

Quality Control of DAs

Why spend more money on good quality plans?

If you start your project with poor quality plans lacking detail or with inaccuracies then you can be assured that the application process will be slower and it is more likely that such plans will deliver a poor quality outcome.

The plans should be based on an accurate and detailed Computer Aided Drafting (CAD) survey plan from a Registered Surveyor. If your Architect or Draftsperson is still drawing plans by hand they may be accepted, but we actively encourage CAD based plans because they are far more accurate. Drafting errors which could cost you thousands of dollars to fix during the building process are far less likely in the CAD environment.

We don't expect Construction Certificate level, 1:50 detailed cross sections at the DA stage unless urban design detail is an issue, but you should make sure that your architect or draftsperson is briefed to work up these details for the Construction Certificate stage. Simple things like flashing details for windows, doors, uncovered deck/terraces and wet area detailing all contribute to getting it right during the building process. Never leave it to the builder to decide on these issues. Your money is better spent getting the details right on the plans than spending thousands fixing building defects which may not show up for months or years after the builder has gone.

POOR QUALITY PLANS = POOR QUALITY BUILDING

Avoid DA Assessment Delays

Try to avoid these top ten delays:

1. Failure to provide Owner's Consent.
2. Insufficient Information (see below)
3. Poor quality plans or Statement of Environmental Affects
4. Incorrect fees.
5. Poor compliance with development rules
6. Poor designs having unacceptable impacts
7. Unsatisfactory stormwater drainage designs
8. Unsatisfactory impacts on trees
9. Multiple replacement applications
10. Complexity required in assessment reports
11. External referral delays

Insufficient information

We request additional information from more than 50% of all applicants. Additional information is commonly requested on the following matters:

- impact on heritage items. Use the Tweed LEP 2000 to see if you need to consider heritage, and make sure you provided specialised input, if you are required to.
- investigation of potential acid sulphate soils. Use the Tweed LEP acid sulphate soils map and make sure you submit all the information you are required to.
- requirements for potentially contaminated land. Make sure you read the State Environmental Planning Policy No. 55 requirements, conduct any specialised investigations and submit all the information you are required to.
- lack of easements for gravity stormwater disposal
- site access grades that are too steep and rights of way with no legal access
- lack of investigation into potential flooding
- lack of justification for removal of trees. In some cases it will be necessary to provide Aricultural Assessment Reports, Tree Management Reports, Transplant Method Statements and Root Mapping Reports

If your DA does not have the information required it will take longer to process your application.

May we require additional information later in the process?

Yes. Once we have all the relevant reports and have had the opportunity to review them, we may come back with a request for clarification or further detail. This request may be by phone, email or letter. The applicant, at this stage, will deal directly with one of our expert assessment officers.

If you provide further information to any one of our experts, make sure you also send it to your assessment officer so they are aware that you are progressing the application.

What happens if Council is not provided with the information requested?

If the information requested is not provided within the timeframes set out in the request, then our Development Assessment Team Leaders have delegated authority to refuse the application on the basis that the Applicant has not provided sufficient information to allow a proper assessment. We may give reasonable extensions on a case by case basis but we will not accept unreasonable delays that may affect the time and resources we have available to process other applications.

Working out the right fees

Fees vary considerably depending on the type of the development proposed and the value of the work.

Council's annual adopted Management Plan sets out our fees and the Environmental Planning and Assessment Regulation 2000 sets out statutory fees. Please refer to Council's DA Fees Calculator to work out the total fee payable at lodgement. Otherwise contact our administrative or technical officers.

In order to work out the right fees, you must have an understanding of what type of work is proposed and an estimated cost of the proposed building works development.

Are you really ready to lodge your DA?

1. Make sure you have prepared your application correctly. About 50% of DAs are incomplete when lodged - avoid assessment delays! Rushing a development application to lodgement will cost you more time than you think.
2. Download and complete the Development Application Form which includes a lodgement checklist.
3. Lodge your DA and pay the fees.

How and where do you lodge your DA?

We prefer that you lodge your Development Application in person at Council's Murwillumbah or Tweed Offices.

This is because we can check your application before lodgement to ensure that you have provided all the necessary information.

You can lodge your application by mail but we often find that applications lodged by mail are incomplete. If your application is incomplete, it may be rejected and posted back. We also ask that you check with us the fees that are payable to avoid the mailing of cheques with the wrong fees. If the correct fees do not accompany your application it will not be accepted.

To work out the correct fees you must correctly identify the estimated value of the proposed work. Other fees may also apply. Therefore, we encourage you to lodge your application in person at Council.

Given the degree of checking of DA lodgement, it would be appreciated if you could lodge your DA before 4.00pm on our office opening days.

Registration of the development application

This is done while you wait at our Customer Service counter. We make an electronic record of the application before we process payment of the fees. More detailed, data entry takes place in the back office once the file is transferred from Customer Service.

Is one of the Owner's signature OK?

NO. It is a legal requirement that every individual owner must sign the original application form or provide a letter clearly and unambiguously giving the applicant their consent to lodge the Development Application. We cannot accept photocopies or fax copies of these important documents.

If the owner is a company or an owners corporation then the form must be signed by an authorised director under common seal.

If an owner is giving the applicant permission to lodge the development application they should consider also giving them permission to lodge the Construction Certificate application and all other ancillary applications that may be necessary under the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 and Roads Act 1993. If the development is Integrated Development under section 91 of the Environmental Planning and Assessment Act 1979 and applications to other authorities are also required their requirements should also be considered.

Rejection at Lodgement

Avoid being affected by making sure you prepare your application and submit all the required materials.

We will reject any application at lodgement, or within either 7 or 14 days as required, where:

1. the application is illegible or unclear as to the development consent sought, or
2. the application does not contain the information specified in Part 1 of Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*
3. the application does not contain any other matter listed in clause 51 of the *Environmental Planning and Assessment Regulation 2000*

What is the effect of a rejection at lodgement?

The legal effect of rejection is that the application is taken, for the purposes of the *Environmental Planning and Assessment Act 1979*, never to have been made.

Can I appeal against a rejection at lodgement?

No. Council has complete discretion to reject incomplete applications. There are no rights of appeal.

What happens to any fees paid?

Council will refund all the fees paid. If the applicant's cheques have not been cashed they will be sent back with the rejected application. If payments are receipted we will draw a cheque made payable to the applicant and post it out either with, or following the rejection notice.