

Part A

INTRODUCTION

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Chapter 1

GENERAL INFORMATION

1.1 NAME OF THIS PLAN

This Development Control Plan (DCP) is entitled Hawkesbury Development Control Plan 2002.

1.2 LEGISLATIVE BACKGROUND

This DCP has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

This DCP complements the statutory provisions contained in Hawkesbury Local Environmental Plan 2012 (LEP 2012). This DCP repeals any previous DCP of Hawkesbury City Council.

1.3 LAND TO WHICH THIS PLAN APPLIES

This DCP applies to all land within the Hawkesbury Local Government Area (LGA) to which LEP 2012 applies.

1.4 OBJECTIVES OF THIS PLAN

The objectives of this DCP are:

- a) To provide a comprehensive document that contains detailed development controls for development which meets community expectations and addresses the key environmental planning issues of the Hawkesbury LGA;
- b) To promote economically, socially and environmentally sustainable development within the City of Hawkesbury;
- c) To enable an aesthetically pleasing and functional development that sympathetically relates to adjoining and nearby development;
- d) To maintain and enhance the environmental and cultural heritage of the Hawkesbury LGA;
- e) To involve the local community in the planning process by ensuring openness, accountability and transparency in the decision-making process;
- f) To set out clear processes, procedures and requirements to facilitate an integrated and consistent framework for dealing with development assessment;
- g) To ensure that development will respond to its context and not detrimentally affect the surrounding development ; and
- h) To promote the Ecologically Sustainable Development (ESD) principles including water sensitive urban design, climate responsive building design, energy efficiency, and selection/use of recycled materials.

1.5 RELATIONSHIP WITH OTHER PLANS AND POLICIES

LEP 2012 provides the legal framework for development within Hawkesbury. This DCP supplements the controls in the LEP and establishes the standards, information requirements, aims, objectives and rules under which all development is to be assessed. Should there be any inconsistency between the provisions in this DCP and the provisions in LEP 2012, LEP 2012 shall prevail.

This DCP should be read in conjunction with any other relevant Acts, State Environmental Planning Policies (SEPPs), codes/guidelines.

1.6 ADOPTION DATES

Each chapter of this DCP has been adopted by Council on the following dates:

Chapter	Adoption Date	Effective Date
Part A: Introduction	13 December 2011	21 September 2012
Part B: Exempt and Complying Development	13 December 2011	21 September 2012
Part C: General Guidelines	12 March 2002	7 August 2002
1. Landscaping	12 March 2002	7 August 2002
2. Parking and Access	12 March 2002	7 August 2002
3. Signs	12 March 2002	7 August 2002
4. Erosion and Sedimentation Control	12 March 2002	7 August 2002
5. Bushfire Prone Land	12 March 2002	7 August 2002
6. Energy Efficiency	12 March 2002	7 August 2002
7. Effluent Disposal	11 May 2004	2 June 2004
8. Management of Construction & Demolition Waste	30 August 2005	14 September 2005
9. Preservation of Trees and Vegetation	13 December 2011	21 September 2012
Part D: Specific Development	12 March 2002	7 August 2002
1. Residential	12 March 2002	7 August 2002
2. Industrial	12 March 2002	7 August 2002
3. Subdivision	12 March 2002	7 August 2002
4. Brothels	12 March 2002	7 August 2002
5. Telecommunications	12 March 2002	7 August 2002
6. Dam Construction	12 March 2002	7 August 2002
7. Landfill	12 March 2002	7 August 2002
8. Erection of Rural Sheds	12 March 2002	7 August 2002
Part E: Specific Areas	12 March 2002	7 August 2002
1. Kurrajong Heights	12 March 2002	7 August 2002
2. Macdonald Valley	12 March 2002	7 August 2002

Chapter	Adoption Date	Effective Date
3. Grose Wold	12 March 2002	7 August 2002
4. Pitt Town	3 February 2009	19 February 2009
5. Macquarie & Bridge Street, Windsor	13 December 2005	11 January 2006
6. Bligh Park Neighbourhood Business Precinct	<i>Repealed on 4 July 2013.</i>	
7. Windsor District Baptist Church Site, 739 – 741 George Street, South Windsor	13 December 2011	21 September 2012
Appendices	12 March 2002	7 August 2002
A. Dictionary	12 March 2002	7 August 2002
B. Lodging a Development Application	12 March 2002	7 August 2002
C. Development Application Fees	12 March 2002	7 August 2002
D. Landscaping Species	12 March 2002	7 August 2002
E. Engineering Specifications	12 March 2002	7 August 2002
Part 1 Design Specifications	12 March 2002	7 August 2002
Part 2 Construction Specifications	12 March 2002	7 August 2002
Part 3 Drawings	12 March 2002	7 August 2002

1.6 HOW TO USE THIS DCP

To use this DCP there are a number of key steps to consider. They are outlined in table below.

<p>Step 1</p> <p>Does this DCP apply?</p>	<p>Is the proposed development permitted with consent under LEP 2012? If yes, then this DCP applies.</p> <p>Note: <i>This DCP does not apply to a development that is classified as:</i></p> <ul style="list-style-type: none"> - <i>exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) or Schedule 2 of the LEP or;</i> - <i>complying development under the Codes SEPP or Schedule 3 of the LEP</i> <p><i>See Codes SEPP and the LEP for details. A copy of the Codes SEPP is available at the following website www.legislation.nsw.gov.au.</i></p>
<p>Step 2</p> <p>What does a DA need to address?</p>	<p>To understand what needs to be addressed when preparing a Development Application (DA), refer to Council's "Guidelines for Submitting Applications" and Appendix 2 of this DCP. When preparing a DA, consult with Council's Customer Service Unit.</p>
<p>Step 3</p> <p>Consider the general controls that apply.</p>	<p>For all development (other than Exempt or Complying Development), there are general controls that might apply, including controls relating to landscaping, car parking, signs, soil erosion, and effluent disposal. See Part C of this DCP for details.</p>

<p style="text-align: center;">Step 4</p> <p style="text-align: center;">Are there any additional controls that apply?</p>	<p>Additional controls apply to residential development, industrial development, subdivision, erection of rural sheds, telecommunications, dams and land filling. See relevant sections of Part D of this DCP.</p>
<p style="text-align: center;">Step 5</p> <p style="text-align: center;">Is the site located in a special area?</p>	<p>If the site is within Kurrajong Heights Village; the MacDonald Valley; Grose Wold; Pitt Town; Macquarie and Bridge Streets, Windsor; Bligh Park Neighbourhood Precinct; or 739 - 741 George Street, South Windsor, site specific controls specified in Part E of the DCP might apply in addition to controls specified in Parts C and D of the DCP.</p>
<p style="text-align: center;">Step 6</p> <p style="text-align: center;">Any additional requirements?</p>	<p>If the development involves any engineering works, refer to Appendix E of this DCP for relevant engineering specifications.</p>

1.7 VARIATIONS TO THE DCP

This DCP contains Aims, Objectives and Rules to achieve satisfactory development outcomes. A proposed departure from the development controls contained in this DCP will only be considered where written justification is provided for such departure which demonstrates:

- why the controls are unreasonable or unnecessary in the circumstances;
- how the development will achieve the aims and objectives of the DCP and the zone of the subject land contained in LEP 2012 despite the proposed departure; and
- what innovative and improved outcomes will be achieved by the development to justify the departure.

1.8 TRANSITION PROVISIONS IN RELATION TO HAWKESBURY LOCAL ENVIRONMENTAL PLAN 1989 AND HAWKESBURY LOCAL ENVIRONMENTAL PLAN 2012

On 21 September 2012 LEP 2012 commenced and Hawkesbury Local Environmental Plan 1989 (HLEP 1989) was repealed. As a result of this, certain immediate amendments were required to be made to the DCP to ensure consistency with the LEP 2012. Accordingly, Part A and Part B were amended and Part C Chapter 9 Preservation of Trees and Vegetation and Part E Chapter 7. Windsor District Baptist Church Site, 739 - 741 George Street, South Windsor were added to the DCP. Pending further amendments to other parts of the DCP the following transitional provisions are to apply:

- any reference to HLEP 1989, however described, is deemed to be a reference to LEP 2012;

- any reference to any zone of HLEP 1989, however described, is deemed to be the equivalent zone of LEP 2012, as determined by Council; and,
- any reference to a land use of HLEP 1989, however described, is deemed to be the equivalent land use of LEP 2012, as determined by Council.

Chapter 2

TYPES OF DEVELOPMENT AND THE DEVELOPMENT APPLICATION PROCESS

2.1 TYPES OF DEVELOPMENT

Within the Hawkesbury LGA, LEP 2012 is the main planning instrument which identifies development that:

- can be carried out without Council's consent;
- can be carried out only with Council's consent; and,
- is prohibited.

Different types of development are also identified in the NSW Planning legislation. Various types of development are discussed briefly below:

2.1.1 Development Without Consent

Exempt Development

This type of development is considered to be of minimal environmental impact. Under Section 76 of the Act, Exempt Development may be carried out without the consent of Council (see Chapter 1, Part B of the DCP for more details).

2.1.2 Development With Consent

(a) Complying Development

Under Section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate either by Council or an Accredited Certifier (see Chapter 2, Part B of the DCP for more details).

(b) Local Development

The majority of proposals are Local Development and require the lodgement of a DA with Council.

(c) Designated Development

"Designated development" is defined in Schedule 3 of the Regulation. This schedule lists types of developments that require a more rigorous environmental impact assessment. These applications require the preparation of an Environmental Impact Statement (EIS) which must be undertaken in accordance with the requirements of the Director – General of the NSW Department of Planning and Infrastructure.

Note: The EIS is a more detailed assessment of the potential impacts of the development and of measures to minimise these impacts. When preparing an EIS it is strongly recommended that you use the services of a suitably qualified consultant. You should carefully research the consultant's capacity for and experience in preparing such documentation and if necessary ask to see examples of their work.

(d) Integrated Development

“Integrated development” is defined by Section 91 of the Act and is development (not being complying development) that, in order for it to be carried out, requires development consent and one or more of the following approvals:

- *Fisheries Management Act 1994*
- *Heritage Act 1977*
- *Mine Subsidence Compensation Act 1961*
- *Mining Act 1992*
- *National Parks & Wildlife Act 1974*
- *Petroleum (Onshore) Act 1991*
- *Protection of the Environment Operations Act 1997*
- *Roads Act 1993*
- *Rural Fires Act 1997*
- *Water Management Act 2000*

Note: The above list may be subject to future review and therefore it is always necessary to check the current version of the Act

With integrated development, there is an integrated assessment of the proposal with both Council and the relevant approval body assessing the DA. If an approval body provides the Council with “general terms of approval” these must be included in any consent issued by Council, if Council intends to approve the DA. If the approval body refuses to provide “general terms of approval”, then Council must refuse the DA.

(f) Regional Development

Regional development is development which is notified and assessed by a local council and then determined by the relevant joint regional planning panel (regional panel). Regional development is defined in Schedule 4A of the Act. Regional development includes:

- development with a capital investment value (CIV) over \$20 million,
- development with a CIV over \$5 million which is council related, lodged by or on behalf of the Crown (State of NSW), private infrastructure and community facilities or eco-tourist facilities,
- extractive industries, waste facilities and marinas that are designated development,
- certain coastal subdivisions,
- development with a CIV between \$10 million and \$20 million which are referred to the regional panel by the applicant after 120 days, and
- Crown DAs (with a CIV under \$5 million) referred to the regional panel by the applicant or local council after 70 days from lodgement as undetermined, including where recommended conditions are in dispute.

Note: It should be noted that development that meets the specific capital investment value (CIV) or other criteria to be State significant development is excluded as being regional development. For example, manufacturing industries, hospitals and education establishments with a CIV over \$30 million are considered State significant. Other exclusions apply.

(g) State Significant Development (SSD)

State Significant Development (SSD) is development that is declared under section 89C of the Act. *State Environmental Planning Policy (State and Regional Development) 2011* specifies a range of developments including certain agricultural produce industries, education establishments, intensive livestock agriculture, hospitals, manufacturing industries, medical facilities, tourist facilities, warehousing, waste and resource management facilities energy, tourist, education and hospital facilities as SSD. In addition the Minister for Planning and Infrastructure may also declare development to be SSD by an order. These developments are assessed by the DP&I in consultation with relevant councils, NSW Government agencies and the community.

A full list of SSD development types and specified sites can be found in Schedules 1 and 2 of the State and Regional Development SEPP.

2.1.2 Prohibited Development

The Land Use Table in Part 2 of LEP 2012 lists the types of development that are prohibited in each zone. In addition, relevant SEPP should be considered for any provisions which may prohibit development on the site.

2.2 THE DEVELOPMENT ASSESSMENT PROCESS

2.2.1 Pre-Development Application Consultation

Pre-DA consultation is considered to be an important aspect of the DA process. It provides the opportunity for Council staff to advise applicants about the permissibility of a proposal, relevant sections of this DCP that apply to the development, any inherent site constraints which are known to Council, issues that need to be addressed, and the information needed to be included in the DA. This will ensure that all relevant issues are addressed, sufficient information is provided, and minimise time delays and expenses.

Prospective applicants are advised to contact Council's Customer Service Unit on (02) 4560 4444 to discuss their proposals prior to preparing and submitting applications. Where large and complex developments are proposed such as residential flat developments, multi-dwellings, mixed-use developments, large commercial/business premises, industrial developments and retail complexes, applicants are encouraged to prepare preliminary concept plans prior to organising a pre-DA meeting with Council.

2.2.2 Development Application Requirements

DA requirements are included in Council's 'Guidelines for Submitting Applications'. A copy of the Guidelines can be obtained from Council's Customer Service Unit or on Council's website.

Applicants are encouraged to use the services of a professional town planner, and other related experts, to assist in the preparation of Statement of Environmental Effects (SEE) for major or more complex development proposals (see Planning Institute of Australia NSW Division for a list of consultant town planners).

2.2.3 Lodgement of a Development Application

The lodgement of a DA is required for any proposed development where LEP 2012 or any other environmental planning instrument specifies that a proposed development may only be carried out with development consent. A DA may be made by the owner of the land to which the DA relates or by any other person, with the consent in writing of the owner of that land.

Note: Where a public authority prepares a DA, the consent in writing of the owner of the land is not required, if the authority forwards a copy of the application to the owner prior to the making of that application.

2.2.4 Development Assessment

In assessing an application, Council will take into consideration the matters specified in Section 79(c) of the Environmental Planning & Assessment Act, 1979 and as are of relevance to the proposed development. The diagram in Section 2.2.9 depicts the assessment process.

2.2.5 Additional Information

Council may request the applicant to provide additional information on the proposed development to enable a proper assessment of the proposal. For example, where a DA is unclear or illegible, or is not accompanied by the appropriate fee, if any relevant integrated approvals have not been identified in the application, or if the DA is not accompanied by a Species Impact Statement where one is required, the DA may be returned to the applicant. In addition, Council may “stop the clock” and request additional information. This means that the time for Council assessing the development is extended. The assessment clock is not restarted again until Council is satisfied that there is sufficient information to appropriately assess the DA.

2.2.6 Notice of Council Meeting

Where a DA is referred to a Council meeting for determination, persons who made submissions and the applicant will be advised in writing of the date of the relevant Council meeting. If the DA is to be determined by the Joint Regional Planning Panel (JRPP), persons who made submissions and the applicant will be advised in writing of the date of the relevant JRPP meeting.

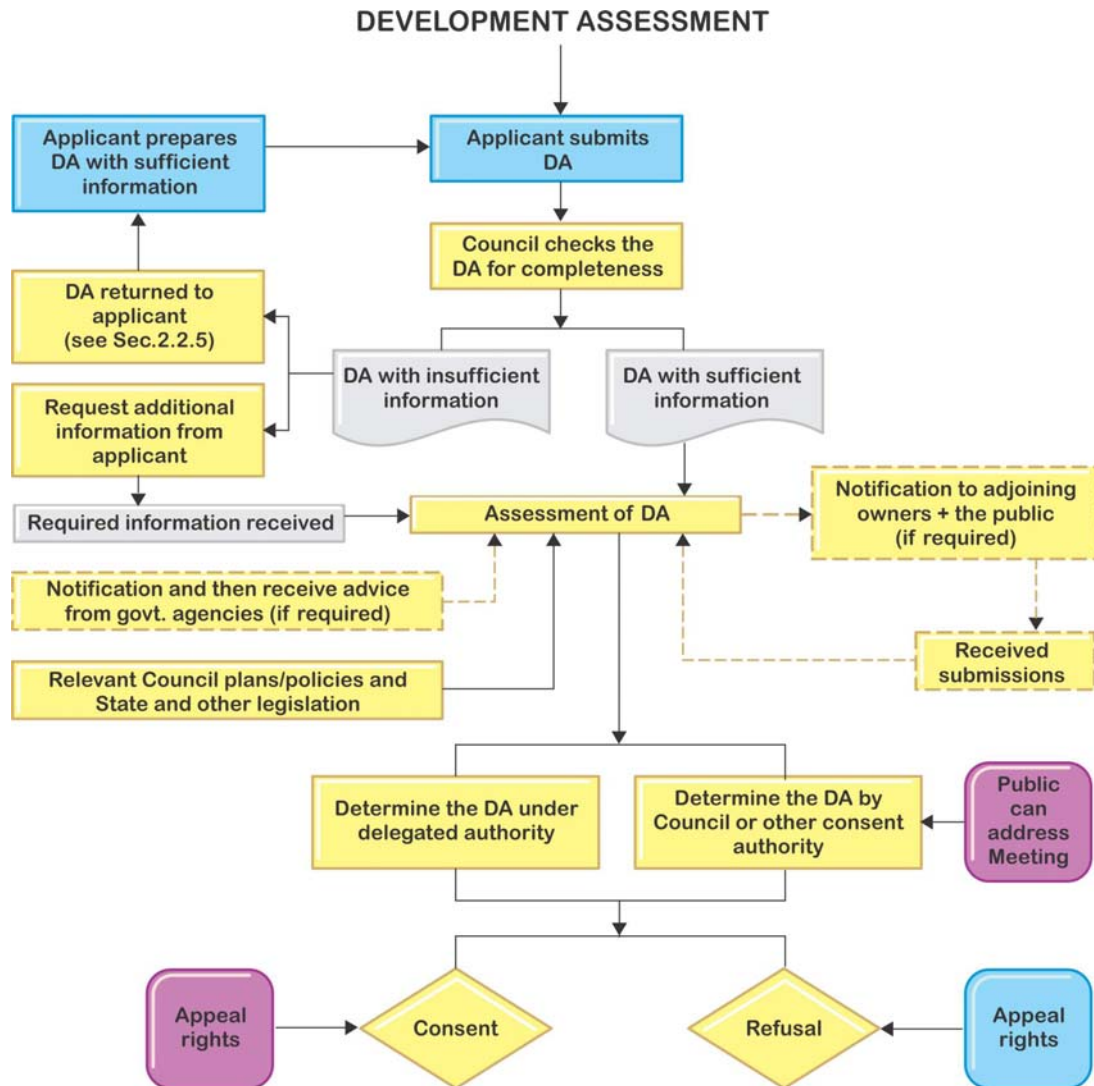
2.2.7 Notification of Determination

Following determination of a DA (including an application for the modification of the development consent) the applicant and all persons who made submissions will be advised in writing of Council’s determination of the application.

2.2.8 Review of Determination

In the event of an application being refused by Council or where the applicant is dissatisfied with any condition of consent, the applicant may request Council to review the determination under Section 82A of the Act.

2.2.9 Development Assessment Process



Chapter 3

NOTIFICATION OF DEVELOPMENT APPLICATIONS

3.1 INTRODUCTION

This chapter outlines notification requirements for the public exhibition of DAs.

3.2 NOTIFICATION OF DEVELOPMENT?

This section identifies the types of the development that will be notified and the types of development that does not require notification.

3.2.1 What Development Will Be Notified?

The following table identifies types of development that will be notified and the form of notification unless the General Manager, or delegated staff, consider that the circumstances of the application are such that notification is not necessary or a use that is not listed in the matrix is believed to require notification in the public interest.

Notification Table

Land Use / Development Type	Letters to Adjoining Occupiers/Owners	Site Sign	Notice in Local Newspaper
agriculture			
animal boarding or training establishments	✓	▲	X
aquaculture	✓	▲	X
extensive agriculture	✓	▲	X
farm buildings (within 10m of a boundary)	✓	X	X
forestry	✓	✓	▲
intensive plant agriculture	✓	▲	X
intensive livestock agriculture	✓	▲	X
residential accommodation			
attached dwellings	✓	X	X
boarding houses	✓	✓	X
dual occupancies	✓	X	X
Dwelling houses (two storey) including alterations and additions to existing two storey dwelling houses within residential zones.	✓	X	X
Dwelling houses (two storey) including alterations and additions to existing two storey dwelling houses within 10m of a boundary within a rural or environmental protection zone.	✓	X	X
group homes	✓	✓	X
hostels	✓	✓	X

residential accommodation			
multi dwelling housing	✓	✓	X
residential flat buildings	✓	✓	X
rural worker's dwellings	✓	X	X
secondary dwellings	✓	X	X
semi-detached dwellings	✓	X	X
seniors housing	✓	✓	X
shop top housing	✓	✓	X
home-based child care	✓	X	X
home business	✓	X	X
home occupation (sex services)	✓	✓	X
tourist and visitor accommodation			
backpackers' accommodation	✓	✓	X
caravan parks including camping grounds	✓	✓	X
bed & breakfast accommodation	✓	X	X
farm stay accommodation	✓	X	X
hotel or motel accommodation	✓	✓	X
serviced apartments	✓	✓	X
commercial premises			
amusement centres	▲	X	X
bulky goods premises	▲	X	X
cellar door premises	▲	X	X
function centres	✓	▲	X
funeral homes	✓	▲	X
garden centres	✓	▲	X
industrial retail outlets	▲	X	X
kiosks	▲	X	X
landscaping and material supplies	✓	▲	X
markets	✓	▲	X
neighbourhood shops	▲	X	X
office premises > 5000m ² GFA	✓	✓	X
entertainment facilities	✓	▲	X
plant nurseries	✓	▲	X
pubs	✓	✓	✓
retail premises > 5000m ² GFA	✓	✓	X
registered clubs	✓	✓	✓
restaurants or cafes	▲	X	X
restricted premises	▲	X	X
roadside stalls	▲	X	X
rural supplies	✓	▲	X
service stations	✓	✓	X
shops	▲	X	X
take-away food & drink premises	▲	X	X
hardware and building supplies	✓	▲	X
sex services premises	✓	✓	▲
timber yards	✓	▲	X
vehicle sales or hire premises	✓	▲	X
veterinary hospitals	✓	▲	X
wholesale supplies	▲	X	X
rural industries [eg. use of composting facilities and works]			
agricultural produce industries	✓	✓	X
livestock processing industries	✓	✓	X
sawmill or log processing industries	✓	✓	X
stock & sale yards	✓	✓	X

industries			
boat building and repair facilities	▲	X	X
extractive industries	✓	✓	✓
general industries	▲	X	X
heavy industries	✓	✓	▲
light industries	▲	X	X
mine	✓	✓	✓
vehicle body repair workshops	▲	X	X
vehicle repair stations	▲	X	X
heavy industrial storage establishments			
hazardous storage establishments	✓	✓	✓
liquid fuel depots	✓	✓	✓
offensive storage establishments	✓	✓	✓
storage premises			
self storage units	▲	X	X
warehouse or distribution centres	▲	X	X
depots	▲	X	X
sewerage systems			
biosolids treatment facilities	✓	✓	▲
sewage reticulation systems	✓	✓	▲
sewage treatment plants	✓	✓	▲
water recycling facilities	✓	✓	▲
waste or resource management facilities			
resource recovery facilities	✓	✓	▲
waste disposal facilities	✓	✓	▲
waste or resource transfer stations	✓	✓	▲
water supply systems			
water reticulation systems	✓	✓	X
water storage facilities	✓	✓	X
water treatment facilities	✓	✓	X
air transport facilities			
airport	✓	✓	✓
heliport	✓	✓	✓
airstrip	✓	✓	✓
helipad	✓	✓	✓
infrastructure			
car parks	▲	X	X
electricity generating works	▲	X	X
freight transport facilities	▲	X	X
passenger transport facilities	▲	X	X
telecommunication facilities	▲	X	X
transport depots	▲	X	X
truck depots	▲	X	X
educational establishments [eg. TAFE establishment, etc.]	✓	✓	X
health services facilities			
hospitals	✓	✓	✓
medical centres	✓	✓	X
health consulting rooms	✓	✓	X
community infrastructure			
child care centres	✓	✓	X
community facilities	✓	✓	X
correctional centres	✓	✓	✓
emergency services facilities	✓	✓	X
industrial training facilities	▲	X	X
information and education facilities	✓	✓	X
places of public worship	✓	✓	X
public administration building	✓	✓	X
research stations	✓	✓	X
respite day care centres	✓	✓	X

recreation			
boat launching ramps	✓	X	X
boat sheds (within 10m of a boundary)	✓	X	X
charter & tourism boating facilities	✓	✓	X
environmental facilities	✓	✓	X
jetties	✓	X	X
marinas	✓	✓	X
mooring	✓	X	X
mooring pens	✓	X	X
recreation areas	▲	▲	X
recreation facilities (indoor)	▲	▲	X
recreation facilities (major)	✓	✓	✓
recreation facilities (outdoor)	▲	▲	X
water recreation structures	✓	X	X
miscellaneous			
cemetery	✓	✓	✓
crematorium	✓	✓	✓
demolition	✓	▲	X
earthworks (less than 500 tonnes)	✓	✓	X
earthworks (500 tonnes or more)	✓	▲	✓
environmental protection works	✓	X	X
exhibition homes	✓	✓	X
exhibition villages	✓	✓	X
flood mitigation works	✓	X	X
mortuaries	✓	✓	X
temporary use of land	✓	X	X
Torrens title or community title subdivision in residential, rural or environmental protection zone	✓	X	X

Key:

✓ - Notification required.

▲ - Only if within or adjoining a residential, rural or environmental protection zone.

x - Notification not required.

Note:

1. Where an application is amended before it is determined, the application may be re-notified and/or re-advertised at cost to the applicant, if Council is of the opinion that the amended proposal may be likely to have an additional impact on the environment or the locality.
2. Where development is proposed over more than one property and a site sign is required, site signs need not be erected on all affected properties. At a minimum one site sign will be erected in a location which, in the opinion of Council staff, will offer the most public exposure of the sign.

3.2.2 What Development Does Not Require Notification?

Notification is not required for the following:

- single storey dwelling houses including alterations and additions to existing or approved single storey dwelling houses
- structures ancillary to a residential accommodation (eg swimming pools, pergolas, awnings, rainwater tanks, garages, carports, tennis courts, decks, play equipment)
- ringbark, cut down, lop, remove, injur or wilfully destroy trees or other vegetation

- home occupations
- signage
- alteration to an existing building where the works are internal, and will not result in any change to the height, external configuration or external facade of the existing building;
- change of use of premises from a commercial office to another commercial office or shop; shop to another shop or commercial office; light industry to light industry;
- intensification of hours of approved operation in a commercial or industrial zone, where the land does not adjoin a residential, rural or environmental protection zone;
- complying development as referred to in Schedule 3 of LEP 2012 or any SEPP;
- subdivision of an existing or approved development relating to residential, business and industrial development
- roads
- modification of development consent under Section 96(1) or 96(1A) of the Act (i.e. modifications involving the proposed correction of a minor error, mis-description, miscalculation or minimal environmental impact only)
- modification of development consent under Section 96(2) of the Act whereby the proposed modifications to relate only to interior works which will not result in any change to the height, external configuration or external facade of the existing or approved building
- any other development which in the opinion of the General Manager or delegated staff does not require notification.

3.2.3 Development Not Mentioned in 3.2.1 or 3.2.2

Development not mentioned in 3.2.1 or 3.2.2 will be notified or not notified at the discretion of Council staff.

3.3 WHO IS TO BE NOTIFIED?

As a minimum, letters will be sent to all persons who, according to Council property rating records, own or occupy land immediately adjoining the development site. In addition, letters may also be sent to owners or occupiers of any land that the General Manager or delegated staff considers may be detrimentally affected by the application having regard to the following criteria:

- the views to, from, and across/over the land;
- overshadowing;
- privacy;
- pollution, in terms of noise, dust, fumes and the like;
- the visual quality of the building in relation to the streetscape and neighbouring properties;
- the scale of the proposed buildings;

- the likely effect on the drainage of adjoining sites;
- the siting of the proposed building in relation to the site boundaries;
- hours of use;
- nature of use;
- light spillage or reflection;
- means of access to or provision of private parking on the development site;
- traffic generation; and
- particular circumstances of the application.

3.4 WHICH OTHER AUTHORITIES/PERSONS MAY BE NOTIFIED?

Where a development site adjoins a neighbouring Council's LGA, notification will be given to the respective neighbouring Council.

Applications may also be notified to additional persons and agencies based on consideration of the following criteria:

- scale of development;
- traffic generation;
- social and economic impact;
- impact on streetscape; and,
- potential impact on items of environmental heritage.

3.5 COST OF NOTIFICATION

The applicant shall pay to the Council a fee in accordance with Council's adopted Revenue Pricing Policy to cover the cost of notification of the DA.

3.6 WHAT IS TO BE CONTAINED IN THE NOTIFICATION LETTER?

The notification letter should contain:

- address of the property and description of the land (Lot No., Deposited Plan, and House No. if applicable);
- development application number;
- the name of the applicant;
- a brief description of the proposal;

- where and when the application can be inspected;
- a statement that confidentiality will not be available to objectors;
- political donation disclosure;
- a plan of the proposal (A4 size).

3.7 WHAT IS TO BE CONTAINED IN THE SITE SIGN?

Where a site sign is required the site sign should be headed "Development Proposal" and should contain the following information:

- address of the property and description of the land (Lot No., Deposited Plan, and House No. if applicable);
- development application number;
- the name of the applicant;
- a brief description of the proposal;
- where and when the application can be inspected.

Council will erect the sign and the applicant may remove the sign at the end of notification period.

3.8 HOW LONG IS THE NOTIFICATION PERIOD?

The length of the notification period for "advertised" or "designated development" will be in accordance with the legislative requirements of the Act and Regulation. The length of the notification period for all other types of development is a minimum of 14 days. The General Manager, or delegated staff may extend the period of exhibition by an additional 14 days if they consider the application to be significant, complex or exhibited during Christmas or Easter Holiday periods.

3.9 MAKING A SUBMISSION

Any person can make submission object to or supporting a development proposal. The submission should quote the DA number, the author's name, address, and daytime contact details.

If the submission includes a petition, all the petitioners must sign the petition and clearly state their names, addresses and contact details.

Submissions can be hand delivered, posted to Hawkesbury City Council, PO Box 146, WINDSOR NSW 2756, faxed to (02) 4587 7740, or emailed to council@hawkesbury.nsw.gov.au. More information relating to the making a submission to Council is available on Council's website.

3.10 WILL THE APPLICANT BE ADVISED OF SUBMISSIONS?

Confidentiality will not be available to objectors. In some cases, submissions may be referred to the applicant for their response. Where applications are amended in response to objections received, comments may be sought from previous objectors.

3.11 NOTIFICATION OF DETERMINATION OF APPLICATIONS

Following determination of an application all persons who made submissions will be advised in writing of the decision as soon as practical.

3.12 SECTION 82A REVIEW OF DETERMINATIONS

Requests for review of determination pursuant to Section 82A of the Act which are to be determined by Council rather than a delegate shall be notified as follows:

- all persons who lodged a written statement of support or objection to the DA will be notified in writing of the time and date of the Council Meeting and invited to address the Council; and
- all persons who were notified of the original DA will be notified in writing of the time and date of the Council Meeting and invited to address the Council.