



COMPLYING DEVELOPMENT CERTIFICATE

Application Form



OFFICE USE ONLY

Place Stamp Here

Fee:

Receipt No:

Date:

CDC No: 9/

Parcel No:

RN No:

PART 1 – APPLICATION DETAILS

INFORMATION FOR APPLICANT

- This Application and Certificate only applies to Complying Development. It is not relevant to a Development Application or Construction Certificate
- Fees must be paid at time of lodgement
- Please ensure you submit all required information to minimise delay in receiving your certificate
- Further information regarding Complying Development is available from Council's Building Certification website. ccc.buildingcert.cessnock.nsw.gov.au

PROPERTY DETAILS

Unit No	House No	Street
Suburb		Site Area m ²
Lot(s)	Section	Deposited Plan (DP)
Other		Strata Plan (SP)

APPLICANT DETAILS

Individual Lodgement		Company Lodgement	
Name		Company	
Postal Address		PO Box	Telephone
Suburb	State	Postcode	Mobile
Email		Customer Reference	

DESCRIPTION OF DEVELOPMENT

Please indicate by 'X'

Use of land/building	Erection of a building	Subdivision of land/building
Carry out works	Demolition	Other

Present Use of Land / Building

Please describe, e.g. vacant land; dwelling; etc

Please describe briefly everything to be included in this approval, including signs, hours of operation, use, subdivision, demolition etc.

Details

Number of new dwellings	Number of existing dwellings	Number of dwellings to be demolished
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ESTIMATED COST OF WORK

Note: Clause 255 of the Environmental Planning & Assessment Regulation 2000 specifies how the estimated cost of development is to be calculated. You must complete and submit the attached "Estimated Cost of Development" form with your application (Schedule A). It is an offence to make a false statement in relation to the estimated cost of development and significant penalties can apply.

What is the estimated cost of the development? \$

PART 2 – DEVELOPMENT DETAILS

ADDITIONAL APPROVALS

Has approval been obtained from Council for any of the following activities?

On-site Waste Management System		Yes	No
Driveway Crossing		Yes	No
COMPLYING DEVELOPMENT PRE-ASSESSMENT			
Have you previously lodged with Council a Complying Development Certificate Pre-Assessment Request relating to this Development?		Yes	No
<i>If yes, Please include relevant documentation</i>			
COUNCIL OFFICER			
Have you discussed the application with a Council Officer?		Yes	No
<i>If yes, please provide details of Officer and date</i>	Council Officer	Date	
PART 3 – DECLARATION			
POLITICAL DONATIONS AND GIFTS			
Have you, or any person with a financial interest in this application, made a political donation or gift (greater than \$1000) to a Cessnock City Council Councillor during the past 2 years?		Yes	No
<i>If Yes, you are required to submit a Statement of Disclosure of Political Donations and Gifts with your application. For more information regarding Disclosures of Political Donations and Gifts and to obtain a Disclosure form, visit Council's website or contact Council's Help and Information Centre.</i>			
OWNER(S) DETAILS AND CONSENT			
Name(s)	Company		
	Position Title		
Postal Address	PO Box	Telephone	
Suburb	State	Post Code	Mobile
<i>I/We the undersigned are the owner(s) of the property described in this application and consent to its lodgement. I/We hereby permit a duly authorised officer of Cessnock City Council to enter the land or premises to carry out inspections and undertake work as required for the administration of the Act(s), Regulations or Planning Instrument.</i>			
Signature(s)			
Name of Person signing <i>(Please print)</i>			
<i>Please indicate by 'X'</i>	Private Land Owner	Sole Director	Director, Secretary & Company Seal
Note: All owner(s) of the land, the subject of this application, must sign this form. If you are not the owner of the land, you must have all the owners sign the application.			
Note: If signing on the owner's behalf, please state your legal authority and provide documentary evidence (e.g., copy of power of attorney, trust deed etc).			
Note: In the case of land that is the subject of a strata scheme under the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986, the owners corporation for that scheme must be constituted under the Strata Schemes Management Act 1996. A development application for a lot in a strata plan does not require the consent of the Body Corporate when that work does not affect any common property.			
Note: In the case of land that is a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989, the association for the parcel must provide consent.			
Note: If signing on behalf of a corporate body or company, the application should be signed by an authorised person under common seal and the position of that person in the corporate body or company must be stated on the form. Alternatively, the Common Seal is not required if two Directors or authorised persons sign the application form, or if you are a sole Director.			
APPLICANT DECLARATION			
<i>I/We apply for approval to carry out the development or works described in this application. I/We declare that all the information in the application and checklist is, to the best of my/our knowledge, true and correct.</i>			
<i>I/We also understand, pursuant to Clause 51 of the Environmental Planning and Assessment Regulations 2000, that if the information is incomplete, the application may be delayed, rejected, or refused without notice.</i>			
<i>I/We give consent to Cessnock City Council to use the application, plans and documents, including designs, provided in support of this application for advertising and notification purposes.</i>			
Applicant(s) Name	Date		
Applicant(s) Signature			

PRIVACY NOTIFICATION

Personal and private information supplied to Council is managed in compliance with the Privacy and Personal Information Protection Act 1998. The supply of this information is not voluntary, as it is required by law in order to process your application/request. The intended recipients of the personal information are Officers within the Council, agents/contractor of the Council and other statutory authorities. You may apply for access or amendment to your personal information held by Council. You may also request that Council suppresses your personal information from a public register. If you have any further enquiries concerning this matter, contact Council on (02) 4993 4100, or the Information and Privacy Commission 1800 472679 or email <mailto:ipcinfo@ipc.nsw.gov.au> or the website www.ipc.nsw.gov.au.

PART 4 – CONSTRUCTION DETAILS

BUILDER DETAILS *Please indicate by 'X' and complete the details*

Owner Builder	Principal Contactor	Unlicensed Builder / Contractor	To be advised
Permit Number	Licence No	Licence Class	
Name(s)	Company		
	A.C.N		
Postal Address	PO Box	Telephone	
Suburb	State	Post Code	Mobile
Does the Principal Contractor's licence permit this type of work being undertaken?			Yes No
Is the Principal Contractor providing both labour and materials?			Yes No
Is the Principal Contractor covered by the appropriate insurance?			Yes No
<i>Note: If total cost of work (labour and or material) exceeds \$10,000 you will need an Owner-Builder permit from the Department of Fair Trading; OR you must appoint a Principal Contractor who has the appropriate licence and insurance to either undertake the work themselves, or oversee building work, including the coordination of other trades as permitted by the licence.</i> <i>If Residential Work, you must notify Council in writing of the name, address and licence number of the builder before any building work commences.</i>			

BUILDING INFORMATION

Building Code of Australia Building Classification:			
<i>Examples of classifications: Dwelling (1a), Garage/Carport/Deck (10a), Swimming Pool (10b), Commercial Office (5), Retail Shop (6), Workshop (8), Commercial Storage Building (7b), Assembly Buildings (such as a Church or Community Building) (9b).</i>			
No of Storeys (including underground floors)	Dual Occupancy (Y / N)		
No of Proposed Lots	No of Units		
Estimated area of bonded or friable asbestos material to be disturbed, repaired or removed			m ²
Is the new building to be attached to an existing building?			Yes No
Is the new building to be attached to any other new building?			Yes No
What is the gross floor area of the building		m ²	<i>If more than one structure is proposed, provide the floor area for each structure:-</i>
Structure 1	m ² Type	Structure 2	m ² Type
Structure 3	m ² Type	Structure 4	m ² Type

BUILDING MATERIALS TO BE USED

Note: This information is used by the Australian Bureau of Statistics. Please indicate by 'X' in the box which best describes the materials to be used during construction (mark more than one if necessary).

Walls	Code	Roof	Code	Floor	Code
Brick (double)	11	Tiles	10	Concrete or Slate	20
Brick (vener)	12	Concrete or Slate	20	Timber	40
Concrete or Stone	20	Fibre cement	30	Other	80
Fibre cement	30	Steel	60	Not specified	90
Timber	40	Aluminium	70	Frame	Code
Curtain glass	50	Other	80	Timber	40
Steel	60	Not specified	90	Steel	60
Aluminium	70			Aluminium	70
Other	80			Other	80
Not specified	90			Not specified	90

SCHEDULE A – ESTIMATED COST OF DEVELOPMENT

NOTES

The genuine cost of the development proposed in a development application, complying development certificate or construction certificate should include costs based on industry recognised prices, including cost for materials and labour for construction and/or demolition and GST. If the estimate is understated, Council will determine fees based on an adjusted fee estimate in accordance with **Attachment A - Example of Indicative Works for Development and Construction Proposals**.

Please indicate by 'X' which of the following is relevant to your application

- Table 1: Estimated Cost Of Development – Based On Works Components
- Table 2: Estimated Cost of Development – Based on Floor Space Estimates
- Quantity Surveyor's Report

TOTAL SITE AREA

Gross Floor Area	m ²	Demolition Works	m ²
Other Works - specify			

APPLICANT DECLARATION

I/We certify that:

- I/We have provided the estimated costs of the proposed development and that those costs are based on industry recognised process; and
- The estimated costs have been prepared having regard to the matters set out in Clause 255 of the Environmental Planning and Assessment Regulation 2000

Note: Clause 255 of the Environmental Planning & Assessment Regulation 2000 specifies how the estimated cost of development is to be calculated. It is an offence to make a false statement in relation to the estimated cost of development and significant penalties can apply.

Applicant(s) Name

Date

Applicant(s) Signature

ESTIMATED COST OF DEVELOPMENT

Cost of Development	Who should estimate the costs of development prior to lodgement?
\$0 - \$100,000	The applicant or a suitably qualified person*, with the methodology used to calculate that cost submitted with the DA.
\$100,000 - \$3 million	A suitably qualified person should prepare the cost estimate and submit it, along with methodology, with the DA.
Over \$3 million	A detailed cost report prepared by a registered quantity surveyor verifying the cost of the development should be submitted with the DA.

*A suitably qualified person is: a builder who is licensed to undertake the proposed works, a registered architect, a qualified and accredited building designer, a registered quantity surveyor or a person who is licensed and has the relevant qualifications and proven experience in costing of development works at least to a similar scale and type as is proposed.

TABLE 1: ESTIMATED COST OF DEVELOPMENT – BASED ON WORKS COMPONENTS

COST (APPLICANT'S GENUINE ESTIMATE)		N/A
Demolition works (including cost of removal from site and disposal)	\$	
Site preparation (e.g. clearing vegetation, decontamination or remediation)	\$	
Excavation or dredging including shoring, tanking, filling and waterproofing	\$	
Preliminaries (e.g. scaffolding, hoarding, fencing, site sheds, delivery of materials, waste management)	\$	
Building construction and engineering costs <ul style="list-style-type: none"> • Concrete, brickwork, plastering • Steelwork/metal works • Carpentry/joinery • Windows and doors • Roofing 	\$	
Internal services (e.g. plumbing, electrics, air conditioning, mechanical, fire protection, plant, lifts)	\$	
Internal fit out (e.g. flooring, wall finishing, fittings, fixtures, bathrooms, and equipment)	\$	
Other Structures (e.g. landscaping, retaining walls, driveways, parking, boating facilities, loading area, pools)	\$	
External services (e.g. gas, telecommunications, water, sewerage, drains, electricity to mains)	\$	
Professional fees (e.g. architects and consultant fees, excluding fees associated with non-construction components)	\$	
Other (specify)	\$	
Parking /garaging area	\$	
GST	\$	
TOTAL	\$	

TABLE 2: ESTIMATED COST OF DEVELOPMENT – BASED ON FLOOR SPACE ESTIMATES

			COSTS	N/A
<i>Example Only:</i> CONSTRUCTION Residential	250/m ² of residential area	\$1000	\$250 000	
	Total construction cost			
PROFESSIONAL FEES	% of construction cost	%	\$	
	% of development cost	%		
	Total cost			
DEMOLITION & SITE PREPARATION	/m ² of site area	\$	\$	
	Total construction cost			
EXCAVATION	/m ² of site area	\$	\$	
	Volume of material removed	m ³		
	Total construction cost			
CONSTRUCTION Commercial	/m ² of commercial area	\$	\$	
	Total construction cost			
CONSTRUCTION Residential	/m ² of residential area	\$	\$	
	Total construction cost			
CONSTRUCTION Retail	/m ² of retail area	\$	\$	
	Total construction cost			
CONSTRUCTION Industrial	/m ² of commercial area	\$	\$	
	Total construction cost			
CONSTRUCTION other	/m ² of commercial area	\$	\$	
	Total construction cost			
FITOUT Commercial	/m ² of commercial area	\$	\$	
	Total construction cost			
FITOUT Residential	/m ² of residential area	\$	\$	
	Total construction cost			
FITOUT Retail	/m ² of retail area	\$	\$	
	Total construction cost			
FITOUT Industrial	/m ² of industrial area	\$	\$	
	Total construction cost			
FITOUT Other	/m ² of retail area	\$	\$	
	Total construction cost			
CARPARK	/m ² of parking area	\$	\$	
	Total construction cost			
TOTAL CONSTRUCTION COST			\$	
TOTAL GST			\$	
TOTAL DEVELOPMENT COST			\$	

HOW TO LODGE YOUR APPLICATION

Address the application to

General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

OR

General Manager
Cessnock City Council
DX 21502
CESSNOCK

Payment Method

By mail - Cheque, Money Order or Credit Card (*complete the section below*)

**Lodge in person
(between 9am – 4.30pm) at
Council’s Administration Building**

Cessnock City Council
62-78 Vincent Street
CESSNOCK NSW

You will need to spend some time with a Customer Service Officer when lodging your application. Typically you will require 30 minutes, however this may vary depending on the complexity of your application

Payment Method

In person - Cash, Cheque, Money Order, Bankcard, Mastercard, Visa, and/or EFTPOS.

How to Contact Us

Phone: (02) 4993 4100
Fax: (02) 4993 2500
Email: council@cessnock.nsw.gov.au
www.cessnock.nsw.gov.au

Office Hours

9am to 5pm Monday to Friday
**Payments are accepted between 9:00am - 4.30pm*

Duty Officers are available weekdays:
Planning - 9am to 5pm
Building - 9 to 10am & 1 to 5pm

Fees

Fees are calculated in accordance with Council’s adopted fees and charges.

If you require further information regarding this request, please contact Council’s Customer Service Centre on (02) 4993 4100.

Cessnock City Council takes the privacy and security of personal information very seriously. To eliminate the risk associated with Credit Cards, Council does not collect or store Credit Card information.

Credit Card payments are processed by Council’s Call Centre using a call in or call back facility. Customers are able to select their preferred option.

If you wish to make payment via Credit Card, please nominate your preferred telephone contact number for our Customer Service Team to contact you on.

Payment Contact Name:

Payment Contact Phone Number:



Revision No. 23-01-2017

OFFICE USE ONLY

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PERFORMANCE OF CERTIFICATION WORK CONTRACT OF AGREEMENT

Date:

CDC No: 9/	Parcel No:
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PART A: INTRODUCTION

This is an Agreement between Cessnock City Council (the Council) and the Client (as nominated below)

By virtue of the *Environmental Planning & Assessment Act 1979* Council is a certifying authority and employs accredited certifiers (the Certifier) who are authorised to carry out the Certification Work which is the subject of this Agreement on behalf of the Council.

The Client seeks to engage the Council to perform certain Certification Work on the terms set out in this Agreement *

** Refer to Part E for particulars of Certification Work.*

PART B: PARTIES TO THE AGREEMENT *Client to complete*

1. THE COUNCIL

Name	Cessnock City Council		
Address	62-78 Vincent Street	PO Box	152
Suburb	CESSNOCK	State	NSW
		Postcode	2325
Email	council@cessnock.nsw.gov.au	Telephone	(02) 4993 4100

2. THE CLIENT *(For whom the Certification Work will be carried out)*

Name	Company		
Postal Address		PO Box	Telephone
Suburb	State	Postcode	Mobile
Email	Customer Reference		
<i>Please indicate by 'X' which of the following applies</i>	<input type="checkbox"/>	Client is the property owner	
	<input type="checkbox"/>	Client is duly authorised by the Owner	

Note: The person having the benefit of the Consent, so as to be able to appoint the PCA, may be the owner or an applicant authorised by the owner but may NOT be the builder, unless the builder is the owner.

PART C: DESCRIPTION OF DEVELOPMENT *Client to complete*

Provide details of development being certified (e.g. dwelling, garage, swimming pool)

Unit No	House No	Street
Suburb		
Lot(s)	Section	Deposited Plan (DP)
Other		Strata Plan (SP)

PART D: DETAILS OF DEVELOPMENT APPROVAL *Client to complete*

Do you have a development consent?		Yes		No
<i>If yes, please provide details below</i>				
Complying Development Consent	9 / -- / -- / -- / -- <small>(e.g 9 / 2000 / 100 / 1) --</small>	Date Issued:	-- / -- / --	
Details of any plans and specifications to which these approvals relate <small>(e.g. Drw:SFR2345 dated 01/01/2000)</small>				

PART E: CERTIFICATION WORK TO BE PERFORMED *Client to complete*

This Agreement relates to the following Certification Work: *Please indicate by 'X' which of the following applies*

	Determination of application for, and issue of, a Construction Certificate*
	Determination of application for, and issue of, an Occupation Certificate*
<input checked="" type="checkbox"/>	Undertaking the functions of the Principal Certifying Authority (PCA) for the development <small>(Refer to Attachment A for description of PCA functions and responsibilities of the Client).</small>
<input checked="" type="checkbox"/>	Determination of application for, and issue of, a Complying Development Certificate*
	Determination of application for, and issue of, a Compliance Certificate*
	Determination of application for, and issue of, a Strata Certificate*
	Determination of application for, and issue of, a Subdivision Certificate*
	Carrying out of inspections under section 22 of the <i>Swimming Pools Act 1992</i> and issuing certificates of compliance under that Act.

* These certificates are "Development Certificates" for the purposes of this Agreement.

PART F: CLIENT DECLARATION & SIGNATURE *Client to complete*

I/We agree to pay all fees in accordance with Council' adopted fees and charges (www.cessnock.nsw.gov.au).

Note: In respect of any unforeseen contingency work provided under this Agreement, the Council is to send an invoice to the Client within 21 days after the completion of any such work.

I/We acknowledge that the fees payable are calculated in accordance with Council's adopted Fees & Charges and are to be paid before or at the time of the lodgement of an application for a Development Certificate and/or before the Council commences to carry out any of the functions as the PCA.

I/We agree to provide all documents that the Council may reasonably request for it to perform the function of the PCA and/or Certifier.

I/We agree to provide the Council with access to the development site.

I/We agree to notify Council of the appointment of the principal contractor. I/We agree to notify the principal contractor of any critical stage inspections required to be carried out in respect of the building or subdivision work.

I/We acknowledge that I/We have received and understand the description of services as outlined within this Agreement.

Client(s) Name	Date
Client(s) Signature	

PART G: THE CERTIFIER (Who will carry out the Certification Work)**Council to complete**

Council employs accredited certifiers who are currently accredited by the Building Professionals Board under the *Building Professionals Act 2005*. The employee that Council proposes, at the date of this Agreement, to carry out the Certification Work is nominated from the below list.

The Client is advised that to the extent that any inspections are required to be carried out under the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000* for the Certification Work, those inspections may be carried out by any one of the Council employees listed below who has the necessary accreditation for that work.

Council's Accredited Certifiers

Adrienne Basile (BPB2461)	Colin Davis (BPB1320)	Darren Layt (BPB1715)
Patricia Beatty (BPB1428)	Lezette Garry (BPB1617)	Sarah Marks (BPB1342)
Simon Brown (BPB1256)	Grant Hamilton (BPB1266)	

PART H: DATE OF AGREEMENT**Council to complete**

This Agreement is made on _____ Date

PART I: COUNCIL SIGNATURE**Council to complete**

Nominated Certifier: CESSNOCK CITY COUNCIL

Date

Signed
on behalf of Cessnock City Council**PRIVACY NOTIFICATION**

Personal and private information supplied to Council is managed in compliance with the Privacy and Personal Information Protection Act 1998. The supply of this information is not voluntary, as it is required by law in order to process your application/request. The intended recipients of the personal information are Officers within the Council, agents/contractor of the Council and other statutory authorities. You may apply for access or amendment to your personal information held by Council. You may also request that Council suppresses your personal information from a public register. If you have any further enquiries concerning this matter, contact Council on (02) 4993 4100, or the Information and Privacy Commission 1800 472679 or email <mailto:ipcinfo@ipc.nsw.gov.au> or the website www.ipc.nsw.gov.au.

PART J: FEES AND CHARGES

- The Council's fees and charges for the performance of the Certification Work are viewable via Council's website (www.cessnock.nsw.gov.au).
- The fees and charges must be paid to the Council:
 - before, or at the time, an application for the Development Certificate is lodged with the Council; and/or
 - before the Council commences to carry out any of the functions as the PCA.
- In the case of fees and charges that may be payable for work arising from unforeseen contingencies, the basis on which those fees and charges are to be calculated as outlined within Council's adopted fees and charges (www.cessnock.nsw.gov.au). In respect of any unforeseen contingency work provided for under this Agreement, the Council will send an invoice to the Client within 21 days after the completion of any such work.

PART K: STATUTORY OBLIGATIONS

An information brochure which is to include information about statutory obligations must accompany this Agreement, if one is published by the Building Professionals Board on its website. The Board is the statutory body that accredits the Certifier and administers the *Building Professionals Act 2005*.

Note: The Board has not published a brochure as at the date of the Agreement.

ATTACHMENT A: PRINCIPAL CERTIFYING AUTHORITY FUNCTIONS

1. INTRODUCTION

The *Environmental Planning and Assessment Act 1979 (EP&A Act)* requires the appointment of a Principal Certifying Authority (PCA) to be responsible for the carrying out of mandatory critical stage building inspections and subsequent issue of an Occupation Certificate (OC) prior to the use or occupation of a building.

Section 81A of the EP&A Act prohibits the commencement of the erection of a building in accordance with a development consent until:

- A construction certificate has been issued;
- A PCA has been appointed and the Client has notified the PCA that they will carry out the building work as an owner-builder (if that is the case),
- Where the Client is not carrying out the building work as owner-builder, the Client must have appointed a principal contractor for the building work who is the holder of a contractor licence (where residential building work is involved). The Client must notify the PCA of the appointment of the principal contractor and also notify the principal contractor of any critical stage inspections and other inspections required to be carried out for in respect of the building work,
- The PCA has, no later than 2 days before the building work commences, notified the consent authority of his or her appointment and notified the Client of any critical stage inspections and other inspections that are required to be carried out in respect of the building work, and
- The Client has given at least 2 days' notice to the Council (and the PCA if that is not the Council) of the person's intention to commence the erection of the building.

Similar requirements apply to the commencement of subdivision work.

This Attachment sets out the responsibilities of the Client and the Council (when engaged by the Client to act as PCA).

2. DEFINITIONS

Principal Certifying Authority or PCA

The PCA is the authority appointed by 'the Client' (being the person having the benefit of the development consent or complying development certificate) under section 109E of the EP&A Act. A PCA may be either Council, or an accredited private certifier (except in certain circumstances).

NOTE

- a) Council Accredited Certifiers, as the PCA, cannot be involved in the design of the building/development works; but may offer advice for compliance with Deemed to Satisfy BCA matters.
- b) When Council has been appointed as the PCA, a change of PCA can only be undertaken upon agreement of Council or as determined by the Building Professionals Board.

Critical Stage Inspections

Clause 162A of the EP&A Regulation relevantly prescribes the following as critical stage inspections:

- (4) *In the case of a class 1 or 10 building, the occasions on which building work for which a principal certifying authority is first appointed on or after 1 July 2004 must be inspected are:*
 - (a) *(Repealed)*
 - (b) *after excavation for, and prior to the placement of, any footings, and*
 - (c) *prior to pouring any in-situ reinforced concrete building element, and*
 - (d) *prior to covering of the framework for any floor, wall, roof or other building element, and*
 - (e) *prior to covering waterproofing in any wet areas, and*
 - (f) *prior to covering any stormwater drainage connections, and*
 - (g) *after the building work has been completed and prior to any occupation certificate being issued in relation to the building.*
- (4A) *However, in the case of a class 1 or 10 building, an inspection on an occasion described in subclause (4) (a)–(f) that occurs before 1 July 2005 is not prescribed for the purposes of section 109E (3) (d) of the Act if:*
 - (a) *the inspection is carried out by a person considered by the principal certifying authority to be suitably qualified to carry out the inspection (but who is not necessarily an accredited certifier) and employed, or nominated for the purpose of carrying out the inspection, by the principal certifying authority, and*
 - (b) *the person would not be disqualified by section 109ZG of the Act (except by subsection (1) (d) or (1A) of that section) from issuing a Part 4A certificate in relation to any aspect of the development concerned.*
 - (c) *the person makes a record of each inspection carried out by him or her, and provides a copy of that record to the principal certifying authority, as required by clause 162B for a critical stage inspection or any other inspection required by the principal certifying authority.*
- (5) *In the case of a class 2, 3 or 4 building, the occasions on which building work must be inspected are:*
 - (a) *(Repealed)*
 - (b) *prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building, and*
 - (c) *prior to covering any stormwater drainage connections, and*
 - (d) *after the building work has been completed and prior to any occupation certificate being issued in relation to the building.*
- (6) *In the case of a class 5, 6, 7, 8 or 9 building, the occasions on which building work for which a principal certifying authority is first appointed on or after 1 July 2004 must be inspected are:*
 - (a) *(Repealed)*
 - (b) *prior to covering any stormwater drainage connections, and*
 - (c) *after the building work has been completed and prior to any occupation certificate being issued in relation to the building.*
- (7) *(Repealed)*
- (7A) *Inspections of building work must be made on the following occasions in addition to those required by the other provisions of this clause for the building work:*
 - (a) *in the case of a swimming pool, as soon as practicable after the barrier (if one is required under the [Swimming Pools Act 1992](#)) has been erected,*
 - (b) *in the case of a class 2, 3, 4, 5, 6, 7, 8 or 9 building, after the commencement of the excavation for, and before the placement of, the*

ATTACHMENT A: PRINCIPAL CERTIFYING AUTHORITY FUNCTIONS – Continued

Where Council is the PCA all of the critical stage inspections must be carried out by a Council Accredited Certifier or another accredited certifier upon prior arrangement. Failure to receive an inspection may result in Council being unable to issue an OC.

Requests for final inspections and/or OC's for "BASIX affected buildings" must be accompanied by a completed pre-final self-certification/form for applicants/builders/principal contractors. It is the responsibility of the applicants/builders/principal contractors to ensure all of the BASIX commitments have been fully met.

Inspections involving works approved under the provisions of Section 68 of the Local Government Act 1993, as amended, can only be carried out by Council Officers (e.g. on-site wastewater management systems, manufactured homes, temporary structures and amusement devices).

Occupation Certificate (OC)

An OC is a certificate that authorises the occupation and use of a new building or a change of building use for an existing building. It is essentially a post-construction check on whether necessary approvals and certificates are in place, and that the building is suitable for occupation or use in accordance with its Building Code of Australia classification. An OC authorising the occupation or use of a new building and/or change of use of an existing building can only be issued by the PCA.

NOTE:

- a) *An application form for an OC must be completed and submitted to Council including payment of the relevant fee as prescribed in Council's Fees & Charges schedule.*
- b) *The OC **MUST** be issued prior to a building being used or occupied. It is an offence to occupy a building without benefit of an OC.*

3. SERVICE PROVIDED & RESPONSIBILITIES OF COUNCIL

Under the EP&A Act a PCA has a range of functions, including:

- (a) Ascertaining, before any building work has or subdivision work commences, that a construction certificate or complying development certificate has been issued for the work;
- (b) Ascertaining, before any residential building work commences, that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the [Home Building Act 1989](#), unless the work is to be carried out by an owner-builder;
- (c) Where the work is being carried out by an owner-builder, ascertaining that the owner-builder is the holder of any owner-builder permit required under the [Home Building Act 1989](#), before an owner-builder commences on the site any residential building work;
- (d) Carrying out critical stage inspections of the building work or subdivision work as prescribed by the *Environmental Planning & Assessment Regulation 2000 (EP&A Regulation)* or required by the Certifier, or ensuring that the inspections are carried out by another certifying authority before issuing an occupation certificate or subdivision certificate for the building or work;
- (e) Ensuring that any preconditions required by a development consent or complying development certificate are met for the work before the issue of an occupation certificate or subdivision certificate.

Council, as the PCA, will:-

- 3.1 Carry out inspections the next available working day after notification (excluding applications pre-2005 and development south-west of Millfield village to Wollombi, Payne's Crossing and Bucketty). Such notification for inspection must be lodged at the Council by the Client before 3.00 pm inspections will be accepted by facsimile (02) 4993 2500, telephone (02) 4993 4100, or in person at the Customer Service counter at Council's office.
- 3.2 Carry out inspections south - west of Millfield village to Wollombi, Bucketty and Payne's Crossing on the first Thursday following the notification of the required inspection on or before 3.00 pm the preceding Wednesday.
- 3.3 Make a written record of the inspection and provide a copy to the relevant owner and/or applicant via electronic transmission (e-mail).
- 3.4 Advise the Client of the details of the work the subject of an unsatisfactory inspection and the need (if any) to carry out a reinspection.
- 3.5 Notify the Client if any additional fees for inspection are required as a result of reinspection for incomplete or defective works. Reinspection fees will be levied and payable for all reinspections required as a result of work not being completely ready for the booked inspection or as a result of defective works.
- 3.6 Issue determinations for OC's and subdivision certificates on the prescribed form.

Note: Inspections will be carried out Monday to Friday (inclusive) only and excludes Public Holidays.

4. RESPONSIBILITIES OF THE CLIENT

The Client, in appointing Cessnock City Council as the PCA, agrees to:-

- 4.1 Pay all fees for services provided by the PCA or such fees and charges as required by another Authority, eg. NSWFB.
- 4.2 Ensure that arrangements are made for Council to carry out inspections of the building works at various stages indicated in Council's letter of acceptance of PCA appointment and the Construction Certificate.
- 4.3 Ensure that notification, as required in clause 3 above, is provided of all required inspections. The Client acknowledges that pre-2005 applications require a minimum of 72 hours' notice to be given to Council in order to retrieve relevant files from storage.
- 4.4 Ensure that building work is ready for inspection by 9.30 am on the day of inspection. Note: Should a specific inspection time or site access be required this may be arranged, subject to availability, by speaking with the relevant Council Accredited Certifier between 9.00 am and 9.30 am on the day of the inspection.

Where a reinspection is required as a result of defective or incomplete works the Client shall make payment of the appropriate reinspection fee as prescribed in Council's Fees and Charges at Council's office.

ATTACHMENT A: PRINCIPAL CERTIFYING AUTHORITY FUNCTIONS – Continued

- 4.5 Where an inspection is required, the Client MUST ensure the relevant stamped approved plans and specifications, and other required details are on-site and/ or available to the Council Accredited Certifier. For example, where a timber floor, roof or wall frame inspection is required the relevant information must be provided such as roof truss specifications, tie-down and joint schedules, roof and wall bracing plans and specifications, wall insulation specifications, timber sizes schedules and the like.
- 4.6 Before booking a final inspection and/or Occupation Certificate for a "BASIX affected building" the Client MUST submit to Council a completed pre-final self-certification/form. It is the responsibility of the applicants/builders/principal contractors to ensure all of the BASIX commitments have been fully met.
- 4.7 Ensure that the erection of the building and/or works are in accordance with the development consent and construction certificate.

5. STAGES AND TYPE OF WORKS REQUIRING INSPECTION

Council, as the PCA, will confirm at what stages of construction inspections are to be carried-out. The schedule of inspections will be contained within the Construction Certificate or Complying Development Certificate, or within Council's letter of acceptance of PCA appointment.

The type of inspection may include, but not be limited to:-

- 5.1 Inspections relating to the structural integrity of health and amenity of the building and its occupants (eg footings, slab, pre-lining framework, wet area flashing, final and the like).
- 5.2 Inspections associated with engineering works including car-parking, drainage and road construction.
- 5.3 Inspections of food premises fitout.
- 5.4 Inspections determining compliance with prescribed development conditions and other provisions prescribed in the *Environmental Planning & Assessment Act* and Regulation.
- 5.5 The mandatory critical stage inspections.

INFORMATION

For further information on this specification and matters relating to the booking of inspections, please contact Council's Customer Service Section on (02) 4993 4100.