

Introduction:

This guide and checklist summarises the information required for lodgement of a Construction Certificate (CC) application with the City of Newcastle (CN) for dwellings and ancillary structures.

This includes the following types of buildings and their classification under the Building Code of Australia (BCA):

- **Class 1a dwellings.**
- **Class 1b boarding houses, guest houses or hostels.**
- **Class 10a non-habitable private garage or shed or the like.**
- **Class 10b fence, mast, antenna, retaining wall, free-standing wall, swimming pool or the like.**

During the assessment of the CC, CN will consider the suitability of an application against the conditions of the associated development consent, relevant BASIX certificate (if applicable), the BCA and all relevant Australian Standards.

The applicant is requested to review this submission guide and checklist prior to lodgement of their application to enable the proper assessment and determination of the CC application. Nothing in this checklist precludes CN from requesting additional information, where CN is of the opinion that the information will assist in the assessment of an application.

All applications must be submitted via the NSW Planning Portal - [Welcome to the NSW Planning Portal | Planning Portal - Department of Planning and Environment](#)

Note: No construction works can commence until you have obtained Construction Certificate (CC) approval and separately appointed a Principal Certifier (PC) for your development project.

Submission requirements for all Construction Certificate (CC) applications

An application for a Construction Certificate is required to demonstrate the proposals compliance with the Volume 2 of the Building Code of Australia (BCA) and the associated development consent. The table below is a summary of the information required for the assessment of a CC.

Construction Certificate Application	
Submission Requirements	Required when?
1. The application form: The details that you enter online via the NSW Planning Portal will constitute your application. You are advised the applicant's portal account should be used to lodge the application, as all correspondence about the application will be sent via the email address attached to that account.	All applications.
2. Owners details and consent: The NSW Planning Portal will ask you to confirm that you have owners consent to lodge the application. There are circumstances where CN will seek to verify this. To avoid delays it is recommended that CN's Owner Details and Consent - to authenticate that you have the consent of all owners to lodge the application.	All applications.

3. Architectural drawings 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, the type of material to be used in construction. New work must be clearly distinguished. The Site plan is to include: • The north point. • Boundary dimensions. • Scale. • 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 type of all trees located within the footprint of the proposed works and within 5 metres of the proposed works, including trees on neighbouring properties, public places or footpaths. • Any easements. • The location of all existing structures and those to be demolished. • The position of any street or lane adjoining the site. • Finished levels (contours or spot levels, preferably in metres Australian Height datum (AHD)). • Car parking areas and dimensions (show direction of traffic movement, driveway location and gradients). New work must be clearly distinguished. A fully dimensioned floor plan (drawn to a scale of 1:100) showing the size and use of each room/area. New work must be clearly distinguished. Floor plans for additions and alterations to an existing building must show the existing room layout including all existing windows, doors, fixtures etc. Sections (drawn to a scale of 1:100) are 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. The proposed design must be consistent with the associated development consent.	All applications
4. A detailed specification: The specification must include: • Full methods of proposed construction. • The standard to which any structural elements, masonry, framing, roof and wall cladding, glazing, fire safety, health and amenity, safe movement and access, and ancillary matters as specified under the Building Code of Australia (BCA) shall be installed, in accordance with the current version of the BCA at the time of lodgement. • Reference all relevant standards of performance under the BCA. • If applicable, details are to include the materials of the proposed development complying any BCA bushfire construction requirements and relevant development consent conditions.	All applications.

5. Engineers details and/or certification: You will require details / design certification from a professional engineer for the following type of building work: • Concrete footings and/or reinforced concrete slabs. A soil classification in accordance with AS2870 shall be nominated for all works involving concrete footings or slabs. • Steel structural members (e.g. beams, posts, or any other structural steel framework, including connection/installation details). • 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. • Bracing and tiedown systems. A wind classification for the site shall also be nominated on the plans. • Building works in flood hazard areas identified under the BCA. • Other structural elements where you are not able to provide technical literature that demonstrates compliance with BCA structural provisions.	All applications where the identified criteria apply.
6. Stormwater management plan The plan (drawn to a scale of 1:100 or 1:200) is to illustrate how stormwater will be managed on the site and must show the following details: • North point. • Scale. • Existing surface contours preferably in metres Australian Height datum (AHD). • Proposed finished surface contours preferably in metres AHD. • Proposed building locations and finished floor levels preferably in metres AHD. • Infiltration measures (e.g. soakage trenches, swales, landscaping, permeable pavements, etc.). • Discharge points to the stormwater drainage system (show levels at these locations). • Any overland flow paths or flood liable areas present on the land. • Notional location and levels of proposed stormwater pipes and drainage pits. • Notional location and approximate area of any proposed on-site detention (OSD) facilities. • Proposed OSD stored water levels and emergency spillways. • Existing or proposed drainage easements across adjoining land. • If development consent has been granted for the project, stormwater management plan is to detail method of compliance with all relevant DA conditions, Section C4 Stormwater of City of Newcastle (CN) Development Control Plan 2023 the Stormwater and Water Efficiency Technical Manual.	All applications involving stormwater management works.
7. BASIX Certificate: A BASIX certificate is required for all new dwellings and alterations and additions to dwelling houses confirming compliance with the Government's sustainability targets. Note: all items identified within the nominated BASIX certificate as "show on CC plans" are required to be clearly depicted on the CC drawings.	Required where the proposed development is for: • A new dwelling or dwellings; • Alterations and/or additions to an existing dwelling where the estimated cost of works is \$50,000 or greater; • A swimming pool with a capacity of 40,000 litres or greater; or • If the proposed development was nominated as a BASIX optional development at DA stage.

8. Subsidence Advisory stamped plans: Minor structures may be 'Deemed Approved' by the Subsidence Advisory and exempt from referral to Subsidence Advisory (see their website for more information). Any documentation to satisfy DA conditions of development consent must be provided.	Required where the property is within a Mine subsidence Area.
9. Hunter Water stamped plans: The applicant will be required to satisfy the requirements of Hunter Water. Evidence of consultation with HWC, including plans stamped by Hunter Water, a copy of HWC's condition/approval letter (in the case of a build over assets application) or additional documentation to satisfy DA conditions of development consent must be provided. For more details on their requirements see their website.	All applications
10. Evidence of payment – NSW Government Long Service Levy: Evidence of a payment receipt is required to satisfy the requirements of the Long Service Levy payment scheme prior to the issue of a Construction Certificate (CC). Payment is required for all building and construction works of \$250,000 or more, details of payment process can be found on their website.	All applications
11. Cost of works statement A report from a suitably qualified person which provides a genuine cost of works relating to the proposed building works inclusive of all Goods and Services Taxes (GST). The cost of works is to include all market, building preparation, construction, demolition, landscaping, professional fees, and any other associated costs. Alternatively, applicant may refer to CN's "<i>Guide to Estimating Cost of Works</i>" in determining the cost of works: Guide to Estimating Cost of Works - City of Newcastle	All applications
12. Swimming pool compliance The architectural drawings are required to demonstrate where the swimming pool barrier is to be located as a result of the development. The barrier design is to detail compliance with the current version of AS1926, depict outward opening, self-closing gates and be designed to comply with the Swimming Pools Act 1992. If the new works result in a change to any existing swimming pool barriers, an upgrade of the swimming pool barrier to current Australian Standards will be required. Pool plans and specifications are to nominate recirculation systems in accordance with AS1926.3.	Required where development includes a swimming pool
13. Additional BCA requirements – Attachment of decks Volume 2 of the Building Code of Australia <i>Attachment of decks and balconies to external walls of buildings</i> describes the circumstances under which the methods of attachment described in the relevant part of the BCA are deemed appropriate. Details are to be provided clearly demonstrating how the proposed deck will be attached to the external wall of the dwelling. Engineering drawings are required to demonstrate compliance with the BCA. If the deemed to satisfy provisions are not met, a performance solution will require additional fees and documentation for this assessment to be completed. Note - Engineering drawings do not automatically "override" the provisions within the BCA. A ledger/wailing plate bolted/fixed to the existing masonry wall with no additional direct support underneath does not comply with the <i>Deemed-to-Satisfy</i> provisions of the BCA.	Required where development includes a deck attached to the dwelling

14. BCA Performance Solutions Most applicants choose to comply with <i>Deemed-to-Satisfy</i> BCA provisions as demonstrating compliance with defined numerical criteria within the Code is seen as a more easily measurable and more timely approval pathway. The BCA has been designed to allow performance-based solutions to permit innovation and flexibility in alternative designs or materials, provided the appropriate methodology is followed in terms of design, justification, review and certification processes. If it is intended to demonstrate compliance with the BCA by way of a Performance Solution, please ensure that the appropriate methodology is applied and appropriate professionals are engaged to develop a Performance Solutions Brief (PSB) and Performance Solutions Report (PSR) to be submitted as part of the Construction Certificate Assessment process. Note – Unlike <i>Deemed-to Satisfy</i> design, there is also no guarantee of approval with this pathway as it is up to the applicant to adequately demonstrate to CN's Building Surveyors that the design and methodology has met the relevant BCA performance provisions. It can also take additional time to assess these types of designs. Additional assessment fees will also be charged in accordance with CN's fees and charges dependant on the type of PSR proposed to cover the additional assessment time and Building Surveyor registration levels needed to assess and determine a PSR.	Required where a development seeks to demonstrate compliance with the BCA by way of a Performance Solution instead of <i>Deemed-to-Satisfy</i> compliance.
15. Additional BCA requirements – Separating wall details Separating walls between dwellings, or walls separating a class 1 building from a class 10a building which is not associated with the class 1 building are also required to demonstrate compliance with BCA Volume 2 provisions in respect of: • Fire separating wall construction from ground level to the underside of a non-combustible roof covering in accordance with H3D1 of the BCA and Part 9.3 of the Australian Building Codes Board (ABCB) Housing Provisions • Sound insulation separating wall construction from ground level to the underside of the roof above, or a ceiling that provides the sound insulation required for the wall in accordance with H4D8 of the BCA and Part 10.7 of the Australian Building Codes Board (ABCB) Housing Provisions, including requirements for sound ratings and discontinuous construction if required. Plans and sections are to be included demonstrating compliance with these requirements, including reference to any tested systems relied upon.	Required for attached BCA class 1 buildings, or walls separating a class 1 building from a class 10a building which is not associated with the class 1 building.
16. Additional BCA and fire safety requirements – Boarding houses Plans and specifications for boarding houses and hostels with 1b BCA classification are also required to demonstrate compliance with BCA Volume 1 provisions and the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> in respect of: • Accessibility for people with a disability in accordance with D4D2 of the BCA • Accessible sanitary facilities in accordance with F4D5, F4D6, F4D7 of the BCA. It is requested that an appropriately qualified/experienced access consultant be engaged to review the project design and provide an access report verifying that the design is compliant at CC lodgement stage. • Providing a list of existing and proposed fire safety measures in relation to the project.	Required for BCA class 1b buildings.

17. Prior to Construction Certificate (CC) conditions of development consent Have all the “<i>prior to Construction Certificate</i>” conditions within the Development Consent been met and clearly demonstrated on the submitted CC architectural drawings and documentation package? Note: This might include evidence of payment of developer contributions, further details such as stormwater being shown on the drawings, full method of compliance with nominated Bushfire Attack Levels, privacy screening details, erosion and sediment control measures and / or design changes specified under the approved development consent for the project.	All applications
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