

# FACT SHEET



## Complying Development Application. NEW HOUSE

(NEW SOUTH WALES ONLY AUSTRALIA ONLY)

**This fact sheet is to assist you in what is mostly require for Lodgement of a Complying Development Application to an Approved Determining Authority. (Local Council or a Private Building Certifier).**

Most Local Councils and Private Building Certifiers have lodgement checklists that can be downloaded off their web page site or can be posted to you or you can go to the Local Council or the office of the Private Certifier. The items below will give you more details about these checklists to assist you in filling out the most normally required forms for a Local Council or Private Certifier Submission.

**PRINT this fact sheet for your personal use.**

### What is needed for a Complying Development Application Lodgement ( CDA ) New House

The abovementioned type of application is to obtain a Complying Development Determination, that is: (approval to have your home on the site you own which includes the **Building Approval**).

Most determination authorities have a section in their application forms that ask what type of application is being applied for, for this FACT SHEET only tick the box that applies to a Complying Development Application. (CDA). Also to Nominate a Building Certifier.

To allow you to apply for a Complying Development you must have a 149 Certificate issued by the Local Council that your intended building site is located within. This certificate outlines if you are permitted to apply for a complying development to the above determining authorities. Your Building Designer should be able to assist you in obtaining the certificate and explaining to you if you can apply for a Complying Development of if you need to apply to the Local Council for a Development Application Determination.

*(see fact sheet for Development Application in Sf Business Group Web site for information relating to this type of application)*

**A Complying Development Application Form:** this form can be obtained from the Local Council area within which you are intending to Build if you intend to use the Local Council as the determining authority or from the Private Building Certifier if you intend to use a Private Building Certifier to determine your application. You can usually download this form from the above determining authorities Web Page Site, or go to their office and pick up the form, or phone them to have it posted/ emailed or faxed to you. You could have your Building Designer obtain the required application form for you, too.

### What the form will normally request:

**NOTE:** you should tick off the following so you know you have completed the required item or cross it out if an answer is not needed.

**Nominate a Building Certifier to be your Principle Certifying Authority (PCA):** If the form requests this, just tick the section as the same Authority that issues a Complying Development is the Building Certifier (PCA) too. This person issues the occupation certificate at the completion of the job,

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inspects all relevant building components of the building.

## Applicants Name:

This is the person or business which is applying for the application. The name that goes here “owns” any determination and is the person/ business who receives any correspondence from the Council. So it is important to put the person/ business whom is responsible for the development at this section. **It is advised that the owner of the property that the proposed home is being built, should insert their name here. (Even if it is written as “care of” any Business that is assisting in the lodgement. Eg: Mr Smith C/- Of Etc.** To obtain further advice contact the SF Business Group.

## Property Description:

This is the full address of the property that the home is being built on. This means you must have the Lot Number, the Deposit Plan Number (Commonly referred as (DP), the Street Name and Number along with the Town Name. These items can be found on your property title or Local Council Rates Notice.

## Owners Name:

This includes all owners of the property intended to be built on. Eg: Every Person, A Company Name, A Trust and even a Superannuation Trust. Everyone whose names appear on the Title of the property should be included here. With relation to Trusts, a company or a superannuation fund, all persons who have the legal authority to sign any documents should PRINT their name and titles on the form too. If you are not sure of what is needed you should ask the selected determining authority for assistance. Sf Business may be able to assist you too.

## Political Donations:

*NOTE; This is required in some Australian States.*

This is a question that relates to any political donation that any owner and any applicant has made to any level of Government. It means a gift/ a money or a favour type donation of any type/size. It includes elected representatives and employed persons of Government. Why is it asked? It is to assist in ensuring that corruption of any level will not occur from your proposed development. Normally only a Local Council form will have this section to fill out, not a Private Building Certifiers form..

## Type of Development Proposed:

This includes all elements of the proposal you are intending to build. eg: Two storey dwelling house, concrete driveway, retaining walls, a swimming pool, a shed, any demolishing and in some cases boundary fences and privacy screens. Normally anything that is included on the plans to be lodged should be included in this section.

## Fees:

The amount of fees paid will vary from Council to Council and Building Private Certifiers to Building Private Certifiers. It is not standard fee, however it is based off the actual cost of the proposed building. The fees are calculated from the CONTRACT BUILDING QUOTE, (not what you think you can build the proposal for). If you do not have a Builders Quote, then you will need to estimate all building costs from

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current building estimate systems. Normally a meter square rate. It is worth shopping around for the best fee. It is advised that in some areas of NSW you do not have to use the Local Council that your property is located in, you can use any Local Council for an approval determination for a Complying Development. If in doubt, ask your building designer or contact the Masters Builders Association for assistance for the fees and also to find out if other Councils can determine your proposal. You can obtain the required fees by phoning the Council or the private building certifier or other selected Council, they will post, email or fax a fee proposal quote to you.

**NOTE: When your proposal is approved, the approval authority you have used has to submit a confirmation to the Local Council your property is located within to advise them of the issue of a Complying Development and they also must submit the final completion record of the building inspections and final occupation permit to the Local Council for a full record of your building.**

## Costing Summary Report:

If the proposal is going to cost more than \$100,000.00, normally only requested by a Local Council and the value can vary from Council to Council, you may be requested to provide a Costing Summary Report. In most cases the Local Council will have a standard form to fill out. It is not easy to understand, however your building designer or your builder should be able to assist in completing the form requirements. SF Business Group may be able to assist, however we will need your plans with the total floor areas and all building finishes to be able to assist you. And a fee will apply for this assistance. Normally a Private Building Certifier does not request this information.

## Plans:

Each Local Council and Private Building Certifiers require different number of copies of the plans to be included in the lodgement. To find out how many sets of the plans are required to be submitted, phone the determining Authority you have selected. The number of plans needed may be on their checklist form sheet. Some Local Councils are also now requiring an electronic copy of the plans and all documents including their forms to be part of the submission. USB or DISK format in PDF AUTOCAD is normally required in a current version of AUTOCAD. Also some Local Councils are starting to accept full electronic lodgements so as to save photocopying of plans/ documents. Not all Private Building Certifiers are requesting this type of submission information, they normally only want 3 copies of the plans, specifications, any supportive information and one copy of the application form.

The following items that are normally needed to be shown on your plans for a Complying Development Application for a new home to a determining authority for the authority to determine your proposal;-

The plans must be drawn to scale that can be understood, Site plans 1:200 and other sections 1:100 etc. They must have a Title Block that clearly detail the owners name, the name of the person/business that drew the plans, what is intended to be built, the date drawn, the scales used for the page, the actual application type eg (Complying Development Application) And an Amended Box for any modifications that may occur during the process so as to clearly show all changes to the plans for anyone who is reading them.

- **Location Plan:** This is a plan of the proposed building site with relation to the nearest cross street, or even information from a main street to the site. With internet services available you can Google the location and have your plan drawer or building designer copy and paste the location plans onto the plan set submission. The information is to assist the determining officer to locate your site. It is especially important if your proposal is located in a new housing estate/ subdivision.
- **Site Analysis Plan:** This is a plan of the property you intend to build on. The plan must show

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the North Point, any existing structures, ie: ( fences, yard improvements, like garden areas and retaining walls, trees, electricity power poles/ services, gas lines services, telecommunications services, easements for services like stormwater, driveways and any items that your Surveyor has highlighted on land survey of your property. It may also need the description of the buildings in the street within a certain distance from your property so as to support your proposal. The scale used for this plan should be a scale that allows the plan to be clearly read.

- **Site Plan:** This is a more detailed plan of your property with all proposed buildings and any relevant adjoining property buildings. The plan must be drawn to a scale that clearly shows all information and it must show the true North Point. The scale normally used is 1:200. All site dimensions including the side, the rear and the front property boundary sizes must be shown.
- **Set backs dimensions are to be clearly shown:** this is the measurement from all properties boundaries to the proposed building being built on the site).The measurements must show the distance from the boundaries to: walls/ eaves/ facia or gutters or any part of the proposed building structure at the closest point to any property boundary.

Other items that are to be on a site plan are:

- **Contours:** This is the ground levels of your property. The surveyor who surveyed the property would have produced these levels, if requested. When you request a survey of your land you must request that the surveyor obtains contours. Your building designer will use this information to design your home on your property and details them on the site plan. All levels must relate to Australian Height Datum. (AHD) They are to show existing and proposed ground finished level, any cut, filled land and retaining wall details plus the driveway levels and paths with their levels.
- **Property Improvements:** Proposed fences are to shown with finished heights ground levels/ finished level, all proposed stormwater systems (drainage) is to be shown on the site plan. It should show where the stormwater is directed to, eg: to the street, to an easement or to an onsite detention system. All sizes of pipes, onsite pit systems, easements should be noted on the site plan, with distances from boundaries highlighted.
- **Floor Space Ratio: (FSR):** This is the total building area of your proposed buildings, as a proportion of the total property land size area. The FSR is calculated form the NSW Housing Code requirements. Your building designer should be able to assist you, as any proposed design must comply, therefore the designer should have these details shown on the plan for you. Sf Business Group could assist you, contact for a fee proposal and what would be required for such assistance.
- **Floor Plans:** Floor plans must be submitted for all proposed floors of your proposed home. The plans must be to scale, minimum of 1:100 and must show the room uses (All rooms including stairs/ halls/ cupboards/ pantries/ wrobes/ balconies etc, every space must be named and detailed) All dimensions (sizes) must be shown of all areas of the floor plan, normally on the outer edge of the floor plan, starting from the most inner point to the outer wall point, on all sides of the proposed building. All window types/ sizes and all door sizes must be shown on these plans or they can be on a Schudule on the plan page. . All floor levels are to detailed on the floor plans. Normally these are shown to AHD. RL. (Australian Height Datum, relative height level) As outlined above the information would be taken from your land survey levels and your building designer will place the level on the plans clearly for determining officer and also for your Builder. These levels determine the height off the natural/ finished ground levels your floor will be. All wall and floor materials must be detailed on these plans (either on the plan or as a note/ schedule at the side of the plan). Recycling Waste Bin storage area must be shown in the kitchen space area, normally as a note on the plan, Ancillary Storage Space Areas must be shown on the plan, detailing its size. This storage is for bikes/ water craft or similar large bulky items. The North Point should be shown on the plan too.

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- **Elevations:** The set of plans must show all proposed elevations, to a scale of a minimum of 1:100. And at least one elevation should show the ground to pitching point overall height/ wall height at the highest point/ pitch point (this is where the internal ceiling sits on the wall), the floor to ceiling heights should be shown, if the proposal has multi floors, then all floor finished levels to all ceiling finished levels should be shown. The highest point of the proposed home, from the ground level to the roofs highest finished section point (Normally the Ridge) is to be shown on the elevation that provides the view of the above highest point. This the overall highest dimension of the building at its tallest point. All the above required levels are to be to AHD R.Ls as described in the above sections and should be able to be provided from your site plan by your building designer. The levels are from the Survey information mentioned above.

If you intend to cut or fill the site then the elevations effected by this must detail the existing ground level (Dotted) and the proposed ground level (Dark Text) The types of walls/ roofs/ windows/ doors and any other external finished items must be detailed on the elevation plans with normally the type of materials being used mentioned too. Some Councils also will request a colour schedule and finished material schedule, this can be in the form of print outs from manufactures suppliers information. Your building designer should be able to assist you for this item if required.

- **Sections:** These are plans that dissect through the proposed building at points that are critical for an explanation of the construction methods that are intended to be used and these plans detail finished ground levels, floor levels, ceiling levels and the highest overall height point of the proposed building. Your building designer can provide these plans. It is possible that more than one section plan will be shown in some designs.
- **Shadow Diagrams:** Most determining authorities will request these plans if you are intending to build any more than a one storey design, so as to ensure no overshadowing occurs to your property or adjoining properties that may cause nuisances for solar access loss (Sunlight) Your building designer should be able to assist you in producing the required information. Normally diagrams for March 21<sup>st</sup>/ Dec 21<sup>st</sup>/ September 21<sup>st</sup> and June 21<sup>st</sup> days are requested with the time of day that relates to 9am/ 12noon and 3pm being part of the plans required.
- **Landscape Design Concept Plan:** This plan is required within the NSW Housing Code, it is a concept of what areas you have on the property after the proposed building area has been provided, including driveways/ paths. It highlights the areas that can be grassed and planted. The NSW Housing Code has details available to you that advises what information on the plan is needed. The plans do not need to be prepared by a qualified person, The plans must highlight services ( plumbing/ gas/ telecommunications etc too). It is advised that provision of good landscape, even grass, can reduce erosion of your site and improves your living standards on the site by reducing dust nuisances and it addresses the streetscape of your property too.
- **Stormwater concept design plan/ on site detention plan ( OSD)** Most Council's or Private Building Certifiers will require a Civil Engineer to design/ provide the OSD information. If you have a certain amount of hard surface areas Eg: (Roof areas/ driveways/ paths/ paved areas and all structures that have roofs) you will need a On Site Detention System (OSD) to be included in your submission to Council and to a Private Certifier. Your Local Council that you intend to build in, will have a required OSD requirement. If you do not need an OSD then all that is needed for a Stormwater concept design plan is a site plan that details the method of stormwater disposal and the type of pipes to be used for this disposal, including any rainwater tanks. Normally disposal of drainage/ stormwater will be directed to the street gutter or to a easement that directs water off the site by approved pipes through other properties. Any on site stormwater pits that are to be used to store stormwater for disposal must be designed to Australian Standards/ Local Council Standards and/ or a Qualified Civil Engineer. Your building designer should be able to assist in this item for you.

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- **Site Waste Minimisation and Management Plan:** Not all Council's or Private Building Certifiers require a plan that outlines details of how the proposed building site is managed. However site waste minimisation and management details should be provided in your submission, as it shows the builder what is needed and shows the determining officer that you and your builder will have the following items in place whilst building: Security Fencing, sediment controls, waste bin provision, supplies stockpile locations, vehicle shaking footpath crossover, wash out areas and notes on the plans to advice what will occur to all waste items from the site. Builders meals waste (food scraps/ plastic-glass bottles and any food wrapping) and all goods delivery packing. All that is needed is a production of site plan with the above items shown, your building designer should be able to produce this plan, if not, contact Sf Business Group for a fee proposal to assist you in producing this information for you. Some Local Council have waste forms that need to be filled out too.

## **BASIX:**

*(The Building Sustainability Index Certificate) for more detailed information about Basix, see Sf Business Group Fact Sheet relating to BASIX.*

Any Residential Building valued over \$50,000.00 requires a BASIX Certificate and any swimming pool 40000 litres require a BASIX certificate also. This certificate must be submitted with your Application and all commitments of this certificate must be placed on the plans too. The certificate provides commitments that will apply to your proposed new home. It is an energy report and should assist you to save money on your energy and water bills over the life of your home and will also assist in protecting the environment. Normally your building designer will assist you in arranging this certificate, you can do your own by going onto the relevant State Government Department web page that issues this certificate. It is involved and could be costly to your proposal if not correctly completed, so it would be wise to discuss the process with your building designer.

**Important Note:** the certificate must not be older than 3 months when lodging the application to a determining authority, so it is advised that you should wait to a week before you lodge to have the Basix certificate issued and added onto to your plans by your building designer. It does not take long to issue the certificate. A Nabers Energy Report (ABSA) is a special thermal energy report that can be required if your BASIX certificate cannot produce the required performance requirements for a good energy efficient rated building. A Certified Person must produce this report and your building designer should be able to assist you in obtaining this information if it is needed. If your designer cannot then contact Sf Business Group to assist you in obtaining a fee proposal to have a certifier issue this report for you.

## **Bushfire Report:**

To confirm that your property is located in a Bushfire Prone Area, contact your Local Council and advise them you are intending to lodge a **Development Application** and they must inform you if your property is in a bushfire area. If your property is located within such a area then you will need a Bushfire Risk Assessment report. A Qualified Certified person to prepare a Bushfire Assessment report will be required for a Complying Development. A Bushfire Assessment report gives your proposed building a Bushfire Building Classification and outlines what is needed for your property to assist in reducing the fire risk to your property. This information allows determining officer to determine if they can allow you to build on your property under the NSW HOUSING CODE, if you cannot you will need to apply for a Development

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Application to your Local Council. (See Sf Business Group Fact Sheet for Development Applications requirements). A classification relates to Australian Standards so a Builder is aware of what is needed to be carried out to be in compliance when building your home.

## **Geotechnical Engineers report:**

To confirm that your property requires a Geotechnical report contact your Council and advise them that you are intending to lodge a Development Application and they must inform you if your property requires this information. This type of report is needed to determine if your property has suitable soil classification/ foundation classification or if your property has any land movement (slip or erosion) and advises of what is required for building on your property and if any special requirements are needed these must be shown on any design plans. A Qualified Geotechnical Engineer will be required to prepare this type of report and it must be in accordance with the Local Council guidelines/ policies. Your building designer should be able to assist you in obtaining a report if needed and would ensure the design meets the main objective of the report's recommendations. Soil classification determines the type of footings that should be used for your building. Your Structural Engineer and maybe even your Civil Engineer will also be required to refer to the Geotechnical Report for their design work with relation to your home and may need to meet certain requirements also, so as the Builder knows what to do too.

The Geotechnical Report if required for a Complying Development Application if your property is in a location that requires such a report. Sf Business Group may be able to assist you in obtaining a report, a small fee would be required to be paid to Sf Business to arrange this for you, however. Contact Sf Business group if you need assistance to discuss this further,

## **Flood information Report:**

If your property is located in a flood prone zone, the local Council must advise you if you advise them that you are intending to lodge a Development Application if your property is affected by high water (flooding). They must advise you of what they will require to support your proposal. Normally they will have information on their web site that may assist you, they could just request that all levels shown on the plans are to Australian height datum (AHD) and you will need to advise your Land Surveyor and Building Designer that this needed, or they may suggest that you obtain a Flood Study, this is normally carried out by a Civil Engineer or Civil Engineer Consultant. If a flood study is requested Council will assist you in how to this and who can do this in your local area. Your Building Designer may be able to assist you too in finding a person to do such a report. If a Flood Report is needed all building works must comply with the report and to Councils requirements for flooding too. It is also advised that you may not be able to have a Complying Development in a flood area/ location. The determining authority will advise if this is the case.

## **Railway location report:**

These types of reports are only required if your property adjoins a railway and your building is within the required distance to the railway as advised in the State Government Railway Corridor information available on the state government department web page or by contacting the relevant department. If you need a report for the Council to determine your proposal the type of report is called a Electrolis Corrosion report. Your building must comply with any recommendations of the report so your building designer will need a copy of the report to ensure your plans meet the recommendations. Normally the Council will refer the report and your plans to the relevant State Government department for their recommendations too.

Some Council's may request an Acoustic Noise report, only obtain this report if requested by the Council. It will address if you need additional insulation to your home, to reduce noise from passing trains.

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## Major Road location Reports:

You only need the following reports if the local Council requests them. An acoustic noise report may be needed to allow the Council to determine if your home will not have any noise nuisances from a busy major road. Any recommendations of such a report will be required to be shown on your plans. A traffic movement report could be required if the local Council believes that your proposal will increase the local traffic flows-movements.

## SOEE. Statement of Environmental Effects.

This document must reference to the NSW HOUSING CODE policies All the requirements of the policies must be addressed in this document. Your building designer assist in producing this required document. The document must state the property identification address, the type of existing development on the property such as fences, paths, trees, any building structures and improvements, it must provide a detailed description of the proposal, mention any privacy issues, any safety issues, security measures addressed in the design eg. (front door location, lighting provisions, vehicle movements, visual access viewing to and from the property and any other items that may affect safety and security of the proposal), the document must address loss of any prominent views due to the proposal with regards to adjoining properties or properties with viewing points over the proposed development site, it is to address overshadowing, loss of any solar access, streetscape effect by the developments proposed on the existing streetscape, private open space (an area defined for the use of the occupants of your proposed home for yard use) and its location to any adjoining private open space/ buildings for noise nuisance and privacy provision, encroachments ( see above comments relating to departures) traffic and car parking movement and provision, garbage collection provisions, stormwater disposal, high water (flooding) matters, BASIX and Nathers (ABSA) Reports, demolition works, landscaping, construction pollution controls, sewer-septic and solid waste systems, bushfire construction requirements, fire construction safety and separation requirements, land movement geotechnical requirements, filled land items, acid sulphate soil matters, tree protection items, zoning requirements, railway location, major road location, heritage matters, coastal location, threatened species, site management during construction( waste bin/ sediment controls, security fences etc) and general supportive comments.

**The statement of environmental effects (SOEE) is an important part of a Complying Development Application Submission** and should be prepared to ensure full compliance with the local Council requirements or your your application may be refused. If your building designer cannot produce a SOEE, then contact Sf Business Group for a fee proposal to assist you in producing a SOEE for your proposal.

***NOTE:*** *It is hoped that this fact sheet for what is needed to lodge a Complying Development Application (CDA) has assisted you in preparing a successful submission for determination for your proposed new home.*

**DISCLAIMER:** *it is advised that this fact sheet is not a legal document and must not be used for any submissions of a DA, it is only an assistance sheet for understanding most Council Check sheet lists forms only.*

**For more information please contact Rod Nelson from SF Plan and Design.**

[www.homeplansonline.com.au](http://www.homeplansonline.com.au)

[www.sfbusinessgroup.com.au](http://www.sfbusinessgroup.com.au)