



DEVELOPMENT CONTROL PLAN NO.36

NOTIFICATIONS

UNDER THE

**ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT, 1979, THE LOCAL GOVERNMENT ACT
1993 and other relevant legislation**



www.leichhardt.com.au

INTRODUCTION

This Development Control Plan (DCP) covers notification procedures required under the Environmental Planning and Assessment Act, 1979 and incorporates other legislative requirements such as Integrated Development

Council's philosophy on public participation for applications and certificates is a multi-faceted process involving the following objectives:

- The broader community receive notification by means of an advertisement on Council's website;
 - The local community receive notification by means of a sign erected on the subject site to which the application relates;
 - Immediate neighbours to the subject site to which the application relates receive notification by means of notification letters.
 - Applications which are deemed to have minimal impact may, at Council's discretion, not be advertised or notified in order to facilitate the timely assessment of non-contentious applications.
 - Applications which are deemed to be significantly in breach of LEP 2000, and inconsistent with DCP 2000, and which Council will not support, will not generally be notified prior to a recommendation for refusal being reported to the appropriate level of delegation.
-
-

TABLE OF CONTENTS

1.1	Title of this DCP	5
1.2	Purpose of the DCP	5
1.3	Aims of the DCP	5
1.4	Commencement	5
1.5	Where does the DCP apply?	5
1.6	Relationship to other environmental planning instruments	6
1.7	The use of ‘Note’ boxes in the Plan	6
1.8	Definitions	6
1.9	Abbreviations	7
2.	APPLICATIONS FOR WHICH NOTIFICATION IS <u>NOT</u> REQUIRED	8
2.1	Complying Development	8
2.2	Other minor applications & modifications	8
2.3	At the discretion of Council, applications which fall into the following categories will not require notification:	9
3	APPLICATION NOTIFICATION REQUIREMENTS	11
3.1	Applications to be notified	11
3.2	Notification period	11
3.3	Newspaper Notification	11
3.4	Notification Sign	12
3.5	DA Lodgement Reports	13
3.6	Notification Letters	13
3.7	Website Advertising	15
4.	NOTIFICATION OF OTHER TYPES OF APPLICATIONS	15
4.1	Activity Applications Requiring Notification	15
4.2	Activity and Roads Act applications which do not require notification	16
4.3	Building Certificates (illegal and unauthorised work)	17
4.4	Notifications of applications to remove trees	17

4.5	Variation Under Special Circumstances	18
	ANNEXURE A: PRE DETERMINATION NOTIFICATION	19
A.1	Building and Development Site Inspection (B & D Site Inspection)	19
A.2	Building and Development Assessment Unit (BDAU)	19
A.3	Building and Development Committee (B & D Committee) and Building and Development Council Meeting (B & D Council Meeting)	19
A.4	Works Inspection	20
	ANNEXURE B: POST-DETERMINATION NOTIFICATION	21
	Schedule 1 – Maps of notification properties	21-26
	Schedule 2 – Activity Application Requiring Notification	27
	Schedule 3 – Activity applications NOT requiring notification	27
	Other Activities	28
Figure 1	Ground floor addition as per cl. 2.3.1	
Figure 2	Ground floor addition as per cl. 2.3.2	
Figure 3	Dormer/attic conversion as per cl. 2.3.3	

1. PRELIMINARY

1.1 *Title of this DCP*

This Plan ("the Plan") is called "Development Control Plan No 36 – Notifications under the Environmental Planning & Assessment Act, 1979 and the Local Government Act 1993".

1.2 *Purpose of the DCP*

The purpose of the Plan is to ensure consistency and propriety in all notification procedures relating to applications and certificates.

1.3 *Aims of the DCP*

The aims of the Plan are:

- to provide a framework for dealing with the notification requirements relating to public participation in the assessment of applications and certificates;
- to provide an accessible document containing Council's notification obligations as required by the Environmental Planning & Assessment Act, 1979, as amended and the Environmental Planning and Assessment Act Regulation, 1994, as amended;
- to assist the public in understanding Council's notification obligations, requirements and procedures;
- to establish a system of community participation; and
- to use straight-forward English, explanatory notes, and graphic representations throughout, in order to assist in the understanding of the Plan
- to identify circumstances under which advertising in the local newspaper and notification of an application will not be required.

1.4 *Commencement*

This Plan, as amended, was adopted on 21 December 2007 and came into force when advertised on 8 January 2008.

1.5 *Where does the DCP apply?*

The Plan applies to all land within the Leichhardt Local Government Area. Should Council have jurisdiction over any land affected by Sydney Regional Environmental Plan No. 26 - City West then notification will be carried out in accordance with this policy.

1.6 Relationship to other environmental planning instruments

The Plan supplements Leichhardt Local Environmental Plan No. 20 and Interim Development Order No. 27.

This Development Control Plan also supplements the controls of Leichhardt Local Environmental Plan 2000 and the accompanying Development Control Plan 2000.

1.7 The use of 'Note' boxes in the Plan

The use of shaded boxes in the Plan provides extra information to the community to assist in understanding the Plan and the process Council will undertake in development assessment. The boxed text does not form part of the legal DCP instrument.

1.8 Definitions

Explanations of words and terms used in the plan are as follows:-

Activity Application is an application made under section 68 of the Local Government Act, 1993 for an activity listed in the Schedule to the Plan.

Complying Development is development of minimal environmental impact which meets a set of prescribed standards which ensure that it will not impact unreasonably on amenity. In order to carry out complying development, an application for a complying development certificate must be made. In Leichhardt the list of complying development is contained in the Exempt and Complying DCP 35. A proposal must meet the stringent criteria set out in that DCP in order to be considered as complying development.

Designated Development is development that is declared to be designated development by an environmental planning instrument or the Regulation. Such development is subject to special notification provisions set out in the EPA Act and Regulation. This DCP is consistent with these provisions.

Exempt Development is development which is of a minor nature and has negligible environmental impact. It does not require consent from Council. In Leichhardt, the list of exempt development is contained in the Exempt and Complying DCP. A proposal must meet the stringent criteria set out in that DCP in order to be considered as exempt development.

Illegal works are works undertaken without the proper written approval of Council and which would have required the submission of a complying development application or a development application and construction certificate.

Integrated Development is development that requires development consent as well as approval under one or more other acts including: Fisheries Management Act, 1994; Heritage Act, 1977; Mine Subsidence Compensation Act, 1961; National Parks and Wildlife Act, 1974; Protection of the Environment Operations Act, 1997, 1970; Rivers and Foreshores Improvement Act, 1948; Roads Act, 1993; Soil Conservation

Act, 1938; Waste Minimisation and Management Act, 1995; and, the Water Act, 1912.

Multi Unit Development means two or more dwellings on a single allotment.

Nominated Integrated Development means certain integrated development nominated in the Regulation. This includes: proposals on land affected by permanent or interim conservation orders under section 57 of the Heritage Act, 1977; development requiring a license, permit or approval under the Water Act, 1912; and, development requiring approval under the Protection of the Environment Operations Act, 1997.

Notification is the provision of information relating to an application or a certificate.

Remediation Requiring Consent is remediation work carried out on a contaminated site which is work listed under Category 1 in State Environmental Planning Policy No. 55 - Remediation of Land.

Unauthorised works are works that have been carried out where a development consent or construction certificate has been issued for the development, but the works which have been carried out are not in accordance with the approval, and the works undertaken would have required a variation to the consent by way of a section 96 application.

1.9 Abbreviations

The following abbreviations are used in the Plan:

B&D Committee means the Building & Development Committee

B&D Council Meeting means the Building and Development Council Meeting

B&D Site Inspection means the Building and Development Site Inspection

BDAU means Building and Development Assessment Unit

DA means development application

DCP means development control plan

EPA Act means the Environmental Planning and Assessment Act, 1979, as amended.

Regulation means the Environmental Planning and Assessment Regulations, 1994, as amended.

2. APPLICATIONS FOR WHICH NOTIFICATION IS NOT REQUIRED

2.1 Complying Development

- There are no notification requirements for complying development.

2.2 Other minor applications & modifications

- The following applications do not require notification:
 - a) Temporary hoardings or scaffolding where a DA has been approved for building works on the site or where the scaffolding is to be in place for less than 1 week for minor maintenance work;
 - b) Strata subdivision of (an) existing or approved building(s) unless the building is affected by the operation of SEPP 10, and/or was approved under LEP 2000;
 - c) Torrens title subdivision of an existing previously approved development which was approved under LEP 2000;
 - d) Amendments to an undetermined application which are of a minor nature and could be conditioned;
 - e) Amendments to an undetermined application which constitute a reduced or lesser development having minimal environmental impacts, or which have been proposed in order to address concerns raised by Council and/or objectors;
 - f) Modifications to a consent under section 96(1) of the EPA Act. This includes the correction of miscalculations, misdescriptions and procedural matters;
 - g) Modifications involving minimal environmental impact under sec 96(1A) of the EPA Act that involve:
 - § Reduction in extent of development,
 - § Internal changes,
 - § Changes to conditions except those requiring design changes to the approved building,
 - § Minor changes to detail of development;
 - h) Change of use applications which, in the opinion of Council, will not result in any increase in environmental impact;
 - i) Retail / commercial/residential / industrial internal fitouts only and changes of use associated with these fitouts;
 - j) Development applications for occupancy and retail / commercial / industrial fitouts which are wholly internal and do not vary conditions of the original consent;
 - k) Activity applications of a scale or type for particular venues where the activity falls within the criteria set out in the table under clause 4.2;
 - l) Waste bins over 3.5 cubic metres where a DA has been approved for building works and the bins is provided by a registered waste company;
 - m) Building certificate applications where the works involved would have been considered complying or exempt development or where the works would have been considered a section 96(1 or 1A) application or where the works have previously been notified as part of a Section 96 application or a DA (such as

where works have been undertaken without a construction certificate having been applied for);

- n) Minor ground floor additions or attic conversions to a single dwelling on a single lot which comply with the criteria identified under clause 2.3 below (this does not include Items or draft Items of Environmental Heritage under LEP 2000);
- o) Garden sheds, cubby houses, cabanas and similar not more than 2.3m high measured from ground level to top of roof.

2.3 At the discretion of Council, applications which fall into the following categories will not require notification:

2.3.1 Ground floor alterations and additions to the rear of a dwelling in the Residential Zone which:

- a) do not extend beyond the existing rear wall alignment of the current house (see figure 1) ,not inclusive of detached outbuildings such as laundries, and,
- b) do not result in a wall height greater than 2.4m from natural ground level, for any wall constructed to, or within 500mm of, the side boundary with another residential property,
- c) do not result in a wall height exceeding 3.0m above natural ground level for any wall constructed more than 500mm from the side boundary with another residential property, and
- d) which propose a roof having a pitch not exceeding 10 degrees.

2.3.2 Ground floor additions to the rear of a dwelling in the Residential Zone which:

- a) propose to infill a “gap” between two adjacent buildings on neighbouring properties (see figure 2), and,
- b) do not result in a wall height greater than 2.4m from natural ground level, for any wall constructed to, or within 500mm of, the side boundary with another residential property,
- c) do not result in a wall height exceeding 3.0m above natural ground level for any wall constructed more than 500mm from the side boundary with another residential property, and
- d) which propose a roof having a pitch not exceeding 10 degrees.

2.3.3 Attic conversions of existing roof space which:

- a) do not involve increasing the pitch of the existing roof, and
- b) propose no window or opening other than
 - (i) a skylight type window flush with the roof plane in the rear roof elevation, and/or
 - (ii) a dormer window in the front roof elevation provided the style of the dormer is wholly consistent with the style elements of the DCP, and provided also that dormer windows are already a feature of the immediate locale/street or row of dwellings within which the building is located, determined at the discretion of Council.

(see figures 1, 2 and 3 attached to this DCP to assist with interpretation of clauses 2.3.1, 2.3.2 and 2.3.3)

2.3.4 Applications which significantly breach planning controls and which are not supported by Council.

Development Applications which substantially breach LEP 2000, and which are inconsistent with the objectives, policies and guidelines of DCP 2000, having particular but not exclusive reference to streetscape, building envelope, building location zone, and amenity protection for neighbours may, at the discretion of Council, not be advertised. Under these circumstances Council will advise the applicant in writing:

- That the application will not be recommended for approval
- The reasons why the application will not be supported
- That amendments to the application will not be accepted,
- That the application should be withdrawn by a specified date
- That if the application is not withdrawn by the specified date the application will be refused without notification and without further discussion.

2.3.5 Discretion to notify

Council may choose to require notification of any of the above in accordance with the provisions elsewhere in this policy.

Note: There are no notification requirements with respect to Exempt Development.

3 APPLICATION NOTIFICATION REQUIREMENTS

3.1 Applications to be notified

This section applies to the following applications not included in Section 2.

- development applications unless previously specified as not requiring notification;
- modification of development consents under s.96(1A) of the EPA Act except as excluded by clause 2.2(g);
- modification of development consents under s.96(2) of the EPA Act but only if the original application would have required notification under the terms of this policy n.b. the application must still meet the exemption from notification criteria of the reviews of determinations pursuant to S82(a) of the EPAA 1979.

Other applications not listed above (eg, Activity Applications, Building Certificates etc) will be notified in accordance with Part 5 of this plan.

Note: Council is also bound by the relevant notification requirements within the EPA Act and Regulation.

3.2 Notification period

- The notification period commences from the day that the notice of the application is first published in the newspaper and/or as detailed in the notification letter.
- During the notification period, Council invites submissions in relation to the proposal.
- The notification period is in accordance with the table below:

Type of Application	Notification Period
Designated Development	30 days
Nominated Integrated Development	30 days
Remediation Requiring Consent	30 days
All other Development Applications, modifications, Activity Applications.	14 days

3.3 Newspaper Notification

The following applications will be advertised in a local newspaper:

- Designated Development
- Nominated Integrated Development
- Remediation Requiring Consent

For applications requiring advertising in the local newspaper, the newspaper advertisement will include:

- a reference number;
- the address of the subject property;
- a brief description of the proposal;
- any special requirements of the Regulation, where relevant, for designated development, nominated integrated development and remediation requiring consent.

Note: The notice will also be placed on Council's website.

A recurring advertisement will be placed in the local newspaper every week advising that details of all Applicants currently on exhibition are available on Council's website, and that anyone without internet access will be advised to contact Council for a current list of applications on exhibition. The wording of the weekly advertisement would read:

"Details of all applications currently on exhibition are available on Council's website at www.leichhardt.nsw.gov.au. If you do not have access to the internet please contact your local Council Precinct Committee, Library or Council's Customer Service Centre, on 9367 9222 for a current list of Applications on exhibition."

Note:

The advertisement will be a composite of all Council's building and development notices and appear in the main section of the newspaper. The notice will also be placed on Council's Internet site.

3.4 Notification Sign

- A site sign shall be exhibited on the land to which the proposal relates.
- The site sign should be legible, displayed on a sign post or board and visible from the street.
- The sign will include the following information:
 - the property address;
 - application reference number;
 - name of the applicant;
 - a description of the proposal;
 - the location and times where the application may be viewed;
 - the period during which submissions may be made;
 - specific information, where relevant, for designated development, nominated integrated development and remediation work requiring consent, will also be included as required by the Regulation.

Notes:

During the notification period the following information will be available for inspection free of charge:
§ details of the applicant and the address of the land to which the DA relates;
§ a site plan showing the external configuration of the building proposed in relation to the site, all relevant elevations and floor plans as well as shadow diagrams.
Copies taken may be charged at a photocopying rate per Council's adopted fee schedule.

§ Council will acknowledge submissions in relation to development applications by letter dated & posted within seven days of having received them.

3.5 DA Lodgement Reports

At the end of each week a report summarising all application lodged during the course of that week will be forwarded to the following groups/organisations:

- Leichhardt Councillors;
- All Council Precinct Committees;
- The Balmain Association Inc;
- Heritage Group of Leichhardt District;
- Annandale Historical Society.

3.6 Notification Letters

- Notice of the application will be sent to persons who own and/or occupy land adjoining or neighbouring an application site unless otherwise specified. The minimum area for this notification is listed in Table 3.6 below.
- Further sites may be notified should Council be of the opinion that the proposal may impact upon these properties.
- Notice of the application will also be sent to public authorities (other than public authorities from which concurrence or approval is required) which Council considers may have an interest in the determination of the application.
- The letter of notification will include the following information:
 - a reference number;
 - the property address;
 - the name of the applicant;
 - a description of the proposal;
 - the location and times where the application may be viewed;
 - the period during which submissions may be lodged;
 - specific information for designated development, nominated integrated development and remediation requiring consent will also be included in accordance with the requirements of the Regulation.
 - A4 sized plan of the proposal.
 - A statement advising the person/s thus notified that the enclosed plans are for indicative purposes only and should not be relied upon solely for assessment of impacts on their property.
- In cases where the property to be notified is a strata titled building, Council will notify the body corporate, or its equivalent, the owners of each unit, and the occupants of each unit.
- If land is owned or occupied by more than one person, a written notice to one owner or occupier will satisfy the requirements of this section.

- The variety of subdivision patterns and configurations of parcels of land will not always be such that it will be possible to notify exactly the properties described in Table 3.6. The group of properties to be notified should be as close to the configuration described in Table 3.6 and depicted in the maps in Schedule 1 as possible.
- In the 'Minimum Notification Requirement' column, the term 'rear' includes a common boundary at the back of the subject site or a boundary opposite the back of a subject site and across a laneway 10m wide or less but does not include a boundary across a lane or road greater than 10m in width.

Table 3.6 - Persons to be notified

Type of Development		Minimum Notification Requirement
	Category 1: Residential	(see Schedule 1 for indicative maps)
A.	Ground level rear additions only (unless exempt under clause 2.2 or 2.3)	2 either side of the subject site and 5 immediately adjoining at rear.
B.	Ground level additions/ 1 storey dwelling	2 either side of the subject site and 5 immediately adjoining at rear, plus 3 directly across the road from the frontage of the subject site.
C.	First floor addition/work/ 2 storey dwelling	3 either side of the subject site, 5 at rear and 3 directly across the road from the frontage of the subject site.
D.	Deck / Balcony	3 either side of the subject site and 5 to rear or front depending on location of balcony.
E.	Second floor additions/work/ 3 storey or more dwelling.	3 either side of the subject site, 5 at rear and 3 across the road from the frontage of the subject site.
F.	Multi Unit Housing (2 dwellings or more)	6 either side of the subject site, 6 at rear, and 6 directly across the road from the frontage of the subject site.
	Category 2: Commercial/Retail/Industrial	
G.	New restaurant / café /retail/commercial/industrial (includes new building or change of use) less than 500sqm.	6 either side of the subject site, 6 at rear and 6 immediately opposite the frontage to the subject site.
H.	Large (500m ² or greater) commercial / retail/industrial	8 either side of the subject site, 8 at rear, and 8 immediately opposite the frontage to the site.
I.	Extension of operating hours of hotel, restaurant, nightclub, function centre or similar	Minimum 12 either side of the subject site, 12 at rear and 12 immediately opposite the frontage to the subject site, but for hotels, nightclubs and other potentially high-impact uses may involve more extensive notification at the discretion of Council.
	Category 3: Other	
J.	Childcare centre / church	8 either side of the subject site, 8 at rear and 8 immediately opposite the frontage to the subject site.
K.	Subdivision	3 either side of the subject site, 5 at rear and 3

		immediately opposite the frontage to the subject site.
L.	High impact telecommunications facility	Those properties which, in the opinion of Council, may be impacted upon as a result of the proposal.(see Telecommunications DCP)
M.	Amended application (unless otherwise exempted)	Previously notified and original objectors.
N.	Review of determination	Previously notified and original objectors.
O.	Section 96(2) modification applications	As per this table according to the type of development.
P.	Schedule 2 Activity Applications	As per similar development in this table or at the discretion of the Council.

Note: See Schedule 1 for maps illustrating properties where owners/occupiers are to be notified.

3.7 Website Advertising

All applications that require notification must be advertised on Council's website. Council's website will list each application and note:

- reference number;
- the address of the subject property;
- a brief description of the proposal;
- notification closing date and the date that any written submission should be received;
- Council Officer details.

4. NOTIFICATION OF OTHER TYPES OF APPLICATIONS

4.1 Activity Applications Requiring Notification

Structures or places of public entertainment

- Install a temporary structure on land. (However, if it is associated with an activity noted in the attached table it does not require notification).
- Seeking to obtain a place of public entertainment permit.

Community Land that is land that is under the ownership or control of Council such as parks and reserves

- Engage in a trade or a business.
- Direct or procure a theatrical, musical or other entertainment for the public including large scale festivals, road closures or musical entertainment likely to attract more than 1000 persons. Other entertainment which falls under the criteria of the attached table will not generally require notification.
- Construct a temporary enclosure for the purpose of entertainment unless associated with an event which falls under the following table.

4.2 Activity and Roads Act applications which do not require notification

Management of waste

- Place a waste storage container in a public place where there is a Development consent and construction certificate related to the building works and the waste bin is placed by a registered bin company with the relevant public liability insurance.

Public Roads

- Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road where a Roads Act application has been lodged complies with the criteria of DCP 48 for Activities on Roads and Footpaths.

Tables and chairs on the Footpath

- Roads Act applications where the placement of tables and chairs complies with the criteria set out in accordance with DCP 48

A frame signs

- Roads Act applications where an application for the placement of an A frame sign complies with the criteria under DCP 48.

Community Land that is land that is under the ownership or control of Council such as parks and reserves.

- Direct or procure a theatrical, musical or other entertainment for the public on the following community land where it falls under the following criteria. Park bookings shall be undertaken at least 2 months prior to event being held

Community land – Park or Reserve	Types of activity	No of people expected and restrictions	Number of events per year
Pioneer Memorial Park	Christmas Carols Events held in association with the rotunda such as school concerts, Anzac day events or similar events	Up to 1000 persons Activities to respect Balmain Cemeteries Act	Up to 4 events
King George Park	Used as part of Bay run events, walkathons, cycle rides, charity runs, Council fun day or similar events	Up to 500 entrants	Up to 6 events
Leichhardt Oval no 2	Fetes and fun day	Up to 1000 persons	Up to 6 events

and 3	events usually schools or similar events		
War Memorial Park	Big bike day and fun runs or similar	Up to 500 persons	Up to 4 events
Elkington Park	Start for "Dawny to Cockatoo" swim or similar events	Up to 1000 persons	Up to 4 events
Other community land	Use by individuals and organisations for celebrations gatherings including the use of jumping castles, wedding receptions and the like	Up to 200 persons	Various depending on park booking system

See also DCP 35 for exempt and complying development relating to these type of events and the approvals required.

The notification will be consistent with the provisions of section 3.3, 3.4 and 3.5 of the Plan.

4.3 Building Certificates (illegal and unauthorised work)

- Applications for building certificates lodged for unauthorised or illegal works shall be notified where the works would have required the lodgement of a Development application or would have require the lodgement of a section 96(2) application. Works which fall under the criteria for complying or exempt development or that have been previously notified as a DA or Section 96 application will not require re-notification
- Council will consider submissions prior to determination of the building certificate the building certificate in accordance with Section 149 of the EPA Act.
- Building certificates for illegal and unauthorised works shall be considered in accordance with 4- pre determination notification

4.4 Notifications of applications to remove trees

- If the proposal is to remove a tree/trees on the site of an Item or draft item of Environmental heritage, this requires a development application to be lodged and the minimum notification will be newspaper notice, site sign and letters to owners of 6 properties to either side, 6 properties behind and 6 properties across the road from the subject site.
- If the proposal is to remove a tree/trees not requiring a development application to be lodged but deemed by Council to be significant trees which contribute to the amenity and ecology of the locale, the minimum notification will be letters to 6 properties to either side, 6 properties behind and 6 properties across the road from the subject site.
- Where consent is required for removal of a Council tree, either as a development application or pursuant to the Tree Preservation Order (TPO), a notification sign is to be

attached to each affected tree. This sign is to be yellow, A4 in size, encased in waterproofing and clearly state that the tree so identified is proposed to be removed, including reasons why.

4.5 Variation Under Special Circumstances

- Council may, either by way of resolution or at the discretion of Council officers, vary from the minimum provisions of this DCP where it is considered necessary ie: notify more widely. Factors influencing such a decision will include the geographical and topographical characteristics of the area in question, as well as property ownership patterns.

ANNEXURE A: PRE DETERMINATION NOTIFICATION

For applications being considered at one of the following meetings, the applicant and all those who have made submissions with respect to the application will be notified as follows:

A.1 Building and Development Site Inspection (B & D Site Inspection)

§ Applicants and those who made submissions with respect to a particular application will be notified by letter dated & posted a minimum of 5 days prior to the site inspection that the relevant site is to be inspected prior to consideration.

- The notification letter will include the following information:
 - the application number;
 - the date of the meeting at which the application will be considered.
 - the applicant and those who made submissions will be advised that they have the opportunity to attend the inspection with respect to the application.

A.2 Building and Development Assessment Unit (BDAU)

§ Applicants and those who made submissions with respect to a particular application will be notified by letter dated & posted a minimum of 7 days prior to the meeting that the relevant application is to be considered by the BDAU.

- The notification letter will include the following information:
 - the application number;
 - that the application is being determined at the BDAU;
 - the date of the meeting at which the application will be considered.
- A copy of the report and recommendations is available at the Customer Service Centre.

A.3 Building and Development Committee (B & D Committee) and Building and Development Council Meeting (B & D Council Meeting)

- Applicants and those who made submissions with respect to a particular application will be notified by letter dated & posted a minimum of 5 days prior to the meeting that the relevant application is to be considered by the B & D Committee or by the B&D Council Meeting.
- The notification letter will include the following information:
 - the application number;
 - whether the application is being determined at the B&D Council Meeting or the B&D Committee;

- the date of the meeting at which the application will be considered.
- the applicant and those who made submissions will be advised that they have the opportunity to address the Councillors at the meeting with respect to the application.

A.4 Works Inspection

- Where Council decides to hold a works inspection on a site the subject of a development application Council will make every effort to give at least 48 hours notice of the time of the inspection.

Note:

BDAU meetings are not open to the public. However, elected members are given seven days notice of matters to be determined by the BDAU and are able to request that the application be brought before the B&D Committee or the B&D Council Meeting instead. Reports, which will include a recommendation, will be available for viewing at the Customer Service Centre from the date that the relevant notification letter is posted.

BDAU is the Building and Development Assessment Unit, made up of senior Council staff.

B&D Committee is the Building and Development committee and is made up of ward based Councillors.

B&D Council Meeting is a Council Meeting made up of all Councillors.

ANNEXURE B: POST-DETERMINATION NOTIFICATION
--

- Council will notify the applicant of the determination of a development application by letter dated & posted within 14 days from the date of determination. The following information will be included in the letter of notification:
 - the address and description of the proposal;
 - the development application number;
 - the determination;
 - the date of determination;
 - any conditions of consent and the reasons for the imposition of these conditions for approvals;
 - for refusals, the reasons for the refusal of the proposal;
 - the applicant's right of appeal against the determination.

- Council will notify the applicant of the determination of a complying development certificate by letter dated & posted within 14 days from the date of determination. The following information will be included in the letter of notification:
 - the address and description of the proposal;
 - the complying development number;
 - the determination;
 - the date of determination;

- Council will notify all those who made submissions of the determination of a development application. The following information will be included in the letter of notification:
 - the development application number;
 - the address and a description of the proposal;
 - the determination;
 - the date of determination;
 - any other special requirements specified by the Regulation.

- Council will provide a notice in the local newspaper on a regular basis including a list of all determinations made.

SCHEDULE 1 - WHO TO NOTIFY

**55 MORT STREET
NOTIFICATION TYPE A**

Subject Site



**Who to
notify:**



Who to notify

2 either side of the subject site and 5 immediately adjoining at rear.

55 MORT STREET
NOTIFICATION TYPE B

Subject Site



Who to
notify:



Who to notify

2 either side of the subject site and 5 immediately adjoining at the rear, plus 3 directly across the road from the frontage of the site.

55 MORT STREET
NOTIFICATION TYPES C,D,E, K

Subject Site



**Who to
notify:**



Who to Notify

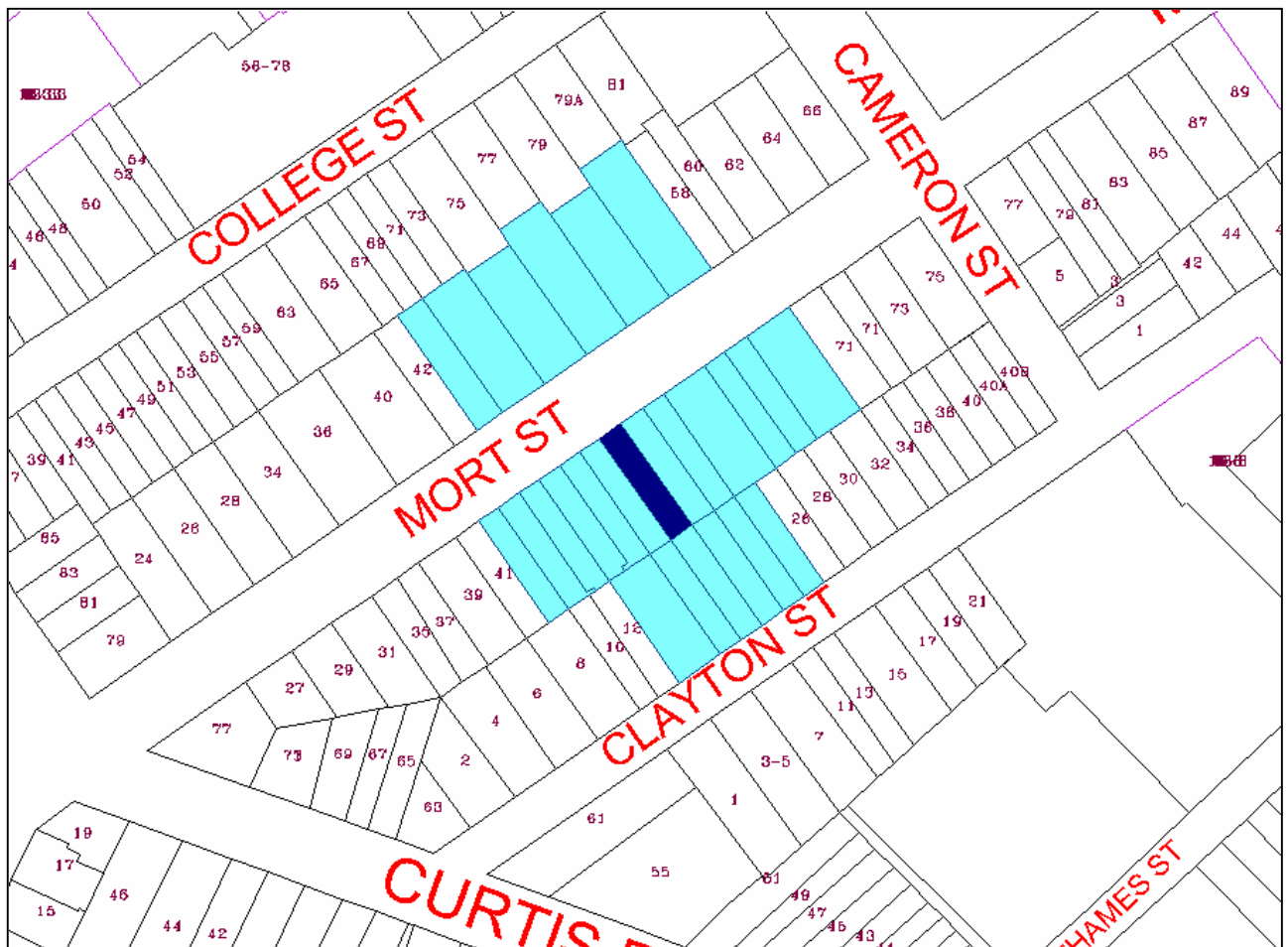
3 either side of the subject site, 5 at the rear and 3 across the road from the frontage to the subject site (exception for type D which is to either rear or front depending on location).

55 MORT STREET
NOTIFICATION TYPES F, G

Subject Site



**Who to
notify:**



Who to notify

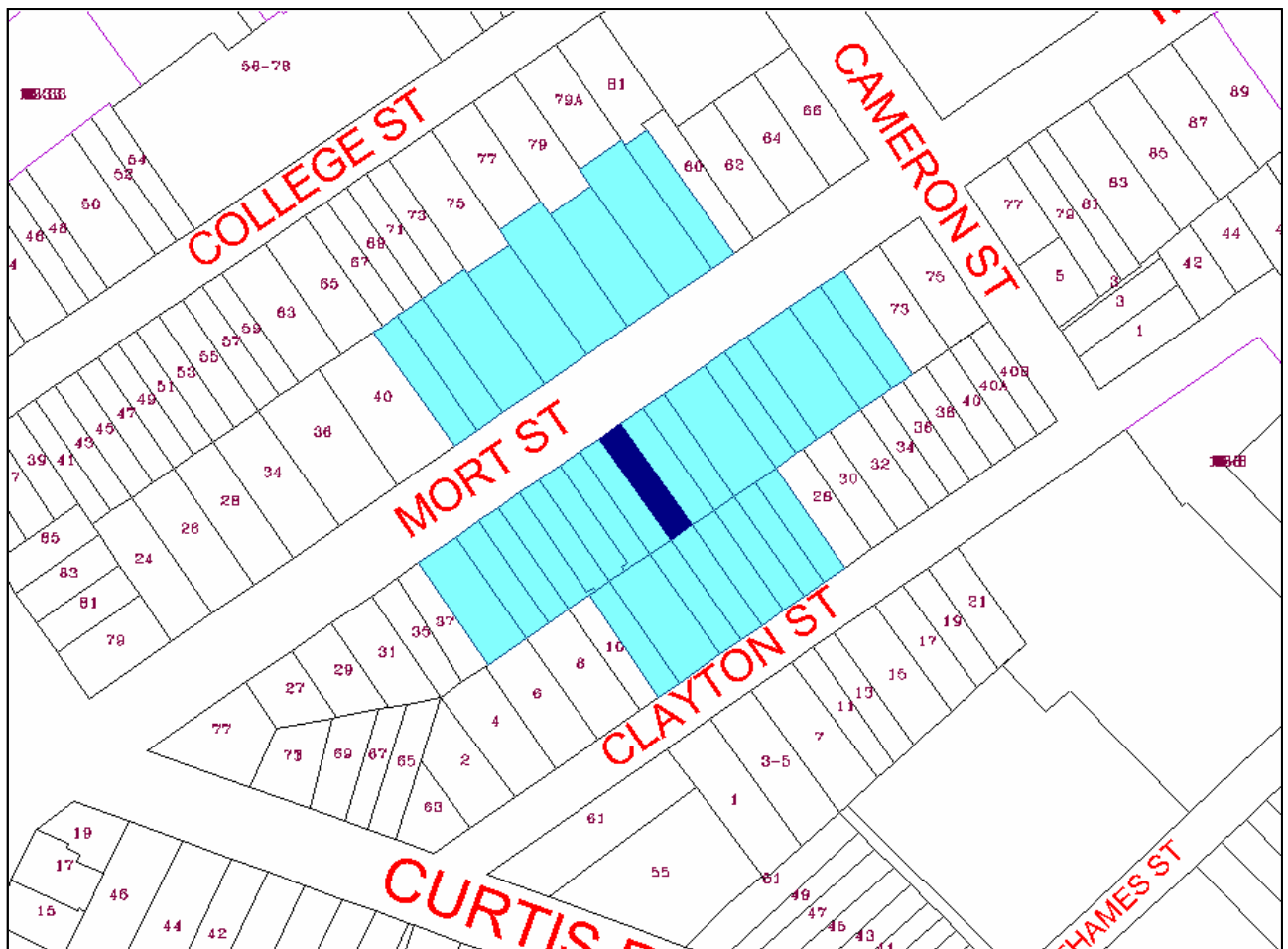
6 either side of the subject site, 6 at rear and 6 directly across the road from the frontage to the subject site.

55 MORT STREET
NOTIFICATION TYPES H & J

Subject Site



**Who to
notify:**



Who to notify

8 either side of the subject site, 8 at rear and 8 directly across the road from the frontage to the subject site.

55 MORT STREET
NOTIFICATION TYPE I (licensed premises)

Subject Site



**Who to
notify:**



Who to notify

12 either side of the subject site, 12 at rear and 12 directly across the road from the frontage to the subject site. **N.B this is the minimum notification and may be expanded.**

SCHEDULE 2 - ACTIVITY APPLICATIONS REQUIRING NOTIFICATION

Structures or places of public entertainment

- Install a manufactured home, moveable dwelling or associated structure on land.
- Install a temporary structure on land.
- Use a building or temporary structure as a place of public entertainment.

Community Land

- Engage in a trade or a business.
- Direct or procure a theatrical, musical or other entertainment for the public.
- Construct a temporary enclosure for the purpose of entertainment.
- For fee or reward, play a musical instrument or sing.
- Set up, operate or use a loudspeaker or sound amplifying device.
- Deliver a public address or hold a religious service or public meeting.

Public Roads

- Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

SCHEDULE 3 - ACTIVITY APPLICATIONS WHICH DO NOT REQUIRE NOTIFICATION

Water supply, sewerage and stormwater drainage

- Carry out water supply work.
- Draw water from a council water supply or a standpipe or sell water so drawn.
- Install, alter, disconnect or remove a meter connected to a service pipe.
- Carry out sewerage work.
- Carry out stormwater drainage work.
- Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with a public drain or sewer.

Management of waste

- For fee or reward, transport waste over or under a public place.
- Place waste in a public place.
- Place a waste storage container in a public place.
- Dispose of waste into a sewer of the Council.
- Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.

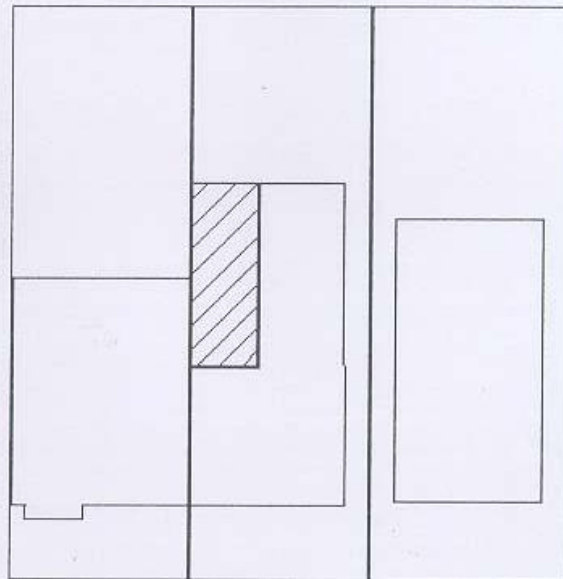
Public Roads

- Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.

Other activities

- Operate a public car park.
- Operate a caravan park or camping ground.
- Operate a manufactured home estate.
- Install a domestic oil or solid fuel heating appliance, other than a portable appliance.
- Install or operate amusement devices (within the meaning of the *Construction Safety Act 1912*).
- Install or operate amusement devices prescribed by the regulations in premises.
- Use a standing vehicle or any article for the purposes of selling any article in a public place.
- Operate an undertaker's business.
- Operate a mortuary.
- Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.

Figure 1.




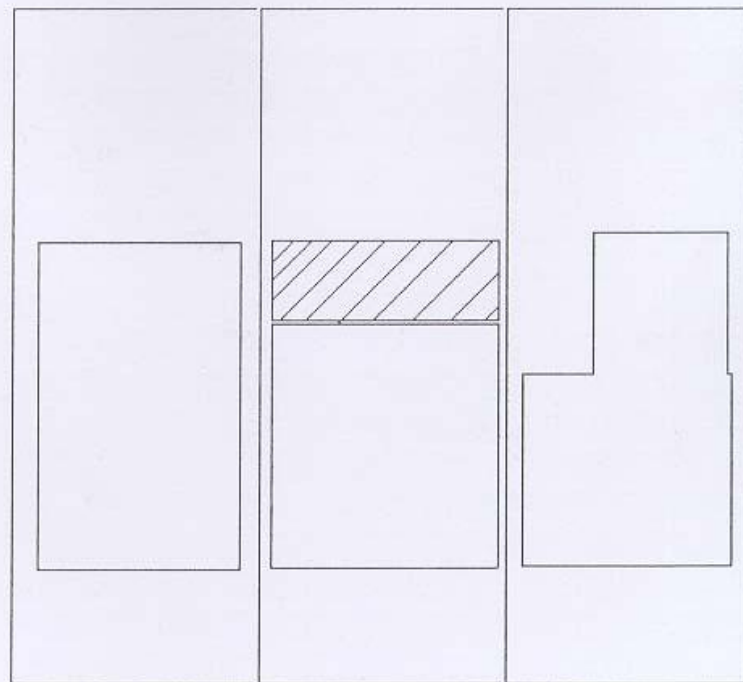
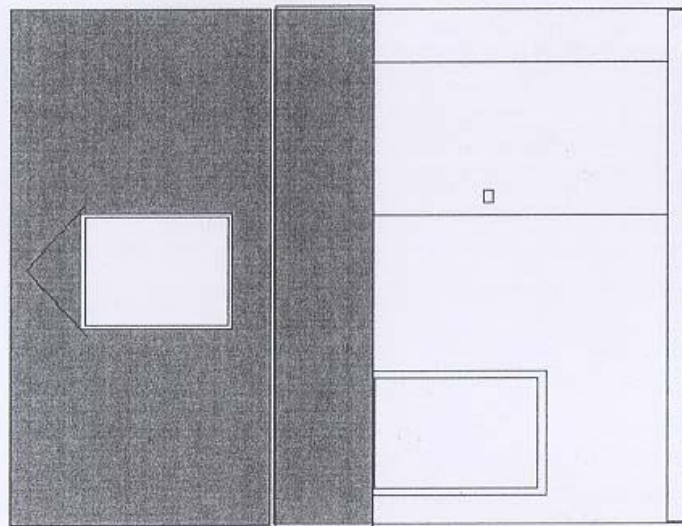
 Area which can be built over

Figure 2.



Area that can be built
over

Figure 3 - dormers



street elevation

Figure 3. dormers

