

Guide to Lodging a Development or Construction Certificate Application

Please read this guide before you complete your development or construction certificate application.....

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1 Introduction

1.1 About this Guide

This Development and Building Guide was compiled by Greater Taree City Council to assist in the lodgment of applications for development proposals. The Guide has been prepared based on information as detailed in the Environmental Planning and Assessment Regulation 2000. This Guide does not necessarily cover all required information for all development types. If Council requires anything further we will contact you. The guide explains how to prepare a Development Application and apply for a Construction Certificate. Please read the guide completely before you proceed. The information and tips will help you avoid potential pitfalls.

Council regulates building and development on behalf of the community. Each Development Application is assessed on its merits, using the Greater Taree Local Environmental Plan 2010, Development Control Plan 2010 and other relevant local and state policies.

Council consent for most types of development is required by law, under the NSW Environmental Planning and Assessment Act 1979. In most cases, a Construction Certificate must also be obtained before building and development begins.

“Compliance with this guide does not mean your Development Application will be approved.”

To enable an accurate and efficient assessment of your application we strongly recommend that you:-

- Consult Council’s Regulatory Services Department before lodging an application, to determine your proposal’s specific requirements. Council staff can advise you on relevant planning and building controls and provide preliminary advice on your proposal;
- Ensure your application is fully completed and includes all the details, plans and documentation required. (Refer to Council’s Development Application Checklist).

2 What is a Development Application (DA)?

A Development Application (DA) is a formal request for permission to develop land.

2.1 Do You Need to Lodge a DA?

You may need to lodge a DA if you propose to do any of the following:

- Erect a new building or structure – including dwellings, garage/carport, shed, swimming pool, retaining walls, etc.
- Add to or alter an existing building.
- Demolish a building.

- Demolish, damage or alter a building or place that is a heritage item or that is within a heritage conservation area.
- Subdivide land or strata, subdivide a building.
- Carry out earthworks, excavation or filling.
- Change the use of an existing building, premises or land – eg changing the use of an existing shop front from a real estate office to a convenience store or changing office space to a hairdressing salon.
- Display an advertising sign.

Tip #1

There are some minor works that do not require a Development Application.

For further information visit www.housingcode.planning.nsw.gov.au

2.2 What You Need to Start

Compulsory

- A completed Application Form and Checklist.

Optional

- Pre-Development Application Advice.
- A completed application for Construction Certificate, if you wish to lodge an application for a Construction Certificate together with the Development Application and appoint Council as your Principal Certifying Authority.

Follow These Steps *(Each step is further explained in this guide)*

- 1 Determine the type of Application and Development.
- 2 Ask Council about Land Use Controls, Policies and Guidelines.
- 3 Complete the Development Application form and checklist.
- 4 Provide Plans, Statement of Environmental Effects and other supporting documentation required for DA lodgement.
- 5 Lodge the completed application and pay the appropriate fees.

3 Step 1 – Determine Type of Application & Development

3.1 Talk to Us First!

You need to ascertain the type of development your proposal is, so you can determine what documents, forms and approvals are required. We recommend you make an appointment to meet with Council Staff to discuss your proposal.

3.2 Checklist of Questions

Below is a summary of typical questions you need answered to determine if your property has specific site constraints that will require additional supporting documentation with your Development Application.

Is your property:

- Identified as being located in bushfire-prone land?
- Identified as being affected by flooding and/or overland flows?
- A 'Heritage Item', 'in the vicinity of a Heritage Item', or within a heritage conservation area?
- Identified as being or potentially being contaminated.
- Connected to sewer (if not will need to address requirements of the On-site Development Assessment Framework)

Tip #2

Information regarding the above, including Council's Planning Controls, Policies, Guidelines and all Council forms are available on our website at www.gtcc.nsw.gov.au or through our Customer Service Centre, 02 6592 5399.

3.3 Determine the Type of Application

3.3.1 Local Development

The following types of development require consent from Council. Most residential development is classed as Local Development. Types of Local Development include:

- Advertising Sign
- Carport
- Change of Use
- Commercial Development
- Demolition
- Dual Occupancy
- Extensions/Additions
- Garage
- Industrial Development
- Mixed Use Development
- Residential Flat Building
- Shed
- Single Dwelling
- Subdivision
- Swimming Pool
- Town House
- Villas

3.3.2 Integrated Development

Any of the above types of development may also be classed as an Integrated Development. These require additional approvals from other government agencies. The type of approval needed, and the agency it is needed from, varies. It is the applicant's responsibility to determine which approvals are needed.

Development that involves or relates to any matter such as fire-prone lands, heritage, roads, pollution, river and lakes, using water, aboriginal relics and places may be 'Integrated Development'.

Applications for Integrated Development will be referred to the relevant agency by Council to obtain their 'general terms of approval'. These requirements will then be incorporated in the conditions of any development consent issued by Council.

Examples of relevant agencies and the applicable Acts are:

- NSW Rural Fire Service – Rural Fires Act 1997
- Department of Planning and Infrastructure – Heritage Act 1997, Fisheries Management Act 1994
- Office of Environment and Heritage – National Parks & Wildlife Act 1974,
- Roads and Traffic Authority – Roads Act 1993
- Department of Primary Industries - Fisheries Management Act 1994
- NSW Office of Water – Water Management Act 2000
- Heritage Council of NSW – Heritage Act 1997

A detailed guide to Integrated Development is available from the Department of Planning and Infrastructure by phoning (02) 9228 6111 or you can visit their website at www.planning.nsw.gov.au.

Integrated Development Applications require additional information and fees.

3.3.3 State Significant Development

The Minister of Planning has declared that certain developments are of State significance. For these, the Development Application is made to the Department of Planning – not Council.

3.3.4 Designated Development

A development that is likely to have significant impact on the environment is subject to special regulatory procedures. Designated Development includes industries that have a high potential to pollute, large scale developments and developments that are located near sensitive environmental areas such as wetlands. A list of designated developments is provided in Schedule 3 of the Environmental Planning and Assessment Regulation 2000. Please refer to www.legislation.nsw.gov.au.

Special procedures apply to Designated Development including:

- An Environmental Impact Statement [EIS] must be prepared and submitted with application.
- There is a 30 day public exhibition period.
- Third party objectors have a right of appeal.

Applications for Designated Development are rare and are determined by Council unless declared to be State Significant Development.

4 Step 2 – Land Use Controls, Policies and Guidelines

Before you start designing your proposal you need to know about the Council's land use controls, policies and guidelines (also known as planning instruments) that will relate to your proposal.

These include, but are not limited, to:

- Greater Taree Local Environmental Plan 2010 (LEP)
- Greater Taree Development Control Plan 2010 (DCP)
- S94 Contribution Plans

4.1 Greater Taree Local Environment Plan (LEP)

The LEP provides a framework for planning decisions. It sets out land use zoning and development controls that enable Council to manage the way land is used.

The LEP contains Land Use Tables which list the types of developments that are either permissible with or without consent or prohibited within each land use zone.

4.2 Greater Taree Development Control Plan (DCP)

The DCP provides comprehensive guidelines and planning controls for individual types of development and/or for particular locations in the local government area.

4.3 Where Can You Get These Documents

All documents referred to in this guide can be viewed on Council's website at www.gtcc.nsw.gov.au or you can obtain copies from Council's Customer Service Centre.

Tip #3

It is YOUR responsibility to find out which plans apply to your proposal and to ensure that your proposal meets and/or addresses EVERY requirement.

4.4 Advice from Council Staff

4.4.1 General Advice

Our staff can answer general enquiries over the phone including:

- Relevant design guidelines and objectives - you need to know the relevant parts of the Development Control Plan.
- Development Standards - you need to know how the Local Environmental Plan (LEP) affects your development, eg zoning, etc.
- Site constraints.
- Heritage status.
- Other approvals needed.
- Building Regulations and Construction Certificates.
- Other matters that you will need to consider when designing your proposal.

4.4.2 Development Assessment Panel

If you would like advice about your proposal, Council offers a free Pre-Development Application Advice service with our experienced staff. This service is particularly useful if your proposal has specific issues or is complex.

To apply for this service, you need to contact the Team Leader Development or Building Services through our Customer Service centre and make an appointment to meet with the Council's Development Assessment Panel. Prior to the meeting you will need to forward details of the proposal.

4.4.3 Exempt and Complying Development

Council can advise whether a specific development is either Exempt or Complying Development. You will need to provide details of the proposal together with the completed application form and prescribed fee.

5 Step 3 – Checklist, Plans and Other Supporting Documentation Required for DA Lodgement

The actual plans and other supporting documentation required for your proposal will depend on the type of development proposed. Council requires the submission of the following information as a minimum. Council may require additional information to that stated to assess an application.

Tip # 4

It is the applicant's responsibility to provide all required information. Council will not accept a Development Application unless the minimum requirements have been satisfied.

5.1 Checklist

All development applications must be accompanied by a completed Development Application Form and Development Application Lodgement Checklist.

The Development Application Lodgement Checklist outlines the specific requirements for your development and forms part of your development application. You must ensure that you complete all sections of the checklist. This will ensure you have all the plans and supporting documents needed to lodge your DA.

The Development Application Form and Checklist is available at www.gtcc.nsw.gov.au or from Council's Customer Service Centre.

5.2 Plans

The actual plans required for your proposal will depend on the type of development proposed and are listed on the Development Application Lodgement Checklist.

5.2.1 How Many Copies?

The number of copies required is detailed on the Development Application Lodgement Checklist. See the appropriate section for this information.

5.3 Statement of Environmental Effects

5.3.1 What is a Statement of Environmental Effects?

A Statement of Environmental Effects (SEE) is a report outlining the likely environmental impacts of the development and the proposed measures to be taken to lessen this impact. The statement must address all the issues that are applicable to your proposal.

The SEE should address the matters outlined in this guide and where additional documentation is required (by an environmental planning instrument or development control plan) this may form part of the body of the SEE or may be included as an appendix to the SEE. For example, if you need to provide a visual impact statement, acoustic report or a traffic impact statement, these may form appendices to your SEE. The size of the SEE will therefore vary according to the proposed development and its potential to impact on the natural and built environments.

Please note that development applications in non-sewered areas are required to address the On-site Sewage Management Development Assessment Framework. All unsewered allotments have been assigned an On-site Sewage Management Hazard Class. This Hazard Class determines the level of detail required to be included as supporting information. Please refer to Appendix E (On-site Effluent Disposal) of the Development Control Plan 2010 for further information.

A Statement of Environmental Effects (SEE) outlines:

- the likely environmental impacts of the development;
- how the environmental impacts of the development have been identified; and
- the steps that will be taken to protect the environment or to lessen the expected harm to the environment.

Council must consider a number of statutory matters when determining your application. These are outlined in section 79C of the *Environmental Planning and Assessment Act 1979* and include:

- the provisions of any environmental planning instrument (State Environmental Policies (SEPP's) regional environmental plans (REPs), and local environmental plans (LEPs));
- the provisions of any draft environmental planning instrument (that is or has been placed on public exhibition);
- any development control plans (DCPs);
- the likely impacts of the development (including environmental impacts on both the natural and built environments, and social economic impacts in the locality;
- the suitability of the site for the development;
- any submissions made; and
- the public interest.

Your SEE must address these matters (with the exception of any submissions made) so that Council and any other relevant authorities have the necessary information to assess your application. Your SEE should demonstrate that in designing your proposal, you have fully considered the site constraints and the applicable legislative provisions.

5.3.2 Why do you need a SEE?

The *Environmental Planning and Assessment (EP&A) Regulations 2000* specify that a Development Application must be accompanied by a SEE except in the case of Designated Development. Designated development is development that is listed in Schedule 3 of the EP&A Regulations 2000 and requires a greater lever of rigor in the form of an Environmental Impact Statement. Complying development does not require a SEE but does require a detailed description of the development.

Council will not accept your Development Application without an adequate and legible SEE. A SEE that does not include the required information may cause delays in the processing of your application.

5.3.3 What information must a SEE include?

A SEE should be a written statement clearly titled 'Statement of Environmental Effects'. It should give an understanding of the thinking behind your development and includes information about the development that cannot be shown on the plans. The SEE should address, at minimum, the matters described below. If you think something is not applicable to your application, please state why this is the case. The amount required will depend on the type and scale of your application and will include:

- A description of the site and surrounding locality
- Present and previous uses of the site
- Existing structures on the land
- Reference to any environmental planning instruments (state environmental planning policies, regional environmental plans, local environmental plans – including the zoning of the land) that are applicable
- Reference to any draft environmental planning instruments (that are or have been placed on public exhibition) that are applicable
- Reference to any development control plans that are applicable.
- A detailed description of the proposal
- Operational and management details

Anyone can prepare a SEE. You may use the pro-forma attached with this guide for your SEE if your proposal is for minor development. Minor development includes:

- Small scale advertising structures
- Agriculture
- Bed and Breakfast establishments
- Change of use (may include internal alterations/fit-out but does not include the erection of any significant structures) to building products warehouse and showroom, bulk store, bulky goods showroom, car repair station, commercial premises, retail plant nursery, industry, junk yard, light industry, motor showroom, professional consulting rooms, restaurant, shop or wholesale plant nursery.
- Demolition (not applicable to heritage items)
- Drainage
- Dwelling-houses and ancillary structures such as garage or shed
- Earthworks
- Environmental facilities

- Foreshore development (boatsheds, jetties, slipways, boat ramps, in-ground swimming pools, inclinators, landscaping, landscaping, barbeques, or other similar structures)
- General stores
- Home business
- Home industry
- Signs
- Subdivision – minor (boundary adjustments or simple one into two lot subdivisions)

If your proposal does not fall into the above categories, Council advises that you seek the assistance of a suitably qualified professional/consultant in preparing your SEE, or please contact Council for further advice. You may still use the attached pro-forma as a guide only but you will need to provide a greater level of information and additional clauses and requirements will be applicable.

6 Step 4 – Completing the Application Form

Below is more information about the questions on the Application Form that may need further clarification.

6.1 Application Form

Part 1 – Site Details

The Assessment No/Lot/Section/DP Numbers can be found on the Certificate of Title or Rates Notice for the land.

Part 2 – Applicant Details

Provide details of the applicant.

Part 3 – Owner Details

Provide details of all property owners.

Part 4 – Type and Cost of proposed Development

Please tick a box which best identifies your type of proposed development and provide a brief but definitive description of your proposed development or use. A detailed description of your proposal should be provided in your Statement of Environmental Effects.

The estimated cost of a development must be made in accordance with the schedule of fees attached to the DA form or alternatively a copy of the building contract shall be provided. For development that is not listed in the schedule and for which a building contract is not available a detailed cost estimate shall be provided by completion of the Detailed Cost Estimate Form, which is available at www.gtcc.nsw.gov.au or by contacting Council's Customer Service Centre.

Section 5 – Integrated Development

Under the planning laws, you must indicate on the application form whether you need approval from another Government Agency specified in the Environmental Planning and Assessment Act 1979. Please refer to www.legislation.nsw.gov.au

Part 6 – Applicant Declaration

On 1 October 2008, the Environmental Planning and Assessment Act 1979 changed to require the disclosure of donations and gifts, when making planning applications or submissions in respect of planning applications. These changes are designed to increase the transparency of the planning process.

A disclosure statement is required for a Development Application, an Environmental Planning Instrument, Development Control Plan or Development Contributions Plan if:

- Political donations of \$1,000 or more (or smaller donations totalling \$1,000 or more); or
- Gifts as defined by the Election Funding and Disclosures Act 1981 made in the two years prior to your application or after lodgement of your application by you or any person who has a financial interest in the application to a Councillor or Council employee. If the donation takes place after lodgement a disclosure statement must be sent to the relevant consent or approval authority within 7 days.

A person with a financial interest may include an applicant, landowner, or someone who will obtain a direct financial gain from the application. The new laws do not apply to people seeking a complying development certificate.

For further information refer to www.planning.nsw.gov.au

If you answer “Yes” then please fill out the Political Donations and Gifts Disclosure Statement form, a copy of which is available on our website at www.gtcc.nsw.gov.au or through our Customer Service Centre, 02 6592 5399.

Please note that the Disclosure Statement will be made publicly available by Council.

Part 7 – Owners Consent

*We are **not** able to accept your Development Application without the full consent of **ALL** landowners.*

- If there is more than one landowner, every owner must sign
- If the owner is a company or owners’ association, the application must be signed by an authorised person.
- If you are signing on the owner’s behalf as their legal representative, you will need to state your legal authority (eg Power of Attorney, Executor, Trustee) and attach evidence of this authority

Part 8 – Applicant’s Consent

The applicant must sign the application. If there are more than one applicant, every applicant must sign.

7 Step 5 – Lodging the Development Application

7.1 How Do You Lodge your Application?

You can lodge your application in person at Council’s Administration Building by making an appointment through Council’s Customer Service Centre. Appointments can be made in person or phone 02 6592 5399.

Alternatively, you may send your completed application (Development Application form, relevant checklists, plans, Statement of Environmental Effects and other supporting documentation and fee) to Council by mail.

If any parts of your application are incomplete, it will not be accepted and will be returned to you with your payment.

7.2 Fees

Fees are calculated based on the estimated cost of the development (or the number of lots in the case of subdivision). Ask a Customer Service Officer to calculate the Development Application and other associated fees. Council’s application fees and charges are to be paid at the time of lodgement of your application.

Quotes for fees can be obtained through Council’s Customer Service Centre.

7.2.1 Payment Options

- Cheque
- Cash or EFTPOS – only for applications lodged in person
- Credit facilities

7.3 After You Lodge Your Application

7.3.1 Acknowledgement

After you have lodged your application, you will receive written acknowledgement that it has been received.

7.3.2 Public Notification

For many development applications, the public is notified that a development proposal has been submitted. This is to enable interested people to view the plans and submit comments to Council. Public Notification can include advertising Development proposals in the local newspaper and/or writing to adjoining neighbours with a copy of the Notification Plans provided. The exhibition period is generally 10 days but for some types of development it can be 30 or more days.

7.3.3 If We Need Additional Information

If we need additional information to assess a Development Application, we will write to the applicant detailing what is required. Please respond promptly to these requests as this will help avoid unnecessary delays in assessing your application.

7.3.4 Making Enquiries

7.3.4.1 Phone

You can phone Council' Customer Service Centre to find out how your application is progressing. When telephoning Council please quote your application number.

7.3.4.2 In Person

You can visit Council between 8.30am - 10.30am, Monday to Friday to speak with an assessment officer. You can also phone Council to book an appointment with the officer assessing your application. When calling Council please quote your application number.

7.3.5 Reported To Council for Determination

Some DAs need to be referred to a Council meeting for determination. If your DA is being reported for determination by Council, we will contact you either by mail or phone to advise the details of the Council meeting.

You are able to address Council regarding your application in the Public Forum. Details on how to register for the Public Forum and registration forms are available on Council's website or from our Administration Building.

7.3.6 Notice of Determination

After your application has been determined, you will receive a 'Notice of Determination of Development Application'. The Notice will tell you whether Council has approved or refused your application.

If your application is approved, the Notice will give details of any Conditions of Consent and the reasons for those conditions. It will also tell you when the consent becomes effective and when it will lapse.

If your application is refused, the Notice will give the reasons for refusal. It will also explain your right of appeal/review to Council or the Land and Environment Court.

7.3.7 Conditions of Consent

If your Development Application is approved, you must ensure the development is carried out in accordance with the stated conditions.

You cannot alter or vary the development (or the way in which it operates) unless the terms of the consent are modified. To do this, you must submit an application to Modify the Development Consent

It is important you read, and fully understand, all the Conditions of Consent. If you have any queries, please contact the assessing officer.

7.3.8 Section 94 Contributions

Your Notice of Determination may include Section 94 Contributions. This is a condition requiring a payment toward the capital cost of providing community facilities such as open space, car parking, etc.

Section 94 Contributions are determined in accordance with a Contributions Plan. The plan sets out the circumstances in which a contribution is charged, the formulae for calculating them and the program of works on which the funds will be spent. You can view a copy of the relevant Contributions Plan at Council's Administration Building or Council's website. All Section 94 contributions are held in trust and must not be used for any other purpose.

7.3.9 Disagree With Your Notice of Determination?

If you are dissatisfied with the determination of your Development Application, contact Council immediately so we can clarify issues and discuss your options. Options available to you include:

7.3.9.1 A Review of Determination of Your Application

If you wish to request a review of your determination of your application you must make a written request to review the determination and pay the required fee. A review cannot be made for State Significant Development, Complying Development, Designated Development or Integrated Development. A request for review can only be made once for each determination and the request must be received and determined by Council within **6 months** of the date shown on your Notice of Determination.

Requests for review relate to the entire determination and may result in Council overturning its previous decision. If you do not wish to risk the previous approval but would like to have a condition/s of consent reviewed, you should make an application to modify your Development Consent under Section 96 of the Environmental Planning and Assessment Act.

7.3.9.2 A Modification of Development Consent

You must complete the application to Modify the Development Consent *and* attach justification for the proposed modification and plans indicating proposed modification or changes. You must also pay a modification fee (generally 50% of the original application fee). This option may be appropriate if you disagree with particular conditions of consent or decide to change any aspects of the proposal. If unsure, ask Council for details.

Please note: An application to modify a Development Consent cannot be used to propose anything new. The development must remain substantially the same as the original development proposal.

7.3.9.3 An Appeal to the Land and Environment Court

An appeal must be commenced within 6 months of the date of the determination. Before proceeding to a Court hearing, the Court may arrange a mediation conference if this is acceptable to both parties.'

8 What is a Construction Certificate?

Any building, structural or civil work requires a Construction Certificate as well as development consent. A Construction Certificate certifies that your development complies with the Building Code of Australia (BCA), and that your plans and specifications are consistent with the development consent.

8.1 When is a Construction Certificate required?

A Construction Certificate (CC) is required **before work commences**, and can be issued by Council or obtained from a private accredited certifier. A CC cannot be issued for retrospective works. We recommend you lodge the Construction Certificate application with Council, together with your Development Application, as we are able to meet specific customer needs and, in many cases Council can offer a discount when the DA and Construction Certificate is lodged concurrently.

8.2 What information is required when applying for a Construction Certificate?

The plans and specifications submitted with a Construction Certificate application must contain enough detail to ensure that the works comply with the relevant standards, such as the Building Code of Australia, and are consistent with the terms of the development consent.

We require:

- Two (2) copies of structural details for the proposal including footing and floor slab design, framing and bracing details and other details addressing relevant Building Code of Australia requirements.
- Two (2) copies of specifications. Specifications are a statement of building requirements describing the loading conditions, design practices, materials and finishes. Specifications are typically drafted by architect/draftsperson or specification booklets can be purchased from some newsagents.
- Two (2) copies of BASIX certificates ensuring that the requirements of the BASIX certificate are also shown on the plans and specifications.
- Four (4) copies of full architectural plans.

In addition to the above some proposed works may require:

- Copies of Compliance Certificates relied upon, such as an engineer's design certificate.
- Acoustic certification.
- Fire safety measures and fire resisting construction detail.

- Alternative solution information if your proposal does not satisfy the deemed provisions of the BCA.
- Bushfire report (if applicable).

8.3 Appointment of Principal Certifying Authority (PCA)

A PCA is the person or authority responsible for ensuring compliance with the conditions of development consent, the Building Code of Australia, and the objectives of the *Environmental Planning & Assessment (EP&A) Act 1979*.

A PCA is required to:

- Ensure compliance with the conditions of consent.
- Issue the construction certificate.
- Conduct inspections at each required critical stage of construction.
- Promptly advise the applicant, after each relevant inspection, of any outstanding work.
- Issue the occupation certificate.

A PCA can be either a private accredited certifier or Council. Private certifiers are professionals accredited under schemes managed by authorised bodies approved by the Minister for Planning.

If you appoint a private certifier, Council's role is limited; however, you must notify Council at least two days before commencing works of whom you have appointed as your PCA, by completing a Notice of Commencement form.

8.4 Critical Stage Inspections

The Principal Certifying Authority will advise of the critical stage and other inspections required for the development. Under the provisions of the Environmental planning & Assessment Act 1979, these inspections are mandatory. You need to be aware of these inspections as they are required to be carried out at the appropriate time.

If Council is the PCA, you will need to contact Council at least 24 hours before an inspection is required.

8.5 Completion of Work and Occupation Certificates

Once the work is complete a final inspection is required before you occupy the building. Completed works must be in accordance with the Consent, otherwise the granting of occupancy will be delayed. On the spot penalties apply for non-compliance with the development consent, including failure to obtain progress or final inspections.

It should be noted that it is an offence to occupy a building without an Occupation Certificate. To occupy a building you must first obtain an interim occupation certificate or final occupation certificate.

8.5.1 Interim Occupation Certificate

An Interim Occupation Certificate can be issued if the building is fit for occupation but there are still outstanding matters to be addressed. These matters must be addressed within the time prescribed on the certificate and then application for a Final Occupation Certificate must be made to Council.

8.5.2 Final Occupation Certificate

A Final Occupation Certificate is issued by the PCA and certifies that:

- Council has been appointed as the principal certifying authority under s109E.
- A Development Consent is in force with respect to the building.
- A construction certificate has been issued with respect to the plans and specifications for the building.
- The building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.
- Where required, a final fire safety certificate has been issued for the building.
- Where required, a report from the Commissioner of Fire Brigades has been considered.