

# Complying Development Application Checklist

The *State Environmental Planning Policy* (Exempt and Complying Development Codes) – (The Code SEPP) is the principal document outlining the types of permissible complying development. This document consists of 2 parts:

**Part One:** A Submission Checklist for a Complying Development Certificate under the Code SEPP, that is to be completed and return to Council.

**Part Two:** The standard of application and information to assist in the preparation of an application.

**Note:** **All applications associated with Development and Building are to be submitted electronically on a USB or CD Rom no paper copies will be accepted.**

Part One: Submission Checklist		Applicant	Staff
Submission Requirement	When required		
1. Completed application form	All applications		
2. Fees	All applications		
3. Site Plan	All applications		
4. Floor Plans	All applications		
5. Elevations	All applications		
6. Section through the building	Applications involving building works		
7. Drainage Plan	Applications involving building works.		
8. A detailed specification	Applications involving building works, including works associated with fire safety upgrades.		
9. Engineers Details and/or Certification	Applications involving building works		
10 A Copy of the Title Search and a title diagram	Applications involving building works/structures to which one of the following Codes apply: Part 3 General Housing Code, Part 5 Commercial and Industrial Alterations Code and Part 5A Commercial and Industrial		

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Submission Requirement	When required		
	Code, Part 8, Fire Safety (where a water storage tank is proposed). If the lot includes a registered easement, the title diagram for the lot is also required.		
11 Notification Plan	All applications involving new building, additions to an existing building or demolition of a building that are on a lot that has a boundary within 20 metres of a residential area (except ' <i>residential release areas</i> ').		
12 BASIX Certificate	Applications for new dwellings and alterations and additions to dwelling houses that have a cost of works of \$50,000 or greater or a swimming pool with a capacity of 40,000 litres or greater.		
13 A 138 Roads Act application lodged or approved with/or by the Roads Authority.	Applications requiring the construction of any kerb, crossover or driveway.  <b>Note:</b> A CDC can not be issued until an approval has been granted.		
14 A Section 68 application under the Local Government Act for an on-site effluent disposal system lodged or approved with Council.	Applications on unsewered land that involve the installation or operation of a system of sewage management.  <b>Note:</b> A CDC can not be issued until an approval has been granted.		
15 Consent for the removal of a tree on	Applications that propose the removal of a tree associated with Part 3 (General Housing Code),		

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<b>Part One: Submission Checklist</b>		<b>Applicant</b>	<b>Staff</b>
<b>Submission Requirement</b>	<b>When required</b>		
private land	<p>Part 3A (Rural Housing Code) or Part 5A (Commercial and Industrial Code). A separate consent is required if the tree is:</p> <ul style="list-style-type: none"> <li>a) the tree is more than 3 metres from the building and the building has an area of 25m<sup>2</sup> or</li> <li>b) the height of the tree is less than i) for that development that is the erection of a new dwelling house – 8 metres and is not required to be retained as a condition of consent to the subdivision of the lot, or ii) for any other development – 6 metres.</li> </ul>		
16 Bushfire Assessment Report	<p>Applications within Bushfire Prone Land involving development to which Part 3 (General Housing Code), Part 3A (Rural Housing Code) or Part 5A (Commercial and Industrial Code) apply. Reports are not required for demolition, internal alterations, minor external works (under the Housing Alterations Code) swimming pools, non-combustible fence or retaining walls.</p>		
17 Flood Certificate or Report	<p>Applications on a property that is a flood controlled lot, for applications relating to the Part 3 (General Housing Code), Part 3A (Rural Housing Code), Part 5A (Commercial and Industrial – new buildings</p>		

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<b>Part One: Submission Checklist</b>		<b>Applicant</b>	<b>Staff</b>
<b>Submission Requirement</b>	<b>When required</b>		
	and additions code).		
18 Subdivision work plans and specification	All proposed strata subdivisions to which Part 6 (Subdivisions) applies.		
19 Details of the proposed and existing use (to be on the form)	Applications involving all building work or change of use of a building.		
20 Details of compliance with the Building Code of Australia (BCA)	Applications involving all building work or change of use of a building.		
21 A statement for entertainment venues (to be on the form)	Applications for developments involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant		
22 A certificate issued by the Roads and Maritime Services	Applications for developments that involve: <ul style="list-style-type: none"> <li>a) a new building or alteration or addition to an existing building to which Part 5A (Commercial and Industrial – new buildings and additions code) of the SEPP (Exempt and Complying Development Codes) 2008 applies, and</li> <li>b) the total gross floor area of the new building of the existing building as altered will be 5000m<sup>2</sup> or more, and</li> <li>c) the site on which the</li> </ul>		

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Part One: Submission Checklist		Applicant	Staff
Submission Requirement	When required		
	development is to be carried out has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access is within 90 metres of the connection (measured along the alignment of the connecting road).		
23 Hunter Water notice or written advice	Applications for development under Part 5A (Commercial and Industrial – new buildings and additions code)		
24 A copy of stamped plans from the Mine Subsidence Board	Applications for building works (see Part 2 of this form for more information) on properties in a Mines Subsidence area.		
25 A statement regarding the contaminated land	Applications for a new building or alteration or addition to an existing building to which Part 5A (Commercial and Industrial – new buildings and additions code) of the SEPP (Exempt and Complying Development Codes) 2008 applies), and the land on which the development is to be carried out:  a) is used, or was formerly used, for a purpose listed in Table 1 to clause 3.2.1 of the document entitled <i>Managing Land Contamination Planning Guidelines, SEPP 55— Remediation of Land</i> and published in 1998 by the		

Part One: Submission Checklist		Applicant	Staff
Submission Requirement	When required		
	Department of Urban Affairs and Planning and the Environment Protection Authority, or b) is on the list of sites notified under section 60 of the <i>Contaminated Land Management Act 1997</i> .i.e. identified as a “significantly contaminated site”		

## Advice and Other Approvals

**Hunter Water Act** - It is recommended that plans be stamped by Hunter Water prior to submission to Council. Hunter Water are located at 36 Honeysuckle Drive, Newcastle or can be contacted on 1300 657657.

**A Section 68 approval** - The installation and operation of any on-site sewage management system requires approval from Council prior to installation and for its ongoing operation. Phone: 4974 2525, 8:30am - 5pm.

**A Road Opening Permit** is required for connections to public utilities and infrastructure, and/or the connection of stormwater pipes to Council easements or kerb and gutters. The request for a permit should be made a minimum of 7 days before any required works. Requests are taken over the phone and an invoice is posted out. **Phone:** 4974 6000, 6.30am - 3.30pm for more information.

**A Permit for Temporary Road Occupancy for Construction Purposes (TROCP)** - Permits available include: Crane permits; Shipping container permits for placement on a Council road reserve; Permits to enable for the removal and delivery of materials at a construction site, the temporary use of parking spaces for construction purposes. They include: a) Temporary road occupancy (short term e.g.1-3 days) b) Work zone (parking permits) suitable for long term occupation. Phone: 4974 2664, 8:30am - 5pm.

**A Hoarding Application** is required where it is proposed to close off a portion of a public footway for a nominated time period, usually when work on a site generates public safety risks in the public footway. It does not include permits for parking, see (TROCP) above. Phone: 4974 2036, 8:30am - 5pm

**Principal Certifying Authority:** When undertaking Building and/or subdivision works you will require a Principal Certifying Authority (PCA) to inspect the work during the course of construction to ensure it meets with regulatory requirements. One of the regulatory roles that the PCA will perform is ensuring that the development is undertaken in accordance with the licensing requirements of the [Department of Fair Trading](#).

The requirements will be dependant on who is carrying out the work and the values of the works and may include: Providing the name and licence number of the builder; Providing a copy of your residential building work insurance; Providing a copy of your owner builders

# Complying Development Application Checklist

## Part One: Submission Checklist

		Applicant	Staff
Submission Requirement	When required		

permit. You will need a permit if the cost of the residential work exceeds \$5000 and if the cost of work is over \$12000 you will need to complete and approved education course. You should ensure that you have fulfilled your statutory responsibilities in relation to these matters prior to commencement of work.

Office Use		
<input type="checkbox"/> Bushfire Zoning <input type="checkbox"/> Heritage ..... <input type="checkbox"/> Flooding <input type="checkbox"/> Acid Sulphate <input type="checkbox"/> Soil		
<input type="checkbox"/> Geo – Tec Report <input type="checkbox"/> Contamination <input type="checkbox"/> Notification		
<input type="checkbox"/> Checklist and application form completed		
Duty Officer		
Team	<input type="checkbox"/> BAT	<input type="checkbox"/> DAT- change of use only
Description of proposal		
Application	<input type="checkbox"/> CDC	<input type="checkbox"/> PCA
Accepted	Officer:	Date:

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## Part Two: Standard of Application and Information

The following pages provide additional information to assist in the preparation of a Complying Development Application. This part of the document is not required to be returned as part of the application.

### Guide to structure of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

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#### Part 3 of SEPP: General Housing Code, development includes:

- New single storey and two storey dwelling houses (Division 1 - Clause 3.1 to 3.32)
- Alterations or additions to existing single storey and two storey dwelling houses (Division 1 - Clause 3.1 to 3.32)
- Detached studios adjoining lanes (Subdivision 7, Clause 3.33)
- Swimming Pools (Subdivision 7, Clause 3.34)
- Fences and retaining walls (Subdivision 7, Clause 3.35)
- Construction of fences (Subdivision 7, Clause 3.36)
- Outbuildings in heritage conservation areas (Subdivision 8, Clause 3.36A)

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#### Part 3A of SEPP: Rural Housing Code, development includes:

- New single storey and two storey dwelling houses (Clause 3A.1 to 3A.48)
- Alterations or additions to existing single storey and two storey dwelling houses (Clause 3A.1 to 3A.48)

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#### Part 4 of SEPP: Housing Alterations Code, development includes:

- Internal alterations (Subdivision 1- clause 4.1 to 4.2)
- External alterations (Subdivision 2- clause 4.3 to 4.4)
- External alteration to residential accommodation other than dwelling houses (Subdivision 2A – clause 4.4A to 4.4B)
- Attic Conversions (Subdivision 3 - clause 4.5 to 4.6)

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#### Part 4A of SEPP: General Development Code, development includes:

- Bed and breakfast (Subdivision 1 -- clause 4A.1 to 4A.2)
- Home businesses (Subdivision 2 – Clause 4A.3 to 4A.4)
- Tents, marquees or booths for community events (Subdivision 3 – Clause 4A.5 to 4A.6)
- Stages or platforms for community events (Subdivision 4 – Clause 4A.7 to 4A.8)
- Waterways structures (Subdivision 6 – Clause 4A.11 to 4A.12)

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#### Part 5 of SEPP: Commercial and Industrial Alterations Code, development includes:

- Building alterations (internal) (Subdivision 1 – Clause 5.1 to 5.2)
- Change of use of premises (Subdivision 2 – Clause 5.3 to 5.4)
- First use of premises (Subdivision 3 – Clause 5.5 to 5.6)
- Mechanical ventilation systems (Subdivision 4 – Clause 5.7 to 5.8)
- Shop fronts and awnings (Subdivision 5 – Clause 5.9 to 5.10)
- Skylights and roof windows (Subdivision 6 – Clause 5.11 to 5.12)
- Projecting wall signs (Subdivision 7 – Clause 5.13 to 5.14)
- Freestanding pylon and directory board signs (Subdivision 8 – Clause 5.15 to 5.16)
- Development ancillary to the use of land (Subdivision 9 – Clause 5.17 to



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5.18)

- Earthworks, retaining walls and structural support (Subdivision 10 – Clause 5.19 to 5.20)
- Driveways, hard stand spaces, pathways and paving (Subdivision 11 – Clause 5.21 to 5.22)
- Fences (Subdivision 12 – Clause 5.23 to 5.24)

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**Part 5A of SEPP: Commercial and Industrial Code (new buildings and additions)**, development includes:

The following development is development specified for this code:

- (a) the construction of a building for the purposes of industry (other than heavy industry) or a warehouse or distribution centre,
- (b) an addition to an existing building that is used for the purpose of industry (other than heavy industry) or a warehouse or distribution centre,
- (c) the external alteration of an existing building used for the purpose of industry (other than heavy industry) or a warehouse or distribution centre,
- (d) an addition to the rear of existing commercial premises, other than on a corner lot,
- (e) the external alteration of existing commercial premises. (Clauses 5A.1 to 5A.30)

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**Part 6 of SEPP: Subdivision Code**, development includes:

- Strata subdivision of a building, other than a dual occupancy, for which development consent or a complying development certificate was granted (Clause 6.1 to 6.2).

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**Part 7 of SEPP: Demolition Code**, development includes:

The demolition or removal of the following development, is development specified for in the

- (a) a dwelling,
- (b) ancillary development,
- (b1) a swimming pool,
- (c) an industrial building,
- (d) a commercial building that would be complying development under the Commercial and Industrial Alterations Code and the Commercial and Industrial (New Buildings and Additions) Code) if it were being constructed. (Clause 7.1 to 7.2).

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**Part 8 of SEPP: Fire Safety Code**, the following development is development specified in the code:

- (a) the installation or extension of a fire sprinkler system in a residential care facility (within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*),
- (b) alteration to a hydraulic fire safety system for the purposes only of the installation or modification of:
  - (i) a fire main or other pipe work, or
  - (ii) a fire water storage tank, or
  - (iii) a fixed on-site fire pump set, or
  - (iv) a fire brigade's booster connection.
- (c) the construction or installation of a new external pump house or enclosure to accommodate a fixed on-site fire pump set and associated pipe work,
- (d) the internal or external alteration of, or addition to, an existing building for: (i) the construction or installation of a pump house or enclosure to

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accommodate a fixed on-site fire pumpset and associated pipe work, or (ii) the installation or extension of a fire sprinkler system in a residential care facility, or (iii) an alteration to a hydraulic fire safety system, or (iv) fire alarm communication works,

- (e) fire alarm communication link work for: (i) the installation of a fire alarm communication link to connect with the fire alarm monitoring network of a private service provider, or (ii) the conversion of a fire alarm communication link from a connection with the fire alarm monitoring network of a private service provider to the fire.
- Water storage tanks (Subdivision 2 – Clause 8.4)
  - Fixed on-site fire pump sets and associated pump houses or enclosures (Subdivision 3 – Clause 8.5)
  - Fire mains, pipes and booster connections (Subdivision 4 – Clause 8.6)
  - Fire alarm communication link works (Subdivision 5 – Clause 8.7)
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## Standard of Application

All plans are to adhere to the [Application and Plan Standards](#) guideline available on Council's website.

- 1. An electronic copy of the application and application form** - A pdf copy of all documents and plans contained in the application shall be provided on a non-returnable CD or USB stick. More details about how the file is to be formatted can be found in the document titled Application and Plan Standards available on Council's website. Examples of the appropriate naming convention of the documents, is given below:
  - Plans - 1333 James Street Lambton
  - Notification Plan - 1333 James Street Lambton
  - SEE -1333 James Street Lambton
  - Shadow Diagrams - 1333 James Street Lambton
  - Basix Certificate - 1333 James Street Lambton
- 2. A Completed Application Form**– The form is to include consent of all owner/s, contact phone numbers for the applicant and owner and an accurate assessment of the cost of works. The cost of works must include both the cost of materials and the market value of labour. The cost of works will be checked against building industry cost guides and you may be required to provide three (3) builders quotes to substantiate estimates, where the amount stated is below industry standards.
- 3. Fees** – Fees are payable in accordance with Council's Fee Schedule. To obtain a fee quote from Council please contact Council's Customer Enquiry Centre on 02 4974 2000. Additional fees apply for applications located on Bushfire and Flood Prone Land, depending on what information is provided with the application. A Long Service Levy is payable on for building proposals costing \$25,000 or more (inclusive of GST). The current levy rate is 0.35 % of the value of the works. To calculate your Levy payment click here [Levy calculator](#).
- 4. Site Plan** – The plan is to include, all relevant information:
  - the north point
  - boundary dimensions
  - the general fall of the site
  - the building footprint and the distances of the proposal to the boundaries and all buildings on site
  - the location and height of all trees located within the footprint of the proposed works and within 3 metres of the proposed works
  - any easements
  - the proposed drainage system (see point 7 for more info)
  - the location of all existing structures and those to be demolished
  - the position of any street or lane adjoining the site.
- 5. A Floor Plan** – A fully dimensioned plan showing the size and use of each room site. New work must be coloured so it can be clearly distinguished. Floor plans for additions and alterations to an existing building must show the existing room layout including all existing windows, doors etc.
- 6. Elevations** – Elevations are to be a fully dimensioned plan showing all faces of the building, existing and proposed windows, and existing and finished floor levels, the height above natural ground level. New work must be clearly distinguished.
- 7. A Section Through the Building** – The section is to show the proposed method of construction and must be fully dimensioned. Sections for buildings with suspended floors must indicate the subfloor clearance of the floor.

**8. Drainage Plan** – A plan is required to indicate the proposed method of stormwater disposal i.e. to the street, an easement, drainage pit or **complete details of the existing system**. The plan is to include any required stormwater discharge control systems i.e. rainwater tanks, absorption trenches, swales or on site retention tanks.

**9. A Detailed Specification** – The specification detailing:

- The method of construction
- The standard to which any framing, wet area flashing, termite protection and glazing shall be installed. **A wind classification** for the site shall be nominated, in accordance with AS4055 where any timber framing is proposed and **a site classification**, in accordance with AS2870, where any concrete footing or slab is proposed, and
- The location of any smoke detectors.
- All existing and proposed fire safety measures including the standard to which they are, and/or will be installed. Point 19 contains more information on Fire Safety Measures.

**10. Engineers Details and/or Certification** – You will require input from an engineer for the following type of work:

- Concrete footings and/or slabs. A soil classification in accordance with AS2870 shall be nominated for all works involving concrete footings or a slab
- Steel members (e.g. beams or posts)
- Where it is proposed to build on an existing structure, a statement of structural adequacy is required for the existing building/slab to ensure it is capable of carrying the additional loads,&
- Where a timber frame exceeds the design parameters of AS4055, “Wind Loads for Housing” or AS1684, Residential timber-framed construction, the timber frame must be certified by a structural engineer. A wind classification for the site shall be nominated on the plans.

**11. A Copy of the 'Title Search'** – A Title Search will detail title information including the name/s of the owner/s, the lot/plan numbers and other registered interests on the title such as mortgages, easements and covenants. If a property is subject to a registered easement, for the lot and any adjoining lot that benefits from the easement is required to be submitted. These can be purchased on the Land & Property Information website. The “Title Reference” refers to the Lot and DP number and is entered as 'lot/DP' e.g. Lot 123, DP 321 would be entered as “123/321”.

**12. Notification Plan** including site plan, elevations, dimensions of the proposal and all relevant setbacks.

The ‘Minmi – Newcastle Link Road’ area (gazetted in *Newcastle LEP 2012*) is the only ‘residential release area’ in the Newcastle. This requirement applies only to applications lodged after the 22<sup>nd</sup> February 2014.

**Note:** *Under the provisions of the Act, the internal layout of the building is not required to be provided for notification purposes of residential properties. Inclusion of the internal layout on notification plans will result in these details being notified. These are sent with notification letters to nearby property owners.*

**13. A BASIX Certificate** – The Building Sustainability Index (BASIX) is a web-based planning tool designed to assess the potential performance of residential buildings against a range of sustainability indices.

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or

solar water heaters, gas space heaters, roof eaves/awnings and wall/ceiling insulation. You need a BASIX Certificate when BASIX applies to the type of development for which you require approval. At the time of preparing this handout alterations and additions to a dwelling house or a new dwelling house with a cost of works \$50,000 or greater or a swimming pool with a capacity of 40,000 litres or greater triggered the requirement for a BASIX Certificate. Structures such as pergolas, decks, carports and garages are excluded from BASIX assessments and as such they can be excluded from the values of the costs of works when determining if a BASIX Certificate is required.

The plans and specifications must also identify the BASIX commitments which will be checked by a professional building certifier during construction. Applicants can generate the BASIX Certificate only on the NSW Department of Planning's [BASIX](#) website. For more information, phone the BASIX Help Line on 1300 650 908.

**14. A 138 Roads Act application lodged or approved with/or by the Roads Authority** for any required kerb, crossover or driveway. The consent is obtained from the Road Authority. Council is the Road Authority for all roads in Newcastle, with the exception of Classified Roads. The Road Authority for classified roads is the Roads Maritime Services. To obtain a Section 138 consent from Council, complete the application form (Type 1). A CDC can not be issued until an approval has been granted.

**15. A Section 68 application lodged or approved** for an on-site effluent disposal system under the Local Government Act, from the Council, if the development is undertaken on unsewered land and involves the installation or operation of a system of sewage management. An application form is available on Council's web site. A system accredited by the NSW Department of Health, consisting of a collection well, pump out system is the recommended method of disposal, providing the best health and environmental outcome and streamlining the assessment process. A CDC can not be issued until an approval has been granted.

**16. Consent for the removal of a tree** – If the proposed tree removal is not 'exempt' from the need for consent and does not meet the requirements specified in the Code SEPP, a separate approval will be required. That approval may be obtained by applying for a Complying Development Certificate or a Development Application. Complying Development Certificate Applications should be accompanied by a site plan and a qualified arborist's report demonstrating that the tree/s are affected by either: Unacceptable Risk, Diseased Condition, Property Damage or Suppressed Growth ( see Section 3 of the Urban Forest Technical Manual for more information). If the tree is not affected by any of these criteria a development application is required for the tree removal.

**17. Bushfire Assessment Report** –The report must be prepared in accordance with the requirements of the NSW Rural Fire Service's "Planning for Bush Fire Protection 2006", for more information see [NSW RFS guidelines](#).

The report can be prepared by a suitably qualified person or a self assessment report can be completed and downloaded from the RFS [website](#). Any self assessment will require Council to endorse the nominated level an additional fee will be charged for the endorsement. If a calculation of the bush fire risk finds the development is located in a high risk area (i.e. BAL 40 or BAL Fire Zone) the development is not complying development. **If the development is located in a high risk area (according to Council or a suitably qualified person) the Complying Development Certificate will be refused and a Development application will be required.**

Your plans must reflect compliance with the endorsed “Bushfire Attack Level” and compliance with AS3959-2009 “*Construction of buildings in bushfire-prone areas*”. Council’s bushfire maps can be located on our [website](#).

- 18. Flood Certificate or Report** – Obtain a Flood Information Certificate or a report from a suitably qualified person to confirm the land is not located in a high hazard area, before a Complying Development Application is lodged with Council. A copy of the Certificate or report should be included in the application to Council. If a certificate or report has not been obtained, you will be charged an additional fee for the preparation of the necessary information to assess the application and delays will be experienced while the information is compiled. **If the development is located in a high hazard area the Complying Development Certificate will be refused and a Development application will be required.** An application for a [Flood Information Certificate](#) can be downloaded from Council’s web page.

Where the development is located in a low hazard area, the application must include evidence of compliance with the nominated development standards. A summary of the development standards is located in the attached guidelines. Where the proposed floor area is greater than 50sqm, a survey of the existing floor level of the structure is to be provided to the Australian Height Datum.

**Flood Control Lot** The development include, but are not limited to:

- (a) minimum floor level of habitable room above flood planning level as provided by Council (including consideration of sea level rise impacts where relevant)
- (b) the part of the development at or below the habitable floor is constructed of flood compatible material
- (c) a registered structural engineer or a registered civil engineer with significant hydrological and hydraulics experience confirms the development can withstand the forces of floodwater, debris and buoyancy up to the flood planning level
- (d) the Council or a registered civil engineer with significant hydrological and hydraulics experience confirms that the development will not increase flood affectation elsewhere in the floodplain
- (e) reliable access for pedestrians and vehicles from the development is available, at a minimum level equal to the lowest habitable floor level of the development to a safe refuge
- (f) have open car parking spaces or carports that are no lower than the 20-year flood level, and
- (g) the driveways between car parking spaces and the connecting public roadway that will not be inundated by a depth of water greater than 0.3m during a 1:100 ARI (average recurrent interval) flood event.

**19. Subdivision work plans and specifications** – These may include:

- Details of the existing and proposed subdivision pattern (including the number of lots and the location of roads)
- Details as to which public authorities have been consulted with as to the provision of utility services to the land concerned
- Detailed engineering plans as to the following matters:
  - (i) earthworks
  - (ii) roadworks
  - (iii) road pavement
  - (iv) road furnishings
  - (v) stormwater drainage
  - (vi) water supply works
  - (vii) sewerage works

- (viii) landscaping works
- (ix) erosion control works.
- Copies of any compliance certificates to be relied on.

**20. Details of the proposed and existing use.** The application is to include:

- The current use of the building and the details of how it is lawful (e.g. any approved consent)
- The gross floor area of the use and any individual components (i.e. percentage of office and industrial space)

Statements of compliance with the most recent development consent in relation to the hours of operation (or the SEPP), car parking and landscaping. Where there are no existing conditions relating to car parking, the new use must comply with provision on the Development Control Plan. Where applicable these provisions should be indicated on the plans.

**21. Details of compliance with the Building Code of Australia.** The application is to include:

- All existing and proposed fire safety measures including the standard to which they are, and/or will be installed.
- The number and location of sanitary facilities, hand basins, urinals and wash basins
- Evidence of any required fire rating between different classes of building
- The location of any openings used to provide light and ventilation or if the building is mechanically ventilated a statement to that effect
- Where mechanical ventilation is to be installed details of the installation, including emitted noise levels.
- A document that describes the design, construction and mode of operation of the new fire safety measure and any associated works.

**Fire Safety Schedule:** Any measure (including any item of equipment, form of construction, or fire safety strategy) that is, or is proposed to be implemented in a building to ensure the safety of persons using the building in the event of fire (eg. exit signs, fire extinguishers, hydrants, fire dampers).

**22. A statement for entertainment venues** – A statement outlining the maximum number of persons proposed to occupy, at any one time, that part of a building used as entertainment venue, function centre, pub, a registered club or restaurant, for applications within these buildings.

**23. A certificate issued by the Roads and Maritime Services** – The certificate is to certify that any impacts on the surrounding road network as a result of the development are acceptable or will be acceptable if specified requirements are met.

**24. Hunter Water notice or written advice** – that specifies the works or other requirements to be completed as part of the development. The notice or advice can also be issued by another authorised entity.

**25. A copy of stamped plans from the Mine Subsidence Board.** The Mine Subsidence Board is located at 117 Bull St Newcastle West and can be contacted on (02) 49084300 (see the [Mine Subsidence Board](#) website for more information). Some minor building works are exempt from the requirement to have the plans stamped. The Mines Subsidence Board can provide you with more information on the exemptions available.

**26. A statement relating to contaminated land** – A statement issued by a qualified person (a person who has the competencies that are essential to contaminated site assessment and investigation as set out in the document entitled [Schedule B9 Guideline on Competencies and Acceptance of Environmental Auditors and Related Professionals](#) published by the National Environment Protection Council in 2013, certifying that:

- (i) the land is suitable for the intended purpose of the development having regard to the contamination status of the land, or
- (ii) the land would be suitable if the remediation works specified in the statement were carried out.

**Extract -** [Managing Land Contamination Planning Guidelines, SEPP 55—Remediation of Land](#) and published in 1998 by the Department of Urban Affairs and Planning and the Environment Protection Authority.

### **Table 1. Some Activities that may Cause Contamination**

Source: ANZECC & NHMRC 1992 *The Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*. For information on chemicals commonly associated with these activities see Appendix A

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation