

GUIDE FOR COMPLETING YOUR DEVELOPMENT APPLICATION

DEVELOPMENT THAT NEEDS CONSENT

This is development that requires development consent from Council:-

- New buildings, alterations or additions to existing buildings.
- Change of use of an existing building or premises. (Note: If you are taking over an existing business, it is recommended that you check with Council, to see if the business has a valid development consent).
- Demolition of dwellings, heritage items or any building within a conservation area.
- All new advertising structures require consent from Council before their erection.
- Contact Council for further information.
- Some earthworks, filling and clearing of land.
- Subdivision of a parcel of land including strata title subdivision of a building, community title subdivisions and boundary adjustments.

Complying Development

This is development that can be addressed by specified predetermined development standards.

It is development that can be approved by either Council or a private certifier. If a development needs the defined standard, the application cannot be refused.

Please refer to Councils Development Control Plan 1 (DCP) for further information. The DCP may be found at www.dungog.nsw.gov.au under Planning and Building.

DEVELOPMENT THAT DOES NOT NEED CONSENT

Exempt Development

Certain minor development can be carried out without approval. The details of the types of development that are exempt can be found in Councils Development Control Plan, which may be found on Councils website at www.dungog.nsw.gov.au under Planning and Building.

Council Requirements

Once you have determined what type of approval is sought from Council, it is important to find out about Council's requirements to enable you to prepare your application. It is important that you at least have a basic understanding about the following, where relevant, to your proposal:-

- Dungog Local Environmental Plan 2014
- Development Control Plans (DCP) and Local Area Plans (LAP)
- Section 94 Contribution Plans – applicable for subdivision and dual occupancy
- Relevant building regulations – www.masterbuilders.com.au

The above are an essential starting point for designing your proposal and submitting a correct application to Council for approval.

The above documents may be viewed on Council's website at www.dungog.nsw.gov.au under Planning and Building.

DEVELOPMENT ON BUSHFIRE LANDS

The majority of the land in Dungog Shire is classified as either Bushfire Prone or within the buffer zone of land classified as Bushfire Prone.

Bushfire prone land maps are prepared by local councils across the state and are certified by the Commissioner of the Rural Fire Service (RFS).

To find out if you live in a bush fire area, contact us in writing or email and ask about the Bushfire Prone Land Map.

What is a Bushfire Area?

A bushfire prone area/land is an area of land that can support a bush fire or is likely to be subject to bush fire attack.

In general, a bush fire prone area is an area mapped that identifies the vegetation types and associated buffer zones. These are generally areas consisting of close bush fire hazards such as forest or grasslands.

These areas are subject to development and planning controls designed to improve the survivability of development that are exposed to a bush fire hazard.

Dwelling Construction and Dwelling Alternations/Additions

If you are proposing to build a residential dwelling, or do renovations to an existing dwelling that requires Council consent in a bush fire prone area, you must meet the requirements of ***Planning for Bush Fire Protection 2006***. ***Planning for Bush Fire Protection 2006*** requires certain bush fire protection measures to be included to render a building less susceptible to damage or destruction from bush fire.

Council will refer your application to the local RFS Control Centre, who will make recommendations about ways to improve the bush fire protection for the dwelling.

Subdivision and Special Fire Protection Purposes – Integrated Development

If you wish to subdivide for residential purposes or build a Special Fire Protection Purpose development (e.g. school, childcare centre, nursing home and hospital or tourist accommodation) a Bush Fire Safety Authority is required from the RFS as part of your Development Consent process. This is to ensure that a suitable level of protection is provided for the more vulnerable people who use these facilities.

Council will forward your application to the Head Office of RFS for assessment. There is a fee associated with this and a cheque made payable to the NSW Rural Fire Service and a cheque made payable to Dungog Shire Council must accompany your application. Please check with Council for these current fees.

Planning for Bushfire Protection 2006 is a Rural Fire Service publication outlining the bush fire protection measures to be included when planning or modifying a residential or special fire protection purpose building or development in a bush fire prone area. Copies of this publication may be downloaded directly from the NSW RFS website www.rfs.nsw.gov.au

DEVELOPMENT WITHIN A HERITAGE CONSERVATION AREA OR OF A HERITAGE ITEM

Under the LEP 2014 – (5.10), a Heritage Impact Statement must be prepared in conjunction with a Development Application for the following:

1. Demolishing or moving a heritage item, or a building, work, relic, tree or place within a heritage conservation area;
2. Altering a heritage item, or a building, work, relic, tree or place within a heritage conservation area, by making changes to its exterior, including changes to its detail, fabric, finish or appearance;
3. Altering a heritage item by making structural changes to its interior;
4. Disturbing or excavating a place of Aboriginal heritage significance while knowing, or having reasonable cause to suspect, that the disturbance will, or is likely to, result in a relic being discovered, exposed, moved, damaged or destroyed;
5. Moving the whole or part of a heritage item;
6. Erecting a building on, or subdividing, land on which a heritage item is located or that is within a heritage conservation area.

The NSW Heritage Office has produced a model statement of Heritage Impact which can be used as a guideline. This document is available for viewing and downloading at www.dungog.nsw.gov.au

If you need assistance to determine whether your area is within a Heritage Conservation Area or whether your property is heritage listed, phone Council on (02) 4995 7777.

All Development Applications within a Heritage Conservation Area or on a Heritage listed property will be placed on public exhibition. An advertising fee is payable at time of lodgement. Please check Council's Fees and Charges or contact Council for a current fee.

Construction Certificate

A Construction Certificate must be obtained before commencing any building and construction work. The certificate assures that the detailed plans and specifications comply with the Building Code of Australia and associated standards or codes, and that your proposal is consistent with your Development Consent.

A Construction Certificate may be applied for through Council or through a Private Certifier.

Fees and Charges

Your development application will attract fees in accordance with Dungog Council's Schedule of Fees and Charges, based on the estimated cost of the development. Please contact Council on (02) 4995 7777 for a quote.

Privacy Statement

Dungog Shire Council complies with the Privacy Code of Practice for Local Government in dealing with all personal information that is to be supplied when an applicant completes an application. However, some of the personal information which is set out on the Development Application form will become part of the public record which Council is required to keep pursuant to the Local Government and Environmental Planning and Assessment Acts. This information may be divulged to others in accordance with the provisions of those acts. Furthermore, Council may be required to divulge some personal information pursuant to the Freedom of Information Act.

Help

If you would like us to help you with a specific proposal, it is suggested that you phone and arrange an appointment with one of our officers.

For larger and/or complex proposals we suggest that you contact Council. Council holds pre-DA Meetings for specific developments and many queries may be answered through those meetings. Please check Council's Fees and Charges or contact Council for a current fee.

GUIDE FOR COMPLETING YOUR DEVELOPMENT APPLICATION FORM

Below is an outline of how to complete your Development Application. Development Application forms may be collected from Council or Downloaded from Councils website – www.dungog.nsw.gov.au

1. Applicant Details

Please complete all information, including contact details during office hours. All dealings regarding the application will be with the applicant. Make sure the signature(s) of the applicant appears in this section.

2. Land Description

You can find property details (Lot, DP etc) on land title documents or rates notices.

3. Owner Details

All owner(s) of the land **MUST** consent to the making of the application. In giving their consent, the owners also give permission for council officers to enter the land to carry out any necessary inspection.

The application **CANNOT** be accepted unless **ALL** owners have signed this section of the application.

4. Development Details

This part of the application must be completed where a Construction Certificate (CC) is being sought for building or subdivision work.

Please note that before construction can commence, a Construction Certificate must have been issued by a certifier. A certifier may be Dungog Council or a private certifier. Tick 'YES' at this section if you wish to apply for the CC through Dungog Council.

5. Application Type

Tick the appropriate box that reflects your application type.

6&7. Description and the Estimated cost of the Proposed Development

You must clearly describe the proposal, and provide an estimate of how much it will cost to carry out the completed development. The application fee will be based on this amount.

8. Subdivision Details

For a subdivision, please indicate how many current and additional lots are proposed and whether a new road is to be constructed.

9. Builders Details

Please tick the appropriate box on the application form.

(i) Owner Builder

An owner builders permit is to be obtained from the Department of Fair Trading.

You are required to lodge your application with Council, and take a copy of your receipt and plans to the Department of Fair Trading in order to apply for your permit. The Department of Fair Trading will also require you to provide proof of ownership of your property.

Once you have obtained your permit, you must then forward a copy of your Owner Builder's Permit and permit number to Council **PRIOR** to the issue of a Construction Certificate.

See Section 17 for more information.

(ii) Licensed Builder

Details of a licensed builder are required to be provided, detailing their name, address and their Licence Number.

(iii) Not Known

If at the time of lodgement the licensed builder is not known, please indicate.

Once this information is available, you are required to notify the Council giving the details of the licensed builder's name and address and licence number.

10. Appointment of Principal Certifier

If the Construction Certificate is applied for through Council, tick '**YES**', sign and date. If a Construction Certificate is not being applied for, or it will be through a Private Certifier, tick '**NO**'.

11. Integrated Development

Some development requires approval from other agencies in addition to development consent. Applications for such development are referred to as 'integrated development', and must be referred to the relevant approval bodies. Additional fees are payable. See attached information sheet.

13-15. Checklist

Before lodgement, make sure the following is completed:-

- (i) Site Plan (4 Copies) – clear outline of the lot with distances of the proposed development to all boundaries, roads, water courses and existing dwellings. Any driveways, easements, right of way of stormwater drainage must also be marked on the site plan. See attached sample.

- (ii) Floor Plan (4 Copies) – must include the dimensions of the room layout, portioning and location of windows and doors.
- (iii) Elevations (4 Copies) – the elevations is the ‘side on view’ of the proposed structure. Where appropriate, the elevation plans must detail each of the four sides of the structure detailing the building façade, windows, roof profile and external finishes (eg wall, roof, window, door, paint colour and fence materials).
- (iv) Specifications (4 Copies) – the specifications are required only when applying for the Construction Certificate. The specifications must describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply. The specifications should also state whether the proposed materials to be used are new or second hand and give particulars of any second hand materials used.
- (v) Statement of Environmental Effects (3 Copies) – all Development Applications need a Statement of Environmental Effects (SOEE) to be lodged with the application. If you require Council to post out a Development Application to you, please advise Council of the development that you are proposing so that the appropriate Statement of Environmental Effects for that development can be included. Alternatively, select the appropriate Statement of Environmental Effects for your proposed development when you download the Development Application form. All the necessary paperwork can be downloaded from Council’s website at www.dungog.nsw.gov.au
- (vi) Plans stamped by Hunter Water Corporation – if the property is serviced by reticulated water and/or reticulated sewerage.

16. BASIX Certificate

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves / awnings and wall / ceiling insulation.

If your proposed **pool is over 40,000 litres** or your proposed **dwelling/alteration to an existing dwelling is valued in excess of \$50,000** you will need to obtain and submit a BASIX Certificate. Applicants can generate the BASIX Certificate only on the BASIX website at www.basix.nsw.gov.au

The BASIX information must be displayed on all plans when lodged with Council. For more information, phone the BASIX help line on 1300 650 908.

17. Owner Builder Permit

You will need an Owner Builder Permit if you are an owner builder for residential building and pool work **exceeding \$10,000**.

If the job is worth more than **\$20,000**, you **must** complete an approved education course.

IF an owner builder's permit is to be obtained from the Department of Fair Trading, you are required to lodge your application with Council, and take a copy of your receipt and plans to the Department of Fair Trading in order to apply for your permit. The Department of Fair Trading will also require you to provide proof of ownership of your property.

Once you have obtained your permit you must then forward a copy of your owner builder's permit and permit number to Council **PRIOR** to commencing residential building works.

The Department of Fair Trading may be contacted on 133 220 or at their office location of 251 Wharf Road, Newcastle.

18. Residential Building Work Insurance

Home Warranty Insurance is required prior to the issue of a Construction Certificate for residential building work that is being constructed by a licensed builder. It must be provided for any residential building work costing more than **\$20,000**. Evidence of Home Warranty Insurance must be provided prior to commencement of construction works.

If an Owner Builder is undertaking the residential building work, no Home Warranty Insurance is required. However, Home Warranty Insurance may be required if the property is sold in the subsequent six (6) years after completion of the works.

19. Building Long Service Levy (LSL)

The LSL is payable only when a Construction Certificate is being applied for. The LSL only applies to developments with a value in excess of \$24,999. The LSL may be paid at Council.

Owner builders may be able to apply for an exemption certificate and receive a reduction in the levy payable. Please ask Council staff for more information or phone the Long Service Levy Helpline on 13 14 41.

22-27. Statistical Return

All of this section must be answered, either by completing the appropriate answer or ticking the appropriate box.

This section is required for statistical purposes by Council and the Australian Bureau of Statistics.

28. Your Declaration

Make sure that **ALL** applicants have signed this part.