

ENCROACHMENT OWNERS CONSENT

CHECKLIST AND GUIDE FOR DEVELOPMENT APPLICATIONS (DA)



The application for Owners Consent forms part of the Development Application. Owners Consent is required if a portion of, or the whole of a privately owned property encroaches onto Council land. Council's Encroachment Management Policy will then apply.

The content of this checklist plays a fundamental role when assessing the merits of the encroachment. The Director of Engineering & Property Services will grant Owners Consent for the lodgement of the Development Application. Once the merits of the Encroachment has been assessed by Council's Planning Department, it will be forwarded to Council's Property Department for determination.

The Encroachment Management policy is designed to apply only to existing encroachments over which development consent was previously granted. Owners Consent for new encroachments will not be granted unless in exceptional circumstances.

NOTE:

- New encroachments will only be considered if it is a permissible encroachment in accordance with Council's Development Control Plan.
- If it is not a permissible encroachment, then the private property owner is to demonstrate what benefit the encroachment would bring to Council.

EPS will only address the Encroachment once the Checklist is completed and the required documents attached.

(PLEASE ATTACH PHOTOGRAPHS, MAPS, PLANS, ETC)

1. Have you read Council's Encroachment Management Policy on the website at http://www.northsydney.nsw.gov.au/Council_Meetings/Policies_Plans/Council_Policies?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Is this an Existing or New Encroachment?	Yes <input type="checkbox"/> No <input type="checkbox"/>
3. What is the nature and extent of the Encroachment? Please provide a clear and concise explanation.	Yes <input type="checkbox"/> No <input type="checkbox"/>
4. If this is an existing encroachment, did it form part of a previous Development Consent? If Yes, please attach a copy of the Development Consent, making reference to the Application No.	Yes <input type="checkbox"/> No <input type="checkbox"/>
5. If this is a Stratum Subdivision, on what level/levels is the Encroachment located? Please supply the dimensions and total 'area' of the encroachments on each level separately.	Yes <input type="checkbox"/> No <input type="checkbox"/>

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6. Are you aware of any existing instruments securing Council's interests registered over this Encroachment? If so, please supply details. _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
7. On what portion of Council's property is the Encroachment impeding? _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
8. Is the Encroachment hindering or restricting pedestrian or vehicular access? _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
9. What are the visual impacts of the Encroachment? _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
10. Is there a Photo attached? _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
11. Is the Encroachment clearly marked up on the Architectural Plan? (The Plan must clearly identify the encroached area) _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
12. Has a Survey Plan identifying the Encroachments been prepared by a Registered Surveyor? If so, please attach the Plan outlining the Encroachments? _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
13. What are the dimensions, weight and volume of the Encroachment? _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
14. What is the total area in sqm of the Encroachment? (This must be clearly disclosed on the survey plan) _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
15. Is the Encroachment a potential hazard to the public? If Yes, please supply details. _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>
16. If this is a new encroachment, is it a permissible encroachment in accordance with Council's Development Control Plan? _____ _____ _____	Yes <input type="checkbox"/> No <input type="checkbox"/>

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17. If this is not a permissible encroachment, please demonstrate what benefit the encroachment would bring to Council?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Review by CIS
The Notation on Page 1 is to be considered when providing comment.

Comments: _____

Name of Assessment Officer: _____

Review by EPS

Comments: _____

Risha Joseph
Property Officer

Endorsed by DUNCAN MITCHELL
DIRECTOR ENGINEERING AND PROPERTY SERVICES