

# COMPLYING DEVELOPMENT CERTIFICATE APPLICATION FORM

made under Part 6 of the *Environmental Planning and Assessment Act, 1979*

## OFFICE USE ONLY:

Date of Receipt:	Parcel No:
Application No:	

### About this form

- You can use this form to request approval to undertake development within the Kiama Municipal Council local government area.
- A Complying Development Certificate **has no effect**, if it is issued after the building work or subdivision work, to which it relates, has been carried out on the land to which the relevant development consent applies.

## TYPE OF APPLICATION

Complying Development Certificate	Modifying a Complying Development Certificate
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**NOTE: Information provided on this application (excluding Part A and non-exhibition plans) will be publicly available.**

### How to complete this form

- Ensure that Parts A and B have been filled out correctly, and are stored as separate PDFs on a USB/disc.
- All fields are mandatory and must be completed before submitting the application.
- Once completed you must submit this form electronically, by mail or in person. Refer to the Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for further information.

## Part A – Personal Information

### A1 PROPERTY/SITE DETAILS

Lot:	Section:	DP/SP:
House No:	Street:	
Suburb:		

### A2 APPLICANT DETAILS

Name/Company:	Phone:
Contact Name:	Mobile:
Postal Address:	
Email:	

I/We the applicant/s note in accordance with Section 12 and 12B of the *Local Government Act 1993*, this application and all associated documents may be made available for inspection and copying at Council by any member of the public (subject to Copyright Legislation).

<b>Applicant Signature:</b>	<b>Date:</b>
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X

**Note:** All enquires and correspondence relating to this application will only be discussed with or directly through the nominated contact.

**A3 AUTHORITY TO ENTER AND INSPECT LAND – to be signed after completing Parts A & B of this**

Council must not issue a construction certificate for development on a site which affects an existing building unless it has carried out an inspection of the site of the development.

**If the applicant is the owner of the land**, by signing this application, authority is given to 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 undertakes to take all necessary steps to make access available to the property to enable the inspection to be carried out.

**If the applicant is not the owner of the land**, the owner(s) must sign the following statement:

As the owner/s of the above property, I/we consent to 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. I/we undertake to take all necessary steps to make access available to the property to enable the inspection to be carried out.

**Failure to provide the requirement documentation of an acceptable standard will result in your application being returned.**

Owner's Name: (print name)	Owner's signature:	Date:
	X	

**A4 APPLICANT DECLARATION – to be signed after completing Parts A & B of this form**

All of the details sought in this form must be provided. On-site inspections are carried out prior to the determination of any application. The applicant undertakes to take all necessary steps to make access available to the property to enable the inspection to be carried out. As a result of this inspection, or from a preliminary assessment, further information may sometimes be required. The Assessing Officer will contact you soon after their initial inspection if this is the case.

**Failure to provide the required documentation of an acceptable standard will result in your application being returned.**

**What you need for lodgement**

	Complying Development Certificate Application Form
	<p><b>Site Plan indicating the following matters:</b></p> <ul style="list-style-type: none"> <li>a) The location, boundary dimensions, site area and north point of the land</li> <li>b) Existing vegetation and trees on the land</li> <li>c) The location and uses of existing buildings on the land</li> <li>d) Existing levels of the land in relation to buildings and roads</li> <li>e) The location and uses of buildings on sites adjoining the land</li> </ul>
	<p><b>Sketch of the Development indicating the following matters:</b></p> <ul style="list-style-type: none"> <li>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</li> <li>b) Floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building</li> <li>c) Elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures)</li> <li>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 clause 7 of this Schedule 1 of the Environmental Planning and Assessment Regulation 2000)</li> <li>e) Proposed finished levels of the land in relation to existing and proposed buildings and roads</li> <li>f) Proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate)</li> <li>g) Proposed landscaping and treatment of the land (indicating plant types and their height and maturity)</li> <li>h) Proposed methods of draining the land</li> <li>i) 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</li> <li>j) 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</li> </ul>

	<b>All relevant plans and document listed in Part B of this Form</b>	
	<b>BASIX Certificate (if applicable, refer to Part B)</b>	
	<b>Fees and Charges (in accordance with Council's adopted fees and charges)</b>	
<p><b>Important Notice:</b></p> <ul style="list-style-type: none"> <li>• I understand that Council will not process applications that are incomplete or non-complying with lodgement requirements. I understand that incomplete applications will be returned to applicants within 14 days (see Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality').</li> <li>• I understand that building work will be valued independently by using the latest building cost indicators.</li> <li>• I apply for approval to carry out the development or work described in Parts A and B of this application. I declare that all the information provided as part of the application is, to the best of my knowledge, true and correct.</li> <li>• I also understand that if the information is incomplete, the application may be delayed, rejected or more information may be requested. I acknowledge that if the information provided is misleading, any approval granted may be void.</li> <li>• I accept delays in processing will arise out of any inadequacies in the material submitted in support of the application.</li> <li>• I declare that the electronic data provided is a true copy of all plans and associated documents submitted with this development application and the data is not corrupted or does not contain any viruses. Each document is no bigger than 20MB, PDF and is named in accordance with Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality'. I understand that information provided on the USB will be publicly available. I have stored Parts A and B of this form as separate PDFs on the USB/disc.</li> <li>• I understand that the Council will use the information and materials provided for notification and advertising purposes and that material provided will be made available to the public for inspection and copying at Council's Administration Building and on Council's website.</li> </ul>		
<b>Applicant Name:</b> (print name)	<b>Applicant signature:</b>	<b>Date:</b>
	X	

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## Part B – Proposed Development

**Note:**

- Information provided on this Part B will be public information and will be placed on the Council's website.
- All fields on this form are mandatory and must be completed before submitting the application.

B1 PROPERTY/SITE DETAILS					
Lot:		Section:		DP/SP:	
House No:		Street:			
Suburb:					

B2 APPLICANT DETAILS	
Name/Company:	

B3 DESCRIPTION OF THE BUILDING OR SUBDIVISION WORK TO BE CARRIED OUT	
<p><b>Description of development:</b></p> <ul style="list-style-type: none"> <li>• 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).</li> </ul>	
<p>Class/es of building/s under the <b>Building Code of Australia</b> (Refer to checklist for building classifications under the Building Code of Australia) Please note there may be more than one class that may apply.</p>	

B4 COST (including materials and labour)	
<p>This is the estimated total cost of any construction, internal fit-out and demolition, including GST and labour. Council checks your estimate against current building cost indices. Developments with no construction work such as subdivisions or change of uses have a separate standard fee and no estimate cost is required.</p>	
<p><b>Cost to the nearest thousand (including materials and labour): \$</b></p>	
<p>To accompany this application form, you must <b>provide</b> one of the following:</p>	
<p>&gt;\$100,000 - &lt;\$1 Million: a cost summary report prepared by the applicant or a suitably qualified person</p>	
<p>&gt;\$1 Million: a Quantity Surveyor's Report prepared by a registered Quantity Surveyor</p>	

**Cost Summary Guide:**

Refer to the 'Building Construction Cost Guide' at the back of 'Council's Guide to carrying out Development or an Activity in the Kiama Municipality' for applicable rates.

Main floor area (excluding verandahs and garages)	m <sup>2</sup> x \$	/ m <sup>2</sup> = \$
Floor area of verandahs and balconies	m <sup>2</sup> x \$	/ m <sup>2</sup> = \$
Floor area of garages and parking	m <sup>2</sup> x \$	/ m <sup>2</sup> = \$
Cost of additional components (e.g. pools etc.)	m <sup>2</sup> x \$	/ m <sup>2</sup> = \$

**B5 TYPE OF COMPLYING DEVELOPMENT**

Provide the name of the 'Environmental Planning Instrument' (see definition below) and the relevant Code, under which the development is complying development.

**Note:** *The criteria for complying development may vary between Complying Development Codes. You must nominate which Code this Application is to be assessed under.*

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

Housing Code	Housing Alterations Code	Container Recycling Facilities Code
Rural Housing Code	General Development Code	Subdivision Code
Low Rise Medium Density Housing Code	Commercial and Industrial Alterations Code	Demolition Code
Greenfield Housing Code	Commercial and Industrial (New Buildings and Additions) Code	Fire Safety Code

**State Environmental Planning Policy (Affordable Rental Housing) 2009**

Secondary Dwellings	Group Homes
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**State Environmental Planning Policy (Infrastructure) 2007**

Correctional centres and correctional complexes	Electricity generation works or solar energy systems
Health services facilities	Port, wharf or boating facilities
Telecommunications and other communications facilities	

**State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017**

Home-based child care facilities	Out-of-school hours care at existing universities
Out-of-school hours care at existing TAFE establishments	School-based child care
Existing schools	Existing universities
Existing TAFE establishments	

**Other Environmental Planning Instrument (EPI)**

Name of EPI:

**Note:** *Environmental planning instruments (EPI's)* are State Environmental Planning Policies and Local Environmental Plans. Complying development is commonly, but not always, authorised under either the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or a Local Environmental Plan of the Council for the area where the development is to be carried out.

## B6 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 TICK the appropriate box/es to indicate the type of development involved. Confirm from the certifying authority how many copies are required prior to lodging this application.

**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)?**

No

Yes

**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

**Does the development involve building work (including in relation to a dwelling-house or building or structure ancillary to a dwelling house)?**

No

Yes

**If yes, provide:**

**1 A detailed description of the development, indicating:**

- 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 by completing the table on PAGE 11

**2 Appropriate building work plans and specifications, which include copies of:**

- 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
  - ii. a plan of each elevation of the building
  - 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
  - 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 4.15 of the *EP&A 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. if a BASIX certificate has been obtained for the development, such other matters as the BASIX certificate requires to be included in the plans and specifications

\* Section 4.15(4) *EP&A Act* provides that a consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development 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*.

<b>Does the development involve building work (other than in relation to a dwelling-house or building or structure ancillary to a dwelling house or work that relates only to a fire link conversion)?</b>	No	Yes
<b>If yes, provide:</b>		
<ul style="list-style-type: none"> <li>a. A list of any existing fire safety measures provided in relation to the land or any existing building on the land</li> <li>b. A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as consequence of the building work</li> </ul>		
<b>Does the development involve subdivision work?</b>	No	Yes
<b>If yes, provide:</b>		
Appropriate subdivision work plans and specifications, which include copies of:		
<ul style="list-style-type: none"> <li>a. details of the existing and proposed subdivision pattern (including the number of lots and the location of roads)</li> <li>b. details as to which public authorities have been consulted with as to the provision of utility services to the land concerned</li> <li>c. detailed engineering plans as to the following matters <ul style="list-style-type: none"> <li>i. earthworks</li> <li>ii. roadworks</li> <li>iii. road pavement</li> <li>iv. road furnishings</li> <li>v. stormwater drainage</li> <li>vi. water supply works</li> <li>vii. sewerage works</li> <li>viii. landscaping works</li> <li>ix. erosion control works</li> </ul> </li> <li>d. copies of any compliance certificates to be relied on</li> </ul>		
<b>Does the development involve the erection of a wall to a boundary that has a wall less than 0.9m from the boundary?</b>	No	Yes
<b>If yes, provide:</b>		
A report by a professional engineer (within the meaning of the BCA) outlining the proposed method of supporting the adjoining wall		
<b>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?</b>	No	Yes
<b>If yes, provide:</b>		
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		
<b>Does the application involve a BASIX affected development, or a BASIX optional development for which a BASIX certificate has been obtained?</b>	No	Yes
<b>If yes, provide:</b>		
<ul style="list-style-type: none"> <li>a. The BASIX certificate/s for the development (being a BASIX certificate/s that has been issued no earlier than three months before the date of the application being made)</li> <li>b. such other documents as the BASIX certificate/s for the development requires to accompany the application</li> </ul>		



<b>Does the development involve the erection of a temporary structure?</b>	No	Yes
<b>If yes, provide:</b>		
<ul style="list-style-type: none"> <li>a. Documentation that specifies the live and dead loads the temporary structure is designed to meet</li> <li>b. A list of any proposed fire safety measures to be provided in connection with the use of the temporary structure</li> <li>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)</li> <li>d. Documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.28(4) of the Act</li> <li>e. Copies of any compliance certificates to be relied on</li> </ul>		
<b>Does the development involve the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant?</b>	No	Yes
<b>If yes, complete</b> 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 is	persons	• A function centre is
• A pub is	persons	• A registered club is
• A restaurant is	persons	persons
<b>Is the development for the purpose specified in clause 39(1) of the <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i> and will result in the school being able to accommodate 50 or more additional students?</b>	No	Yes
<b>If yes, provide:</b>		
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.		
<b>Is the development for the purposes of new building, or the alteration of or addition to an existing building, to which Part 5A of the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> applies and the total gross floor area of the new building or the existing building as altered or added to will be 5,000m<sup>2</sup> and 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?</b>	No	Yes
<b>If yes, provide:</b>		
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.		
<b>Is the development proposed to be carried out on land that is used, or was formerly used, for a purpose listed in Table 1 to clause 3.2.1 of the document entitled <i>Managing Land Contamination Planning Guidelines, SEPP 55—Remediation of Land</i> and published in 1998 by the Department of Urban Affairs and Planning and the Environment Protection Authority, or is on the list of sites notified under section 60 of the <i>Contaminated Land Management Act 1997</i>?</b>	No	Yes
<b>If yes, provide:</b>		
A statement issued by a qualified person certifying that:		
<ul style="list-style-type: none"> <li>a. The land is suitable for the intended purpose of the development having regard to the contamination status of the land, or</li> <li>b. The land would be so suitable if the remediation works specified in the statement were carried out</li> </ul>		

<p><b>Is there a development standard applying to the development that requires that development must be set back from any registered easement?</b></p>	No	Yes
<p><b>If yes, provide:</b></p> <p>A statement issued by a qualified person certifying that:</p> <ol style="list-style-type: none"> <li>a. A copy of the certificate of title for the lot on which the development is to be carried out</li> <li>b. If the land is subject to a registered easement – a title diagram for the lot and any adjoining lot that benefits from the easement</li> </ol>		
<p><b>Does the development involve an alternative solution under the Building Code of Australia (BCA) in respect of a fire safety requirement?</b></p>	No	Yes
<p><b>If yes, provide:</b></p> <p>Either or both of the following from a “fire safety engineer” (a private accredited certifier holding Category C10 accreditation):</p> <ol style="list-style-type: none"> <li>a. A compliance certificate (as referred to in Section 6.16 EP&amp;A Act) that certifies that the alternative solution complies with the relevant performance requirements of the BCA.</li> <li>b. A written report that includes a statement that the alternative solution complies with the relevant requirements of the BCA.</li> </ol> <p><b>Note:</b> <i>The above requirement only applies to building work in respect of:</i></p> <ol style="list-style-type: none"> <li>a. a class 9a building that is proposed to have a total floor area of 2000 square metres or more</li> <li>b. any building (other than a class 9a building) that is proposed to have: <ol style="list-style-type: none"> <li>i. a fire compartment with a total floor area of more than 2000 square metres or</li> <li>ii. a total floor area of more than 6000 square metres 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.</li> </ol> </li> </ol>		
<p><b>Is any long service payment levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986?</b></p>	No	Yes
<p><b>If yes, provide:</b></p> <p>A copy of a receipt for any long service payment levy that has been made (or, where such a levy is payable by instalments, a receipt for the first instalment of the levy).</p> <p><b>Note:</b> <i>Where Council is the certifying authority, the levy may be made to Council when this application is lodged</i></p>		

**B7 DEVELOPMENT STATISTICS**

This information is required by the Australian Bureau of Statistics and is mandatory.

Tick appropriate box/es below:

Walls	Roof	Floor	Frame
Brick (double)	Tiles	Concrete/slate	Timber
Brick (veneer)	Concrete/slate	Timber	Steel
Concrete/stone	Fibre cement	Other	Aluminium
Fibre cement	Steel	Not specified	Other
Timber	Aluminium		Not specified
Curtain glass	Other		
Steel	Not specified		
Aluminium cladding			
Timber/weatherboard			
Other			
Not specified			
Gross site area (m <sup>2</sup> )		Number of pre-existing dwellings on the site?	
Gross floor area of existing building (m <sup>2</sup> )		Number of dwellings to be demolished	
Does the site contain a dual occupancy			
What are the current uses of the building?			
Gross floor area of new building work (m <sup>2</sup> )		Number of dwellings to be constructed	
How many storeys will the building have?		Will the new building be attached to an existing dwelling?	
What will be the new building use?			

**PRIVACY & PERSONAL INFORMATION PROTECTION NOTICE**

**Purpose of collection:** We are collecting your personal information in order to enable Council to assess this application in accordance with the *Environmental Planning and Assessment Act 1979*.

**Intended recipients:** The intended recipient of the information is Kiama Municipal Council.

**Supply:** While the supply of this information is voluntary, the personal information you provide will enable Council to assess this application in accordance with the *Environmental Planning and Assessment Act 1979*. If you cannot provide this information, Council will be unable to process your application(s).

**Access/Correction:** The personal information can be accessed by you and may be available to third parties in accordance with the Government Information (Public) Access Act and Council's Privacy Management Plan.

Your personal information may be disclosed to third parties for the purpose of compliance with the Government Information (Public) Access Act and Council's Privacy Management Plan.

You may make an application for access or amendment to personal information held by Council. We will consider any such application in accordance with the *Privacy and Personal Information Protection Act 1998*.

**Storage:** Kiama Council is the agency that holds the personal information. Council may be contacted on 02 4232 0444, or by email to: [council@kiama.nsw.gov.au](mailto:council@kiama.nsw.gov.au) or at 11 Manning Street, Kiama. NSW. 2533.