



# DO I NEED A DA

Not all development requires approval of a Development Application (DA). Whether you need to lodge a Development Application depends on the type of development you are proposing.

## EXEMPT DEVELOPMENT (NO DA REQUIRED)

Exempt development is very low impact development or minor renovation work which satisfies pre-specified requirements. If your development meets the requirements, it will not require approval.

Exempt development cannot be carried out in some circumstances. For example, if it is in an environmentally sensitive area, on bush fire prone land or within a heritage area.

It is the landowner's responsibility to check all the provisions relating to exempt development and meet the specified development standards and land requirements.

It is important to note that the proposed development may still require an approval, licence, permit or authority under other legislation.

To determine if your development is considered exempt, visit the NSW Planning Portal for further information.

## COMPLYING DEVELOPMENT

Complying development (CDC) is a fast-track approval process for straight forward residential, commercial and industrial development, as long as all relevant development standards are met and the development complies with the Building Code of Australia. A CDC proposal must first be permissible under the applicable Local Environmental Plan (LEP) before it can be considered under the State Environmental Planning Policy (SEPP).

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP) identifies the types of development that are classified as complying development.

For your development to be considered to be complying development, your land must not have the characteristics described in Clause 1.17A, Clause 1.18 and Clause 1.19 of the Codes SEPP.

A Planning Certificate under Section 10.7(2) of the EP&A Act can be applied for to show whether complying development under the Codes SEPP can be carried out on a particular piece of land.

It is the responsibility of the applicant to ensure the proposed development meets all the complying development requirements. Council and registered private certifiers cannot issue a Complying Development Certificate (CDC) if the development does not strictly meet these requirements. No merit assessment is permissible for CDCs. CDC applications must be 100% compliant with its applicable development

standards.

Our Duty Building Officer can assist you with general questions you may have regarding the CDC process by calling (02) 6801 4000 after 1 pm or by booking an appointment. Alternatively, you can visit the NSW Planning Portal for further information on complying development. However, they will not advise whether an application proposal is compliant as a CDC or not.

The legislation does not permit a CDC application to be withdrawn - only approved or refused.

**Lodge an application**

**Book an appointment**

If your project does not satisfy the pre-specified requirements and cannot be considered as exempt or complying development, you will need to obtain development consent for your proposal (submit a DA).

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