

# Application for, or Modification of a Complying Development Certificate

## Planning, Environment & Development Group

*Environmental Planning and Assessment Act 1979, Part 4, Division 4.5*

*Local Government Act 1993, s68*

*Roads Act 1993, s125, s138*

*Water Management Act 2000, s307*

*Environmental Planning and Assessment Regulation 2000, Part 7, Division 1; Schedule 1, Part 2*

### Guidance

Use this form to apply for a complying development certificate, or to apply to modify a complying development certificate.

Guidance for completing this application can be found within the [Planning, Environment & Development Group HUB](#) located on Council's website.

The checklist forms part of the application and must be completed.

- All documents submitted with this application must be listed on the [Transmittal Sheet](#).
- The application must be submitted in accordance with the Electronic Lodgement Guidelines.

### 1 Application type

- Complying Development Certificate
- Modification of a Complying Development Certificate

### 2 Modification of complying development certificate

#### You must:

Provide the Complying Development Certificate (CDC) number: **CD**

Briefly describe the modification being sought:

Note: A complying development certificate may only be modified if it is 'in force' i.e. it has not lapsed.

#### Office use only

Related Policies: Legislative requirement

Issue Date: 7/12/2018

Review Date: 1/04/2019

Owned by (section): Development



### 3 Applicant details

Company Name (if applicable):

ABN / ACN:

Position:

Mr  Mrs  Ms  Other (specify):

First Name:

Last Name:

Email:

Note: At least one contact phone number must be supplied.

Mobile:

Home:

Business:

Postal Address Shop /Unit / Street No.:

Street Name:

Suburb / Town / Village / Locality:

State:

Postcode:

### 4 Development site – location and title details

Lot:

DP:

Section (where relevant):

Portion No:

Parish:

Shop / Unit / Street No:

Street name:

Suburb:

Postcode:

Area of Land (in m<sup>2</sup> or hectares):

An inspection of the property may be required. Detail the contact person for council to arrange access:

Applicant  Owner  Other (e.g. tenant / real estate):

If you have selected Other provide Name:

Phone:

An inspection of the property may be required. List any access issues e.g. dog onsite, locked gates:

### 5 Select code

Nominate the Environmental Planning Instrument under which the development is complying development

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

SEPP (Affordable Rental Housing) 2009

SEPP (Infrastructure) 2007

SEPP (Miscellaneous Consent Provisions) Part 2 - Temporary

SEPP (Educational Establishments and Child Care Facilities) 2017

Other (specify):

## 6 Describe your proposal

Provide a detailed description of the proposal:

**ESTIMATED COST OF DEVELOPMENT:**

\$

**Development type** - Tick all relevant boxes.

- |  |   |
|--|---|
| <input type="checkbox"/> Residential – Single New Dwelling       | <input type="checkbox"/> Industrial                     |
| <input type="checkbox"/> Residential – New Secondary Dwelling    | <input type="checkbox"/> Infrastructure                 |
| <input type="checkbox"/> Residential – Dual Occupancy            | <input type="checkbox"/> Mixed Use                      |
| <input type="checkbox"/> Residential – Alterations & Additions   | <input type="checkbox"/> Commercial use of the footpath |
| <input type="checkbox"/> Residential – Multi Unit                | <input type="checkbox"/> Commercial / Retail / Office   |
| <input type="checkbox"/> Residential – Seniors Living            | <input type="checkbox"/> Community Facility             |
| <input type="checkbox"/> Residential – Other                     | <input type="checkbox"/> Tourist                        |
| <input type="checkbox"/> Subdivision associated with development | <input type="checkbox"/> Other (specify):               |
| <input type="checkbox"/> Subdivision only                        |   |
| <input type="checkbox"/> Demolition                              |   |
| <input type="checkbox"/> Vegetation removal                      |   |
| <input type="checkbox"/> Change of use                           |   |

### For subdivision

Land – Torrens Title    Buildings – Strata Title

Number of lots proposed in subdivision:

### For non-residential developments

Number of car parking spaces proposed:

Hours / days of operation:

Are you erecting, altering or adding to a building structure?  Yes  No

If yes, is this a temporary structure?  Yes  No

If the development involves the use of a building as an entertainment venue, a function centre, pub, registered club or restaurant state the maximum number of persons proposed to occupy, at any one time, that part of the building proposed to be used as:

Tick all that apply	Max no of persons	Tick all that apply	Max no of persons
<input type="checkbox"/> a function centre		<input type="checkbox"/> a registered club	

<input type="checkbox"/> a pub	<input type="checkbox"/> a restaurant
<input type="checkbox"/> an entertainment venue	
<b>7 Asbestos</b>	
Will bonded or friable asbestos material be disturbed, repaired or removed in carrying out the development? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, estimate the area: _____ m <sup>2</sup>	
<b>8 BASIX</b>	
Do you have a BASIX Certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, Provide your BASIX Certificate Number: _____	
<b>9 Contaminated land management</b>	
Is the land zoned either Commercial or Industrial? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the development involve a new building, or the alteration of, or addition to, an existing building? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, is the land used, or has it formerly been 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 (1988)</i> , Department of Urban Affairs and Planning and the EPA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, is it on the list of sites notified under s60 of the <i>Contaminated Land Management Act, 1997</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the land zoned Special Purpose 1 or Special Purpose 2? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the proposed development for the purpose of a Tertiary Institution? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>10 Other approvals from Council</b>	
Do you require an activity approval under s68 of the Local Government Act 1993? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please tick the approval required.	
<input type="checkbox"/> On Site water supply work <input type="checkbox"/> Wastewater drainage work <input type="checkbox"/> Stormwater drainage work <input type="checkbox"/> Domestic oil or solid fuel heating	<input type="checkbox"/> Other (specify): _____
<b>11 Work in the road reserve / footpath</b>	
Do you wish to apply for an approval under s138 or s125 of the Roads Act 1993? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please tick the approval required.	
<input type="checkbox"/> Gutter layback <input type="checkbox"/> Footpath crossing <input type="checkbox"/> Footpath	<input type="checkbox"/> Connection of stormwater to kerb or council system <input type="checkbox"/> Other s138 (specify): _____ <input type="checkbox"/> Outdoor dining (s125)
<b>12 Appointment of Principal Certifying Authority</b>	
Do you wish to appoint Council as the Principal Certifying Authority for the purposes of conducting inspections and issuing compliance certificates (where required), occupation or subdivision certificates? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please submit the <a href="#">Contract for Certification Works</a> with this application.	

**13 Builder's details**

Owner Builder     Builder is unknown

Builder's name (if known):

Licence Number:

Mobile:

Street Address:

Suburb /Town / Locality:

State:

Postcode:

**14 Statistical information**

This information is required by the Australian Bureau of Statistics and the Environmental Planning and Assessment Regulation 2000. It must be completed if building work is proposed.

**For each new building**

Gross floor area:

m<sup>2</sup>

Number of storeys (including underground storeys) in the building:

If more than one building:

Building 2:

Building 3:

Building 4:

Building 5:

GFA m<sup>2</sup>

No of Storeys

If more than five separate buildings attach a schedule to your application.

**For all new residential buildings**

Number of existing dwellings on the land on which the new building is to be erected:

Number of existing dwellings to be demolished in connection with the new building:

Number of dwellings to be included in the new building:

Whether the new building is to be attached to any existing building

Yes  No

Whether the new building is to be attached to any other new building

Yes  No

Whether the land contains a dual occupancy

Yes  No

Indicate whether:     Alterations             Additions             Attached             Detached

Separate house     Kit house     Transportable dwelling (excluding caravan or mobile home)

Type of Construction: Enter a single code below for floor, frame, roof and wall from the schedule. Select the option which best describes the construction materials to be used in the new work.

**Floor:****Frame:****Roof:****Wall:**

Concrete 20

Timber 40

Other 80

Unknown 90

Timber 40

Steel 60

Aluminium 70

Other 80

Unknown 90

Aluminium 70

Concrete 20

Concrete tile 10

Fibrous cement 30

Fibreglass 80

Masonry / Terracotta  
shingle tiles 10

Slate 20

Steel 60

Brick veneer 12

Full brick 11

Single brick 11

Concrete block 11

Concrete / masonry 20

Concrete 20

Steel 60

Fibrous cement 30

Hardiplank 30

		Terracotta tile 10 Other 80 Unknown 90	Timber / weatherboard 40 Cladding – aluminium 70 Curtain glass 50 Other 80 Unknown 90
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**15 Registered owners' details and consent**

As the owner(s) of the above property, I/we consent to lodgement of this application.  
I/We hereby permit any duly authorised officer of the Shoalhaven City Council to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration of the relevant legislation.

Owner First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Company Name (if applicable): \_\_\_\_\_

ABN / ACN (if applicable): \_\_\_\_\_

Position (if owner is a company): \_\_\_\_\_

If there is more than one owner, add additional owner(s) details.

Owner First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**16 Disclosure of political donations and gifts**

Under Section 10.4 of the Environmental Planning and Assessment Act 1979, any reportable political donation to a Councillor and/or any gift to a Councillor or Council employee within a two (2) year period before the date of this application must be publicly disclosed.

Have you, or are you aware of any person having a financial interest in the application, made a 'reportable political donation' or 'gift' to a Councillor or Council employee within a two (2) year period before the date of this application?

Failure to disclose relevant information is an offence under the Act. It is also an offence to make a false disclosure statement.

Applicant: \_\_\_\_\_  No  Yes

Owner(s):  No  Yes

If you have answered Yes to this question you must complete a [Political Donation and Gifts Disclosure Statement](#) and lodge it with this application.

If you have answered No to this question by signing this application, you undertake to disclose to Council in writing within seven (7) days any 'reportable political donation' or 'gift' made after lodgement of the application and prior to its determination.

**17 Conflict of interest**

To ensure transparency in Council's decision-making process and to avoid potential conflicts of interest, you must make a declaration as to whether you, the landowner and/or anyone with a financial interest in the application is a Council employee or Councillor or is related to a Council employee or Councillor.

Applicant:  No  Yes

Owner(s):  No  Yes

If you have answered Yes to this question, you must provide details including names and relationship:

**18 Checklist – always required**

	<b>Supplied</b>
Completed Application form.	<input type="checkbox"/>
Applicant has signed the Application form.	<input type="checkbox"/>
All relevant owner's details and signatures provided. If space on the form is insufficient, provide additional details on <a href="#">Owners Consent - Supplement</a> Form.	<input type="checkbox"/>
Plans, specifications, documents and information as required by the Environmental, Planning and Assessment Regulation 2000, Schedule 1, Part 2, cl 4.	<input type="checkbox"/>
Plans and accompanying documents are in digital format on a single USB/CD or attached to an email and comply with Council's Electronic Lodgement Guidelines.	<input type="checkbox"/>
Transmittal sheet - completed	<input type="checkbox"/>

**19 Checklist - required in certain circumstances**

	<b>Not applicable</b>	<b>Supplied</b>
If applying to modify a CDC, plans clearly show what is being modified by highlighting with 'hatching' or 'clouding'.	<input type="checkbox"/>	<input type="checkbox"/>
If required (BASIX affected) or obtained (BASIX optional), copies of the BASIX Certificate(s), or BASIX Certificate number(s).	<input type="checkbox"/>	<input type="checkbox"/>

If required, BASIX commitments are shown on the plans and supporting documents provided.	<input type="checkbox"/>	<input type="checkbox"/>
Receipt for s7.11 (former s94) Contributions, if required.	<input type="checkbox"/>	<input type="checkbox"/>
Receipt for water and sewer contributions (also known as s64), if required	<input type="checkbox"/>	<input type="checkbox"/>
Receipt for payment of the Long Service levy (LSL), if required.	<input type="checkbox"/>	<input type="checkbox"/>
Copies of compliance certificates relied upon.	<input type="checkbox"/>	<input type="checkbox"/>
Waste Management Plan	<input type="checkbox"/>	<input type="checkbox"/>
If a development standard requires the development to be set back from a registered easement: <ul style="list-style-type: none"> <li>• provide a copy of the Certificate of Title for the development site; and</li> <li>• a title diagram for the development site and any adjoining lot that benefits from the easement.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
Change of Use (Class 2-9 buildings only) or, if the development involves building work, a list of any existing Category 1 fire safety measures in relation to the land and existing building(s) on the land and proposed Category 1 fire safety measures as a consequence of the building work or	<input type="checkbox"/>	<input type="checkbox"/>
Fire safety requirements - if the development involves building work in respect of which an alternative solution under the Building code of Australia (BCA) is proposed: Provide evidence.	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater: management details as required by Section 6.2 of Shoalhaven DCP 2014, Chapter G2 are provided.	<input type="checkbox"/>	<input type="checkbox"/>
Boundary walls: If the development involves the erection, demolition or removal of a wall to a boundary that has an adjoining wall less than 0.9m from the boundary, provide a report by a professional engineer (within the meaning of the BCA) outlining the proposed method of either supporting the adjoining wall or maintaining support for the adjoining wall after the demolition or removal.	<input type="checkbox"/>	<input type="checkbox"/>
Existing buildings: If the proposed development comprises internal alterations to, or changes of use of, an existing building that is subject to an alternative solution relating to a fire safety requirement under the BCA: 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.	<input type="checkbox"/>	<input type="checkbox"/>
Contaminated land management: If you answered 'Yes' to any question in Section 9: Provide a statement issued by a qualified person certifying that the land is suitable for the proposed development having regard to the contamination status of the land that the land would be so suitable if the remediation works specified in the statement were carried out.	<input type="checkbox"/>	<input type="checkbox"/>
Security – details of how the site will be secured during construction.	<input type="checkbox"/>	<input type="checkbox"/>

## 20 Checklist – required for specific developments



<b>Fire alarm communication link works</b>		
If the application relates ONLY to fire alarm communication link works provide:		
<ul style="list-style-type: none"> <li>• a plan that indicates the location of the new fire alarm communication link and any associated works; and</li> <li>• a document that describes the design, construction and mode of operation of the new fire alarm communication link.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Alteration to a hydraulic fire safety system</b>		
If the application relates ONLY to an hydraulic fire safety system provide:		
<ul style="list-style-type: none"> <li>• a plan that indicates the location of the hydraulic fire safety system alteration and any associated works; and</li> <li>• a document that describes: <ul style="list-style-type: none"> <li>i. the required pressure flow characteristics of the hydraulic fire safety system that is to be altered, and</li> <li>ii. the pressure and flow characteristics that will be available from the town main following mains pressure reduction by or on behalf of Shoalhaven Water.</li> </ul> </li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Schools development</b>		
If the development is for a purpose specified in clause 39(1)(Existing Schools – complying development) of <i>SEPP (Educational Establishments and Child Care Facilities) 2017</i> that will accommodate 50 or more additional students at the school: Provide a certificate issued by Roads and Maritime Services as required by the Environmental Planning and Assessment Regulation 2000, Schedule 1, Part 2, cl 4(1)(j) and cl 4(1)(k).	<input type="checkbox"/>	<input type="checkbox"/>
<b>21 Applicant's declaration</b>		
<p>I apply for a complying development certificate for the proposed development described in this application and in the accompanying plans, specifications and documents.</p> <p>I declare that the application has been prepared according to the relevant requirements of Part 2 of Schedule 1 of the Environmental Planning and Assessment Regulation 2000.</p> <p>I declare that all the information relating to this application and identified on any associated plans or documents is, to the best of my knowledge, true and correct;</p> <p>I understand that if there is insufficient information or documentation provided at lodgement, the application may be delayed, rejected or may result in a request for additional information;</p> <p>When Council is appointed as the PCA at Section 12, I acknowledge this application is deemed an application for an Occupation Certificate under cl 149 of the Environmental Planning and Assessment Regulation 2000.</p> <p>I understand that, if required, this application is also deemed to be an application for a "Certificate of Compliance" under s307 of the Water Management Act 2000.</p> <p>I understand that I am responsible for obtaining all necessary clearances from the copyright owner of any documents prior to submission of this application.</p> <p>I acknowledge that these documents may be made available to the public; appear on a public register; and/or appear on Council's website as required by law and in accordance with relevant Council policies. The land owner has been advised accordingly.</p>		
Applicant signature:		
Date:		

## Important information

### Public Access to information

Pursuant to the *Government Information (Public Access) Act 2009* (GIPA Act) Council is required to make certain information publicly available, including by way of publication on public registers and on its website. Information submitted on and with this form may be made available to the public, unless there is an overriding public interest against disclosure of this information. Council is obliged to make information available on its website excluding the following:

- the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected; or
- commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

### Privacy

The personal information that Council is collecting from you on submission of this form is personal information for the purposes of Section 10 of the *Privacy and Personal Information Protection Act 1998*. The intended recipients of the personal information are officers within the Council and third parties for the purpose of assessing the application as well as any person wishing to inspect the application in accordance with the *Local Government Act 1993* or the GIPA Act. The personal information may also be included on a public register and displayed on Council's website. The supply of personal information by you is voluntary. However, if you cannot provide or do not wish to provide the information required, Council will be unable to process your application. You may make application for access to, or amendment of, information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the relevant legislation. Enquiries concerning this matter can be addressed to Council by telephoning (02) 4229 3111

### Lodgement details

You can lodge the completed application by

**Email:** [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au) or

**In person:** Council offices at Bridge Rd, Nowra or Deering St, Ulladulla.

Once your application is received, a Council Officer will contact you if further information is required. Follow the progress of your application via [DA Tracking](#) on council's website.