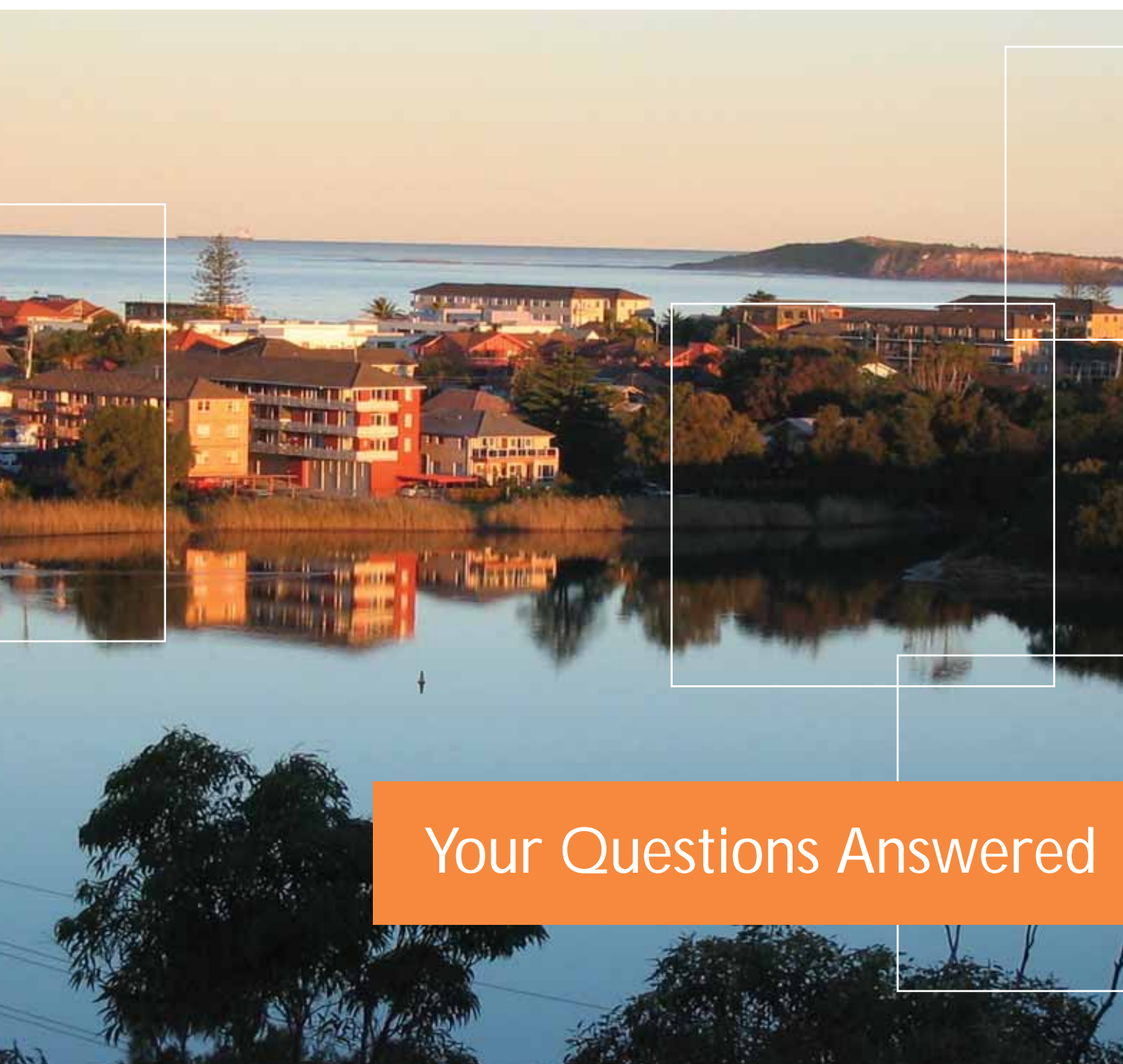


Lodging a Development Application in Warringah



Warringah Council



Your Questions Answered

Table of Contents

SECTION 1: INTRODUCTION

4

1.1	What can I do with my property?	4
1.2	How is my property zoned?	4
1.3	When is development consent required?	5
1.4	What is Exempt Development?	5
1.5	What is a Complying Development?	5
1.6	Is Council consent required for demolition?	6
1.7	Can I subdivide my property?	6
1.8	Can I have more than one dwelling on my property?	6
1.9	Can I have a Granny Flat?	6

SECTION 2: BUSINESS IN WARRINGAH

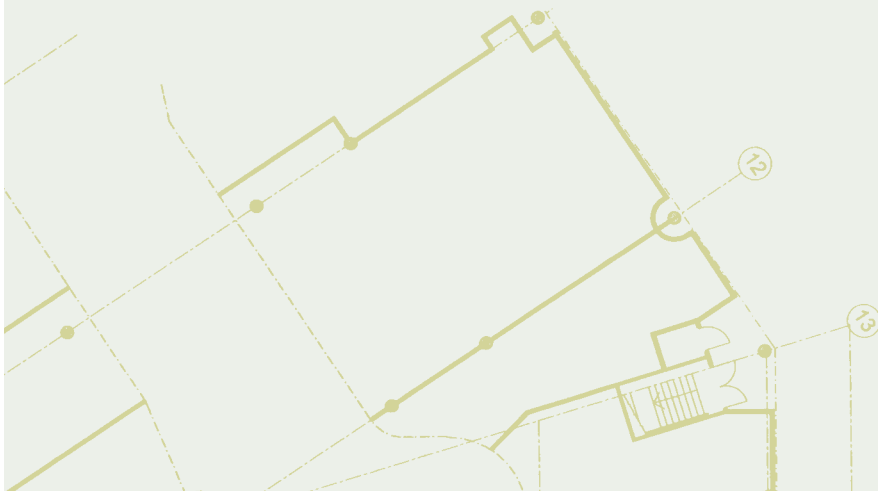
7

2.1	Does the business already have a consent?	7
2.2	Is my proposed business different from the one Council has consented to?	7
2.3	Do I need consent to operate the business?	7
2.4	Which consent will I require for my business?	7
2.5	What if I need to undertake building works associated with the business (e.g. Shop Fitouts)?	8
2.6	What if I need to erect a sign to advertise my business?	8
2.7	Do I need consent for a home business?	8
2.8	What requirements are there for childcare centres?	9
2.9	What requirements are there for food premises?	9
2.10	What requirements are there for businesses such as beauty salons, tattoo parlour and hairdressers?	9

SECTION 3: SUBMITTING A DEVELOPMENT APPLICATION

10

3.1	What should I do before lodging my Development Application?	10
3.2	What is a Pre-Lodgement Meeting?	10
3.3	How do I lodge a Development Application?	11
3.4	What information does the Council need when I submit my Development Application?	11
3.5	Who can lodge my Development Application?	11
3.6	How long will it take to assess the Development Application?	11
3.7	Who will look after my Development Application?	12
3.8	How can I check the progress of my Development Application?	12
3.9	What fees are payable for lodging a Development Application?	12
3.10	Will my application be publicly notified?	13
3.11	How will I know the outcome of the Development Application?	13
3.12	What should I do if my Development Application is refused?	13
3.13	What if I want to change my Development Consent?	14
3.14	How do I lodge an Application to Modify a Consent (Section 96)?	14



SECTION 4: 15
THE STATEMENT OF ENVIRONMENTAL EFFECTS

4.1	What is a Statement of Environmental Effects?	15
4.2	What information should I include in my statement?	15
4.3	How do I prepare my statement?	15
4.4	What should I do if my development does not comply with planning controls?	15
4.5	Do I need to provide specialist advice in my statement?	15

SECTION 5: 16
THE INDEPENDENT HEARING AND ASSESSMENT PANEL (IHAP)

5.1	What is the Independent Hearing and Assessment Panel?	16
5.2	Why do we have an Independent Hearing and Assessment Panel?	16
5.3	When was the Independent Hearing and Assessment Panel set up?	16
5.4	What Development Applications do the Independent Hearing and Assessment Panel consider?	16
5.5	Can I contact the Independent Hearing and Assessment Panel?	16
5.6	When does the Independent Hearing and Assessment Panel meet?	17
5.7	What happens at an Independent Hearing and Assessment Panel meeting?	17
5.8	Are Independent Hearing and Assessment Panel agenda items advertised?	17
5.9	Can I address an Independent Hearing and Assessment Panel meeting?	17
5.10	When is the Independent Hearing and Assessment Panel recommendation made public?	17
5.11	How can I get a copy of the Independent Hearing and Assessment Panel recommendation?	17
5.12	How do I get more information on the Independent Hearing and Assessment Panel?	17

SECTION 6: 18
AFTER YOUR DEVELOPMENT APPLICATION IS APPROVED

6.1	What happens after you receive Development Consent?	18
6.2	What is a Private Accredited Certifier?	18
6.3	What fees are payable – After Consent?	18
6.4	What is a long service levy?	18
6.5	What is a Construction Certificate?	19
6.6	How do I obtain a Construction Certificate?	19
6.7	What happens after my Construction Certificate is issued?	19
6.8	What is a Principal Certifying Authority?	20
6.9	How do I nominate a Principal Certifying Authority?	20
6.10	How many inspections will I need?	20
6.11	How do I book an inspection?	20
6.12	When can I begin work?	21
6.13	What if I build something different to my consent?	21
6.14	How do I modify consent plans?	21
6.15	What happens after construction is complete?	21

Flowchart One: The Development Application Process 22

Flowchart Two: After Consent Process 23

Introduction



This booklet covers the most frequently asked questions and answers on planning and development in the Warringah Council area.

This information is intended as a general guide to the development consent process. Further information can be obtained from Warringah Council's Customer Service Centre and Planning and Assessment Enquiries Counter by visiting or phoning on (02) 9942 2111.

Obtaining independent advice should also be considered.

The booklet is divided into six main sections:

- ó Making changes to my property
- ó Business in Warringah
- ó Submitting a Development Application
- ó The Statement of Environmental Effects
- ó The Independent Assessment and Hearing Panel (IHAP)
- ó After your Development Application is approved

Please note that the information provided in this booklet may be subject to change.

1.1 What can I do with my property?

The Warringah Local Environment Plan (WLEP 2000) is the document which contains the rules and regulations for development in Warringah. The plan has been in operation since 5th December 2000 and is the only plan in NSW to use localities instead of traditional zones. A

locality statement and a series of General Principles of Development determine what type of development may be carried out and where.

Your locality statement will guide you as to what can be done with your property and includes such information as;

- ó A Desired Future Character statement
- ó Categories of land use that require alternative assessment procedures and submission requirements
- ó Standards to control the built form of development in that area and a listing of heritage items and conservation areas
- ó Complying development

General Principles of development control contain generic information relevant to all localities and provide guidance in areas such as;

- ó Privacy
- ó Private Open Space
- ó View loss

- ó Car parking
- ó Development on sloping land and,
- ó Watercourse and Riparian zones

To identify your locality and obtain relevant information regarding it and General Principles you may either;

- ó Visit the Customer Service Centre, Planning and Assessment Enquiries Section to view the WLEP 2000 including maps and supporting policies
- ó Use Council's website to locate your property on the online maps
- ó Order a Section 149 Certificate (fees apply) which provides all relevant planning documents and constraints that may apply to your land

For assistance with negotiating Council's web site and interpretation of the WLEP 2000 please contact the Customer Service Centre, Planning and Assessment Enquiries.



1.2 How is my property zoned?

The WLEP 2000 uses localities rather than traditional zones to differentiate where certain land uses may occur. Once the locality is determined there is a hierarchy of land uses contained in development Categories and a list of Prohibited development.

- o For Category 1 development, this represents development that must consider the Desired Future Character for the locality. Generally those land uses listed in Category 1 are those Council intends to make up the majority of the area.
- o Category 2 and 3 development requires a higher-level test, and the proposal must be consistent with the Desired Future Character of the area. An example of a Category 2 land use would be a childcare centre in low-density residential area. It must pass the test of consistency in order to be approved.
- o In addition Category 3 developments require an added assessment process, whereby an independent public hearing into the proposal must take place, and any applicant must submit additional technical information with the proposal. Generally Category 3 developments are those that would under a traditional zoning LEP require a rezoning application.
- o Prohibited Development as the name suggests is unable to be undertaken in the locality. A rezoning application would be required to be submitted if prohibited development were to be contemplated.

It is important to note that within particularly localities the permissible use categories vary for places such as local shops and small industrial areas. Each locality statement provides information in this regard. The definitions of land uses contained within locality statements can be found in the Dictionary of the WLEP 2000 and is the primary reference to use.

1.3 When is Development Consent required?

Most building and demolition work requires a Development Application to be lodged with Council (unless it is Exempt or Complying development). If the development consent involves any form of construction works, you will be required to obtain a Construction Certificate before you commence works.

Examples of types of development requiring development consent are;

- o Construct a new building or structure, including outbuildings, swimming pools, retaining walls etc
- o Add to or alter an existing building
- o Demolish a building
- o Any works proposed on a heritage item or within a heritage conservation area
- o Change the use of an existing building or premises to another use.
- o Subdivision of land (including strata)
- o Erection of advertising or other signage
- o Carry out excavation, earthworks or filling

- o Any other uses that fall under the definition of "Development" in the NSW Environmental Planning and Assessment Act

1.4 What is Exempt Development?

Minor development, which conforms to a set of general and specific conditions, can be undertaken without consent. Schedules 1 of the Warringah Local Environmental Plan 2000 describe Exempt Development.

Please note that in order to carry out works or land use without consent you must comply with **ALL** of the conditions relevant to Exempt Development, including Parts 1 and 2 of Schedule 1.

It is an offence to carry out any development that does not meet these conditions without consent.

1.5 What is a Complying Development?

Complying Development is specified small scale, low impact development, which complies with pre-set criteria and is capable of prompt certification by Council or a Private Accredited Certifier. In effect it is a single-stage, fast-track approval system, for low impact forms of development, which meet pre-determined criteria.

Each Locality Statement describes the type of development (if any), which may be deemed as Complying Development in that locality.



In order to apply for a Complying Development Certificate you must:

1. Refer to the list of possible Complying Developments in the relevant Locality Statement.
2. If your proposal is listed you must then refer to the relevant controls listed in Schedule 12 and Clause 8 and 9 of Warringah Local Environmental Plan 2000 (WLEP2000).

If all of the above criteria are met you may apply for a Complying Development Certificate either through Council or a Private Accredited Certifier.

a. Through Council

If you choose to lodge your Complying Development Application through the Council, please make an appointment with our Quality Development Applications Officer lodging your application. The Officer will be able to assist you with any queries relating to the lodgement of your Complying Development Application and can be contacted on (02) 9942 2749.

b. Private Certifier

If you wish to lodge your Complying Development Application with a Private Accredited Certifier, you will need to contact them with regard to their fees and requirements. You can obtain a list of Accredited Certifiers from the Department of Planning. For advice on Accredited Certifiers, visit the Department of Planning's website at www.bpb.nsw.gov.au or telephone (02) 9895 5950.

1.6 Is Council Consent required for demolition?

Yes, a Development Application must be lodged, if you plan to demolish any structures that are not classed as 'Exempt Development'.

1.7 Can I subdivide my property?

To find out whether you can subdivide a site, you must refer to the Locality Statement and the requirements listed under the heading 'housing density'. For example, some areas within Warringah Council have a housing density of 1 dwelling per 600 m², therefore in order to subdivide you would need at least twice this amount. There are exceptions to these conditions, which are listed in the Locality Statement.

Further requirements for subdivision can be found in Clause 21 and Schedule 7 of Warringah Local Environmental Plan 2000(WLEP2000). For enquiries regarding subdivision of a site, contact Council's Customer Service Centre, Planning & Assessment Enquiries.

For more information on the Subdivision process, please refer to our website. Copies of the Subdivision Process flowchart are available from Council's Customer Service Centre, Planning & Assessment Enquiries or from Council's website at www.warringah.nsw.gov.au.

1.8 Can I have more than one dwelling on my property?

Two dwellings on one allotment of land will only be allowed if the land area meets the housing density requirements for two dwellings.

1.9 Can I have a Granny Flat?

A granny flat is a specific type of dwelling that is separately defined in the Warringah LEP 2000. Whilst still formally considered as a "dwelling" for the purposes of the Building Code of Australia, a granny flat may be approved in certain localities if it meets the requirements of the definition. The definition of granny flat requires all of the following matters to be addressed without variation;

- has self contained cooking facilities
- has a gross floor area not exceeding 60 square metres
- that is part of, and has shared access with, a building which has the appearance of and contains a single larger dwelling, and
- does not have separate land title.

Development consent is required for a granny flat and any proposal must also address the other requirements of WLEP such as the Desired Future Character statement, Built form controls and General Principles of development control. An Application must adequately address each component as listed above prior to consent being granted.

Business in Warringah



If you are proposing to buy or operate a business in Warringah you need to determine what is required by Council. Please consider the following steps below.

2.1 Does the business already have a consent?

Some businesses require a consent to operate so if you are intending to start or buy a business in Warringah you must firstly determine what consent exists on the premises.

The vendor may have a copy of the consent, which would have been issued when the existing business use (or original building) was approved. The consent will detail the approved use for the property and specify details such as the hours of operation or carparking requirements.

If the vendor does not have a copy of this document, you may apply to access Council Records by completing an "Application to Access Council Records" form. Council will then contact you to let you know if any documents are available. Please note that you will need to allow sufficient time for a file to be retrieved.

If you cannot obtain a copy of the "Consent" and/or the conditions, please contact the Customer Service Centre, Planning and Assessment Enquiries on (02) 9942 2111.

2.2 Is my proposed business different from the one Council has consented to?

Once you have obtained a copy of your "Consent" and/or the conditions, you can determine what to do next. To confirm the definition of the existing use, and your proposed use, you are required to refer to the "dictionary" section of the Warringah Local Environmental Plan 2000 (WLEP2000).

If the existing consented use is the same as your proposed use, you may not require a new consent, but you will be restricted by the conditions of the original consent. If you wish to change any aspects of the business's operation, for example hours of operation, you may need to submit an application to Modify the Consent (Section 96). (See: "What if I want to change my Consent").

If the current consent use is NOT similar to the proposed use, then you are proposing to change the use. To change the use of the premises, you may require a new consent.

2.3 Do I need consent to operate the business?

To determine if consent is required, firstly check whether the change of use is "Exempt Development" under Schedule 1 of the Warringah Local Environmental

Plan 2000 (WLEP2000). An example of Exempt Development is a change of use from a "shop to another shop" or an "office to another office". If the change of use meets all the requirements for "Exempt Development", consent will not be required. (See: "What is Exempt Development")

If the proposal does not meet the requirements for Exempt Development, consent will be required. This may be obtained either through a relatively straightforward 'Complying Development' Application, or a more comprehensive process, being a Development Application.

2.4 Which consent will I require for my business?

If you have determined that your business is not "Exempt Development" or that it doesn't already have consent you will be required to lodge one of the following applications:

- ó **Complying Development Applications** (see What is a Complying Development?) must meet ALL of a list of stringent controls. In order to determine whether a proposed application may fall in this category, first check that it is listed in the relevant 'Locality Statement'; then, check the controls described



in Clause 8, 9 and Schedule 12 of the Warringah Local Environmental Plan 2000 (WLEP2000). Council or a Private Accredited Certifier can issue a Complying Development Certificate (See “What is a Private Accredited Certifier” and “What is a Complying Development”)

- ó **Development Application (DA)** must be submitted if your proposal does not meet the controls for “Complying Development” or “Exempt Development”. For a change of use, you should consult the relevant Locality Statement and determine how your proposal complies with the desired future character of the locality and which land use category your proposed use falls into (See: “How is my Property Zoned?”). You may need to seek expert planning advice in this regard.

Development Applications for change of use will be assessed against WLEP2000 and must demonstrate how the proposal complies with all the relevant planning controls. There are specific controls in the applicable ‘Locality Statement’. Moreover the proposal must address any General Principles of the WLEP2000, which may be relevant. For example, the requirements for carparking are described in Clauses 71 to 75, and also Schedule 17 of the WLEP2000 (See: “Submitting a Development Application”).

- ó **Modification of Consent or Section 96 Application** will be required if you wish to change or delete an existing approved business. (Note: Major changes may result in the requirement

to lodge a new Development Application.) For example this may be changing a condition of consent like the hours of operation, or amending details of your approved business. To qualify as a Modification, the development must be substantially the same development as originally granted consent. (See What if I want to Change My Consent?)

To obtain forms and further information please see Council’s website at www.warringah.nsw.gov.au or contact the Customer Service Centre, Planning and Assessment Enquiries. More comprehensive guidance may be obtained by booking a ‘pre-lodgement meeting’ with a panel of assessment officers (See: What is a Pre-Lodgement Meeting?)

2.5 What if I need to undertake building works associated with the business (e.g. Shop Fit-Outs)?

Please note that only very minor building works can be undertaken without consent. To determine if consent is required, firstly check whether the proposed works are “**Exempt Development**” under Schedule 1 of the Warringah Local Environmental Plan 2000 (WLEP2000).

If your building works or shop fit-out is not exempt, then you will need to lodge either a “Complying Development Application” or a “Development Application”. If you are lodging a “Complying Development Application” or a “Development Application” for the use of the business (see above) you may combine your application to include the

use of the premises, the building works and any associated signage.

Development Applications or Complying Development Applications which are seeking consent for building works must be accompanied by plans. These plans must be professionally drawn and show the proposed works. You may therefore be required to employ the services of an architect, draftsman or building designer to help you prepare your application.

2.6 What if I need to erect a sign to advertise my business?

Some signs within Warringah require Development Consent, some are exempt and others such as Pylon Signs for example, are prohibited. In order to determine whether a sign requires Development Consent or not, please refer to the WLEP2000 Schedule 1 “Exempt Development”. If your proposed sign does not comply with this schedule, you will be required to lodge a Development Application. After ensuring that your proposal is not a “prohibited sign” as described in schedule 4 of the WLEP2000 your submission must consider the requirements of Clause 53 of WLEP2000 and State Environmental Planning Policy 64 (SEPP64).

2.7 Do I need consent for a home business?

In order to determine whether your home business needs consent from Council, you must refer to Schedule 1 of the WLEP2000 “Exempt Development” and then to the dictionary definition of “home business”. If your proposal does not comply with these requirements you



will be required to obtain development consent (See: "What is Exempt Development") & (See: "Submitting a Development Application").

2.8 What requirements are there for childcare centres?

If you are considering starting a "childcare centre" in Warringah, you should firstly approach the Department of Community Services (DOCs) with regards to their regulations.

The Warringah Local Environmental Plan 2000 defines a childcare centre as a building or place used (whether or not for profit) for the purpose of educating, minding or caring for children (whether or not any of the children are related to the owner or operator), but only if the following conditions are satisfied:

- (a) there are 6 or more children, who are under 6 years of age, and do not attend a government school, or a registered non-government school, within the meaning of the Education Act 1990,
- (b) the building or place does not provide residential care for any of the children (other than those related to the owner or operator).

Childcare Centres in Warringah require a Development Application to be submitted to Council (see above). You are strongly advised to book a pre-lodgement meeting (See: What is a Pre-Lodgement Meeting?) prior to lodging your Development Application.

2.9 What requirements are there for food premises?

If the supply of food for the public is involved in your proposed use, you must ensure you notify the NSW Food Authority. Please note this must be done in addition to steps 1 to 7 above. Their contact details are below:

NSW Food Authority
PO Box 6682
Silverwater NSW 1811
www.foodauthority.nsw.gov.au

To notify the NSW Food Authority you are required to register online. If you do not have access to the Internet, you can pay Warringah Council a "notification registration fee", and it will undertake this service for you. Please see Council's Fees and Charges schedule for the current fees.

Food premises are inspected by Council a minimum of once a year, depending on the risk classification of the premises. These inspections are undertaken by the Environmental Health and Protection Team and there is an inspection fee. Please see Council's Fees and Charges schedule for the current fees.

Please also ensure that you have consent for the number of tables and chairs that are proposed. This detail should be outlined on your "Consent" and/or the conditions. To obtain consent for additional seating, you may be required to lodge an application to Modify your Development Consent (Section 96). (See: What if I want to change my consent?)

If you are proposing outdoor seating on public land, you will be required to lodge an application for an "outdoor seating license". You can obtain this form on Council's website at www.warringah.nsw.gov.au or by contacting Council's Customer Service Centre. Please see Council's Fees and Charges schedule for the current fees. Please note this license does not give approval for additional seating other than what is already approved on your development consent.

2.10 What requirements are there for businesses such as beauty salons, tattoo parlours and hairdressers?

These businesses must refer to the "Skin Penetration Code of Best Practice" which is published by the NSW Department of Health.

In addition, these types of businesses are required to be registered with Council. This must be done by completing a registration form which is available on Council's website. There is no fee associated with registering with Council.

Council inspects these types of businesses, a minimum of once a year, depending on the risk classification of the premises. These inspections are undertaken by the Environmental Health and Protection Team and there is an inspection fee associated with this also. Please see Council's Fees and Charges schedule for current fees.

Submitting a Development Application



3.1 What should I do before lodging my Development Application?

Consultation with your neighbours is recommended before lodging your Development Application. This may enable you to resolve any objections and issues before you lodge your application, therefore preventing any delays in the assessment process.

Check the Locality Statement that applies to your property, this will list built form controls and land uses which are applicable. Also, check any General Principles of the Warringah Local Environmental Plan 2000, which may apply to your proposal.

Ensure you have all the relevant information you need to include in your application. An incomplete application will delay processing times.

Check to see whether your property has any special circumstances. For example, it may be located in a bushfire, slip or flood prone area, or it may be a heritage item. If so, Council will require additional information as indicated in the application checklist. To find out whether there are any special circumstances on your parcel of land, you may contact Council's Customer Service Centre, Planning and Assessment Enquiries, or obtain a 149 Certificate from the Council.

Your application may require approvals from other Government agencies. As the applicant, it is your responsibility to check which approvals are required before lodging your Development Application.

If you are unsure of what is required, consult Council's Customer Service Centre, Planning and Assessment Enquiries before lodging your application. By doing so, you will have a clearer understanding of the Council's planning controls and will be better equipped to prepare your application. This will assist with the assessment process.

To obtain further information and assistance before lodging your application you can:

- o Phone Council's Customer Service Centre, Planning & Assessment Enquiries on (02) 9942 2111.
- o Visit the Council's Customer Service Centre, Planning & Assessment Enquiries at 725 Pittwater Road, Dee Why NSW 2099.
- o Book a half hour appointment with a Duty Planner – fees apply.
- o Have a comprehensive pre-lodgement meeting with written notes provided – fees apply.

Please see Council's Fees and Charges schedule for the current fees.

3.2 What is a Pre-Lodgement Meeting?

A pre-lodgement meeting is an avenue in which the applicant can get some preliminary advice on applications about to be lodged. Either a Senior Development Assessment Officer or a manager or teamleader facilitates these meetings. No pre-lodgement meeting can provide a definitive statement as to the likely outcome of an application.

A determination can only be made following the lodgement of an application and the completion of the assessment process.

The applications viewed at this meeting include but are not limited to the following types of development:

- o Prepurchase property speculation/development
- o New dwelling house or major alterations and additions to a dwelling house, townhouses
- o Residential flat developments
- o Mixed use developments
- o New commercial development or alterations and additions to a commercial development
- o Childcare Centres
- o Boarding houses
- o Non residential development

Ten (10) days notice is generally required to book a meeting. However, every effort will be made by Council to convene this meeting at an earlier time.

To book a pre-lodgment meeting you will need to complete the Application for a Pre-Lodgment Form and submit plans of the proposal and pay appropriate fees to Council a minimum of 7 working days before the scheduled meeting.



3.3 How do I lodge a Development Application?

To assist in the efficient processing of your application, Council strongly advises you to make an appointment to lodge your Development Application (DA). There is no additional fee for this appointment and it can take 30-40 minutes. To book an appointment with the Quality Development Applications Officer contact the Council on (02) 9942 2749 and leave a message, your call will be returned within 24 hours. Priority is given to those with an appointment and you may be required to wait until the next available time if you come in to lodge without a pre-booked appointment.

Our Quality Development Applications Officer will meet with you upon lodgement to ensure that you have completed the relevant forms and have all of the necessary information. If your application is satisfactory, you will be required to pay Development Application and Notification/Advertising fees. These fees are based on the estimated cost of works. To obtain a quote of the fees due upon lodgment, contact the Customer Service Centre, Planning & Assessment Enquiries on 9942 2111.

For more information on the Development Application process, please refer to our Development Application flowchart (located at the end of this booklet). Copies of the flowchart are also available from Council's Customer Service Centre, Planning & Assessment Enquiries or from Council's website at www.warringah.nsw.gov.au

3.4 What information does the Council need when I submit my Development Application?

Council's application forms have checklists that specify the minimum requirements for lodging a Development Application. These are available online, at the Customer Service Centre, Planning and Assessment Enquiries, or can be mailed to you on request. It is essential that you include all the information required in the application in order to minimise delays or rejection of your proposal.

To ensure that you have all of the correct information, it is highly recommended that you consult Council's Customer Service, Planning and Assessment enquiries or attend a pre-lodgement meeting before lodging your application.

Incomplete information may result in delays in the processing of your application.

3.5 Who can lodge my Development Application?

In order to lodge a Development Application you must nominate an Applicant. The Applicant can be the owner of the land to which the Development Application relates or any other person providing they have the owners' consent in writing. For example, the applicant could be the architect, draftsman or builder.

The Applicant nominated on the Development Application form will be the main contact for any correspondence relating to the application. Please note the Development Consent will be in the

applicant's name regardless of whether they are the owner of the property or not.

Once the Development Application is approved, the stamped approved plans will need to be picked up by the applicant. At this stage, Council cannot issue copies of the approved plans to anyone other than the applicant, even if it is the current owner of the property, without the applicant's written authorisation. You should be aware of this when deciding who is to be the applicant for a Development Application.

If a person has lost their plans they can request a copy in writing from Council. Council can only give a copy of these plans to the original applicant or copyright holder unless the property has been sold. In the case of the property being sold, stamped approved plans may be released to the new owners of the property. Appropriate documentation will need to be provided to prove change of owner.

3.6 How long will it take to assess the Development Application?

Factors that can slow the progress of your Development Application (DA) are:

- o Incomplete or inadequate information
- o DAs referred to Independent Hearing and Assessment Panel (IHAP) (See "What development does IHAP consider")
- o Non-compliances with the Warringah Local Environmental Plan 2000

SECTION 3: SUBMITTING A DEVELOPMENT APPLICATION



Council encourages you to track the progress of your application online by using our DAs Online Service (available on Council's website www.warringah.nsw.gov.au).

3.7 Who will look after my Development Application?

Once your Development Application is lodged with the Council, it will be allocated to two planning staff, a Development Assessment Liaison Officer (DALO) and a Development Assessment Officer. The DALO administers the initial stages of the assessment process and helps with answering public enquiries relating to your Development Application.

The Development Assessment Officer is responsible for assessing your Development Application. This officer is available to discuss your application between 9.30am to 10.30am and 3.00pm to 4.00pm Monday to Friday, excluding public holidays.

The assessment process will take account of statutory requirements, Council's planning controls as well as policies and any submissions from the public that may have been received.

In some cases applications will be referred to an Independent Hearing Assessment Panel (IHAP) and/or a Council meeting for consideration. For example, a Category 3 proposal must be subject to an independent public hearing. Please refer to the IHAP Section in this booklet, which outlines those applications to be submitted to IHAP.

3.8 How can I check the progress of my Development Application?

When an application is lodged it is entered on Council's computer register and given a unique reference number consisting of the year and order/number of lodgement. Always use this number whenever you need to contact the Council about your application.

Council encourages you to track the progress of your application online by using our DAs Online Service (available on Council's website www.warringah.nsw.gov.au). This allows you to view documents, read public submissions and track the progress of your DA by viewing the pre-approval milestones.

The Milestones are set by Council and represent various stages of development assessment, such as "Notification" and "assessment site viewing" and "report preparation". Council provides comment and updates the status of these milestones during the assessment process.

Alternatively, you can contact the Council's Customer Service Centre on 9942 2111, or visit the Customer Service Centre, Planning & Assessment Enquiries at the Civic Centre.

3.9 What fees are payable for lodging a Development Application?

It is a good idea to get an indication of all fees and charges associated with a Development Application so that you can factor these into your budget. Most fees are based on the estimated contract value of the proposed works, however some are standard fees which are payable each time you lodge a Development Application. Along with the Development Application fee, other fees may include Section 94 and Long Service Levy. Council collects these fees on behalf of the Long Service Levy Corporation and they are subject to change without notice.

A schedule of current fees and charges is available on Council's website. Council's fees and charges are reviewed annually and statutory fees may change at any time. Please note that if you use a Private Accredited Certifier as your Principal Certifying Authority, or to apply for a Construction Certificate or Complying Development Certificate, the certifier sets the fees.

To obtain a quote for fees, or for all fee enquiries please contact the Council's Customer Service Centre on 9942 2111 or visit the Customer Service Centre, Planning and Assessment Enquiries at the Civic Centre, 725 Pittwater Road, Dee Why.



There will be fees payable at lodgement of your Development Application. These could include (but are not limited to) development assessment fees and Notification or Advertising fees.

Additional fees may be required if you amend the design during assessment.

After approval, there will be a number of additional fees, some of which are listed on your Development Consent. These could include (but are not limited to) application fees, bonds, levies, contributions and inspection fees.

3.10 Will my application be publicly notified?

In accordance with the Warringah Development Control Plan (Warringah DCP), nearby property owners will be notified of your Development Application by way of a letter. This letter is supported by a Notification plan (a smaller copy of the relevant plans of the application). This process incurs a Notification fee, which will be charged upon lodgement of your Development Application.

In addition to the above, some developments are required to be advertised in the local newspaper (i.e. The Manly Daily) and be advertised locally by a sign placed on the street frontage of the property. This is referred to as Advertised Development and Clause 23 of the Warringah Local Environmental Plan 2000 (WLEP2000) and the Warringah DCP defines which development falls into this category.

Advertised development incurs a greater fee than Notification.

The application is advertised for 14-30 days, depending on the type of application, during which time Council will accept submissions from the public. Members of the public may visit Council's Customer Service Centre, located at Civic Centre, 725 Pittwater Road, Dee Why, at any time during the advertising period to view the original plans and accompanying documentation.

Submissions will be formally acknowledged and any concerns will be assessed as part of the final report on the application. Those who have lodged a submission will then be advised of the determination.

Submissions may be viewed on the Council's website on **DAs Online**, unless the person submitting the submission has requested their submission to remain confidential. If any member of the public has missed the advertising period (due to holidays or illness, for example) they can make other arrangements with Council to view the plans and make a submission. The Development Assessment Liaison Officer can offer advice in these circumstances. However, comments can only be considered if they are received before the Council makes a decision on the application.

3.11 How will I know the outcome of the Development Application?

Once a decision has been reached on your application, the applicant, and any members of the public who have made a submission, will be advised in writing of the decision.

Development consent details are published in the Manly Daily. In addition, Consents of Development Applications lodged after July 1 2005, are also available to download using our DAs Online System at www.warringah.nsw.gov.au.

If your application is approved, you will be advised in writing that your Development Consent is ready to be collected from Planning & Assessment Enquiries at the Customer Service Centre. When collecting your Consent please ensure you bring appropriate identification along with your original letter. If someone other than the applicant is collecting the consent, they will require a signed letter from the applicant granting approval for that person to collect their consent. The person collecting the consent must also bring along identification.



3.12 What should I do if my Development Application is refused?

If your Development Application is refused, you may contact us so we can clarify issues and discuss your options.

Options available to you include:

- 6 A Review of Determination (Section 82A Review) of your application. You must submit your Section 82A Review application to Council within 12 months of the refusal date (or before an appeal against the determination is disposed of by the Land & Environment Court). A Section 82A Review allows the application to be amended, as long as the development remains substantially the same as the original application. Council may need to notify your neighbours and/or advertise the proposed amendments. Fees apply for the application as well as for notification and/or advertising.

Please note that any decision on a Section 82A Review is final and cannot be reviewed further under Section 82A of the Environmental Planning and Assessment Act 1979.

- 6 An Appeal to the Land and Environment Court may also be lodged. This must be lodged within 12 months of the date of the refusal. You will find this date at the top of your Notice of Determination.

3.13 What if I want to change my Development Consent?

If you wish to change or delete a condition of Development Consent or amend details on your approved plans, you will need to seek a modification of your Development Consent. To do this, you will be required to lodge your application under Section 96 of the Environmental Planning and Assessment Act 1979.

To qualify as a modification, the development must be substantially the same development as originally granted consent. You are encouraged to contact Council to discuss the modification prior to lodgement.

Proposed modifications will need to be re-assessed by Council the majority of these have to be notified and/or advertised. You must therefore allow for sufficient processing times.

3.14 How do I lodge an Application to Modify a Consent (Section 96)

To lodge a Modification of Consent, you must complete an application form (Application to Modify a Consent or Section 96) and outline the modification on your plans and in writing. Fees apply for the application as well as for notification and/or advertising.

Please make an appointment with our Quality Development Applications Officer before lodging your application. The Quality Development Applications

Officer will be able to assist you with any queries relating to the lodgement of your Modification of Consent (Section 96) the Quality Development Applications Officer can be contacted on (02) 9942 2749.

If you have already obtained your Construction Certificate and you seek a Modification of Consent, you will also have to modify your Construction Certificate in accordance with the conditions of Development Consent. For more information regarding this, contact the authority, which issued your original Construction Certificate.

If you have already commenced works and you decide to make changes, you must firstly notify your Principal Certifying Authority (PCA).

It is unlawful to undertake works that are different to your Development Consent. Council has an enforcement policy and you run the risk of receiving a fine, a notice and an order.

The Statement of Environmental Effects



4.1 What is a Statement of Environmental Effects?

The Statement of Environmental Effects is a report that explains your proposal in detail. It includes written information about your proposal, which cannot be easily shown, on plans and drawings. It must address and explain compliance with the Warringah Local Environmental Plan 2000 and any other planning controls that are applicable. The likely impacts of the development proposal and how you will minimise these must also be discussed. All Development Applications lodged with Warringah Council require a Statement of Environmental Effects.

4.2 What information should I include in my statement?

Information which may be required, if it is not already part of your Development Application (DA), may include:

- ó A description and analysis of the site and surrounding properties, which may include, for example, details on drainage, slope, or trees (See Clause 22 of WLEP2000)
- ó Information about the area the site is located in
- ó A detailed description of your proposal
- ó Indication of how the proposed development is consistent with the relevant desired future character statement, built form controls and General Principles of development control established by the Warringah Local Environmental Plan 2000 (WLEP2000)

- ó The proposed method of diminishing any adverse effects
- ó Any non-compliances and justification under Clause 20 of the WLEP2000

The DA checklist attached to the application form includes an outline of the issues which may be addressed. The amount of detail required depends on the scale of your proposal.

4.3 How do I prepare my statement?

- ó The DA checklist attached to the application form includes an outline of the information required. The amount of detail required depends on the scale of your proposal.
- ó There is a checklist at the back of this booklet both of specific controls as listed in Locality Statements, and General Principles of Development Control. You should address those relevant to your proposal. The General Principles are also listed in the table of contents of the Warringah Local Environmental Plan 2000.
- ó Further assistance may be obtained from the Customer Service Centre, Planning and Assessment Enquiries.

4.4 What should I do if my development does not comply with planning controls?

If your proposal does not comply with any built form controls of the Warringah Local Environmental Plan 2000 (WLEP2000) you will be required to lodge a Clause 20 variation statement with your Development Application. This statement must justify in detail why the Council should consider approving your development when it does not comply with the controls. For more information on this refer to Clause 20 of WLEP2000. Please note that a detailed justification does not guarantee approval.

If you need further advice, contact Planning & Assessment Enquiries staff at the Customer Service Centre.

4.5 Do I need to provide specialist advice in my statement?

Additional reports by qualified consultants may be required if your property has special characteristics, eg. flood prone, bushfire, threatened species, landslips etc. or your development potentially creates impacts eg. traffic, storm water disposal etc. Furthermore, development identified as Category 3 by Warringah Local Environmental Plan 2000 (WLEP2000) requires additional information as outlined in Schedule 15 of WLEP2000.

The Independent Hearing and Assessment Panel (IHAP)



5.1 What is the Independent Hearing and Assessment Panel?

The Independent Hearing and Assessment Panel (IHAP) is a panel of consultants and community members set up to provide an independent review of certain major Development Applications. Following an assessment IHAP will submit a recommendation to the Council for a decision.

5.2 Why do we have an Independent Hearing and Assessment Panel?

The Independent Hearing and Assessment Panel (IHAP) provides transparency and independence in the Development Application assessment process where there are complex issues or a large number of objectors. It also allows applicants and objectors to raise concerns directly to the panel prior to a Council decision on the application.

5.3 When was the Independent Hearing and Assessment Panel set up?

The Panel was set up in March 2003 and its Charter was updated in September 2004 and again in April 2006 to incorporate the previous Category 3 Independent Public Hearing Panel.

5.4 What Development Applications do the Independent Hearing and Assessment Panel consider?

- a) Those classified as Category 3 as required by Clause 15 and other relevant provisions of the Warringah Local Environmental Plan 2000 (WLEP2000);
- b) Those Class 2 to 9 Buildings under the Buildings Code of Australia (BCA) involving residential flat buildings, retail and commercial, industrial, motels, hospitals, clubs with a construction cost greater than \$1 million where there are more than two unresolved objections with the exception of:
 - i. Subdivision of existing or approved development
 - ii. Occupation, change of use or fit-out of a property/tenancy, extension of hours of operations where the proposed activity is a Category 1 or 2 landuse
 - iii. Signage applications
 - iv. Modifications of Consent and alterations and additions
 - v. Refusal of an application where the proposal is non-compliant with the WLEP 2000 or where fundamental information has been requested and not received.
- c) Subdivision of land creating more than 5 allotments with more than two unresolved objections

- d) Those applications that are subject of a Section 82A Review of Determination where the original application had been considered by IHAP,
- e) Those applications, site specific re-zonings, master plans or other planning instruments where the Director PAS and Application Determination Panel has determined that the public interest is of such a significant nature to refer the application to an independent body.

5.5 Can I contact the Independent Hearing and Assessment Panel?

To maintain transparency the Panel Charter does not allow panel members to be contacted outside meetings. All enquiries should be directed to the IHAP Coordinator on 9942 2313.

5.6 When does the Independent Hearing and Assessment Panel meet?

The Panel meetings are held on the second Wednesday of each month at 6pm in the Council Chambers, Civic Drive at 725 Pittwater Road, Dee Why. All meetings are open to the public. Arrangements to address panel members during the meeting should be made by 4pm the day of the meeting by contacting the IHAP Coordinator.

Details of meetings schedules and reports can be found on Council's website at www.warringah.nsw.gov.au



5.7 What happens at an Independent Hearing and Assessment Panel meeting?

At the meeting the Chairperson calls up each item on the agenda and objectors speak first, followed by the applicant. At this point in the meeting, panel members may want to ask questions of the objectors and the applicant. After all speakers have been heard, the meeting is closed and the Panel retire to make their assessment in private.

5.8 Are Independent Hearing and Assessment Panel agenda items advertised?

All Panel agenda items are notified in the local newspaper The Manly Daily, on the Council's website at www.warringah.nsw.gov.au and at Council's Customer Service Centre at 725 Pittwater Road, Dee Why.

All residents who have sent in submissions on an application, as well as the applicant and/or owners, are notified in writing of the date and time of the IHAP meeting and any reports to be considered during the meeting.

5.9 Can I address an Independent Hearing and Assessment Panel meeting?

Any member of the public may address the meeting, and are asked to contact Council by 4pm on the day of the meeting. Requests to address the meeting should be made through the IHAP Coordinator on 9942 2313.

5.10 When is the Independent Hearing and Assessment Panel recommendation made public?

The Panel recommendation is made publicly available on the Friday before the next available Council meeting. They can be viewed on the Council's website at www.warringah.nsw.gov.au or at the Council's Customer Service Centre.

5.11 How can I get a copy of the Independent Hearing and Assessment Panel recommendation?

The Friday before the Council meeting, reports are made available to the public after 10am and can be viewed on Council's website or at the Customer Service Centre.

5.12 How do I get more information on Independent Hearing and Assessment Panel?

Contact the Independent Hearing and Assessment Panel (IHAP) Coordinator on 9942 2313.

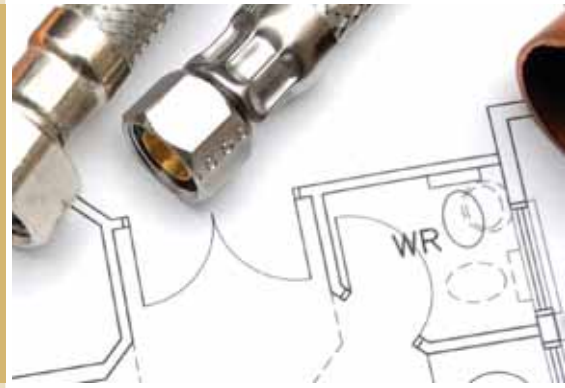
For further information or assistance on any aspect of the Development Application process in Warringah please contact:

Warringah Council
Planning & Assessment Services
Customer Service Centre
725 Pittwater Road
Dee Why NSW 2099
Phone: (02) 9942 2111
Fax: (02) 9971 4522
Website: council@warringah.nsw.gov.au
Email: www.warringah.nsw.gov.au

To book an appointment with the Quality Development Applications Officer to lodge your application phone (02) 9942 2749.

For general information about current planning law visit the NSW Government website at www.dipnr.nsw.gov.au.

After Your Development Application is Approved



6.1 What happens after you receive Development Consent?

Once you have received your Development Consent you need to read the conditions, which will outline what needs to be completed before, during and after construction works. Please see the flowchart located at the back of this booklet, which is also available online and on the back of your Consent folder.

If your approval involves any form of construction works, you will be required to obtain a Construction Certificate (CC) before you commence works. This requirement is mandatory if stated in your Development Consent. A Construction Certificate can be approved and issued by either Council or a Private Accredited Certifier.

If you require a CC you need to appoint a Principal Certifying Authority (PCA). The PCA may be a Council or a Private Accredited Certifier, either of which will conduct inspections at each required or specified stage of construction, check for compliance during works and issue an occupation Certificate once the works have been completed. It is your responsibility to contact a PCA to conduct the mandatory process inspections. If applicants carry out works without the required PCA inspections this may result in difficulties obtaining the required Certification and may result in compliance actions against you. It is also the responsibility of the PCA to investigate any complaints from the public concerning the development.

For advice on Certifiers, visit the Department of Planning's website at www.bpb.nsw.gov.au or telephone (02) 9895 5950.

6.2 What is a Private Accredited Certifier?

The State Government, through the Department of Planning, has set up a system, which allows certain professionals e.g. Structural Engineers and Building Surveyors, to become Private Accredited Certifiers. The certifier can perform some of the roles previously done by Councils, such as issuing Construction Certificates, Strata Certificates, Complying Development Certificates, Component Certificates and Occupation Certificates.

To obtain a list of Private Accredited Certifiers, visit the Department of Planning's website at www.bpb.nsw.gov.au or telephone (02) 9895 5950. Please note that Council does not keep a list or recommend any private certifiers.

6.3 What fees are payable – After Consent?

Your conditions of consent will outline fees that are required to be paid prior to the issue of a Construction Certificate. These may be, but are not limited to:

- o Long Service Levy fee (for works over \$25,000)
- o Bonds payable to Council (any bonds payable will be specified in your Development Consent)
- o Any additional fees as per your Development Consent such as:

- ◆ Section 94A Developer Contributions
- ◆ Road/Kerb Inspection Fees

In addition, and if required by your consent, you will be required to pay:

- o Construction Certificate application fee (this is dependent on whether you lodge this with Council or a Private Accredited Certifier)
- o Progress Inspection fees (this is determined by your Principal Certifying Authority)
- o Occupation Certificate application fee (this is determined by your Principal Certifying Authority)

For enquiries regarding fees please contact the Council's Customer Service Centre, Planning and Assessment Enquiries. Council's fees and charges are reviewed annually and statutory fees may change at any time. Please note that if you use a Private Accredited Certifier as your Principal Certifying Authority, or to apply for a Construction Certificate or Complying Development Certificate, the certifier sets the fees, which may differ from those charged by Council.

To see the current fees charged by Council please see Council's Fees & Charges which are available online or by calling Council's Customer Service Centre on 9942 2111.

Please note that the Council has no authority or control in relation to a Private Accredited Certifier's fees and charges.



6.4 What is a Long Service Levy?

The levy is mandatory in New South Wales and ensures construction and building workers' long service leave entitlements. A Construction Certificate cannot be issued until any Long Service Levy payable or relevant installment has been paid.

The Long Service Levy fee is based on the value of works listed on your application for a Construction Certificate, not your Development Application. Your Construction Certificate will not be released until the correct Long Service Levy fee is paid.

This payment can be made at Council (who acts as a collection agent) or directly to the Long Services Payments Corporation. The rate of the Long Service Levy is currently 0.35% (as of June 07) for building construction works of \$25,000 and over. The levy rate and level in which it applied is subject to legislative change, without notice.

Requests for exemptions or reductions in the Levy must be applied for at the Long Service Payments Corporation – not at Council. Written information in the form of a receipt from the Long Service Payments Corporation, from Council or a letter indicating exemption is granted will need to be presented before a Construction Certificate can be released.

6.5 What is a Construction Certificate?

A Construction Certificate certifies that:

- o Detailed construction plans and specifications comply with the requirements of the Building Code of Australia (BCA) and any relevant Australian Standards
- o Detailed construction plans and specifications are consistent with the Development Consent
- o The relevant Development Consent conditions have been complied with
- o All required contributions and fees have been paid.

6.6 How do I obtain a Construction Certificate?

A Construction Certificate can be obtained from Council or a private Accredited Certifier. You may lodge your Construction Certificate with the Council, but there is no requirement to do so.

- a) If you choose to obtain your Construction Certificate through the Council, please make an appointment with our Quality Development Applications Officer before lodging your application. The Quality Development Applications Officer will be able to assist you with any queries relating to the lodging of your Construction Certificate application and can be contacted on 02 9942 2749.

- b) If you choose to obtain your Construction Certificate through an Accredited Certifier contact Department of Planning for advice or visit their website www.bpb.nsw.gov.au

If the Construction Certificate is issued by an Accredited Certifier, a copy of the Certificate, associated plans and specifications must be forwarded to Council within two days of issue and include an administration fee. This is in accordance with the provisions of the Environmental Planning and Assessment Act (1979).

What information is required for a Construction Certificate?

Typical information required for a Construction Certificate is structural engineering details and specifications.

- a) If you choose to lodge your Construction Certificate with Warringah Council, the appropriate forms and checklist of information to be submitted is available on our website, or you can contact Council's Customer Service Centre, Planning and Assessment Enquiries. It is required that you contact council to book an appointment to lodge the application (ph: 9942 2749) and it is essential that you ensure all required information is included in your application to Council.

SECTION 6: AFTER YOUR DEVELOPMENT APPLICATION IS APPROVED



- b) If you choose to obtain your Construction Certificate through an Accredited Certifier you will need to contact them as to their requirements as they will vary depending on the certifier.

6.7 What happens after my Construction Certificate is issued?

- a) If you lodged your Construction Certificate application with Council, you will receive a letter stating that the Certificate is ready to be picked up from the Council's Customer Service Centre. The applicable fees will be payable at time of collection.
- b) If you choose to obtain your Construction Certificate through an Accredited Certifier, the Construction Certificate must be lodged with Council within two days of issue and a lodgement fee must be paid.

Note: Neither Council nor an Accredited Certifier can issue a Construction Certificate until the correct fees are paid as per the Development Consent.

6.8 What is a Principal Certifying Authority?

Your conditions of Development Consent may advise you that you need to appoint a Principal Certifying Authority (PCA). Either Council or a Private Accredited Certifier can act as your PCA and oversee the construction or subdivision process.

The role of the PCA is to:

- o Administer the conditions of Development Consent and progress of the development from start to finish, as well as conduct inspections of each required stage of construction

- o Promptly advise the applicant after any relevant inspection of any outstanding work
- o Issue the applicant an occupation Certificate once the relevant application has been lodged
- o Receive and investigate any complaints from the public concerning the development
- o Issue notices requiring compliance with the development construction

6.9 How do I nominate a Principal Certifying Authority?

You must notify the Council by submitting a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" form to Council at least 48 hours prior to commencing work.

6.10 How many inspections will I need?

The Development Consent will outline inspections to be carried out. These inspections are determined by the level of information submitted in your Development Application and are subject to change depending on the scope of work. The number of inspections required will be reviewed as part of your Construction Certificate and are then determined by your nominated Principal Certifying Authority (PCA).

Each stage or component must be inspected and accepted as satisfactory before you proceed with the next stage. If you do not have these inspections, the PCA can refuse to issue an Occupation Certificate, which will prevent you occupying or using the completed building.

Critical stage inspections may include:

- o Class 1 & 10 buildings e.g. residential work including dwellings, alterations & additions, garages, carports, swimming pools, etc
 - ◆ Prior to commencement of building works
 - ◆ Footings
 - ◆ Slab and other steel reinforcement
 - ◆ Framing (including floor)
 - ◆ Wet area waterproofing
 - ◆ Stormwater
 - ◆ Final
- o Class 2, 3 & 4 buildings eg: multi unit development, Residential component of commercial buildings etc.
 - ◆ Prior to commencement of building works
 - ◆ Structural component inspections including footings, slabs, piers and framing
 - ◆ Wet area waterproofing
 - ◆ Stormwater
 - ◆ Final
- o Class 5, 6, 7, 8 or 9 buildings eg: offices, shops, Industrial & commercial buildings etc.
 - ◆ Prior to commencement of building works
 - ◆ Stormwater
 - ◆ Final

6.11 How do I book an inspection?

- a) If you choose to nominate Warringah Council as your PCA, the inspection fees must be paid at the time of lodging the Notice of commencement or PCA form. To book an inspection contact Council's Customer Service Centre. An inspection request form will be completed and passed on to the relevant Council Inspection Officer



for your area. The Inspection Officer will contact you to arrange a mutually convenient inspection time.

Please allow a minimum of two working days from booking your inspection to the carrying out of the inspection. However, Council would prefer you contact us about five days prior to assist in making sure all files and documentation are available for the inspection to take place.

- b) If you nominate a Private Accredited Certifier as your Principal Certifying Authority, you will need to contact them to arrange an inspection at the required stages.

6.12 When can I begin work?

Your Development Consent will outline conditions that are required to be completed prior to the commencement of works.

If stated on your Development Consent, at least 2 days prior to work commencing on the site Council must be informed. The submission of a Notice of Commencement in Accordance with Section 81A of EP & A Act 1979 must be made giving the name and details of the Principal Certifying Authority (PCA) and the date construction work is proposed to commence.

- a) If you choose to nominate Warringah Council as your PCA, the inspection fees must be paid at the time of lodging the Notice of Commencement or PCA form. Your conditions of Consent will outline which inspections apply if Council is nominated as the PCA. The numbers of inspections listed will be determined by the level of information in your Development Application and are

subject to change depending on the scope of work.

- b) If you nominate a Private Accredited Certifier as your PCA, you will need to ensure that they have lodged the Notice of Commencement or PCA form with Council, 48 hours prior to commencement of works.

6.13 What if I build something different to my Consent?

You must build or use a building in accordance with the approved plans and conditions of Development Consent.

Council has adopted a 'minimal tolerance' approach to compliance with development controls. If you cannot comply with your Development Consent for whatever reason you must contact Council before proceeding with the work.

Retrospective approval cannot be given for any building work started and or completed without Development Consent or a Construction Certificate.

Construction Certificates issued in contravention of Development Consents may be declared invalid.

It is important to note that unauthorised work may lead to you being prosecuted and / or ordered to demolish the unauthorised work.

On-the-spot fines may also apply.

6.14 How do I modify Consent plans?

If you wish to make changes to your development you will need to make a formal application before carrying out the proposed work. (See *What if I want to change my consent?*)

6.15 What happens after construction is complete?

You must contact your Principal Certifying Authority (PCA) to arrange a final inspection. Your PCA will not be able to issue a satisfactory final inspection until:

- o Any critical stage inspections have been completed as per the Development Consent.
- o All component Certificates required by the Development Consent have been lodged with your PCA and;
- o The completed works comply with the Development Consent.

If you receive a satisfactory final inspection report, and if required by your Development Consent, you must apply to your PCA for an Occupation Certificate. An Occupation Certificate may be issued by the PCA on completion of the development.

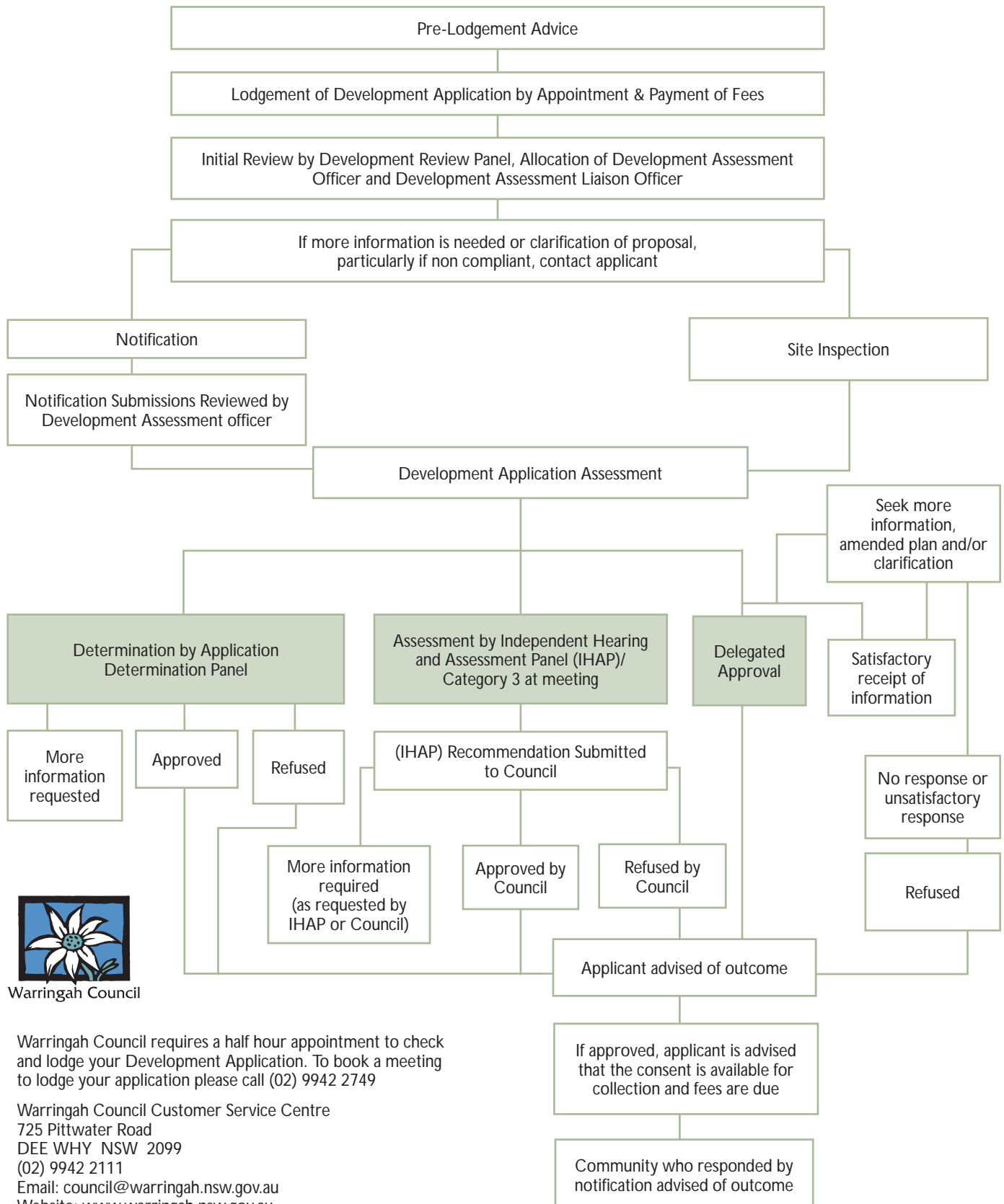
This certifies that all works have been completed in accordance with the Development Consent conditions, approved plans and health and safety provisions of the Building Code of Australia. Please note that it is illegal to occupy or use a building or structure without an Occupation Certificate.

If you are using a Private Accredited Certifier for your PCA, they must give Council copies of any Occupation Certificates issued and relevant documents accompanying the Occupation Certificate.

Flowchart One: The Development Application Process

When you are submitting a Development Application at Warringah Council, please follow the steps below. Before submitting an application please ensure that you or your consultant have checked Council's requirements with regard to the Warringah Council Local Environment Plan (WLEP), information required in your application (see checklist) and relevant legislation. Non compliance will lead to longer processing times and may result in refusal.

Please note: This is a general guide and may be subject to variations based on the complexity and specific details of your proposal and whether your application complies with Council's controls.

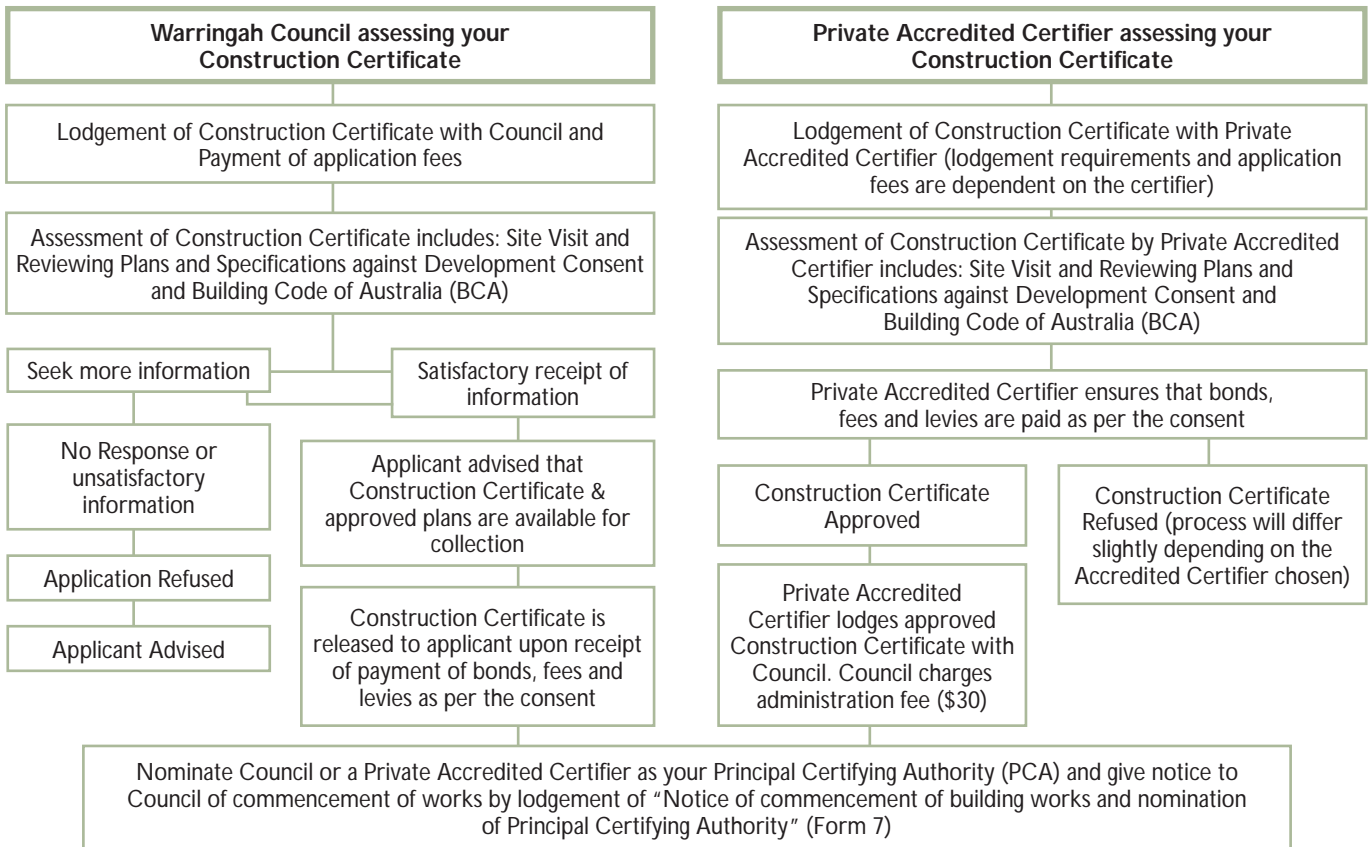


Warringah Council requires a half hour appointment to check and lodge your Development Application. To book a meeting to lodge your application please call (02) 9942 2749

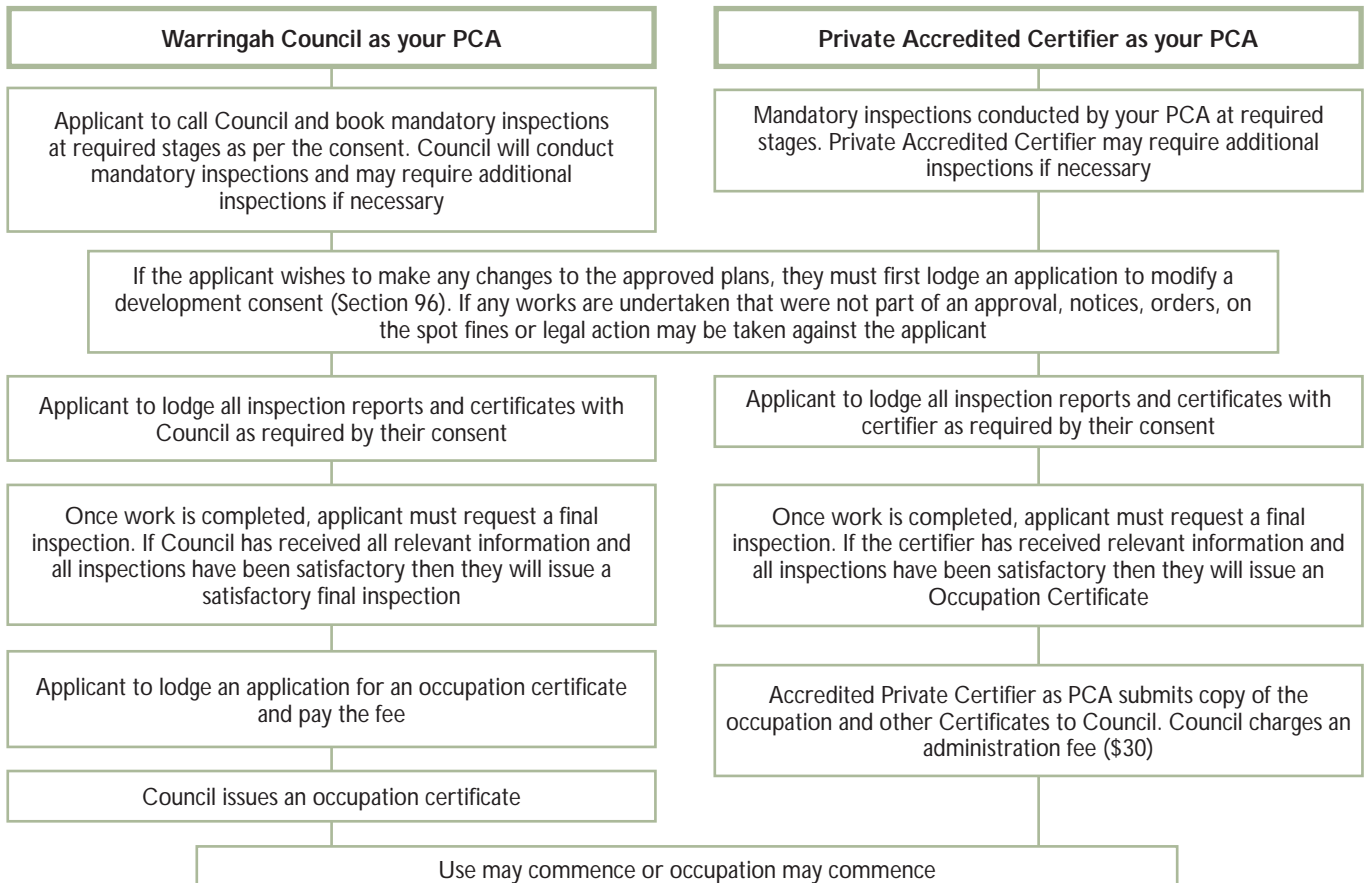
Warringah Council Customer Service Centre
 725 Pittwater Road
 DEE WHY NSW 2099
 (02) 9942 2111
 Email: council@warringah.nsw.gov.au
 Website: www.warringah.nsw.gov.au

Flowchart Two: After Consent Process

Please note that once your Development Application is approved, building works cannot commence without first obtaining a Construction Certificate and appointing a Principal Certifying Authority (PCA). As the applicant you can decide to lodge your Construction Certificate or appoint a Principal Certifying Authority (PCA) either through Council or a Private Accredited Certifier. (see the NSW Department planning website www.planning.nsw.gov.au for more information on private certification).



WORKS MAY NOW COMMENCE





Warringah Council

Warringah Council Customer Service Centre
725 Pittwater Road
DEE WHY NSW 2099
(02) 9942 2111
Email: council@warringah.nsw.gov.au
Website: www.warringah.nsw.gov.au

