

Clause 61A Deemed to Comply Check Information Sheet

What is a Deemed to Comply (DTC) Check?

A 'deemed-to-comply' check (Clause 61A) allows landowners and/or applicants who are intending to either build a new single house or extend and/or renovate an existing single house to seek advice from their local government as to whether development approval is required for what they are proposing.

This is a voluntary process that only applies to single houses and extensions or renovations to existing single houses. The intent of this check is to provide applicants with confidence that their proposal can proceed straight to a building permit.

A Deemed to Comply Check can be lodged for:

- Deemed to Comply Check for Minor Works to a Single House (\$73.00):
 - Patio
 - Front Fence
 - Outbuilding
 - Site Works/Retaining Walls
 - Ancillary Dwelling (Granny Flat)
 - Carport
- Deemed to Comply Check for Works to a Single House (\$295.00):
 - Garages
 - Any extension/addition to a Single House
 - Erection of Single House

What does a Deemed to Comply Check do?

The advice will state either that:

- The proposal is exempt from development approval and the proposal can proceed straight to a building permit, or
- The proposal is not exempt from development approval, including a brief outline of where and how the proposal does not meet the deemed-to-comply criteria of the R-Codes and any relevant local planning policy.

How long does a Deemed to Comply Check take?

An administration check will be carried out upon receipt of the application form. You may be asked to provide more information before the application is accepted and lodged.

Once the application is accepted and lodged, advice of the outcome will be provided within 14 calendar days.

After I receive advice from the City can I submit additional plans?

Yes, you can submit new plans for consideration to the City via a new Deemed to Comply application. A new application fee (\$73 or \$295) will be applicable for every application submitted to the City.

I received advice from the City that my plans are exempt - what do I do next?

Customers who receive advice that their plans do not require development approval, can proceed to submitting a Building Permit for the works.

It is required that you include your Deemed-to-Comply check confirmation letter and plans with your Building Permit to speed up the assessment of the Permit.

What happens next if my proposal is not exempted?

If your proposal is not exempt, the following options are available:

- You may apply for development application
- You may amend your plans to address the areas of non-compliance and submit another Deemed to Comply Check Application
- You may amend your plans to address the areas of non-compliance and apply for a building permit. Please note that if you choose this option, an area of non-compliance that was not addressed fully may be identified through the building permit process and you may be requested to apply for development application.

What documents do I need to submit a Deemed to Comply Check Application?

Please provide the following documents in the application of Deemed to Comply (Clause 61A) check:

- Deemed to Comply (Clause 61A) Check Application Form (included below)
- A site plan or plans showing the following:
 - Location of the site including street names, lot numbers, north point and site dimensions
 - Existing and proposed ground levels of the site Location, height and type of all existing structures and environmental features
 - Structures and environmental features proposed to be removed
 - Existing and proposed means of pedestrian and vehicle access for the site
 - The location, number, dimensions and layout of all car parking spaces
 - The nature and extent of any open space and landscaping proposed for the site
- Floor plans and elevations of any building proposed to be erected or altered, and any building that is intended to be retained

How do I lodge a Deemed to Comply Check Application?

The Deemed to Comply Check application can be via one of the below options:

- eLodgement services on the City of Stirling website [Lodge an application](#), lodge it as a Development Application category and put the description as DEEMED TO COMPLY check;
- In Person at the City's Administration Centre at 25 Cedric Street, Stirling;
- or a hard copy via post/courier.



Application for Advice

Development approval exemptions for Single Houses

Clause 61A
Deemed-to-Comply

Type of Application

Deemed to Comply Check for Minor Works to a Single House (apply to a patio, front fence, outbuilding, site works/retaining walls, ancillary dwelling, carport) - **\$73**.

Deemed to Comply Check for Works to a Single House (apply to any extension/addition and the erection of any single house) - **\$295**.

Property Details (Proposed Development Address)

House/Street No	
Street name	
Suburb	
Lot No	
Location No	
Diagram or Plan No	
Certificate of Title Vol. No	
Folio	
Title encumbrances (e.g. easements, restrictive covenants):	

Owner Details

Name		Phone No
Company Name (if applicable)		
Postal Address		Postcode
Email Address		
Signature 1		Date 1
Signature 2		Date 2

The signature of the owner(s) is required on all applications. This application will not proceed without the signature. For the purposes of signing this application an owner includes the persons referred to in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 62(2).

Applicant Details

Name		Phone No
Company Name (if applicable)		
Postal Address		Postcode
Email Address		
Signature		Date

Required Information and Documentation

A site plan or plans showing the following:

- Location of the site including street names, lot numbers, north point and site dimensions
- Existing and proposed ground levels of the site Location, height and type of all existing structures and environmental features
- Structures and environmental features proposed to be removed
- Existing and proposed means of pedestrian and vehicle access for the site
- The location, number, dimensions and layout of all car parking spaces
- The nature and extent of any open space and landscaping proposed for the site

Floor plans and elevations of any building proposed to be erected or altered, and any building that is intended to be retained