

# Development Application Checklist LEP 2015



## When to use this form

**To be submitted with a Development Application (DA) for residential development for land zoned under Blue Mountains Local Environmental Plan 2015 (LEP 2015).**

This document refers to requirements listed under the LEP 2015 and Blue Mountains Development Control Plan 2015 (DCP)

The LEP 2015 may be found at <https://legislation.nsw.gov.au/view/html/inforce/current/epi-2015-0829>

The DCP may be found at <https://www.bmcc.nsw.gov.au/development/planning-rules/development-controls-for-land-zoned-under-LEP-2015/DCP-2015>

All development applications are to be lodged via the NSW Planning Portal - <https://www.planningportal.nsw.gov.au/onlineDA>. This checklist must be submitted with your application.

## Introduction

- This checklist will help you to prepare and lodge an assessment ready development application for single dwellings, additions and alterations to dwellings, and ancillary residential structures such as garages, car ports, swimming pools and secondary dwellings.
- Please ensure that your application contains all the information listed in the table. Tick the column (Y/N or N/A) and include this form with your application documentation on the NSW Planning Portal.
- Where you are seeking to vary a standard either within the LEP or the DCP it is recommended that you first obtain pre-DA advice from the Development Advice Team.
- An assessment ready application will give your application the best chance of a smooth development assessment process. The majority of delays in granting approval result from incomplete applications.

## Lodgement

- All information required by the checklist must be submitted with your DA on the NSW Planning Portal.
- Incomplete applications or illegible information will not be accepted by Council.
- All fees are to be paid within 14 days of the date of invoice or the application will be returned.

# Development Application Checklist

## Property details

Lot Section DP
<input type="text"/>
Address
<input type="text"/>
<input type="text"/>

## Preliminary Checks

### 1. Pre DA advice

Has this proposed development been the subject of formal pre-DA advice?  
If so, please provide a copy of the advice.

Yes No N/A

### 2. Cost of development

The DA must nominate the estimated cost of development (which includes consultant fees) as defined in s.251 of the *Environmental Planning and Assessment Regulation 2021*.

Note: This may need to be accompanied by either a Cost Summary Report or a Registered Quantity Surveyor's Detailed Cost Report for development costs more than \$500,000.

Yes No N/A

## Plans

All plans must contain the property address, plan number and date of preparation, or amendment number and date of amendment. *Note: All plans are to be fully annotated/dimensioned and be to a common scale (e.g. 1:100 or 1:200).*

### 3. Survey plan

A survey prepared by a registered surveyor is required for all new dwellings and may be required for some additions/ alterations and ancillary development. The survey provides accurate site dimensions and identifies easements and/ or restrictions on the site. The survey should show contours at 1m or 0.5m intervals and show the location of trees on the site and on adjoining sites within 5 metres of the property boundary. The survey should also plot all existing structures and the location of adjoining structures within 5 metres of the property boundary. This survey will inform other plans required.

Yes No N/A

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## 4. Site Analysis Plan

The site analysis plan shows all the existing conditions of the site. See Part I1.1.1 of the DCP for information on how to prepare a site analysis plan. Minor works such as additions or alterations may incorporate the site analysis plan with the proposed site plan. The plan must contain:

Yes  No  N/A

- The location, boundary dimensions, site area, true north point, contours (usually 1m intervals)
- Existing levels of the land in relation to buildings and roads (for land in Protected Area-Escarpment Area show the Relative Levels (RLs) of the highest point of buildings on adjoining land)
- Location and uses of existing buildings and structures, and location of trees/ vegetation, on the site and on adjoining properties (within 5 metres of property boundary)
- Details of any right-of-way or easements
- Access and street features, including roads, poles, footpath, driveway, street trees.
- Zoned boundaries (if site includes more than one zone).
- Location of any Protected Areas located on the site.

## 5. Proposed site plan

The proposed site plan shows all buildings and structures proposed by this application. See Part I1.1.1 of the DCP for information on how to prepare a site plan. The proposed site plan must contain:

Yes  No  N/A

- The location of proposed buildings (including extensions or additions to existing buildings or works) and buildings to be demolished. Show setbacks for all new work to the property boundary.
- Proposed driveways, car parking and/or garaging, dimensions and ramp gradients
- Calculations of existing and proposed site coverage.
- Location of waste management areas.
- The location and identity of existing trees and other vegetation for removal and retention.

## 6. Demolition plan

Where demolition work is proposed. Clearly indicate those structures proposed for demolition. Details of requirements are provided in Part E4.5 of the DCP.

Yes  No  N/A

## 7. Floor Plans

Floor plans must be provided for all new work and clearly indicate:

Yes  No  N/A

- The layout of the proposed development on all floors.
- Internal walls/partitions and room names or uses.
- Stated dimensions of existing and proposed work (all proposed works are to be highlighted clearly).
- Proposed use of each room.

# Development Application Checklist

## 8. Elevations and Sections

New external work needs to show all elevations and sections and clearly indicate:

- Natural ground level and any proposed changes to ground level.
- Height of the proposed development from existing ground level to finished floor level(s), ceiling and roof ridge levels.

Yes  No  N/A

## 9. Cut/ Fill/ Retaining

If cut and/ or fill is proposed, a cut and fill plan with retaining wall detail has been provided.

Note: Existing and proposed ground levels, retaining walls and boundary fencing must be shown to Relative Levels (RLs) on the development plans and all elevations and sections. The height of retaining walls is to be shown.

See Part B3.2.2 of the DCP for guidance on cut and fill.

Yes  No  N/A

## 10. Materials and Finishes

Where new external work is proposed; details of external colours, materials and finishes are to be provided.

See Part B2.3.5 of the DCP for information on requirements.

Yes  No  N/A

## 11. Shadow Diagrams

For dwellings/ additions/ buildings two (2) or more storeys high, shadow diagrams prepared by an appropriately qualified person are required.

See Part F1.1.4 of the DCP for detailed requirements.

Yes  No  N/A

## 12. Tree retention/ removal plan

If trees are proposed to be removed as part of the development, including any trees required to be removed to comply with Asset Protection Zones; this needs to be detailed on the plans and may be shown on the proposed site plan. The number and species identification of trees to be removed should be clearly indicated on the plans.

See Part I2.1.7 of the DCP for detailed requirements.

Yes  No  N/A

## 13. Concept landscape plan

Required for all new dwellings. See Parts I2.1.8 - 12.1.12 of the DCP for information on how to prepare a landscape plan. See Part C3 for guidance on landscaping. Details of landscaping may be shown on the proposed site plan for minor works.

The landscape plan should include pervious area calculations, location of planting and turfed areas, and position of all trees and large shrubs on the site (including those proposed to be removed or pruned).

Yes  No  N/A

# Development Application Checklist

## 14. Concept stormwater management plan

Yes  No  N/A

All small scale development (>50m<sup>2</sup> – 2500m<sup>2</sup>) requires a concept stormwater management plan as required by Cl6.9 of the LEP and Part C6.1.2 and C6.1.3 of the DCP.

For minor works details of stormwater management can be shown on the proposed site plan.

Plans need to identify how the stormwater will be managed on site and where it will be discharged to. The location of water tanks, stormwater drains, pits, pipes, and proposed stormwater treatment devices (such as infiltration trenches or raingardens) is required.

Stormwater plan should be consistent with the landscape plan.

## 15. Services plan

Yes  No  N/A

Where new connections are proposed show location of all services and infrastructure. It is recommended that early contact with Sydney Water be made where new connections to reticulated sewer is proposed.

Where on site sewer is proposed, identify the location on the system on the existing and/ or proposed site plan. Developments that propose on site wastewater systems must be supported by a water cycle management study. Details of requirements are provided at Part E1.2 of the DCP.

## 16. Driveway plans

Yes  No  N/A

Proposals for driveways on steeper slopes require concept plans which comply with Australian Standard (AS2890.1 2004). Longitudinal sections are required showing existing and proposed RLs and any excavation or filling proposed, including in the road reserve.

See Part E2.3.3 of the DCP for details on requirements.

## 17. BASIX documentation

Yes  No  N/A

Proposals involving a new dwelling, residential work with an estimated cost exceeding \$50,000, or a swimming pool or spa having a capacity greater than 40kl the BASIX commitments must be shown on the plans, in addition to the BASIX certificate to be submitted.

## 18. Erosion and sediment control plan

Yes  No  N/A

Proposals where the area of soil disturbance is less than 2,500m<sup>2</sup> (excluding minor additions and development that disturbs less than 50m<sup>2</sup> of the site), an Erosion and Sediment Control Plan (ESCP) is to be submitted in accordance with cl. E4.3 of the DCP.

## Advisory note - structural specifications

These are generally not required at DA stage however it is recommended to undertake early consultation with your engineer in order to ensure that the design will be able to meet the requirements of the relevant Building Code of Australia standards and Australian Standards. (Note: high wind areas and snow loading requirements apply in some parts of the Blue Mountains. Site specific conditions may have bearing on footing design and construction).

# Development Application Checklist

## Documentation

Reports and documents which support your development application are required to be submitted in accordance with s.24 of the *Environmental Planning and Assessment Regulation 2021* and in accordance with Councils environmental planning instruments.

### 19. Statement of environmental effects (SEE)

This report is required for all development applications and must describe:

- The environmental impacts of the development, including impacts on neighboring properties (e.g. privacy/ overshadowing) as well as impacts on the landform, vegetation and storm water.
- How the environmental impacts of the development have been identified. Identify the zoning objectives and any protected areas or heritage items on or adjoining the site.
- The steps to be taken to protect the environment or to lessen the expected harm to the environment. Describe how the development responds to the relevant clauses within the LEP and DCP. Include details of how the construction works will be managed and how the site will be managed post development (e.g. vegetation management/ asset protection zones/ waste management).

A table outlining all relevant numerical standards (such as building heights, site coverage, pervious area and setbacks) should be included. The SEE should also cross-reference all plans, reports and studies that are required to be provided with the application.

Yes  No  N/A

### 20. Clause 4.6 Exceptions to a development standard

If a variation to a development standard within LEP 2015 is proposed, a written justification for contravening the standard must be provided in accordance with the requirements of cl. 4.6 of the LEP 2015.

See Council's website for a proforma statement: <https://www.bmcc.nsw.gov.au/documents/form-vary-a-development-standard-lep-2005>

Yes  No  N/A

### 21. Other Variations

Any variations proposed to development controls within the DCP (e.g. front setback) will require a written justification outlining reasons why the control cannot be achieved but demonstrate how the proposal still complies with the relevant objectives of the DCP control. This can be included in the SEE.

Yes  No  N/A

### 22. Studio/ Sheds/ Home office

A statement of intended use is required. This can be included in the SEE.

Yes  No  N/A

# Development Application Checklist

## 23. Heritage

If the property is a heritage item, a heritage conservation area, or adjoins a heritage item, a heritage impact statement is to be submitted in accordance with cl. 5.10 of the LEP. Any proposed works on a heritage listed item will require a heritage assessment report to be prepared by a qualified heritage consultant. See Part I3.1.1 of the DCP for information on what is required to be included in the heritage report.

Proposals for minor works; such as additions to the rear or internal works heritage impacts may be addressed within the Statement of Environmental Effects.

Yes  No  N/A

## 24. Bushfire

Any development located on mapped bushfire prone land requires a bushfire assessment report. It is recommended that a bush fire consultant prepare this report if the works are in a high bush fire threat area. In some cases a self-assessment report may sufficient.

See RFS website for more information: [https://www.rfs.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0017/4355/Guidelines-for-Single-Dwelling-Development-Applications.pdf](https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0017/4355/Guidelines-for-Single-Dwelling-Development-Applications.pdf)

Yes  No  N/A

## 25. Stormwater management plan

Where new dwellings exceed the maximum site coverage (see clause 4.4A of the LEP) a stormwater management plan is to be prepared by a suitably qualified consultant and in accordance with CI C6.1.3 of the DCP.

Yes  No  N/A

## 26. Vegetation Management Plan

Any variations proposed to development controls within the DCP (e.g. front setback) will require a written justification outlining reasons why the control cannot be achieved but demonstrate how the proposal still complies with the relevant objectives of the DCP control. This can be included in the SEE.

Yes  No  N/A

## 27. Flora and fauna report/ Vegetation survey and species inventory

For development where works involve the removal of bushland in areas with intact or modified bushland (scheduled or non-scheduled), high ecological value or mapped environmental constraint areas; a report is required in accordance with C1.1 of the DCP.

See I2.1.2 for further information and Council's guide on how to prepare a flora and fauna assessment: <https://www.bmcc.nsw.gov.au/development-controls-for-land-under-lep-2015/guides#flora>

Yes  No  N/A

## 28. Arboricultural report

Where the works are likely to impact on large and/or significant trees, or where trees are sought to be retained within 3m of development works.

See Part I2.1.6 of the DCP for requirements.

Yes  No  N/A

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## 29. BASIX Certificate

Proposals that involve residential work with an estimated cost exceeding \$50,000, a swimming pool or spa having a capacity greater than 40kl.

Yes  No  N/A

## 30. S3QM certificate

If the development is within the Sydney Drinking Water Catchment, and results in additional building site coverage a S3QM certificate is required in accordance with the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011.

See WaterNSW website for more information: <https://www.watarnsw.com.au/water-quality/catchment/development/da>

Yes  No  N/A

## 31. BOS check/ BDAR

For development that involves the clearing of bushland on larger sites; information confirming whether the proposed development triggers the NSW Biodiversity Offset Scheme can be provided by the submission of a Biodiversity Values Map and Threshold Report. This report is available at: <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about-the-biodiversity-offsets-scheme/when-does-bos-apply>

Where a development triggers BOS due to the area of clearing exceeding the area clearing threshold, or clearing of land mapped on the Biodiversity Values Map, then a Biodiversity Development Assessment Report (BDAR) is required to be submitted.

Note that this type of development is to be avoided and is generally not supportable.

A BDAR contains a Biodiversity Assessment Method (BAM) and is required to be prepared in accordance with the NSW Biodiversity Conservation Act 2016 and supporting regulations by an NSW OEH accredited assessor (Accredited Assessor Public Register).

Yes  No  N/A

## 32. Contamination report

Where the site is listed as contaminated, contains contaminated fill, or had a previous land use that may cause contamination (such as agriculture or horticulture) a contamination investigation is required in accordance with Part E7.2 of the Blue Mountains Development Control Plan 2015.

Yes  No  N/A

## 33. Geotechnical report

Where site disturbance is proposed within Protected Area – Slope Constraint Area a geotechnical report may be required (refer to LEP 2015 clause 6.4(3)(d)). Some minor works on slope constraint may be carried out within the slope constraint area.

Yes  No  N/A



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## 34. On site sewer management

Where connection to reticulated sewer is unavailable an on site waste water management report is required. This would include geotechnical surveys of the site to establish the suitability of the land to accommodate an on site sewer system. This report is generally known as a Water Cycle Management Study and should be prepared in accordance with Part E1.2 of the DCP. Please note that a minimum area of 4000m<sup>2</sup> is required for on site sewer management. Development must be connected to reticulated sewer where this is available in accordance with Sydney Water requirements.

Yes  No  N/A

## 35. Weed Management Strategy

Where significant or priority weeds are identified on a development site, a Weed Management Strategy is required in accordance with Part C2.2 and Part I2.1.5 of the DCP.

Yes  No  N/A

## 36. Noise attenuation report

Where development is located adjacent to the rail corridor (cl. 2.98 of State Environmental Planning Policy (Transport and Infrastructure) 2021) or adjacent to a Classified road (Great Western Highway, Hawkesbury Road, Bells Line of Road) (cl. 2.119 of State Environmental Planning Policy (Transport and Infrastructure) 2021) a noise attenuation report is required. Details of the recommendations of the report must be incorporated within the plans.

Where a development is not directly adjacent to the rail or road corridor but is affected by rail or road noise, the Statement of Environmental Effects should refer to the Department of Planning document 'Development near rail corridors and busy roads – Interim guideline' (2008) for specific matters that must be taken into account.

Yes  No  N/A

## 37. Solid fuel heater

A separate Section 68 application is required. Include details and specifications provided in relation to the solid fuel heater.

Yes  No  N/A

## Declaration

### Applicant Signature

I/ we declare to the best of my/our knowledge, that the particulars stated on this checklist are correct in every detail and that the information required has been supplied.

Applicant's name(s)

Signature of Applicant:

Date:

The supply of the above information is legally required and will assist Council officers in assessing your application. Failure to supply the information may result in delays or rejection. Further information may be required to be supplied.