

Complying Development Application

made under the *Environmental Planning and Assessment Act 1979* sections 4.27 and 4.28

PART A

A1. Approval Type

Are you proposing to lodge this application under, the NSW Housing Code, other State Environmental Planning Policy or Council's Development Control Plan?

- Part 3 Housing Code
- Part 3A Rural Housing Code
- Part 4 Housing Alteration Code
- Part 4A General Development Code
- Part 5 Commercial & Industrial Alterations Code
- Part 5A Commercial & Industrial (New Buildings & Additions) Code
- Part 5B Container Recycling Facilities Code
- Part 6 Subdivision Code
- Part 7 Demolition Code
- Part 8 Fire Safety Code
- SEPP (Affordable Rental Housing) 2009
- SEPP (Educational Establishments & Child Care Facilities) 2017
- SEPP (Infrastructure) 2007

A2. Applicant

For Complying Development Applications the applicant must be the land owner(s)

Surname/s	<input type="text"/>	Given Name/s	<input type="text"/>
OR			
Company/ Organisation	<input type="text"/>	ABN	<input type="text"/>
Postal Address	<input type="text"/>		
Telephone	<input type="text"/>	Mobile	<input type="text"/>
Facsimile	<input type="text"/>	Email	<input type="text"/>

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A3. Owner's Consent

- Individual Ownership and Joint Ownership
- Organisation/Company Ownership
- Strata Property

NOTE! *A separate owner's consent form will be generated depending on what option is selected. This signed form will need to be scanned for inclusion with your submission to Council.*

A4. Land Description

Lot Number	<input type="text"/>	Section	<input type="text"/>	DP/NPP/SP	<input type="text"/>
	<input type="text"/>		<input type="text"/>		<input type="text"/>
	<input type="text"/>		<input type="text"/>		<input type="text"/>
	<input type="text"/>		<input type="text"/>		<input type="text"/>
	<input type="text"/>		<input type="text"/>		<input type="text"/>
Unit/Street No	<input type="text"/>	Street	<input type="text"/>		
Suburb/Town	<input type="text"/>				

A5. Description of Proposed Development

- Use of land/building
- Subdivision of land/building
- Demolition
- Erection of a building/structure
- Carry out work
- Other

Provide a written description of your proposal/s

Estimated contract price of Development/Demolitions

\$

Describe proposed use of proposal (eg residential)

NOTE! *For most applications the fee is based on the estimated contract price. You must provide a genuine estimate of the costs. If the price is considered to be understated Council will adjust using standard industry guides.*

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A6. Alternative Solutions (BCA)

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 section 6.4 (e)(iv) *Environmental Planning and Assessment Act 1979*) 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.

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

- NOTE!**
- (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 EP1.4, EP2.1, EP2.2, DP4 and DP5 in Volume 1 of the BCA

A7. Details of Builder or Owner Builder (for each part of the proposed development)

<input type="checkbox"/> Builder	<input type="checkbox"/> Owner Builder	<input type="checkbox"/> To be advised
Surname/s	<input style="width: 100%;" type="text"/>	Given Name/s <input style="width: 100%;" type="text"/>
OR		
Company/ Organisation	<input style="width: 100%;" type="text"/>	ABN <input style="width: 100%;" type="text"/>
Postal Address	<input style="width: 100%;" type="text"/>	
Telephone	<input style="width: 100%;" type="text"/>	Mobile <input style="width: 100%;" type="text"/>
Facsimile	<input style="width: 100%;" type="text"/>	Email <input style="width: 100%;" type="text"/>
Builders Licence Number	<input style="width: 100%;" type="text"/>	OR Owner Builder Permit Number <input style="width: 100%;" type="text"/>

REQUIREMENT prior to the release of the construction certificate:

- NOTE!**
- (a) The licensed builder shall provide a Certificate of Insurance if value of building work is over \$20,000 OR
 - (b) The owner builder shall provide an Owner Builders Permit for building works in excess of \$10,000 as required by the Home Building Act 1989.

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NOTE!

You may provide this information to Council later, if you have not yet appointed a builder. If you are an owner-builder, you will need to obtain an Owner Builder Permit from the Department of Fair Trading if the value of the building works is over \$10,000. It should be noted that Council cannot issue your Complying Development Certificate until this information is received.

A8. Appointment of Principal Certifying Authority

Do you wish to appoint Tweed Shire Council as the Principal Certifying Authority for Council to carry out all required inspections during the construction of the building?

Yes

No

If 'Yes' the relevant form will be sent with your Complying Development Certificate approval.

A9. Particulars of the Proposal

What is the area of land (m²)

Gross floor area of existing building (m²)

What are the current land uses of all or parts of the building/(s)/land? If vacant state vacant.

Use

Location

Does the site contain a dual occupancy?

Yes

No

What are the proposed uses of all parts of the building/s/land?

Use

Location

Number of pre-existing dwellings on the site?

Number of buildings to be demolished

Gross floor area of the proposed addition or new building?

How many storeys will the building have?

How many dwellings are proposed?

Building Code of Australia Classification

A10. Statistical Data (for building works only)

This schedule is required to be completed to provide information to the Australian Bureau of Statistics

Materials to be used Place cross in the box which best describes the construction materials of the new work.

- | Walls | Roof | Floor | Frame |
|--|--|--|---|
| <input type="checkbox"/> Brick, double | <input type="checkbox"/> Tiles | <input type="checkbox"/> Concrete | <input type="checkbox"/> Timber |
| <input type="checkbox"/> Brick, veneer | <input type="checkbox"/> Concrete or slate | <input type="checkbox"/> Timber | <input type="checkbox"/> Steel |
| <input type="checkbox"/> Concrete or stone | <input type="checkbox"/> Fibre cement | <input type="checkbox"/> Other | <input type="checkbox"/> Aluminium |
| <input type="checkbox"/> Fibre cement | <input type="checkbox"/> Steel | <input type="checkbox"/> Not specified | <input type="checkbox"/> Other (block, cavity, brick etc) |
| <input type="checkbox"/> Timber | <input type="checkbox"/> Aluminium | | |
| <input type="checkbox"/> Curtain glass | <input type="checkbox"/> Other | | |
| <input type="checkbox"/> Steel | <input type="checkbox"/> Not specified | | |
| <input type="checkbox"/> Aluminium | | | |
| <input type="checkbox"/> Other | | | |
| <input type="checkbox"/> Not specified | | | |
| <input type="checkbox"/> Not applicable | | | |

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A11. Long Service Levy

Under section 4.28 (10)(a) of the *Environmental Planning and Assessment Act 1979* a complying development certificate cannot be issued until any long service levy payable under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or where such levy is payable by instalments, the first instalment of the levy) has been paid. The local Council may be authorised to accept payment.

A12. 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?

What is the area of land (m²)

A13. Payment of Application

Once your application(s) has been lodged, you will receive a Tax Invoice(s) via email. Please indicate how you wish to pay.

- By Post Please post your cheque, made payable to Tweed Shire Council.
- By Telephone Via Council's dedicated credit card payment telephone line.
- In Person Cash, cheque, EFTPOS and credit cards (Visa and MasterCard) are accepted at either of the Customer Service offices between 8.30am and 4.00pm (AEST) Monday to Friday.

NOTE! A surcharge applies to payment via credit card.

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PART B

B1. Attachments

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 cross in the appropriate box(s).

All attachments must be provided in PDF.

B2. 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.

B3. Developments other than Fire Link Conversions

A site plan of the land

Provide a site plan indicating:

- (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.

A sketch of the development

Provide a sketch which indicates:

- (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),
- (d) 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 A9),
- (e) proposed finished levels of the land in relation to existing and proposed buildings and roads,
- (f) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),
- (g) proposed landscaping and treatment of the land (indicating plant types and their height and maturity),
- (h) proposed methods of draining the land,
- (i) in respect of BASIX affected development, such other matters as the BASIX certificate(s) requires to be included on the sketch. (See - BASIX Notes at the end of Section B)
- (j) 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 sketch. (See - BASIX Notes at the end of Section B)

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B4. Subdivision

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.

B5. Change of Use

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 1 fire safety provisions that currently apply to the existing building,
- (b) a list of the Category 1 fire safety provisions that are to apply to the building following its change of use.

B6. Building Work (Including Work in Relation to a Dwelling House or Ancillary Structure)

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 A7 and A9
- (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 4.28 (4) of the *Environmental Planning and Assessment Act 1979***,
 - (e) copies of any compliance certificate to be relied on,

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- (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 Section B)
- (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. (See - BASIX Notes at the end of Section B)

**** Section 4.28 (4) of the *Environmental Planning and Assessment Act 1979* 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 *Environmental Planning and Assessment Regulation 2000*.**

B7. Building Work (other than in relation to a dwelling house or ancillary structure)

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.

B8. Erection of a Wall to a Boundary

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.

B9. Demolition or Removal of Wall to a Boundary

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.

B10. Entertainment Venue, Function Centre, Pub, Registered Club or Restaurant

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:

- an entertainment venue persons
- a function centre persons
- a pub persons
- a registered club persons
- a restaurant persons

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B11. Alternative Solutions (BCA)

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 section 6.4 (e)(iv) *Environmental Planning and Assessment Act 1979*) 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.

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

- NOTE!**
- (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 EP1.4, EP2.1, EP2.2, DP4 and DP5 in Volume 1 of the BCA

B12. Internal Alterations and Changes of Use

Does the proposed development comprise internal alterations 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 Complying Development Certificate for a building of that kind, which includes a statement that the proposed development is consistent with that alternative solution.

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B13. BASIX

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.

See - BASIX Notes at the end of Section B

BASIX Notes

BASIX (the Building Sustainability Index) is a system introduced by the NSW Government to ensure that homes are built to be more energy and water efficient.

BASIX is an on-line program that assesses a building's design, and compares it against energy and water reduction targets. The design must meet these targets before a BASIX Certificate can be printed from the on-line facility.

Any changes made to a building's design after a BASIX Certificate has been issued means that another BASIX assessment must be completed and a new BASIX Certificate obtained.

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.

A BASIX Certificate **MAY** be obtained for certain developments by an Applicant even though there is no obligation to do so. This is called "BASIX optional development".

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BASIX optional development means any of the following development that is not BASIX excluded development:

- (a) development that involves the alteration, enlargement or extension of a BASIX affected building, where the estimate of the construction cost of the development is less than \$50,000
- (b) 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 less than 40,000 litres.

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.

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.

PART C

C1. Other Approvals

Other applications may be required prior to commencing work. These applications are identified below:

Plumbing & Drainage Work on Private Land

Required if your proposal requires the connection to Council sewage system or the proposal is already connected and involves alterations and additions which include plumbing and drainage works or the proposal involves the installation of an on-site sewerage management system or alteration to that system.

Water Service Connection

Required if your proposal has reticulated water available.

Driveway Access to Property

Required if you are required to or wish to provide/modify a driveway access over a public footpath to a roadway.

Stormwater Connection and Erosion & Sedimentation Control

If your proposal involves a new or additional connection of storm water from private property to a public drain, kerb and gutter or installing a pipe across a public road or footpath. Approval for erosion and sedimentation control is required whereby the ground surface is disturbed which may cause eroded material to enter the storm water system or our waterways.

C2. Is your Application Complete?

All *applicable* questions within the application form have been answered in full Yes No

Application checklist(s) has been completed and attached to your application Yes No

NOTE! *If you have answered **NO** to any of the above, your application is not sufficient and may result in rejection.*

C3. Copyright

Council is subject to the *Government Information (Public Access) Act 2009* (GIPA Act) under which it may be required to release information which you provide to it. Where you are the copyright owner of any material provided to Council you consent to Council reproducing or providing any copyright materials to any third person in accordance with the GIPA Act and will make no claim against Council for any alleged breach of copyright.

C4. Declaration

I declare that all the information in this application, checklist and attachments are true and correct.

I understand that if the information is incomplete the application may be delayed or rejected.

I acknowledge that the information submitted on this form and any supporting documentation will be made publicly available as part of Council's DA Tracking service.

Applicants Name

Date

Tweed Shire Council can offer you a complete service for the certification and approval of any construction, building or development work which you are undertaking within the Shire of Tweed. For enquiries please contact Councils Building and Environmental Health Unit.