

Development Application Guide

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1 INTRODUCTION

1.1 About this Guide

This Development Application Guide explains the Development Application process. You can use the Development Application Guide as a checklist for completing your plans and other supporting documentation. If your application includes all the details needed to assess it, we can deal with it more quickly.

This Guide is not designed to assist with more complicated development applications such as Designated Development or State Significant Development. In such cases Council would expect the proponents to liaise early with Council to determine the application requirements.

If you need more information or advice, telephone Council's – Development Assessment team on 1300 345 345.

1.2 Background of DA process

1.2.1 What is a Development Application?

A Development Application (or DA) is a formal request for permission to carry out development. If you are unsure whether you need to lodge a development application, call Council's – Development Assessment team on 1300 345 345.

The type of information that accompanies a Development Application will vary depending upon your proposal and site.

As a minimum, the following documentation is required as part of your application:

- Written Owner(s) consent (see Section 5.4);
- Statement of Environmental Effects: this should address all matters in Snowy Monaro Regional Council's Development Control Plan and Local Environmental Plan (see Section 4.1);
- Plans of the proposed development (including floor plans and exterior elevations) (see Section 3.1);
- A site plan including all existing and proposed development on the entire lot: your site plan should be fully dimensioned, include the levels, and the distances between your proposed development, existing and proposed structures, and all boundaries (see Section 3.1);
- Cost of works (i.e. builder's quote or your own budget): it must be realistic and accurately represent all reasonable costs of works, labour, and materials (see Section 5.1).



2 STEP 1 - ASK ABOUT COUNCIL'S CONTROLS

2.1 Development Control

Before you start designing your proposal, you need to know about development controls, policies, and guidelines, such as:

Former Cooma-Monaro

- [Cooma-Monaro Local Environmental Plan \(LEP\) 2013](#)
- [Cooma-Monaro Development Control Plan \(DCP\) 2014](#)

Former Bombala

- [Bombala Local Environmental Plan \(LEP\) 2012](#)
- [Bombala Development Control Plan \(DCP\) 2012](#)

Former Snowy River

- [Snowy River Local Environmental Plan \(LEP\) 2013](#)
- [Snowy River Development Control Plan \(DCP\) 2013](#)
- Applicable State Environmental Planning Policies (SEPPs)
- Design principles and guidelines
- Likely conditions of consent, including development contributions that may be payable
- Other fees and charges that may be applicable to your proposal.

Our staff can answer most enquiries over the phone, via email, or you can call in personally.

They can also refer you to an assessment officer who can provide detailed advice regarding:

- Relevant design guidelines and objectives;
- Site constraints including flooding and bushfire;
- Assessment criteria about certain proposals;
- Assessment criteria about the environment, contamination, and heritage;
- Servicing and infrastructure requirements;
- Approvals needed under the *Local Government Act 1993* and/or the *Roads Act 1993*;
- Building regulations and Construction Certificates; and
- Other matters that you will need to consider when designing your proposal.

Council staff, however, cannot design your proposal. Consider engaging a private town planning consultant to assist in preparing your plans and documents.

2.2 Policies

[Referral of Development Applications to Council Policy](#)

Note regarding submissions – Petition and pro-forma style submissions are regarded as a single submission, not individual submissions, as per page

3 STEP 2 - PLANS

3.1 Which plans?

Plans and drawings are required to support your application. Plans should be drawn at an appropriate scale and include the date, author's name, north point (toward solar north), and scale (show ratio). Proponents are urged to consider having them professionally drawn.

The plans required for your proposal will depend on the type of development proposed. The following is a general guide of plans required:

3.1.1 Site Plan (all applications except subdivision)

The site plan must clearly show where the proposed building/s and its use will be in relation to the property boundaries. The site plan is to include the following:

- Location of proposed new buildings, alterations or works (show setback distances from boundaries and adjacent buildings), site area, and the location of any registered easements;
- Existing buildings (show outline only) and vegetation;
- Location of any on-site waste treatment system and/or stormwater drainage;
- Proposed landscaped areas;
- Walls and fences;
- Vehicle entrance and exit driveways;
- Car parking and loading areas (if applicable);
- Existing levels of the land in relation to buildings and roads in Australian Height Datum (AHD); and
- Access details – detailing the means of providing legal and practical access to the site, including whether it is proposed to use a Right of Carriageway or Crown Road. Note that there are specific requirements in relation to Rights of Carriageways and Crown Roads, please contact Council to discuss these issues.

3.1.2 Floor Plan (all applications involving erection of a building, internal alterations, or change of use)

A floor plan is a bird's-eye view of the building with the roof removed. The floor plan must be drawn to scale and include:

- The height of the floor level in relation to existing and future ground levels;
- The layout, partitioning, room dimensions, and intended uses for each part of the building;
- Window and door locations, and their sizes;
- Floor levels and steps in floor levels;
- The location of plumbing fixtures;
- Wall structure type and thickness; and
- Any required BASIX Commitments.

3.1.3 Elevations (all applications involving erection of a building and external alterations)

The elevations (or side view) of buildings will clearly show the external appearance of the buildings. Elevation drawings show all four sides of the development. The elevation drawings should include the following:

- Existing buildings (show outline only);
- Building facade, windows, doors, and roof profile;

- External finishes (e.g. wall, roof, window, door and fence materials, paint colours, etc.);
- Finished ground levels, floor levels, ceiling levels, and roof line levels (show driveway grade);
- Chimneys, flues, exhaust vents, and ducts (show height in relation to adjoining roof levels);
- Downpipes and gutters;
- Retaining walls and fences (indicate height); and
- Extent of cut and fill of the site.

3.1.4 Subdivision Plan (all subdivision applications)

This plan will clearly illustrate the proposed subdivision layout. Draw the plan to show the following details:

- Existing and proposed boundaries, and existing/proposed access arrangements;
- Proposed lot numbers;
- Relationship to existing roads and subdivision boundaries (indicate width of road reserves);
- Proposed boundary dimensions (shown in metres);
- Proposed lot areas (shown in square metres or hectares);
- Proposed road reserves and pathways (indicate width);
- Existing/proposed easements and rights of way;
- Existing/proposed public reserves and drainage reserves;
- Existing and finished levels (contours or spot heights with Australian Height Datum values);
- Details of any environmental constraints, dams, etc.; and
- Locations of proposed connections to water supply and sewer disposal.

3.1.5 Landscape Plan (commercial, industrial, and more than two (2) dwellings)

This plan should illustrate in concept form the proposed landscaping that will be used to complement the development. The plan should demonstrate an understanding of the site and its context. Draw the plan to show the following details:

- Finished surface levels, embankments, and grades (extent and maximum depth of cut and fill);
- Existing trees to be retained or removed;
- Proposed planting (indicate species, location, massing, mature height);
- Proposed surface treatments and restorations (e.g. turf, paving, bank stabilisation, mounds, etc.);
- Proposed fences and retaining walls (indicate height and material); and
- Proposed irrigation and mulching.

3.1.6 Erosion & Sediment Control Plan (all development where earthworks are proposed)

This plan illustrates how soil erosion can be minimised on the site. Draw a site plan to show the following details:

- Existing surface contours;
- Proposed finished surface contours;
- Extent of earthworks, stockpiles, access roads, impervious areas, construction entrances, and drainage lines;

- Proposed runoff diversion measures, such as earth perimeter banks and channels, straw bale perimeter banks, diversion banks and channels, level spreaders, drop down drains, and check dams;
- Proposed sediment trapping devices, such as sediment fences, straw bale-geotextile fabric filters, sediment traps, sediment basins, and grade stabilising structures; and
- Proposed revegetation and stabilisation areas.

3.1.7 Shadow Diagram (where overshadowing may result i.e. a two-storey structure)

This plan will illustrate the extent of shadows cast by existing and proposed buildings, including buildings on adjoining land. This needs to be done professionally to be correct. Draw the plan to a standard scale such as 1:100 or 1:200, and show the following details:

- North point;
- Position of existing and proposed buildings on the site;
- Position of buildings on adjoining land, showing location of windows; and
- Shadows cast on 21 June (winter solstice) at 9am, 12 noon, and 3pm.
- If proposal is replacing an existing building, show change in shadows from existing to proposed development.

3.1.8 Additional supporting documents

Depending on your development proposal and the site constraints, additional supporting documents may be required, which may include but are not limited to the following:

- Structural plans;
- Bushfire Assessment Report;
- Flood Impact Assessment;
- Heritage Impact Assessment;
- BASIX Certificate or Section J Report;
- Site & Soil Assessment Report (OSSM);
- Flora and Fauna Report;
- BDAR Report; or
- Waste Management Plan.



4 STEP 3 - WRITE A STATEMENT

4.1 What's included in a Statement of Environmental Effects (SEE)

A Statement of Environmental Effects (SEE) is a report outlining the likely impacts of the proposal, and the proposed measures that will mitigate these impacts.

The statement includes written information about the proposal that cannot be readily shown on your plans and drawings.

The SEE should address all the issues that are applicable to your proposal and must indicate the following:

- 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; and
- Any matters required to be indicated by any guidelines issued by the Director-General for the purposes of this clause.

We would recommend that you try to structure your SEE to address the following;

- Description of land use proposal (as defined in the relevant LEP);
- Description of proposed, present, and previous use(s) of the subject land;
- Description of present use of adjoining land;
- Description of visual setting (e.g. character of area, streetscape, urban/rural setting);
- Description of the age and condition of buildings on the site;
- Statement as to whether the site is contaminated or not, and details of any previous contamination investigations carried out on the site;
- Description of the proposal of the development application;
- Description and use of existing and proposed buildings and any associated works;
- Description of how waste will be managed on site; and
- **Assessment of compliance with all the relevant provisions contained in State Environmental Planning Policies, Local Environmental Plan and Development Control Plan(s) applying to the land/development.**

If the proposed use is of a commercial nature, the following should also be provided in the form of a Plan of Management:

- Operational details;
- Hours and days of operation;
- Number of staff;
- Maximum expected number of customers;
- Method of deliveries (loading, unloading);
- Expected timing and frequency of deliveries;
- Number of existing and proposed on-site carparking spaces;
- Production processes including flow diagram (if applicable);
- Type of waste products (if applicable);
- Any hazardous materials use, storage or processing (if applicable);
- Assessment of site constraints (e.g. flooding, slope, adjoining land uses); and
- Assessment of site suitability for proposed development.



5 STEP 4 – PREPARE YOUR APPLICATION

5.1 Estimated cost of the development

For development involving the erection of a building, the costs include all costs associated with the construction of the building such as materials and labour - even your own. It also includes the costs associated with preparing the building for the purpose for which it is to be used (such as the costs of plant, fittings, fixtures and equipment).

- Development up to \$100,000 - The cost can be estimated by the applicant. The methodology used to calculate the cost must be submitted with your application (such as builder quotes).
- Development between \$100,000 and \$3 million - The cost must be estimated by a licensed builder, registered architect, qualified building designer, or registered quantity surveyor.
- Development more than \$3 million - A detailed cost report prepared by a registered quantity surveyor verifying the cost of the development is to be submitted with your application.

Council requires that your development application is supported with the appropriate information in accordance with the above recommendations.

5.2 Describe the proposed development

You must describe the proposed development in detail and using standard LEP definitions (e.g. dwelling house, shop, subdivision, warehouse or distribution centre). Council's Development Assessment team can assist in properly describing the proposed development.



5.3 Integrated Development

Your proposal may require approval from other government agencies.

Developments that require approvals from external agencies such as the Rural Fire Service (RFS) may be classed as Integrated Development. If you are unsure whether approval with an external agency is needed, please consult with the relevant agency or Council. Please note that an additional fee applies to applications for Integrated developments.

5.4 Written Owner's Consent

Written consent of ALL owners is required for all applications. If the application does not provide signed landowner(s) consent, we cannot lodge your application.

If the owner is a company or owners' association, the application must be signed by an authorised person of the company, preferably under common seal. If land is owned by a company or is within a strata building, the seal of the company or body corporate should be submitted with the application.

If your property benefits from a Right of Carriageway through another property, the written consent of that owner may also be required.



6 STEP 5 – SUBMIT YOUR APPLICATION

The NSW Planning Portal is a digital environment that hosts a range of planning services, and mapping and reporting tools to assist everyone involved in a proposed development.

Development Applications can only be submitted and lodged via the NSW Planning Portal.

To submit a development application through the NSW Planning Portal, you will need to register and verify your account. If you have already have an account, simply login. Otherwise, register for an account [here](#).

You will require the following documents to complete your submission:

- Written and signed Owner Details and Consent - to authenticate that you have the consent of all owners to lodge the application. [Form here to help](#).
- Estimated Costs of Works - i.e. builder's quote or construction budget document.
- Plans - A site plan, including all existing and proposed development on the entire lot. The site plan should include the distances between your proposed work and all boundaries, and labelled as a site plan. You'll also need plans of the proposed development, including floor plans and exterior elevations.
- Statement of Environmental Effects. For minor development only (i.e. sheds or garages, single storey single dwelling) Council has a [template](#) available to assist.
- BASIX Certificate - (if applicable, check with Council), and plans demonstrating commitments.

6.1 Need help submitting an application?

If you require assistance submitting an application via the Portal, it is recommended that you utilise the Quick Reference Guides created by Service NSW available at <https://www.planningportal.nsw.gov.au/applicant-resources>.

A variety of topics are available including:

- Registering for an account;
- Navigating the Portal Dashboard;
- Submitting applications; and
- Providing additional information.

Once you have submitted your application via the Portal, Council will be notified and will then review your application to determine if the application is complete or if additional information is required. If any additional information is required, you will receive a notification from the Portal to submit the additional information via the Portal. In order to streamline your application it helps to submit all relevant documentation straight away.

When Council is satisfied with the documentation and application, you will receive a notification generated from the Portal requesting fees to be paid for your application.

Once the fees are paid, your application will be formally lodged with Council and progress through the assessment process. You will be able to monitor the progress of the application via the Portal.

If the application involves Integrated Development, this fee is paid via the NSW Planning Portal directly to the relevant external agency. This fee will not be requested until the concurrence/referral is actioned from Council.

There is a separate Portal Processing Fee which is charged by the NSW Department of Planning and is paid directly to them.

6.2 How do I pay my application fees?

Once Council has reviewed your application and is satisfied that all relevant documentation has been submitted, a fee estimate will be uploaded into the Portal to enable payment of correct fees. At the same time, an email will also be sent directing you to log into the Portal where you will find the fee estimate with instructions on how to make your payment.

Please note: your application will **not** progress to lodgement until fees are paid.

6.3 How do I submit additional information requested on my application?

Council may request additional information to support the assessment of the application. This additional information must be submitted via the Portal. No emails or hardcopies will be accepted.

For detailed steps on how to submit additional documentation via the Portal, please refer to the relevant Quick Reference Guide on the Service NSW website www.service.nsw.gov.au.

6.4 I'm having technical issues with the Portal, who can help?

Service NSW are available to provide technical support for the NSW Planning Portal. All enquiries can be referred to Service NSW by either emailing info@service.nsw.gov.au or calling 1300 305 695. Council is not responsible for technical issues associated with the Planning Portal.

6.5 What information is publicly available on applications?

The NSW Application Tracker can be used by the general public to search for applications that have been submitted via the NSW Planning Portal. The information publicly available on the Application Tracker includes the Council to which the application was submitted, the type and status of the application submitted, the Planning Portal application number and the type of development. The online application tracker can be viewed via Council's Development Tracker.

<https://masterview.snowymonaro.nsw.gov.au/Home/Search>



7 STEP 6 - ONCE IT'S LODGED

In accordance with section 36 of the *Environmental Planning & Assessment Regulations 2021*, all correspondence will be via the NSW Planning Portal and addressed to the applicant. <https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0759#sec.36>

7.1 Acknowledgement

Upon lodgement of your DA, you will receive a confirmation email from the NSW Planning Portal, providing you with details such as the registered DA number and PAN (Panel Application Number), e.g. DA 10.2023.1.1.

7.2 Additional Information

You will be notified by an email from the Planning Portal if any additional information is required during the assessment stage. This is also listed as a Request for Additional Information on the Portal. The additional information requested must be uploaded to the request via the Planning Portal so that it closes upon completion in order to proceed.

For detailed steps on how to submit additional documentation via the Portal, please refer to the relevant Quick Reference Guide on the Service NSW website www.service.nsw.gov.au.

7.3 Public Notification

Most Development Applications are subject to a neighbour notification process and some are advertised in accordance with the Snowy Monaro Regional Community Participation Plan to enable interested persons to submit comments. The minimum submission period is generally 14 days but some Development Applications are advertised for longer periods of 28 days or more, due to legislative requirements. Where more than ten (10) individual submissions objecting to the proposal are received, the DA will be referred to an Ordinary Council Meeting for determination. Note that pro-forma and petition style submissions are not considered to be individual submissions.

7.4 Notice of Determination

During notification and following the consideration of any submissions, Council's Planning Officer will assess your application. This process will take into account all statutory requirements, Council's adopted codes, policies, and any submissions that may have been received. Development Applications that comply with all relevant standards are generally determined by a delegated Planning Officer. As part of the assessment process, a Planning Officer will be required to inspect your property. Please identify when submitting your application on the Portal any potential barriers or risks (locked gates, dogs, etc.) or if you wish to be contacted prior to the site inspection.

Applications that don't comply with development standards, have received more than ten (10) individual submissions objecting to the proposal, are of a contentious nature, or that involve Council interests are referred to an Ordinary Council Meeting for determination. Council Meetings take place once per month. If your application is to be considered by the elected Council, a letter will be sent to the applicant detailing the date and time of the Council Meeting via the Portal.

7.5 Conditions of Consent

It is your responsibility as the applicant to ensure you read all conditions of consent and that the development is carried out in accordance with any relevant conditions. If you do not understand the conditions of your consent, please contact Council for assistance. You cannot alter or vary the development without first seeking Council consent. To do this,

you must make an application to modify the consent under Section 4.55 of the *Environmental Planning & Assessment Act 1979*. An additional fee applies for a Modification application.

7.6 Local Infrastructure Contributions

Section 7.11 or 7.12 Contributions (formerly Section 94 or 94A Contributions) may be included in your DA conditions. This is a condition requiring a payment towards the capital cost of providing community facilities such as public open space, car parking, etc.

Section 7.11 or 7.12 Contributions are determined in accordance with the relevant Contributions Plan. This sets out the circumstances in which a contribution can be imposed, the formulae for calculating contributions, and the programme of works on which the funds will be spent. You can view or obtain a copy of the relevant Contributions Plan at the Council's Customer Service Centre or online. All Section 7.11 or 7.12 Contributions are paid into a special account.

Note - Section 7.11 or 7.12 Contributions must be paid prior to the issue of a Construction Certificate.

Section 305 Contributions are levied under the *Local Government Act 1993* towards water and sewer infrastructure. The Section 305 Contribution rates for water and sewer will differ depending on the location where development is occurring. Talk to Council for more specific information.



8 CONCLUSION

8.1 Post Consent Certificates

If your proposal involves building or subdivision infrastructure work, you will need to obtain a Construction Certificate or a Subdivision Works Certificate. You can apply for this either via the Planning Portal to Council or an accredited certifier.

Note you may also be required to apply for Section 68 approval for plumbing and drainage, approval for on-site sewerage management system, and Section 138 approval for driveways.

8.2 What to do if you disagree with a notice of determination

If you are dissatisfied with the determination of your DA, contact us immediately so we can clarify issues and discuss your options. Options available to you include:

8.2.1 Review of Determination of your DA

You must complete an application form and pay an additional fee if you seek a review of your proposal and determination. Applications for Review must be made within 6 months of the date of determination.

8.2.2 Application to modify a Development Consent

This may be appropriate if you disagree with particular conditions of consent or decide to amend certain aspects of the proposal. You must apply via the Planning Portal and submit a written justification for the proposed modification, with the following supporting document:

- Amended plans (including clouds/highlights indicating ALL proposed changes); and
- A revised SEE indicating proposed modifications or changes.

Once your application has been checked you will be notified by email advising fees payable.

8.2.3 Appeal to the NSW Land & Environment Court

If you are dissatisfied with your notice of determination you can appeal to the NSW Land & Environment Court within 6 months of the date of determination.

9 CONTACT US

Development Assessment

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www.snowymonaro.nsw.gov.au

1300 345 345

