

Principal Certifier (PC) Service Agreement and Appointment

- The Council** is a certifying authority and employs an accredited certifier (the Certifier) who is authorised to undertake the functions of the PC on behalf of the Council.
- The Applicant must be a person having the benefit of the consent (to appoint the PC)**, and excludes any person who will carry out building work (eg. builder), unless that person is also the owner of the land.
The Applicant seeks to engage the Council to carry out the functions of **Principal Certifier** and **issue of the Occupation Certificate** on the terms set out in this Agreement.

Complete details below

property

Provide details of the site of the development

Lot and DP numbers are found on the Certificate of Title or on a Rates Notice.
Note: Not all properties have section numbers

Lot N ^o /s. <input type="text"/>	Section N ^o . <input type="text"/>	DP N ^o . <input type="text"/>
Street N ^o . <input type="text"/>	Street Name <input type="text"/>	
Suburb <input type="text"/>	Postcode <input type="text"/>	

applicant

* This agreement may be completed by the property owner or other person entitled to appoint a Principal Certifier. **This excludes any person who will carry out building work** (eg. builder) unless that person is also the owner of the land

Applicant details*

Select type of Applicant:

- Property owner
- Other person having benefit of the consent (specify)

Applicant Name

Postal Address

Contact Telephone

Email Address

Signature

Date

Select (tick ✓) below the types of building work proposed (more than one may be selected)

When multiple types of building are proposed, please indicate how you intend to construct them:

Concurrent Staged

TYPE OF BUILDING	DETAILS OF BUILDING WORK		SELECT ✓	OFFICE USE ONLY
1 DWELLINGS				
Erection of new dwelling	Raft (slab on ground) construction			A5
	Bearer & joist or timber/metal pole/ stump construction			A6
2 ADDITIONS AND ALTERATIONS				
Alteration or addition to existing dwelling	Raft (slab on ground) construction	Does not include wet areas(ie WC's, shower, bath or laundry)		B3
		Includes wet areas		B4
Studio	Bearer & joist or timber/metal pole/ stump construction	Does not include wet areas		C4
		Includes wet areas		C5
First floor addition		Does not include wet areas		D2
		Includes wet areas		D3
3 OUTBUILDINGS				
Carport, awning, or the like				E2
Deck, pergola, or the like				F1
Swimming Pool	Above-Ground			G1
	In-Ground	Concrete		H2
		Fibreglass		H3
Garage, shed or the like				I2
Fence				J0
Retaining wall, masonry fence				K1
4 MULTI –RESIDENTIAL, COMMERCIAL & INDUSTRIAL				
Villa/Town House & multi-storey developments	1-5 units (Provide details of staging and number of units)	Number of units: _____		
		Number of stages: _____		
	Greater than 5 units			
Commercial / Industrial developments	Value of works under \$250,000			
	Value of works \$250,000 and over			

application details

Complete details if the application/s have been determined; include a list of plans and accompanying documentation for the application

If known, provide application number/s and dates, as applicable:

Development Application No. Dated

Construction Certificate No. Dated

OR

Complying Development Certificate No. Dated

Issued by:

Blue Mountains City Council

Other (specify)

Description of the development (eg. single storey dwelling)

owners authorisation

Must be completed by the
owner/s of the property

Permission is granted for Council's Officers to enter the property /premises to conduct inspections relative to this application.

Owner/s' Name

Owner's signature

Owner's Signature

permit / insurance

Who will be undertaking the building works?

Owner-Builder

Permit No. :

An owner builder permit is required when works exceed \$10,000. A copy of the permit, when applicable, must be submitted to the PC prior to the release of the construction certificate.

Principal Contractor

Name:

Address:

Phone/Mobile:

Email:

Licence/Permit No:

Value of works \$20,000 and under:

A letter from the principal contractor is required to confirm their appointment as the principal contractor for the work. The principal contractor for the work is appropriately licensed and has management of the site.

The letter must include their name, address and licence number, and be provided to the Principal Certifier (PC) prior to the release of the construction certificate (CC).

Value of works over \$20,000:

Insurance under the Home Building Compensation Fund is required. A copy of the certificate must be submitted to the PC prior to the release of the CC, together with the builder's details (name, address and licence number) if not provided above.

accredited certifier

Blue Mountains City Council / Blue Mountains Building Certifiers

2 Civic Place, Katoomba NSW 2780

POSTAL ADDRESS: Locked Bag 1005, Katoomba NSW 2780

TELEPHONE: (02) 4780 5000

EMAIL: council@bmcc.nsw.gov.au

FACSIMILE: (02) 4780 5555

WEB: www.bmcc.nsw.gov.au

The details of the officers employed by Council as accredited Certifiers, any of whom may carry out certification work and inspections under this contract, can be found on the Building Professionals Board website bpb.nsw.gov.au

information

The Building Professionals Board is the statutory body that accredits the Certifier and administers the *Building Professionals Act 2005*. Under this Act, information brochures on statutory obligations published by the Board must accompany this contract. At the time of this Agreement, the Board has not published this information.

Terms of Agreement

Responsibilities of the Principal Certifier (PC)

Blue Mountains Building Certifiers (BMBC)/ Blue Mountains City Council (the Council), as the Principal Certifier for the development, will comply with all relevant statutory requirements, by:

- confirming either the principal contractor holds the relevant licence and insurance (when applicable) or an owner-builder permit has been issued, for residential building work
- reviewing the development consent or complying development certificate to ensure all pre-conditions have been met
- providing a list of inspections required for the proposal
- carrying out all critical stage inspections of the building work as prescribed by the EP&A Regulation or required by the Certifier
- issuing an occupation certificate following a satisfactory final inspection and assessment.

Inspections

Development and/or site inspections required under the EP&A Act or the EP&A Regulation will be listed in the Inspection Schedule issued at the time of determination of the Construction Certificate (CC) or Complying Development Certificate (CDC) and/or appointment of PC.

Officers employed by Council as Accredited Certifiers may carry out inspections under this contract; their details may be found on the Building Professionals Board website bpb.nsw.gov.au

A copy of the inspection report will be provided on site.

Where a critical stage inspection has been missed, BMBC will make a record of this and issue a copy to the Applicant, and notify the principal contractor or owner builder of the missed inspection.

Applicant requirements

Prior to commencement of building works

The Applicant must not commence work until a CC has been issued and a PC appointed, and builder requirements submitted, where applicable (owner-builder permit or home warranty insurance).

Any structural or other specialist engineering details relating to the building shall be forwarded to the BMBC prior to commencement of building works. Such details are to confirm compliance with the relevant provisions of the Building Code of Australia and/or Australian Standards to the satisfaction of BMBC.

A *Notice of Commencement* form must be submitted at least 2 days prior to works commencing. A copy of this form is provided by BMBC.

During building work

All works must be carried out in accordance with the terms and conditions of Council's Development Consent and the Construction Certificate, or Complying Development Certificate (as applicable), and relevant provisions of the Building Code of Australia.

The Principal Contractor/Owner Builder may be required to submit third party certification from an accredited certifier or suitably qualified and experienced person in a specific field (eg structural engineer) to BMBC, which references the relevant provisions of the BCA, Australian Standards and approved drawings, and demonstrates a specific matter complies with a relevant standard. This is to ensure compliance with the consent or BCA requirements.

A new or modified Development Consent and a Construction Certificate, or Complying Development Certificate (as applicable), must be obtained for any modifications or variations to the development, prior to the commencement of any works relating to those changes.

Inspections

It is the Principal Contractor or owner-builder's responsibility to make arrangements with BMBC to carry out the relevant mandatory critical stage inspections or re-inspections.

Building works must not proceed to the subsequent stages of construction prior to obtaining a satisfactory inspection from BMBC for each relevant stage of construction.

Where a critical stage inspection is missed, this may affect the issue of an Occupation Certificate.

Issue of an Occupation Certificate (OC)

BMBC will comply with all relevant statutory requirements with respect to the issue of an occupation certificate. This includes:

- carrying out a final inspection
- ensuring compliance with all BASIX requirements and obtaining any necessary BASIX completion receipt
- assessment of any pre-conditions to the DA or CC prior to issue of an OC
- ensuring a compliance certificate is submitted, when there is an alternative solution for fire safety requirements, and
- whether the work is not inconsistent with the development consent.

The Certifier will ensure the application for an interim or final Occupation Certificate is accompanied by a final fire safety certificate and/or schedule or interim fire safety certificate and/or schedule when required by the EP&A Regulation. Where required under the Act, the Certifier will apply to other authorities for a report or verification of compliance.

Following a satisfactory final inspection and assessment, the Certifier will issue an occupation certificate to the Applicant.

Should the Applicant request an interim Occupation Certificate prior to completion of the development, a separate application must be lodged and be accompanied by the applicable fee.

Compliance

The Accredited Certifier is responsible for ensuring works comply with the relevant conditions of development consent. Should a breach occur, the Certifier will investigate the matter and may result in the issue of a notice of intention to issue an order. Fees may apply for any administration costs.

Occupation Certificate (OC)

An Occupation Certificate must be obtained from the PC prior to the occupation or use of a new building (or part of a building) or prior to the change of an existing building use/classification. The *Environmental Planning and Assessment Act 1979* contains penalty provisions for using or occupying a building prior to the issue of an Occupation Certificate.

An *Application for an Occupation Certificate* must be submitted to the Certifier prior to issue of the OC. A copy of this form is provided by BMBC. For class 2-9 developments, the application must also be accompanied by a fire safety schedule or interim fire safety schedule.

Fees

Quotations for certification work and PC appointment are available by contacting Council on 4780 5000. Fees & Charges may also be downloaded from Council's website.

Set fees and charges:

- (i) The fees and charges for BMBC to carry out certification work and/or the functions as the PC for the development are set out in Council's Fee Statement provided at lodgement or by quotation.
- (ii) The set fees and charges are payable at the time of lodgement of the application. Fees are not refundable once work has commenced. Any amounts refundable will be less any administration charges and/or costs incurred up till that point.

Contingency fees and charges:

- (i) In the case of fees and charges that may be payable for work arising from unforeseen contingencies, these are listed in Council's fees and charges on the website. This may include fees for re-inspection of work or missed inspections, an interim occupation certificate or compliance fees.
- (ii) In respect of any unforeseen contingency work provided for under this Agreement, BMBC is to send an invoice to the Applicant within 21 days after the completion of any such work. Application fees for an interim occupation certificate are payable at lodgement. Other fees that are payable to external agencies, such as Fire & Rescue NSW, are charged at cost.

Other

The Applicant must notify BMBC in writing of any changes to the Principal Contractor or owner-builder, including any contact details.