

# Development Application/Construction Certificate Help Guide

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*This help guide provides information to help you complete your Development or Combined Development and Construction Certificate Application. Each section relates to a question in the form. If you need further assistance to complete the application, please contact Council's Health & Development Services Department. To minimize any delay in receiving a decision about your application, please ensure you complete all relevant sections of the application and submit all relevant information. Once we have assessed your application, you will receive a notice of determination.*

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## Colour Key Code

In regards to the Development Consent Only, Construction Certificate Only or Development Consent and Construction Certificate application form, you will notice that the sections have been colour coded, making it easier for applicants to fill out the form.

- If applying for Development Consent Only, please fill out the green and purple sections.
- If applying for a Construction Certificate Only, please fill out the green and blue sections.
- If applying for Development Consent & Construction Certificate, please complete all sections – green, purple and blue sections.

## Owners Details / Consent (Section 2)

The owners of the land to be developed MUST sign the application. All owners of subject land must sign – where the land is owned by a company, a company seal plus director's signature OR two (2) directors signatures are required. If you are not the owner of the land, you must have all the owners sign the application. If the land is Crown land, an authorised officer of the NSW Department of Lands must sign the application.

## Other Approvals by Council (Section 4)

Attachment A for this Help Guide sets out a number of activities that can only be carried out if you have an approval from the Council. When making your development application to a Council, you can apply for an approval for one or more of these activities in your application. If you wish to apply for these approvals separately you must:

Complete Attachment A to:-

1. Identify the approvals you need; and
2. Identify the documents that you need to include with your application, to obtain these approvals.

*Please include the Attachment A in your application if you answer "Yes" to this question.*

## Property Details (Section 5)

You need to advise Council of the correct property details that your development application is relating to, including lots, DP, road name, area of land etc.

## Proposed Development (Section 6)

Tick appropriate box in relation to the type of development you are intending to carry out. Explaining in the 'description' what development/work it actually is. Where the development involves the carrying out of works or construction of a building you must include the estimated value of the works.

## Environmental Impacts of your proposal (Section 7)

The level of assessment required will be determined by the complexity of the proposed development and/or likely environmental impacts and relevant statutory requirements.

If your development is designated development, an Environmental Impact Statement (EIS) prepared in accordance with a Specification issued by the Director General of the Department of Planning (DoP) is required to accompany your application.

For all other types of development, a Statement of Environmental Effects (SEE) is required. If your development will affect threatened species or their habitats, a Species Impact Statement (SIS) may be required. You can include the requirements of a SIS in an EIS.

The following information will help you determine whether your proposal is designated development or will impact upon threatened species.

### Designated Development

Your proposal is designated development if it is listed in Schedule 3 of the Environmental Planning and Assessment Regulation 2000 or in a planning instrument made under the Environmental Planning and Assessment Act 1979.

We can help you determine if your proposal is designated development.

The Director General of the Department of Planning has a number of requirements for what must be included in an EIS. The requirements depend upon the nature of the proposed development. You must consult the NSW Department of Planning about what you need to include in your EIS. Contact: Development Infrastructure Assessment Branch on (02) 9391 2056.

### All other types of Development

If your development is not designated development, we need a SEE that sets out the effects of your proposal. A State of Environmental Effects (SEE) template is attached to this application form, which may be used by applicants. For more complex developments this template may not be suitable as more detail may need to be included. A separate SEE will need to be attached.

See Table 1 for information to include.

<b>Table 1 – What to include in a State of Environmental Effects (SEE)</b>	
<p>A SEE of a proposal is to include:-</p> <p>a) information on:</p> <ul style="list-style-type: none"> <li>• what you consider to be the environmental impacts of the development</li> <li>• how you have identified the environmental impacts of the development</li> <li>• the steps you will take to protect the environment or to lessen the expected harm to the environment</li> <li>• any matters that must be included by any guidelines issued by the Director-General of the Department of Urban Affairs and Planning</li> </ul> <p><b>Where relevant, a statement of environmental effects of the proposal is also to include:</b></p> <p>b) for shops, offices, commercial or industrial development:</p> <ul style="list-style-type: none"> <li>• the hours of operation</li> <li>• the plant and machinery to be installed</li> <li>• the type, size and quantity of goods to be made stored or transported</li> </ul>	<p>Each list is to describe the extent, capability and basis of design of each of the provisions concerned.</p> <p>d) for a subdivision:</p> <ul style="list-style-type: none"> <li>• the details of the existing and proposed subdivision pattern (including the number of lots and the location of roads)</li> <li>• the consultation you have carried out with the public authorities who provide, or will increase, the services you will need (eg water, road, electricity, sewerage)</li> <li>• preliminary engineering or drawings which show proposed roads, water sewer and earthworks</li> <li>• both the existing and the proposed ground levels when the subdivision is completed</li> </ul> <p>e) for demolition:</p> <ul style="list-style-type: none"> <li>• the age and condition of the building or structure you will demolish</li> <li>• whether the building or structure has heritage value</li> </ul> <p>f) for advertisements:</p>

<ul style="list-style-type: none"> <li>• the loading and unloading facilities that will be available</li> </ul> <p>c) to change the use of a building (where you are not doing any building work):</p> <p><i>You do not need to include these lists where the proposed change is to a class 1a building (a single dwelling house) or a class 10 building (such as a private garage, carport, shed, fence, antenna or swimming pool) under the Building Code of Australia.</i></p> <ul style="list-style-type: none"> <li>• a list of Category One* Fire Safety Provisions relating to the proposed change, and</li> <li>• a list of Category One Fire Safety Provisions used in the existing building or on the land.</li> </ul> <p>* Category One Fire Safety Provisions are defined in the Environmental Planning and Assessment Regulations 2000 and provisions are EP1.3, EP1.4, EP1.6, EP2.1, EP2.2, EP3.2 of Volume One and P2.3.2 of Volume Two of the BCA. These provisions generally relate to fire hydrants, automatic fire suppression (sprinklers), fire control centres, automatic smoke detectors and alarms and means of egress and fire fighting lifts.</p>	<ul style="list-style-type: none"> <li>• the size, type, colour, materials and position of the sign board or structure on which the advertisement will be displayed</li> </ul> <p>g) for development relating to an existing use:</p> <ul style="list-style-type: none"> <li>• the details of the existing use</li> <li>• a justification for the proposal having regard to the objectives of the zone</li> </ul> <p>h) for building or demolition:</p> <ul style="list-style-type: none"> <li>• the methods that will be used to protect the site during construction or demolition.</li> </ul>
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### Threatened Species

We need you to tell us whether your proposal will impact on threatened species or their habitats. You can use the test set out in Table 2 to make this decision. If your development will impact on threatened species, you must consult the National Parks & Wildlife Service before you prepare a SIS. It is suggested that the services of a suitably qualified ecological consultant be engaged to assist in preparing the necessary reports.

**Table 2 – Will your proposal impact on threatened species?**

The following factors are to be taken into account in deciding whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats:

- a) in the case of a threatened species, whether the life cycle of the species is likely to be disrupted such that a viable local population of the species is likely to be placed at risk of extinction.
- b) in the case of an endangered population, whether the life cycle of the species that constitutes the endangered population is likely to be disrupted such that the viability of the population is likely to be significantly compromised.
- c) in relation to regional distribution of the habitat of a threatened species, population or ecological community, whether a significant area of known habitat is to be modified or removed.
- d) whether an area of known habitat is likely to become isolated from currently interconnecting or proximate areas of habitat for a threatened species, population or ecological community.
- e) whether critical habitat will be affected.
- f) whether a threatened species, population or ecological community, or their habitats, are adequately represented in conservation reserves (or other similar protected areas) in the region.
- g) whether the development or activity proposed is of a class of development or activity that is recognised as a threatening process.
- h) whether any threatened species, population or ecological community is at the limit of its known distribution.

## Integrated Development (Section 8)

Some proposals, because of their nature, need other kinds of approvals (eg licences, permits). If you need any of the approvals listed in Attachment B of this Help Guide, as well as development consent from Council, your development

is known as integrated development. Please complete Attachment B to identify the approvals you need and the agencies from which you need the approvals. We will refer your application to the agencies you identify. The agencies will let us know whether or not they would grant approval to your application and, if so, what the general terms of the approval would be. If you require one or more approvals referred to in Section 8 of the application form, your development proposal will need to attach a cheque for \$250.00 made out to each state agency and sufficient information for each agency to assess your proposal and also additional copies of your plans as determined by Council, to be lodged with application for the state agency.

*Please include Attachment B in your application.*

**Concurrences from state agencies**

You may need the agreement of a state agency to carry out your development. We can tell you whether we need to refer your application to an agency.

## Construction Details (Section 9)

**This only needs to be filled out when you are applying for a Construction Certificate.**

You need to advise Council of what materials your development consists of. You will see this section is divided into four (4), being Walls, Roof, Floor and Frame, tick the appropriate box(s).

## Builders and Plumbers Details (Sections 10 and 11)

**This information is only required when applying for a Construction Certificate.**

Advise Council of your Builder / Plumber including the details. If you are an owner builder you must fill your details into this section of the application form. If these details are not known at the time of the application this section may be left blank. These details will, however, need to be provided prior to commencing any works.

## Principal Certifying Authority (Section 12)

**This only needs to be filled out when you are applying for a Construction Certificate.**

Indicate whether or not you wish Council to undertake all required inspections and issue the Occupation Certificate, if not, state who will be your Principal Certifying Authority.

## Required Documentation / Plans of the Land and Development (Section 13)

You need to include plans and drawings of your proposal to clearly show us what you intend to do. A site plan of the land and the plans or drawings of the proposal are required for ALL applications.

Council requires 3 copies of the site plan, it is to indicate:-

- the location of the land, the measurements of the boundaries of the land, the size of the land and which direction is north
- existing vegetation and trees on the land in the vicinity of the development
- the location and uses of buildings that are already on the land in the vicinity of the development
- the existing levels of the land in relation to buildings and roads
- the location and uses of buildings on sites that adjoin the land

Council requires 3 copies of the plans or drawings, they are to be drawn to scale and indicate, where relevant:-

- the boundaries of the land, any buildings or structures that are already on the land, any extensions or additions and any development on adjoining land
- the floor plans of the proposed buildings
- how high the proposed development will be in relation to the land
- a cross sectional plan including material details (eg. 20mm x 20mm x 3mm, corrugate sheeting)
- any changes that will be made to the level of the land
- the arrangements you have made for parking, where vehicles will enter and leave the site, and how vehicles will move about the site
- how the land will be landscaped or otherwise treated and what types of vegetation will be used (including their height and maturity)
- how you intend to drain the land

A scaled plan is required if your application involves building work to alter, expand or rebuild an existing building. The plan will allow us to assess whether any existing buildings must be upgraded for fire safety reasons and to determine compliance with other Council policies.

## Supporting Documentation/Information

You can support your application with additional material, such as photographs, slides and models to illustrate your proposal, as well as the details of any other consent that has been granted for part of the development.

## Application Fee

For development that involves a building or other work, the fee for your application is based upon the estimated value of the works/development. The value of a development is the cost/value of all materials and labour, plus a reasonable estimate of the equivalent of any labour or materials that does not require purchasing (place this figure in section 6 of the application form).

If your application is for integrated development, you need to include \$250 for each agency that will look at your proposal.

We will help you calculate the fee for your application. Advise Council what is the estimated value of your development/works, including GST?

A Long Service Levy Fee is a charge placed on building and construction work in NSW by State Government legislation. The levy applies to the cost of the building and construction work costing \$25,000.00 or more. From 1<sup>st</sup> January 2006 the levy rate is 0.35%. All Councils now act as agents for the collection of the Long Service Levy.

The Planning Reform Fee came into effect on 1 November 2002. It is an additional development application fee levied on proposals valued over \$50,000.00. The collection of the fee is authorised under the Environmental Planning and Assessment Regulation 2000. The fee is calculated at 64 cents in every \$1,000.00 of the estimated cost of the proposed development.

## Privacy Policy

The information you provide in this application will enable your application to be assessed by Council and any relevant state agency. If the information is not provided, we can refuse the application.

Your application will be notified or advised to the public for comment if the development is designated development, integrated development or advertised development.

Your application will also be kept in a register and database, by the Council that can be viewed by the public at any time.

Please contact the Council if the information in your application is incorrect or changes.

## Lodgment - Checklist

Before submitting your application, please ensure you have attached all the information we need to assess your proposal. You can use the following checklist. Please place a cross in the box next to the items you have attached:

- A location plan that sets out the lot and DP
- A site plan of the land (3 copies) — **required for all applications**
- Plans or drawings of the proposal (3 copies) — **required for all applications**
- A scaled plan of the existing building
- An environmental impact statement for a designated development proposal
- A statement of environmental effects — **required for all applications** that are not designated development
- A species impact statement
- Attachment A of the Help Guide
- Supporting document(s) identified in Attachment A of the Help Guide
- Attachment B of the Help Guide
- Additional information required by the agencies you have identified in Attachment B of the Help Guide
- Additional copies of your application for each of those agencies
- Documentation to support your application, *ie*: photos, models and previous consents. *Please list what you have attached*
- BASIX Certificate – if required
- An application fee — **required for all applications**