

Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* lists types of Designated Development. An Environmental Impact Statement (EIS) is required to be prepared and submitted as part of an application for Designated Development. There is a 30 day public exhibition period for applications for Designated Development.

Does this Development Application require Concurrence from State Agencies? No Yes

If yes, list the agencies whose concurrence you require:

Section 4.13 of the *Environmental Planning and Assessment Act 1979* requires Council to consult with and obtain the concurrence of a State Agency for certain developments prior to determining the development application. For example variations to the development standards of the *Kiama Local Environmental Plan 2011* often require the concurrence of the Department of Planning & Environment.

Does this land contain or is part of critical habitat?	No	Yes
Is the development likely to significantly affect threatened species, populations or ecological communities?	No	Yes
If yes , indicate the reasons why the development is a Biodiversity compliant development:		
Is the development accompanied by a biodiversity development assessment report?	No	Yes
If yes , list the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under the report to offset the residual impacts on biodiversity values if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the <i>Biodiversity Conservation Act 2016</i> :		
Is the development Advertised Development?	No	Yes
Advertised development includes: <ul style="list-style-type: none"> • Integrated development, if it requires an approval under the <i>Heritage Act 1977</i>, the <i>Water Management Act 2000</i>, or the <i>Protection of Environment Operations Act 1997</i> (called 'nominated integrated development') • Threatened species development requiring a species impact statement • Class 1 or 2 aquaculture development under <i>State Environmental Planning Policy No 62 – Sustainable Aquaculture</i> The notification period for advertised development is 14 days, or 30 days for integrated development and threatened species development. Additional fees apply.		

B7 OTHER APPROVALS

Integrated Development:

Is the development Integrated Development?
(tick appropriate box/es)

No

Yes

<i>Roads Act 1993</i>	s138	<i>National Parks & Wildlife Act 1974</i>	s90
<i>Heritage Act 1977</i>	s58	<i>Coal Mine Subsidence Compensation Act 2017</i>	s22
<i>Rural Fires Act 1997</i>	s100B	<i>Petroleum (on shore) Act 1991</i>	s16
<i>Mining Act 1992</i>	s63 s64	<i>Mine Subsidence Compensation Act 1961</i>	s15
<i>Fisheries Management Act 1994</i>		s144 s201 s205 s219	
<i>Water Management Act 2000</i>		s89 s90 s91	
<i>Protection of the Environment Operations Act 1997</i>	s43(a) s47	s43(b) s48	s43(d) s55 s122

Integrated Development is defined by the *Environmental Planning and Assessment Act 1979* as development which needs a Development Consent and one or more additional approvals under the Acts mentioned above in order to be legally carried out. Further explanatory notes are available from Council on request.

B8 APPROVALS UNDER SECTION 68 – LOCAL GOVERNMENT ACT 1993

Do you wish to carry out any Section 68 activities? (refer to list below)	No	Yes
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If you wish to carry out one of the following activities, you need the approval of Council. Identify the activities you propose to carry out by placing a **tick** in the appropriate boxes. Include the relevant documents as detailed in Council's 'Activities Application Form' with your Application.

Note: Alternatively these can be applied for separately using 'Section 68 Application' form.

Under Section 4.12 of the *Environmental Planning and Assessment Act 1979* a person can apply to Council for both a development consent and a Section 68 Approval in the one DA. In determining the DA, Council may apply any of the provisions under the *Local Government Act 1993* that it could apply if the DA were an application under that Act for the relevant approval. In particular, if the Development Consent is granted, Council may impose a condition that is authorised under that Act to be imposed as a condition of consent.

In granting a Development Consent in which a Section 68 approval is also contained, Council may, (without limiting any other condition in the Consent) impose in relation to the approval taken to have been granted under Section 68, either or both of the following conditions:

- (a) A condition that the approval is granted only to the applicant and does not attach to or run with the land to which it applies
- (b) A condition that the approval is granted for specific time

A Structures

	A1 Installing a manufactured home, moveable dwelling or associated structure on land
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B Water supply, wastewater and stormwater drainage work

Not applicable in Kiama LGA

C Management of waste

	C1 For fee or reward, transport waste over or under a public place
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	C2 Place waste in a public place
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	C3 Place a waste storage container in a public place
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	C4 Not applicable in Kiama LGA
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	C5 Install, construct or alter a waste treatment device or a human waste storage facility or drain connected to any such device or facility (e.g. install Septic System, AWTS, etc.) Select:		
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Aerated Waste Treatment System (AWTS)	Wet composting system	Septic tank
	Dry composting system	Other

	C6 Operate a system of wastewater management (within the meaning of Section 68A)
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D Community land

Refer and use the following Council forms for the use of public land:

- 'Application for permit: Use/Hire of public reserve'
- 'Application for Permit to Conduct Busking'
- 'Application for Permit for Commercial Fitness/Personal Training on Council Reserves/Sportsgrounds'

E Public roads

	E1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway
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	E2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhand any part of the road or outside a shop window or doorway abutting the road or hang an article beneath an awning over the road
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F Other activities	
	F1 Operate a public car park
	F2 Operate a caravan park or camping ground
	F3 Operate a manufacture home estate
	F4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance
	F5 Install or operate amusement devices (within the meaning of the <i>Construction Safety Act 1912</i>)
	F6 Use a standing vehicle or any article for the purpose of selling any article in a public place
	F7 Carrying out an activity prescribed by the regulations or any activity of a class or description by the regulations
<p>Note:</p> <ul style="list-style-type: none"> • Private means work/infrastructure that will be the responsibility of landowners, usually all development from the water meter or sewer tapping point, back to the dwelling/building • Public means work/infrastructure that will be handed over for the responsibility of Council, e.g. Council mains work/extensions etc 	

PRIVACY & PERSONAL INFORMATION PROTECTION NOTICE

Purpose of collection: We are collecting your personal information in order to enable Council to assess this application in accordance with the *Environmental Planning and Assessment Act 1979*.

Intended recipients: The intended recipient of the information is Kiama Municipal Council.

Supply: While the supply of this information is voluntary, the personal information you provide will enable Council to assess this application in accordance with the *Environmental Planning and Assessment Act 1979*. If you cannot provide this information, Council will be unable to process your application(s).

Access/Correction: The personal information can be accessed by you and may be available to third parties in accordance with the Government Information (Public) Access Act and Council's Privacy Management Plan.

Your personal information may be disclosed to third parties for the purpose of compliance with the Government Information (Public) Access Act and Council's Privacy Management Plan.

You may make an application for access or amendment to personal information held by Council. We will consider any such application in accordance with the *Privacy and Personal Information Protection Act 1998*.

Storage: Kiama Council is the agency that holds the personal information. Council may be contacted on 02 4232 0444, or by email to: council@kiama.nsw.gov.au or at 11 Manning Street, Kiama. NSW. 2533.