

COMPLYING DEVELOPMENT CHECKLIST

NEW DWELLINGS, DWELLING ALTERATIONS AND ADDITIONS, POOLS, CARPORTS AND OTHER ANCILLARY DEVELOPMENT

The following checklist will assist you to prepare and lodge a Complying development Certificate Application for development permissible under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP).

Council now only accepts Complying Development Applications via the NSW Planning Portal. Please see <https://pp.planningportal.nsw.gov.au/applicant-resources> to register an account on the Portal along with additional information. Once registered, you can gain access to a digital dashboard which helps you to manage your applications through the online system.

Registration requires you to register your details with a valid email address. The NSW Planning Portal is not a Council owned platform, therefore if you are having issues with the system itself, please contact the support service at www.planning.nsw.gov.au/Contact-Us or call 1300 305 695.

Applicants must review the applicable requirements under the relevant Parts of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) as there are many variables which apply to development under this Code.

Generally, complying development cannot occur on:

- ❖ Land within a heritage conservation area or a draft heritage conservation area (there are some exceptions; please check the relevant development standards for more information)
- ❖ Land reserved for a public purpose
- ❖ Land in a buffer area
- ❖ Land in a riverfront area
- ❖ Land in an ecologically sensitive area
- ❖ Land in a protected area
- ❖ Unsewered land in a drinking water catchment identified in an environmental planning instrument (a statutory plan)
- ❖ Land declared as a special area
- ❖ Land in an environmentally sensitive area

- ❖ Where is complying development prohibited?
- ❖ Complying development cannot occur on land that:
 - ❖ Contains an item listed in the State Heritage Register (unless the development has received an exemption under Section 57 of the Heritage Act 1977).
 - ❖ Is subject to an interim heritage order (unless the development has received an exemption under Section 57 of the Heritage Act 1977).
 - ❖ The government has identified as an item of environmental heritage or a heritage item in an environmental planning instrument (unless the development has received an exemption under Section 57 of the Heritage Act 1977).
 - ❖ Is a critical habitat under the Threatened Species Conservation Act 1995. • Is a wilderness area under the Wilderness Act 1987. See clause 1.19 for specific details on land on which complying development may not be carried out

Where a section refers to “Attachment (PDF)” this means that the document is required to be uploaded in support of the Development Application. Where reference is made to “Fields to be completed on the Portal” this means that information is required to be entered digitally into the NSW Planning Portal

The purpose of this checklist is to ensure that the development application is accompanied by adequate information to allow the prompt assessment and determination of your proposal.

If your application is incomplete, it may be rejected or refused. Council reserves the right to request additional information if it is deemed necessary following a detailed assessment of the application. This checklist must be completed for all applications.

For each item identified below, please confirm (by ticking the appropriate column) that your application contains the required information. If in doubt, please contact Council’s Planning & Environment Department.

ALWAYS REQUIRED		YES	Office Use
Completed Construction Certificate Checklist	<p>All sections completed – This Form outlines the requirements to lodge a Construction Application of such type on the NSW Planning Portal and should be uploaded concurrently with the Development Application.</p> <p>To understand the development constraints on the site, access the NSW Planning Portal and generate a Property Report.</p>		
Applicant Details Fields to be completed on the portal.	<p>To include:</p> <ul style="list-style-type: none"> • applicant details, • contact details, phone, email, and address • landowner details • name of the owner(s), company details, phone number, email, and address, ABN or ACN for each owner 		
Owner Consent	<p>All owners must sign. If the owner is a company or strata title body corporate, the application must be signed by a director or an authorized person and delegated under the common seal.</p>		
File Format	<p>All documents, plans and application forms must be supplied as PDF files in unprotected PDF/A format (max file size is 10 mb) and must be clear and legible. Security settings must not be applied to documents. Plans must be rotated to landscape orientation with scaling marked.</p> <p>Electronic documents must not be saved in subfolders. The data must be able to be read on a standard Windows-based system.</p> <p>Photos/Photomontages must be provided as jpeg files at a high resolution.</p>		
Details of the development Fields to be completed on the Portal	<p>To include:</p> <ul style="list-style-type: none"> • A detailed description of the development proposed, • Is the development a direct result of an emergency and/or natural disaster as declared by the Government? • Number of dwellings proposed • Vegetation removal proposed 		
Payment of Fees	<p>All relevant Construction Certificate Fees as per Council's adopted fees and charges must be paid prior to formal lodgement of the application. Upon receipt and acceptance of your pre-assessment documents, Council will forward you an invoice with the total cost of fees required to be paid upon lodgement of your Construction Certificate.</p>		

	<p>Long Service Levy where any construction work is valued at \$25,000 or more.</p> <p>To calculate the appropriate fees applicable to your development, you will need to provide a breakdown of costs of undertaking the development including all labour costs and costs of materials, such as a fee quote or contract from your builder. This information is also used as part of your assessment.</p> <p>Contributions under the provisions of either Section 94 or 94A of the Environmental Planning & Assessment Act 1979 (as per development consent and applicant to provide proof of payment) Contributions under the provisions of Section 64 of the Local Government Act 1993. Any bonds or security as per the development consent</p> <p>Please note that Council will invoice applicant AFTER the pre-assessment process (initial lodgement check) has been carried out. Where further information is required, a Request for Information (RFI) will be forwarded to the applicant. Upon receipt of ALL required information, Council will send the applicant a fee quote for payment of fees. Upon payment of relevant fees, Council will formally lodge your application and it will proceed to assessment.</p> <p>It is important to note that, even upon successful lodgement of your application, the assessment process may reveal further information is required and further RFIs may be forwarded to you.</p>		
<p>Principal Certifier Contract or Details of Certifier</p>	<p>Signed Appointment of Principal Certifier Contract Form between the applicant & Council OR Details of the Principal Certifier including their ACN, company name and, their trading name.</p>		
<p>Site Plan</p>	<p>A Site Plan / Feature Plan is a birds-eye view of the development to identify the existing conditions (including any development) on site specifically including:</p> <ul style="list-style-type: none"> • Drawings to a suitable scale such as 1:100 or 1:200 • areas and dimensions of land • north point 		

	<ul style="list-style-type: none"> • existing features such as buildings, structures, fences, vegetation and any registered easements and connections to drainage and utility services • locations and setbacks of the proposed building(s) and structures from site boundaries and other buildings and including any paved areas or retaining walls • Location of any buildings or structures to be demolished, • existing and proposed ground levels, • proposed vehicular access, parking including accessible carparking and shared spaces and any landscaping • the extend of any cut and fill including gradients • stormwater drainage, septic tank, effluent disposal area (where required) • Locations of any existing and proposed essential fire services such as fire hydrants/fire hose reels relevant to the building. <p>Swimming pools must show pool fencing, gates, location of pumps/filters and backwash connections and demonstrate compliance with the Swimming Pools Act 1992 and it's amendments, and Australian Standards 1926-1986, 1926.102007 or 1926.1-2012 (whichever is applicable)</p> <p>All plans to be consistent with the approved development application plans.</p>		
<p>Specifications</p>	<p>Plans and Specifications are required to describe the standard to which a building is to be constructed in terms of structural, operational, and aesthetic aspects. The specification must include a reference to the approved DA plans and a description of construction materials for the development.</p> <p>The below details may also require demonstration on associated plans.</p> <p>The relevant standards (Australian Standards) for constructing the following building components:</p> <ul style="list-style-type: none"> • All finishes and materials used • footings/structural elements • timber framing – plans to demonstrate compliance with the BCA and relevant AS. • drainage-water/sewage • oil or solid fuel heating appliances 		

	<ul style="list-style-type: none"> • termite management – plans must detail and demonstrate compliance with BCA Part 3.1.4 and AS 3660.1 • fire safety measures, e.g., Fire resistance levels • wet areas – demonstrate compliance with BCA Part 3.8.1.2 and AS 37402010 • Condensation Management – (plans and specifications to demonstrate compliance with BCA Part 3.8.7.4 • lighting/ventilation) • sound transmission class rating (where relevant) • stair construction, landings, door construction and balustrades • Provide window schedule and / or sizing of all windows and openings to demonstrate compliance with BCA Part 3.8.4 - Light and Part 3.8.5 - Ventilation • Construction of sanitary compartments: Demonstrate compliance with BCA Part 3.8.3.3 (<i>also to be demonstrated on associated plans</i>) • Sanitary Facilities including toilets, washbasins, washrooms and showers - dimensions and measurements - circulation space - grabrail details - fixtures and fitting detail and floor surfaces (<i>also to be demonstrated on associated plans</i>) <p>Safe movement and access; Demonstrate compliance with BCA Part 3.9 - Provide details of stair construction, barriers to prevent falls, landings, ramps, and slip resistant surfaces (<i>also to be demonstrated on associated plans</i>)</p>		
Floor Plan	<p>Scaled plan(s) consistent with the approved Development Application plans showing a birds-eye view of your existing and/or proposed layout of rooms within the building. Floor plans include:</p> <ul style="list-style-type: none"> • outline of existing building/development on site (shown dotted) • intended uses for each part of the building, areas and dimensions • window and door locations and sizes • floor levels and steps in floor levels (RL's) • wall structure type and thickness • Gross Floor Area in square metres (GFA) • wall structure type and thickness • locations of any stairs, 		

	<ul style="list-style-type: none"> locations of any existing and proposed essential fire safety measures internal and external to the building <p>location of stormwater drainage pipes including downpipes and gutter, connection, and discharge points</p>		
Sections	Drawn to a scale showing the proposed method of construction of key building elements (roof, wall, floor, footings/slab, beams etc.)		
Roof Plan	Plans demonstrating the general roof layout, member sizes and locations, guttering and downpipe types and dimensions.		
Structural Engineers Certification	<p>Detailed Structural Plans that are signed, dated and certified by a suitably qualified structural engineer for the following components of the proposal being</p> <ul style="list-style-type: none"> footings piers slab reinforcement steel frames/beams support for party walls timber frame, truss tie down and bracing - Bracing and Lintel Plans to be provided with Engineering Plans and associated <p>Certificate of Compliance and Computations to be provided when designed by an engineer.</p> <p>Engineering plans for slabs, footings and piers should refer to the site soil classification to which they are designed, and any reports submitted with the application.</p> <p>Include an associated Certificate of Compliance with computations for the designs</p>		
Statement of Compliance with Performance Requirements (Building Code of Australia)	Statement that the development complies with the deemed to satisfy provisions, if not, provide details of any performance solutions and associated documents and assessment method.		
Elevations (N/A for POOLS)	<p>Elevation plans are a side-on view of your proposal. Elevations of all four sides (north, south, east and west facing) of your development need to be included in your application and labelled accordingly. Elevation plans should include:</p> <ul style="list-style-type: none"> drawings to a suitable scale (i.e. 1:100 or 1:200) cladding type and roof materials, 		

	<ul style="list-style-type: none"> • heights of any proposed buildings measured from ground level • outline of existing building/development on site (shown dotted) • window sizes and locations • location/position of all proposed buildings/structures (shown in solid lines) • demonstrate chimneys, flue exhaust vents, duct inlets or outlets • levels for roof ridge, floor and ceiling (shows as RLs) • Details of eaves, wall heights, roof ridge levels and natural ground levels. <p>Details of any external signage, locations of bollards and any other safety features.</p>		
Survey Plan (N/A for POOLS)	<p>If verification of site levels, floor height or property boundaries is required for construction works or if there is uncertainty regarding the location of the building and the lot boundaries, a survey plan is required.</p> <p>Required for dwellings/buildings built upon flood prone areas</p>		
Stormwater (N/A for POOLS)	<p>Stormwater from down pipes to legal point of discharge. Specifications for the development should describe the construction and materials of which the building is to be built and the method of drainage, sewerage, and water supply</p>		
Soil Test Report (N/A for POOLS)	<p>This is a report prepared following geotechnical investigation/assessment by a NATA accredited laboratory in which the soil classification (or site classification) is identified, and which is used to ensure that footing/pier details have been designed correctly by a structural engineer. The soil test report and its conclusions must be referred to in the engineers plans and specifications</p>		
Section 68 Approval	<p>A separate Section 68 application may need to be made for:</p> <ul style="list-style-type: none"> • New connections into Council's infrastructure (Sewer, Stormwater) • New sewer and stormwater work and modifications/additions to existing plumbing (internal sewer) and stormwater at the property 		

	<ul style="list-style-type: none"> Installation of an On-Site Sewage Management System and Disposal. 		
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REQUIRED IN CERTAIN CIRCUMSTANCES		YES	Office Use
BASIX Certificate (required for all new dwellings)	<p>If the estimated cost of residential works is > than \$50,000 or a pool/ spa with a volume greater than 40,000 Litres.</p> <p>The following must be provided with a BASIX Certificate:</p> <ul style="list-style-type: none"> Submission of the BASIX Certificate and Assessor Certificate; Commitments of the BASIX Certificate must be shown on the construction certificate plans and included in the specifications. <p>Must be less than 3 months old at the time of DA lodgement</p>		
Details of any Fire Resisting Construction (N/A for POOLS)	<p>When dwelling and / or garage is proposed to be located within 900mm of an allotment boundary, or within 1.8m of another building on the same allotment. Section plans and associated certification / testing or proposed products and construction method that demonstrate compliance with BCA Part 3.7.2.4 - Fire separation of external walls.</p>		
Bush Fire Prone Areas	<p>Where a building is proposed on land Classified as Bushfire Prone, applications for complying development certificates and construction certificates issued for building works from 1 March 2020 must comply with AS3959-2018 and the NCC.</p> <p>The requirements as per the Bushfire Attack Level (BAL) Risk Assessment submitted with the development application and in accordance with the Planning for Bushfire Protection-2019 must be demonstrated in the submitted plans and specifications.</p>		
Flood Hazard Areas	<p>For buildings proposed in a flood hazard area, the plans and specifications must demonstrate compliance with Volume One, BP1.4 and in Volume Two, P2.1.2 specify the Performance Requirements for the construction of buildings in FHA.</p>		

	(Applies to buildings or parts of Class 1, 2, 3, 4, (residential) and 9a health-care buildings and 9c aged-care buildings).		
Class 1b Buildings	Plans demonstrating existing (if applicable) and proposed fire safety measures and compliance with the Building Code of Australia. <i>(Class 1b Building: Boarding Houses, Guest Houses or similar where floor areas don't exceed 300m² and where not more than 12 persons would be resident).</i>		

NOTES:

Builder's Home Warranty Insurance

Whilst this information is not mandatory as part of your application for a Construction Certificate, it will be required to be provided at the time of formally notifying Council of the appointment of a Principal Certifying Authority and prior to the commencement of any works. A licensed builder (or contractor) undertaking residential building work must provide home warranty insurance from one of the approved insurance providers when the total contract sum exceeds \$20,000 (including material supplied by the contractor). You must provide Council with a copy of the Builder's Home Warranty Insurance at the time of formally notifying Council of the appointment of a Principal Certifying Authority and prior to the commencement of any works. If you can obtain a copy of the insurance from your builder, it is advisable that you include it with your documentation when you lodge the construction certificate application with Council.

Owner Builder Permit

Whilst this information is not mandatory as part of your application for a Construction Certificate, it will be required to be provided at the time of formally notifying Council of the appointment of a Principal Certifying Authority and prior to the commencement of any works. An owner builder is an individual who does owner-builder work and holds a permit for that work under the authority of a permit issued by NSW Trading. Owner-builder work is any work (including supervision and co-ordination) involved in the construction of, or alterations, repairs or additions to, a dwelling (which includes a house, terrace, town-house, garage, swimming pool and certain other structures and improvements):

- where the reasonable market cost (including labour and materials) exceeds \$10,000, and
- which relates to a single dwelling or dual occupancy: - that requires development consent under Part 4 of the Environmental Planning and Assessment Act 1979, or - that is a complying development within the meaning of that Act.

To get an owner-builder permit, you must lodge a completed owner-builder permit application at a Service NSW Centre. For further information on completing and lodging an application visit www.fairtrading.nsw.gov.au Once you have obtained your Owner Builder Permit, you must provide Council with a copy at the time of formally notifying Council of the appointment of a Principal Certifying Authority and prior to the commencement of any works. If you have the permit, it is advisable to provide a copy when you lodge the construction certificate application with Council.

Inspections

You will need to appoint a Principal Certifying Authority (PCA) who will monitor the building works as they progress to ensure compliance with the approved construction certificate. The PCA can be Council or a private accredited building surveyor. If you have not decided on who will be the PCA then 'tick' the 'to be advised' box. Note - The appointment of the PCA cannot be made by a contractor or other person who will carry out the building work or subdivision work unless the contractor or other person is the owner of the land on Page 17 Construction Certificate Preparation and Lodgement Guide Version 1.8 – July 2016 which the work is to be carried out. In such circumstances, please ensure that the owner nominates/signs for the appointment of the PCA. Note: Prior to any works commencing on site and in accordance with the Development Consent condition, if you appoint Murray River Council as the PCA, you are required to complete and return the "Notice of Building Work or Subdivision Work and Appointment of a Principal Certifying Authority" form which will be provided to you with your development approval. This document is not required to be completed until such time as you have received the Construction Certificate approval.

Performance solutions – NCC – Fire Safety Requirements - For development involving a Performance Solution under the National Construction Code (NCC) you must provide the following information.

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

- a. A compliance certificate (as referred to in s.6.4 (e) EP&A Act) that certifies that the performance solution complies with the relevant performance requirements of the NCC.
- b. A written report that includes a statement that the performance solution complies with the relevant requirements of the NCC.

Notes:

Council officers will review plans and supporting documents at the time of DA lodgement for adherence to the specifications. If your proposed development type is not listed in the matrix above please contact Council and speak with the Duty Planning/Building officer who can advise of lodgement requirements.

Please note Form A and Form B on Council's website are required to enable lodgement into Council's system regardless of the information submitted on the NSW Planning Portal. If there are any discrepancies the information in Council's DA Fact Sheets will take precedence.

Payment of Fees

Council will not commence processing of your application until such time all fees are paid. Please note payment is required within 7 days from the date of lodgement regardless of any due date on an invoice issued. If payment has not been received in due course the application will be rejected and returned to you.

The following information should be included on all plans and documentation:

- applicants name.
- unit/house number.



- street/road name, town, or locality.
- lot Number, Section Number, DP/SP Number.
- measurements in metric.
- the position of true north.
- designer's/Architect's name and date.
- Revision number (if applicable)

Privacy Policy

The information you provide in this application will be held and used by Murray River Council, and any relevant State agency, to enable the assessment of your application under the [Environmental Planning and Assessment Act 1979](#) (EPA Act), the [Local Government Act 1993](#) (LG Act) or other applicable State legislation.

The information you provide may also be used by the Council in exercising its functions under other legislation, including the [Government Information \(Public Access\) Act 2009](#) (GIPA Act) under which the Council may be required to release information which you provide to us where it is in the public interest.

In completing this form, you will be prompted to supply information that is personal information for the purposes of the [Privacy and Personal Information Protection Act 1998](#) (PPIP Act). The supply of this information is voluntary. However, if you cannot provide, or do not wish to provide the information sought, your application may not be able to be accepted or Council may not be able to process your application. The information supplied with your application may be made available to the public for comment if the development is designated development or is required to be advertised under Council's Development Control Plan or Community Participation Plan.

All documents will also be made publicly available at Council's Offices. Written notification of the application may also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes. If you require any further information about how your personal information is being collected, held, or used please contact Council.

Applicant's signature: _____

Date: _____

Council Officer: _____

Date: _____