

To the General Manager, Coffs Harbour City Council

APPLICATION FOR COMPLYING DEVELOPMENT CERTIFICATE
Environmental Planning and Assessment Act 1979
s125 Environmental Planning and Assessment Regulation 2000
State Environmental Planning Policies (Various)



Locked Bag 155, Coffs Harbour 2450

Administrative Centre, 2 Castle Street, Coffs Harbour

Email: coffs.council@chcc.nsw.gov.au Phone: (02) 6648 4000 Website: www.coffsharbour.nsw.gov.au

ABN 79 126 214 487

Complying development is development that meets a defined set of controls applied to a range of development types. Applicants may choose between the controls provided under Council's Complying Development, Development Control Plan (DCP) OR the various State Environmental Planning Policies. Applicants must select only one set of controls and ensure that the proposal satisfies all relevant provisions. Applicants must nominate which control has been utilised (see "4. Description of development").

For the purpose of using Council's Complying Development DCP, the development can only be complying development if it is located in the Residential 2A Low Density zone, Business or Industrial zone and complies with Council's Complying Development Control Plan; and, complies with the relevant deemed-to-satisfy provisions of the Building Code of Australia; and, does not contravene any conditions from previous Council approvals; and, does not contravene any development standards in Council's City of Coffs Harbour Local Environmental Plan 2013 or Council's Tree Preservation Order.

To complete the form, please place a cross in the boxes and fill out the white sections.

Failure to complete the application form correctly or provide all necessary information will result in delays in processing.

1. Details of the applicant

Mr Ms Mrs Other

Given name/s

Surname

Company/organisation

ABN

2. Identify the land you propose to develop

We need this to correctly identify the land.

Unit/Street No.

Street

Suburb, town or locality

Postcode

Lot/DP or Lot/Section/DP or Lot/Strata No.

OFFICE USE ONLY

Date received

Application fee (if applicable)

Receipt No.

3. Details of the builder

Name

Company/Organisation

ABN

Postal Address

Daytime telephone

Fax

Licence No.

4. Description of development

Please describe briefly what you want approved, eg single dwelling house, alterations/additions to a single dwelling house, carport, garage, internal shop fitout and nominate the control relied upon to submit the application:

Nominate which control has been applied:

- Coffs Harbour City Local Environmental Plan 2013, Coffs Harbour City Complying Development, Development Control Plan
- NSW SEPP Exempt & Complying Development Part 3 - General Housing Code (Single & Two Storey Dwellings, Additions, Ancillary Developments, Detached Studios Adjoining Lanes, Swimming Pools, Outbuildings in Heritage Conservation Areas)
- NSW SEPP Exempt & Complying Development Part 3A - Rural Housing Code** (Single & Two Storey Dwellings, Additions, Ancillary Developments, Swimming Pools & Outbuildings in Heritage Conservation Areas)
- NSW SEPP Exempt & Complying Development Part 4 - Housing Internal Alterations Code (Internal & External Alterations, Attic Conversions)
- NSW SEPP Exempt & Complying Development Part 4A - General Development Code (Bed & Breakfast Accommodation)
- NSW SEPP Exempt & Complying Development Part 5 - General Commercial & Industrial Code (Internal Alterations, Change of Use, Mechanical Ventilation Systems, Shop Front & Minor External Alterations, Skylights & Roof Windows)
- NSW SEPP Exempt & Complying Development Part 6 - Subdivision Code (Strata Subdivision)
- NSW SEPP Exempt & Complying Development Part 7 - Demolition Code
- NSW Infrastructure SEPP
- NSW Affordable Rental Housing SEPP
- NSW Temporary Structures SEPP

**Note: For new Rural Dwellings minimum lot size required is 40 hectares in zone RU2 (currently 1A) and 1 hectare in R5 (currently 1B).

5. Estimated value of work

The value of the development or contract price is subject to a check by Council before final acceptance.

Value of work:

\$

6. Asbestos material

Estimated area (if any), in square metres of bonded asbestos material or friable asbestos material that will be disturbed, repaired or removed in carrying out the development

Area in M²

Please complete this schedule. The information will be sent to the Australian Bureau of Statistics.

All new buildings

Please complete the following:

- Number of storeys (including underground floors)
- Gross floor area of new building (m²)
- Gross site area (m²)

Residential buildings only

Please complete the following details on residential structures:

- Number of dwellings to be constructed
- Number of pre-existing dwellings on site
- Number of dwellings to be demolished
- Will the new dwelling(s) be attached to other new buildings? Yes No
- Will the new building(s) be attached to existing buildings? Yes No
- Does the site contain a dual occupancy? Yes No
(NB dual occupancy = two dwellings on the same site)

Materials – residential buildings

Please indicate the materials to be used in the complying development of the new building(s):

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

8. Applicable fees and charges

To view the applicable fees and charges associated with this application please refer to Council's adopted fees and charges at www.coffsharbour.nsw.gov.au/fees

Notice Under Section 10 of the Privacy and Personal information Protection Act 1998 to Individuals Providing Personal Information on this Complying Development Application Form and in Documents Submitted with the Complying Development Application.

The personal information that Coffs Harbour City Council ("Council") is collecting on this application form and in any documents submitted with the complying development application is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 ("the Privacy Act"). The purposes for which the information is being collected are assessment and determination of a complying development application under the provisions of the Environmental Planning and Assessment Act 1979 which may include making the application form and any documents submitted with the complying development application and documents relating to the determination publicly available for inspection or viewing on the Council's website and in other ways that the Council considers appropriate. The intended recipients of the personal information are Councillors of the Council ("Council"), members of staff of Council, administrators of Council, members of Council committees, delegates of Council, contractors engaged by Council (including legal advisers, consultants and external experts), other public sector agencies and any other person who inspects or views the application form or the documents submitted with the complying development application.

The supply of personal information requested on the complying development application form is not voluntary and if it is not provided, the Council may be unable to process the complying development application. The individual to whom the personal information relates, may request the Council to make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the personal information:

- a) is accurate, and
- b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

Coffs Harbour City Council of Coff and Castle Streets Coffs Harbour, NSW 2450 is the name and address of the agency that is collecting the personal information and the agency that is to hold the information.

Complying Development Application and documents may be made publicly available

This complying development application form (including any personal information and other information supplied on the form) and any document submitted with the complying development application may be made publicly available free of charge on the website maintained by the Council and in other ways that the Council considers appropriate in accordance with sections 6 and 18 of the Government Information (Public Access) Act 2009 ("GIPA Act") and Schedule 1 of the Government Information (Public Access) Regulation 2009 ("GIPA Regulation"). In that regard it should be noted that nothing in the Privacy and Personal Information Protection Act 1998 affects the operation of the GIPA Act or operates to lessen any obligations of the Council under the GIPA Act.

Copyright Declaration by Applicant and/or Owners

1. I understand that this complying development application form (including any personal information and other information supplied on the form) and any document submitted with the complying development application is open access information under the Government Information (Public Access) Act 2009 and may be made publicly available as open access information free of charge on the website maintained by the Council and in other ways that the Council considers appropriate.
2. I give permission to the Council to copy and issue copies of this complying development application form (including any personal information and other information supplied on the form) and any document submitted to accompany the complying development application and to reproduce and to publish the complying development application form and any document submitted to accompany the complying development application on the website maintained by the Council and in other ways that the Council considers appropriate and if I am not entitled to copyright in respect of any document submitted to accompany the complying development application I confirm that I have obtained permission from the person entitled to copyright in respect of the document to allow the Council to copy and issue copies of the document and to reproduce and publish the document and I indemnify the Council against any claim or action in respect of breach of copyright relating to the Council copying, issuing copies reproducing or publishing the document.

.....
Name (PRINT) and Signature of Applicant (or common seal and signatures of office holders if applicant is a corporation).

.....
Date

All owner(s) of the land being developed must sign the application. It is the applicant's responsibility to clearly demonstrate that all owners have consented to the lodging of the application. Individual owners must sign and print their names. Where the owners are companies or involve a body corporate, sufficient detail demonstrating the authority of the person signing as/or on behalf of owner must accompany the application. If the applicant is not the owner of the land, a statement signed by the owner of the land to the effect that the owner consents to the making of the application is required.

Signature

Name

Date

Signature

Name

Date

Position of the person or persons authorised to sign on behalf of the Company/Organisation if applicable

Position within the Company/Organisation

Position within the Company/Organisation

For further information on Owners Consent Requirements please see the following link:-

[https://www.coffsharbour.nsw.gov.au/Building-and-Planning/development-approval/Documents/Owner\(s\)%20Consent%20Requirements%20Fact%20Sheet.pdf](https://www.coffsharbour.nsw.gov.au/Building-and-Planning/development-approval/Documents/Owner(s)%20Consent%20Requirements%20Fact%20Sheet.pdf)

11. Applicant's Contact Details and Signature/s

It is important that Council is able to contact you if more information is required. Please give as much detail as possible.

Postal Address

Suburb or Town

Daytime Telephone Fax Mobile

Email address

I declare that to the best of my knowledge all particulars supplied by me are correct and completed. I understand that inaccurate or false statements may cause my application to be delayed or rescinded.

Signature/s: Date:/...../.....

Complying Development Certificate Checklist

Required	Supplied	
	Yes	No
<input type="checkbox"/> PLANS Plans include the site plan, floor plan, elevations and section. Plans must be drawn to scale in ink and on A4 or A3 size paper. (Larger plans will only be accepted on prior agreement of Council). Free hand, single line or illegible drawings will not be accepted.	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Two coloured copies of all plans must be submitted with your application The following information should be included on all plans and documents:	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Applicants name, block/house/shop/flat number, street/road name, town or locality 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Lot number, section number, DP number (found on rate notice or land title) 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Measurements in metric 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ The position of true north 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Additions/alterations (coloured in red) 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Building, or parts of building to be demolished to be indicated in outline 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Draftsman/Architect name and date 	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> COLOURED PLANS Brick – Red; Roof tiles – Orange; Concrete – Dark Green; Tile – Purple; Fibre Cement Sheets/Cement Render – Light Green; Glass & Glass Bricks – Light Blue; Sandstone – Light Brown; Timber – Yellow; Steel, Galvanised Iron – Dark Blue.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> SITE PLAN (2 copies) A site plan is a birds-eye view of the existing and proposed development on the site and its position in relation to boundaries and neighbouring developments. A site plan should include:	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> ▪ Drawings to scale preferably 1:100. ▪ Location of the new and existing buildings in relation to site boundaries. ▪ Location/position of all buildings/structures on adjoining land (showing street number and street address). ▪ Location of any existing and proposed fences and landscaping features such as swimming pool, retaining walls, paved areas and driveways. ▪ 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. ▪ Levels – contour and spot levels. ▪ Easements and rights of way. ▪ Relative location of adjoining building. ▪ Location of any adjoining owner windows facing your development. ▪ Existing stormwater drainage location. If stormwater run-off will increase show proposed drainage details. ▪ Location of vehicle access and car parking (indicating extent of cut and fill and gradients). ▪ Site fencing during complying development. Measurements including:		
<ul style="list-style-type: none"> ▪ Length, width and site area of land, both existing and proposed. ▪ Distance from external walls and outermost part of proposed building to all boundaries. 		

Required

Supplied

Yes No

<input type="checkbox"/>	FLOOR PLAN (2 copies)	<input type="checkbox"/>	<input type="checkbox"/>
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A floor plan is a birds-eye view of your existing and/or proposed layout of rooms within the development.

Floor plans should include:

- Drawings to scale preferably 1:100.
- Outline of existing building/development on site (shown dotted).
- Room names, areas and dimensions.
- Window and door locations and sizes.
- Floor levels and steps in floor levels (RL's).
- Location of plumbing fixtures (where possible).
- Wall structure type and thickness.

<input type="checkbox"/>	ELEVATION PLAN (2 copies)	<input type="checkbox"/>	<input type="checkbox"/>
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Elevation plans are a side on view of your proposal. Elevations of all four sides (north, south, east and west facing) of your development need to be included in your application.

Elevation plans should include:

- Drawings to scale preferably 1:100.
- Outline of existing building/development on site (shown dotted).
- Exterior cladding type and roofing material/colour.
- Window sizes and location.
- Chimneys, flue exhaust vents, duct inlet or outlet.
- Reduced Levels (preferably AHD) for Ridge & Floor.

<input type="checkbox"/>	SECTION PLAN (2 copies)	<input type="checkbox"/>	<input type="checkbox"/>
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A section(s) is a diagram showing a cut through the development at the most typical point.

Sections should include:

- Drawings to scale preferably 1:100.
- Section names and where they are shown on plan (i.e. A/A B/B etc).
- Room names.
- Room and window heights.
- Details of chimneys, fire places and stoves.
- Roof pitch and covering.
- Site works, finished and proposed floor & ground levels in RL's (indicate cut, fill and access grades).

<input type="checkbox"/>	SPECIFICATIONS (2 copies)	<input type="checkbox"/>	<input type="checkbox"/>
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A specification is a written statement that should include as a minimum:

- The complying development of the building to specific BCA or Australian Standards and materials to be used.
- Type and colour of external finishes.
- Whether the materials will be new or second-hand, and if second-hand materials are to be used, particulars.
- The method of drainage, effluent disposal and provision of water supply.
- Any other details relevant to the complying development of the building.

<input type="checkbox"/>	OTHER ATTACHMENTS	<input type="checkbox"/>	<input type="checkbox"/>
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-
-
-

Required**Supplied**

Yes

No

 HOME BUILDING ACT REQUIREMENTS (2 copies)

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

- (a) in the case of work by a licensee under the Act:
 - (i) a statement detailing the licensee's name and contractor licence number, and
 - (ii) documentary evidence that the licensee has complied with the applicable requirements of the Act, or
- (b) in the case of work done by any other person:
 - (i) a statement detailing the person's name and owner-builder permit number, or
 - (ii) 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 in section 29 of that Act.

A certificate purporting to be issued by an approved insured under Part 6 of the Home Building Act 1989 to the effect that a person is the holder of an insurance contract issued for the purposes of that Part, is sufficient evidence that the person has complied with the requirements of that Part.

Confirmation of submission of all required documentation**SIGNATURE OF ARCHITECT/PERSON PREPARING PLANS**

(Confirming submission of all required documentation)

OFFICE USE

Initials of customer
service officer accepting
application

To the General Manager, Coffs Harbour City Council



Contract for the Appointment of Council as Certifying Authority s109 Environmental Planning and Assessment Act 1979 and Regulation 2000

Note: A builder or other person who will be undertaking building work on the project cannot appoint the Certifying Authority unless they are the owner of the property. As the person having the benefit of a development consent/complying development certificate for development involving building work, I hereby nominate and authorise Coffs Harbour City Council to act as the certifying authority and undertake relevant functions detailed hereunder with regard to the following development:

1. Subject Land

Unit/Street no.

Street or property name

Suburb, town or locality

Postcode

Lot/DP or Lot/Section/DP or Lot/Strata no.

2. Application Details

Construction Certificate Number:

Description of development:

3. Contract for the Appointment of Council as the Certifying Authority

Coffs Harbour City Council is a certifying authority that employs accredited certifiers (the certifier) who are public officers authorised to carry out the certification work which is the subject of this Agreement on behalf of the Council. The Applicant (the client) seeks to engage the Council to perform certification work on the terms set out in this Agreement pursuant to 73A Building Professionals Act 2005 and s.6.5 Environmental Planning & Assessment Act 1979.

This is a Contract of Agreement between Coffs Harbour City Council (the Council) and the applicant (the Client).

Coffs Harbour City Council is the Certifying Authority and all development certificate functions and certification work will be carried out by a Council Building Surveyor who is currently accredited by the Building Professionals Board.

- I/we agree to allow Council as the Certifier will, to perform all work necessary to comply with relevant statutory requirements and to facilitate the timely determination of the application as outlined in the attached Description of Services.
- Fees payable are as specified in accordance with Council's Fees & Charges and are to be paid at the issue of an invoice.
- The Certifying Authority maintains the discretionary right to a) Apply the current fees for outstanding works 2 years from the date of issue, and b) Request payment for additional inspections.
- I agree to provide all documents that the Council may reasonably request for it to perform the function of the Certifying Authority.
- I agree to provide the Council with reasonable access to the development site.
- I agree to notify the principal contractor of any critical stage inspections to be carried out in respect of the building work.

.....
Name (PRINT) and Signature of Applicant (or common seal and signatures of office holders if applicant is a corporation).

Date

4. Applicable fees and charges

To view the applicable fees and charges associated with this application, please refer to Council's adopted fees and charges at www.coffsharbour.nsw.gov.au.

Personal Details

5. Privacy and Copyright Notice

Notice Under Section 10 of the Privacy and Personal Information Protection Act 1998 to Individuals Providing Personal Information on this Construction Certificate Application Form and in Documents Submitted with the Construction Certificate Application.

The personal information that Coffs Harbour City Council ("Council") is collecting on this application form and in any documents submitted with the construction certificate application is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 ("the Privacy Act"). The purposes for which the information is being collected are assessment and determination of a construction certificate application under the provisions of the Environmental Planning and Assessment Act 1979 which may include making the application form and any documents submitted with the construction certificate application and documents relating to the determination publicly available for inspection or viewing on the Council's website and in other ways that the Council considers appropriate. The intended recipients of the personal information are Councillors of the Council ("Council"), members of staff of Council, administrators of Council, members of Council committees, delegates of Council, contractors engaged by Council (including legal advisers, consultants and external experts), other public sector agencies and any other person who inspects or views the application form or the documents submitted with the construction certificate application.

The supply of personal information requested on the construction certificate application form is not voluntary and if it is not provided, the Council may be unable to process the construction certificate application. The individual to whom the personal information relates, may request the Council to make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the personal information: a) is accurate, and

b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

Coffs Harbour City Council of Coff and Castle Streets Coffs Harbour, NSW 2450 is the name and address of the agency that is collecting the personal information and the agency that is to hold the information.

Construction Certificate Application and documents may be made publicly available

This construction certificate application form (including any personal information and other information supplied on the form) and any document submitted with the construction certificate application may be made publicly available free of charge on the website maintained by the Council and in other ways that the Council considers appropriate in accordance with sections 6 and 18 of the Government Information (Public Access) Act 2009 ("GIPA Act") and Schedule 1 of the Government Information (Public Access) Regulation 2009 ("GIPA Regulation"). In that regard it should be noted that nothing in the Privacy and Personal Information Protection Act 1998 affects the operation of the GIPA Act or operates to lessen any obligations of the Council under the GIPA Act.

Copyright Declaration by Applicant and/or Owners

1. I understand that this construction certificate application form (including any personal information and other information supplied on the form) and any document submitted with the construction certificate application is open access information under the Government Information (Public Access) Act 2009 and may be made publicly available as open access information free of charge on the website maintained by the Council and in other ways that the Council considers appropriate.
2. I give permission to the Council to copy and issue copies of this construction certificate application form (including any personal information and other information supplied on the form) and any document submitted to accompany the construction certificate application and to reproduce and to publish the construction certificate application form and any document submitted to accompany the construction certificate application on the website maintained by the Council and in other ways that the Council considers appropriate and if I am not entitled to copyright in respect of any document submitted to accompany the construction certificate application I confirm that I have obtained permission from the person entitled to copyright in respect of the document to allow the Council to copy and issue copies of the document and to reproduce and publish the document and I indemnify the Council against any claim or action in respect of breach of copyright relating to the Council copying, issuing copies reproducing or publishing the document.

.....
Name (PRINT) and Signature of Applicant (or common seal and signatures of office holders if applicant is a corporation).

Date

Description of Services



Application for a Complying Development Certificate (CDC)

The Certifier will, on behalf of the Council, perform all work necessary to comply with relevant statutory requirements and to facilitate timely determination of the application, including:

1. Provide a blank copy of CDC application form to the Client.
2. Conduct an inspection (by a Council appointed accredited certifier) to inspect, the development site, and prepare a record of the inspection.
3. If clause 130(2A) or 130(2E) of the EP&A Regulation applies to the application (i.e. where there is an alternative solution relating to fire safety requirements) the applicant shall provide a compliance certificate or written report from a fire safety engineer or another accredited certifier that satisfies the requirements of clause 130 of the EP&A Regulation.
4. Assess whether the proposed development satisfies the development standards set out in the relevant environmental planning instrument, development control plan and the EP&A Regulation.
5. Determine the application and prepare a notice of determination.
6. If the application is granted:
 - a. prepare a complying development certificate
 - b. endorse all relevant plans, specifications and other documents
 - c. prepare any associated fire safety schedule.
 - d. ascertain if any long service levy payment is required to be made, and if so, that the amount (or instalment) has been paid.
 - e. ascertain if any contributions plan requires the CDC to be subject to a condition requiring a monetary payment.
 - f. issue CDC to the Client together with associated endorsed plans specifications and any other approved documents.
 - g. forward copies of documents prepared to statutory authorities, including the NSW Rural Fire Service, as required by the EP&A Regulation.

Application for a Construction Certificate (CC)

The Certifier will, on behalf of the Council, perform all work necessary to comply with relevant statutory requirements and to facilitate the timely determination of the application, including:

1. Provide a blank copy of CC application form to the Client.
2. If the development is on a site which affects an existing building, inspect (by a Council appointed accredited certifier) the building and prepare a record of the inspection.
3. If clause 144 of the EP& A Regulation applies to the development (i.e. alternative solutions for certain fire safety measures), apply to the Fire Commissioner for an initial fire safety report.
4. If the development is a residential flat building, obtain a design verification from a qualified designer under clause 50(1A) of the EP& A Regulation 5. If clause 144A of the EP& A Regulation applies to the application (i.e. where there is an alternative solution relating to fire safety requirements) the applicant shall provide a compliance certificate or written report from a fire safety engineer.
5. Assess whether the application satisfies the requirements of the EP&A Regulation, including compliance with the BCA, the development consent and any pre-conditions to the issue of a CC.
6. Determine the application and prepare a notice of the determination.
7. If the certificate is granted:
 - a. prepare a construction certificate
 - b. endorse all relevant plans, specifications and any other documents
 - c. prepare any associated fire safety schedule.
 - d. ascertain if any long service levy payment is required to be made, and if so, that the amount (or instalment) has been paid.
 - e. ascertain if any security or monetary payment or levy under sections 7.11 or 7.12 of the EP&A Act are required before the CC is issued.
 - f. issue CC to the Client together with associated endorsed plans specifications and any other approved documents.
 - g. Retain on the Council record all documents as required by the EP&A Regulation.

Application for an Occupation Certificate (OC)

The Certifier will, on behalf of the Council, perform all work necessary to comply with relevant statutory requirements and to facilitate the timely determination of the application, including:

1. Provide a blank copy of an OC application form to the Client.
2. Conduct an inspection (by a Council appointed accredited certifier) of the development and prepare a record of the inspection.
3. If clause 144 of the EP& A Regulation applies to the development (i.e. alternative solutions for certain fire safety measures), apply to the Fire Commissioner for a final fire safety report.
4. Obtain a final fire safety certificate or interim fire safety certificate as required by the EP& A Regulation.
5. If the development is a residential flat building to which clause 154A of the EP&A Regulation applies, obtain a further design verification from a qualified designer in relation to the completed works.

6. Obtain verification from the principal contractor or building owner/agent certifying that all BASIX requirements have been complied with before an OC may be issued, including obtaining any necessary BASIX completion receipt.
7. If clause 130(2A) or 144A(1) of the EP& A Regulation applied to the development (i.e. where there is an alternative solution relating to fire safety requirements), obtain a further compliance certificate or written report from a fire safety engineer with respect to the completed works as required by clause 153A of the EP& A Regulation.
8. Assess whether the application satisfies the requirements of the EP&A Regulation, including whether any pre conditions of the development consent or CDC which are required to be met before an OC may be issued, have been met and (where building work has been carried out) whether the work is not inconsistent with the development consent).
9. Determine the application and prepare a notice of determination.
10. If the certificate is granted, prepare an OC and issue it to the Client.
11. Retain on the Council record all documents as required by the EP&A Regulation.

Application for a Compliance Certificate

The Certifier will perform, on behalf of the Council, all work that is necessary to comply with relevant statutory requirements and to facilitate the timely determination of the application, including:

1. Conduct an inspection (by a Council appointed accredited certifier) of any building work or subdivision work, if necessary.
2. Where appropriate, ascertain if a development consent or complying development certificate is in force with respect to building work or subdivision work which is the subject of the application.
3. If the Certificate is granted, prepare a compliance certificate and issue it to the Client.

Undertake the functions of Principal Certifying Authority (PCA)

The Certifier will, on behalf of the Council, perform all work that is necessary to comply with relevant statutory requirements, including:

1. Not later than two days before any building work or subdivision work commences, the Council will advise the Owner/ Client of all inspections that are required to be carried out of the building work or subdivision work.
2. Ascertain, before any building work or subdivision work commences, that a construction certificate or complying development certificate has been issued for the work.
3. Ascertain, before any residential building work commences, that either:
 - a. the principal contractor is the holder of a licence under the Home Building Act 1989 and is covered by appropriate insurance, or
 - b. where the work is to be carried out by an owner-builder, that an owner-builder permit has been issued under the Home Building Act 1989
4. The Council appointed accredited certifier will either carry out all critical stage inspections of the building work or subdivision work prescribed by the EP& A Regulation or any additional conditions required by the Council appointed accredited certifier.
5. The Council appointed accredited certifier will make a record as required by the EP&A Regulation of all inspections that he or she carries out.
6. The Council appointed accredited certifier will determine whether any inspection (other than the last critical stage inspection) has been not carried out due to circumstances that were unavoidable, and whether the work that would have been inspected was satisfactory, make a record of any such missed inspection as required by the EP&A Regulation and provide a copy to the Client. The Council appointed accredited certifier will also notify the principal contractor or owner builder of the missed inspection as required by the EP&A Regulation.
7. Determine applications for occupation certificates or subdivision certificate (subject to separate terms under this Agreement)

Compliance functions

The Council appointed accredited certifier will take such steps as he or she considers appropriate to address any of the following matters relating to the development:

- a. non-compliance with the development consent
- b. the carrying out of work without development consent
- c. an unauthorised use of a building
- d. a breach of a law relating to the carrying out of work or the use of the land
- e. a threat to the safety of a person or a person's property
- f. any other matter he or she considers to be in the public interest to address.

Without limiting the actions that the Certifier may take, the Council appointed accredited certifier may:

- a. attend the site or nearby properties to inspect any issue of concern relating to the development
- b. confer with any person in relation to any issues of concern
- c. cause correspondence to be issued to any person
- d. refer any matter of concern to such persons or authorities as he or she considers appropriate, including the consent authority, NSW Fair Trading or an environmental protection agency
- e. issue notices or orders under section 9.34 of the EP&A Act