

Development Application Checklist

- Applicants are encouraged to make an appointment with Council staff to discuss the application prior to lodgement
- This checklist should be completed by the Applicant. Please confirm that your application contains all the relevant information required and then is uploaded to the NSW ePlanning Portal (Portal)
- Lodgement of your application will be delayed if the information below is not provided
- Include details for all related properties/sites where relevant

Information to be provided when lodging a Development Application

Choose the relevant Development Type from the columns on the right-hand-side. Where a box exists in the column, this indicates that the information detailed in that row is required. Use the box to tick off each requirement as you gather the required information.

Development Types					
Food & Drink Premises Fitout	Alterations or Amendments to Commercial/Industrial Building	Alterations or Amendments to Educational Building	New Commercial Building	New Industrial Building	New Educational Building

1 Application Documents

When you submit your application on the Portal you will need to upload each of the plans and documents via the Portal and select the corresponding document type from the list.

- All plans and associated documents must be named and saved as separate PDF documents in accordance with Councils Naming Convention referred to in the GUIDE
- Combine the suite of Architectural Plans and upload them as one document – Architectural Plans
- Ensure documents are submitted once

2 Owners Consent

Owners Consent must be obtained prior to submitting an application. Ensure that the full and correct details for all of the owners are listed in the Portal application.

You may wish to use Council's 'Authority to Lodge an application' form if the owner is not the applicant.

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3 Statement of Environmental Effects (SEE)

A SEE is a detailed description of the proposal, including information on any impacts the development may have on the environment or adjoining sites, information on how those impacts were identified, and the measures, if any, that will be taken to mitigate, reduce or address any potential impact. The SEE must address any relevant policies and/or legislation ie: Kiama Development Control Plan 2020 (DCP), Kiama Local Environmental Plan 2011 (LEP), and Statement of Environmental Planning Policies (SEPP).

SEEs for Commercial/Industrial/Educational development need to outline the following information:

Hours of Operation

Number of Patrons/Occupants

Method of Delivery for Goods & Products

Method of Waste Collection

NOTE: Refer to Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for more information concerning SEEs.

4 Plans

Separate site plans may be provided to differentiate between existing and proposed.

4.1 Site Plan/s

Plans must show:

- boundary dimensions, site area & true (not magnetic) north point
- location of any easements and services, including location of on-site sewage management system and trenches
- existing vegetation/trees
- existing AHD levels of land in relation to buildings and roads
- the location and uses of existing building/s on the development and adjoining sites
- the location of any existing parking spaces
- location of proposed building/s or works, including distances of building/s to boundaries, existing buildings and adjoining development/s
- location of proposed driveways and parking spaces
- location of outdoor clothes drying area
- location of garbage storage/collection
- proposed method of draining stormwater from land/building, including on-site detention (i.e. rainwater tanks)
- private open space, including dimensions and area

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4.2 Proposed Development Plans

Standard Plans must contain the following information:

- Floor plans, showing:
 - proposed ground levels, floor levels and road levels (AHD levels preferable, essential if on flood prone land)
 - the proposed use of each room/space including any seating/dining arrangements
- Elevation and Section Plan, showing:
 - proposed external finishes, and
 - internal and external height/s of any proposed building/s
- location of solid fuel heater and/or any air-conditioning systems, including the location of any flue/chimney (if proposed)
- if the proposal is in an area that is subject to bushfire:
 - level of Construction Requirements
- if the proposal includes any demolition:
 - the structures to be demolished

Detailed Plans of Commercial Kitchen

- Floor plans, drawn at scale 1:50, showing layout of all equipment, benches, fixtures, fittings and mechanical exhaust
- Sectional elevations, drawn at scale 1:50, showing details of mechanical ventilation
- Mechanical exhaust ventilation plans
- Hydraulic plans, detailed plumbing connections, floor waste positions and trade waste details
- Schedule of finishes, including details of floors, walls, ceilings, equipment, fixtures and fittings finishes

Signage Plans

- Site plans, drawn at scale 1:50, showing the location of any proposed signage on the site
- Sectional elevations, drawn at scale 1:50, showing the details of any proposed signage

Concept Stormwater Management Plan prepared by a suitably qualified person, showing how stormwater is to be managed on the site.

Floor Space Ratio Calculation Plan showing the calculation of the floor space in accordance with Clauses 4.4 and 4.5 of Kiama LEP 2011.

Landscape Plan prepared in accordance with Topic 3.2, Chapter 3 of Kiama DCP 2020.

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5 Cost Report

Cost estimate for the cost of the development required (including materials and labour). Refer to Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for more information.

- **Cost Summary Report** for development with an estimated cost (including materials and labour). **\$100,001 to \$1 Million**. This report is to be prepared by a suitably qualified person
- **Quantity Surveyor's Report** for development with an estimated cost (including materials and labour) **>\$1 Million**. This report is to be prepared by a registered Quantity Surveyor

6 Section J Verification

A report, prepared by a suitably qualified person, verifying the development's compliance with Section J of the National Construction Code Volume One is required for all Class 3, 5, 6, 7, 8 and 9 buildings.

7 Waste Management Plan

The purpose of the Waste Management Plan is to anticipate and estimate the types and volumes of waste materials generated from the development.

- For waste being reused onsite, consider how the materials intend to be reused
- For waste removed offsite, nominate a licensed waste facility or engage a waste contractor
- When materials are recycled or disposed, keep a record of the receipts
- To comply with Development Application (DA) conditions, a Waste Compliance Certificate

All Waste Plans are to be prepared in accordance with the 'Waste Management for Proposed Development Guideline'.

Additional information that may be required

Council may ask for further information during the assessment process, especially if your application involves any of the items below. If you have any questions or comments, it is suggested you speak to one of Council's Development and Building Assessment Officers, who are available between 8.30am and 11.00am weekdays for advice, to ascertain what additional information may be required. Supplying this information up-front can help reduce delays during the development assessment process.

Does the proposed development involve:

YES

NO

- **Construction of a new building or additions and alterations to an existing building greater than one storey?**

Shadow diagrams are required for all development greater than one storey. Applications for additions & alterations and/or outbuildings may require shadow diagrams. Shadow Diagrams, showing the availability of sunlight to adjoining/nearby developments, including living rooms and private open spaces of the subject development as well as adjoining properties, needs to accompany an application for these types of development.

- **Both a commercial and residential component?**

Developments involving both a commercial and residential component need to provide all documentation outlined in the relevant Development Application Checklist for the specific uses.

- **A change to the building's classification under the Building Code of Australia or extensive alterations to an existing building?**

The *Environmental Planning and Assessment Regulation 2000* requires Council to be satisfied that the building, once changed or altered, meets the relevant sections of the Building Code of Australia (BCA). A BCA report, prepared by a suitably qualified person, addressing the relevant sections of the BCA needs to accompany an application for these types of development.

- **Requests to vary any Development Standards of Kiama Local Environmental Plan (LEP) 2011?**

Requests to vary any development standards of Kiama LEP 2011 are to be prepared in accordance with the provisions of Clause 4.6 of Kiama LEP 2011 and the Department of Planning and Environment's – 'A Guide to Varying Development standards: August 2011'. Refer to Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for more information.

- **Requests to vary any Development Controls of Kiama Development Control Plan (DCP) 2020?**

Requests to vary any development controls of Kiama DCP 2020 are to be prepared in accordance with the requirements of Topic 1.4, Chapter 1 of Kiama DCP 2020. Refer to Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for more information.

- **Demolition?**

The following information needs to accompany a Development Application that involves demolition:

- Asbestos & Hazardous Material Assessment Audit
- Risk Assessment & Management Plan
- Demolition Plan

Refer to Topic 3.1, Chapter 3 of Kiama DCP 2020 for more information.

- **Earthworks?**

Whenever soil is moved from one property to another, it must be classified prior to transport in accordance with the NSW EPA Waste Classification Guidelines 2014. Applications that include earthworks (i.e. excavation and/or filling) need to be accompanied by the following information:

- Source or destination of material/s
- Classification of material/s

Does the proposed development involve:

YES

NO

- **Changes to or the installation of a new driveway?**

A Driveway Long Section Plan showing the design levels of any proposed/amended driveways.

- **Approval under Section 68 – Local Government Act 1993?**

If you wish to carry out an activity under Section 68 – Local Government Act 1993 you need the approval of Council. The approval must be sought as a separate application, with the relevant documents accompanying that application.

- **Development on Bush Fire Prone Land?**

Development on Bush Fire Prone Land needs to be carried out in accordance with 'Planning for Bush Fire Protection' prepared by the NSW Rural Fire Service (RFS). Refer to RFS's 'for Single Dwelling Application Kit' for more information. Certain development on Bush Fire Prone Land may be classified as Integrated Development, refer to Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for more information.

- **Development on Flood Prone Land?**

Where no flood study/management plan has been adopted for a specific site, applications that are likely to affect or be affected by flood levels will need to be accompanied by a flood assessment report carried out by a suitably qualified engineer in this field. All flood assessment reports are to be prepared in accordance with Topic 2.5, Chapter 2 of Kiama DCP 2020.

- **Development on or adjacent to a Heritage Item/Area?**

Schedule 5 of Kiama LEP 2011 lists the Heritage Items and Conservation Areas in the Municipality. A heritage impact statement and/or a heritage conservation management plan may be required for development on or adjacent to a Heritage Item/Area. Further advice is available from Council's Development Assessment Officers if needed.

- **Development on land which is or may be contaminated?**

A Contamination Assessment, prepared by a suitably qualified professional, may be required to determine if the site is suitable for the development or if remediation works are required. Further advice is available from Council's Development Assessment Officers if needed.

- **Development that may significantly affect threatened species, populations, or ecological communities?**

Where threatened species, populations or ecological communities are present on the site a Biodiversity Assessment Report, prepared in accordance with the *Biodiversity Conservation Act 2016*, or a Species Impact Statement may be required. Further advice is available from Council's Development Assessment Officers if needed.

- **Development that requires Concurrence from State Agencies?**

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. Applications that require concurrence will need to pay additional fees. The **Concurrence from State Agency** document must accompany the development application identifying the relevant referrals.

NOTE: The above questions and information are provided **only** for the purpose of assisting an applicant in the lodgement of a Development Application. Even if Council accepts the application with all the boxes ticked "NO" Council may still request further information if it becomes necessary during the development assessment process. Under Clause 51 of the *Environmental Planning & Assessment Regulation 2000* Council may reject an application in the first fourteen (14) days due to lack of required information making the application illegible or unclear, or if the required fees are not paid.

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*, Council's Privacy Management Plan or if otherwise required by law.

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.