



Waratah Certifiers

Building Approvals & Consultancy Services

Level 1, Building 3
20 Worth St, Chullora 2190
(02) 9758 7567

admin@waratahcertifiers.com.au

A.B.N: 16 622 686 560

Certificate No.:

Date Received:

Application for a Construction Certificate

If you want to carry out some building work or subdivision work (such as building roads or a Stormwater drainage system), you need a construction certificate before you can start work. You can use this form to apply for a construction certificate. To complete the form, please place a cross in the boxes and fill out the white sections as appropriate. To minimize delay in receiving a decision about your application, please ensure you submit all relevant information. You need to apply to a certifying authority (either your council or a private certifier).

Applicant Details

Applicant's Name	Telephone	Mobile
Applicant's Address	Suburb / Postcode	Applicant's Email

Owner/s Consent *I/We consent to this application and have freely chosen this Private Certifier to perform the required certification work outlined in this agreement.:*

The owner(s) of the land must sign this application if at the time the owner signed the development application, the owner did not give consent to the applicant to lodge a construction certificate, or the owner of the land has changed since the owner signed the development application.

Owner/s Name(s) as per Title Search	Company	Telephone	Mobile
Owner/s Address	Suburb / Postcode	Owner/s Email	
<i>I/We consent to this application:</i>	Signature - Owner 1	Signature - Owner 2	
	Name - Owner 1	Name - Owner 2	

Property and Proposed Development Details

Address of subject land	Suburb / Postcode	Estimated Value of Work
Lot No.	DP / SP	Volume/Folio
DEVELOPMENT:		Has development consent been granted for the development?
Description of proposed work	Building Work	No Yes
		Development App No. Date of consent

Declaration

I have read the attached "Information to be attached to a Construction Certificate Application" and provided all required details
I have completed Schedule 1

Applicant Signature	Name	Date
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Schedule 1

All NEW Buildings

Please complete the following details for **all** new buildings:

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 dwellings be attached to other new buildings?

Will the new buildings be attached to existing buildings?

Does the site contain a Dual Occupancy?

(NB) Dual Occupancy = two dwellings on the same site

Materials – Residential Buildings:

Please indicate the code X that best describes materials to be used in the construction of the new building

WALLS		FRAME		ROOF	
Brick (double)	11	Timber	40	Tiles	10
Brick (veneer)	12	Steel	60	Concrete or slate	20
Concrete or Stone	20	Aluminium	70	Fibre cement	30
Fibre cement	30	Other	80	Steel	60
Timber	40	Not specified	90	Aluminium	70
Curtain glass	50	FLOOR		Other	80
Steel	60	Concrete or slate	20	Not specified	90
Aluminium	70	Timber	40		
Other	80	Other	80		
Not specified	90	Not specified	90		



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Information to be attached to a Construction Certificate Application

You need to provide material with your application that is relevant to the type of work you propose to do. Please indicate the material you have attached by placing a cross in the appropriate boxes:

1. If you are going to carry out building work:

A copy of any compliance certificates on which you rely Detailed plans of the building (4 copies)

The plans must be drawn to a suitable scale and consist of a general plan and a block plan. The general plan of the building is to:

- show a plan of each floor section
- show each elevation of the building
- show the level of the lowest floor, the level of any yard or unbuilt area on that floor and the level of the ground.
- indicate the fire safety and fire resistance measures (if any), and their height, design and construction

Where you propose to alter, add to or rebuild a building that is already on the land, or modify plans that have already been approved, please mark the general plan (by colour or otherwise) to show the change you propose to make.

Detailed specifications of the building (4 copies) The specifications are to:

- describe the construction (including the standards that will be met), the materials which
- will be used to construct the building and the methods of drainage, sewerage and water supply
- state whether the materials proposed to be used are new or second hand and give details of any second-hand materials to be used.

Where you propose to modify specifications that have already been approved, please mark the approved specifications (by colour or otherwise) to show the modification.

A plan of the existing building, drawn to scale, where the application involves building work to alter, enlarge or extend that building

This plan will assist the certifying authority to assess whether the work will reduce the fire protection capacity of the building.

Where you propose to meet the performance requirements of the Building Code of Australia (BCA) by using an alternative solution to the deemed-to-satisfy provisions of the BCA:

- a list of the performance requirements you will meet by using the alternative solution
- the details of the assessment methods you will use to meet those performance requirements
- a copy of any compliance certificates on which you rely.

Evidence of any accredited component, process or design on which you seek to rely

Components, processes or designs that relate to the erection or demolition of a building are accredited under the Environmental Planning and Assessment Regulation 2000.

details of the fire safety measures, unless you are building a single dwelling or a non-habitable building or structure (such as private garage, carport, shed, fence, antenna, wall or swimming pool). These details are to include:

- a list of any fire safety measures you propose to include in the building or on the land
- if you propose to alter, add to or rebuild a building that is already on the land, a list of the fire safety measures that are currently used in the building or on the land.

The lists must describe the extent, capability and the basis of design of each measure.

the attached schedule completed for the development

The information in the schedule will be used by the Australian Bureau of Statistics to report each quarter on the building activity that occurs in the economy. Building statistics allow governments and businesses to accurately identify main areas of population growth and demand for products and services.

a long service levy to construct a building, unless:

- a long service levy has already been paid for the building
- the cost of construction is less than \$25,000
- the building will be constructed for a public authority and those who will do the work are employed by that public authority
- the building will be constructed by or for a church or non-profit organisation and will be built wholly or partly by volunteers, or
- the building will be constructed by an owner-builder.

2. If you are going to carry out work to do a subdivision (e.g. building roads or a Stormwater drainage system):

The details of the existing and proposed subdivision pattern (including the number of lots and the location of roads)

the details of the consultation you have carried out with the public authorities who provide or will increase the services you will need (like water, road, electricity, sewerage)

the existing ground levels and the proposed ground levels when the subdivision is completed

copies of any compliance certificates on which you rely

detailed engineering plans (4 copies). The detailed plans might include the following:

- earthworks
- roadworks
- road pavement
- road furnishings
- stormwater drainage
- water supply works
- sewerage works
- landscaping works
- erosion control works

Where you propose to modify plans that have already been approved, please mark the approved plans (by colour or otherwise) to show the modification.

3. If you are going to change the use of a building or the classification of a building under the Building Code of Australia and you are doing building work (unless the building will now be used as a single dwelling or a non-habitable building or structure (such as a private garage, carport, shed, fence, antenna, wall or swimming pool):

a list of any fire safety measures you propose to include in the building or on the land

if you propose to alter, add to or rebuild a building that is already on the land, a list of the

fire safety measures that are currently used in the building or on the land

details as to how the building will comply with the Category One fire safety provisions of the Building Code of Australia

The lists of fire safety measures must describe the extent, capability and the basis of design of each measure.

4. Structural engineering certificate must be provided by the applicant to Waratah Certifiers to prove compliance with structural plans. (from the appropriate National engineer registry NER).

Privacy Policy

The information you provide in this application will enable your application to be assessed by the certifying authority. If the information is not provided, your application may not be accepted. Please contact Waratah Certifiers if the information you have provided in your application is incorrect or changes.

Applicant Signature

Name

Date



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Notice to Commence Work and Appointment of a Principal Certifying Authority

Cert. Number:

Date Received:

Applicant Details

Applicant's Name	Company	ABN	Mobile
Applicant's Address	Suburb / Postcode	Applicant's Email	

Owner/s Consent

Owner/s Name(s)	Telephone	Mobile
Owner/s Address	Suburb / Postcode	Owner/s Email
<i>As owner/s of the land to which this application relates, I/We consent to this application:</i>	Signature - Owner 1	Signature - Owner 2

Site and Approval Details

Address of subject land	Suburb / Postcode	Lot No.	DP / SP	Volume/Folio
Description of Development				
Development Consent No.	Construction Certificate No.	Complying Development Certificate No.		
Dated	Dated	Dated		

Builder Details

Is the owner the builder?	Owner Builder Permit No.	Builder's Email	
Yes – attach copy of owner builder's permit			
No – attach copy of builder's license	Builder's Name	Builder's Phone No.	Builder's Licence No.
Has the principal certifying authority been provided with a copy of the Home Warranty Insurance Certificate under Part 6 of the Home Act 1989?			
Yes	No		

Compliance with Development Consent

Have all conditions required to be complied with prior to commencing work been satisfied?	
Yes	No
<i>By answering YES, the Applicant is certifying that all conditions have been satisfied. If all conditions have not been satisfied, you may be prosecuted, and orders sought to cease all work until compliance is satisfied.</i>	

Date Work is Commencing

Date of Commencement

Principle Certifying Authority Details OFFICE USE ONLY

PCA Name Registration No. ABN Accreditation

Mobile PCA Email

I confirm that I have been appointed as the Principal Certifying Authority for the subject development.

PCA Signature Name Date

Applicant Responsibilities and Signature

1. The applicant is to understand the conditions of development consent that apply to the development and is to ensure that all contractors also have an understanding of the conditions.
2. The applicant must give notice under section 4.19, 6.6, 6.7, 6.12, 6.13 and 6.14 of the Environmental Planning & Assessment Act of intention to commence building work.
3. The applicant is to ensure that at least 48 hours' electronic notice is provided Via the email address admin@waratahcertifiers.com.au for the inspection(s) as will be listed in the Notice of Mandatory Critical Stage Inspections to be provided to you by the PCA.
4. Certificates and/or reports required by the conditions of development consent must be submitted to the PCA at the nominated stages.
5. Where amendments to the development consent are found to be necessary, the applicant is to ensure that the necessary approvals are obtained from Council before the amended works are commenced.
6. At the signing of this Agreement, the applicant agrees to pay the PCA a fee as agreed between the applicant and the PCA, to carry out its functions as the PCA.
7. I nominate the above named Accredited Certifier as the Principal Certifying Authority for development described in this application. I declare that all the information given is true and correct. I also understand that:
 - a. If incomplete, the application may be delayed or rejected, and
 - b. More information may be requested by Waratah Certifiers prior to determination.

Applicant Signature Name Date



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Agreement for the Performance of Certification Work

What is this document and who are the parties to it and what are their contact details?

This is an agreement between Waratah Certifiers Pty Ltd ACN 622 686 560 (whose contact details are set out at **Item 1** in the Schedule) for the performance of certification work under the Environmental Planning and Assessment Act 1979. In this agreement, "we" and "our" means Waratah Certifiers Pty Limited and "you" and "your" is a reference to the person for whom the certification work is to be carried out (the Owner) the name, address and contact details of whom are set out at **Item 2** in the Schedule.

What work have we agreed to perform for you?

The work which we have agreed to perform for you is called "certification work" in this agreement and is set out at **Item 3** in the Schedule.

Who is the accredited certifier?

The person who will perform the certification work is one of the Waratah team's certifiers. Their contact details are set out at **Item 4** in the Schedule.

What fees and charges must you pay us and when?

The fees and charges we will charge you for the certification work are set out at **Item 5** in the Schedule. If the certification work involves the determination of an application for a development certificate or involves the carrying out of the functions of a principal certifying authority, the fees and charges must be paid before any application is lodged or function is carried out. Otherwise we must issue an invoice for fees and charges which arise as a result of unforeseen contingencies within 21 days after the completion of that work and you must pay the amount of these invoices within 14 days of the date on which they are issued.

Our insurance

We have taken out professional indemnity insurance as required by law. The details of our professional indemnity insurer are set out at **Item 6** in the Schedule.

Our statutory obligations

Fair Trade NSW may publish information about our statutory obligations. Such information is available at the following link and in the attached information sheet. fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers

I/we agree to the terms within this document and understand that where this Complying Development Application is found to not satisfy the relevant Complying Development Standards, the Certifying Authority may determine the application by way of issuing a refusal within the statutory time frame with all application fees being retained.

For and on behalf of the Owner:

Applicant Signature

Name

Date

What is your authority to sign?
Please note all amounts payable are not refundable under any circumstances including refusing or withdrawing the application. Agreement is valid for two years from date of payment.

The Schedule

ITEM 1. The contact details for Waratah Certifiers Pty Ltd ACN 622 686 560:

Address: L1, Building 3, 20 Worth Street, Chullora NSW, 2190

Telephone: 02 9758 7567

Email: admin@waratahcertifiers.com.au

ITEM 2. Your contact details are (Owner):

Name **ACN (if applicable)**

Email **Telephone**

Address

ITEM 3. Description of work

ITEM 4. The accreditation details of the assigned certifier are:

Name

Accreditation No.

Certifier Signature

ITEM 5. Our fees:

For the work which is described at Item 3, our fees and the number of included inspections are listed in the fee proposal to be accepted by the applicant.

For work arising as a result of unforeseen contingencies:

Calculated at an hourly rate of \$ 295 plus GST for all time spent by an accredited certifier or a building consultant including travelling time, phone calls, emails, liaising with other consultants or stakeholders, any additional assessment (only one assessment and one revision is included within this invoice) and legal communications. additional time spent include extra work within our offices or required to get to the place where the work is performed plus the actual cost of any amount disbursed by us on your behalf. (minimum of 3 hours charged per extra work). No refund is applicable for withdrawal nor refusal of the application.

ITEM 6. Our Professional Indemnity Insurer and details of our policy:

BRIC Professional Indemnity Insurance: B1333ECB2001978

Period of Cover: 20 September 2020–20 September 2021

Information about registered certifiers – building surveyors and building inspectors

Important: this is a summary document only.

Before signing any contract for certification work, make sure you understand your obligations and what you are agreeing to. The Fair Trading website has more information about certifiers.

Under section 31(2) of the *Building and Development Certifiers Act 2018* and clause 31 of the *Building and Development Certifiers Regulation 2020*, a contract to carry out certification work must be accompanied by an applicable document made available on the website of the Department of Customer Service (which includes NSW Fair Trading)¹. This is the applicable document for certification work involving a certifier registered in the classes of **building surveyor** or **building inspector**, working in either the private sector or for a local council.

This document summarises the statutory obligations of the registered certifier who will assess your development and your obligations as the applicant for the development. It also sets out the types of information that can be found on Fair Trading's online register of registrations and approvals.

Obligations of registered certifiers

The general obligations of registered certifiers include compliance with their conditions of registration, to hold professional indemnity insurance, comply with a code of conduct and avoid conflicts of interest.

Who does a registered certifier work for?

A registered certifier is a public official and independent regulator, registered by the Commissioner for Fair Trading.

Certifiers must carry out work in a manner that is impartial and in the public interest, even if this is not in the interests of the applicant, developer, or builder. Receiving a certificate is not guaranteed – the applicant is paying for the certifier to assess the application and determine *whether or not* a certificate can be issued.

It is a serious offence to attempt to bribe or influence a certifier, attracting a maximum penalty of \$110,000 and/or two years imprisonment.

¹ Visit www.fairtrading.nsw.gov.au and search 'certification contracts'.

Obligations of the applicant

An applicant is the person seeking a certificate, or engaging a certifier for other certification work, under the *Environmental Planning and Assessment Act 1979*.

As an applicant, you have the following obligations:

- Appoint, and enter into a contract with, your chosen certifier.
- Pay the certifier's fees before any certification work² is carried out.
- Communicate with your builder to ensure the certifier is notified when work reaches each stage. If a mandatory inspection is missed, the certifier may have to refuse to issue an occupation certificate.
- Follow any written direction issued by the certifier and provide any requested additional information to assess an application.
- Meet the conditions of any development consent and ensure the development is carried out in accordance with the approved plans.

What does a registered building surveyor do?

Registered **building surveyors** issue certificates under the *Environmental Planning and Assessment Act 1979* (construction certificates, complying development certificates and occupation certificates), act as the **principal certifier** for development, and inspect building work.

The principal certifier will attend the site to carry out mandatory inspections at certain stages. When construction is complete, the certifier may issue an occupation certificate, which signifies that the work:

- is 'suitable for occupation' – this does not necessarily mean all building work is complete
- is consistent with the approved plans and specifications
- meets all applicable conditions of the approval.

The certifier does not manage or supervise builders or tradespeople or certify that the builder has met all requirements of the applicant's contract with the builder.

What does a registered building inspector do?

Registered **building inspectors** carry out inspections of building work³ with the approval and agreement of the principal certifier. Building inspectors are not authorised to issue certificates or be appointed as the principal certifier.

² Upfront fee payment is required for any work to determine an application for a development certificate or carry out a function of a principal certifier.

³ Building inspectors may inspect class 1 and 10 buildings under the Building Code of Australia; that is, houses, duplexes and the like; garages and sheds; and structures such as swimming pools, retaining walls and fences.

Principal certifier enforcement powers

If the principal certifier becomes aware of a non-compliance with the development approval, the certifier must, by law, issue a direction to you and/or the builder, requiring the non-compliance to be addressed. If it is not, the certifier must notify the council which may take further action.

The certifier is also required to respond appropriately if a complaint is made about the development.

Finding more information on certifiers

Details of the class of registration each certifier holds, their period of registration, professional indemnity insurance and disciplinary history can be found at www.fairtrading.nsw.gov.au:

- [Details of registered certifiers](#) (or search 'appointing a certifier' from the homepage)
- [Disciplinary actions against certifiers](#) (or search 'certifier disciplinary register' from the homepage).

Questions?

The Fair Trading website www.fairtrading.nsw.gov.au has information about certifiers, enforcement powers, how to replace a certifier and resolving concerns about a certifier:

- Search '[what certifiers do](#)' for information about a certifier's role and responsibilities.
- Search '[concerns with development](#)' for information about enforcement powers of certifiers, councils and Fair Trading, and how to resolve concerns about a certifier.

The NSW Planning Portal at www.planningportal.nsw.gov.au provides information on the NSW planning and development certification system.

Note, although Fair Trading regulates certifiers, it does not mediate in contract disputes and does not regulate the actions of councils. Visit the Fair Trading website for more information.