

Application for a construction certificate

Information for the applicant

- This form may be used to apply for a construction certificate (a "certificate") to carry out building work or subdivision work.
- To minimise delay in receiving a decision about the application, please fill in all sections and ensure all relevant information and documents are provided.
- Once completed, this application form should be submitted to a certifying authority for determination. Certifying authorities are either private accredited certifiers, the local council, or the consent authority for the development (if the council is not the consent authority). Private accredited certifiers may be either an individual or a company. View a list of private accredited certifiers at <http://www.bpb.nsw.gov.au/page/for-consumers/find-a-certifier/>
- A construction certificate has no effect if it is issued after the building work or subdivision work to which it relates is physically commenced on the land to which the relevant development consent applies.

SECTION A. Details of the applicant*

*An application for a construction certificate may only be made by a person who has the benefit of the development consent. An application may not be made by person who will carry out the building work or subdivision work unless that person owns the land on which the work is to be carried out.

Mr ☐ Ms ☐ Mrs ☐ Dr ☐

Other:

First name

Family name

Company (if applicable)

ABN (if applicable)

Unit/Street no.

Street Name

Suburb or town

State

Postcode

Daytime telephone

Fax

Mobile

Email

SECTION B. Location and title details of the land where the building work or subdivision work is to be carried out

Unit/Street no.

Street Name

Suburb or town

State

Postcode

Lot no.

Section

DP / SP no.

Volume/folio

SECTION C. Description of the building work or subdivision work to be carried out

Briefly describe 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).

Class(s) of building(s) under the Building Code of Australia

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SECTION D. Estimated cost of the development

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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 the purpose for which it is to be used (such as the costs of installing plant, fittings, fixtures and equipment). GST is also to be included.

SECTION E. Development consent

Date of development consent (if already granted)

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Development consent reference no.:

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Name of consent authority:

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Name of applicant for development consent:

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Provide:

A copy of the development consent, including:

- approved plans endorsed by the consent authority
- conditions of development consent
- other documents referenced by the development consent that are relevant to this application.

SECTION F. Planning agreements

If the development or the land upon which the development is to be carried out is subject to a planning agreement as referred to in section 93F EP&A Act, provide a copy of the planning agreement.

SECTION G. Attachments relating to the proposed development

Applicants must provide the documents listed below that are relevant to the type of development that is proposed. Please place a cross in the appropriate box(s) to indicate the type of development involved. Confirm from the certifying authority how many copies are required prior to lodging this application.

1. Does the application relate ONLY to a FIRE LINK CONVERSION? ☐ Yes ☐ No

If Yes-provide:

A document that describes the design and construction and mode of operation of the new fire alarm communication link.

2. Does the development involve SUBDIVISION WORK? ☐ Yes ☐ No

If Yes-provide:

Appropriate subdivision work plans and specifications, which include copies of:

- (a) details of the existing and proposed subdivision pattern (including the number of lots and the location of roads)
- (b) details as to which public authorities have been consulted with as to the provision of utility services to the land concerned
- (c) detailed engineering plans as to the following matters:
 - (i) earthworks
 - (ii) roadworks
 - (iii) road pavement
 - (iv) road furnishings
 - (v) stormwater drainage
 - (vi) water supply works
 - (vii) sewerage works
 - (viii) landscaping works
 - (ix) erosion control works
- (d) copies of any compliance certificates to be relied on.

3. BUILDINGS

3.1 Does the development involve building work (including in relation to a dwelling house or building or structure ancillary to a dwelling house)? ☐ Yes ☐ No

If Yes-provide:

(1) A detailed description of the development, indicating:

- (a) for each proposed new building:
 - (i) the number of storeys (including underground storeys) in the building
 - (ii) the gross floor area of the building (in square metres)
 - (iii) the gross site area of the land on which the building is to be erected (in square metres)
- (b) for each proposed new residential building:
 - (i) the number of existing dwellings on the land on which the new building is to be erected
 - (ii) the number of those existing dwellings that are to be demolished in connection with the erection of the new building
 - (iii) the number of dwellings to be included in the new building
 - (iv) whether the new building is to be attached to any existing building
 - (v) whether the new building is to be attached to any other new building
 - (vi) whether the land contains a dual occupancy
 - (vii) the materials to be used in the construction of the new building by completing the table in **SECTION M**

(2) Appropriate building work plans and specifications, which include copies of:

- (a) detailed plans, drawn to a suitable scale and consisting of a block plan and a general plan, that show:
 - (i) a plan of each floor section
 - (ii) a plan of each elevation of the building
 - (iii) 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
 - (iv) the height, design, construction and provision for fire safety and fire resistance (if any)

- (b) specifications for the development:
 - (i) that describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply, and
 - (ii) that state whether the materials to be used are new or second-hand and (in the case of second-hand materials) give particulars of the materials to be used
- (c) a statement as to how the performance requirements of the *Building Code of Australia* are to be complied with (if an alternative solution, to meet the performance requirements, is to be used)
- (d) a description of any accredited building product or system sought to be relied on for the purposes of section 79C(4) of the *Environmental Planning and Assessment Act 1979* (EP&A Act)*
- (e) copies of any compliance certificate to be relied on
- (f) if the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building
- (g) if a BASIX certificate has been obtained for the development, such other matters as the BASIX certificate requires to be included in the plans and specifications.

* S.79C(4) EP&A Act provides that a consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the EP&A regulation 2000.

3.2 Does the development involve building work (other than work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house or work that relates only to fire link conversion) ? ☐ Yes ☐ No

If Yes-provide:

- (a) A list of any existing fire safety measures provided in relation to the land or any existing building on the land.
- (b) A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

3.3 Does the development involve an alternative solution under the Building Code of Australia ("BCA") in respect of a fire safety requirement? ☐ Yes ☐ No

If Yes-provide:

Either or both of the following from a **"fire safety engineer"** (a private accredited certifier holding Category C10 accreditation):

- (a) A compliance certificate (as referred to in s.109C(1)(a)(v) EP&A Act) that certifies that the alternative solution complies with the relevant performance requirements of the BCA.
- (b) A written report that includes a statement that the alternative solution complies with the relevant requirements of the BCA.

Note: The above requirement only applies to building work in respect of:

- (a) a class 9a building that is proposed to have a total floor area of 2000 square metres or more
- (b) any building (other than a class 9a building) that is proposed to have:
 - (i) a fire compartment with a total floor area of more than 2000 square metres or
 - (ii) a total floor area of more than 6000 square metres

that involves an alternative solution under the BCA in respect of the requirements set out in EP1.4, EP2.1, EP2.2, DP4 and DP5 in Volume 1 of the BCA.

3.4 Does the application relate to a residential flat development for which the development application was required under Clause 50(1A) of the EP&A Regulation to be accompanied by a design verification from a qualified designer? ☐ Yes ☐ No

If Yes-provide:

A statement from a qualified designer which verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65: Design Quality of Residential Flat Development* (SEPP 65)

Note: If the development application was also required to be accompanied by a BASIX certificate with respect to any building, the statement need not verify the design quality principles set out in SEPP 65 to the extent to which they aim to

- reduce consumption of mains-supplied potable water, or reduce emissions of greenhouse gases, in the building or in the use of the land that it is built on, or
- improve the thermal performance of the building.

3.5 Has the Fire Commissioner granted an exemption under clause 188 EP&A Regulation from compliance with any specified Category 3 fire safety provision?

☐ Yes ☐ No

If Yes-provide:

A copy of the exemption together with any conditions imposed.

3.6 Is any long service payment levy payable under s.34 of the Building and Construction Industry Long Service Payments Act 1986? ☐ Yes ☐ No

If Yes-provide:

A copy of a receipt for any long service payment levy that has been made (or, where such a levy is payable by instalments, a receipt for the first instalment of the levy).

Where a council is the certifying authority, the levy may be made to the council when this application is lodged.

3.7 Does the application involve a BASIX affected development, or a BASIX optional development for which a BASIX certificate has been obtained? ☐ Yes ☐ No

If Yes-provide:

The BASIX certificate(s) for the development (being either the BASIX certificate issued when the development consent was granted or some other BASIX certificate(s) that have been issued no earlier than three months before the date of the Application being made), and such other documents as the BASIX certificate(s) for the development requires to accompany the Application.

BASIX (the Building and Sustainability Index) ensures homes are built to be more energy and water efficient. BASIX uses an online program to assess a building's design and compares it against energy and water reduction targets. The design must meet these targets before a BASIX certificate can be printed. Any changes made to a building's design after a BASIX certificate has been issued requires another BASIX assessment and new BASIX certificate. "BASIX affected buildings" contain one or more dwellings (but do not include hotels or motels).

A BASIX certificate **MUST** be obtained for every "BASIX affected development", which are any of the following (other than development that is "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 \$50,000 or more
- (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.

"BASIX excluded development" is

- (a) development for the purpose of a garage, storeroom, car port, gazebo, verandah or awning
- (b) alterations, enlargements or extensions to a building listed on the State Heritage Register under the Heritage Act 1977
- (c) alterations, enlargements or extensions that result in a space that cannot be fully enclosed (for example, a veranda that is open or enclosed by screens, mesh or other materials that permit the free and uncontrolled flow of air), other than a space can be fully enclosed but for a vent needed for the safe operation of a gas appliance
- (d) alterations, enlargements or extensions that the Director-General has declared, by order published in the Gazette, to be BASIX excluded development.

A BASIX Certificate **MAY** be obtained for certain developments by an Applicant even though there is no obligation to do so. This is called "BASIX optional development". "BASIX optional development" means any of the following development that is not BASIX excluded development:

- (a) development that involves the alteration, enlargement or extension of a BASIX affected building, where the estimate of the construction cost of the development is less than \$50,000
- (b) 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 less than 40,000 litres.

If the proposed development involves the alteration, enlargement or extension of a BASIX affected building that contains more than one dwelling, a separate BASIX certificate is required for each dwelling concerned.

Further information about BASIX and to obtain a BASIX Certificate, go to <http://www.basix.nsw.gov.au>.

SECTION H. List of documents

Prepare and attach a list of all of the documents provided under SECTION E, F and G.

SECTION I. Authority to enter and inspect land

A certifying authority must not issue a construction certificate for development on a site which affects an existing building unless the certifying authority, or an accredited certifier, council or consent authority on behalf of the certifying authority, has carried out an inspection of the site of the development.

If the applicant is the owner of the land, by signing this application authority is given to the certifying authority, or an accredited certifier, council or consent authority, to enter the subject property at any reasonable time for the purpose of carrying out an inspection in connection with the assessment of this Application. The Applicant undertakes to take all necessary steps make access available to the property to enable the inspection to be carried out.

If the applicant is not the owner of the land, the owner(s) must sign the following statement.

As the owner(s) of the above property, I/we consent to the certifying authority, or an accredited certifier, council or consent authority, to enter the subject property at any reasonable time for the purpose of carrying out an inspection in connection with the assessment of this application. I/we undertake to take all necessary steps make access available to the property to enable the inspection to be carried out.

Owners Signature(s)

Name(s)

Date

SECTION J. Delivery of the application

Applications for construction certificates must be delivered by hand, by post or transmitted electronically to the principal office of the certifying authority. Applications MAY NOT be sent by fax.

SECTION K. Signature of Applicant(s)

Signature of Applicant(s)

Name(s)

Date

SECTION L. Date of Receipt of Application

To be completed by the certifying authority **immediately** after receiving this Application.

This Application was received on (insert date).

SECTION M. Development statistics

Place a cross in each appropriate box.

Walls	Code	Roof	Code	Floor	Code	Frame	Code
<input type="checkbox"/> Brick (double)	11	<input type="checkbox"/> Tiles	10	<input type="checkbox"/> Concrete/slate	20	<input type="checkbox"/> Timber	40
<input type="checkbox"/> Brick (veneer)	12	<input type="checkbox"/> Concrete/slate	20	<input type="checkbox"/> Timber	40	<input type="checkbox"/> Steel	60
<input type="checkbox"/> Concrete/stone	20	<input type="checkbox"/> Fibre cement	30	<input type="checkbox"/> Other	80	<input type="checkbox"/> Aluminium	70
<input type="checkbox"/> Fibre cement	30	<input type="checkbox"/> Steel	60	<input type="checkbox"/> Not specified	90	<input type="checkbox"/> Other	80
<input type="checkbox"/> Timber	40	<input type="checkbox"/> Aluminium	70			<input type="checkbox"/> Not specified	90
<input type="checkbox"/> Curtain glass	50	<input type="checkbox"/> Other	80				
<input type="checkbox"/> Steel	60	<input type="checkbox"/> Not specified	90				
<input type="checkbox"/> Aluminium cladding	70						
<input type="checkbox"/> Timber/ weatherboard	40						
<input type="checkbox"/> Other	80						
<input type="checkbox"/> Not specified	90						

Gross site area (m²)

Number of dwellings to be demolished

Gross floor area of existing building (m²)

Number of dwellings to be constructed

Gross floor area of new building work (m²)

Will the new building be attached to an existing building

Number of pre-existing dwellings on the site

Does the site contain a dual occupancy

How many storeys will the building have

What are the current uses of the building

What will be the new building uses (if changed)