

Introduction:

This guide and checklist summarises the information required for lodgement of a Construction Certificate (CC) application with the City of Newcastle (CN) for other buildings that are not class 1a dwellings and class 10 ancillary structures.

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

- **Class 2 sole occupancy units (typically known as residential flats).**
- **Class 3 boarding houses, guest houses, hostels, backpackers' accommodation, residential portion of hotel/motel/school, accommodation for the aged, children or people with disability, residential part of a health care building which accommodates members of staff, residential part of a detention centre or a residential care building.**
- **Class 4 dwelling in a class 5, 6, 7 8 or 9 building if it is the only dwelling in the building.**
- **Class 5 office building.**
- **Class 6 eating room, café, restaurant, milk or soft-drink bar, dining room, bar area that is not an assembly building, shop, or kiosk part of a hotel or motel, hairdresser's or barber's shop, public laundry, undertakers' establishment, supermarket or sale room, showroom or service station.**
- **Class 7a carpark.**
- **Class 7b storage, or display of goods or produce for sale by wholesale.**
- **Class 8 laboratory, or a building in which the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce for sale takes place.**
- **Class 9a health care building, including health care building used as a residential care building.**
- **Class 9b assembly building including a trade workshop or laboratory in a primary or secondary school,**
- **Class 9c residential care building.**

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 1 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, fire resistance, access and egress, services and equipment, health and amenity, safe movement and access, ancillary matters, special use buildings, and energy efficiency provisions as specified under the 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. • Masonry construction. • Aluminium construction. • Timber construction. • Piling. • Glazed assemblies. • 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 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 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 (BCA classes 1, 2 and parts of class 4) 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 "Guide to Estimating Cost of Works" in determining the cost of works: Guide to Estimating Cost of Works - City of Newcastle	All applications

12. Access for people with a disability Full details of means of compliance with all relevant BCA Volume 1 Section D and F access for people with a disability and health and amenity provisions will be required to be demonstrated within plans and specifications. 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.	All applications
13. Section J Energy efficiency Full details of means of compliance with NSW BCA Volume 1 Section J Energy efficiency provisions will be required to be demonstrated within plans and specifications. It is requested that an appropriately qualified energy efficiency consultant be engaged to review the project design and provide an BCA Section J report verifying that the design is compliant at CC lodgement stage.	All applications
14. 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

15. Additional BCA fire safety documents BCA class 2-9 buildings 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: (1) An application for a Construction Certificate (CC) for building work that does not relate to a dwelling house, or to a building or structure that is ancillary to a dwelling house, must be accompanied by— (a) a list of the existing fire safety measures provided in relation to the land or an existing building on the land, and (b) a list of the proposed fire safety measures to be provided in relation to the land and buildings on the land as a consequence of the building work. (2) An application for a Construction Certificate (CC) for fire alarm communication link works must be accompanied by— (a) a plan that indicates the location of the new fire alarm communication link and associated works, and (b) a document that describes the design, construction and mode of operation of the new fire alarm communication link and associated works. (3) An application for a Construction Certificate (CC) for an alteration to a hydraulic fire safety system must be accompanied by— (a) a plan that indicates the location of the alteration and associated works, and (b) a document that describes— (i) the required pressure and flow characteristics of the hydraulic fire safety system that will be altered, and (ii) the pressure and flow characteristics that will be available from the town main following mains pressure reduction by or on behalf of the relevant water utility, and (iii) the design, construction and performance of the alteration and associated works.	Required for BCA class 2–9 buildings.
16. BCA Performance Solutions Most applicants choose to comply with <i>Deemed-to-Satisfy</i> provisions of the BCA 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. See also point 17 for consultation with Fire and Rescue NSW for Performance Solutions involving fire safety requirements.	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.

17. Referral to Fire and Rescue NSW Where Performance Solutions are proposed for a fire safety requirement, consultation is required with Fire and Rescue NSW in accordance with the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> Additional assessment times will also need to be allowed for if your application requires this type of consultation process Additional assessment fees will also be charged in accordance with CN's fees and charges where referral to Fire and Rescue NSW is required prior to the issue of a CC. Fire and Rescue NSW will also charge fees separately for their role in this process. See their website for more information Building Fire Safety - Fire and Rescue NSW	Required where a development seeks to demonstrate compliance with the BCA by way of a Performance Solution for a fire safety requirement.
18. Design and Building Practitioners Act declarations BCA class 2, 3 and 9c developments are also required to comply with the compliance declaration provisions under the <i>Design and Building Practitioners Act 2020</i> and <i>Design and Building Practitioners Regulation 2021</i>. Prior to the issue of a Construction Certificate (CC), evidence is to be provided that appropriate declarations have been made for all regulated designs with the NSW Building commissioner via the NSW Planning Portal under the above legislation. See their website for more information Contact Building Commission NSW NSW Government	Required for BCA class 2, 3 and 9c buildings.
19. Prior to Construction Certificate (CC) conditions of development consent Have all the "prior to Construction Certificate" 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