

When is a Development Application Required?

Council requires a development application for all forms of development except for development considered to be exempt or complying.

Some minor development, called Exempt Development, does not require consent. Another type of development, called Complying Development, requires a Complying Development Certificate. Complying Development is a form of approval appropriate for many types of minor or routine development.

The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 lists what activities that, under specific circumstances, are Exempt or Complying Development.

In general, the following forms of development require the lodgement of a development application:

- Multiple dwellings;
- Single dwellings and related structures that are not Complying Development;
- Bed and Breakfast establishments that are not Complying Development;
- Any non-residential use of land;
- Subdivision of land (**you may be requested to supply digital plans for Torrens and Community Title Subdivision in Council's preferred format during the assessment process**);
- Commercial and industrial developments and some new uses;
- Proposals affecting heritage, coastal and environmentally sensitive sites.

The Application

Prior to preparing a development application you should contact Council's Customer Service Centre to discuss your proposal.

It is essential that you check the zoning of your property, what development is permitted on your property and what matters must be considered as part of a development application, before you spend the time, effort and money required in preparing an application.

A preliminary assessment of development applications can be conducted by Council and is recommended for any proposal over and above a single dwelling, e.g. multiple dwellings, tall buildings, commercial, industrial and subdivision applications.

The following is required prior to Council lodging your application:

- **Development application form** fully completed (including the checklist at the rear of the form) and other required information in accordance with the requirements outlined in Council's Application Matrix Guide;
- **Plans** that have been stamped by MidCoast Water;
- **ORIGINAL signature of consent of all owners of the land**;
- **BASIX Certificate** for **all** new residential buildings including multi unit developments, swimming pools (over 40,000 litres) and **all** residential additions over \$50,000 in value;
- **Water Sensitive Design** certification provided
- **Payment of fees** in accordance with the schedule overleaf.

The Process

Once your application has been lodged with Council it will undergo the following processes:

- **Notification/advertising** - Council's Notification Policy determines when and how a development application is notified to adjoining property owners and/or in the local newspaper.
- **Consultation and referrals** - All development applications are considered by the assessment officer to determine which Council divisions and other public authorities are to be involved in the process.
- **Assessment, reporting and determination** - This process is completed in accordance with the provisions of the *Environmental Planning & Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2000*.
- **Determination and development consent conditions** – A development application is generally determined by approval or refusal. An approval consists of conditions of consent, has a time limit and may require additional applications and information to be submitted e.g. lodgement of a construction certificate application.

Schedule Of Fees 2017/2018 - All fees include Plan 1st Levy (where payable)

Development Application Fee (Required for all applications)	
Erection of a building or the carrying out of work	
Up to \$5,000	\$110
\$5,001 to \$50,000	\$170 + \$3.00 / \$1,000 over \$5,000
\$50,001 - \$250,000	\$352 + \$3.64 / \$1,000 over \$50,000
\$250,001-\$500,000	\$1,160 + \$2.34 / \$1,000 over \$250,000
\$500,001-\$1M	\$1,745 + \$1.64 / \$1,000 over \$500,000
over \$1M and up to \$10M	\$2,615 + \$1.44 / \$1,000 over \$1M
over \$10M	\$15,875 + \$1.19 / \$1,000 over \$10M
Advertising Signs	\$285
Additional Advertising Signs in excess of one	\$93 or the fee calculated in accordance with the above table (whichever is greater)
Assessment of amended plans - chargeable at discretion of Director of Planning & Environmental Services	Maximum of 2/3 of original DA fee
Special fee for a single dwelling (where cost is \$100,000 or less)	\$455
Subdivision involving new road	\$665 + \$65 per additional lot
Subdivision not involving new road	\$330 + \$53 per additional lot
Strata subdivision	\$330 + \$65 per additional lot
Development not involving the erection of a building, the carrying out of work or the subdivision of land	\$285
Designated development	Standard DA fee plus up to \$920 "add-on"
Preliminary Assessment	\$450
Other Agency fees	
Approvals in integrated applications, including:	
Land subdivisions (RFS)	\$320 (+ \$140 handling fee) per agency
"Concurrence" of another agency	\$320 (+ \$140 handling fee) per agency
NSW Maritime - Assessment for Navigational obstruction on development applications	No Fee
Notification & Advertising fees	
Notified developments (no advertising)	\$124
Advertised	\$640
Tall buildings	\$1,280
S101 advertising	\$34 (Required for all DA's)
<u>Additional Fees Where Development Requires Advertising Clause 252 EP&A Reg 2000</u>	
a) In the case of designated development	\$2,220
b) Advertised development	\$1,105
c) Prohibited development	\$1,105
d) Where an environmental planning instrument requires it	\$1,105
Modification of development consent under s96(1)	
To correct a minor error (s96(1))	\$71
Minimal Environmental Impact (s96(1A))	Lesser of: \$645 or 50% of original fee
Other modifications (s96(2))	See below
Review of Determination under s82A Or Modification of consent under s96(2)	
Application not involving the erection of a building, carrying out of work, or demolition of work or building	50% of the DA fee
Single dwelling with estimated cost of construction of \$100,000 or less	\$190
Any other development application as below:	
Value of work: Up to \$5,000	\$55
\$5,001 to \$250,000	\$85 + \$1.50 / \$1,000 over \$5,000
\$250,001-\$500,000	\$500 + \$0.85 / \$1,000 over \$250,000
\$500,001-\$1M	\$712 + \$0.50 / \$1,000 over \$500,000
over \$1M and up to \$10M	\$987 + \$0.40 / \$1,000 over \$1M
over \$10M	\$4,737 + \$0.27 / \$1,000 over \$10M
Additional amount where notification required to be given under s82A	\$620
Additional amount where notification required to be given under s96(2)	\$665
Determination of Existing Parcel Rights	
Dwelling entitlement search	\$260