



## BYRON SHIRE COUNCIL

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\*\*\*Office Use Only\*\*\*

PreDA No: **111**.....**1** Date .....

DA No: **10**.....**1** Date .....

Concurrent application/s ☐ YES ☐ NO see Step 5

Parcel No(s): .....

Zoning:.....

Notations: FPL DIP ASS BPL HCV HER (item / area)

PR123 (Precinct: .....

Record No: #...../.....Container: .....

#E2017/34168 Updated May 2017

# Development Application Form

Issued under Section 78A of the Environmental Planning and Assessment Act 1979

Use this form to apply for **consent to carry out development**. A Development Application **Help Guide** is available to help you to complete the application. Please place a cross in the relevant boxes ☒ and fill out all appropriate blank Steps. Please ensure you have submitted all relevant information to minimise delays. Once your application has been assessed you will be advised in writing of Council's Determination.

## Pre-DA Review

Council has introduced a service aimed at reducing waiting times on applications by carrying out a PreDA review of your documentation prior to formally lodging a development application. Refer to the 'PreDA Factsheet' for further information.

## Step 1 Description of Land you propose to Develop

Unit No.	House No.	Street Name	Street Type e.g. St, Rd
Suburb or Town			Postcode
Lot No.	DP or SP No.	Sec No.	Owner/s Name
Owner/s Email			

## Step 2 Details of the Applicant/s

Anyone can submit an application but if the applicant is not the owner of the land, then the Owner(s) written consent to lodge the application is required. All correspondence will be sent to the applicant. It is important to notify Council of any change of address and/or telephone number if this occurs during the processing of the application.

Name/ Company Name	
Contact Name (in the case of a Company)	
Postal address	
Email	
Mobile	Daytime Telephone

## Step 3 Describe the Development you wish to carry out

### Will this work involve:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> New Construction (vacant)      | <input type="checkbox"/> Fit-Out of Existing Building    | <input type="checkbox"/> Change of Use – No Building Works |
| <input type="checkbox"/> Alterations and / or Additions | <input type="checkbox"/> Demolition of Existing Building | <input type="checkbox"/> Change of Use – Building Works    |
| <input type="checkbox"/> Subdivision of Land            | <input type="checkbox"/> Relocation of Existing Building | <input type="checkbox"/> Other .....                       |

**Description of Proposal:** Describe briefly everything you want approved by Council

Development estimated cost (inc GST)		\$	Floor area of proposed development	m <sup>2</sup>
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#### Step 4 Staged Development Consent

You can apply for Development Consent for part of your proposal now and for the remaining part (s) at a later stage.  
**Warning:** If “Yes” is ticked, then all stages after Stage 1 must be the subject of a separate Development Application. If all stages are to be approved under one Development Consent, then tick “No” in answer to this question and simply describe the staging of the development in your SEE or EIS.

**Are you applying for development consent in stages?**

No ☐

Yes ☐ Please describe stages:

#### Step 5 Other Approvals from Council

Does the proposal require approval for one or more of the following activities? You can apply now or at a later stage.

- Please complete a separate [Activity\(s\) Approval Application Form](#).
- Where the approval is to install a new Onsite Sewage Management System (OSMS) or upgrade an existing system, a [On-Site Sewage Management System Application Form](#) is required

*Three copies of plans and accompanying documentation will be required.*

*Office use only*

<input type="checkbox"/> Works in Council Road Reserve (ie. driveway) (Roads Act 1993)	51.
<input type="checkbox"/> Plumbing, Water Supply, Trade Waste or Sewer Drainage Connected to Council Infrastructure (LGA 1993)	60.
<input type="checkbox"/> Stormwater connected to Council Infrastructure or On-Site Detention (LGA 1993)	55.
<input type="checkbox"/> Onsite Sewage Management System (LGA 1993)	70.
<input type="checkbox"/> Other Local Government Act Approvals – Please Specify: .....	

#### Step 6 Environmental Effects of your Development

In order for Council to assess your proposal, you will need to inform Council of the potential impacts it will have. Depending upon the nature of and scale of your proposal, you may need to provide one or more of the statements listed below to explain its environmental effects as well as the way in which the development will operate.

Refer to the Help Guide for further information:

Is your proposal **designated development**?

- ☐ No Please provide a **Statement of Environmental Effects (SEE)**  
*Note: A SEE report will be required to be submitted for all DAs that are not classified as designated development*
- ☐ Yes Please provide an **environmental impact statement (EIS)**

Is your proposal on land that is, or is part of **critical habitat**, or is your proposal likely to have a significant impact on threatened species, populations, ecological communities or their habitats?

- ☐ No The proposal is not likely to have a significant effect on threatened species.
- ☐ Yes Please provide a **Species Impact Statement**

#### Step 7 BASIX Certificate

Is a BASIX Certificate required? *If a BASIX Certificate is required it must be less than 3 months old at the date of DA lodgement and all details indicated on the BASIX Certificate as “show on DA plans” must be shown on the plans.*

- ☐ No
- ☐ Yes BASIX Certificate No: .....

#### Step 8 Concurrence from State Agencies

Is the concurrence or agreement of a State Agency required?

- ☐ No
- ☐ Yes Please list any agencies whose concurrence is needed: *Please include a cheque made payable to each agency for the applicable fees and additional copies of all supporting documents.*

<b>Step 9 Approvals from State Agencies – Integrated Development</b>	
Does this proposal require additional approval as Integrated Development?	
<input type="checkbox"/> No <input type="checkbox"/> Yes <i>Further information is required, please complete and provide an <b>Integrated Development Checklist</b> and submit it with your application, a cheque made payable to each agency for the applicable fees and additional copies of all supporting documentation.</i>	
<b>Step 10 Construction Certificate</b>	
If your proposal involves construction or structural work, you may need a Construction Certificate. You can apply for a Construction Certificate now, or at a later date, either from Council’s Building and Construction Services Team or from a Private Certifier.	
Is a Construction Certificate application to be lodged with Council at the same time as this application?	
<input type="checkbox"/> No <input type="checkbox"/> Yes <i>Please complete separate <b>Construction Approval Application Form</b> and submit along with the three (3) copies of the associated plans/documentation and payment of the required fees.</i>	
<b>Step 11 Privacy Policy</b>	
The information you provide in this application will enable your application to be assessed by Council and any relevant state agency. If the information is not provided, Council can refuse the application. Your application will be notified or advertised to the public for comment if the development is Designated Development, Integrated Development or other Advertised Development. Council will also keep the application in a Register that can be viewed by the public at any time. Please contact the Council if the information in your application is incorrect or if it changes. Information collected will be used in accordance with Council’s Privacy and Personal Information Management Plan.	
<b>Step 12 Political Donations and Gifts</b>	
Please be aware of the Statutory obligations to disclose <b>Political Donations and Gifts</b> that may apply to you or associated people if you are lodging a Development or S96 Application. A failure to meet your obligations is an offence. Links to information and resources on this topic are available from Council’s website at <a href="http://www.byron.nsw.gov.au/political-donations">www.byron.nsw.gov.au/political-donations</a> . All Political Donations and Gifts Disclosure Statements will be public documents. Does a Political Donations and Gifts Disclosure Statement accompany this application?	<input type="checkbox"/> No  <input type="checkbox"/> Yes
<b>Step 13 Payment Options</b>	
Council accepts payments by cash, cheque, money order, eftpos or credit card (Visa and Master only) at Council’s Administration Office. All cheques are to made payable to <b>Byron Shire Council</b> . Should you wish to mail your application package to Council and wish to use the credit card facility, please download an Authority to Charge Credit Card form which can be found at <a href="http://www.byron.nsw.gov.au/forms">http://www.byron.nsw.gov.au/forms</a> or alternatively enclose a cheque or money order.	

## Step 14 Signature of all Owner/s

**All owners of the land to be developed must sign the application prior to the application being submitted.**

- If you are not the owner of the land, you must have all the owner/s sign the application. You can only sign on behalf of the owner/s if you have power of attorney or a letter of authority. Refer to Council's **Factsheet regarding Owners Consent** for more information.
- If Council is the owner of the land, you will need to obtain owners consent prior to lodging the development application. Complete a [Request for owners consent to lodge an application on Council owned land](#) and submit it to Council with any of the required information. If owners consent is granted, this is to be attached to the development application on lodgement of the development application.

***As the owner/s of the above property, I/we consent to this application and consent to the Council, its servants or agents entering upon the property without first having given notice, for the purpose of carrying out all or any inspections which the Council may deem appropriate in connection with the processing of this application.***

### Conflict of Interest declaration

*To ensure transparency in Council's decision making process and to avoid potential conflicts of interest owners are to make a declaration as to whether they are a Council employee or Councillor or are a friend/relative/associate to a Council employee or Councillor.*

I am a Council employee or Councillor

☐ No ☐ Yes

I am a friend, relative or associate to a Council employee or Councillor

☐ No ☐ Yes (state relationship below)

– Relationship:

Signature

Signature

Name

Name

Date

Date

## Step 15 Signature of all Applicant/s

By signing this application,

1. I confirm that the application form is completed and the information (e.g. Number and type of plans, etc) required by Council is attached.
2. I licence Council to make all documents lodged with this application of which I am the copyright owner publicly available on Council's website both during the assessment of this application and thereafter, and further licence Council to reproduce all such documents for any purpose associated with the exercise of its functions under the Environmental Planning & Assessment Act 1979 in respect of this application, and for the purpose of complying with its obligations under the Government Information (Public Access) Act 2009.
3. I warrant that to the extent that I do not own the copyright in any documents lodged with this application, the Council is licensed by the copyright owner to use the documents lodged with this application in accordance with paragraph 2 above.
4. I indemnify the Council against all claims and actions in respect of a breach of copyright arising from any unauthorised use of any documents lodged with this application."

**Note: ALL correspondence will be forwarded to the applicant, including the determination.**

**Conflict of Interest declaration**

To ensure transparency in Council's decision making process and to avoid potential conflicts of interest applicants are to make a declaration as to whether they are a Council employee or Councillor or are a friend/relative/associate to a Council employee or Councillor.

I am a Council employee or Councillor

☐ No ☐ Yes

I am a friend, relative or associate to a Council employee or Councillor

☐ No ☐ Yes (state relationship below)

– Relationship:

Signature

Signature

Name

Name

Date

Date

**Application Requirements**




The following matrix and checklist will assist you with the preparation of your application. In providing the information outlined below, you will be assisting Council staff to process your application in a timely manner.

**Please be aware that if the required information is not provided, your application will not be accepted by Council.**

- All documentation, including plans, must be prepared to a scale which will enable easy assessment, A3 in size and a scale of 1:100 is generally preferred.
- The following information should be included on all plans and documents:
  - Applicant name, block / house / shop / flat number, street / road name, town or locality.
  - Lot number, section number, DP number.
  - Measurements in metric.
  - The position of true north.
  - Building or parts of building to be demolished to be indicated in outline.
  - Author name and date of plan
- Three (3) copies of all plans and all supporting documents are required to be provided, along with an electronic copy (preferably on CD or USB drive). All documents should be labelled correctly to reflect the type of documentation submitted. If you do not provide an electronic version of your application you will be charged a Scanning Fee of \$30.**

**Matrix of documentation to accompany your application**

The matrix identifies the **minimum** information (plans and supporting documents) required for common types of developments. Please note that if any other plans or documents relate to your proposal that are not listed in the matrix they may still be submitted to Council for assessment.

<b>Legend</b>  Document required  Document may be required  Document not required	New Residential Dwellings	Alts / Adds to Residential Dwelling	Garage, Outbuilding, Awning, Carport, etc	Secondary Dwelling	Farm Building	Swimming Pool	Dual Occupancy	Multi Dwelling Housing	Commercial / Industrial Buildings	Subdivision
Statement of Environmental Effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Site Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Floor Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	●
Elevations	✓	✓	✓	✓	✓	●	✓	✓	✓	●
Section Plans	✓	✓	✓	✓	✓	✓	✓	✓	✓	●
BASIX (correct type of certificate)	✓	●	●	✓	n/a	●	✓	✓	n/a	n/a
Notification Plan	●	●	●	✓	●	●	✓	✓	●	✓
Landscaping Plan	●	●	●	●	●	●	●	●	●	●

Erosion & Sediment Control	✓	●	●	✓	●	✓	✓	✓	✓	✓
Driveway Plan & Section	✓	●	●	✓	●	n/a	✓	✓	✓	✓
Stormwater Plan & Calculations	●	●	●	✓	●	n/a	✓	✓	✓	●
OSMS Report / Plans	●	●	●	●	●	n/a	●	●	●	●
Waste Minimisation Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
External Finishes & Materials	✓	●	✓	✓	✓	✓	✓	✓	✓	●
Heritage Management Document	●	●	●	●	●	●	●	●	●	●
SEPP 55 Contamination Report	●	●	●	●	●	●	●	●	●	●
Car parking Plan	✓	●	●	✓	●	n/a	✓	✓	✓	●

## Checklist of documentation to accompany your application

This checklist will assist with the lodgement of your application by ensuring you have included all the necessary details. This will prevent delays in processing your application. **Please do not lodge your Development Application until you have checked each item on this checklist and indicated whether you have included the required information. Please be aware that if the required information is not provided, your application will not be accepted by Council.**

	REQUIRED INFORMATION	SUPPLIED
<b>1. Application form</b>	a. Have mobile phone numbers and email addresses been provided for the Applicant at Step 2?	<input type="checkbox"/> Yes
	b. Has the proposed development been adequately described and the cost of works provided at Step 3?	
	c. Is Concurrence from State Agencies noted at Step 9? If so please ensure that the application fee to each of the relevant State Authorities has been provided and the required administration fee/s paid.	
	d. Is the application Integrated Development as noted at Step 10? If so please ensure that the application fee to each of the relevant State Authorities has been provided and the required administration fee/s paid.	
	e. Have ALL owner/s provided consent at Step 13? <i>Note if owner is a company then two (2) directors or one (1) director and one (1) company secretary must sign. If the owner is a Strata Seal is required.</i>	
	f. Have ALL applicant/s provided consent at Step 14? <i>Note if applicant is a company then two (2) directors or one (1) director and one (1) company secretary must sign.</i>	
<b>2. Statement of Environmental Effects</b>	a. Environmental impacts of the development described?	<input type="checkbox"/> Yes
	b. Have the environmental impacts of the development have been identified?	
	c. Have the steps to be taken to protect the environment or to lessen the expected harm to the environment been described?	
	d. Relevant provisions of the following addressed:	
	1. Environmental Planning and Assessment Regulation 2000	
	2. State Environmental Planning Policies	
	3. Byron Local Environmental Plan (LEP 1988 and / or LEP 2014)	
4. Byron Shire Development Control Plan (DCP 2010 and / or DCP 2014)		
e. If the proposal relates to residential flat developments to which State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development, have all details as described in the State Policy been provided?		
<b>3. Environmental Impact Statement</b>	If the development was identified in Step 6 as requiring an Environmental Impact Statement (EIS), have the required copies been provided? <i>Note: For full details regarding the requirements for an EIS, please contact NSW Planning and Environment or see their website as follows: <a href="http://www.planningportal.nsw.gov.au/understanding-planning/assessment-systems/local-development">www.planningportal.nsw.gov.au/understanding-planning/assessment-systems/local-development</a>.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
<b>4. Species Impact Statement</b>	If the development was identified in Step 6 as requiring a Species Impact Statement, have the required copies been provided?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
<b>5. Site Plan</b>	a. Location, boundary dimensions, site area and north point clearly shown?	<input type="checkbox"/> Yes
	b. Existing vegetation and trees on the land indicated?	
	c. Location and uses of existing buildings on the land listed?	
	d. Existing levels of the land in relation to buildings and roads provided?	
	e. Location and uses of buildings on sites adjoining the land provided?	
	f. If the property is flood affected, are the existing contours or spot heights to be provided in A.H.D?	

<b>6. Plans / Sketches</b>	a. Floor plans of existing and proposed building indicating layout, partitioning, room sizes and intended uses of each part of the building provided?	<input type="checkbox"/> Yes
	b. Elevations and sections showing existing and proposed external finishes and heights of any proposed buildings provided?	
	c. Proposed finished levels of the land in relation to existing and proposed buildings and roads provided?	
	d. If the property is flood affected, are the existing and proposed finished floor levels provided in A.H.D?	
	e. Proposed parking arrangements, entry and exit points for vehicles and provision for movement of vehicles within the site provided, including dimensions?	
	f. Proposed landscaping and treatment of the land provided including plant type, height and maturity?	
	g. Proposed methods of draining the land provided?	
	h. For BASIX affected and BASIX optional development, are all BASIX requirements indicated on plans?	
	i. Do the plans contain details of existing and proposed subdivision pattern, including the number of lots and location of roads?	
	j. For proposals involving subdivision, have the appropriate engineering details and plans been provided?	
<b>7. Notification Plans</b>	Where notification is required, has one copy of A4 Notification Plans been provided? These plans are to have the floor plans removed?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
<b>8. BASIX Certificate</b>	A BASIX certificate is required for all new dwellings (including secondary dwellings), dwelling alterations and additions (where the cost of works exceeds \$50,000.00) and swimming pools over 40,000 litres.	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
	a. For BASIX affected and BASIX optional development has certificate/s issued no earlier than 3 months before the date of lodgement has been provided?	
	b. Have the required details been included on the plans?	
<b>9. Fire Safety Schedule</b>	a. If the proposal includes change of use of a building, has a list of category 1 fire safety provisions been provided for both current provisions and provisions that apply following the change of use?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
	b. For commercial, retail and industrial development, has a list of category 1 fire safety provisions been provided?	
<b>10. Specific Use Requirements</b>	If the proposal involves the use of a building as an <b>entertainment venue or a function centre, pub, registered club or restaurant</b> , has a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies been provided?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
<b>11. Other Required Documents</b>	a. If applicable, have details regarding the access to and impact of the development upon infrastructure including water, sewerage, electricity, stormwater disposal and vehicular access, noting in particular the requirements of Council Policy 4.20 "Building over pipelines and other underground structures" been provided?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
	b. If the property is not in a sewered area, have details of the proposed on site sewage management system been provided?	
	c. If stormwater works are proposed, have engineer's plans and calculations been provided?	
	d. Where the property is identified as having contaminated soil, have details addressing the requirements of State Environmental Planning Policy 55 – Remediation of Contaminated Land been provided?	
	e. For residential building works, has a schedule of the building materials and colours, in accordance with the provisions of Chapter D1.2.4 of Council's Development Control Plan 2014 been provided?	
	f. For works in a Heritage Conservation Area or Heritage Item, has a Heritage Impact Statement addressing the requirements of Chapter C1 of Council's Development Control Plan 2014 been provided?	
	g. Has a Site Waste Minimisation Plan been provided?	
	h. Where the property is identified as being bushfire effected, have bushfire requirements been addressed in accordance with NSW Rural Fire Service?	
<b>12. Documents Provided</b>	a. Have three (3) copies of the SEE, all plans and all supporting documents been provided? It is preferred that plans and supporting documents are not bound and that all documents are stapled / bundled as required.	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
	b. Has an electronic copy of the SEE, all plans and all supporting documents been provided? Please note that a scanning fee <b>will</b> be charged if an electronic copy has not been provided.	
	c. Have additional copies of the SEE, all plans and all supporting documents been provided for any referral bodies noted at Steps 8 and 9.	

## Office use only

Is additional information required for this application?

☐ No    ☐ Yes[illegible]

Advertising level

□ Level 0

#### □ Level 1

☐ Level 2

Development Support Officer

Date \_\_\_\_\_