

# Contract for Certification Work

Document Number: 20/162537 / CM SF20/3529 (Part 2)

**[In addition to Council's application form OR if submitting your application via the NSW Planning Portal, you must complete this contract for works.]**

## Contract for Certification Work

PART 2 represents a Contract for Certification Work, in accordance with Section 31 of the Building and Development Certifiers Act 2018. The contract is between Bayside Council and the Applicant specified in the "Applicant Details" section in Part 1 (application form).

The person for whom the certification work is to be carried out has the same address and contract details as specified in the "Applicant Details" Section in Part 1 (application form).

This contract relates to the following certification work:

- The carrying out by Bayside Council of the functions of a Principal Certifier (PC) under the *Environmental Planning and Assessment Act 1979* (EP&A Act) in relation to the Development (as specified in the "Description of Development" section in Part 1);
- Application and determination of a Construction Certificate;
- Application and determination of an Occupation Certificate;
- The carrying out of inspections for the purposes of S 6.5 of the EP&A Act;

## Details and Particulars of the:

- development,
- address, and formal particulars of title, of the site of the development;
- particulars in respect of any related development consent;
- particulars of any plans the subject of any related development consent,

These are contained in Part 1, under the sections "Details of Development" and "Property Details", unless otherwise specified as follows.....

Applications for a Construction Certificate and Occupation Certificate will be assessed and determined by a Council Building Certifier (registered in NSW Fair Trading), in accordance with the relevant requirements of the EP&A Act and the *Building and Development Certifiers Act 2018*.

### Postal address

PO Box 21, Rockdale NSW 2216  
ABN 80 690 785 443

### Bayside Customer Service Centres

Rockdale Library, 444-446 Princes Highway, Rockdale  
Westfield Eastgardens, 152 Bunnerong Road, Eastgardens

E [council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)  
W [www.bayside.nsw.gov.au](http://www.bayside.nsw.gov.au)  
T 1300 581 299 | 02 9562 1666

The Certification Work specified above, including the carrying out of required inspections under the EP&A Act, will be carried out by one or more of the following Council Building Certifiers (registered in NSW Fair Trading) on behalf of Bayside Council.

<b>Name</b>	<b>Position Title</b>	<b>Registration No.</b>	<b>Contact Details</b>
Tim DeBeck	Senior Building Surveyor	BDC1350	1300 581 299
Sam Zafiroopoulos	Senior Building Surveyor	BDC1351	1300 581 299
Louie Apostolou	Senior Building Surveyor	BDC1645	1300 581 299
Paul Cox	Senior Building Surveyor	BDC1170	1300 581 299
Ayman Tawfils	Building Surveyor	BDC1405	1300 581 299
William Chick	Building Surveyor	BDC1663	1300 581 299
Robert Kozarovski	Coordinator Program Certification	BDC1548	1300 581 299
Thomas Kulchar	Coordinator Development Certification	BDC1637	1300 581 299

Council will advise the applicant/client of the principal officer dealing with this application and subsequent PC inspections and services. However, the application and PC inspections and associated services may be carried out by any accredited Council Building Certifier or Registered Certifier appointed or engaged by Council.

### **Fees & Payment Methods**

Fees and charges for initial Certification Work will be calculated by the Customer Service Officers at lodgement. Information on these fees are available on Council's website or from our Customer Service Centres.

Total Fees and charges for the initial Certification Work (to be filled in by Council):

.....

This fees and charges will need to be paid prior to the carrying out of the certifier's function e.g. prior to the issue of the Construction Certificate. (Clause 29).

### **Contingency Fees and Charges**

Fees and charges may also be payable under this contract for carrying out work arising as a result of unforeseen contingencies. The basis upon which such fees and charges will be calculated is as follows:

Fees and charges in accordance with Council's current "Fees and Charges" Schedule.

Council will issue an invoice for work carried out arising from unforeseen contingencies within 21 days after completion of any such work.

Council's professional insurance details are:

**Insurer(s):** Swiss Re International SE (Australia Branch)

**Policy Number:** MH 148551

**Period of Insurance:** 4:00pm, 31 October 2020 to 4:00pm, 31 October 2021

**Signatures in relation to the Contract for Certification Work**

**IMPORTANT NOTE:** this contract cannot not be signed until the total fees and charges have been calculated.

I, ..... hereby confirm that I have freely chosen Bayside Council as the certifier and have read the contract and any document accompanying the contract and understand the roles and responsibilities of the person and the registered certifier.

\_\_\_\_\_  
Client

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bayside Council Officer

\_\_\_\_\_  
Date

**Bayside Council Contact Details:**

Phone: 1300 581 299  
Email: council@bayside.nsw.gov.au  
Website: www.bayside.nsw.gov.au

# Notes for completing a Construction Certificate Application

## Note 1 - Information required to be provided

The following information must accompany applications for construction certificates for building and subdivision work.

### Building Work

- Copies of compliance certificates (or other documentary evidence) relied upon.
- Copy of detailed plans and specifications. The plan for the building must be drawn to a suitable scale and consist of a general plan and a block plan. The general plan of the building is to:
  - Show a plan of each floor section;
  - Show a plan of each elevation of the building;
  - Show the levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of the adjacent ground; and
  - Indicate the height, design, construction and provision for fire safety and fire resistance (if any).

Where the proposed building work involves any alteration or addition to, or rebuilding of, an existing building the general plan is to be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the proposed alteration, addition or rebuilding.

Where the proposed building work involves a modification to previously approved plans and specifications the general plans must be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the modification.

The specification is:

- To describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply; and
  - State whether the materials proposed to be used are new or second hand and give particulars of any second-hand materials to be used.
- Copy of structural engineering plans or other technical details (ie Mechanical ventilation details, hydraulic/drainage details, timber framing and roof truss details and termite protection details etc), where applicable.
  - The plans and specifications must detail compliance with the relevant provisions of the Building Code of Australia and relevant standards of construction.
  - Where the application involves an alternative solution to meet the performance requirements of the BCA, the application must also be accompanied by:
    - Details of the performance requirements that the alternative solution is intended to meet, and
    - Details of the assessment methods used to establish compliance with those performance requirements.
  - Evidence of any accredited component, process or design sought to be relied upon.
  - Except in the case of an application for, or in respect of, a class 1a or class 10 building:
    - A list of any fire safety measures that are proposed to be implemented in the building or on the land on which the building is situated, and
    - If the application relates to a proposal to carry out any alteration or rebuilding of, or addition to, an existing building, a separate list of such of those measures as are currently implemented in the building or on the land on which the building is situated.
    - The list must describe the extent, capability and basis of design of each of the measures concerned.

### Subdivision Work

- Copies of compliance certificates relied upon.
- Copies of detailed engineering plans. The detailed plans may include but are not limited to the following:
  - earthworks
  - roadworks
  - road pavement
  - road furnishings
  - stormwater drainage
  - water supply works
  - sewerage works
  - landscaping works
  - erosion control works

Where the proposed subdivision work involves a modification to previously approved plans the plans must be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the modification.

### Note 2 - Home Building Act Requirements

As from 1 February 2012, all residential building works (excluding residential development of over 4 storeys) over the value of \$20,000 will need to be insured under the Act for Home Warranty Insurance.

In the case of an application for a construction certificate for residential building work (within the meaning of the *Home Building Act 1989*) attach the following:

In the case of work by a licensee under that Act:

A statement detailing the licensee's name and contractor licence number, and Documentary evidence that the licensee has complied with the applicable requirements of that Act (ie A certificate of insurance under Part 6 of the Home Building Act), or

In the case of work done by any other person:

A statement detailing the person's name and owner-builder permit number, or a declaration signed by the owner of the land, to the effect that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work. The prescribed amount in section 29 of the *Home Building Act 1989*.

The construction certificate application may be lodged prior to providing details of compliance with the Home Building Act insurance requirements, however, residential building works must not be commenced prior to complying with the insurance requirements and details of compliance must be submitted to the principal certifying authority and Council prior to the uplift of the Construction Certificate.

Insurance before handover.

### Note 3 - Building Industry Long Service Levy Requirements

Under S 6.8 of the *Environmental Planning and Assessment Act 1979* a construction certificate cannot be issued until any long service levy payable under section 34 of the *Building and Construction Industry Long Service Levy Payments Act 1986* (or where such a levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. The levy rate as at (1 June 2003) is 0.35% of the total cost of the work and is payable on work costing \$25,000 or more.

Further information on complying development can be obtained by telephoning Council's Building Certification Services on 1300 581 299 on Monday to Friday between 8:30am and 4:30pm or in person at Council's Customer Service Centres at either 444-446 Princes Highway, Rockdale, or at Westfield Eastgardens Shopping Centre, 152 Bunnerong Road, Eastgardens on Monday to Friday between 8:30am and 4:30pm and Saturday (excepting public holidays) 9am to 12pm.

Current at 7 September 2020