

» Exempt & Complying development



What is Exempt and Complying development and what forms do I have to fill out?

» What is Exempt development?

Exempt development is deemed minor development not requiring any consent or approvals from Council.

» What is Complying development?

Complying development is small scale, low impact development that requires the submission of an application that can be approved by Ballina Council or other approved accredited certifier.

The NSW Planning Department introduced a *State Environmental Planning Policy (SEPP)* on the 27 February 2009 called the *Exempt and Complying Development General Housing Code*.

» How do I check if my development is Complying?

We recommend you contact Council's Building Services Section to confirm whether your particular proposal is regarded as Exempt or Complying development, prior to you completing any forms for lodgement with Ballina Shire Council.

An application for a **Planning Certificate (Section 10.7)** can be made to Council to specifically advise whether your property is eligible for Complying Development under the NSW Codes SEPP.

The NSW Codes SEPP contains different types of development and circumstances where the proposal is deemed to be either Exempt or Complying development. The code is available at planning.nsw.gov.au/exemptandcomplying.

» My development is Complying, what next?

Complying Development applications can be determined by either Council or other accredited private certifier.

A **Complying Development Application form** is available on Council's website under Online Services>Council Forms.

» How long will it take?

Should your application comply with the requirements of the code chosen, your application is required to be approved by the accredited certifier **within 10 days** of lodgement. The application will be approved with specific conditions that apply to your particular development.

If your application does not satisfy the requirements of the code, a Development Application is required to be lodged with Council.

» Further information

The application of this code can be quite confusing and we recommend you read the relevant material on the Department of Planning and Environment's website planning.nsw.gov.au.

Obtaining a **Planning Certificate (Section 10.7)** is a simple way for you to confirm if your property is eligible for Complying development under the NSW SEPP.

PUBLISHED 6 NOVEMBER 2018

» **If you have any questions or concerns please contact:**

Council's Building Services Group, ph 6686 1415 or 1300 864 444
ballina.nsw.gov.au

