

Application for Development Consent and Construction Certificate and Appoint Council as Principal Certifying Authority

Section 4.12 of the Environmental Planning & Assessment Act 1979

<p>Under the <i>Government Information (Public Access) Act 2009</i> we may be required to publicly release any correspondence or information we have on this matter, which means your personal information may not be confidential and may appear on Council's website.</p> <p>Political Donations and Gifts Disclosure Statement forms will be kept in a public register held at Council's Administration Building and may also be available on our website.</p> <p>Use this form to apply for development consent ONLY. Once Council has assessed your application, you will receive a notice of the determination.</p> <p>To minimise delays, please ensure that the form has been filled out correctly and that you have submitted all the necessary information.</p> <p>Have you attended a prelodgement meeting?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Date of Meeting: _____</p>	<p>OFFICE USE ONLY</p> <p>DA No: _____</p> <p>Receipt No: _____</p> <p>Fees DA (044): _____</p> <p>Fees Adv (045): _____</p> <p>Date Received: _____</p> <p>Parcel No: _____</p> <p>Other: _____</p> <p>Integrated: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Please note that this application will only be received between the hours of 8.30am and 4.30pm on working days. Any applications after this time will be processed the following day.

Your Privacy

Shellharbour City Council respects your privacy at all times. When processing your application we collect personal information about you for the primary purpose of providing you with a high level of customer service.

For more information please see our Privacy Management plan on our website www.shellharbour.nsw.gov.au or contact our Privacy Officer on 02 4221 6111. Information leaflets are also available at all offices and libraries.

IMPORTANT NOTICE

PLEASE READ EACH PAGE CAREFULLY AND ANSWER EVERY QUESTION THAT APPLIES TO YOUR DEVELOPMENT

1. Details of the applicant

Mr Ms Mrs Other _____

Given name (or A.C.N) _____ Family name (or Company Name) _____

2. Identify the land to be developed

Unit/Street No.	Street Name	Suburb
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Postcode	Lot No.	Section, DP No.
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>

You can find details on your rates notice from Council or on title documents for the land.

3. Describe what you propose to do?

Will this proposed work involve (you may need to make more than one selection):

- erecting, altering or adding to a building or structure
- is it a temporary building or structure? Yes No
- subdividing land
- subdividing a building into strata units
- demolition (part or whole)
- changing the use of land or a building or the classification of a building under the *Building Code of Australia (without building, subdividing or demolishing)*
- use of a building as a place of public entertainment (you will need to provide details concerning maximum number of persons)
- other work (eg sign, earthworks etc)

Note: If you do not apply for demolition on this application and you need approval for demolition (refer to Council's *Exempt Development Control Plan*) a separate development application will be required.

Please give a detailed description of your proposal. If there is insufficient space, please attach your description. Include staging if applicable.

Estimated Cost – the 'contract price' – of the development (this figure is used in determining any fees applicable to this application, including those fees that are required to be paid at lodgement of this application)

This estimated value of work must include the cost of materials and all labour costs and is based on the cost incurred if a contractor carried out the works. **This is not the cost of an owner/builder undertaking the work.** If demolition or land modification ie excavation or fill is required, these costs **must** be included in the estimated value.

Please note that Council will check the estimated cost provided on your development application when lodged. Incorrectly paid fees will result in delays in your application.

DEMOLITION:	<input type="text" value="\$"/>
CONSTRUCTION:	<input type="text" value="\$"/>
OTHER:	<input type="text" value="\$"/>
TOTAL PROJECT VALUE:	<input type="text" value="\$"/>

4. What are the environmental effects of your development?

To assess your proposal, Council needs to understand the impact it will have. To enable Council to understand your development, you need to clearly describe your proposal. If you are proposing to operate a business or undertake an activity, you need to describe how it will operate. eg hours of trade, how many staff and so on.

You may need to provide one or more of the statements listed below to explain the environmental effects of your proposal. An Environmental Impact Statement (EIS) is only required where development is designated.

- Environmental impact statement (EIS)
- Statement of environmental effects

5. Concurrences

If you need concurrence from a state agency please identify below. If you are unsure, please discuss your proposal with Council's Customer Services.

Do you require concurrences? Yes No

Department of Planning (eg SEPP No. 1 – Development Standards) (SEPP No. 14 – Coastal Wetlands)

Roads & Traffic Authority (Roads Act, 1993, s138[2])

Other, Please describe

An additional fee is payable for each concurrence. The fee is \$320 and must be made, paid in the form of a cheque to the relevant State agency. An administration charge also applies for each concurrence being \$140 payable direct to the Council.

6. Integrated Development

Please refer to 'Development Applications – A Guide' for detailed information

If you need an approval from another State agency in addition to Council's development consent, your development is known as integrated development.

The additional agency will be involved in the assessment of your proposal and you will need to provide appropriate and sufficient information for the approval body to assess your application. You will also need additional copies of your application for each agency. Council can advise you on this further.

Is your application integrated? Yes No

Note: An additional fee is payable for each additional approval. The fee is \$320 and must be made, paid in the form of a cheque to the relevant State agency. An administration charge also applies for each approval being \$140 payable direct to the Council.

If yes, list the approval(s) you require and the name of the relevant agency.

Note: The onus is on the applicant to identify if additional approvals are required. If, as a result of assessing your application it is identified that an additional approval is required, this will delay your application.

7. Do you need any other Council Approval?

You may also need approvals under Section 68 of the *Local Government Act, 1993*. Please tick the approval you require below. For more information, please refer to the information sheets on how to fill out this form.

Onsite waste treatment and management facility (eg envirocycle, eomax) Stormwater drainage work (eg connection of private drains to public drains)

Install a solid fuel (wood) heater Swing hoists or goods over public roads

Other, please detail

8. Construction

Do you wish to apply for a construction certificate with your development application? Yes No

If yes, please fill out the construction certificate form. Combined applications will require you to have final construction drawings which may be costly. If any design modifications are required, construction drawings will need to be amended to reflect the development consent.

Note: Works cannot start until you have a construction certificate and a Principal Certifier (PC) has been appointed.

9. Political donations and gifts disclosure statement (Effective from 1 October 2008)

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 in the past two years?

Yes – (Fill out the disclosure form) No

Note: Any 'reportable political donation' or 'gift' made after lodgement of the application and prior to its determination, must also be disclosed within seven days of the making of the donation/gift. *Environmental Planning & Assessment Act 1979, Section 10.4*

10. Construction Statistics

This information is required by the Australian Bureau of Statistics (ABS) and must be completed if building work is involved. The ABS requires that the description which best describes the materials to be used for wall, floor, roof and frame construction be nominated from the schedule below.

Walls	Frame	Floor	Roof
Brick Veneer	Timber	Concrete	Aluminium
Full Brick	Steel	Timber	Concrete
Single Brick	Other	Other	Concrete Tile
Concrete Block	Unknown	Unknown	Fibrous Cement
Concrete Masonry			Fibreglass
Concrete			Masonry/Terracotta Shingle
Steel			Tiles
Fibrous Cement			Slate
Hardiplank			Steel
Timber/Weatherboard			Terracotta Tile
Cladding/Aluminium			Other
Curtain Glass			Unknown
Other			
Glass			

Tick whether:

New Alterations Additions

Building Construction Cost:
(Include labour but exclude cost of landscaping and car parking, etc)

Existing Development:

Type of Construction (select type from schedule provided on the previous page)

Wall

Frame

Floor

Roof

Colour of Walls (specify)

Colour of Roof (specify)

Floor Area (for dwellings - exclude garage) m²

Number of Storeys

For Residential Units (including dual occupancies)
State Number of New/Additional Units

and tick whether Attached Detached

If Structure Is a Dwelling, state whether
separate house, kit house or transportable
dwelling (excluding caravan or mobile home)

Type of Building: (eg dwelling, garage, villa,
townhouse, factory, shop, etc)

Proposed use: Residential Commercial Community Industrial Rural

Builder Details

Company

Name

Address/DX

Postcode

Licence No.

Phone (Bus Hrs)

11. Details of the Applicant

Mr Ms Mrs Other

Given name (or A.C.N) Family name (or Company Name)

Unit/Street No. Street Name Suburb

State Postcode Daytime Telephone Fax

Mobile Email

Contact Person Applicant's Signature Date

12. Owner's Consent - Signatures (for Strata Buildings, the Consent of the Owner's Corporation [formerly the 'Body Corporate'] is required)

The owner(s) of the land to be developed must sign the application (Being the owner of the land to which this application relates, hereby consent to the making of the application and authorise and consent to entry of the Application Site by Council Officers for the purpose of processing this application and inspecting the subject site during the course of development/building works).

If you are not the owner of the land, you must have all the owners sign the application. If the land is Crown land, an authorised officer of the Department of Lands must sign the application. If Council is the owner – the General Manager must sign the form. Please contact Council's Customer Services for assistance. Owner's authority eg Council or other Government Agency DOES NOT imply an approval.

Mr Ms Mrs Other

First Name Family Name (or Company Name)

Unit/Street No. Street Name

Suburb or Town State Postcode

Owner's Signature Owner's Signature Owner's Signature

Name Name Name

Position In Company Position In Company Position In Company

Date Date Date

If the land is owned by a private company (P/L) the signature of at least one director residing in Australia is required. In the case of a public company, the signatures of three directors are required, two of which must reside in Australia.

DEVELOPMENT APPLICATION CHECKLIST

This checklist forms part of your application.

Please complete this checklist fully and accurately so that no necessary delays will occur in the acceptance and processing of your application.

This Development Checklist identifies the main requirements for lodging a Development Application. Any person using this checklist must do so on the basis that not every scenario and issue can be addressed, and discussion with the relevant Council staff may be required. These documents are subject to change without notice.

DISCLAIMER: Please be advised that additional issues may emerge as a result of a detailed assessment, which will only be made upon receipt of a development application. Council will take into account relevant statutory requirements and merit issues when assessing a proposal as required under the provisions of the *Environmental Planning & Assessment Act 1979*, as amended. You will be contacted by email, post or phone in the event that additional information is required during the assessment process.

Section 1

This section is to be completed for all development types

Have you had a pre-lodgement meeting regarding this application? Yes No N/A Office Use

Have you provided a CD of the submitted plans and all other documents including this application form? Yes No Office Use

Note: Please refer to end of document for File Naming Protocols

Has the Yes box for Political Donations and Gifts Disclosure Statement been ticked? Yes No N/A Office Use

If yes has the completed form been attached? Yes No N/A Office Use

Is the valuation reasonable? Yes No N/A Office Use

Is the property integrated development? Yes No N/A Office Use
(ie integrated development is development that requires development consent under another Act. An additional \$320 is required for each approved body plus \$140 for additional administration processes payable to Council. All residential subdivision on bushfire prone land is integrated)

Have you provided one copy of the Statement of Environment Effects? and is it appropriate for the development type? Yes No N/A Office Use

Have you provided one copy of the Waste Management Plan? (a separate Waste Management Plan is required for demolition, construction and for new business) Yes No N/A Office Use

Have you provided one copy of the plan, including site, floor and elevations? Yes No N/A Office Use

Have the plans been stamped with the relevant Shell Cove Stamp? Yes No N/A Office Use
Applies to development in Shell Cove ONLY
(this is encouraged as a lack of stamp will require a report to Council, although stamp is not required for fencing or retaining walls)

Have you provided two A4 copies of the site plan and elevations for public notification? (only required for two storey dwellings) Yes No N/A Office Use

Is a preliminary or Acid Sulfate Soil Management Plan required for the development? Yes No N/A Office Use

If yes, have you attached a copy of the plan? Yes No N/A Office Use

Is a Heritage Impact Assessment (or statement) required? If yes have you attached a copy?	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> N/A <input type="checkbox"/> N/A	<input type="checkbox"/> Office Use <input type="checkbox"/> Office Use
Is the land marked as bushfire prone land or is within an area of bush fire risk? If yes, has one copy of the Bushfire Report been provided? (if unsure refer to Council's Online Mapping system) Note: Required for all developments except swimming pools	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> N/A <input type="checkbox"/> N/A	<input type="checkbox"/> Office Use <input type="checkbox"/> Office Use
Is this property flood affected? If yes have the levels of AHD been shown on the site plans? Note: Required for all developments except swimming pools and open structures ie carports	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> N/A <input type="checkbox"/> N/A	<input type="checkbox"/> Office Use <input type="checkbox"/> Office Use
Are the site and floor levels shown? If not refer Section 2 of this Checklist	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Are setbacks (front, rear, side) to boundaries shown from ground and other levels of the development? If not refer Section 2 of this Checklist	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Does the development comply with development standards, of the Local Environmental Plan? If not refer has 4.6 of the Local Environment Plan been addressed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Does the development comply with the Development Control Plan? If not has a variation to the Development provisions been submitted?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Does the development proposal require works between the property boundary and the kerb/gutter? ie drainage works, a new driveway or modification to an existing driveway? If yes, payment for a road opening permit is required	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have all owners signed the DA?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
If the owner is a company, has the form been signed by an an authorised company representative and is their position in the company noted on the application form?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Where applicable, has proof of ownership been provided in one of the three acceptable forms? i.e. letter of authority	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
If the application is for more than one structure has a breakup of fees been provided?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Is any other Council Approval Required? (Refer to Question 7 on the Application for Development Consent eg install a solid fuel (wood) Heater, or Waste Management Facility)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Is the driveway shown on plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Is demolition involved? If yes, have plans been provided for existing buildings and structures?	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> N/A <input type="checkbox"/> N/A	<input type="checkbox"/> Office Use <input type="checkbox"/> Office Use
If Council lodging application is 'Proposed application requiring the GM's Signature as Landowner' form completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use

BASIX

Has a BASIX certificate been provided for new dwellings or any alteration or addition of \$50,000 or more and for swimming pools if the volume is over 40,000 litres?

Yes No N/A Office Use

Has BASIX certificate been issued within three months of date of submission?

Yes No N/A Office Use

Have you provided two copies of BASIX certificate for the DA?

Yes No N/A Office Use

Has 'project address', 'project type' and 'site details' been completed and correct residential address and postcode?

Yes No N/A Office Use

(if the lot is not yet registered the parent lot and DP is to be used)

Note: 'Project type' for pool may show dwelling or alteration, which is OK.

FOR NEW DWELLINGS & ADDITIONS:

(If BASIX states thermal load, then ABSA Certificate required).

Is ABSA Certificate provided and is thermal performance block stamped with ABSA?

Yes No N/A Office Use

Has the thermal ABSA stamped plan been provided?

Yes No N/A Office Use

If 'Assessor Details and Thermal Loads' on BASIX completed, must have an ABSA Certificate and thermal performance block must be ABSA stamped.

No ABSA Certificate:

i. has window schedule been provided/or are window dimensions and glazed door areas shown on plan?

Yes No N/A Office Use

ii. are eaves dimensions including gutter width shown on plan?

Yes No N/A Office Use

Pools

Has the following been shown on the plans:

a) volume of water?

Yes No N/A Office Use

b) location and height of fence?

Yes No N/A Office Use

c) location of gate?

Yes No N/A Office Use

d) location of pool pump?

Yes No N/A Office Use

e) location of any windows within vicinity of pool area?

Yes No N/A Office Use

Multi-dwelling (ie Dual Occupancy, Townhouses etc)

Has a letter of consent been provided?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided one copy of shadow diagrams? (required for two storey dwellings)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided one copy of the landscape plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided one copy of the concept drainage plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Are the proposed subdivision boundaries and proposed lot size shown on a separate plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided one copy of an Acoustic Report? (ie report may be required on land adjoining rail corridor or a highway/main road)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided a traffic and car parking assessment report/statement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Is the development over three storey's? If yes have the requirements of State Environmental Planning Policy No. 65 been addressed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use

Commercial/Industrial (New buildings, Alterations and Additions)

Have you provided two copies of Shadow diagrams? (required for new two storey buildings when adjoins residential development)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of concept landscape plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of concept drainage plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of a traffic and parking assessment or statement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of site analysis plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
If signage is proposed, do you have two copies of the signage plan? (the plan is to be fully dimensional and include the content and construction method on each sign)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided a statement demonstrating how the Development complies with the DCP's chapter 17 - Crime Prevention through Environment Design?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Does car parking provision satisfy the car parking requirement of the Development Control Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Is the development over three storey's? If yes, have the requirements of State Environmental Planning Policy No. 65 been addressed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Has a social impact assessment been submitted? Refer to Appendix 15 of the DCP to determine if an assessment is required	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use

Does the proposal provide loading and unloading capacity for the site development?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of an Acoustic Report? (ie report may be required on land adjoining residential areas)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Has the development addressed the requirement with the DCP relating to specific town centre? (ie Shellharbour Village, Albion Park etc)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use

Fit out and or use of commercial/industrial unit

This section is to be used when a development application is required for a fit-out and /or use of a commercial or industrial building.

Do you have two copies of a floor plan showing the new fit out works, location of waste removal areas and loading and unloading facilities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
If signage is proposed, do you have two copies of the signage plan? (the plan is to be fully dimensional and include the content and construction method on each sign)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Does the Statement of Environmental Effects address the following (for any fit-out application):				
a) detailed description of the use. (description of the activities that occur within the site the product, service, trade or industry etc is offered to the public)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
b) hours of operation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
c) maximum number of staff on site at any one time	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
d) expected number of customers	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
e) the parking arrangements for the unit/shop/warehouse	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
f) detailed description of the waste management during the fit out, as well as for the operation waste (during occupation)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
For Industrial fit-out:				
a) where the unit adjoins residential properties, a list of machinery to be used within the premises	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use

Rural

Does the development require a waste water system?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
If yes, has a preliminary geotechnical assessment been provided?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Does the Statement of Environmental Effects address the following:				
a) explain how the site gains legal and practical vehicle access	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
b) explain the impacts of Flora and Fauna or any Environmentally Ecological Sensitive Land?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
c) provide a visual character assessment in accordance with chapter 3, part 3.7 of the Development Control Plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Has a schedule of external materials and colours been provided for the development?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use

Construction Certificate

Do you require a Construction Certificate with your application?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Are the property details correct?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of the plan, including floor plans, site plan and elevations?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of the Waste Management Plan? (where the development relates to dwellings industry and swimming pools)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two additional copies of the Basix?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Have you provided two copies of the specifications?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use
Has the application been completed (including ABS data), signed by all owners or owners written consent attached?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Office Use

Section 2

Please provide a detailed description of any variations from Councils Development Control Plans along with reasons supporting the variation.

If information requested on this checklist has not been supplied, please provide supporting details.

DECLARATION

I/We (print applicant's name) _____

I/We have read the Shellharbour City Council's relevant Development Control Plan/s and related documents for this type of development.

This application conforms to the requirement of these plans. Variations have been provided with justifications supporting the variations. (Strike out reference to variations if not applicable).

I/We understand that if incomplete, this application may be delayed or rejected. Completion of this form does not imply that an approval will be granted.

Signed (applicant/owner): _____ Date: _____

OFFICE USE ONLY

Advertising

Nil	
Other	

14 days	
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21 days	
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OUTSTANDING INFORMATION - LIST WHAT IS REQUIRED

Description of Development

Categorisation of Development from LEP

Senior Customer Service Officer: _____ Date: _____

ELECTRONIC COPIES FOR DEVELOPMENT APPLICATIONS - FACT SHEET

Please note that Council now requires all application forms, plans and associated documentation required for Development Applications, Section 4.55 Modifications and Amended Plans to be lodged with Council in an electronic format. The number of hard copies listed on the relevant DA Checklist will also still be required to be submitted but in addition to this, all such documents and plans will also need to be submitted as an electronic version on a CD/USB.

All electronic documents submitted will need to satisfy the following criteria:

1. **PDF Format** - All documents, plans, application forms etc must be submitted as separate PDF files for each document or plan or application form (**PDF documents can consist of numerous pages**), in accordance with Council's file naming protocol (see next page).
2. **Security settings must not be applied** to electronic documents, this includes passwords.
3. **Documents** - must be A4 formatted and optimised for minimum size (on-line publishing). Files larger than 4mb should be broken up into logical parts and supplied as separate files.
4. **Plans** - must be to scale and rotated to landscape.
5. **File names** - file naming conventions will apply to all electronic documents, including plans and application forms. File names are to adhere to the File Naming Protocol on the reverse side of this Fact Sheet.
6. **Accuracy** - electronic documents must be exact reproductions of the original hard copy documents or plans.

Please note: If electronic copies of documents do not meet the requirements listed above your application will not be accepted.

File Naming Protocol (Example Only):

Please be aware if CD/USB format isn't as described below your Application will be rejected.

A – Application Form & Checklist - 1 Lamerton Crescent, Shellharbour City Centre

(If letter of consent is separate please attach to the Application form and scan together)

B – Suite of Plans (Site, Floor, Elevations, Landscape etc) - 1 Lamerton Crescent, Shellharbour City Centre

C - A4 Notification Plan - 1 Lamerton Crescent, Shellharbour City Centre

D - Waste Management Plan - 1 Lamerton Crescent, Shellharbour City Centre

E - Statement of Environmental Effects - 1 Lamerton Crescent, Shellharbour City Centre

F - BASIX Certificate - 1 Lamerton Crescent, Shellharbour City Centre

G - Bushfire Assessment Report - 1 Lamerton Crescent, Shellharbour City Centre

H - Commercial and Industrial Development Information - 1 Lamerton Crescent, Shellharbour City Centre

I - Details of Site Security during Construction/Demolition - 1 Lamerton Crescent, Shellharbour City Centre

J - Signage Details - 1 Lamerton Crescent, Shellharbour City Centre

K - Subdivision Information - 1 Lamerton Crescent, Shellharbour City Centre

L - Demolition Information - 1 Lamerton Crescent, Shellharbour City Centre

SERVICE AGREEMENT- PERFORMANCE OF CERTIFICATION WORK

Description of Proposed Building Work

Type of Work: _____

Building Classification: _____

Subject Property

Lot: _____ Deposited Plan: _____

Address: _____

Development Consent No: _____ Construction Certificate No: _____

Complying Development No: _____

OWNERS CONSENT

I/we the owners of the subject property hereby give consent for the lodgement of all relevant applications (i.e. for Construction Certificate/s, Complying Development Certificate/s, Occupation Certificate/s, Compliance Certificate/s) and associated documentation to Shellharbour City Council for consideration.

I/we also declare that all documentation presented as part of an application for a Construction Certificate has remained unaltered from that issued with any Development Consent or that any changes have been documented and Shellharbour City Council have been advised accordingly.

PRINCIPAL CERTIFIER

With reference to this proposed development I/we the owners of the subject property hereby advise of our decision to appoint Shellharbour City Council and its associated staff (as contained in the Building Professionals Board register located at http://search.bpb.nsw.gov.au/bpb/BPB_search.jsp) to fulfil the role of Principal Certifier (PC) as outlined in the Environmental Planning and Assessment Act, 1979 (as amended).

I/we understand that this engagement shall be subject to the Terms and Conditions outlined on the following page of this application and the associated Schedule and I/we further understand that they will carry out all mandatory inspections required by the Act during the course of construction along with any others they deem to be necessary as referred to in the abovementioned Agreement.

I/we also advise that I/we are aware of the conditions attached to any Development Consent (i.e. Local Development Consent or Complying Development Consent) and are aware of our responsibilities in relation to those conditions.

SIGNATURES

Executed by Owner 1

Signed:		
Name: <i>(Please Print)</i>		Date: _____

Executed by Owner 2

Signed:		
Name: <i>(Please Print)</i>		Date: _____

Office Use Only - Executed by Shellharbour City Council as the Principal Certifier

Signed:		
Name: <i>(Please Print)</i>		Date: _____

PRIVATE CERTIFIER (PC) OBLIGATIONS

- a. The PC agrees to carry out mandatory critical stage inspections during the course of construction of the proposed building work (where applicable) as follows:
- i. at the commencement of the proposed building work, and
 - ii. after excavation for and prior to placement of any footings, and
 - iii. prior to pouring any in-situ reinforced concrete building element, and
 - iv. prior to covering of the framework for any floor, wall, roof or other building element, and
 - v. prior to covering of waterproofing in any wet areas, and
 - vi. prior to covering any stormwater drainage connections, and
 - vii. after the proposed building work has been completed and prior to any occupation certificate being issued in relation to the building, and
 - viii. any other inspections as the PC considers necessary in addition to those nominated which may be required from time to time to enable the issuing of the final occupation certificate.
- b. The owner and principal contractor acknowledge that the PC or another certifying authority (with the approval of the PC) must inspect the mandatory critical stage inspections number (a) i-vi inclusive. The PC must carry out the final mandatory critical inspection.
- c. The PC shall issue an occupation certificate for the proposed building work when the PC is satisfied that:
- i. all preconditions (or part applicable) for the issue of the certificate that are specified in the development consent or complying development certificate have been met, and
 - ii. the building works for which the construction certificate (or part applicable) has been issued are suitable for occupation for use in accordance with their classification under the *Building Code of Australia 1996* (as amended), and
 - iii. the building does not constitute a hazard to the health or safety of the occupants of the building
 - iv. a final fire safety certificate and/or building manual has been issued (if required).

PRINCIPAL CONTRACTOR OBLIGATIONS

- a. Before the commencement of any residential building work, the principal contractor must provide the PC with Home Owner Warranty Insurance pursuant to the *Home Building Act 1989*.
- b. The principal contractor must notify the PC of a date and time for the carrying out of each mandatory critical stage inspection and shall pay the PC the scheduled fees as agreed.
- c. The principal contractor must rectify any defects identified by the PC during the course of each mandatory critical stage inspection to the satisfaction of the PC before the principal contractor carries out any further building work or at such other time as may be agreed to by the PC.
- d. The principal contractor must not allow any occupation of the building to be permitted

without first obtaining an occupation certificate (either partial or complete) from the PC.

- e. The principal contractor must ensure that a construction certificate or complying development certificate has been issued prior to the commencement of any works.
- f. The principal contractor must engage competent tradesman to carry out all aspects of the building works.
- g. The principal contractors must provide all relevant drawings, plans, statutory plans and documentation associated with but not limited to the development consent, the construction certificate and any occupation certificate at the request of the PC.
- h. The principal contractor must attend any meeting if required by the PC to do so.
- i. The principal contractor must comply with any notices or orders that the PC issues.
- j. The principal contractor must provide compliance certificates as requested by the PC.
- k. The principal contractor must provide all information that the principal contractor reasonably can obtain to enable the PC to fulfil its obligations under this Agreement.

OWNER OBLIGATIONS

- a. The owner must ensure that a construction certificate or complying development certificate has been issued prior to the commencement of any works.
- b. The owner must ensure that the subject property is available for the PC to carry out the PC's obligations under this Agreement.
- c. The owner must attend any meetings if required by the PC to do so.
- d. The owner must not occupy the building until an occupation certificate (either partial or complete) has been issued by the PC.
- e. The owner agrees that in the event of a partial occupation certificate being issued by the PC and there being outstanding work that is required to be completed by the owner or a condition of development consent that needs to be satisfied by the owner, the owner agrees to complete any outstanding work or satisfy any condition of the development consent within three months from the date of the partial occupation certificate or such other time as may be agreed between the owner and the PC.

TERMINATION OF THIS AGREEMENT

This Agreement may be terminated if any of the following occurs:

- a. building works are commenced without the issue of a construction certificate
- b. if the owner or principal contractor fails to provide Home Warranty Insurance pursuant to the *Home Building Act 1998* if the building work is residential building work
- c. if the PC terminates this Agreement then the principal contractor and owner must pay any money owing to the PC for work done and costs incurred by the PC up to and including the date of termination of this Agreement.

REPLACING PC

The appointed PC can only be changed or replaced by another PC with the approval of the Building Professionals Board and/or the newly appointed PC.

GOVERNING LAW

The parties agree that the laws of New South Wales and in particular the *Environmental Planning & Assessment Act 1979* and its Regulations govern this Agreement.

DEFINITIONS

Alternative Solution has the same meaning as the term in the Building Code of Australia 1996.

BCA means the Building Code of Australia 1996 including all applicable amendments.

Building means that which is the subject of the Building Works.

Building Contract means the contract to construct the Building Works that the owner enters with the builder.

Building Works means the building works for which a Construction Certificate is to be issued in accordance with this agreement and is referred to in the "Land to be Developed" section of the Application Form relating to the subject works.

Certificates mean statutory certificates and non-statutory certificates.

Certifying Authority means a Certifying Authority within the meaning of the Act.

Owner means the owner or the owner's agent.

Competent people means people authorised to carry out any work associated with Building Works under the Act and includes contractors.

Complying Development Certificate means a Complying Development Certificate within the meaning of the Act.

Construction Certificate means a Construction Certificate within the meaning of the Act.

Deemed to Satisfy Provision has the same meaning as the same term in the Building Code of Australia 1996.

Development Consent means a Development Consent within the meaning of the Act.

Fire Safety Certificate means a Fire Safety Certificate within the meaning of the Act.

Inspection Schedule means the mandatory inspections required under the Act.

Notice includes any notice issued under the Act or this agreement and in respect of notices in this agreement must be made by pre-paid ordinary mail, facsimile transmission or notice by hand delivery to the Address for Notices in this agreement.

Occupation Certificate means an Occupation Certificate within the meaning of the Act.

Order means an Order within the meaning of the Act.

Practicable completion means the date the builder has completed the Building Works in accordance with the Building Contract.

Principal Certifier is a building practitioner as defined under the Environmental Planning and Assessment Act 1979 (NSW) (as amended).

Regulations means the Environmental Planning and Assessment Regulation 2000 (NSW) (as amended) and all applicable amendments.

Schedule means the Schedule in this agreement.

Scope of Works means obligations in this agreement and any other tasks set out in the Schedule.

Statutory Notices means those notices that are issued by the PC in accordance with the Act

EXECUTED by Shellharbour City Council as PC

EXECUTED by

as owner

NOTES

Note 1 – Appointing Shellharbour City Council as your Principal Certifier (PC)

As the property owner(s), it is your responsibility to engage a Principal Certifier (PC) before you can commence work on the property. The completion and submission of this form means that you are appointing Shellharbour City Council to act as your PC for building work or subdivision work.

Please note that the person having the benefit of the consent must appoint the PC. However, such appointment may not be made by any person who will carry out building work, eg builder or subcontractor, unless that person is also the owner of the land.

Your PC, Shellharbour City Council will:

- ensure that there is a valid Construction Certificate issued for the approved work
- ensure that appropriate insurances are obtained in accordance with the *Home Building Act 1989*
- carry out inspections, upon request, during the course of the work
- request compliance certificates for matters where required
- ensure that all relevant provisions under the *Environmental Planning & Assessment Act* and accompanying Regulation are satisfied during construction.

On satisfactory completion of the building work or subdivision work and compliance with the Development Consent, Council will issue an Occupation Certificate or Subdivision Certificate for the work.

Can Council still be the PC even if Council was not the consent authority or certifying authority for the approved work?

Yes, you can still appoint Shellharbour City Council as your PC even if Council was not the consent authority or certifying authority for the approved building work on your property, so long as the property is within the Shellharbour Local Government Area.

You will need to submit the following documents to Council when you submit this completed form:

- a copy of the Notice of Determination or Complying Development Certificate, including a copy of the stamped approved plans (and any other documents)
- a copy of the Construction Certificate for the approved works (if already issued), including a copy of the stamped approved plans (and accompanying documents).

What are YOU responsible for before, during and on completion of the work(s) on the site?

Firstly, you should be familiar with the conditions in your Development Consent and Construction Certificate, or Complying Development Certificate. The person you engage to carry out the work(s) should also be familiar with the conditions in your Development Consent and Construction Certificate, or Complying Development Certificate.

Typically, there are conditions that need to be complied with before, during and on completion of the building work or subdivision work. The following should be used as a guide unless it is specified in your Development Consent, Complying Development Certificate, or the *Environmental Planning & Assessment Regulation 2000*.

If you do not comply with the conditions of your Development Consent and Construction Certificate, or Complying Development Certificate, or any prescribed conditions under the *Environmental Planning & Assessment Regulation 2000*, Council may impose penalties on the project resulting in fines or legal action.

A. What needs to be done before any work can commence on the site?

It is your responsibility to ensure that the following requirements are completed before work can commence on site:

- all associated fees have been paid to Shellharbour City Council including fees to inspect the work
- signage must be erected on a site where building work or demolition work is to be carried out. The signage must state:

- the name, address and telephone number of your Principal Certifier, the name of the person in charge or the work site and a telephone number for that person outside working hours (other than the PC)
- that unauthorised entry into the site is prohibited.

Additionally, you and your builder (or whoever you engage to carry out the works) should determine who will contact Council to carry out the necessary inspections. The following rules will apply:

1. Any Council officer, acting in the capacity of Council as the PC, is to have uninterrupted access to the site and, if requested by a Council officer or any other person authorised by Council, will inspect and examine any works or materials, and any place where the said work or materials are being prepared, at any time.
2. Until an inspection has been carried out by the PC and the work thus far is deemed satisfactory by the PC, the person authorised to carry out the work must not proceed past that construction stage (which is the subject of the inspection).
3. Requests to reinspect must be made in the same way as other inspections. Reinspections are to be carried out once the required work has been completed. Additional inspection fees may be charged.

B. Inspection requests for relevant stages of the building work

1. Council will provide you with a list of Critical Stage Inspections to be conducted for the development. Please ensure that Council is given not less than 48 hours notice (excluding weekends and public holidays) of when works are ready to be inspected.
2. Shellharbour City Council will carry out PC and inspection services in a professional manner and in accordance with the requirements of the *Environmental Planning & Assessment Act 1979* and Council's *Code of Conduct*.
3. Council, acting as the PC, may at any stage request the owner or the owner's builder to provide specialist reports, plans, specifications (eg Fire Safety Certificates) and certification of building materials, process or works. Work must not proceed beyond each stage until a satisfactory inspection result is obtained.

Note 2 – Application for Final Part 4A Certificates

Certain work may require a Final Compliance Certificate confirming that the work has been completed in accordance with the Development Consent and Construction Certificate, instead of an Occupation Certificate. You should read your Development Consent to determine which certificate is required.

Before you can occupy or use the building or tenancy, an Occupation Certificate must have been issued for the building or unit. In order for Council (as your Principal Certifier) to issue you with an Occupation Certificate, you need to formally apply for it. It is therefore beneficial for you to complete this section at the same time as completing the remainder of the form.

A partial Occupation Certificate relates to the:

- occupation or use of that part of the building that has been completed
- change of building use for part of an existing building.

A complete Occupation Certificate relates to the:

- occupation or use of the newly complete building
- change of building use for the existing building.

Note 3 – Owner Details

This section is to be completed by the owner(s) of the property where an Operational Development Consent or Complying Development Certificate has been issued. You should ensure that the subject Development Consent or Complying Development Certificate has not expired.

GENERAL INFORMATION

BUILDING CONSTRUCTION CERTIFICATE (Division 6.3)

A Construction Certificate (CC) is issued after the Development Consent has been approved. The Construction Certificate certifies that a building erected in accordance with the nominated plans and specifications will comply with the regulations referred to in s815A(Part 6) of the *Environmental Planning & Assessment Act, 1979*.

DA consent approved ➔ CC approved ➔ Principal Certifier (PC) appointed ➔ Work commences

PRINCIPAL CERTIFIER (s6.5)

The erection of a building must not be commenced until a Construction Certificate or Complying Development Certificate has been issued and a Principal Certifier (PC) has been appointed (s6.6). The PC is responsible for ensuring compliance with the approval and the issue of an Occupation Certificate.

PC appointed ➔ Work commences ➔ Building inspected ➔ Occupation Certificate issued

OCCUPATION CERTIFICATE (s6.9)

An Occupation Certificate authorises the occupation and use of a new building or a change of building use for an existing building.

Note: Section 6.9 prohibits the occupation or use of a new building unless an Occupation Certificate has been issued for the building.

HOME WARRANTY INSURANCE (*Home Building Act 1989*)

Home Warranty Insurance is required for all residential building work requiring a licence and costing over **\$20,000**.

Currently there are two approved home warranty insurers that provide home warranty on behalf of the NSW Home Warranty Insurance fund for residential building work:

- Calliden Insurance Limited
- QBE Insurance (Australia) Limited

OWNER/BUILDER PERMIT (Regulation 78C)

An Owner/Builder permit must be obtained from the Department of Fair Trading if you intend to undertake or supervise your own residential building work and the market value of the labour and the materials needed to complete the work is greater than **\$10,000**.

An Owner/Builder permit is not a building licence and does not allow you to do specialist trade work such as electrical, plumbing, drainage or gas fitting.

LONG SERVICE LEVY (s4.28 (10A))

The Long Service Levy is a NSW State Government charge placed on building and construction work costing **\$25,000** or more. The levy rate is 0.35% of the cost of the building and construction work. Owner/builders, churches and non-profit organisations may be entitled to a reduction in the levy.