(This letter should be printed with the Council or private certifier letterhead)

# NOTICE OF APPLICATION FOR A COMPLYING DEVELOPMENT CERTIFICATE *Environmental Planning and Assessment Regulation 2000* clause 130AB

Dear Sir/ Madam

On (date), (council/ name of certifier) received an application for a complying development certificate (CDC) that relates to a property close to your address at (address).

The proposed development is to (delete all that do not apply from the list below):

* demolish the existing dwelling (or state other building) (and include new development if proposed)
* build a new single/ two storey dwelling
* build a single/ two storey addition to the existing dwelling
* build a new secondary dwelling
* build a new group home

The applicant is (name) and may be contacted on (phone number) or at (address – if same as above, write ‘the above address’) if you wish to discuss the proposal.

## What is a complying development certificate?

A CDC is a type of development approval that may only be issued if the proposal is ‘complying development’; that is, it meets specific, pre-determined development standards in:

* the (name of relevant LEP), and
* the (name of relevant SEPP), and
* the *Environmental Planning and Assessment Regulation 2000*, and
* the *Building Code of Australia*.

The next page has more information about complying development, including answers to the most common questions.

## What happens next?

The application for the CDC will be determined no sooner than 14 days from the date of this notice. This 14 day period is your opportunity to contact the applicant if you wish to discuss the proposed development.

This notice is for information only and aims to encourage neighbours to discuss the development before the proposal is determined.

The application will be determined in accordance with the *Environmental Planning and Assessment Act 1979*.

Once the application is determined, the council is required to make a copy of the determination available for inspection at its office free of charge.

(Signature)

(Certifier name/authority and accreditation number)

(Date)

(Contact details- post, phone & email)

(ABN)

# About Complying Development

Complying development is an assessment process for straightforward development proposals. If the proposal complies with all the pre-determined development standards, the development must be approved.

Proposals for more complex development, or development on environmentally sensitive land cannot be done as complying development and require a ‘development application’ from your local council.

The rules for complying development differ to those for a development application. The main difference is that, since complying development must meet pre-determined development standards, the applicant is under no obligation to make changes if a neighbour does not agree with what is proposed.

The applicant is also under no obligation to discuss the proposal with neighbours, but is encouraged to do so.

Find out more at www.planning.nsw.gov.au/exemptandcomplying

## Common questions about complying development

**Q:** Does the process differ if a private certifier is involved rather than the council?

**A:** No. The same standards apply regardless of whether the application is determined by a private certifier or a council.

**Q:** Can I make a submission about the proposed development?

**A:** The development standards for complying development are set by State Environmental Planning Policies and the council’s Local Environmental Plans and Development Control Plans. These plans were all adopted after a public consultation process.

The development standards cover the same things that a council would consider if assessing a development application, such as privacy, setbacks, floor space ratio and building height. The set standards provide assurance to applicants that a development will be approved if it meets these standards. They also provide neighbours certainty about what development can be done as complying development.

**Q:** Can I view the building plans?

**A:** The building plans are commercial-in-confidence until the complying development certificate is issued (if approved). You may ask the applicant for a copy of the plans, but the applicant is not obliged to provide these.

Once the complying development application is determined, the plans will be available to inspect at the council office, free of charge during office hours.

**Q:** Will I be notified before work starts?

**A:** If the application is approved, the applicant must notify you in writing at least seven days before work starts. Complying developments are subject to conditions of consent including permitted construction hours and site management requirements to protect adjoining properties.