

Young Shire Council



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APPLICATION for COMPLYING DEVELOPMENT CERTIFICATE

[made under the *Environmental Planning and Assessment Act 1979*, Section 85 & 85A and SEPP (*Exempt & Complying Development Codes*) 2008]

A P P L I C A N T	<p>NAME:</p> <p>POSTAL ADDRESS:</p> <p>..... P/C</p> <p>PHONE: (H) (W)</p> <p>I hereby apply for development consent to carry out the development described in this application</p> <p>.....</p> <p>Applicants signature & date</p>	O W N E R	<p>NAME:</p> <p>POSTAL ADDRESS:</p> <p>..... P/C</p> <p>PHONE: (H) (W)</p> <p>I/we, being the owner of the land to which this application relates, hereby consent to the making of this application.</p> <p>.....</p> <p>Applicants signature & date</p>
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L A N D	<p>No: STREET/ROAD: LOCALITY:</p> <p>LOT No: DP: SECTION No:</p> <p>PORTION No: PARISH: AREA:</p>
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P R O P O S A L	<p><input type="checkbox"/> building works (residential) <input type="checkbox"/> building works (com/ind) <input type="checkbox"/> change of use <input type="checkbox"/> demolition <input type="checkbox"/> subdivision</p> <p>DESCRIPTION (describe the development – e.g 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).):</p> <p>.....</p> <p>.....</p> <p>..... ESTIMATED COST:</p>
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FOR OFFICE USE ONLY			
DA No:	DA Fee: \$.....	DA	Construction Certificate: \$..... CON
Zoning:	Advert Fee: \$.....	DAF	Compliance Certificate: \$..... COM
Class of Building:	Sewer Connect/Alt: \$	SC	Occupation Certificate: \$..... OC
Total Amount: \$	Septic Tank Install/Alt: \$	STI	Subdivision Certificate: \$
Date Received:	Warranty Insurance: \$.....	WI	Access Application: \$
Receipt Numbers:	Long Service Levy: \$	LSL	Water Connection: \$
.....	Security Deposit*: \$	SD	Integrated Approvals: \$
*refundable upon satisfactory completion of work, inspections less administration fee and any additional			

BUILDER

PRINCIPAL CERTIFYING AUTHORITY

NAME:

YOUNG SHIRE COUNCIL TO BE ADVISED

POSTAL ADDRESS:

OTHER

.....

Name:

..... P/C

Address:

PHONE: (H) (W)

.....

BUILDERS LICENCE /OB. PERMIT No.

Phone No:

Accreditation No:

PARTICULARS OF THE PROPOSAL (for ABS)

MATERIALS TO BE USED (for ABS)

What is the area of the land ?

Walls

Roof

Gross floor area of existing building ?

- double brick – 11
- brick veneer - 12
- concrete/stone - 20
- fibre cement - 30
- timber - 40
- curtain glass - 50
- steel - 60
- aluminium - 70
- other - 80
- unknown -90

- tile - 10
- concrete/slate -20
- fibre cement - 30
- steel - 60
- aluminium - 70
- other - 80
- not specified - 90

What are the current uses of the building/land ?

.....

Does the site contain a dual occupancy ?

Gross floor area of proposed additions ?

What are the proposed use of the building/land ?

.....

Number of pre-existing dwellings ?

Frame

Floor

- concrete -20
- timber - 40
- other - 80
- unknown-90

Number of dwellings to be demolished ?

- timber - 40
- steel -60
- aluminium - 70
- other (block /cavity brick) – 80
- unknown - 90

How many dwellings are proposed ?

Number of storeys?

ENVIRONMENTAL PLANNING INSTRUMENT

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

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

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

Other environmental planning instrument (EPI) - **NAME:**

**Environmental planning instruments* (EPI) 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.

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 ?m².

ATTACHMENTS RELATING TO THE PROPOSED DEVELOPMENT

Applicants must provide the documents listed below that are relevant to the type of development that is proposed. Please confirm that documents relating to the requirements below have been attached by placing a cross in the appropriate box(s). Applicants should confirm with the certifying authority how many copies of documents are required to be provided prior to lodging this application.

1. Attachments for fire link conversions

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

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

2. Attachments for developments other than fire link conversions.

A site plan of the land

Provide a site plan indicating:

- (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 P),
- (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 this Section)
- (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 this Section)

Does the development involve subdivision work? Yes No

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

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

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

If 'Yes' provide:

- (a) a list of the Category 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 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 required sections on Page 2 of the application form.
- (2) Appropriate building work plans and specifications, which are to include:

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

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

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

If 'Yes' provide:

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

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

If 'Yes' provide:

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

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

If 'Yes' provide:

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

Does the development involve the erection of a temporary structure?

Yes No

If 'Yes' provide:

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

Does the development involve the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant?

Yes No

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

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

§ an entertainment venue is persons.

§ a function centre is persons.

§ a pub is persons.

§ a registered club is persons.

§ a restaurant is persons.

Does the development involve building work (see - note below) in respect of which an alternative solution under the Building Code of Australia ("BCA") in respect of a fire safety requirement is proposed?

Yes No

If 'Yes' provide:

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

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

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

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

Does the proposed development comprise internal alternations to, or changes of use of, an existing building that is subject to an alternative solution relating to a fire safety requirement under the BCA?

Yes No

If 'Yes' provide:

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

Does the Application involve a BASIX affected development, or a BASIX optional development for which a BASIX certificate has been obtained?

Yes No

If 'Yes' provide:

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

(See following BASIX NOTES)

BASIX NOTES

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".

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.

SECTION I. Copyright

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

SECTION J. Authority to enter and inspect land

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

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

SECTION K. Long Service Payment Levy

Information for the Applicant: Where a certifying authority completes a complying development certificate, that certificate must not be forwarded or delivered to the Applicant unless any long service payment levy payable under s.34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid.