

PART A PRELIMINARY INFORMATION

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A1 STATUTORY INFORMATION

This Development Control Plan is referred to as Waverley Development Control Plan 2012 (DCP). This DCP has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&AA 1979) and *Environmental Planning and Assessment Regulation 2000* (Regulation 2000).

1.1 COMMENCEMENT

This DCP was adopted by Council on **DATE** 2013 and came into force on **DATE** 2013.

1.2 LAND TO WHICH THIS DCP APPLIES

This DCP applies to all land within the Waverley Council Local Government Area (LGA).

1.3 PURPOSE

This DCP provides strategies, objectives and development guidelines for the assessment of Development Applications (DA) and complements the provisions of Waverley Local Environmental Plan 2012 (WLEP 2012).

1.4 RELATIONSHIP WITH OTHER PLANS, STANDARDS AND CODES

This DCP should be read in conjunction with Waverley Local Environmental Plan 2012 (WLEP 2012). Where there is an inconsistency between this Plan and the WLEP 2012, the LEP prevails.

This DCP is to be read in conjunction with the following:

- *Environmental Planning & Assessment Act 1979*;
- *Environmental Planning & Assessment Regulation 2000*;
- *Local Government Act 1993*;
- Any relevant State Environmental Planning Policy (SEPP);
- Any relevant Land and Environment Court Planning Principle;
- Building Code of Australia;
- Any relevant Australian Standard (identified or not in this Plan);
- Any policy or guideline adopted by Council.

It is the responsibility of the applicant to identify all relevant legislative requirements. The NSW Legislation website should be regularly checked for the most up to date version of all legislation and can be accessed at: www.legislation.nsw.gov.au

1.5 COMPLIANCE

Section 79C of the *EP&AA 1979* requires Council to take this DCP into consideration when determining applications. Compliance with the provisions of this DCP does not necessarily guarantee that consent to a DA will be granted. Each DA will be assessed having regard to the current LEP, DCP, adopted Council policies and any other matters listed in Section 79C of the *EP&AA 1979*.

1.6 SAVINGS PROVISION

If an application has been made before the commencement of WDCP 2012 in relation to land which the DCP applies, and the development application has not been finally determined before that commencement, the development application must be determined as if WDCP 2012 had not commenced. Please refer to the Amendment History at the front of this DCP for relevant commencement dates.

A reference to an application in the paragraph above is a reference to a development application, an application to modify a development consent or an application to review a determination of a development application or to review an application to modify a development consent.

1.7 OFFENCES

Section 125(1) of the *EP&AA 1979* provides that where any matter or thing is by or under this Act or Regulation directed or forbidden to be done, a person offending against that direction or prohibition shall be guilty of an offence against this Act.

1.8 STRUCTURE

PART A Introduction	Describes the purpose and structure of the DCP, development application submission requirements and advertising and notification requirements.
PART B General Design Provisions	Provides general design provisions that relate to all development and land including environmental protection, heritage, transport and parking, accessibility and safety.
PART C Residential Development	Provides controls for residential development including new and alterations and additions to single and dual occupancy development and multi dwelling housing, residential flat buildings and the residential component of shop top housing.
PART D Commercial Development	Provides controls for commercial development including restricted premises, advertising and signage and footpath seating for restaurants and cafes.
PART E Site Specific Development	Provides specific controls for development located within Bondi Junction, Bondi Beach and Waverley's other commercial centres known as Local Village Centres.
PART F Development Specific	Provides controls on specific development types including shared residential accommodation, tourist accommodation and child care centres.
Definitions & Abbreviations	Defines terms and abbreviations used in this DCP that are not defined by either the <i>EP&AA 1979</i> or the WLEP.

A2 DEVELOPMENT APPLICATION REQUIREMENTS

2.1 INTRODUCTION

The statutory requirements for supporting information to accompany a Development Application (DA) are established in Schedule 1, Part 1 of the *Environmental Planning and Assessment Regulation 2000 (Regulation 2000)*. The additional information outlined in Section 2.2 below ensures the level of detail provided is adequate for each DA and will not lead to delays in the processing of an application.

It is recommended that applicants seek the services of professional architectural and town planning consultants for guidance and assistance. The required skills and expertise will vary depending on the nature and scale of a development.

In some circumstances it may be appropriate to lodge a *Pre-DA Application* before lodging a DA. This type of application requires less documentation and supporting information than a DA and provides an applicant with a preliminary opinion on the merits or issues of a proposal from senior development assessment staff. This is usually only necessary for significant development proposals or where substantial variations from development controls are being sought.

2.2 DOCUMENTATION REQUIREMENTS

The following table identifies the documentation requirements for all types of DAs. The level of detail included depends upon the size of the proposal and the likely environmental impacts. Where the proposal raises particular issues, it may only be necessary to submit details relevant to those issues.

Within 21 days of receiving the DA an applicant may be requested to provide additional information if that information is necessary for the determination of the application.

Plan/ Document (and when required)	Information
Forms and Checklists All forms are available at www.waverley.nsw.gov.au	
DA Form All Development Applications	Requires owners consent (and the owners corporation seal where applicable) and brief description of the proposal.
Compliance Table All Development Applications	Outlines compliance (or non compliance) with all relevant development standards within WLEP 2012 and numerical controls within WDCP 2012.
Political Donations and Gifts Disclosure Statement As required under Section 147(4) of the <i>EP&AA 1979</i> .	Provides for the disclosure of relevant political donations or gifts as per Section 147(4) of the <i>EP&AA 1979</i> . See: www.legislation.nsw.gov.au
Non-Residential Development All new or change of use for non residential development.	Provides additional information regarding the management of the use.

Plan/ Document (and when required)	Information
Plans 4 x copies at a maximum A3 size with no staples or binding, 2 are to be coloured for new work	
Site Plan All development applications The level of detail included in the plan will be dependent on the scale of the proposed works.	A Site Plan must be at a scale of not less than 1:200 and include: <ul style="list-style-type: none"> • The location, boundary dimensions, site area and north point of the land; • Existing levels of the land in relation to buildings and roads to Australian Height Datum; • Existing vegetation and trees including their botanic name and size of trees proposed to be removed and retained; • Proposed private open spaces and landscaped areas; • The location of other natural features on the site e.g. rock/sandstone outcrops, watercourses; • The location and levels of existing buildings, fences and other structures; • The location and levels of any proposed new buildings or alterations and additions to existing buildings; • The location, levels and uses of buildings on the adjoining land; • Waste bin storage and collection areas; • Onsite stormwater management; and • Location of easements and services on the site and immediately adjoining the site. <p>Note: Applicants may also be required to provide a Site Analysis indicating the predominant front and rear setbacks upon request by Council officers.</p>
Floor, Elevation and Section Plans All development applications involving building work and change of use.	Floor Plans must be at a scale not less than 1:100 and include: <ul style="list-style-type: none"> • Existing and proposed works on each floor including roof plans; • Room sizes and intended uses/works; • Ventilation systems, air conditioning and satellite dishes; • Setbacks from boundaries and adjoining buildings including window openings, doors and external living areas; • Outdoor spaces, such as balconies with dimensions and ancillary structures; • Details of any devices/measures to address amenity issues e.g. screening, window details; • Swimming pools/spas and associated works including the location of the pool filter and pool motor; RLs of the pool coping in relation to the existing ground levels of the subject premises and adjoining premises; and • External lighting. <p>Elevation Plans must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> • Outline of existing buildings; • Elevations of all sides of the building or structure; • Materials and external finishes; • Location of adjoining buildings showing height and setback; • Proposed window details;

Plan/ Document (and when required)	Information
	<ul style="list-style-type: none"> Chimney, lift motor rooms and other structure associated with the roof. <p>Section Plans must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> Appropriate number and location of each section; Section line; Room names; Areas of cut/and or fill; Finished ground levels, floor levels, roof line levels and driveway grade; Location of existing trees; and Ground level from survey.
<p>Survey Plan Required for all new buildings.</p> <p>May also be needed for other development if determined by the assessing officer.</p>	<p>Survey to be prepared by a Registered Surveyor to AHD and to show existing natural ground level, proposed levels of all floors and roof/roof eaves and (where required by the assessing officer) the level of adjoining roof/roof eaves.</p> <p>The survey should also show the location and levels of any existing buildings on the site and on adjoining sites.</p>
<p>Shadow Diagrams All development applications for dwelling houses or dual occupancies where the height or setback controls are not complied with.</p> <p>All development applications for residential flat buildings, multi dwelling housing and commercial development greater than 1 storey in height.</p> <p>In both cases above, there may be exceptions where the Council officer considers otherwise in regards to the circumstances of the case.</p>	<p>Shadow diagrams must be at a scale not less than 1:100 and should include:</p> <ul style="list-style-type: none"> North point (true north); Position of existing and proposed buildings and fences; Position of buildings on adjoining land including windows to living areas; private outdoor open space; swimming pools and solar panels; Shadows cast during the winter solstice for 9am, 12 noon and 3pm (show altitude and azimuth angles); Change(s) in shadows from existing to proposed development; and If the proposal is likely to overshadow, the windows of adjoining building(s), provide an elevation to show shadow impacts.
<p>Water Management Site Plan All development applications except for internal works</p>	<p>Plans are to be in accordance with the Waverley Water Management Technical Guidelines.</p>
<p>Subdivision / Strata Plan All development applications proposing to subdivide land or strata subdivide.</p>	<p>The Plan is to include:</p> <ul style="list-style-type: none"> Existing and proposed subdivision boundaries; The number of lots; Any easements or encumbrances; Lot areas in square metres; and Lot and deposited plan numbers.

Plan/ Document (and when required)	Information
Documentation 4 copies (unless otherwise stated) at a maximum of A4 size with no staples or binding	
Statement of Environmental Effects (SEE) All Development Applications	An SEE outlines the proposal and addresses all issues for consideration and assessment. The SEE must: <ul style="list-style-type: none"> • Explain how the proposal has resolved the relevant matters contained within Section 79C of the <i>EP&AA 1979</i>; • The environmental impacts of the development; • How the environmental impacts of the development have been identified; • The steps to be taken to protect the environment or to lessen the expected harm to the environment; • Compliance with the relevant objectives and controls within the LEP and this DCP; • Where any relevant controls are not satisfied justification for the non-compliance must be provided; • If the non compliance relates to a development standard in WLEP 2012 (e.g. Lot size, building height and floor space ratio) you will need to refer to Clause 4.6 of the WLEP 2012 which sets out how non compliance may be considered.
BASIX Certificate Under <i>State Environmental Planning Policy (BASIX Sustainability Index) 2007</i> the following applications require a certificate: <ul style="list-style-type: none"> • All new residential buildings; • Alterations and additions to existing residential buildings where the estimated cost of construction is more than \$50,000 and where development approval is required; • New swimming pool or spa with a capacity of 40,000 litres or more. 	Certification is to be submitted to ensure the development satisfies suitability targets prescribed by the NSW Government. Site, floor elevation and landscape plans must identify BASIX commitments. If a swimming pool is proposed, the column of the pool must be shown on the plans. See: www.basix.nsw.gov.au
Heritage Impact Statement (2 copies) May be required for applications relating to a heritage item, sites within a heritage conservation area, or on sites within the vicinity of a heritage items or heritage conservation area.	A Heritage Impact Statement is to be prepared by a qualified heritage architect/planner in accordance with the NSW Heritage Manual and the Burra Charter and include: <ul style="list-style-type: none"> • An assessment of the impact of works on the site, item and/ or conservation area; • Include a history of the property; and • Before and after photos. Council may also require the submission of a Heritage Conservation Management Plan. See: www.heritage.nsw.gov.au

Plan/ Document (and when required)	Information
<p>SEPP 65 Assessment Applications to which <i>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</i></p>	<p>Requirements include:</p> <ul style="list-style-type: none"> • An explanation of the design in terms of the design quality principles set out in Part 2 of <i>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</i>; • Photomontages or photos of the model of the proposed development in the context of surrounding development; • A design verification statement by a registered architect; and • Applicable fee for referral. <p>Please refer to the Residential Flat Design Code to confirm submission requirements.</p> <p>See: http://www.planning.nsw.gov.au/residential-flat-design-code</p>
<p>Models and/or Photomontages Photomontage and Model for:</p> <ul style="list-style-type: none"> • SEPP 65 applications. • New residential dwellings including new multi-unit dwellings <p>Council may require a photomontage for smaller scale development than those listed.</p>	<p>A Model should:</p> <ul style="list-style-type: none"> • Be a minimum 1:200 scale; • Include the subject property and its relationship to its context and adjoining developments; and • Including existing vegetation and exterior detail of the proposed development. <p>A Photomontage should:</p> <ul style="list-style-type: none"> • Be a three-dimensional perspective of the proposal in relation to the existing streetscape; and • Include at least 2 sites on either side of the subject site.
<p>Digital 3D Model Any development that proposes to make amendments to a building's existing envelope within the B3 Commercial Core or B4 Mixed Use Zone.</p> <p>For all other zones - Any development that proposes to make amendments to a building's existing envelope, which will result in a building height of 12 metres or more.</p>	<p>A 3D digital model of the building must be generated at a scale of 1:1 with units of measurement in metres and include the following:</p> <ul style="list-style-type: none"> • a building envelope which includes all elements affecting shadow analysis; • accurate placement of glazing, balconies, roof pitches, terraces, roof services and any other prominent external design features; • ground level terrain showing accurate RLs extending to site boundaries; • internal floor plate of each level showing accurate RLs. <p>All models must be generated in accordance with Council's Guidelines: Submitting Digital 3D Models.</p> <p>Any future modifications (under Section 96 of the <i>EP& AA 1979</i>) that affect the external configuration of building (from the ground level and up) require an amended model to be submitted.</p>
<p>Schedule of external finishes For all new buildings</p>	<p>A materials board including all external finishes proposed is to be submitted.</p>

Plan/ Document (and when required)	Information
Site Waste & Recycling Management Plan All development excluding minor internal alterations.	A Site Waste & Recycling Management Plan must be completed and submitted with applications. See: www.waverley.nsw.gov.au
Public Art Plan (2 copies) For all new development and major alterations and additions within the B3 Commercial Core and B4 Mixed Use Zone in Bondi Junction. All applications proposing public art.	Submission are to be in accordance with Council Public Art in the Private Domain Policy and include: <ul style="list-style-type: none"> • Art Plan; • Description of art; • Budget and cost summary; • Timeframe and staging; • Personnel; • Concept scaled drawings, samples and finishes; and • A plan of implementation and the ongoing management of the artworks.
Fire Safety Upgrade Report (2 copies) For all new and major alterations and additions to Residential Flat and Commercial buildings or where required by Council's Fire Safety Officer.	The fire safety upgrade report is to be prepared by a suitably qualified surveyor/accredited certifier which outlines an assessment of the levels of fire and life safety within the existing and proposed development and proving appropriate recommendations for its upgrade.
Voluntary Planning Agreement Where a VPA is being offered.	Applications are to be submitted in accordance with the Waverley Voluntary Planning Agreement Policy.
Site Compatibility Certificate Applications in accordance with: <ul style="list-style-type: none"> • <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i> • <i>State Environmental Planning Policy (Infrastructure) 2007; or</i> • <i>State Environmental Planning Policy (Affordable Rental Housing) 2009.</i> 	Certificates are to be in accordance with the relevant SEPP. See: www.legislation.nsw.gov.au
Housing Report (2 copies) Applications in accordance with <i>State Environmental Planning Policy (Affordable Rental Housing) 2009.</i>	The report is to address <i>SEPP (ARH) 2009</i> provisions. See: www.legislation.nsw.gov.au

Plan/ Document (and when required)	Information
<p>Traffic and Transport Management Plan Applications for development as identified in this DCP.</p>	<p>The plan should provide an assessment of the traffic and parking impacts the development proposal may have on the surrounding road network and must address matters such as:</p> <ul style="list-style-type: none"> • Current on street parking restrictions and availability; • Current traffic conditions; • The likely impact of the proposed development on existing traffic flows, the surrounding street system and on street parking availability; • Safety of pedestrian and vehicular movements in and around the centre; • How impacts of drop-off and pick up will be accommodated; • Proposed Travel Plan; and • Encouraging active transport.
<p>Arborist Report A report may be required where a tree is:</p> <ul style="list-style-type: none"> • Listed on the significant tree register or heritage listed. • Considered hazardous or dangerous. • Council considers prominent due to age, amenity, size or habitat and likely to be affected by a proposed development; or • Council considers the submitted information is insufficient and further information/ clarification is required. 	<p>The report must:</p> <ul style="list-style-type: none"> • Be in accordance with the Australian Standard 4970 – Protection of Trees on Development Sites; • Include recommendations for minimising loss of landscape amenity; • Be thorough, balanced and objective in assessing the impact on a tree/s health and condition; • Be written by a qualified arborist with the minimum qualification of Level 5 AQF (Australian Qualification Framework) or equivalent; • Identify each tree with reference to the survey plan; and • Meet the criteria as outlined in Council's Tree Technical Manual.
<p>Acoustic Report As required within this DCP.</p> <p>Council may request an acoustic report on any DA as deemed reasonable, necessary and appropriate to the assessment of the proposal.</p>	<p>The acoustic report must include, but is not limited to:</p> <ul style="list-style-type: none"> • Identification of sensitive noise receivers potentially impacted by the proposal; • Quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW Office of Environment and Heritage (OEH) requirements; • Formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy; • Identification of operational noise producing facets of the proposal and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the prediction procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation; and/or • A statement indicating the development/use will comply with the relevant criteria together with details of acoustic

Plan/ Document (and when required)	Information
	control measures incorporated into the development/use, will not create adverse noise impacts to surrounding development.
Adaptable Housing Certification All new development with 3 or more habitable storeys or 10 or more units.	Adaptable units must be certified as 'adaptable housing units' by an independent suitably qualified person.
Geotechnical Report Where excavation is proposed for development at or near cliff faces. On sites that have a slope of 25% or more.	A geotechnical report must be prepared by a suitably qualified geotechnical engineer addressing the stability of the site and surrounding properties. Where excavation is close to a boundary the report must address how the works will be undertaken so as not to adversely affect surrounding properties.
Energy Assessment Report Development identified in Section B2: 2.5 - Energy Assessment.	The energy assessment report is to include: (i) Modelling of the predicted operational energy demand and greenhouse gas emissions of the proposed development. (ii) Proposals to reduce the predicted operational energy use and greenhouse gas emissions of the site and calculations to show the energy use and greenhouse gas emission reductions attributable to each proposal including: <ul style="list-style-type: none"> • Design of site, buildings and services. • Use of on-site energy efficient technologies. • Use of decentralised energy where feasible, such as district heating and cooling and combined heat and power. • Use of on-site renewable energy technologies where feasible.
Preliminary Contamination Report Applications on land that is or may be potentially contaminated.	Applications are to be in accordance with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> . See: www.legislation.nsw.gov.au
Crime Risk Assessment Applications for new residential development comprising of 50 or more dwellings.	A crime risk assessment is to be prepared in accordance with Crime Prevention through Environmental Design principles under Section 79C of the <i>EP&AA 1979</i> .
Integrated or Designated Development	An application for integrated or designated development must include: <ul style="list-style-type: none"> • sufficient information for the approval body to make an assessment of the application; • additional copies of the plans as determined by the consent authority; and • an additional fee for each approval body and administrative fee to Council.

Plan/ Document (and when required)	Information
Demolition Report Applications for demolition works, as directed by Council.	An application involving the demolition must include: <ul style="list-style-type: none"> • Details of the age and condition of the buildings or work to be demolished; • Details of the method of securing the site during the demolition and the course of construction; and • Site Waste & Recycling Management Plan.
Plan of Management Places of Shared Accommodation Tourist Accommodation Child Care Centres Restricted Premises As deemed reasonable, necessary and appropriate to the assessment of the proposal by Council.	A Plan of Management is to include: <ul style="list-style-type: none"> • Description of the proposal; • Proposed management; • Hours of operation; • Set out measures taken to mitigate any likely adverse environmental or social impact; • Proposed vehicles ingress and egress, the adequacy of any loading, unloading, turning or parking facilities; • Existing and likely future amenity of the neighbourhood; • Traffic likely to be generated and the adequacy of existing roads and present volume of traffic carried; • Whether public transport will be necessary to serve the development, availability and adequacy of public transport; • Social and economic effects of the development on the community, including the loss of affordable housing; • Any special circumstances relating to the site or the locality; and • Additional requirements as specified within this DCP.

A3 ADVERTISING AND NOTIFICATION

This Part sets out the notification process including the extent and type of notification required for each type of development application and any subsequent requests for amendments, modification and review of Development Applications (DA).

The term 'notification' generally refers to the process of notifying affected property owners and/or occupants of an application by way of letter and, in some circumstances, a notice on the site.

'Advertising' refers to the process of notifying the wider community by placing a notice in the local or other newspaper (this form also includes the *Notification* process).

3.1 OBJECTIVES

- (a) To encourage community participation in the development application process.
- (b) To set out matters Council consider when forming its opinion whether or not the enjoyment of neighbouring land may be detrimentally affected by a proposal.
- (c) To outline procedures for notifying owners and/or occupiers of land affected by a Development Application.
- (d) To outline the length and type of advertising requirement for each type of proposal.

3.2 DEVELOPMENT TO WHICH ADVERTISING AND NOTIFICATION APPLIES

- (a) Advertising and notification provisions apply to the following applications:
 - (i) Development Applications – as per Table 1;
 - (ii) Modifications of a development consent – Section 96(1A), Section 96 (2), Section 96 (AA), Section 96 (AB) of the *EP&AA 1979*;
 - (iii) Requests to review a determination (e.g. refusal) of a development application – Section 82 (A) of the *EP&AA 1979*; and
 - (iv) Footpath seating for restaurants and cafes.
- (b) The following applications will not be notified:
 - (i) Exempt development;
 - (ii) Complying development;
 - (iii) Section 96(1) application for modification of a consent to correct a minor error, misdescription or miscalculation; and
 - (iv) DAs to strata title new buildings, which have not been occupied.

3.3 PROCESS TO DETERMINE THE EXTENT OF NOTIFICATION

- (a) Council will notify persons in accordance with Table 1 where in the authorised council officer's opinion, the enjoyment of the adjoining or neighbouring land may be detrimentally affected. Types of issues that may be considered include:
 - (i) The likely impacts of the development including, but not limited to, loss of views loss of privacy, overshadowing, noise generation, visual bulk, hours and type of use, traffic and parking impacts; and

- (ii) Any other instance that the council officer deems notification of a given DA is appropriate and required.

3.4 PERSONS TO BE NOTIFIED

- (a) Notification will be provided to the following:
 - (i) All persons who, according to council's property records, own or occupy land immediately adjoining the application site that may (in the opinion of the council officer) be affected by the proposal.
 - (ii) Where the notified property comprises a strata titled building, the Owners Corporation will be notified and any units that are considered to be directly affected (in the opinion of the council officer) by the proposal.
 - (iii) The owner/occupant of any other property that (in the opinion of the council officer) may be affected by the proposal.
 - (iv) The elected Councillors and the relevant local precinct committee will be notified of all Advertised and Notified Development as per Table 1 in this Part.
- (b) If the land to be notified is in an adjoining LGA, names and addresses of owners shall be obtained by council from that adjoining council.

3.5 METHOD OF NOTIFICATION

- (a) Development applications where required to be notified or advertised will be notified through all or part of the following ways:
 - (i) Written Notice;
 - (ii) Email notification;
 - (iii) Site Notice;
 - (iv) Advertisement in the local or other newspaper; and/ or
 - (v) Documents available on council's website.
- (b) Designated and Advertised development will be notified in accordance with the *EP&AA 1979*.

3.6 RE-NOTIFICATION PROCEDURES

3.6.1 Amendments prior to determination

Amendments to an application will be re-notified unless in the opinion of the council officer the change or where there is more than one change, each change, results in lesser impact.

The notification period may be reduced if in the opinion of the council officer all persons affected by the change(s) have been given an opportunity to make a submission.

The extent of the notification may be limited to those persons who in the opinion of the council officer may be affected.

3.6.2 Modifications and reviews (post-determination)

- (a) Modifications of a development consent (other than minor modifications) – Council will notify those persons who were notified of the original development application and any other person who, in the opinion of the Council Officer, may be affected by the modification.
- (b) Reviews of determinations (e.g. refusal) – Council will notify any person who made a submission in respect to the original application.

3.6.3 Post determination notification

All those that made a written submission in respect of a development application will be notified of council's decision once that application has been determined. A list of development applications approved will be published in one of the local newspapers.

3.7 ADVERTISING AND NOTIFICATION REQUIREMENTS

Table 1 provides guidelines of the type and length of notification. The notification period may be altered at the discretion of the assessing officer following consideration of the nature and likely impact of the proposal or the circumstances of the case.

The Council, any committee of the Council, the General Manager or the responsible Council officer may direct that a development application or an application to modify a development consent be advertised and/or notified to any additional persons or the like.

Where an application does not fall into one of the categories, council will determine the most appropriate notification period using Table 1 as a guide.

Proposed Use/ Development	Letter to Adjoining Property Owners/ Precincts	Advertise in Local Newspaper /Notify Councillors & Precincts	Notice on Site	Notification Period (minimum)
Amended plans	Yes	No	No	Min 7 days
Any building/activity which in opinion of Council would detrimentally affect owners/occupiers nearby land	Yes	No	No	14 days
Attached dwelling	Yes	Yes	Yes	14 days
Backpacker's accommodation/Hostel	Yes	Yes	Yes	14 days
Bed & breakfast establishment	Yes	No	Yes	14 days
Boarding house/group home	Yes	Yes	Yes	14 days
Bulky Goods	Yes	Yes	Yes	14 days
Business/office and retail development	Yes	No	Yes	14 days
Child care centre	Yes	Yes	Yes	14 days
Community centre/facility	Yes	Yes	Yes	14 days
Change of use	Yes	No	No	14 days
Dwelling house	Yes	No	Yes	14 days
Dual occupancy/ semi detached dwelling	Yes	No	Yes	14 days

Proposed Use/ Development	Letter to Adjoining Property Owners/ Precincts	Advertise in Local Newspaper /Notify Councillors & Precincts	Notice on Site	Notification Period (minimum)
Designated development	Yes	Yes	Yes	30 days
Educational establishment	Yes	Yes	Yes	14 days
Footpath seating for restaurants/cafes	Yes	No	No	14 days
Function/ entertainment facility	Yes	Yes	Yes	14 days
Health consulting rooms	Yes	No	No	14 days
Heritage items (not considered minor work)	Yes	No (see Note 6)	Yes	28 days
Heritage item (work considered minor and work within a Conservation Area)	Yes	No	No	14 days
Home based child care	Yes	No	No	14 days
Home business/industry	Yes	No	No	14 days
Hotel/motel/serviced apartment	Yes	Yes	Yes	14 days
Multi dwelling housing	Yes	Yes	Yes	14 days
Mixed use development/ shop top housing	Yes	Yes	Yes	14 days
Non-conforming use - commercial in residential area	Yes	No	Yes	14 days
Non-residential development in adjoining residential areas	Yes	No	Yes	14 days
Place of public worship	Yes	Yes	Yes	14 days
Medical centre	Yes	No	No	14 days
Residential flat building/ Multi unit housing	Yes	Yes	Yes	14 days
Restricted premises	Yes	Yes	Yes	14 days
Road reservation/widening	Yes	Yes	Yes	14 days
Seniors housing or housing for people with a disability	Yes	Yes	Yes	14 days
Sex service premises	Yes	Yes	Yes	14 days
Signage	Yes	No	No	14 days
Subdivision (Torrens Title) and strata subdivision (except new buildings not been occupied)	Yes	No	Yes	14 days
Voluntary Planning Agreement	Yes	Yes	No	28 days

Table 1 Advertising and notification requirements

NOTE

1. In circumstances where the notification period is 14 days and would commence between the third and last week of December, that notification period shall be extended to 21 days. Notwithstanding this specified period, in certain circumstances, Council may use its discretion to allow an extension of the prescribed notification period.
2. "Minor works" - In the opinion of the consent authority, the proposed development is of a minor nature or consists of maintenance.
3. Notification periods for advertised development commences on the date of notice in the newspaper.
4. Site notice and newspaper provisions do not apply to modifications or amendments.
5. Notification of a development application or modification will be provided to only the relevant Precinct Committee.
6. Notification for Councillors and Precincts will remain for work to heritage items.