BASIX in the development approval process in NSW

STEPS	BASIX IN THE NSW DEVELOPMENT APPROVAL PROCESS

1 BASIX assessment and BASIX Certificate

> Applicant uses details of proposed development to complete a BASIX assessment at www.basix.nsw.gov.au. Applicant obtains a BASIX Certificate if assessment is satisfied.

2 Application

DA development

> Applicant includes BASIX Certificate when lodging development application.

> Specified commitments in BASIX Certificate must be shown on DA plans.

Complying development

> Applicant includes BASIX Certificate when lodging application for complying development certificate.

> All commitments in BASIX Certificate must be shown on plans and specifications.

2a Changes prior to determination

> If applicant amends the application, or wishes to alter commitments chosen, before the application is determined, then a revised BASIX Certificate must be lodged with the application.

3 Determination of application

> The development application is assessed.

> If consent is granted, a prescribed condition will be imposed requiring compliance with BASIX commitments

> The application for a complying development certificate is assessed.

> If a complying development certificate is issued, a prescribed condition will be imposed requiring compliance with commitments listed in the BASIX Certificate.

4 Construction certificate

DA development only

> Applicant includes BASIX Certificate with application for a construction certificate. (This is either the BASIX Certificate on which consent was granted or, if the applicant wants to alter its commitments, a revised certificate).

> All commitments in the BASIX Certificate must be shown on construction certificate plans and specifications.

> Under existing law, the certifying authority may only issue a construction certificate if satisfied that the design and construction of the building (as depicted in plans and specs) are not inconsistent with the development consent. (This limits the extent to which commitments can be changed at the construction certificate stage.
If the applicant wants to make changes to its commitments which would make the building inconsistent with the development consent, then the applicant will need to obtain a modification of the consent under section 96 of the *Environmental Planning and Assessment Act 1979*).

> If the construction certificate is issued based on a revised BASIX Certificate then, under the prescribed condition, the development must be carried out in accordance with the commitments listed in the revised certificate.

5 Occupation certificate

> Applicant submits BASIX Certificate with application for an occupation certificate. (For complying development, this is the BASIX Certificate applicable when the complying development certificate was issued. For DA development, this is the BASIX Certificate applicable when the construction certificate was granted).

> Certifying authority must not issue the occupation certificate unless satisfied that specified BASIX commitments have been complied with. These commitments (i.e. those requiring sign-off by the certifying authority) will be identified in the applicable BASIX Certificate.