

Contract for the Appointment of Council as Principal Certifier (PC) and for the issue of Construction Certificate, Complying Development Certificate and Occupation Certificate

[In submitting your application via the NSW Planning Portal, you must complete this contract for works]

Document Number: 25/199223 / SF25/3849

Part 1

Application Number: _____

Applicant and Property Details

Applicant Details – Private or Company									
Ms/Mr/Mrs/ Other		Family Name.		Given Name(s)					
Company Name (if applicable)									
ABN/CAN (if applicable)									
Unit No.		Street No.		Street					
Suburb					Postcode				
Daytime Telephone No. (Home/Work)					Mobile No.				
Email Address									
Property Details (note that location and title description are required to correctly identify the land)									
Lot No(s)		Section		DP/SP Number					
Unit No.		Street No.		Street					
Suburb					Postcode				
Applicant's Signature									
Applicant's Signature					Date	___ / ___ / ____			

Owners Consent				
The consent of ALL owners of the land must be provided.			Yes	<input type="checkbox"/>
If the property is a strata unit, the consent of the Owners Corporation must be provided (under Owners Corporation seal).		No	<input type="checkbox"/>	Yes <input type="checkbox"/>
If the proposal impacts a party wall, the consent of adjacent owners must be provided (Party Wall consent form must be completed).		No	<input type="checkbox"/>	Yes <input type="checkbox"/>

Privacy Statement:

The personal information provided on this form (including your name and other details) will be handled in accordance with the *Privacy and Personal Information Protection Act 1998* and may be available to the public under various legislation. Refer also to the Privacy Statement on Council's website.

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

W www.bayside.nsw.gov.au

T 1300 581 299 | 02 9562 1666

Telephone Interpreter Services: 131 450

Τηλεφωνικές Υπηρεσίες Διερμηνέων

خدمة الترجمة الهاتفية

電話傳譯服務處

Служба за преведување по телефон

Description of Development				
Provide a brief description of the development. For example, if a dwelling is proposed, include information such as the type of building (house, townhouse, villa etc.), the number of floors, the number of bedrooms, the major building material (brick, brick veneer, timber clad etc.).				
Development Consent Details				
Development Application Number				
Date of Determination		___ / ___ / ____		
Building Code of Australia Building Classification (specified on the development consent):		Class _____		
Estimated Cost of the Development				
The contract price, or if there is no contract a genuine and accurate estimate, for all labour and material costs associated with all demolition and construction required for the development, including the cost of construction of any building and the preparation of a building for its proposed use (such as the costs of installing plant, fittings, fixtures and equipment). GST is also to be included.				
Estimated Cost		\$ _____ (only for erection of building/additions, demolition and carrying out of work)		
Builder / Owner Builder Details				
Ms/Mr/Mrs/ Other (please circle)		Given Name(s)		Surname
Company Name				
Street Address				
Mailing Address (if different)				
Daytime Telephone No. (Home/Work)		Mobile No.		
Email Address		Fax No. (Home/Work)		
Contractor Licence / Permit Number (In case of an owner/builder)				

Part 2

In accordance with Section 31 of the *Building and Development Certifiers Act 2018*. The contract is between Bayside Council and the Applicant specified in in the "Applicant Details" section in Part 1.

The person for whom the certification work is to be carried out has the same address and contract details as specified in Part 1 above.

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 above);

- ☐ Issue of a Construction Certificate;
- ☐ Issue of an Occupation Certificate;
- ☐ The carrying out of inspections for the purposes of S 6.33(1)(g) of the EP&A Act;
- ☐ Issue of a Complying Development Certificate

Details and particulars of the:

1. development,
2. address, and formal particulars of title, of the site of the development; particulars in respect of any related development consent;
3. particulars of any plans being the subject of any related development consent, are contained in Part 1, unless otherwise specified as follows:

.....

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

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 Surveyor (registered in NSW Fair Trading) on behalf of Bayside Council.

Name	Position Title	Accreditation No.	Contact Details
Louie Apostolou	Senior Building Surveyor	BDC1645	1300 581 299
Thomas Kulchar	Coordinator - Development Certification	BDC1637	1300 581 299
Tim DeBeck	Senior Building Surveyor	BDC1350	1300 581 299
Sam Zafiropoulos	Senior Building Surveyor	BDC1351	1300 581 299
Ayman Tawfils	Building Surveyor	BDC1405	1300 581 299
Robert Kozarovski	Coordinator – Program Certification	BDC1637	1300 581 299
Paul Cox	Senior Building Surveyor	BDC1170	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 Centre.

Confirmed 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 as stated above.

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 according to Council's current "Fees and Charges" Schedule at the time of inspection.

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

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
Facsimile: 02 9562 1777
Website: www.bayside.nsw.gov.au

Note 1 - Information required to be provided

The following information must accompany applications for construction certificates for building works.

For Building Work – Section 8 of the EP&A (Development Certification & Fire Safety) 2021.

The application must be accompanied by:

- (a) a detailed description of the development, and
 - (b) appropriate building work plans and specifications (referred to in this Part as **relevant building work plans and specifications**).
- 1) The detailed description of the development must indicate the following matters:
- a) for each proposed new building:
 - (i) the number of storeys in the building, including underground storeys, and
 - (ii) the gross floor area of the building in square metres, and
 - (iii) the site area of the land on which the building is to be erected in square metres
 - b) for each proposed new building to be used for residential accommodation:
 - (i) the number of existing dwellings on the land on which the new building will be erected, and
 - (ii) the number of existing dwellings that will be demolished in connection with the erection of the new building, and
 - (iii) the number of dwellings to be included in the new building, and
 - (iv) whether the new building will be attached to an existing building, and
 - (v) whether the new building will be attached to another new building, and
 - (vi) whether the building will include a dual occupancy, and
 - (vii) the materials to be used in the construction of the new building, using the abbreviations.
- 2) The appropriate building work plans and specifications must include the following:
- a) detailed building work plans, drawn to a suitable scale and consisting of a block plan and a general plan, that show the following:
 - (i) a plan of each floor section
 - (ii) a plan of each elevation of the building
 - (iii) the levels of the lowest floor, an unbuilt yard or area that belongs to the lowest floor and the adjacent ground
 - (iv) the height, design, construction and provision for fire safety and fire resistance, if any
 - b) building work specifications that:
 - (i) describe the construction and the materials to be used to construct the building and
 - (ii) describe the method of drainage, sewerage and water supply, and
 - (iii) state whether the materials to be used are new or second-hand and contain details of any second-hand materials to be used,
 - c) a description of an accredited building product or system sought to be relied on for the purposes of the Act, section 4.15(4);

- d) a copy of a compliance certificate to be relied on;
- e) if the development involves building work to alter, expand or rebuild an existing building—a scaled plan of the existing building;
- f) for BASIX development, or for BASIX optional development if the development application was accompanied by a BASIX certificate, the other matters required by the relevant BASIX certificate.

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.

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.

Note 2 - Home Building Act Requirements

A certificate of insurance under Part 6 of the *Home Building Act 1989*, or

In the case of work done by any other person: A statement detailing the person's name and owner-builder permit number.

Note 3 - Building Industry Long Service Levy Requirements

Under S 6.8 of the *Environmental Planning and Assessment Act 1979* and Section 4.28 (10A) for Complying Development, a Construction Certificate and a Complying Development 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 January 2023) is 0.25% of the total cost of the work where the cost is \$250,000 or more.

Further information on complying development can be obtained by telephoning Council's Development Advisory Services or Development Certification Services on 1300 581 299 on Monday to Friday between 8.30am and 5pm or in person at Council's Customer Service Centre, 444-446 Princes Highway Rockdale, or at Eastgardens Shopping Centre, 152 Bunnerong Road, Eastgardens on Monday to Friday between 8.30am and 4.30pm and Saturday (excepting public holidays) 9am to 1pm.

Part 3

Owners Consent

Property Details					
Unit/Shop/ Suite No.		Street No.		Street	
Suburb				Postcode	
Description of proposed development or use					

As owner of the land to which this application applies, I request consent to carry out the development described in this application. I also authorise:

- Council representatives to enter the site for the purpose of site inspections.
- Council to make copies of all documents for the purpose of determining the application or to provide copies to people who may be affected by the proposal.

- If more than one owner, every owner must sign.
- If you are signing on the owner's behalf as their legal representative, please state your legal authority (eg Power of Attorney, Executor, Trustee _____) and attach evidence of this authority.
- If the property is within a strata plan, the consent of the Owners Corporation is required under seal.
- If the owner is a Company, a Director and the Secretary must sign.

Full Name	Full Name	Full Name
Address	Address	Address
Phone No.	Phone No.	Phone No.
Signature	Signature	Signature
Date	Date	Date
___ / ___ / _____	___ / ___ / _____	___ / ___ / _____

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

W www.bayside.nsw.gov.au
T 1300 581 299 | 02 9562 1666

If signing on behalf of a Company, please also indicate your position within the Company		
Position	Position	Position
Company Name	Company Name	Company Name

Privacy Statement:
 The personal information provided on this form (including your name and other details) will be handled in accordance with the *Privacy and Personal Information Protection Act 1998* and may be available to the public under various legislation. Refer also to the Privacy Statement on Council's website.