

If it is not too late to make a further submission, I would like to raise the following points:

1. One of the greatest hurdles that Councils have to face is rate pegging. This severely constrains their income, and as well as the implications for expenditure on infrastructure and the like, it means that they cannot afford the salaries necessary to attract and keep good Planners. The result is that junior Planners man the front desk. They do not have the experience to give good advice.
2. I recently phoned Bankstown Council and asked to speak to a Planner. I was told that they do not take phone calls, that I have to come in to Council. I refused (I am based at Avalon) and was then able to leave a message, but that message has still not been returned. Councils need to be obliged to provide advice by phone. Some Councils will not give the zoning of a site and say it is necessary to come in to Council to obtain it. Councils need to be obliged to either provide this information on the internet or provide it by mail or email. This is a common problem, where some Councils try to transfer costs to each particular applicant, I believe it is because they are under funded. The cost to the community is reduced if Council provides the information.
3. Most Councils do not seem to recognise that Development Approval (DA) is for what is to be built, Construction Certificate (CC) is for how it is to be built. There is a clause in the Local Government Regulations that prohibits double dipping (ie Councils asking for info at DA stage that is relevant only to CC), but Councils still exceed the boundaries by quite a margin. Some Councils insist on the provision of documentation that has little or no value in the particular case, but will not look at the particular situation before insisting on its provision. The result is greatly increased costs for documentation. Examples are:
  - Waste Management Plans. Particularly for houses, these are a total waste of time. No Architect that I have met is capable of preparing them. I have in the past filled out waste management forms giving quantities of waste that are quite ridiculous, and they are never queried by Council. Bankstown Council for example asks the applicant to fill out a form that can only be completed by the Builder for the project, and at DA stage he is seldom selected. I invite you to look at Bankstown Council's standard form – it requires details that go right through the construction stage and into site maintenance when the building is being used for its intended purpose.
  - Site management plans, showing areas where materials are to be stored etc can also only be provided by the Builder, but in many instances are asked for at DA stage. These have nothing to do with DA.
  - Stormwater management plans, particularly where the building is located above street level, are completely unnecessary, but are regularly asked for. Again, these have nothing to do with DA.
  - Silt and sediment management plans have nothing to do with DA, but are regularly asked for.
  - Some Councils are insisting on the involvement of a Geotechnical Engineer for excavations over a certain depth, even in stable soils. This is really none of Council's concern – it relates to construction, not design – and in any case, a Geotechnical Engineer is seldom necessary. Builders have been dealing with these situations forever.
  - Pittwater Council insists on shadow diagrams even for single storeyed structures on level ground, including when the site faces north. This cannot be justified. Other Councils – eg Leichhardt – insist on shadow diagrams even when the changes to the profile of a building are very small.
  - Pittwater Council, which has a lot of landslip affected properties in the municipality, has fairly recently introduced a new map of sites that it claims are slip affected. My house is one of these sites. It is listed as being in the highest danger category simply because there is a very small road embankment in front of the site. It is quite obvious that the embankment could not cause any danger, and in any case, I maintain that Council is responsible for the stability of its road embankments, not the applicant. Pittwater requires a Geotech report (costing between \$1320 and \$2640, even more in some cases) even if the area of the site that is listed as slip affected is remote from

the proposed works. It requires this report at DA stage. It should be required for CC. Pittwater Council's slip map needs revisiting. It cannot be supported.

- Pittwater Council insists on the payment of a non-refundable deposit for infrastructure damage during construction at the time of lodgement of the DA. If this is legal (which I doubt) it is most certainly immoral, given that only a percentage of DAs proceed to construction.
  - Some Councils accept charged stormwater systems (this is a situation where downpipes and stormwater lines from a building drop below street level where the water is discharged into the gutter), others do not. This is a valid hydraulic engineering solution, and Councils should not try to dictate how a site is drained – this is to do with how, not what.
4. There is a major anomaly in the NSW Housing Code. Lot Type A sites (area 600 to 900 sq m) can have a site cover of up to 50%, Lot Type C sites (area 900 to 1500 sq m) can have a site cover of up to 40%. So the permissible site cover for a site of 899 sq m is 449.5 sq, whilst the permissible site cover for a site of 901 sq m is 360.4 sq m. That is not the way this is intended to work. The formula needs to be changed so that the % site cover falls evenly as the site area increases. The problem has come about because of an attempt to keep the Code simple. This can be rectified without getting complex.
5. And finally, I strongly disagree with the Housing Code provision that allows consent to be granted in advance of the neighbours being notified.

Thank you. As I said above, I hope this is not too late. If I can assist by explaining any of the above items, pl let me know.

Kind regards

Graeme

Graeme Heine

Registered Architect No 2818, Director  
Heine Architects Pty Limited