

Under clause 3 – Definitions of the EP&A Regulation, BASIX affected development means any of the following development that is not BASIX excluded development:

- a. development that involves the erection **(but not the relocation)** of a BASIX affected building,
- b. development that involves a change of building use by which a building becomes a BASIX affected building,
- c. development that involves the alteration, enlargement or extension of a BASIX affected building, where the estimated construction cost of the development is:
 - i. \$100,000 or more—in the case of development for which a development application or an application for a complying development certificate is made on or after 1 October 2006 and before 1 July 2007, or
 - ii. \$50,000 or more—in the case of development for which a development application or an application for a complying development certificate is made on or after 1 July 2007,
- d. development for the purpose of a swimming pool or spa, or combination of swimming pools and spas, that services or service only one dwelling and that has a capacity, or combined capacity, of 40,000 litres or more.

In accordance with the regulations, the proposed relocated dwelling does not require the submission of a BASIX certificate to accompany a Development Application.