

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

Development Types

Subdivision of Land

Subdivision of Building

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.

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.

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).

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

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4 Plans

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

4.1 Site Plan/s

Plans must show:

- existing 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 and uses of existing building/s on 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 garbage storage/collection
- proposed method of draining stormwater from land/building, including on-site detention (i.e. rainwater tanks)
- proposed access location/s
- private open space, including dimensions and area

4.2 Proposed Development Plans

Subdivision Plans must contain the following information:

- proposed lot numbering or lettering (i.e. Lot 1 or Lot A)
- proposed lot dimensions & areas
- location of any proposed easements, restrictions or right-of-ways
- location of any proposed building envelopes

Strata Plans must contain the following information:

- proposed lot numbering or lettering (i.e. Lot 1 or Lot A)
- proposed lot dimensions & areas
- location of any proposed easements, restrictions or right-of-ways
- location of any proposed common property
- location of any communal open space
- location of any existing buildings ground levels, floor levels and road levels (AHD levels preferable, essential if on flood prone land) to be subdivided
- elevations and sections showing any proposed horizontal lot boundaries
- location of any allocated car parking spaces

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5 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. If the answer is **YES** to any of the questions below then Council will require further information and/or plans (and possibly extra fees) to be submitted with the Development Application. In this case it is suggested you speak to a Council Officer to ascertain what additional information is required. Supplying this information up-front can help reduce delays during the development assessment process.

Does the proposed development involve:

YES

NO

- **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.

- **Construction of public or private vehicular access or drainage?**

Engineering plans (drawn to scale), including any elevations, cross sections and longitudinal sections of proposed private accessways and public roads and/or stormwater drainage pipes needs to accompany a Development Application for subdivision that includes these works. Please refer to Council's Engineering Development Specifications for more information.

Does the proposed development involve:

YES

NO

- **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

- **The creation of 'Battle-axe' blocks, public open space or public roads?**

A Landscape Plan prepared in accordance with Topic 3.2, Chapter 3 of Kiama DCP 2020 needs to accompany a Development Application for these types of subdivisions.

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

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

- **Both the construction of a building and subdivision?**

Developments involving both construction of a building and subdivision need to provide all documentation outlined in the relevant Development Application Checklist for the specific type of building.

- **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.

Does the proposed development involve:

YES

NO

- **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.