



## About this Guide

This Guide explains how to prepare and lodge a Development Application. Please follow this simple five-step guide to help lodge your application. If you need more information or advice, please telephone Council's Planning, Development and Compliance Department on (08) 8080 3300.

## What is a Development Application?

A Development Application (or DA) is a formal request to carry out a proposed development. At a minimum a DA consists of:

- *Plans and drawings; and*
- *A Statement of Environmental Effects; and*
- *A completed application form.*

The minimum requirements for submitting a DA are outlined in Schedule 1 of the Environmental Planning and Assessment Regulation 2000, which can be viewed at:

[www.legislation.nsw.gov.au/#/view/regulation/2000/557/sch1](http://www.legislation.nsw.gov.au/#/view/regulation/2000/557/sch1)

## When is a Development Application Required?

Depending on the type and scale of the development, a proposal may fall into one of three categories, as follows:

1. Exempt Development - refers to development of minimal environmental impact that does not require development consent (DA approval) from Council, or
2. Complying Development - is small scale low impact development that requires a Complying Development Certificate from either Council or a Private Certifier, or

3. Local Development - is development that does not meet the criteria for Exempt or Complying Development. A Development Application is required.

The types of development that can be carried out as Exempt or Complying Development is detailed in State Environmental Planning Policy (Exempt & Complying Development Codes) 2008. A copy of the Codes SEPP can be viewed from:

<https://www.planningportal.nsw.gov.au/find-an-area/council/brokenhill>

When in doubt please contact Council's Planning, Development and Compliance Department on (08) 8080 3300.

## What are the steps to preparing a DA?

Lodging a Development Application can be broken down into five steps to make it easier to manage and get right the first time.

The five steps are:

1. Please ask first – about the relevant policies and standards.
2. Prepare the plans, drawings and other material.
3. Prepare a Statement of Environmental Effects.
4. Complete the Application Form.
5. Lodge the Development Application and pay the fees.

Detailed information about each of the five steps is included in the following sections of this Development Application Guide.



## STEP 1

### PLEASE ASK FIRST – ABOUT THE RELEVANT POLICIES AND STANDARDS

When planning a development, the first step is to find out about the controls, policies and guidelines that might apply to your development proposal.

The NSW Environmental Planning and Assessment Act 1979 provides for different levels of development regulation and guidance relating to State, Regional and Local issues through the following environmental planning instruments.

#### State Environmental Planning Policies

SEPP's provide guidance with regard to issues and developments that are of State importance, or are general enough to relate to the State as a whole. Certain land in Broken Hill and some development proposals will be subject to the provisions in a SEPP. Talk to a Planner at Council or download copies of SEPPs from [www.planningportal.nsw.gov.au/find-an-area/council/brokenhill](http://www.planningportal.nsw.gov.au/find-an-area/council/brokenhill)

#### Regional Environmental Plans

There are no REPs currently applying to land in the Broken Hill City Council LGA.

#### Local Environmental Plans

The Broken Hill Local Environmental Plan 2013 is the primary legal planning instrument controlling development in Broken Hill. It controls land-use activities through zoning maps, land-use tables, overlays and special provisions. A copy of the LEP can be downloaded from Council's website [www.brokenhill.nsw.gov.au](http://www.brokenhill.nsw.gov.au)

#### Development Control Plans

Specific standards are detailed in the Broken Hill City Council Development Control Plan 2016 (DCP). The DCP indicates what level of detail is required with certain types of applications that are lodged with Council for approval, and what standards are applicable to certain developments. A copy of the DCP can be downloaded from Council's website [www.brokenhill.nsw.gov.au](http://www.brokenhill.nsw.gov.au)



Depending on the type of development, it may be pertinent to seek the services of an architect/draftsperson, town planning consultant, building code consultant or an engineer to assist you with preparing your application. Council maintains a list of people who provide services in the local area which can be provided on request. Alternatively, please refer to the Yellow Pages.

**When in doubt please contact**

Council's Planning, Development and Compliance Department on (08) 8080 3300.



## **STEP 2**

### **PREPARE THE PLANS, DRAWINGS AND OTHER MATERIAL**

Development consent is granted by way of written consent (with or without conditions) that is linked to approved plans and documentation. The efficient processing of a DA is heavily reliant on the submission of a decent set of plans with the application.

The actual plans required will depend on the type of development proposed. The following provides a general guide of what should be included on plans.

Generally all plans should include the following:

- *Drawn with clarity and in ink.*
- *Drawn to scale with the scale shown on the plan.*
- *North point.*
- *Shows all dimensions, with measurements in metric.*
- *Plan description, number and version/revision number.*
- *The applicants name.*
- *The address of the property.*

The types of plans required are listed on the following pages.

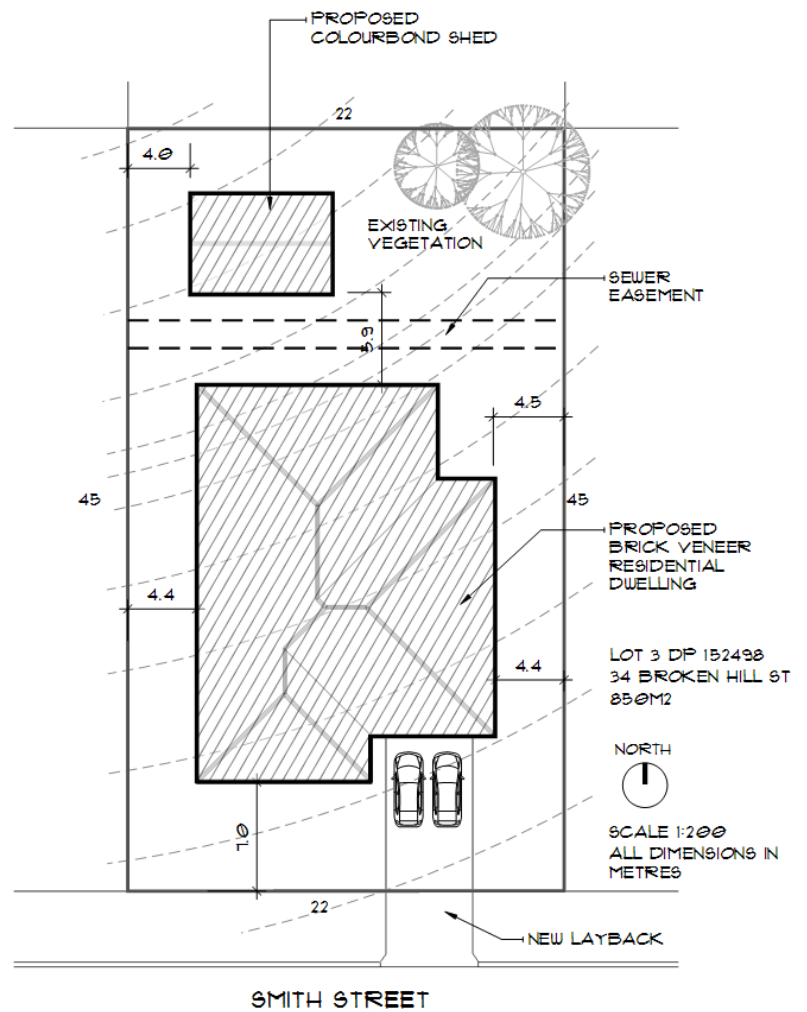


## Site Plan

A site plan is required for all proposals. It provides a birds-eye view of the subject site on which the proposal is to be situated. It shows the existing and proposed development in relation to site property boundaries. A site plan must include the following:

- Scale 1:100 or 1:200 for standard urban blocks, or 1:500 for larger properties.
- Dimensions of land.
- Area of land.
- Land contours and levels (for sloping blocks).
- Distances/location of all existing buildings and structures in relation to site boundaries and other buildings.
- Distances/location of existing vegetation and trees and other natural features such as water courses and rock outcrops on the land.
- Encumbrances on the land such as easements, services and distances from them.
- Distances/location of all proposed buildings and structures in relation to site boundaries and other buildings.
- Distances/location of any on-site waste treatment system.
- Proposed access and parking arrangements, including entry/exit points for vehicles, driveways and provision for movement and parking of vehicles within the site (including dimensions where appropriate).

- Proposed method of draining the land.
- Existing and proposed levels of the land in relation to existing and proposed buildings and roads.
- Location of any cut and fill, proposed retaining walls and batters.
- Details of any environmental constraints, (e.g. flooding, slope, dams, creeks, water courses, water bores, wells, bushfire hazard, groundwater vulnerability, adjoining land-uses that are particularly sensitive to the proposal etc).





## Floor Plan

A floor plan is required for all proposals involving construction of buildings. It provides a birds-eye view of the building with the roof removed. A floor plan must show the following:

- Scale 1:100.
- Fully dimensioned plan of each level in the building(s), marked to show new work in relation to existing parts of the building.
- Layout, partitioning, room sizes, stairs, voids, and internal uses of each part of the building.
- Indicative layout of fixtures including sinks, bathroom and kitchen plumbing etc.
- Levels of floor, stairs, mezzanines etc.
- Windows, doors and other openings sizes and location.
- Access for disabled (if required).
- Floor area of existing and proposed building.
- Food premises fit out (if commercial food storage, preparation or service is proposed).

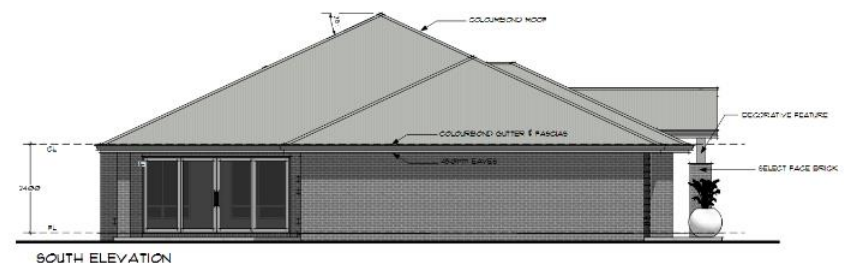




## Elevation Plan –

An elevation plan is required for all proposals involving construction of buildings. It shows all elevations (or side views) and clearly shows the appearance of the proposed development. Elevation plans must show the orientation of the building elevations (either north, south, east, west) and includes the following:

- Scale 1:100 or 1:200.
- Building perspectives, clearly indicating all new work and existing buildings.
- Building facade, windows, doors and roof profile and pitch.
- Height of buildings (wall, gutter and ridge).
- External finishes and colours.
- Any services, lights, chimneys, flutes, exhaust vents, solar appliances etc.
- Downpipes and gutters.
- Existing and finished ground levels, floor levels, ceiling levels, roof line levels and roof ridge.
- The location of any cut/fill, batters, retaining walls and fences.



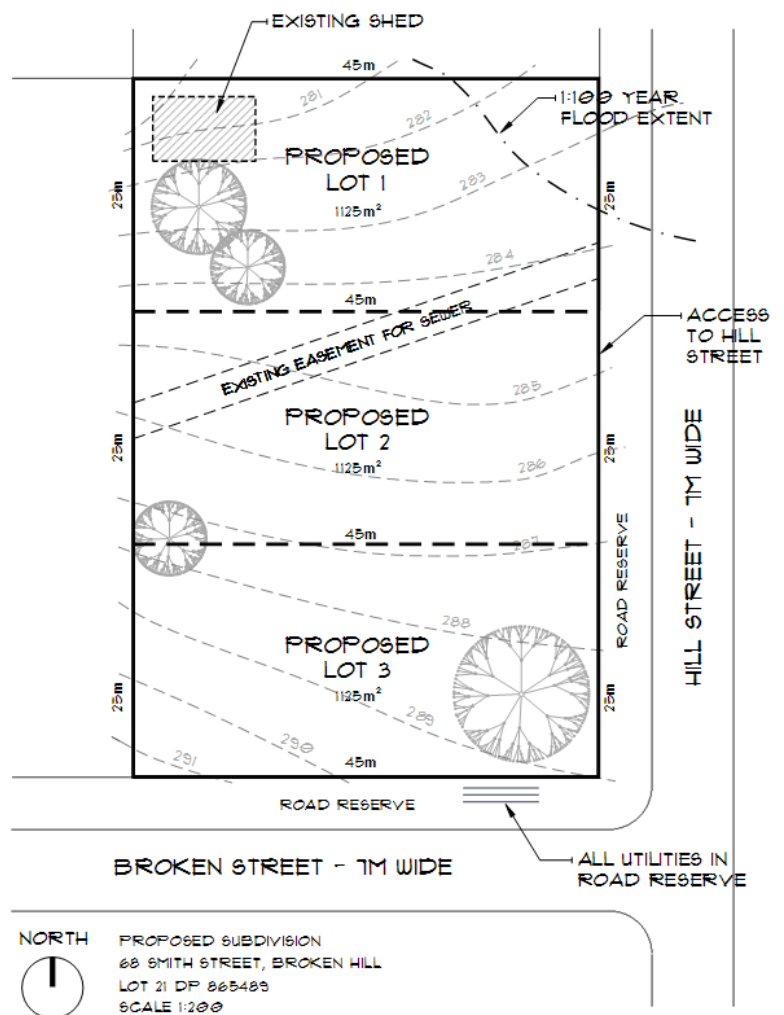


## Subdivision Plan

A subdivision plan is only required for a subdivision proposal. It must clearly illustrate the proposed subdivision layout. The plan must show the following:

- Scale 1:200 or 1:500.
- Existing and proposed lot boundaries.
- Lot and deposited plan numbers.
- Relationship to existing roads and lot boundaries (show width of roads).
- Proposed boundary dimensions (metres).
- Proposed lot areas (square metres or hectares for larger lots).
- Width and location of proposed roads and pathways.
- Existing/proposed easements and rights of way.
- Existing/proposed public reserves, drainage reserves.
- Existing and finished levels (contours or spot heights with Australian Height Datum values).
- Details of any environmental constraints such as dams, creeks, water courses, water bores, wells, bushfire hazard, groundwater vulnerability, easements.
- Location of water, sewerage, electricity and telephone services.
- Location of any buildings or structures.
- Staging details (if applicable).

- Community or common property (if subdivision is community title or strata title).
- Proposed vehicular access arrangements.



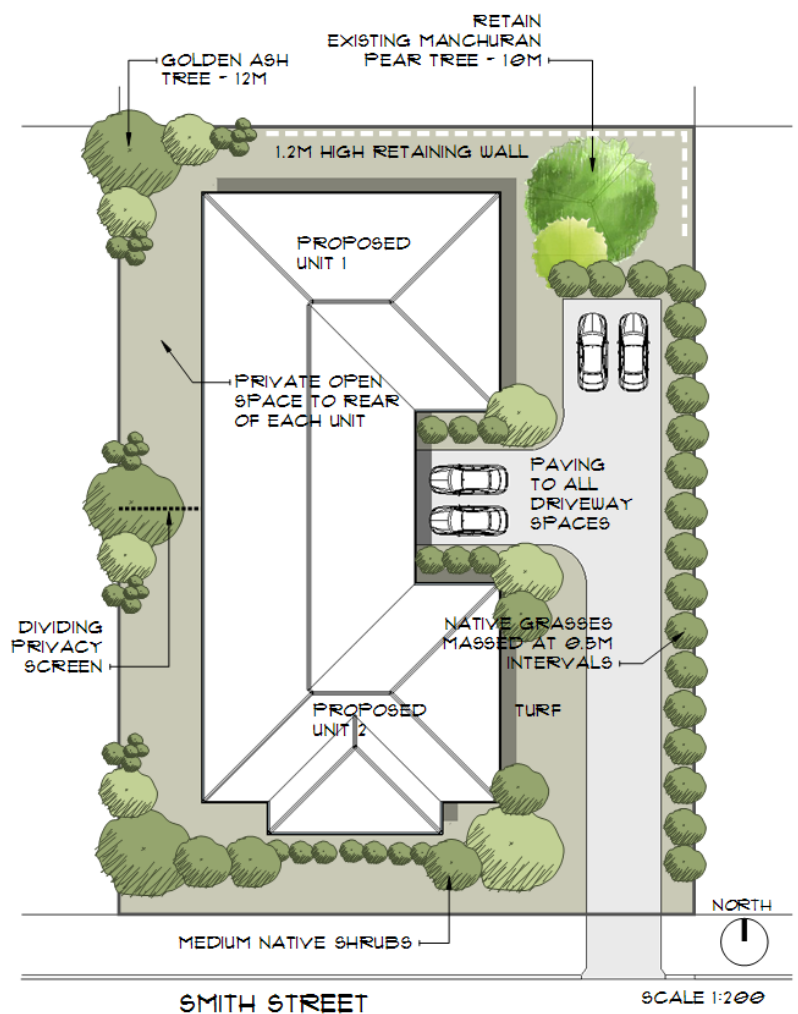




## Landscape Plan

A landscape plan is only required for commercial, industrial and multi-unit housing proposals. It should illustrate in concept the proposed landscaping that will be used to complement the development and surrounding streetscape. The plan should demonstrate an understanding of the site and its context. The plan must show the following:

- Scale 1:100 or 1:200.
- Finished surface levels, embankments and grades (indicate extent of cut and fill).
- Existing trees to be retained or removed.
- Proposed planting (indicate species, location, massing and mature height).
- Proposed surface treatments and restorations (eg turf, paving, bank stabilisation, mounds, etc).
- Proposed fences and retaining walls (indicate height and material).
- Proposed watering system.

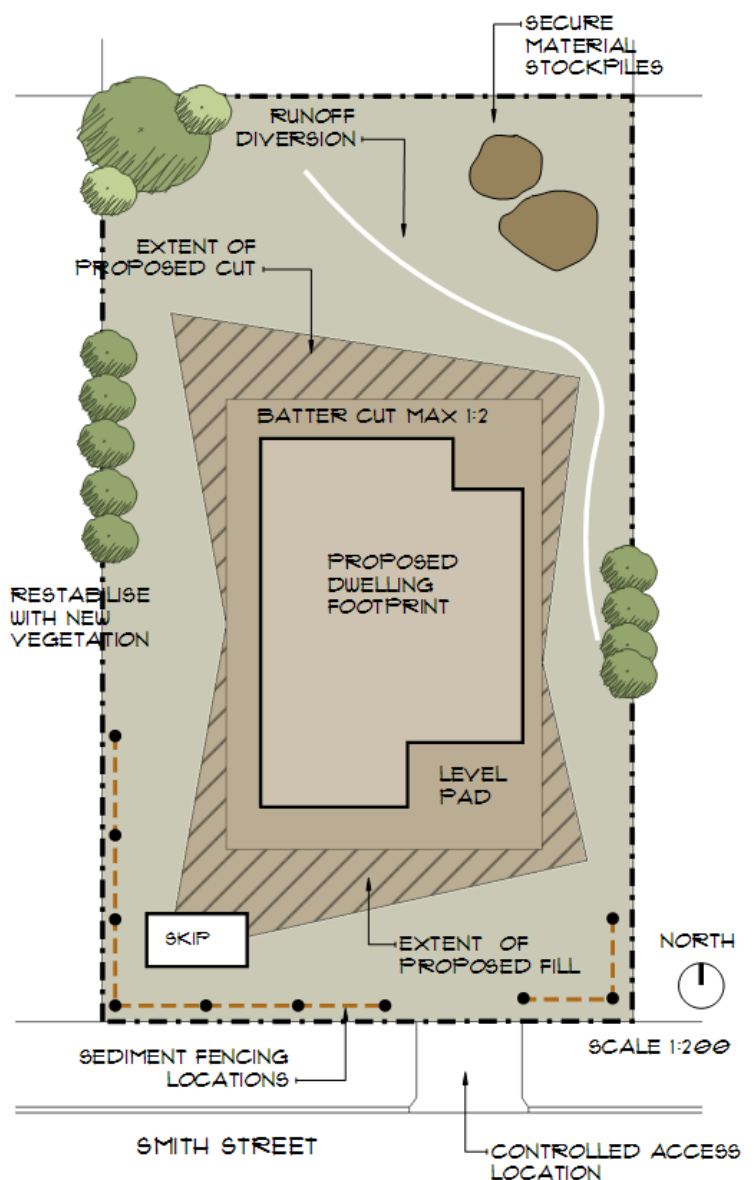




## Erosion and Sediment Control Plan

This plan is required for proposals involving disturbance of large ground surface area or on sloping blocks. It illustrates how soil erosion will be minimised and sediment trapped on the site. The plan must show the following:

- Scale 1:100 or 1:200.
- Extent of earthworks, stockpiles, access roads, impervious areas, construction entrances, construction vehicle parking areas, drainage lines.
- Proposed runoff diversion measures, such as earth perimeter banks and channels, straw bale perimeter banks, diversion banks and channels, level spreaders, drop down drains and check dams.
- Proposed sediment trapping devices, such as sediment fences, straw bale-geotextile fabric filters, sediment traps, sediment basins and grade stabilising structures.
- Proposed revegetation and stabilisation areas.

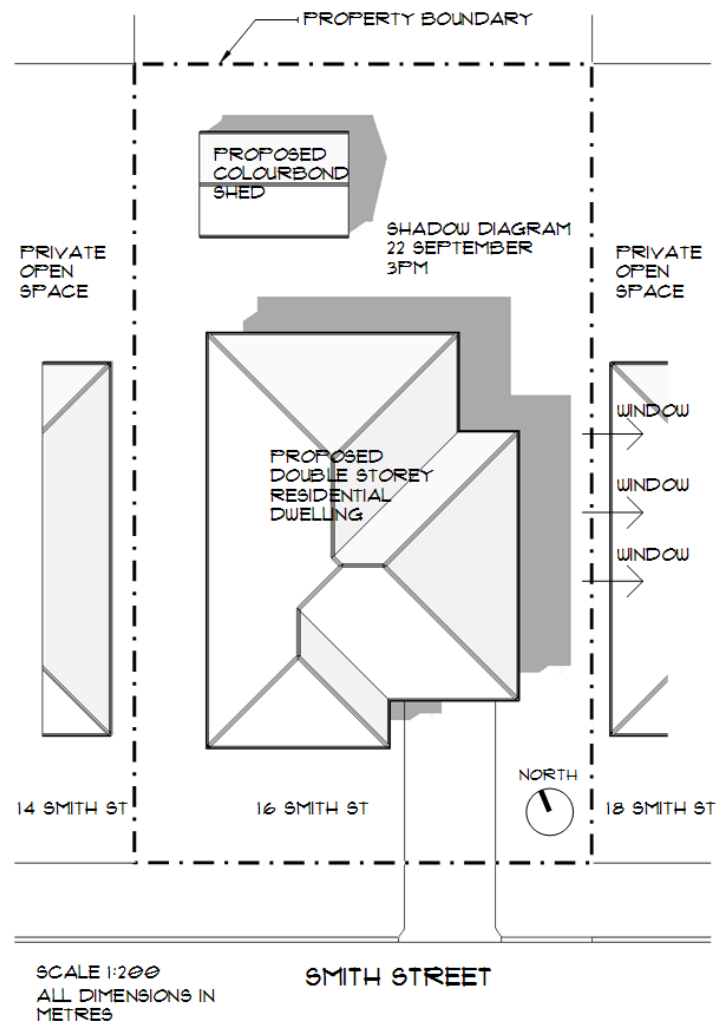




## Shadow Diagram

This plan will illustrate the extent of shadows cast by existing and proposed buildings, including buildings on adjoining land. It is only required for multi-storey development proposals, or where requested from Council. The plan must show the following:

- Scale 1:100 or 1:200.
- Position of existing and proposed buildings on the site.
- Location of true north.
- Position of buildings on adjoining land, showing location of windows and private open space.
- Shadows cast at equinoxes (22nd September and 22nd March) and winter solstice (22nd June); for 9am, 12 noon and 3pm (show altitude and azimuth angles).
- If proposal is replacing an existing building, show change in shadows from existing to proposed development.





## STEP 3

### PREPARE A STATEMENT OF ENVIRONMENTAL EFFECTS

A Statement of Environmental Effects (SEE) is a written report outlining the likely impacts of the proposal, and the proposed measures that will mitigate these impacts. The statement includes written information about the proposal that is not readily shown on the plans.

#### What are the minimum information requirements?

Council has prepared a SEE Guide to assist with the preparation of this document. See Appendix 2.

#### Who can prepare a SEE?

Anyone can prepare a SEE. Sometimes Council might request supporting information for proposals of a type and scale which require more detailed assessment of the potential impacts of the development. These reports are typically prepared by qualified professionals, and could include:

- *Flora and Fauna Assessment.*
- *Geotechnical Report.*
- *On-Site Effluent Disposal Report.*
- *Heritage Impact Assessment.*
- *Contamination Investigation / Site Validation / Remediation Report.*
- *Flood Report.*
- *Traffic Impact Assessment.*
- *Archaeological Study.*
- *Odour Impact Report.*
- *Noise Impact Report.*
- *Water Quality Assessment.*
- *Air Quality Report.*
- *Erosion and Sediment Control Plan.*
- *Soil and Water Management Plan.*
- *Bushfire Assessment Report.*

Please consult with Council's planning staff as to the likelihood of such information being required.



## STEP 4

### COMPLETE THE DEVELOPMENT APPLICATION FORM

The DA Form contains important information that is required to be obtained to ensure the application is properly lodged with Council. The following advice is provided to assist you with filling out the more difficult sections of the form:

#### Section 1 Application Type

You must confirm the type of application you are lodging.

#### Section 2 Applicant Details

As the applicant for the DA you are required to sign the DA Form. Please note that all correspondence and enquiries will be made to the applicant of the DA.

#### Section 3 Subject Land

You must indicate the property address and land title description of the subject land.

#### Section 4 Description of Development

You must describe the proposed development in detail. Tell us exactly what you propose and define the land-use (e.g. dwelling-house, shop, subdivision, factory). Don't forget to include ancillary aspects of the development such as demolition, retaining walls or signage etc.

#### Section 5 Value of Work

An accurate Cost Estimate Report must be supplied with the DA Form. Development cost includes a genuine estimate of the:

- *Costs associated with the construction of any building, including labour.*
- *Costs associated with any preparation of the building for the purpose for which it is to be used (such as the cost of installing plant, fittings, fixtures and equipment).*



- Construction costs of other work (including, but not limited to car parking, roadways, infrastructure provision, earthworks, landscaping, etc.).
- Costs of any demolition.

## Section 6 Owners Consent

You must obtain the consent of the landowners. If there is more than one landowner, every owner must sign the application form. Council will not accept your Development Application without landowners consent.

The following are considered to be acceptable forms of owner's consent in special circumstances:

**Company Ownership.** A company can provide owners consent with or without a common seal. The DA Form or authorisation letter must be signed by:

- 2 directors of the company, or
- 1 director and 1 company secretary of the company, or
- For a proprietary company that has a sole director who is also the sole company secretary - that director.

**Legal Representative** - there are circumstances where owners consent can be provided by a legal representative that has Power of Attorney to lodge a Development Application on behalf of a landowner. Documentary evidence of that legal authority must be attached to the application form/letter of authority, or in the case of a Power of Attorney, provide their Power of Attorney Number.

**Owners Corporation (Strata Plan)** - When the owner of a lot is the Owners Corporation, the corporation must either:

- Provide consent from all unit owners in the Strata Plan.

- Provide a letter of authority on the corporation's letterhead or with the corporation seal. If the corporation does not have a corporation seal or letterhead, the corporation secretary is to sign the application form/letter of authority stating so, or.
- Provide the official minutes of a Body Corporate Meeting giving consent for that particular Development Application to be lodged. There should be verification of the minutes by seal or signatures by office bearers or at the very least a signed covering letter verifying the minutes.



## STEP 5

### LODGE THE DEVELOPMENT APPLICATION AND PAY THE FEES

You may lodge your completed DA Form, together with the required plans and supporting information and fees in person or by sending it to Council.

Generally, a DA will need to be submitted with the following information:

- *Completed DA form, including original copies of owners consent.*
- *Application fees.*
- *Four copies of required plans.*
- *Statement of Environmental Effects.*
- *A BASIX Certificate for a BASIX affected development.*

Digital copy of all of the application, including plans and supporting information. A digital copy can be provided on a disk or USB drive or emailed to:

[plans@brokenhill.nsw.gov.au](mailto:plans@brokenhill.nsw.gov.au).

Council can provide a written quote of fees upon request.

Council staff can also check your application to ensure the minimum required information has been submitted.