

Development Application Supplementary Guide

A guide to the information you need to include with your development application



1. How to use this guide

This guide provides information to help you to complete your development application. The sections of the guide relate to the parts of the development application (DA) form where you may need to attach additional information. If you need help in completing your application, please contact us on 02 9202 9128.

2. Disclosure of Political Donations

Persons lodging Development Applications are required to declare reportable political donations (including donations of \$1,000 or more) made in the previous two years and up until determination of the development. If you are required under section 147(3) of the *Environmental Planning and Assessment Act 1979* to disclose any reportable political donation (see pages 1 and 2 of Disclosure Statement), please complete the *Political Donations Disclosure Statement* which can be obtained from the RWA website (www.redfernwaterloo.nsw.gov.au/development_applications/forms.htm). For more information on disclosure go to www.planning.nsw.gov.au/donations.

3. Describe what you propose to do (Part 3 of the DA form)

You need to include a brief description of the proposed development, detailing the major components of the development.

e.g. 'Construct and operate a solid waste landfill at the former [name] quarry. The proposal includes a private access road and administrative and support infrastructure. The proposed capacity of the site is 5 million tonnes of waste, and ABC Pty Ltd seeks approval to accept 100,000 tonnes per annum of inert putrescible and industrial waste from the [name] area.'

Provide an **estimate** of the full-time equivalent (FTE) jobs generated by the development. This includes during construction and operation.

e.g. a person employed full-time for 6 months would equal 0.5 of a full-time equivalent job, a person working for 20 hours per week for 6 months would approximate to 0.25 of a FTE job, six contractors working on and off over 2 weeks equate to 2 people working full-time for 2 weeks, which equals approximately 0.08 of an FTE job.

4. Plans of the land and development (Part 8 of the DA form)

You need to include a site plan of the land and the plans or drawings of the proposal to show what you intend to do.

The **site plan** is to be drawn to scale and show:

- the location of the land, the measurements of the boundaries of the land, the size of the land and which direction is north
- existing vegetation and trees on the land
- the location and uses of buildings that are already on the land
- the existing levels of the land in relation to buildings and roads
- the location and uses of buildings on sites adjoining properties.

The **plans or drawings** are to be drawn to scale and show, where relevant:

- the location of any buildings or structures on the land, any proposed extensions or additions, the boundaries of the land and any development on adjoining land
- the floor plans of the proposed buildings
- how high the proposed development will be in relation to the land
- each elevation of the proposed building(s)
- any changes that will be made to the level of the land by excavation, filling or otherwise
- the level of the lowest floor, the level of any yard or unbuilt area and the level of the ground
- the arrangements you have made for parking, where vehicles will enter and leave the site, and how vehicles will move about the site
- how the land will be landscaped or otherwise treated and what types of vegetation will be used (including their height and maturity)
- how you intend to drain the land.

You will need to attach these additional plans, if applicable:

- An **A4 size plan of the proposed building** and other structures on the site if you propose to erect, alter or add to a building, for notification. The plan is to indicate the height and external shape of the proposed building as it will be erected on the site and include details of other buildings or structures on the site.
- A **plan of an existing building**, drawn to scale, if your application involves building work to alter, expand or rebuild the building. The plan will allow us to assess whether any existing buildings must be upgraded for safety reasons.

Plans for food or registered premises should include:

- proposed floor layout and use of each room
- elevations of the walls and floor finish, showing the type and method of installation of covering to be used
- construction, finishes and materials of all floors, walls and ceilings
- proposed location and details of all fixtures, fittings and appliances (including the proposed method of installation)
- lighting and ventilation details including the location of any proposed hoods
- proposed location and details of all waste storage areas, including proposed floor wastes, and garbage rooms. Details of the container equipment proposed and access arrangements for servicing should also be provided
- location of any proposed grease trap, including details of any proposed grease trap room if located inside a building, and access arrangements for servicing
- location and design details of proposed hand washing facilities
- location and design details of proposed washing facilities
- details showing location, capacity and clearance of hot water services
- design and construction details of cool rooms and/or freezer rooms, including condensation collection and disposal
- proposed location and details of storage facilities for cleaning equipment and staff personal belongings.

5. Assessing the environmental impacts of the proposal (Part 9 of DA form)

So that we can assess the impacts of your proposal, you need to attach a statement of environmental effects (SEE). Table 1 sets out the information you need to include in your SEE.

Table 1 What to include in a statement of environmental effects

A statement of environmental effects of a proposal is to include information on the following:

- what you consider to be the environmental impacts of the development
- how you have identified the environmental impacts of the development
- the steps you will take to protect the environment or to lessen the expected harm to the environment
- any matters that must be included by any guidelines issued by the Director-General of the Department of Planning
- how you have addressed any other matters identified by the relevant planning instruments.

Where relevant, your statement of environmental effects may also need to include additional information:

For shops, offices, commercial or industrial development:

- the hours of operation
- the plant and machinery to be installed
- the type, size and quantity of goods to be made, stored or transported
- the loading and unloading facilities that will be available.

To change the use of a building (where you are not doing any building work):

You do not need to include these lists if the building will now be used as a single dwelling or a non-habitable building or structure (such as a private garage, carport, shed, fence, antenna or swimming pool).

- a list of Category One fire safety provisions relating to the proposed change
- a list of Category One fire safety provisions used in the existing building or on the land
- a list of fire safety measures currently used in the building.

Each list is to describe the extent, capability and the basis of design of each of the provisions/measures.

For a subdivision:

- the details of the existing and proposed subdivision pattern (including the number of lots and the location of roads)
- the consultation you have carried out with the public authorities who provide, or will increase, the services you will need (eg water, road, electricity, sewerage)
- preliminary engineering drawings which show proposed roads, water, sewer, and earthworks
- both the existing and the proposed ground levels when the subdivision is completed.

For demolition:

- the age and condition of the building or structure you will demolish
- whether the building or structure has heritage value.

For advertisements:

- the size, type, colour, materials and position of the sign board or structure on which the advertisement will be displayed.

For development relating to an existing use:

- the details of the existing use
- a justification for the proposal having regard to the objectives of the zone.

For building or demolition:

- the methods that will be used to protect the site during construction or demolition.

For residential flat developments to which State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development applies:

- an explanation of the design in terms of the design quality principles set out in Part 2 of *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development*
- drawings of the proposed development in the context of surrounding development, including the streetscape
- development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts
- photomontages of the proposed development in the context of surrounding development
- a sample board of the proposed materials and colours of the facade
- detailed sections of proposed facades
- if appropriate, a model that includes the context.

For developments involving food or registered premises fit outs (i.e hairdressers, beauty salons, tattooists and other skin penetration premises:

The details must comply with the following codes and legislation as applicable:

- *National Code for the Construction and Fitout of Food Premises* published by the Institute of Environmental Health
- Food Safety Standard 3.2.3 (Food Premises and Equipment)
- *Local Government (Orders) Regulation 1999*, Schedule 2 – Standards for Hairdressers Shops
- *Local Government (Orders) Regulation 1999*, Schedule 3 – Standards for Beauty Salons
- *Public Health (Skin Penetration) Regulation 2000*
- *Australian Standard AS4674-2004 Design, Construction & Fitout of Food Premises.*

For proposals that may effect threatened species

Please use the test set out in Table 2 to work out whether your proposal is likely to significantly impact on threatened species, populations, ecological communities or their habitats. If you need help to do the test, please contact us (phone: 02 9202 9128), or the Department of Environment and Climate Change (phone: 02 9995 5000).

If your development is likely to have a significant effect on threatened species, populations, ecological communities or their habitats, please attach a species impact statement (SIS) to your application. Contact the Department of Environment and Climate Change about what you need to include in your SIS.

Table 2 Will your proposal impact on threatened species?

The following factors are to be taken into account in deciding whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats:

- in the case of a threatened species, whether the life cycle of the species is likely to be disrupted such that a viable local population of the species is likely to be placed at risk of extinction
- in the case of an endangered population, whether the life cycle of the species that constitutes the endangered population is likely to be disrupted such that the viability of the population is likely to be significantly compromised
- in relation to the regional distribution of the habitat of a threatened species, population or ecological community, whether a significant area of known habitat is to be modified or removed
- whether an area of known habitat is likely to become isolated from currently interconnecting or proximate areas of habitat for a threatened species, population or ecological community
- whether critical habitat will be affected
- whether a threatened species, population or ecological community, or their habitats, are adequately represented in conservation reserves (or other similar protected areas) in the region
- whether the development or activity proposed is of a class of development or activity that is recognised as a threatening process
- whether any threatened species, population or ecological community is at the limit of its known distribution.

Source: Section 5A *Environmental Planning and Assessment Act 1979*.

6. Concurrences from state government agencies (Part 10 of the DA form)

You may need the agreement of a state government agency to carry out your development. We can tell you whether the application needs to be referred. We will send a copy of your application to the relevant agencies to seek their agreement.

Please include sufficient information with your application for the agency(ies) to assess your proposal.

7. Approvals from state government agencies (Part 11 of the DA form)

If, as well as development consent, you need one or more of the approvals listed in **Attachment A** of this Supplement, your development is known as integrated development. We will refer your application to the agency(ies) you identify. The agency(ies) will tell us whether or not it will approve your application and, if so, what the general terms of the approval will be. If your application is approved, the conditions of the consent will include those general terms.

Please complete **Attachment A** and include it with your application. If you need help to fill out the attachment contact us. Details of state government agencies are listed below.

NSW Department of Planning

Internet: www.planning.nsw.gov.au

Phone: 02 9228 6111

Email: information@planning.nsw.gov.au

NSW Department of Planning (Heritage Office)

Internet: www.heritage.nsw.gov.au

Phone: 02 9873 8500

Email: heritageoffice@heritage.nsw.gov.au

Department of Environment and Climate Change

Internet: www.epa.nsw.gov.au

Phone: 02 9995 5000

Email: info@environment.nsw.gov.au

Department of Environment and Climate Change (National Parks and Wildlife)

Internet: www.nationalparks.nsw.gov.au

Phone: 02 9995 5000

Email: info@environment.nsw.gov.au

NSW Department of Water and Energy

Internet: www.dwe.nsw.gov.au

Phone: 02 8281 7777

Email: information@dwe.nsw.gov.au

NSW Department of Water and Energy (Natural Resources)

Internet: naturalresources.nsw.gov.au

Phone: 02 8281 7777

Email: information@dwe.nsw.gov.au

NSW Mine Subsidence Board

Internet: www.minesub.nsw.gov.au

Phone: 02 4908 4395

Email: mail@minesub.nsw.gov.au

NSW Department of Primary Industries

Internet: www.dpi.nsw.gov.au

Phone: 02 6391 3100

Email: sydney.office@dpi.nsw.gov.au

NSW Fire Brigades

Internet: www.fire.nsw.gov.au

Phone: 02 9265 2999

Email: info@fire.nsw.gov.au

NSW Rural Fire Service

Internet: www.rfs.nsw.gov.au

Phone: 02 8741 5555

Email: webmaster@rfs.nsw.gov.au

Roads and Traffic Authority of NSW

Internet: www.rta.nsw.gov.au

Phone: 131 782

Email: rta@rta.nsw.gov.au

NSW Maritime

Internet: www.maritime.nsw.gov.au

Phone: 02 9563 8511

Email: enquiries@maritime.nsw.gov.au

Attachment A Integrated development — approvals from state government agencies

Some proposals 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 this attachment. Follow through each group of questions to decide whether you need any of these approvals. If you have identified you need one or more approvals, please include this attachment with your application. (**Section 6** of this Supplement.)

Aboriginal relics and places

Will your development destroy, damage or otherwise harm an Aboriginal relic that is known to exist on the land you want to develop?

No

Yes Are you going to do so in accordance with Aboriginal tradition?

Yes

No You need an approval under section 90 of the *National Parks and Wildlife Act 1974* from the Department of Environment and Climate Change.

Will your development destroy, damage or otherwise harm land that has been declared to be an Aboriginal place?

No

Yes You need an approval under section 90 of the *National Parks and Wildlife Act 1974* from the Department of Environment and Climate Change.

Aquaculture

Do you want to carry out aquaculture?

No

Yes You need a permit under section 144 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Bushfires

Do you want to subdivide 'bushfire prone land' ⁽¹⁾ that could lawfully be used for residential or rural residential purposes?

No

Yes You need a bushfire safety authority issued under section 100B of the *Rural Fires Act 1997*.

Do you propose to develop 'bushfire prone land' ⁽¹⁾ for a special fire protection purpose ⁽²⁾?

No

Yes You need a bushfire safety authority issued under section 100B of the *Rural Fires Act 1997*.

Notes

1. *Bush fire prone land*, in relation to an area, means land recorded for the time being as bush fire prone land on a bush fire prone land map for the area.
2. *Special fire protection purpose* means the purpose of the following:
 - a school
 - a child care centre
 - a hospital (including a hospital for the mentally ill or mentally disordered)
 - a hotel, motel or other tourist accommodation
 - a building wholly or principally used as a home or other establishment for mentally incapacitated persons
 - housing for older people or people with disabilities within the meaning of State Environmental Planning Policy No. 5 – Housing for Older People or People with a Disability
 - a group home within the meaning of State Environmental Planning Policy No. 9 – Group Homes
 - a retirement village
 - any other purpose prescribed by the Rural Fires Regulation 2002.
3. The above provisions do not include the carrying out of internal alterations to any building in 'bush fire prone land'.

Dredging or reclamation

Do you want to carry out dredging or reclamation work in a waterway (a stream, river, lake, lagoon, estuary or marine waters)?

No

Yes You need a permit under section 201 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Marine vegetation

Will your development harm any mangroves or seagrasses in a public waterway or on the shore of a public waterway?

No

Yes You need a permit under section 205 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Do you want to take sea lettuce or blackfish weed to use as bait from a public waterway or the shore of a public waterway?

No

Yes You need a permit under section 205 of the *Fisheries Management Act 1994* from the Department of Primary Industries.

Mine subsidence

Do you want to build, subdivide, make roads, paths or driveways, or put in any pipelines, water, sewage, telephones, gas or other service mains in a mine subsidence district, or alter any of these types of development in a mine subsidence district?

No

Yes You need an approval under section 15 of the *Mine Subsidence Compensation Act 1961* from the Mine Subsidence Board.

Pollution

Is your development designated development?

No Will the development cause the pollution of water?

No

Yes You can apply for a licence under section 43(d) of the *Protection of the Environment Operations Act 1997* from the Department of Environment and Climate Change so that you cannot be convicted of an offence of polluting water.

Yes You are likely to need a licence from the Department of Environment and Climate Change. Is your land already designed to carry out the activity?

No You may need a licence under section 47 of the *Protection of the Environment Operations Act 1997* from the Department of Environment and Climate Change.

Yes You may need a licence under section 48 of the *Protection of the Environment Operations Act 1997* from the Department of Environment and Climate Change.

Rivers and lakes

Is your development within 40 metres of a stream, river, lake or lagoon?

No

Yes Are you going to excavate the land, remove material from the land or anything which will obstruct or detrimentally affect the water flowing in a stream, river, lake or lagoon?

No

Yes You need a permit under the *Water Management Act 2000* from the Department of Water and Energy.

Roads

Will your development affect a public road, a Crown road, a highway, a main road, a freeway or a tollway?

No

Yes You need a consent under section 138 of the *Roads Act 1993* from the Roads and Traffic Authority, the Department of Planning or the Council.

Water Use

Note: A number of approvals and licenses may be required under the *Water Management Act 2000*. Refer to the Act to determine which approvals or licenses you may be required to obtain.