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# Complying Development Certificate Application Form

## **Information for the Applicant**

This form may be used to apply for a complying development certificate to carry out development classed as “complying development”.

To minimise delay in receiving a decision about the application, please fill in all sections and ensure all relevant information and documents are provided. Once completed, this application form should be submitted to Cowra Shire Council for determination.

When a complying development certificate is issued, the Applicant (or a subsequent owner of the land on which the development is proposed to be carried out) has permission to carry out the development without the need to obtain further development consent. **However**, there may still be a need to obtain other approvals in order for the work involved to be performed (eg. use of footpath areas, plumbing and drainage and on-site sewage management systems). In order to avoid potential delays in commencing any work, Applicants should ascertain whether other approvals will be needed, and if so, the stage at which they will be required.

## **Owners Consent**

Every owner of the development site must sign the construction certificate application form.

If the development site is within a strata plan, Consent of the Owners Corporation is required under seal.

If the owner of the development site is a company or Owners Corporation, the Construction Certificate Application form must be signed by a Director/Secretary or authorised Delegate under Common Seal. The person signing the application form must state their capacity enabling them to sign on behalf of the owners of the land.

## **Fees and Payment Methods**

Application fees are based on the estimated value of the work and are GST free. Information on these fees is available on Council’s web site or from Council’s Customer Service Centre. Payment may be made by cash, cheque, credit card, or Eftpos.

## **Privacy**

The personal details requested on this form are required under the Environmental Planning and Assessment Act 1979 and will only be used in connection with the requirements of this legislation. Access to this information is restricted to Cowra Shire Council officers and other people authorised under the Act. Council is to be regarded as the agency that holds the information. You may make an application for access or amendment to information held by Council. You may also request Council suppress your personal information from a public register.

The personal information required on this form may be available for public access under various legislation.

<b>Office Use Only</b>	
Application No:	Receipt:
Property File:	NAR:
Date Application Received:	Parcel(s):

**SECTION A. Details of the applicant\*****\*\*Please note that if your application requires neighbour notification, your name and contact details will be given to occupiers of neighbouring properties\*\***Mr  Ms  Mrs  Dr  Other:

First name

Family name

Company (if applicable)

ABN (if applicable)

Unit/Street no.

Street Name

Suburb or town

State

Postcode

Daytime telephone

Fax

Mobile

Email

**SECTION B. Location and title details of the land where the development is to be carried out**

Unit/Street no.

Street Name

Suburb or town

State

Postcode

Lot no.

Section

DP / SP no.

Volume/folio

**SECTION C. Describe the development proposed to be carried out***Provide a brief description of the development. For example, if a dwelling is proposed, include information such as the type of building (house, townhouse, villa etc), the number of floors, the number of bedrooms, the major building material (brick, brick veneer, timber clad etc).***Classification of building(s)\* under the Building Code of Australia:**1a 1b 2 3 4 5 6 7a 7b 8 9a 9b 9c 10a 10b 10c *\*For buildings with multiple classifications please select each applicable classification.*

## SECTION D. Estimated cost of the development

Please state the full cost for labour and materials in accordance with the following requirements:

### Development up to \$100,000

The cost can be estimated by the applicant or by a suitably qualified person\*. The methodology used to calculate the cost must be submitted with your application. Council uses the Building Cost Guide dated July 2006 (published by the Australian Institute of Building Surveyors – AIBS NSW Chapter) to verify your estimate.

### Development between \$100,000 and \$3 million.

The cost must be estimated by a suitably qualified person with the methodology used to calculate the cost submitted with your application.

### Development more than \$3 million.

A detailed cost report prepared by a registered quantity surveyor verifying the cost of the development is to be submitted with your application.

\*A suitably qualified person is a licensed builder, registered architect, qualified building designer or registered quantity surveyor. Please note that the required supporting documentation must be submitted to ensure that your application is not delayed.

\$ <input style="width: 100%;" type="text"/>	(The full cost of labour and materials in accordance with the above requirements. Include GST)
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## SECTION E. Details of the Builder or Owner/Builder

Who will be doing the building work?

- Not determined at this time  
This information will be required prior to work commencing
- Owner-Builder  
See notes below
- Licensed Builder

Builder's Name:

Builder's License Number:

Builder's Address:

Email:

Mobile:

Other:

Note:

- If a licensed builder is not engaged and the value of any residential work exceeds \$10,000, a copy of an Owner-Builder permit must be submitted to the PCA prior to building work commencing. Where Owner-Builder work is proposed and the value of the proposed work is over \$20,000, you must have either completed an approved owner-builder course, or can satisfy the approved equivalent qualifications. Further information about Owner-Builder permits can be obtained from the NSW Fair Trading website [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)
- If you are using a licensed builder for residential building work exceeding \$20,000, a Certificate of Home Warranty Insurance must be provided. For more information, refer to the Home Warranty Insurance Fund website [www.homewarranty.nsw.gov.au](http://www.homewarranty.nsw.gov.au)

## SECTION F. Environmental planning instrument

Provide the name of the "environmental planning instrument" (\*see - definition below) under which the development is complying development.

Note: The criteria for complying development may vary between environmental planning instruments. You must nominate which instrument this Application is to be assessed under.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

OR

Other Environmental Planning Instrument (EPI)

Name of EPI

\***Environmental planning instruments** (EPI) are State Environmental Planning Policies and Local Environmental Plans.

## SECTION G. Asbestos

If any bonded asbestos material or friable asbestos material will be disturbed, repaired or removed in carrying out the development, what is the estimated area of the material ?

square metres

## SECTION H. Attachments relating to the proposed development

Applicants must provide the documents listed below that are relevant to the type of development that is proposed. Please confirm that documents relating to the requirements below have been attached by placing a tick in the appropriate box(s). **Two (2) copies** of all required documents must be submitted with this application.

### 1. Attachments for fire link conversions

Does the Application relate **ONLY** to a fire link conversion?  Yes  No

If 'Yes' provide a document that describes the design and construction, and mode of operation, of the new fire alarm communication link.

### 2. Attachments for developments other than fire link conversions.

- A site plan of the land  
**Provide a site plan** indicating:
- the location, boundary dimensions, site area and north point of the land,
  - existing vegetation and trees on the land,
  - the location and uses of existing buildings on the land,
  - existing levels of the land in relation to buildings and roads,
  - the location and uses of buildings on sites adjoining the land.
- A plan of the development  
**Provide a plan** which indicates:
- the location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,
  - floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,
  - elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures),
  - elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in **SECTION P**),
  - proposed finished levels of the land in relation to existing and proposed buildings and roads,
  - proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),
  - proposed landscaping and treatment of the land (indicating plant types and their height and maturity),
  - proposed methods of draining the land,
  - in respect of BASIX affected development, such other matters as the BASIX certificate(s) requires to be included on the plan. (See BASIX NOTES at the end of this Section)
  - in respect of BASIX optional development for which a BASIX certificate(s) has been obtained, such other matters as the BASIX certificate(s) requires to be included on the plan

**Does the development involve subdivision work?**

Yes  No

**If 'Yes' provide appropriate subdivision work plans and specifications, which are to include:**

- (a) details of the existing and proposed subdivision pattern (including the number of lots and the location of roads),
- (b) details as to which public authorities have been consulted with as to the provision of utility services to the land concerned,
- (c) detailed engineering plans as to the following matters:
  - (i) earthworks,
  - (ii) roadworks,
  - (iii) road pavement,
  - (iv) road furnishings,
  - (v) stormwater drainage,
  - (vi) water supply works,
  - (vii) sewerage works,
  - (viii) landscaping works,
  - (ix) erosion control works,
- (d) copies of any compliance certificates to be relied on.

**Does the development involve a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure or work that relates only to fire link conversion)?**  Yes  No

**If 'Yes' provide:**

- (a) a list of the Category I fire safety provisions that currently apply to the existing building,
- (b) a list of the Category I fire safety provisions that are to apply to the building following its change of use.

**Does the development involve building work (including work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house)?**  Yes  No

**If 'Yes' provide:**

**(1) A detailed description of the development by completing SECTION P.**

**(2) Appropriate building work plans and specifications, which are to include:**

- (a) detailed plans, drawn to a suitable scale and consisting of a block plan and a general plan, that show:
  - (i) a plan of each floor section, and
  - (ii) a plan of each elevation of the building, and
  - (iii) the levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of the adjacent ground, and
  - (iv) the height, design, construction and provision for fire safety and fire resistance (if any),
- (b) specifications for the development:
  - (i) that describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply, and
  - (ii) that state whether the materials to be used are new or second-hand and (in the case of second-hand materials) give particulars of the materials to be used,
- (c) a statement as to how the performance requirements of the *Building Code of Australia* are to be complied with (if an alternative solution, to meet the performance requirements, is to be used),
- (d) a description of any accredited building product or system sought to be relied on for the purposes of section 85A (4) of the Environmental Planning and Assessment Act 1979\*\*,
- (e) copies of any compliance certificate to be relied on,
- (f) if the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building,
- (g) in respect of BASIX affected development, such other matters as the BASIX certificate(s) requires to be included in the plans and specifications. (See *BASIX NOTES at the end of this Section*)
- (h) in respect of BASIX optional development for which a BASIX certificate(s) has been obtained, such other matters as the BASIX certificate(s) requires to be included in the plans and specifications.

\*\* S.85A(4) EP&A Act provides that a certifying authority must not refuse an Application on the ground that any building product or system does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the EP&A Regulation 2000.

**Does the development involve building work (other than work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house)?**  Yes  No

**If 'Yes' provide:**

- (a) a list of any existing fire safety measures provided in relation to the land or any existing building on the land, and
- (b) a list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

**Does the development involve the erection of a wall to a boundary that has a wall less than 0.9m from the boundary?**  Yes  No

**If 'Yes' provide:**

A report by a professional engineer (within the meaning of the BCA) outlining the proposed method of supporting the adjoining wall.

**Does the development involve the demolition or removal of a wall to a boundary that has a wall less than 0.9m from the boundary?**  Yes  No

**If 'Yes' provide:**

A report by a professional engineer (within the meaning of the BCA) outlining the proposed method of maintaining support for the adjoining wall after the demolition or removal.

**Does the development involve the erection of a temporary structure?**  Yes  No

**If 'Yes' provide:**

- (a) documentation that specifies the live and dead loads the temporary structure is designed to meet,
- (b) a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure,
- (c) in the case of a temporary structure proposed to be used as a place of public entertainment--a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia* are to be complied with (if an alternative solution, to meet the performance requirements, is to be used),
- (d) documentation describing any accredited building product or system sought to be relied on for the purposes of section 85A (4) of the Act,
- (e) copies of any compliance certificates to be relied on.

**Does the development involve the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant?**  Yes  No

**If 'Yes' complete the relevant portion(s) of the following statement:**

The maximum number of persons proposed to occupy, at any one time, that part of the building used as:

- |   |  |
|---|--|
| 1. an entertainment venue is ..... persons. | 4. a registered club is ..... persons. |
| 2. a function centre is ..... persons.      | 5. a restaurant is ..... persons.      |
| 3. a pub is ..... persons.                  |  |

**Does the development involve building work (see - note below) in respect of which an alternative solution under the Building Code of Australia ("BCA") in respect of a fire safety requirement is proposed?**  Yes  No

**If 'Yes' provide:**

Either or both of the following from a **"fire safety engineer"** (i.e. a private accredited certifier holding Category C10 accreditation):

- (a) a compliance certificate (as referred to in s.109C(1)(a)(v) EP&A Act) that certifies that the alternative solution complies with the relevant performance requirements of the BCA.
- (b) a written report that includes a statement that the alternative solution complies with the relevant performance requirements of the BCA.

**NOTE: The above requirement only applies to building work in respect of:**

- (a) a class 9a building that is proposed to have a total floor area of 2000 square metres or more, and
- (b) any building (other than a class 9a building) that is proposed to have:
  - (i) a fire compartment with a total floor area of more than 2000 square meters, or
  - (ii) a total floor area of more than 6000 square meters,

that involves an alternative solution under the BCA in respect of the requirements set out in EPI.4, EP2.1, EP2.2, DP4 and DP5 in Volume I of the BCA.

**Does the proposed development comprise internal alternations to, or changes of use of, an existing building that is subject to an alternative solution relating to a fire safety requirement under the BCA?**  Yes  No

**If 'Yes' provide:**

A written report by another accredited certifier who is accredited for the purpose of issuing a CDC for a building of that kind, which includes a statement that the proposed development is consistent with that alternative solution.

**Does the Application involve a BASIX affected development, or a BASIX optional development for which a BASIX certificate has been obtained?**  Yes  No

**If 'Yes' provide:**

- (a) the BASIX certificate(s) for the development (being a certificate(s) that has been issued no earlier than 3 months before the date of the Application being made, and
- (b) such other documents as the BASIX certificate(s) for the development requires to accompany the Application.

Note: Buildings which are affected by the BASIX system ("**BASIX affected buildings**") are those that contain one or more dwellings (but do not include hotels or motels).

A BASIX Certificate **MUST** be obtained for every "**BASIX affected development**", which are any of the following developments (other than development that is "**BASIX excluded development**"-see below):

- (a) development that involves the erection (but not the relocation) of a BASIX affected building,
- (b) development that involves a change of building use by which a building becomes a BASIX affected building,
- (c) development that involves the alteration, enlargement or extension of a BASIX affected building, where the estimated construction cost of the development is \$50,000 or more,
- (d) development for the purpose of a swimming pool or spa, or combination of swimming pools and spas, that services or service only one dwelling and that has a capacity, or combined capacity, of 40,000 litres or more.

**BASIX excluded development is**

- (a) development for the purpose of a garage, storeroom, car port, gazebo, verandah or awning,
- (b) alterations, enlargements or extensions to a building listed on the State Heritage Register under the *Heritage Act 1977*,
- (c) alterations, enlargements or extensions that result in a space that cannot be fully enclosed (for example, a veranda that is open or enclosed by screens, mesh or other materials that permit the free and uncontrolled flow of air), other than a space can be fully enclosed but for a vent needed for the safe operation of a gas appliance,
- (d) alterations, enlargements or extensions that the Director-General has declared, by order published in the Gazette, to be BASIX excluded development.

Further information about BASIX and to obtain a BASIX Certificate, go to <http://www.basix.nsw.gov.au>. You should review the website to determine whether your development is affected or exempt from the BASIX provisions.

**SECTION I. List of documents**

List all documents provided under SECTIONS H which accompany this application:


**SECTION J. Copyright**

*Information for the Applicant:* Upon an application being made for a complying development certificate, the Applicant (not being entitled to copyright) is taken to have indemnified all persons using the application and any accompanying documents in accordance with the Act against any claim or action in respect of breach of copyright (See Clause 129 Environmental Planning & Assessment Regulation 2000).

**SECTION K. Authority to enter and inspect land**

*Information for the Applicant:* A certifying authority must not issue a complying development certificate for development unless the certifying authority, or an accredited certifier or council on behalf of the certifying authority, has carried out an inspection of the site of the development.

By signing this Application, the Applicant, and if the Applicant is not the owner of the property, the owner also, authorise Cowra Shire Council, to enter the subject property at any reasonable time for the purpose of carrying out an inspection in connection with the assessment of this Application. The Applicant and the owner undertake to take all necessary steps make access available to the property to enable the inspection to be carried out.

**SECTION L. Long Service Payment Levy**

*Information for the Applicant:* Where a certifying authority completes a complying development certificate, that certificate must not be forwarded or delivered to the Applicant unless any long service payment levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid. Where Cowra Shire Council is the Certifying Authority, the levy may be made to Council at the time of lodgement of this application.

**SECTION M. Signature of Applicant(s)**

Signature of Applicant(s)	Name(s)	Date

**SECTION N. Consent of Owner(s)**

As the Owner(s) of the above property, I/we consent to this application.

Signature of Owner(s)	Name(s)	Date



## SECTION O. Delivery of the Application

Applications for complying development certificates must be delivered:

- by hand to Council's Customer Service Centre on any business day between 8.30am and 4.30pm.
- sent by post along with payment of appropriate fees to:  
Cowra Shire Council  
Private Bag 342  
Cowra NSW 2794

Applications MAY NOT be sent by facsimile transmission.

## SECTION P. Development statistics

### 1. For each proposed new building, indicate:

The number of storeys (including underground storeys) in the building

The gross floor area of the building (in square meters)

The gross site area of the land on which the building is to be erected (in square metres)

### 2. For each proposed new residential building, indicate:

The number of existing dwellings on the land on which the new building is to be erected

The number of those existing dwellings that are to be demolished in connection with the erection of the new building

The number of dwellings to be included in the new building

Whether the new building is to be attached to any existing building

Whether the new building is to be attached to any other new building

Whether the land contains a dual occupancy

The materials to be used in the construction of the new building by completing the table below

Place a cross in each appropriate box.

Floor	Code	Roof	Code	Walls	Code	Frame	Code
<input type="checkbox"/> Concrete/slate	20	<input type="checkbox"/> Tiles	10	<input type="checkbox"/> Brick (Double)	11	<input type="checkbox"/> Timber	40
<input type="checkbox"/> Timber	40	<input type="checkbox"/> Concrete/slate	20	<input type="checkbox"/> Brick (veneer)	12	<input type="checkbox"/> Steel	60
<input type="checkbox"/> Other	80	<input type="checkbox"/> Fibre cement	30	<input type="checkbox"/> Concrete/ stone	20	<input type="checkbox"/> Aluminium	70
<input type="checkbox"/> Not specified	90	<input type="checkbox"/> Steel	60	<input type="checkbox"/> Fibre Cement	30	<input type="checkbox"/> Other	80
		<input type="checkbox"/> Aluminium	70	<input type="checkbox"/> Timber	40	<input type="checkbox"/> Not specified	90
		<input type="checkbox"/> Other	80	<input type="checkbox"/> Curtain glass	50		
		<input type="checkbox"/> Not specified	90	<input type="checkbox"/> Steel	60		
				<input type="checkbox"/> Aluminium	70		
				<input type="checkbox"/> Timber/ Weatherboard	40		
				<input type="checkbox"/> Other	80		
				<input type="checkbox"/> Not specified	90		