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DPTI

Campbelltown City Council submission on the

Practice Direction –

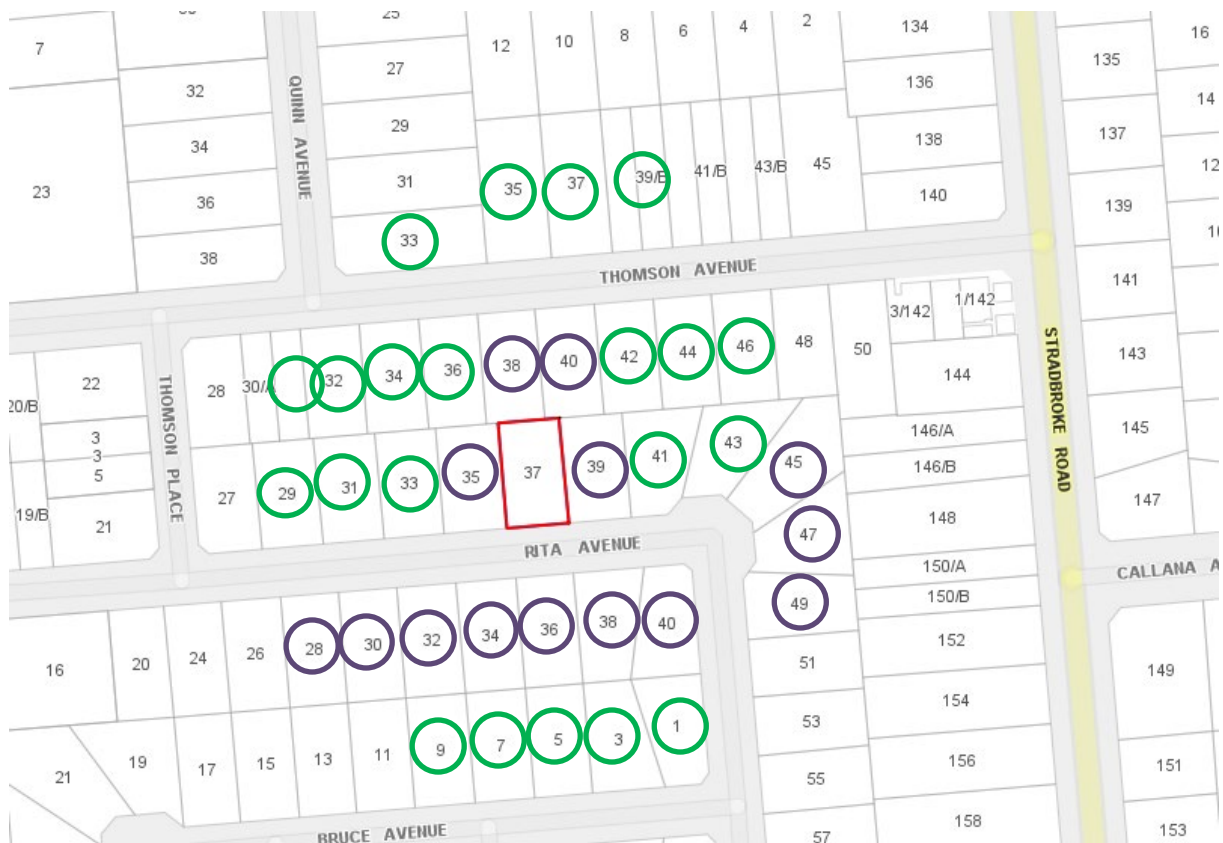
Notification of Performance Assessed Development Applications 2019

Part 1 – 4 Interpretation

Adjacent land *in relation to other land*, means land that is no more than 60 metres from the other land.

What is the other land?

60 metres will now mean notification to properties in a completely different street that has no connection to the subject land and from which the subject site is not even visible and has no connection.



○ Current notification

○ Additional properties under new definition

Part 2 – Notification of Performance Assessed Development Applications

5 – Determination under section 107(3) of the Act

(2) Need definition or examples of 'minor nature' given the changed nature of notification the impact on adjoining properties much different to adjacent in accordance with the new definition.

8 – Period of notification

(a) Given that Australia Post 3-4 days for country locations and this legislation is state wide it should be extended to at least 4 business days

10 - Notice to adjacent land owners/occupiers

(1) Letter to all owners or owners of adjacent land. It is considered a letter should go to the property owner in preference to the occupier? Should be owner **and** occupier

11 – Notice on land

(4) Notice to be maintained 'to an appropriate standard for the minimum period'. What is an appropriate standard? What is the minimum period?

Practice Direction –

Deemed Planning Consent – Standard Conditions 2019

Attachment 1 – Standard Conditions

Landscaping

Both conditions should include *...and must be maintained and nurtured at all times with any diseased or dying plants being replaced.*

Campbelltown City Council submission on the draft Development Assessment Regulations

Provision	Description	Comment
Section 4	Interpretation	No designated bushfire zone, subzone or overlay Will this be included in the environmental zone, subzone or overlay?
Section 5 – 3F	Significant Trees	Needs to be made clear that ‘existing’ building means a new build Would be good to know how the 2 exempt species were determined as it seems many other species have greater biodiversity and amenity values
Section 5 – 3G	Aboveground and inflatable pools	Regulating this section is unrealistic. The type of pool this is only temporary and the onus should be on the owner of the pool to ensure it is supervised or emptied
Section 22	Relevant authorities	Need clarification of (B) and (C)
Section 23	State Planning Commission	Report criteria restrictive
Section 27	Elements	Will these be identified separately or linked on Planning Portal
Section 35	Determination of application	5 BD’s possibly tight timeframes depending on how ‘received’
Section 38	Amended applications	Needs to be clear what constitutes ‘not substantial’
Section 50	Notice requirements	Definition of directly affected land
Section 52	Public inspection of applications	Unclear whether available for inspection (1) can be via the Portal or needs to be hard copies as has to be available on Portal (4) anyway. Portal will presumably allow access to anyone that can verify the address of proposed development or through code as this purpose of the signs? Will they then be able to print from the Portal? (2)
Section 56	Time for decision	Hard to tell if timeframes will be achievable with current resources without knowing the amount of development that will deemed-to-satisfy
Section 57	Deemed consent	(2) Is it only the portal or registered post? Does it have to be accepted over the counter? If they do come in to office, are council staff required to enter it in the portal?

Section 65	Regulated and significant trees	(1) (3) How is replacement tree figure determined?
Section 71	Variation	What is reasonable fee for variation?
Section 89	Forming of roads	(5) should include more council infrastructure such as landscaping, lighting etc
Section 99	Notification during building work	Not sure that registered post is appropriate format of notification
Schedule 4 – Exclusions from definition of development	Council Works	(1) (f) would be good to be broader and include things like adult fitness equipment, skate parks etc
	Sundry minor operations	(1) (e) Is an incinerator still appropriate?
		(m) Cubby house is better terminology as not many going to be in trees? Should there be a height restriction?
		Would be good to have provisions that require air-conditioning units to be positioned a certain distance from habitable rooms of adjacent dwellings.
	Use of land and buildings	Need definition of home activity and hopefully updated to be more adaptable to current trends