



**PRIVATE  
CERTIFIERS  
AUSTRALIA**  
Certainty through precision

Building Regulations Consultants • Principle Certifying Authority  
Construction Certification • Fire Upgrade Surveys • Planning

## **COMPLYING DEVELOPMENT CERTIFICATE APPLICATION**

## **CLASS 1 & 10**

Made under the Part 4, Division 4.5, EPA Act 4.28, Part 7, Division 1, Clause 126

**From the 1<sup>st</sup> July 2018, the Legislation requires Certifiers to provide documentation to the Building Professional Board (BPB) related to Certifiers, Inspections and Notices. The following information is \*Mandatory and all sections must be completed.**

Schedule 1 Part 2 of the EPA regulations specifies items which must be submitted with the Complying Development Certificate application. A full list of the schedule is contained on page 5 of this application form. Below is a summary of the items PCA believes must be submitted. **Please tick the relevant items you have submitted with this application form.**

- Home Owners Warranty Insurance (HBCF) OR Owner Builder Permit (if applicable)
- Title Search - accessed via the following link <https://www.mypropertycheck.com.au>
- Sydney Water Tap / Quick Check
- Construction plans Architectural plans scaled to 1:100
- Existing and proposed building floor plate and building plans
- Existing elevations and proposed elevations
- Building setbacks to boundaries in millimeters
- Building heights with RL's
- Driveway gradients as per AS2890.1
- Fire ratings where required for walls within 900mm, dual occupancy party walls – FRL 60/60/60
- Smoke detector to AS3786 on all floors
- Copy of Survey to AHD for property location, contours and boundaries
- Pool fence location to AS 1926.1 if applicable
- Landscaping plans where required
- Soft vs hard open space landscaping
- BASIX Certificate  BASIX requirements shown on the submitted architectural plans for construction
- BCA "National Construction Code specifications" 2019 to support the application shown on the plans
- Structural Engineering plans with appropriate design certificates – must not contain the words "not for construction"
- Hydraulic Storm water Engineering plans with appropriate design certificates – must not contain the words "not for construction"

### **\* IDENTIFICATION OF BUILDING**

Lot \_\_\_\_\_ DP \_\_\_\_\_ Section \_\_\_\_\_

Address \_\_\_\_\_

Suburb \_\_\_\_\_ State NSW Postcode \_\_\_\_\_

- Single Stage Project  Multi-Stage Project

I am applying for a Complying Development Certificate to be assessed under:

- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy Infrastructure 2007

### **\* DESCRIPTION OF DEVELOPMENT**

---

---

---



**\* OWNER / OWNERS (as per title search)**

---

Name \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Mobile \_\_\_\_\_  
Email \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

*I/We as the owner of the above building/property, acknowledge in accordance with EPA Act 1979 part 6 division 6.3*

1. *Appoint the PC as per Clause 6.6 two days prior to the works physically commencing on site and wait for the PC to accept appointment*
2. *Supply the council as per clause 6.6 (2) the appointment of the PC letter and a notice of commencement two days prior & provide HOW or OB permit*
3. *I have read and acknowledge the terms and conditions in this Fee Proposal associated with the Application Form.*
4. *I authorize the Applicant below to act on my behalf and appoint the PC when required.*

**\* APPLICANT**

---

Name \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Mobile \_\_\_\_\_  
Email \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

**PRINCIPAL CONTRACTOR / OWNER BUILDER DETAILS**

---

Name \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
Mobile \_\_\_\_\_ Email \_\_\_\_\_  
License No \_\_\_\_\_ ABN \_\_\_\_\_  
Owner-builder Permit No \_\_\_\_\_

**POSTAL ADDRESS**

---

All documentation should be emailed to:       Applicant       Owner       Other

Name \_\_\_\_\_  
Email \_\_\_\_\_

**\* HOME OWNERS WARRANTY**

---

*Please select one of the options below:*

- Owner / Builder       Using a Licensed builder       Not Applicable



**\* BUILDING CODE OF AUSTRALIA BUILDING CLASSIFICATION**

---

Class \_\_\_\_\_

**\* WHEN ARE WORKS EXPECTED TO START**

---

Date \_\_\_\_\_

**\* VALUE OF WORKS**

---

Value of Construction \_\_\_\_\_

Total Estimated Cost of Project \_\_\_\_\_

*For developments over \$5 million, A Quantity Surveyors Certificate verifying the cost must be submitted on lodgment of the application.*

**OFFICE USE ONLY**

Part 4

- Subdivision 1 – Internal alterations
- Subdivision 2 – External alterations to dwelling houses
- Subdivision 2A – External alterations to residential accommodation other than dwelling houses
- Subdivision 3 – Attic conversions

**OFFICE USE ONLY**

Part 5

- Subdivision 1 – Building Alterations (internal)
- Subdivision 2 – Change of use of premises
- Subdivision 3 - First use of premises
- Subdivision 4 – Mechanical ventilation systems

**OFFICE USE ONLY**

Part 5

- Subdivision 5 – Shop fronts and awnings
  - Subdivision 6 – Skylights and roof windows
  - Subdivision 7 – Projecting wall signs
  - Subdivision 8 – Freestanding pylon and directory board signs
  - Subdivision 9 – Development ancillary to the use of land
  - Subdivision 10 – Earthworks, retaining walls and structural support
  - Subdivision 11 – Driveways, hard stand spaces, pathways and paving
  - Subdivision 12 – Fences
  - 5.25 Conditions specified in Schedule 8 apply
- Part 5A
- Commercial & Industrial (new Buildings & Additions) Code



\* Schedule 1

DESCRIPTION	NEW BUILDINGS ONLY				
	What is the area of the land (m <sup>2</sup> ) _____				
	Gross floor area of existing building (m <sup>2</sup> ) _____				
	What are the current uses of all or parts of the building(s)/land? _____				
	(If vacant state vacant) _____				
	Location		Use		
	_____				
	Does the site contain a dual occupancy? _____				
	What is the gross floor area of the proposed addition or new building (m <sup>2</sup> ) _____				
	What are the proposed uses of all parts of the building(s)/land? _____				
	Location		Use		
	_____				
	Number of pre-existing dwellings _____				
	Number of dwellings to be demolished _____				
	How many dwellings are proposed? _____				
	How many storeys will the building consist of? _____				
MATERIALS TO BE USED	MANDATORY FOR ALL BUILDING WORKS				
Note : This information is to be the predominant construction type of the building or subject works, and is used for ABS Statistics	<b>Walls</b>	<b>Code</b>	<b>Roof</b>	<b>Code</b>	
	Brick veneer	12	Aluminium	70	
	Full brick	11	Concrete	20	
	Single brick	11	Concrete tile	10	
	Concrete block	11	Fibrous cement	30	
	Concrete / masonry	20	Fibreglass	80	
	Concrete	20	Masonry/terracotta shingle tiles	10	
	Steel	60	Slate	20	
	Fibrous cement	30	Steel	60	
	Hardiplank	30	Terracotta tile	10	
	Timber/weatherboard	40	Other	80	
	Cladding aluminium	70	Unknown	90	
	Curtain glass	50			
	Other				
	Unknown	90			
		<b>Floor</b>	<b>Code</b>	<b>Frame</b>	<b>Code</b>
	Concrete	20	Timber	40	
	Timber	10	Steel	60	
	Other	80	Other	80	
	Unknown	90	Unknown	90	



## Part 2 Complying development certificates

### 3 Information to be included in application for complying development certificate

- (1) An application for a complying development certificate must contain the following information:
  - (a) the name and address of the applicant,
  - (b) a description of the development to be carried out,
  - (c) the address, and formal particulars of title, of the land on which the development is to be carried out,
  - (d) the estimated cost of the development,
  - (e) if the applicant is not the owner of the land, a statement signed by the owner of the land to the effect that the owner consents to the making of the application,
  - (f) a list of the documents accompanying the application,
  - (g) the name of the environmental planning instrument under which the development is complying development and, if the development is specified as complying development by a development control plan referred to in that instrument, the name of the development control plan,
  - (h) the estimated area (if any), in square metres, of bonded asbestos material or friable asbestos material that will be disturbed, repaired or removed in carrying out the development,
    - (i) in the case of development for the purposes of a new building, or the alteration of or addition to an existing building, to which Part 5A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies, whether the land on which the development is to be carried out:
      - (i) is used, or was formerly used, for a purpose listed in Table 1 to clause 3.2.1 of the document entitled Managing Land Contamination Planning Guidelines, SEPP 55—Remediation of Land and published in 1998 by the Department of Urban Affairs and Planning and the Environment Protection Authority, or
      - (ii) is on the list of sites notified under section 60 of the Contaminated Land Management Act 1997.
- (2) The statement described in subclause (1) (e) is not required if the application for a complying development certificate is lodged on the NSW planning portal.

### 4 Documents to accompany application for complying development certificate

- (1) An application for a complying development certificate must be accompanied by the following documents:
  - (a) a site plan of the land,
  - (b) a sketch of the development,
  - (c) if the development involves 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):
    - (i) a list of the Category 1 fire safety provisions that currently apply to the existing building,
    - (ii) a list of the Category 1 fire safety provisions that are to apply to the building following its change of use,
  - (d) if the development involves building work (including work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house):
    - (i) a detailed description of the development, and
    - (ii) appropriate building work plans and specifications,
  - (e) if the development involves building work (other than work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house):
    - (i) a list of any existing fire safety measures provided in relation to the land or any existing building on the land, and
    - (ii) 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,
  - (f) if the development involves subdivision work, appropriate subdivision work plans and specifications,
  - (f1) if the development involves the erection of a wall to a boundary that has a wall less than 0.9m from the boundary, a report by a professional engineer, within the meaning of the Building Code of Australia, outlining the proposed method of supporting the adjoining wall,
  - (f2) if the development involves the demolition or removal of a wall to a boundary that has a wall less than 0.9m from the boundary, a report by a professional engineer, within the meaning of the Building Code of Australia, outlining the proposed method of maintaining support for the adjoining wall after the demolition or removal,
  - (g) in the case of development to which clause 4A applies, such other documents as any BASIX certificate for the development requires to accompany the application,
  - (h) in the case of BASIX optional development—if the application for a complying development certificate is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A for it to be so accompanied), such other documents as any BASIX certificate for the development requires to accompany the application,
    - (i) if the development involves the erection of a temporary structure, the following documents:
      - (i) documentation that specifies the live and dead loads the temporary structure is designed to meet,
      - (ii) a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure,
    - (iii) in the case of a temporary structure proposed to be used as an entertainment venue—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),
    - (iv) documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.28 (4) of the Act,



- (v) copies of any compliance certificates to be relied on,
  - (j) in the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant—a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies,
  - (j1) if the development:
    - (i) is for a purpose specified in clause 39 (1) (Existing schools—complying development) of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, and
    - (ii) will result in the school being able to accommodate 50 or more additional students, a certificate issued by Roads and Maritime Services certifying that any impacts on the surrounding road network as a result of the development are acceptable or will be acceptable if specified requirements are met,
  - (k) a certificate issued by Roads and Maritime Services certifying that any impacts on the surrounding road network as a result of the development are acceptable or will be acceptable if specified requirements are met, but only in a case where:
    - (i) the development is for the purposes of a new building, or the alteration of or addition to an existing building, to which Part 5A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies, and
    - (ii) the total gross floor area of the new building or the existing building as altered or added to will be 5,000 square metres or more, and
    - (iii) the site on which the development is to be carried out has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90 metres of the connection,
  - (l) if the development is proposed to be carried out on land referred to in clause 3 (i) of this Schedule, a statement issued by a qualified person certifying that:
    - (i) the land is suitable for the intended purpose of the development having regard to the contamination status of the land, or
    - (ii) the land would be so suitable if the remediation works specified in the statement were carried out,
  - (m) if a development standard applying to the development requires that development must be set back from any registered easement:
    - (i) a copy of the certificate of title for the lot on which the development is to be carried out, and
    - (ii) if the land is subject to a registered easement—a title diagram for the lot and any adjoining lot that benefits from the easement.
- (2) The site plan referred to in subclause (1) (a) must indicate the following matters:
- (a) the location, boundary dimensions, site area and north point of the land,
  - (b) existing vegetation and trees on the land,
  - (c) the location and uses of existing buildings on the land,
  - (d) existing levels of the land in relation to buildings and roads,
  - (e) the location and uses of buildings on sites adjoining the land.
- (3) The sketch referred to in subclause (1) (b) must indicate the following matters:
- (a) 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,
  - (b) floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,
  - (c) elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures),
  - (c1) 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 clause 7 of this Schedule),
  - (d) proposed finished levels of the land in relation to existing and proposed buildings and roads,
  - (e) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),
  - (f) proposed landscaping and treatment of the land (indicating plant types and their height and maturity),
  - (g) proposed methods of draining the land,
  - (h) in the case of development to which clause 4A applies, such other matters as any BASIX certificate for the development requires to be included on the sketch,
    - (i) in the case of BASIX optional development—if the application for a complying development certificate is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A for it to be so accompanied), such other matters as any BASIX certificate for the development requires to be included on the sketch.
- (4) A detailed description of the development referred to in subclause (1) (d) (i) must indicate the following matters:
- (a) for each proposed new building:
    - (i) the number of storeys (including underground storeys) in the building,
    - (ii) the gross floor area of the building (in square metres),
    - (iii) the gross site area of the land on which the building is to be erected (in square metres),
  - (b) for each proposed new residential building:
    - (i) the number of existing dwellings on the land on which the new building is to be erected,
    - (ii) the number of those existing dwellings that are to be demolished in connection with the erection of the new building,
    - (iii) the number of dwellings to be included in the new building,



- (iv) whether the new building is to be attached to any existing building,
  - (v) whether the new building is to be attached to any other new building,
  - (vi) whether the land contains a dual occupancy,
  - (vii) the materials to be used in the construction of the new building (using the abbreviations set out in clause 7 of this Schedule).
- (5) Appropriate building work plans and specifications referred to in subclause (1) (d) (ii) include the following:
- (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 4.28 (4) of the Act,
  - (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 the case of development to which clause 4A applies, such other matters as any BASIX certificate for the development requires to be included in the plans and specifications,
  - (h) in the case of BASIX optional development—if the application for a complying development certificate is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 4A for it to be so accompanied), such other matters as any BASIX certificate for the development requires to be included in the plans and specifications.
- (5A) An application for a complying development certificate that relates only to fire alarm communication link work must be accompanied by:
- (a) a plan that indicates the location of the new fire alarm communication link and any associated works, and
  - (b) a document that describes the design, construction and mode of operation of the new fire alarm communication link and any associated works.
- (5B) An application for a complying development certificate that relates only to an alteration to a hydraulic fire safety system must be accompanied by:
- (a) a plan that indicates the location of the hydraulic fire safety system alteration and any associated works, and
  - (b) a document that describes:
    - (i) the required pressure and flow characteristics of the hydraulic fire safety system that is to be altered, and
    - (ii) the pressure and flow characteristics that will be available from the town main following mains pressure reduction by or on behalf of the relevant water utility, and
    - (iii) the design, construction and performance of the hydraulic fire safety system alteration and any associated works.
- (6) Appropriate subdivision work plans and specifications referred to in subclause (1) (f) include the following:
- (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,
    - (viii) sewerage works,
    - (ix) landscaping works,
    - (ix) erosion control works,
  - (d) copies of any compliance certificates to be relied on.
- (7) In subclause (1) (l), qualified person means a person who has the competencies that are essential to contaminated site assessment and investigation as set out in the document entitled Schedule B9 Guideline on Competencies and Acceptance of Environmental Auditors and Related Professionals published by the National Environment Protection Council in 2013.



**4A BASIX certificate required for certain development**

- (1) In addition to the documents required by clause 4, an application for a complying development certificate for any BASIX affected development must also be accompanied by a BASIX certificate or BASIX certificates for the development, being a BASIX certificate or BASIX certificates that has or have been issued no earlier than 3 months before the date on which the application is made.
- (2) If the proposed development involves the alteration, enlargement or extension of a BASIX affected building that contains more than one dwelling, a separate BASIX certificate is required for each dwelling concerned.

**4B Relationship with State Environmental Planning Policy (Port Botany and Port Kembla) 2013**

Clauses 3 (i) and 4 (1) (l) of this Schedule do not apply to complying development carried out under the complying development provisions of *State Environmental Planning Policy (Three Ports) 2013* in the Lease Area within the meaning of clause 4 of that Policy.