**Department of Planning, Housing and Infrastructure**

dphi.nsw.gov.au

Complying Development Certificate | Applicant

# How to submit a complying development certificate application

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## Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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How to submit a complying development certificate application

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# Introduction

Complying development is a fast-track approval process for straightforward residential, commercial, and industrial development. Please consult with your registered certifier or the local council for advice on whether your development falls under complying development and discuss supporting document requirements before applying for a Complying Development Certificate (CDC). You may also access my Home Planner (https://www.planningportal.nsw.gov.au/myhome-planner) which is an online tool developed to assist people with determining which development pathway is suitable.

This guide outlines steps on how to submit a complying development certificate application via the NSW Planning Portal (the Portal). Please view the *How to submit a complying development certificate application for a pattern book design* step-by-step guide on the NSW Planning Portal Support Hub for assistance with applications that are using a pattern book design.

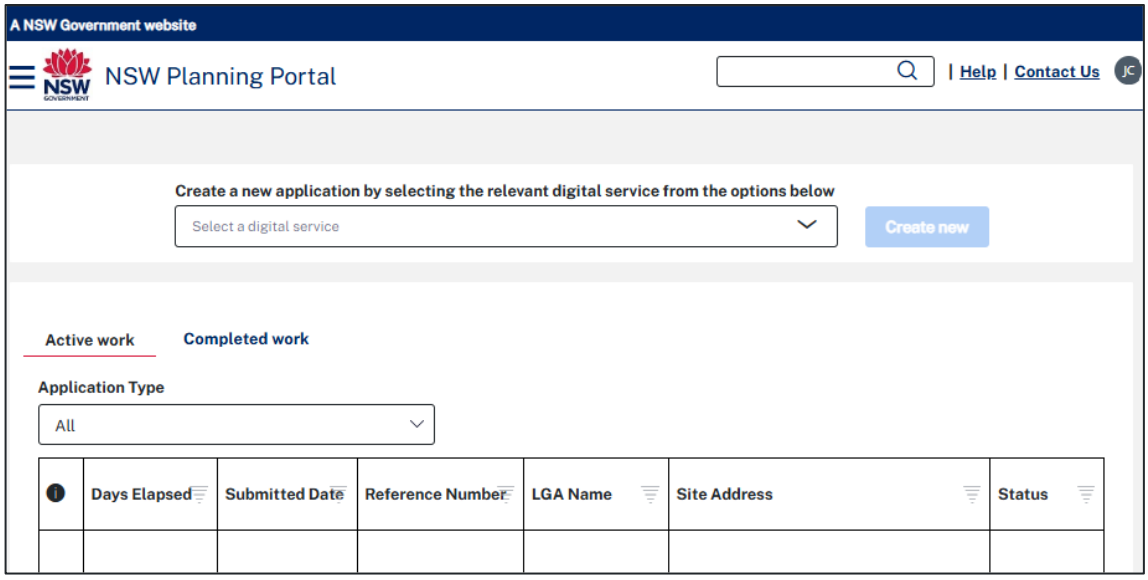
**Note**: You will need a NSW Planning Portal account to create and submit your application. To register a new account, refer to the *How to register for a NSW Planning Portal* step-by-step guide.

# Steps

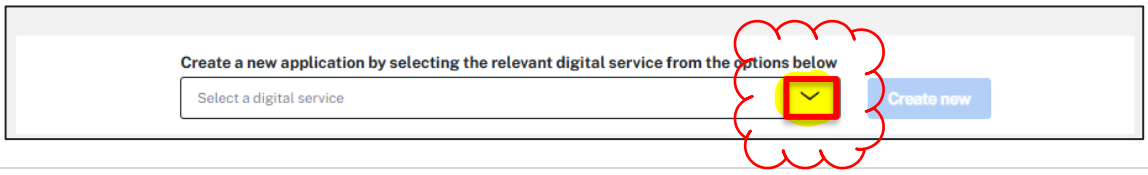
Tip: Mandatory fields are marked with an *asterisk. You must complete all mandatory fields on the application and any desired fields as required.

## Step 1: Initiate an application

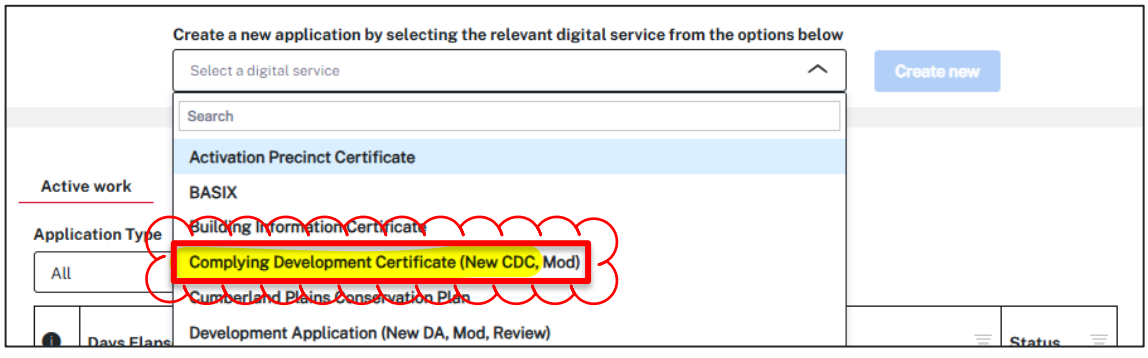
1. Log in to the NSW Planning Portal to display your dashboard.



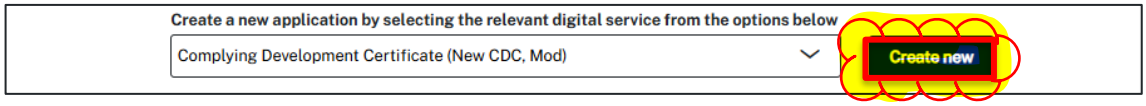

2. Click on the 'Create a new application.....' drop-down arrow.




3. Select 'Complying Development Certificate' from the list of options.



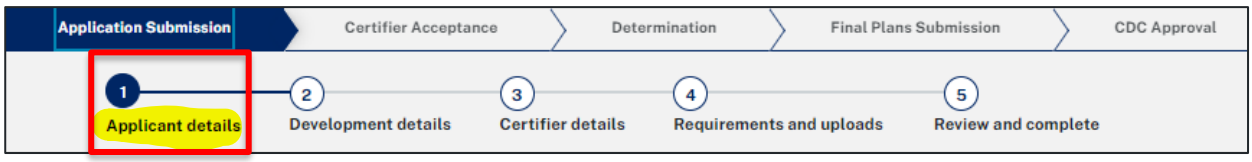
4. Click ‘Create new’.



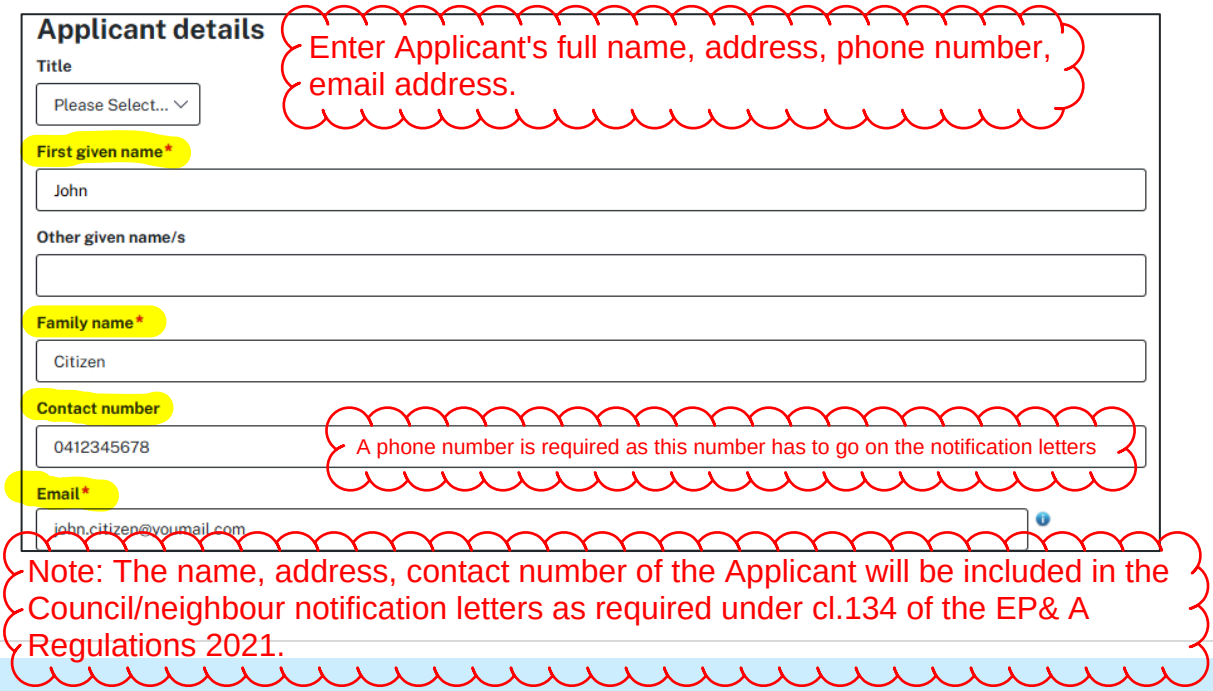

A new application will be created with a status of ‘In progress’. The status will remain as ‘In progress’ until the application is submitted.

**Tip:** The system assigns a unique reference number to the application with the prefix CDC. This number displays at the top of each screen and is included in all system-generated correspondence.

## Step 2: Enter applicant details




5. Verify (and edit, if needed) the applicant details.




**Note:** Your user profile name and contact email address will automatically populate in the applicant detail fields. These fields may be edited as required.

The email address provided should be the same email address the applicant uses to log into the Portal. This email address will receive all system generated emails.

6. **Indicate** if you are applying on behalf of a business or company.

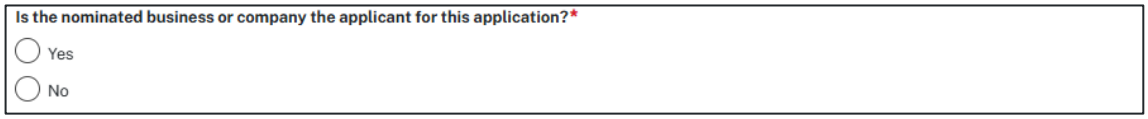



If you select 'Yes',

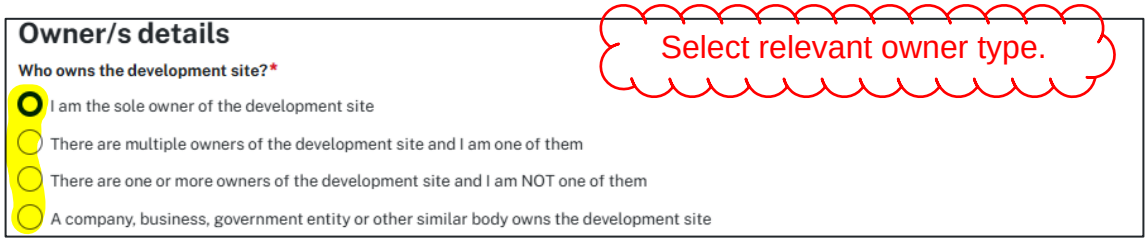
- **Select** either 'ACN', 'ABN', or 'Name' from the drop-down list.
- **Enter** the ACN, ABN or business / company name in the search field.
- **Click** 'Search'.
- **Select** a result from the list provided.




**Indicate** if the company is the nominated applicant for this application.



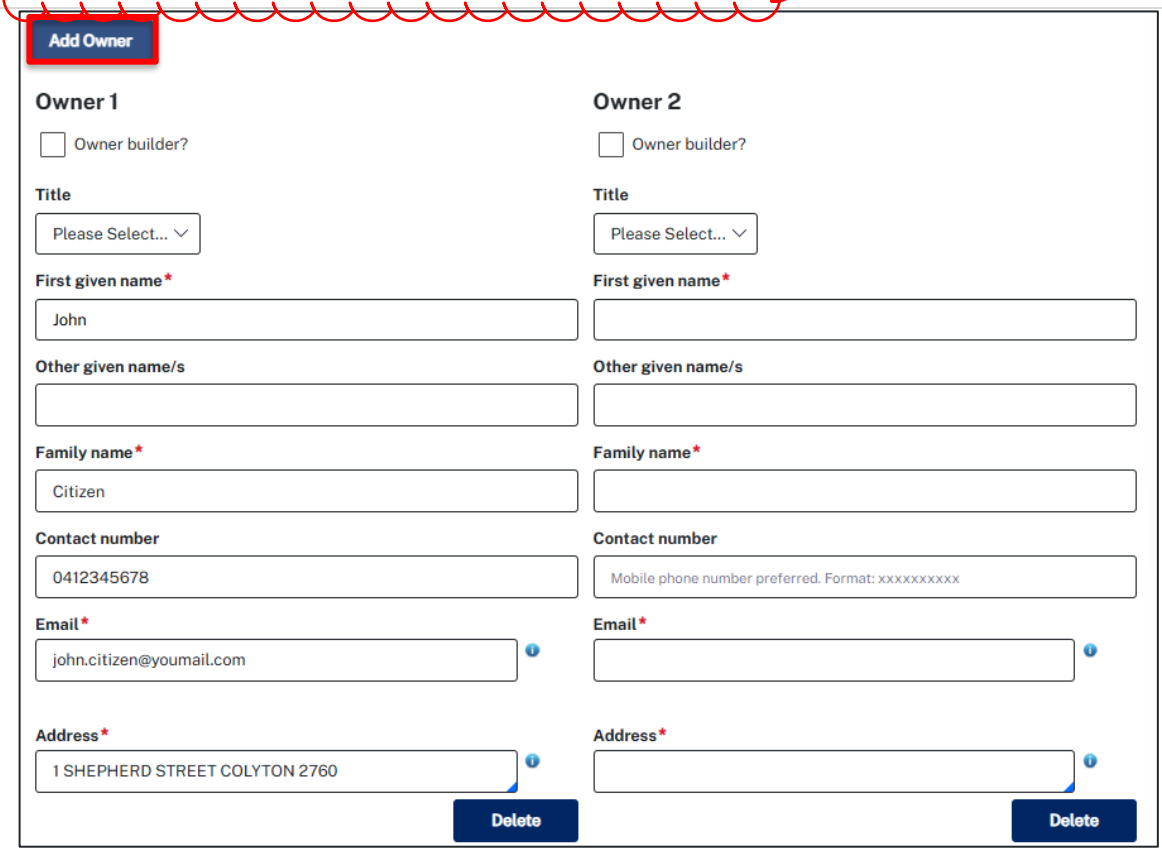

7. **Identify** the owner/s of the development site.



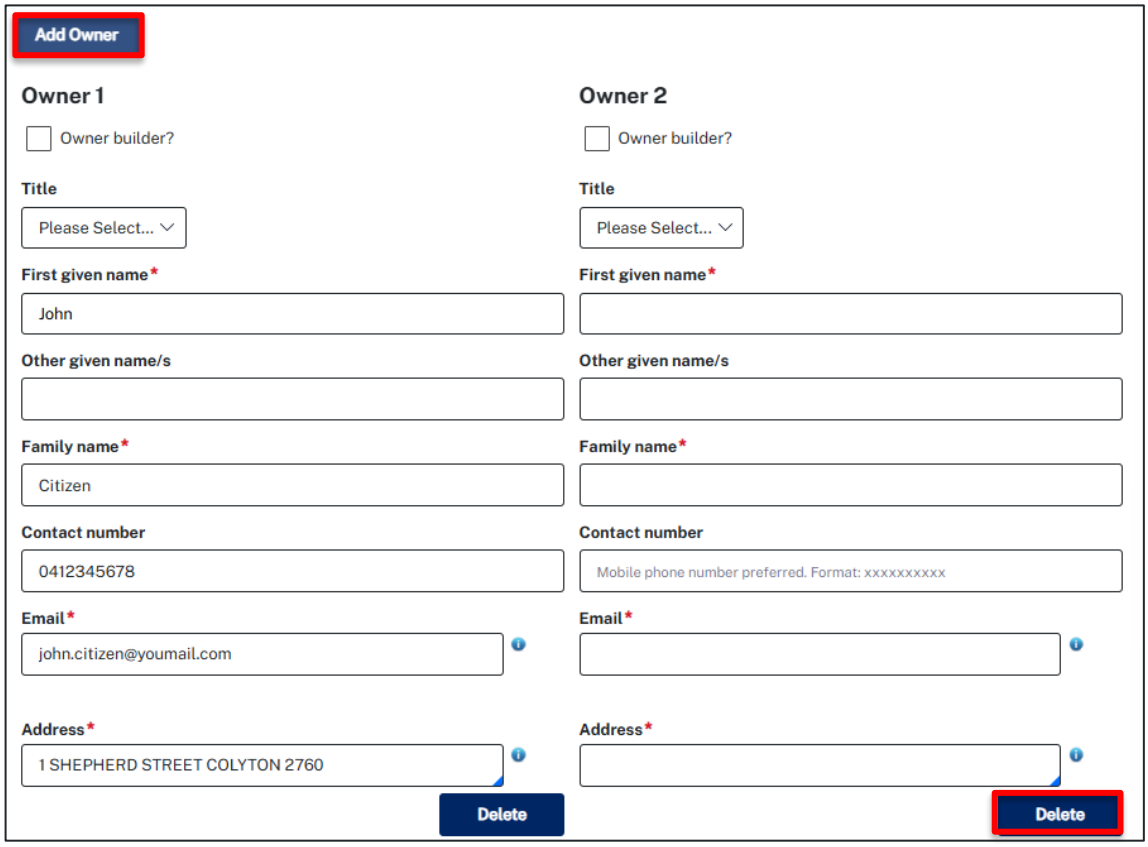

**Note**: If you are the sole owner, you do not need to provide any further information.

If there are multiple owners and you are one of them, **select** the appropriate button and **click** 'Add Owner' to enter the details for each owner. Your information will be automatically populated as Owner 1.

Enter details of any additional owner/s of the land.

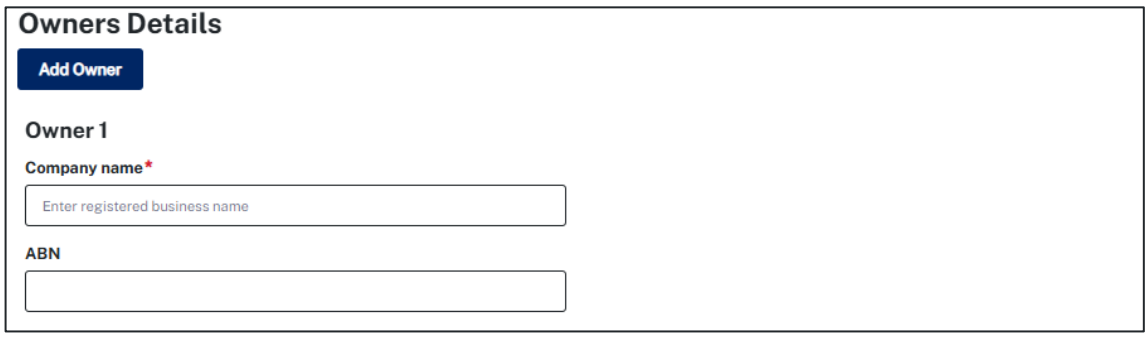



If you are not one of the owners, you must populate the contact information for all owners. You can add as many additional owners as required by clicking 'Add Owner'.

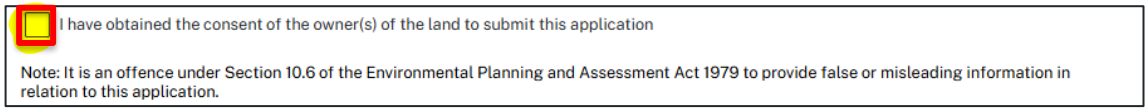



Select 'Delete' to remove an owner entered in error.

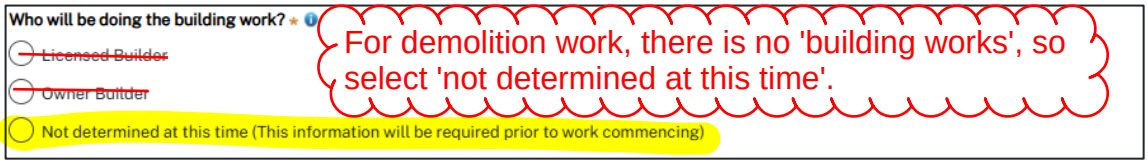
If a company or business owns the development site, **enter** the company name and ABN.




**Select** the 'checkbox' to confirm that you have the owner's consent to submit the application.



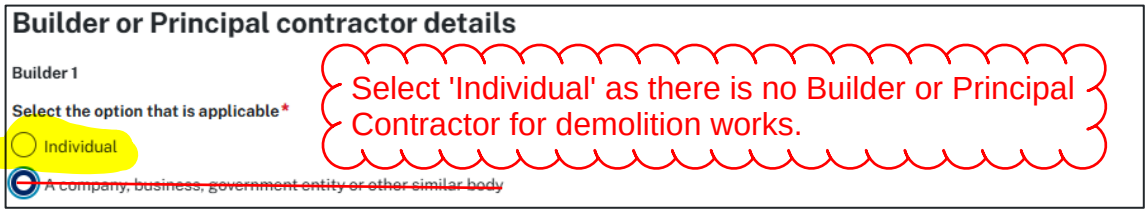

8. **Select** who will be doing the building work.




**Note:** If builder details are currently unknown, you have the option to notify your certifier later. Please ensure all builder information is provided before commencing work.

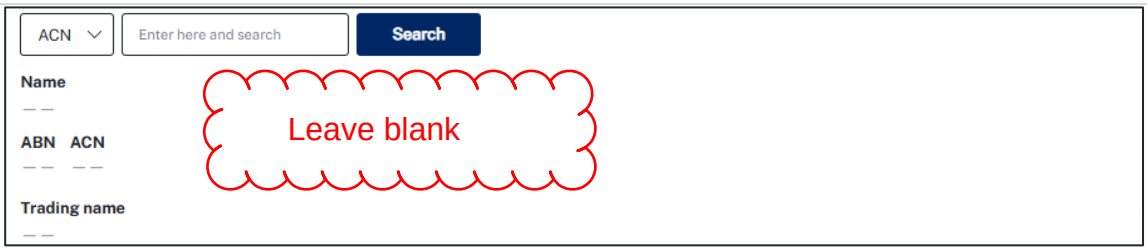
If 'Licensed Builder' is selected:

**Indicate** whether the builder or principal contractor is an individual or a company, business, government entity or other similar body.




**Enter** the relevant contact details.

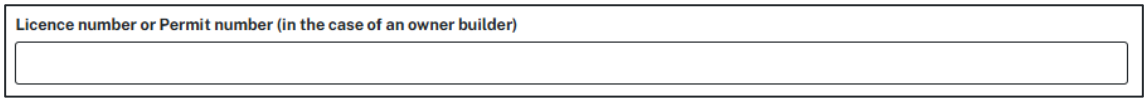
- **Select** either 'ACN', 'ABN', or 'Name' from the drop-down list.
- **Enter** the ACN, ABN or business / company name in the search field.
- **Click** 'Search'.
- **Select** a result from the list provided.



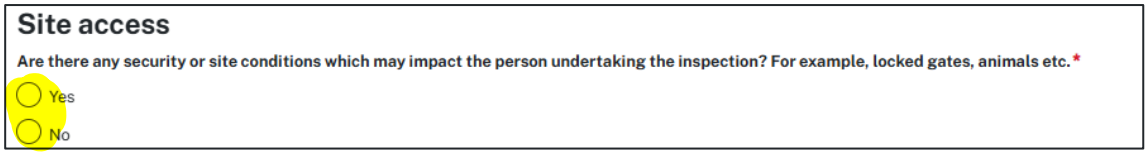

If ‘Owner builder’ is selected:

Enter the licence or permit number.

N/A - no owner builder




9. Indicate whether there are any security or site conditions which may impact the person undertaking the inspection.




If you select ‘Yes’, you will be prompted to enter further details.

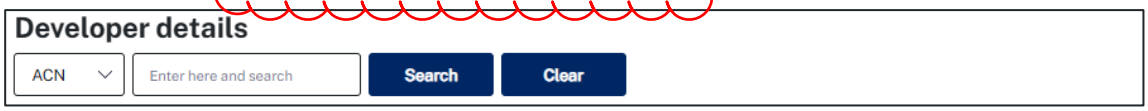
10. Indicate whether the fee payment will be made by an individual, company, business, government entity, or other similar body.




Enter the relevant details in the fields provided.

11. Enter the developer details, if known/relevant. You can search to locate the company or business by using a keyword. Select a search option from the drop-down menu.

Leave blank - no developer




12. Click ‘Save and continue’ to progress to the next step.




Note: You can also click ‘Cancel’ to exit without saving, or ‘Save and exit’ to save all information entered so far and return to your dashboard. ‘Save and exit’ will work only if all mandatory fields have been completed.

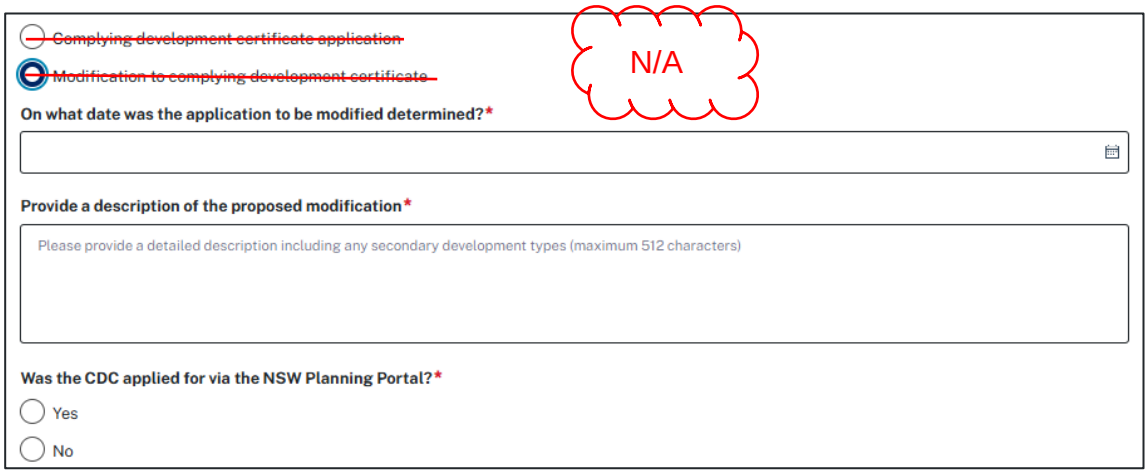
# Step 3: Enter development details



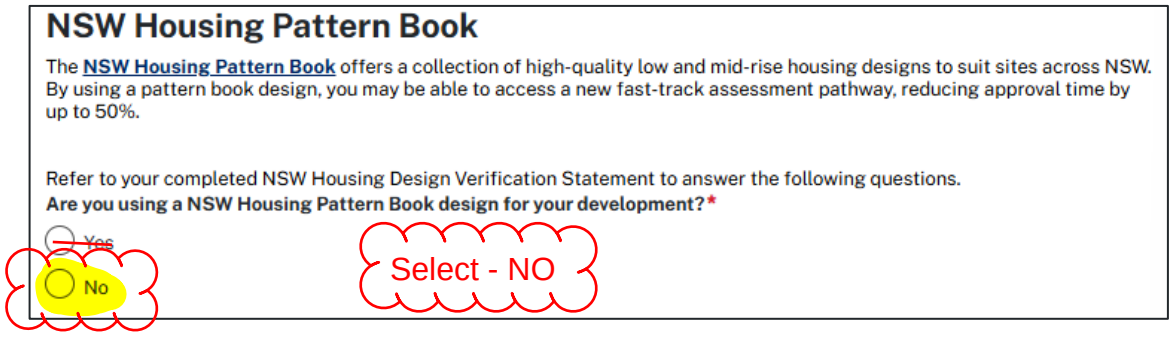

13. Select the application type.



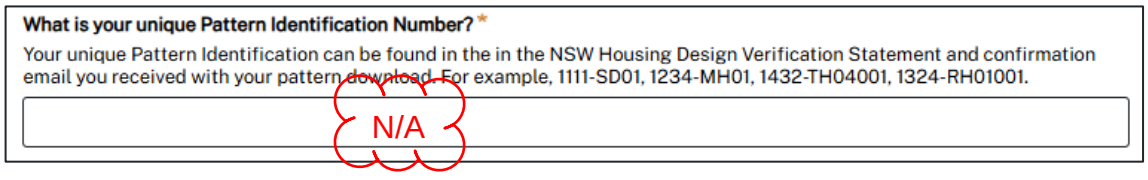

Note: If you select 'Modification to complying development certificate', you will be required to provide additional details. This includes previous consent information, a description of the proposed modification, and whether the original CDC application was submitted through the Portal.




14. Indicate whether you are using a NSW Housing Pattern Book design.



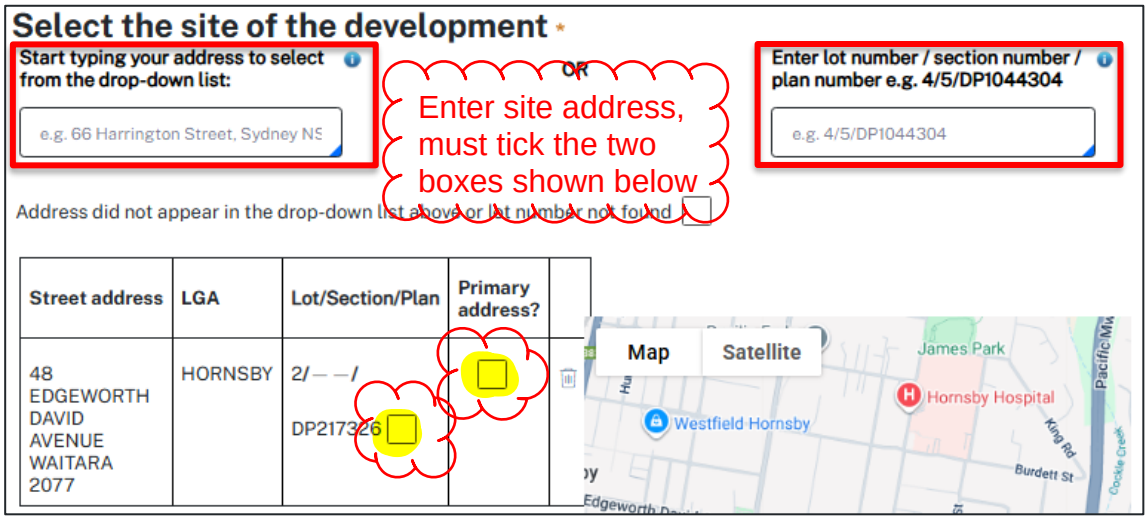

If you select 'Yes', you will be prompted to enter your unique Pattern Identification Number.



15. **Enter** the site address of your development or Lot/Section number/Plan.

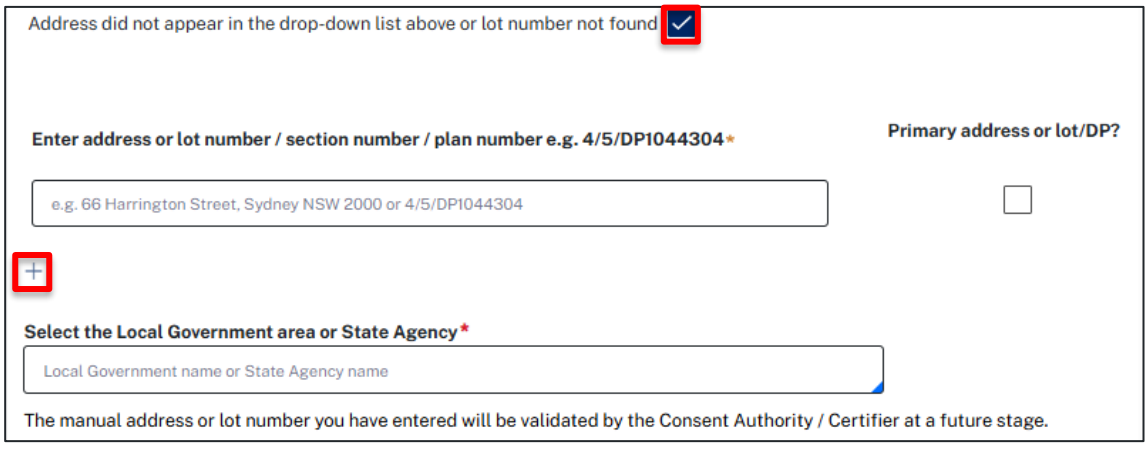
As you type, the system will auto-suggest addresses or the lot/section/plan number based on the information entered. **Select** the correct address or lot/section/plan number from the list.

Repeat as required until all development sites have been added.



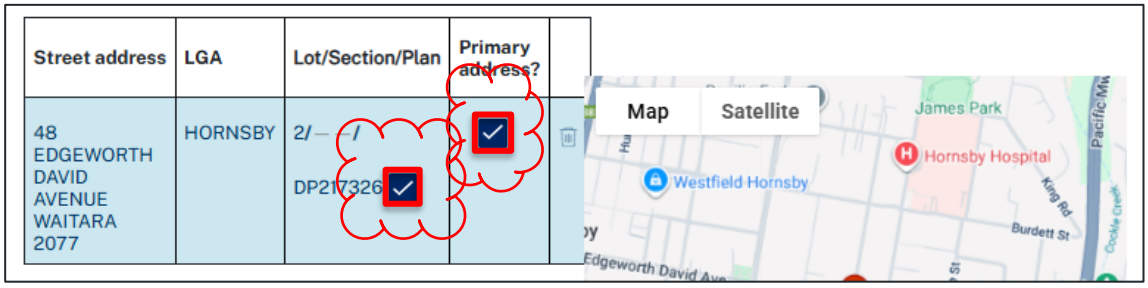

**Note:** If the address is registered, a map will display on the right-hand side of the screen with site information including the relevant local government area (LGA) on the left and planning controls affecting the property below the address.

If the address does not display, **select** the 'Address did not display?' checkbox and enter the address and local government area/state agency manually in the added text fields.




**Tip:** To add an additional address, click on the + below the address.

16. **Click** the checkboxes to indicate the primary address for this application, the lot/section/plan number, and relevant lot(s) of the development. These fields are mandatory.

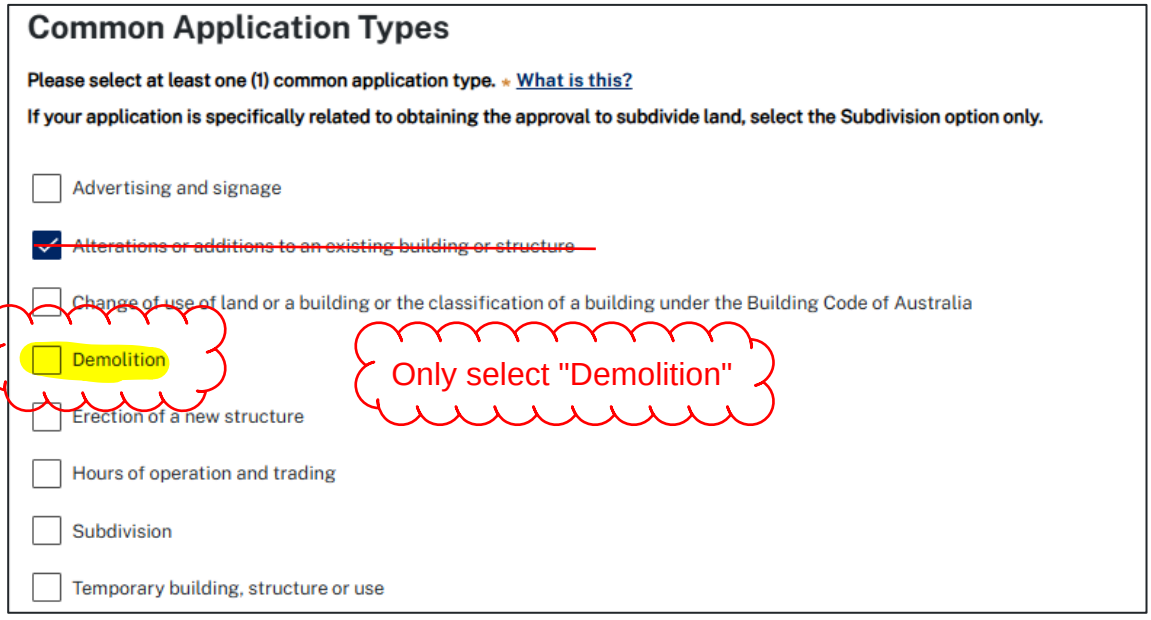



Tip: To delete an address, **click** on the bin icon at the end of that row.

17. The planning controls affecting the property can be viewed by **clicking** on the arrow below the heading for planning controls.




18. **Select** a common application type to define associated development categories.

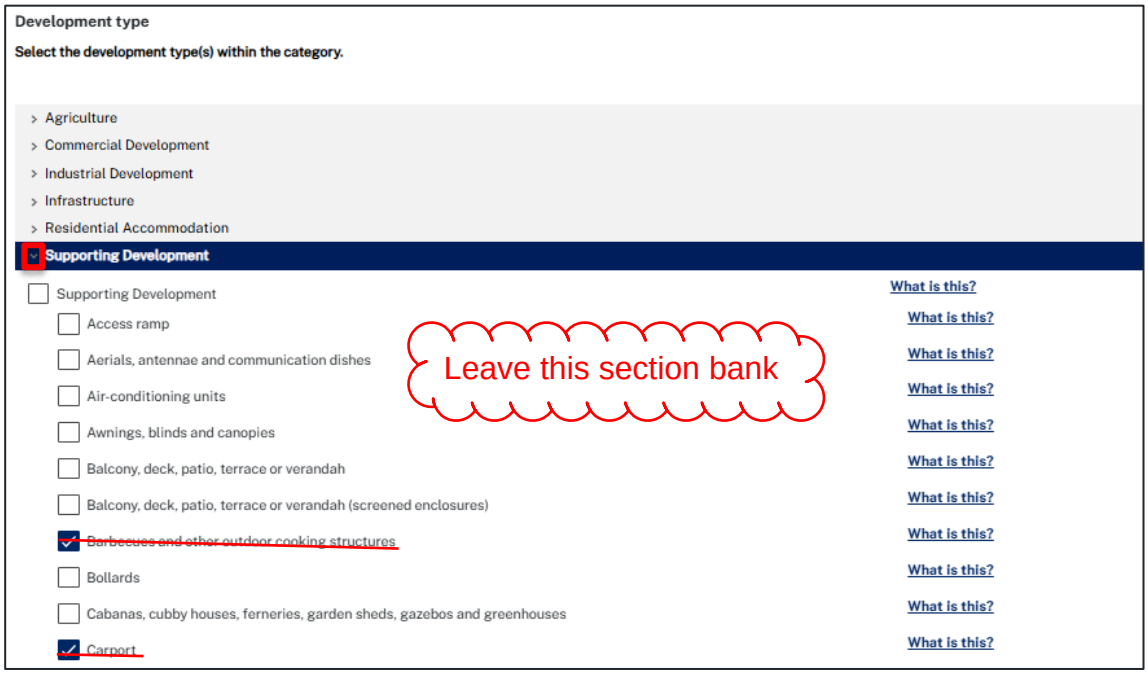


Notes:

1. Development types are grouped under common application types. Once you select a common application type(s), the related development type(s) will appear, organised under development categories.
2. Some development types may appear under more than one common application type.
3. If you select 'Subdivision', you will be prompted to enter details about the proposed subdivision.

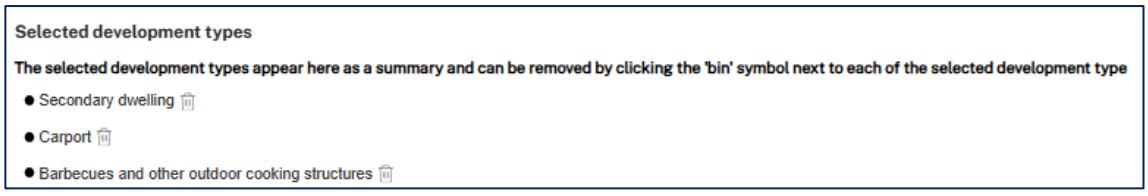
19. **Click** the arrow beside the development category to view the associated development types.

    **Select** all development types that apply to your development.



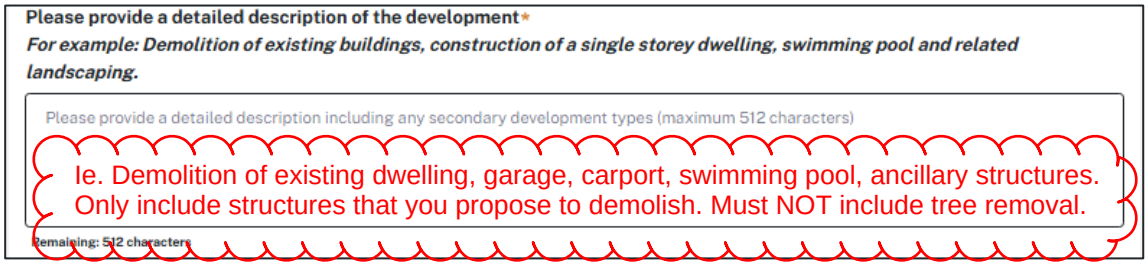

Note: Each development type includes a What is this? Hyperlink, which you can click to view a definition.

The development types you selected will display as a list.

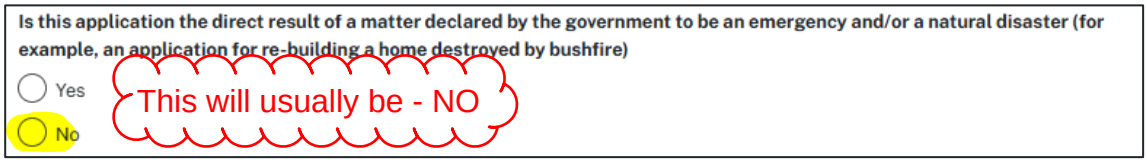


Tip: To delete a development type, click on the bin icon next to that development type.

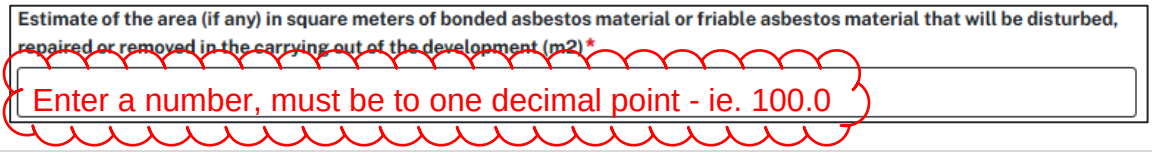
20. Enter a detailed description of the proposed development.



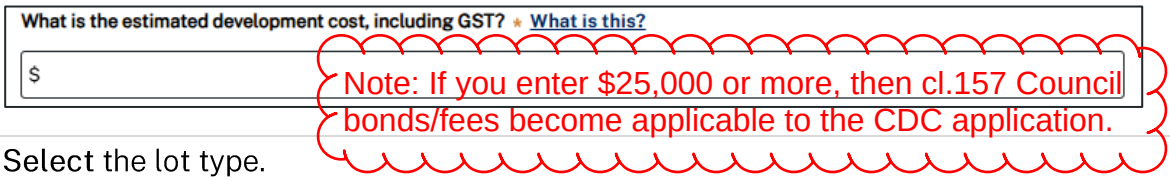

21. Indicate whether the application is a direct result of an emergency and/or natural disaster as declared by the government.



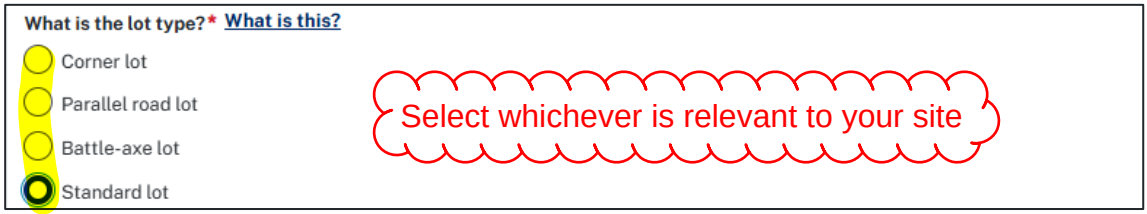

22. Enter the estimated area (if any) of bonded asbestos removal in square metres.




23. Enter the estimated development cost, including GST, as a plain number. Do not include a dollar sign.




24. Select the lot type.

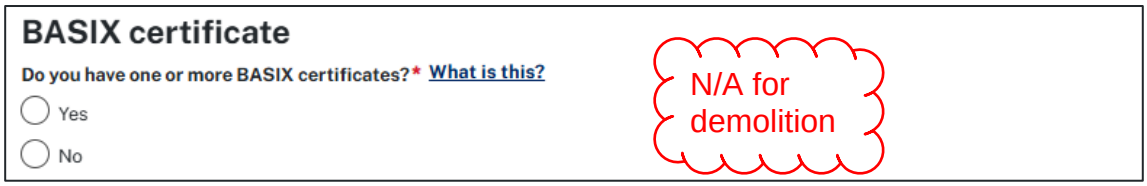



25. Indicate if you have a Pre-DA Assist Tool report.

If you select 'Yes', enter the Pre-DA Assist report number, and then click 'Check'.

Note: The Pre-DA Assist Tool is currently only available for applications in the **Parramatta** and **Georges River** council areas, and only where a 'Dwelling House' has been selected as the development type.

26. **Indicate** whether you have one or more BASIX certificates.



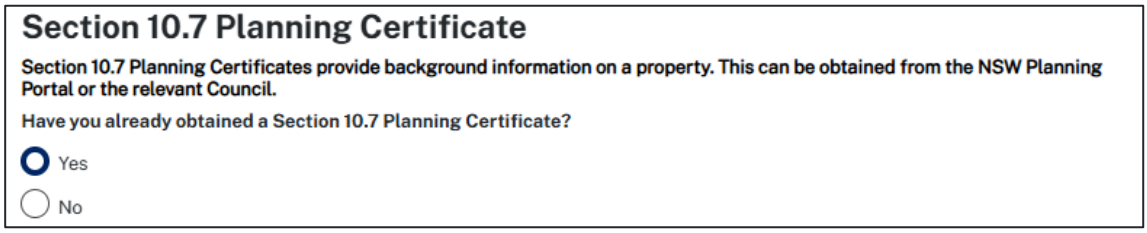

If you select 'Yes', **enter** the BASIX certificate number.




Tip: Additional BASIX certificate numbers may be entered by clicking the 'Add' button.

Note: A BASIX certificate is only required for certain residential developments. If this question appears on your application, click the What is this? tool tip to find out more.

27. **Indicate** whether you have already obtained a Section 10.7 Planning Certificate.




If you select 'Yes', follow the application prompts and complete the required fields.

Note: If you have not already applied for a Section 10.7 Planning Certificate, you may be able to apply via the Portal, provided the relevant council has activated this service in the Portal. Otherwise, you will need to contact the council directly.

Note: If planning portal doesn't accept your Certificate number, then press NO and move on.

28. **Indicate** whether approval under section 68 of the *Local Government Act 1993* is required.




If you select 'Yes', follow the application prompts and complete the required fields.

**Note:** To initiate a Section 68 application, the relevant council must have activated this service in the Portal. If so, a related Section 68 application will be created automatically after you submit your CDC application. You can access the draft application via the 'Related Cases' tab within the CDC application. If the council has not activated this service in the Portal, contact the council directly to apply.

29. **Click** 'Save and continue'.

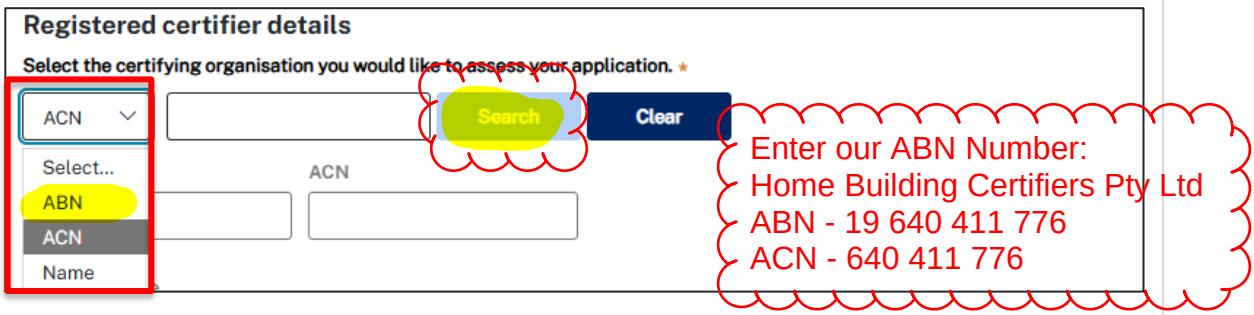



## Step 4: Enter nominated certifier details




30. Nominate the registered certifier to assess your application:

- **Select** either 'ACN', 'ABN', or 'Name' from the drop-down list.
- **Enter** the ACN, ABN or business / company name in the search field.
- **Click** 'Search'.
- **Select** a result from the list provided.




Their details will populate the required fields.

31. **Indicate** whether the principal certifier is the same as the registered certifier.




If you select 'Yes', go to step 33.

If you select 'No', use the search functionality to select the principal certifier.

32. Click 'Save and continue'.



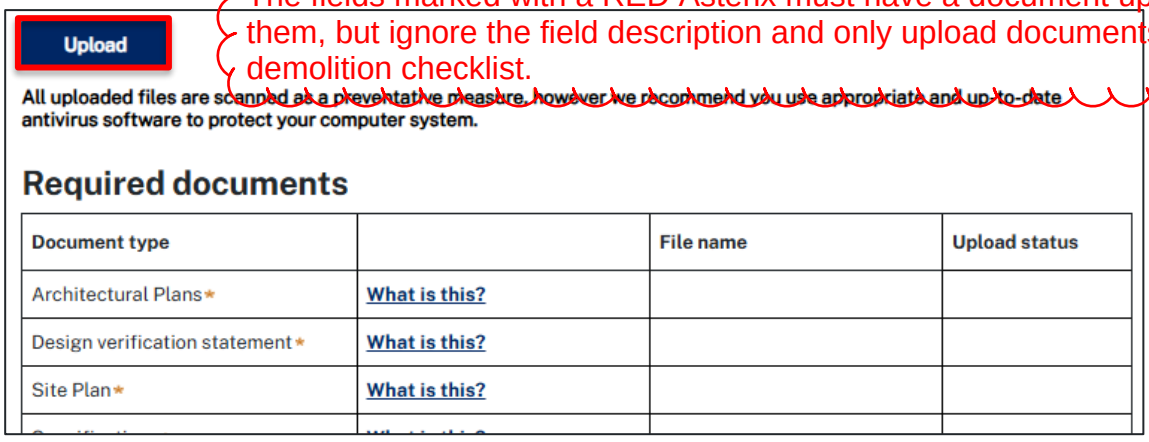

## Step 5: Upload documents

There are certain documents that must be uploaded with your application. These are listed in the 'Required documents' table. Your certifier may also require additional documents to complete their assessment of your application. To avoid potential delays, we recommend contacting your nominated certifier to confirm all required documentation.

> **Note:** For a **NSW Planning Pattern Book Design** application, you must upload a 'Design Verification Statement'. When uploading this file, select the category 'Other Documents'.

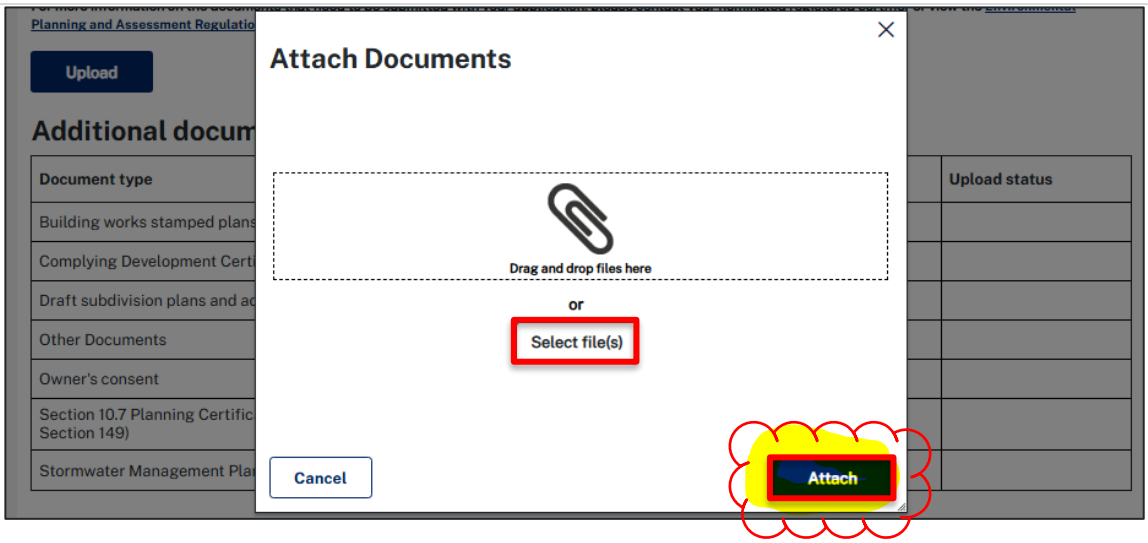



33. Click 'Upload'.




Upload documents as per our demolition checklist.
The fields marked with a RED Asterix must have a document uploaded into them, but ignore the field description and only upload documents per the demolition checklist.

34. Click 'Select files (s)' or drag and drop your file(s) in the space provided.




- Click the 'Category' drop-down menu and select the appropriate category to correspond to each file.
- Click 'Attach'.

Upload documents as per our demolition checklist.
The fields marked with a RED Asterix must have a document uploaded into them, but ignore the field description and only upload documents per the demolition checklist.

**Note:** The name of the document has a maximum of 150 characters. If the name of your file exceeds this limit, you can change the document name to bring it within the 150-character limit.

35. Click 'Save and continue'.




**Note:** Based on the details provided in your application, if a housing and productivity contribution is identified for the development, a message will display alerting you that a contributions case has been created.

The system will automatically generate a subcase with a CON prefix. You will then be prompted to enter further details within the CON case, upon clicking 'Save and continue' on this screen.

CDC applications that do not require a housing and productivity contribution to be paid will proceed to Step 6, 'Review and submit'.

# Entering housing and productivity contribution details

Certain residential, commercial, and industrial developments may be subject to a housing and productivity contribution (HPC) on approval of the Complying Development Certificate (CDC) application. The need for a contribution will be determined based on the location of the development site and the types of development types specified in your CDC application. This section of the guide outlines the steps to complete the applicant inputs for the contributions case.

**Note:** While we encourage applicants to provide information on proposed development for contributions, if this information is not understood, or available, you may submit your application without completing any further details. The certifier responsible for assessing your CDC application will finalise the necessary inputs for the housing and productivity contributions. It is the certifier's responsibility to ensure that the appropriate contribution amount is calculated and will be imposed as a condition of the consent, if approved.

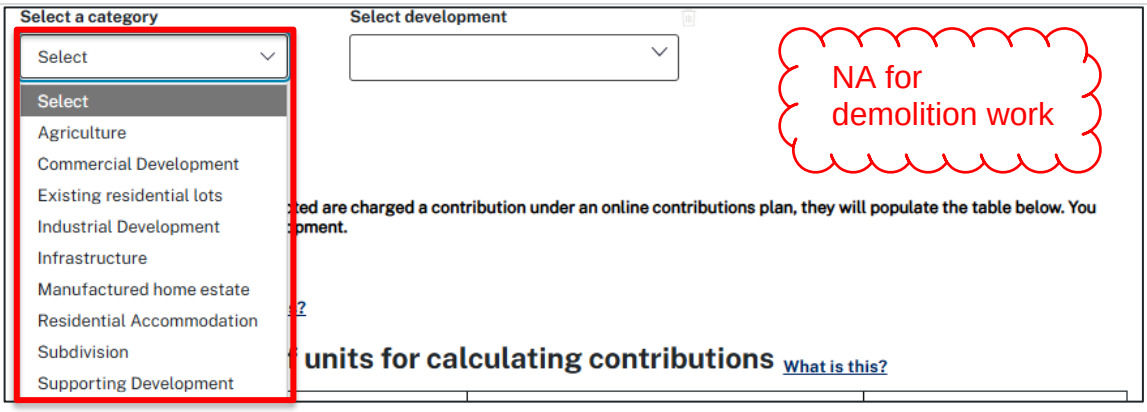
1. **Identify** if a previous payment for contributions or a planning agreement applies.




**Note:** Previous arrangements may impact contributions for a new development. Evidence will be necessary and can be uploaded. Each selected item will require supporting documents to be uploaded.

The development types and common application types entered in the Complying Development Certificate application will display. If the listed development(s) which require a contribution do not appear in the table, capture further contribution uses by following the steps below.

2. **Select** a category from the available list.




a. Click the down-arrow to select a development from the available list.

b. Select as many developments from the available list as relevant. This list will be filtered based on the category selected in the previous step.




Note: To add further contribution uses to the table, click 'Add Contributions uses' and repeat the previous steps.

3. Click 'Complete Selection' to refresh and update the Proposed number of units for calculating contributions.




The development requiring contributions will be listed in the table, allowing you to enter the number of units per the unit of charge.

**Proposed number of units for calculating contributions** What is this?

| Development | Sub types What is this? | Total | Unit of charge |
|---|---|---|---|
| Animal boarding or training establishment | | | Beds |
| Amusement centre | | | SQM of GFA |
| Animal boarding or training establishment | | | SQM of GFA |
| Centre-based child care | | | SQM of GFA |

NA for demolition work

**Note**: The unit of charge corresponds to the type of development proposed. For residential development, the total is calculated by entering the number of units of charge (i.e., the number of new dwelling lots). For commercial and industrial development, the total is calculated by multiplying the units of charge by the square meterage of new gross floor area (GFA) applicable to the development.

4. **Enter** the total number of Units for each development.

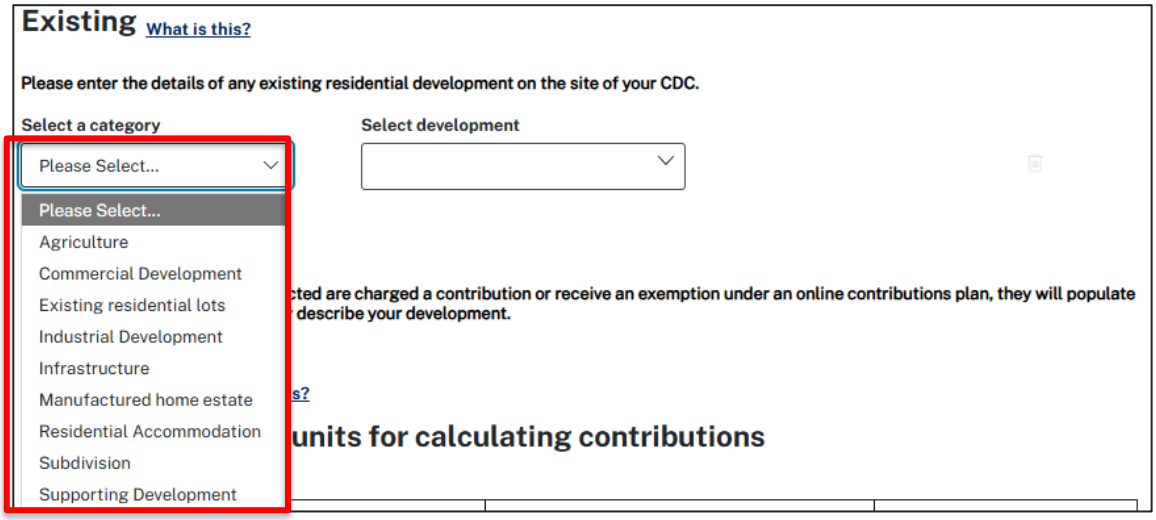
| Development | Sub types<br>What is this? | Total | Unit of charge |
|---|---|---|---|
| Animal boarding or training establishment | | | Beds |

5. **Indicate** whether you want to add an existing development, such as an existing residential lot, that applies to your development.

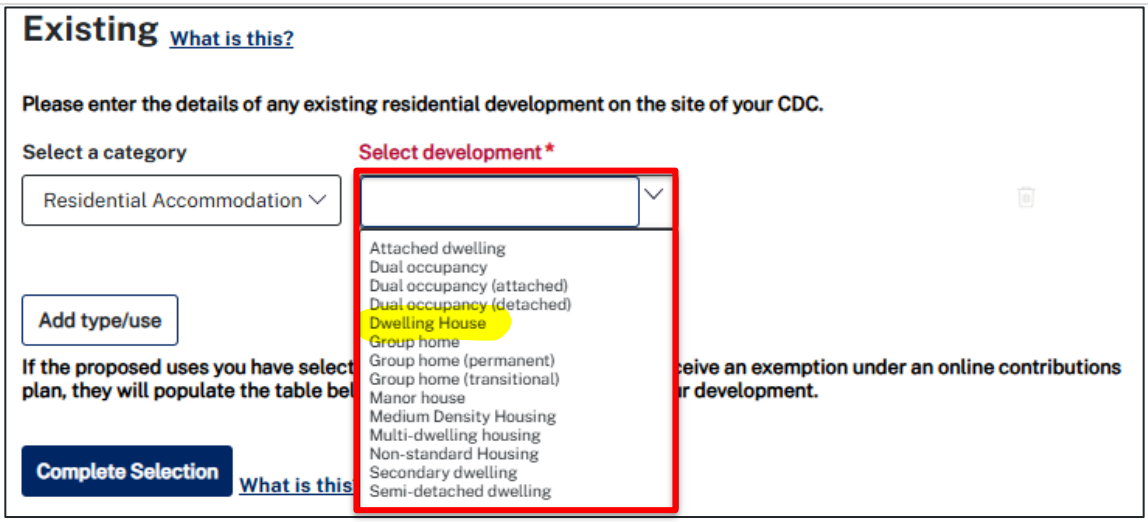
Do you want to add existing development? What is this?
- (●) Yes
- ( ) No

If you select 'Yes',

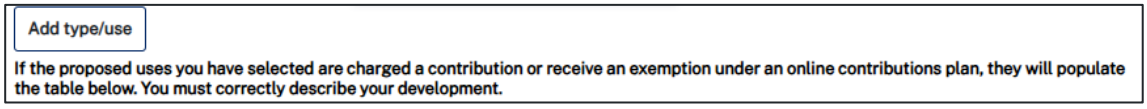
a. **Select** a category from the available list.




b. **Click** the down-arrow to select a development from the available list.



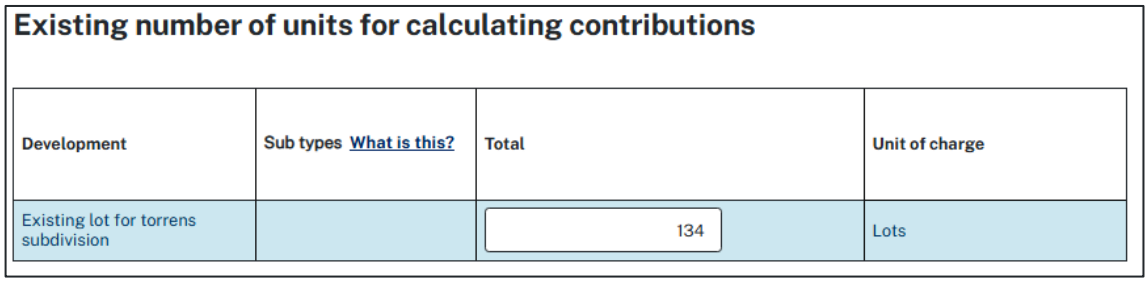

c. Select 'Add type/use' to add an additional existing development, if required.



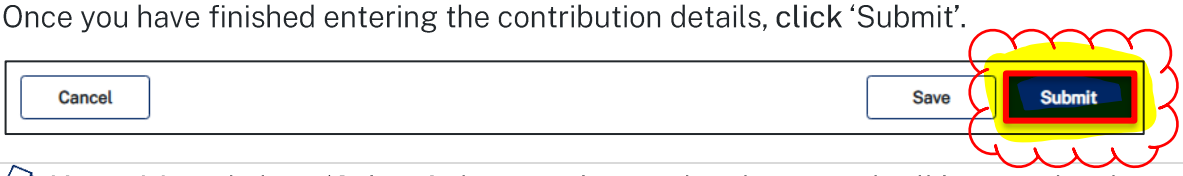

6. Click 'Complete selection' to refresh and update the table for existing number of units for calculating contributions.




7. Enter the total number of units per unit of charge.




8. Once you have finished entering the contribution details, click 'Submit'.

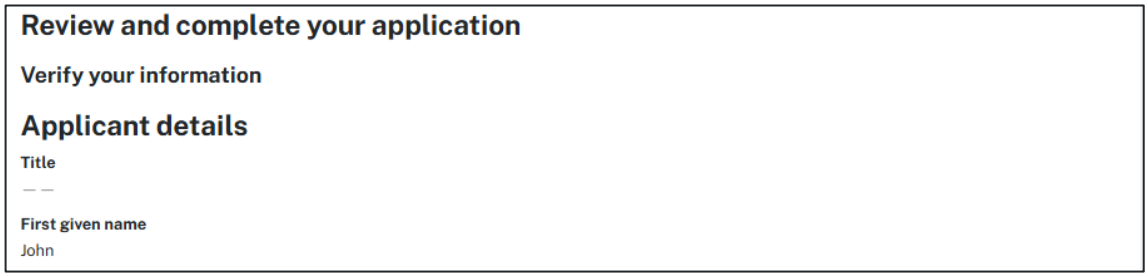



Note: After clicking 'Submit', the contribution details entered will be saved with your application. You can review the details entered via the file generated and located in the documents tab of the Complying Development Certificate application.

# Step 6: Review and submit application



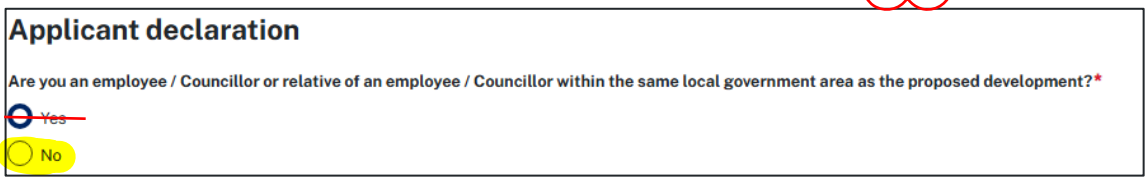

36. Review the information entered on your application. This information is read-only.




If changes are needed, click the 'Previous' button (bottom left of screen) to navigate to the previous screens.



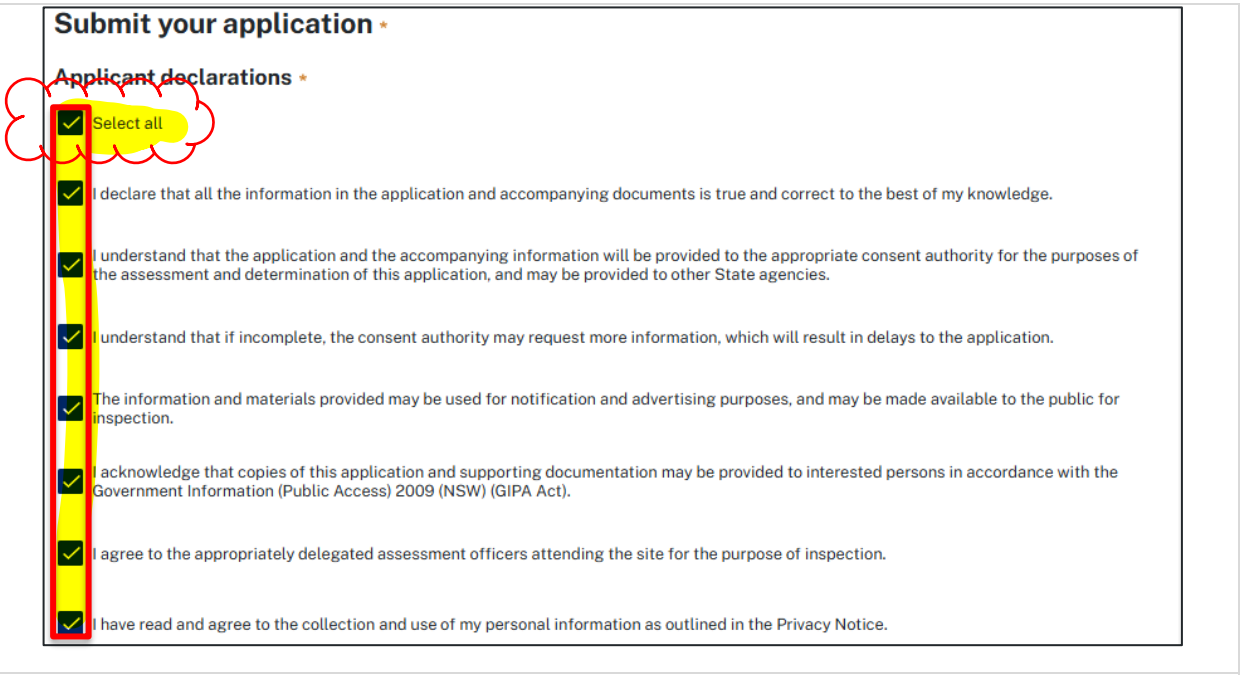

37. If you have nominated the council as your certifier, indicate whether you are an employee, councillor or relative of an employee at that council. N/A



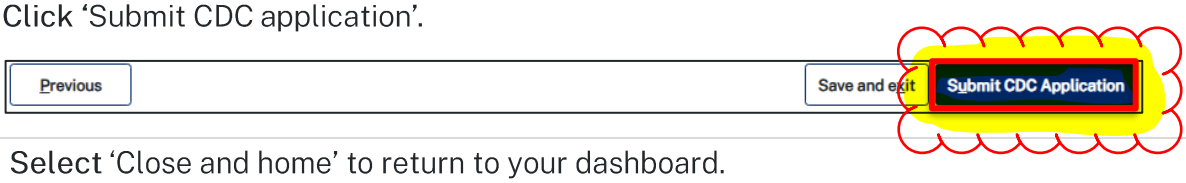

If 'Yes', indicate the nature of your relationship.




38. Once you have reviewed the information entered, complete the declarations at the bottom of the page by selecting each tick-box or clicking 'Select all'.




39. Click 'Submit CDC application'.




40. Select 'Close and home' to return to your dashboard.

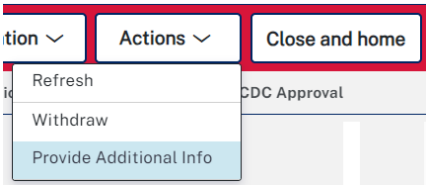


# What happens next?

- Your application status will change from ‘In progress’ to ‘Submitted’.
- The nominated certifier will receive a system-generated notification to advise them that they have received an application for their review.
- The nominated certifier will review your application and may request additional documentation to be provided. You will receive a system-generated email advising you of the request.
- The certifier will discuss the required fees with you and any Terms and Conditions. This will occur outside of the NSW Planning Portal.
- If you have initiated a related application such as a Section 10.7 Planning Certificate or Section 68 approval (applicable only in cases where the appropriate council is currently receiving these types of applications via the Portal), you must complete the relevant ‘In Progress’ applications available in your Active Work or from the ‘Related Cases’ tab within the Complying Development Certificate application. Where possible, content is pre-populated from this application.
- If a housing and productivity contribution applied to your application, the certifier will notify you of any contribution amounts payable.
- The nominated certifier will provide you with an outcome of their review via a system-generated notification. If they decline the application for assessment, you can use the ‘Copy to new’ function to re-submit the application to an alternative certifier.

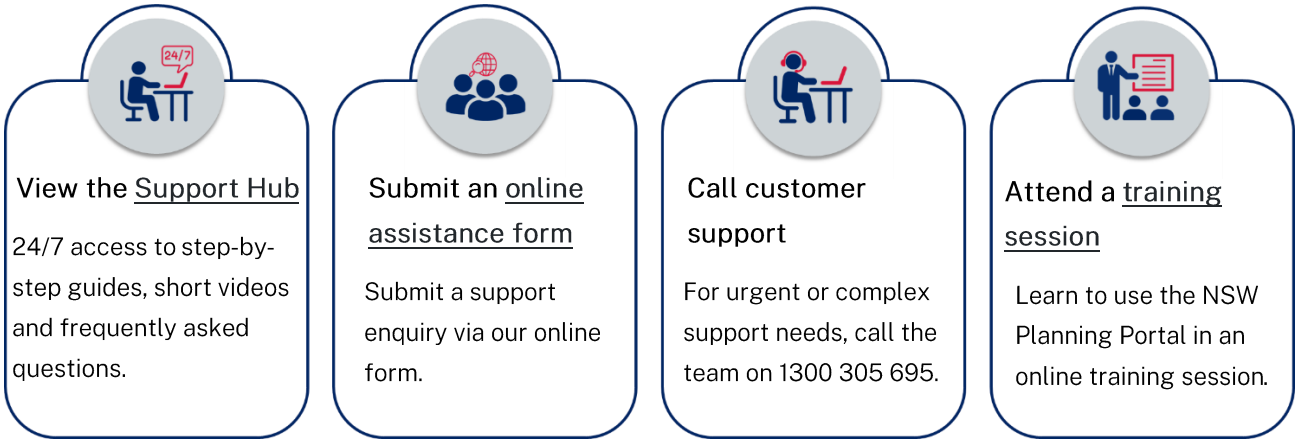



- If you need to withdraw the application, you can do so by using the ‘Withdraw’ application functionality accessed via the ‘Actions’ button within the application.



# More information

## Need help using the NSW Planning Portal?




## Recommended step-by-step guides

Other step-by-step guides that you may find useful are listed below:

- How to register for a NSW Planning Portal account
- How to cancel an 'In progress' application
- How to provide additional information
- How to navigate the NSW Planning Portal dashboard

These documents can be found on the NSW Planning Portal Support Hub.