

INFORMATION ON SUBMITTING A DEVELOPMENT APPLICATION, CONSTRUCTION CERTIFICATE AND COMPLYING DEVELOPMENT CERTIFICATE



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1 INTRODUCTION

Consent must be obtained prior to the carrying out of any development work on any land within Bathurst Regional Council area **unless** specific exemptions are provided. Details of the types of development which are specifically exempt from the need to obtain Council consent are contained in the following documents:

- Bathurst Regional Local Environmental Plan 2014 – Schedule 2;
- Bathurst Local Approvals Policy; and
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Where the development complies with the exemption criteria established in these documents consent is not required. It is necessary however to notify Council of your intention to undertake the work.

For development that is not exempt from the need to obtain consent there are three types of approvals that may be required. These types of approvals are as follows:

- Development consent;
- Construction Certificate; and
- Complying Development Certificate

NOTE: A DEVELOPMENT APPLICATION AND/OR CONSTRUCTION CERTIFICATE APPLICATION OR COMPLYING DEVELOPMENT APPLICATION IS NOT DEEMED TO BE SUBMITTED UNTIL ALL REQUIRED INFORMATION HAS BEEN LODGED – plans showing all measurements and relevant information, specifications, fees paid, owners consent, insurance and any other information required by the relevant inspector.

2 DEVELOPMENT APPLICATION

In order to obtain development consent you will need to lodge a Development Application with Council. In circumstances where the development involves building or civil engineering works you will also need to lodge a Construction Certificate. These may be lodged simultaneously or separately.

A Development Application shall consist of:-

- a) A completed development application form obtainable from the Environmental, Planning & Building Services Department; and
- b) **One paper copy** of the plans of the building/development; and
- c) **One paper copy** of a plan showing the height and external configuration of the building in relation to the site on which it is proposed to erect the building; and
- d) **A DIGITAL COPY** of all plans, specifications, reports and supporting documents on CD or DVD in a PDF format (NO SECURITY SETTINGS).
- e) An **Erosion and Sediment Control Plan** in accordance with Council's Erosion and Sediment Control Guidelines for Building Sites; and
- f) Payment of all relevant fees, deposits and premiums.
- g) A landscape plan for applications for residential units, business development (B5 zone only), industrial developments and certain subdivision applications.

**NOTE FOR ITEMS 3
and 4**

Builder must be stated, whether licensed builder or owner/builder, before Council can release the Construction Certificate OR Complying Development Certificate. A Home Warranty Insurance Certificate or Owner/Builder Permit is also to be lodged with Council (if applicable) prior to the commencement of construction.

3 CONSTRUCTION CERTIFICATE APPLICATION

A Construction Certificate is required for developments involving building work or subdivision work where development consent is required. Construction Certificates for building works may be obtained from either Council or an accredited certifying authority.

This document provides details of the information needed to be submitted where Council is the approval authority. Accredited certifying authorities will have their own requirements as to the information to be submitted.

A Construction Certificate application shall consist of:-

- a) A completed Construction Certificate and an Agreement for the Certification of Building work application form obtainable from the Environmental, Planning & Building Services Department or download from Council's website.
- b) **One paper copy** of the plans and specifications of the building; and
- c) **One paper copy** of a plan showing the height and external configuration of the building in relation to the site on which it is proposed to erect the building; and
- d) A **DIGITAL COPY** of all plans, specifications, reports and supporting documents on CD or DVD in a PDF format (NO SECURITY SETTINGS).
- e) Payment of all relevant fees, deposits and premiums.

4 COMPLYING DEVELOPMENT CERTIFICATE

Bathurst Regional Local Environmental Plan 2014 – Schedule 3 allows for certain categories of development to be considered as complying development where the categories meet predetermined criteria. The following types of development may be considered as complying development.

- Additions to commercial premises
- Additions to dwelling houses
- Additions to industrial premises
- Additions to rural industry buildings
- Additions to shops
- Additions to warehouses
- Road widening undertaken by Council or the RMS
- Garages
- Boundary adjustments
- Dwelling houses
- Exhibition homes
- Professional chambers
- Strata subdivisions
- Swimming pools
- Fire alarm monitoring system

The predetermined standards with which the development must comply fully are contained in the Bathurst Regional Local Environmental Plan 2014 – Schedule 3 or the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Complying Development Certificates will be issued subject to the conditions contained in the above documents.

The Complying Development Certificate may be obtained from either Council or an accredited certifying authority. This document provides details of the information needed to be submitted where Council is the approval authority. Accredited certifying authorities will have their own requirements as to the information required to be submitted.

A Complying Development Certificate application shall consist of:

- a) a completed Complying Development Certificate application form and an Agreement for the Certification work of Building work, obtainable from the Environmental, Planning & Building Services Department or downloaded from Council's website.
- b) **One paper copy** of the plans and specifications of the building;
- c) **One paper copy** of a plan showing the height and external configuration of the building in relation to the site on which it is proposed to erect the building;
- d) A **DIGITAL COPY** of all plans, specifications, reports and supporting documents on CD or DVD in a PDF format (NO SECURITY SETTINGS).
- e) An **Erosion and Sediment Control Plan** in accordance with Council's Erosion and Sediment Control Guidelines for Building Sites; and
- f) Payment of all relevant fees, deposits and premiums.

5 BASIX CERTIFICATE FOR NEW DWELLINGS, ALTERATIONS AND ADDITIONS TO DWELLINGS AND SWIMMING POOLS

BASIX is an initiative of the NSW State Government. The introduction of **BASIX** will result in more sustainable homes throughout NSW.

BASIX is a web-based planning tool that measures the potential performance of new development against a range of sustainability indices. By reducing the environmental impact of these indices, new developments are more comfortable and cheaper to run than similar existing development.

ALL Complying Development Certificate applications and Development Applications for dwellings (including granny flats, dual occupancies and unit developments), swimming pools (over 40,000litres capacity) and alterations and additions to dwellings (valued at \$50,000 or more) will be required to be submitted with a **BASIX** Certificate.

To generate a **BASIX** certificate an online assessment of the development is required. Certain information about the proposed development is entered onto the website. **Anyone who has access to the internet can use the online assessment and generate a BASIX Certificate.**

The website for the **BASIX** assessment tool and additional information is www.basix.nsw.gov.au.

6 DETERMINING VALUE OF BUILDING PROJECT

For the purposes of determining building construction valuation in the absence of a contract price, an estimate will be determined having regard to construction value per m².

The following valuations will be applied to the building floor area:

- Brick dwellings \$1,200 per m²
- Timber dwellings \$950 per m²
- Alternative construction forms \$1,000 per m²
- Additions to dwellings \$1,500 per m²

- Shed/verandah/skillion additions \$400 per m²

7 SEPTIC TANK APPLICATIONS

All new dwellings in non-sewered areas are required to have a septic tank application lodged and assessed.

This application is to be lodged, together with one copy of a geotechnical report from an engineer and a site plan in accordance with details shown on application form. The report is required to be lodged with the Development Application.

8 BUSHFIRE ASSESSMENT PLAN

If you are building in an area that is bushfire prone you will need to submit a Bushfire Assessment Plan with your Development Application. Check with Council to see if your property is affected.

9 PLANS (SEE PAGE 9 FOR SAMPLE OF ACCEPTABLE PLANS)

The plans of the building must be drawn in ink to a suitable metric scale and consist of a general plan and a block plan. **Plans drawn in pencil and/or marked "Not to Scale" are not acceptable and will be returned to the applicant.**

The site plan shall show all boundaries and shall include any other building/s on the block, distances of proposed building work from boundaries and other buildings, the Street name and North point and be drawn to a preferred scale of 1:500 or 1:200.

The general plan of the building is to:-

1. Show a plan of each floor section (preferred scale - 1:100); and
2. Show a plan of each elevation of the building (preferred scale - 1:100); and
3. Show the levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of adjacent ground; and
4. Show a vertical section of the building (preferred scale - 1:100); and
5. Indicate the height, design, construction and provision for fire safety and fire resistance (if any).

If:-

- a) the plans and specifications relate to a proposal to carry out any alterations or rebuilding of an existing building; or
- b) it is proposed to modify plans and specifications that have been submitted to the Council, copies of the general plan are to be coloured or otherwise marked to the satisfaction of the Council so as to distinguish adequately the proposed alterations, rebuilding or modification.

NOTES:

1. Council's preference is for all plans to be drawn to the standard set out in Australian Standard AS 1100.101, Technical Drawing Part 301: Architectural Drawing. Plans drawn to the provisions of this standard are more likely to be readily interpreted by the Council staff and will thus aid a quick assessment and determination of the Development Application.

2. All dimensions or measurements indicated on plans must be shown in metric units. Imperial units cannot be accepted as building regulations are written in metric units, and have so been since 1 July 1974.

10 SPECIFICATIONS

The specification of a building is to:

- describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply; and
- second-hand materials to be used.

In the case of plans and specifications accompanying a Construction Certificate or a Complying Development Certificate application, they must comply fully with the Building Code of Australia. In the event that the plans do not meet these requirements they will be returned to the applicant for amendment.

The specifications for subdivision works should be in accordance with Bathurst Regional Council's Guidelines for Engineering Works and Civil Engineering Construction Specification.

11 FEES FOR LODGEMENT OF APPLICATIONS

Development, Construction Certificate and Complying Development application lodgement fees are determined on the **cost** of the building work, that is, the contract price or if there is no contract, the cost of the proposed building **as determined by the Council using the scale in point 6 above**. In the latter case, the cost shall be the commercial value of the work, which includes materials and labour components.

Council's scale of fees and charges can be obtained from the Environmental, Planning & Building Services Department counter.

Other fees which may apply to a particular application are:-

- **Driveway access level fee** - payable in respect to all new buildings where there is no vehicular driveway access onto the property across the Council's footway.
- **Kerb and gutter security deposit** - which is refundable at the completion of the building work provided that no damage has occurred to the Council's kerb and gutter during the construction of the building.
- **Plumbing and drainage fee/Septic tank application fee** - payable in respect to all new buildings and any application where plumbing work is to be carried out.
- **Long Service Levy** - payable on **all** work costing \$25,000 and above (commercial, industrial, residential, rural and subdivision). The levy is 0.35% of the value of the work. This fee is to be paid at the time the Construction Certificate application is lodged.
- **Planfirst fee (Planning reform fee)** – payable on **all** Development Applications over the value of \$50,000 – 0.064 cents in the dollar (for implementation of planningNSW 'planFIRST" scheme).
- **Inspection fees** – payable on **all** Construction Certificates, Complying Development Certificates or Section 68 applications.

NOTES:

If residential building work or building work ancillary to residential use **exceeds \$20,000** and is being carried out by a licensed builder, **Home Warranty Insurance must be obtained** by the builder. A copy of the Insurance Certificate is to be submitted to prior to the commencement of construction.

12 OWNER/BUILDER PERMITS

- Owner-builders will be required to name all other owners of the land on an application for an owner-builder permit. This will be recorded on the permit to prevent people using this system to carry out commercial unlicensed building work. Any owners named cannot apply for another owner-builder permit for a different property for five years.
- Owner-builders will be prohibited from getting a permit for dual occupancy except in special circumstances.
- Owner-builders will not be able to get statutory insurance although contractors working for the owner-builder will still need to provide certificates for work over \$20,000. If the property is sold within the warranty period, the contract for sale must clearly state that there is no statutory insurance on the property.
- The threshold for requiring an owner-building permit has increased to work valued over \$10,000. All owner-builders must provide evidence of having done basic work health and safety training, and for work over \$20,000 they will need to do an owner-builder course.
- The process for obtaining owner/builder permits:
 1. Lodge the Development Application/Complying Development Certificate with Council or private certifier.
 2. Consent is granted and forwarded to applicant.
 3. Applicant/owner to take owner-builder permit application, consent and owner-builder course (if applicable) to Service NSW for issue.
 4. Permit is issued by Service NSW.
 5. A copy of the owner-builder MUST BE lodged with Council prior to first inspection.

13 BOUNDARY SETBACKS

As a general rule the minimum boundary setbacks for detached dwellings in the Bathurst Regional Council area are:-

- a) Front boundary (building line) setback - 6 metres.
- b) Front boundary (building line) setback on corner lots - the two setbacks are to be a total 8 metres with a minimum 'side' setback of 2 metres and the 'front' of the dwelling to face the larger setback.
- c) Side boundary setbacks - 900 mm to walls and 675 mm to eaves and gutter.
- d) Variations to side boundary setbacks for minor outbuildings such as carports, sheds and garages may be permitted. Enquiries should be directed to the relevant Health and Building Surveyor for advice in respect to these matters.

- e) In the former Evans areas, the above setbacks will not necessarily apply. Please contact Council's Environmental, Planning & Building Services Department to confirm setbacks in these areas.

14 ENQUIRIES

To assist members of the public, there is a duty Environmental Health & Building Surveyor and a Development Control Planner available between 8.30 am and 4.45 pm daily for general enquiries. No appointment is necessary.

If you wish to see a particular officer, it is advisable to make a prior interview appointment, otherwise that person may not be available when required.

15 GENERAL INFORMATION

A Development Application covers applications for building work as well as applications for land use. An applicant can submit their Development and Construction Certificate applications at the same time if the work that is to be carried out requires both development and construction certificate consent. Both Construction Certificate and Development fees are payable.

A list of fees for land use applications is available separately from Council's Environmental, Planning & Building Services Department.

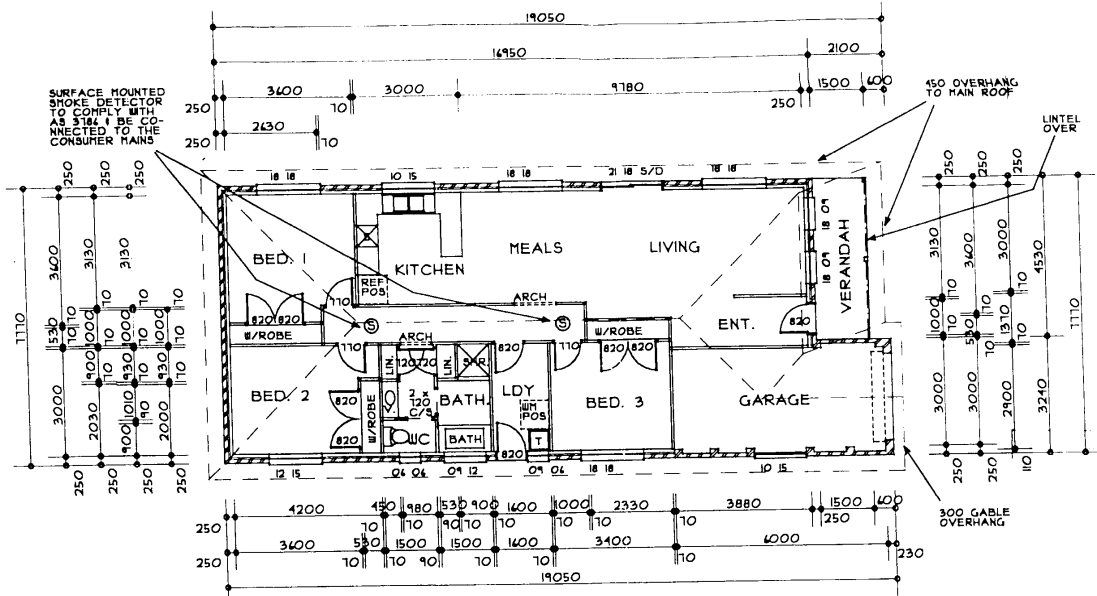
16 COMMERCIAL & INDUSTRIAL APPLICATIONS

Additional information for the lodgment of commercial and industrial development applications can be found in the Bathurst Regional Development Control Plan 2014. Copies of which are available from Council's Environmental, Planning & Building Services Department or Council's website.

17 CONTRIBUTION FEES FOR DEVELOPMENTS

Development applications for commercial, industrial, subdivision and medium density housing developments (dual occupancies, granny flats & units) may attract monetary contributions such as section 94 contributions, water and sewer headworks, water service connection fees, community facilities, stormwater management fees, carparking, road upgrades and improvements, street trees and street signs.

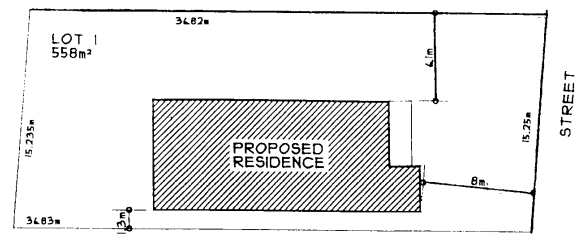
In certain circumstances a contribution will be payable for new dwellings, second (and subsequent) dwellings and granny flats on rural land. Whether a contribution is payable, and how much, is dependent upon how and when the lot was created and whether or not there is an existing dwelling on the site. An estimate of these fees may be obtained from Council's Environmental, Planning & Building Services department upon request.



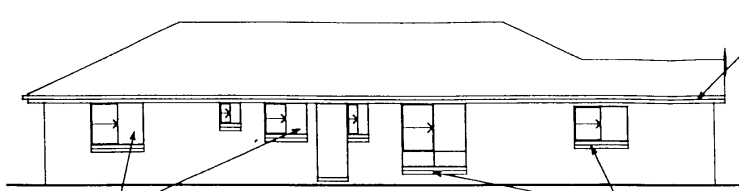
AREA

LIVING	:- 119.25m ²
VERANDAH	:- 4.79m ²
GARAGE	:- 19.26m ²
TOTAL	:- 145.30m²

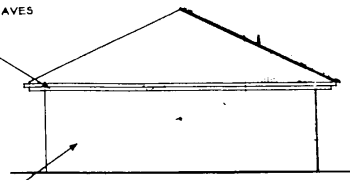
FLOOR PLAN



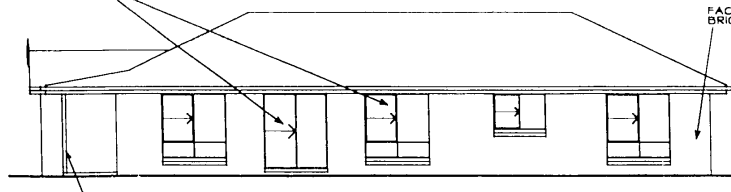
SITE PLAN
SCALE 1:250



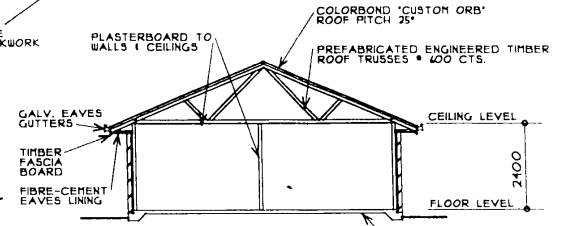
SIDE ELEVATION



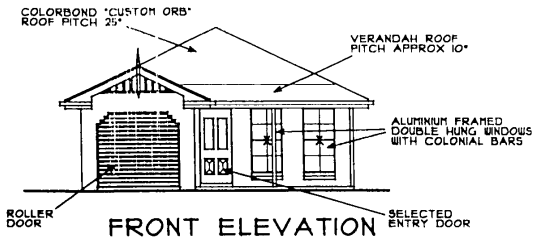
REAR ELEVATION



SIDE ELEVATION



TYPICAL CROSS SECTION



FRONT ELEVATION

NOTE :-
THE STRUCTURAL ELEMENTS AS DEFINED BY THE BCA ARE TO BE PROTECTED FROM SUBTERRANEAN TERMITES BY USE OF CCA TREATED RADIATA PINE IN ACCORDANCE WITH AS 3601