

Getting Retrofits Approved by Council

Do You Need Council Approval?

Even if you have or do not need approval from your strata committee, some retrofits will require council or other government approvals.

You will need to contact your local council to find out whether your proposed project is likely to be exempt or complying development, and whether you are required to lodge a development application. Starting a project without council approval can have repercussions, as you can be fined and insurance providers often won't cover unapproved projects.

Forms of approval

The development application is the means of seeking council or government approval. The type of application you need to submit will depend on your proposed project, and council. You should contact your local council to find out if you need to submit a development application, and if so which application.

- If a project is **exempt**, it doesn't require council approval
- If a project is **complying**, it requires a complying development certificate (CDC)
- If a project is **neither exempt or complying**, it requires development approval

Exempt development

If a project is **exempt**, it doesn't require council approval, but will still need to meet certain standards and requirements.

Complying development

Complying development requires an application for fast-tracked complying development certificate (CDC). The certificate can be approved within ten days, and can be lodged and tracked online.

The CDC application can be lodged:

- online via the Electronic Housing Code website.
- via an accredited certifier.
- via a form with your Council.

Neither exempt or complying

If your building project doesn't fall under exempt development or complying development, you'll need to lodge a development application (DA) with your local council, and approval is required before you can start your project.

Lodging a Development Application

A DA can be lodged and tracked online. A decision on your application can take around a month or longer to be finalised, depending on the nature of your project.

Make sure that you have all the necessary information and supporting documentation to make the process as quick as possible. You can check that you have all that is required with your local council, or by hiring a consultant for major projects.

Fees

The DA fees are calculated relative to the estimate cost of your project. Your local council will have information about their own fee structure.

Common fees associated with lodging a DA:

- development fees
- Construction Certificate fee
- Compliance Certificate fee

Contents of a Development Application

Common Requirements	A completed residential DA form for your council
	Description of the project, including scope, areas affected, estimated length of time to complete works, what is involved
	Sketches and plans of the proposed project
	Evidence of consent from all owners in the building – this should be in the form of an authorised seal of <u>approval at a general meeting</u>
	Estimate of the costs of the proposed works
Potential Requirements	Environmental impact statement of the expected impact of the proposed project and works

Tips for Getting an Application Approved

- Consult with your neighbours in your building, and on your street before lodging your DA. They will be able to flag any issues that you might not have considered. This gives you the opportunity to respond to these issues and address their concerns before the project is made public for notification, submissions and comments. You also require evidence of consent from all owners in the building prior to the DA submission.

- Make sure you have all the documentation required and have completed the forms correctly. Missing information can lengthen the approval process significantly. It might be necessary to seek expert advice for this, through a consultant or contacting your local council. Experts hired to undertake the project works can also be consulted, as they will have more experience with the DA process.

If your project is **approved**, you will receive a notice of development consent.

If your project is **refused**, you will receive a refusal notice.

Development Consents and Refusals

An application can be approved, refused, or you can be presented with a request to modify the proposed project.

If your project is refused, you can consider an appeal to the [Land and Environment Court](#), although this can be a costly and time-consuming process.

Additional Resources:

- [Your Home, Australian Government](#)
- [Easy Guide to Council Approval & DA for Sydney, NSW, hipages](#)
- [Planning Portal, NSW Government](#)