

APPLICATION FORM

BUILDING CERTIFICATE APPLICATION



Certificate Number _____ Date of Lodgement _____

Note

1. It is essential that the **IMPORTANT INFORMATION** on page 4 of this application is read before lodging
2. An original or certified copy of the current survey certificate must be attached (or see point 5, page 3)

PREMISES DETAILS:

No. & Street: _____
Suburb: _____
Lot number and DP/SP _____
Portion or Whole of Building: _____
Description: _____
BCA classification: _____

APPLICANT DETAILS:

Applicant Name: _____
Applicant Address: _____
DX: _____
Contact Numbers: _____
Fax No.: _____
Email: _____

REASON FOR THIS APPLICATION:-- **MUST** be completed

This application is made: (you must tick which ever is applicable)

- By the owner of the land on which the building is erected (*owner must complete Owners Consent section), or
- By any other person, with the consent of the owner of that land, or
- By the purchaser (or the purchaser's solicitor or agent) under a contract for the sale of the property or includes the building, or part (**a copy of page 1 of the contract must be attached**), or
- By a public authority that has notified the owner of its intention to apply for the certificate.

*Does this Building Certificate application seek to recognize an unauthorised building matter? (please circle)	Yes	No
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NORTH SYDNEY COUNCIL
BUILDING CERTIFICATE APPLICATION

OWNERS CONSENT:**

Every owner of the land must sign this form.

When works affect a joint wall, consent of both property owners is required (eg. semi-attached or terrace dwelling).

If the owner is a company, the form must be signed by an authorised director, and the common seal must be stamped on this form.

If the property is a unit under strata title or a lot in a community title, then in addition to the owners signature the common seal of the body corporate must be stamped on this form over the signature of the owner and signed by the chairman or secretary of the Body Corporate or the appointed managing agent.

Owner

Address

As owner of the land to which this application relates, I consent to this application. I also consent for authorised council officers to enter the land to carry out inspections relating to this application. I accept that all communication regarding this application will be through the nominated applicant.

Signature(s)

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*Without the owner's consent, **we will not accept the application****. This is a very strict requirement for all applications. If you are signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence (eg. power of attorney, executor, trustee, company director etc).*

** Owners consent is not required under a current Contract of Sale, signed by the vendor or their agent.

PRIVACY STATEMENT

Personal details requested on this form will only be used for the purpose of processing your application. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, the Council may not be able to process your application. Access to the information is restricted to Council officers and other authorised people. You may make application for access or amendment to information held by Council. Applications by members of the public to view Council's records are subject to the provisions of Council's Privacy Management Plan, Section 18 Government Information (Public Access) Act 2009 & Schedule 1 - Government Information (Public Access) Regulation 2009.

I have read and understand the Privacy Statement

Signed: Date:

BUILDING CERTIFICATE APPLICATION

FEE TO ACCOMPANY APPLICATION:

Note: Please read on page 5 “What is the fee for a building certificate”

Floor area of building or part	Fee
• Class 1 & 10	\$250
All other Classes:	
• Not exceeding 200 square metres	\$250
• Exceeding 200 square metres but not exceeding 2,000 square metres	\$250, plus an additional 50 cents per square metre over 200
• Exceeding 2,000 square metres	\$1,165, plus an additional 7.5 cents per square metre over 2,000
• Re-Inspection Fee	\$90

Unauthorised works, additional fee will be charged as per E P & A Regulations

CHECKLIST FOR APPLICANT – PLEASE TICK:

- Have you read the IMPORTANT INFORMATION on page 4?
- Have you completed all the relevant sections on this application?
- Do you have the owners consent (if applicable)?
- Have you attached a copy of the contract of sale (if applicable)?
- Have you attached a current identification survey report?
- Have you attached a cheque?

FOR COUNCIL USE		
Receipt No.:	Date:	CS Officer:
Cashier Code: 705 (PDS17)	Archiving Code: 722 (PDS31)	Total =

IMPORTANT INFORMATION

1. On 1st May 2006, the *Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006* came into effect. To ensure and promote fire safety, **Council will not issue a Building Certificate where the relevant building, or part thereof, is found to be non-compliant with this Fire Safety Regulation.** Further information on the above legislation can be found at www.northsydney.nsw.gov.au - smoke alarms.
2. Council officers will check that any pool fences relevant to the application comply with the NSW *Swimming Pools Act*. To ensure and promote pool safety, Council will not issue a Building Certificate where a pool fence relevant to the application is found to be non-compliant with the *Swimming Pools Act* as it applies.
3. Pursuant to 149C of the *Environmental Planning and Assessment Act* - On receipt of an application, the council may, by notice in writing served on the applicant, require the applicant to supply it with such information (including building plans, specifications, survey reports and certificates) as may reasonably be necessary to enable the proper determination of the application.
4. Pursuant to 149C of the *Environmental Planning and Assessment Act* - If the applicant is able to provide evidence that no material change has occurred in relation to the building since the date of a survey certificate which, or a copy of which, is supplied to the council by the applicant, the council is not entitled to require the applicant to supply a more recent survey certificate.
5. Expected turnaround time is 15 to 20 working days. A longer assessment time may result where the information submitted is unsatisfactory, and where further inspection is required. An inspection of the building or part thereof will be required (**please provide contact details so an inspection may be organized**). Council officers will also need to review all building records relevant to the application, which may require retrieval from archives.

260 What is the fee for a building certificate?

(cf clause 107 of EP&A Regulation 1994)

- (1) For the purposes of section 149B (2) of the Act, the fee for an application for a building certificate in relation to a building is:
 - (a) in the case of a class 1 building (together with any class 10 buildings on the site) or a class 10 building, \$210 for each dwelling contained in the building or in any other building on the allotment, or
 - (b) in the case of any other class of building, as set out in the Table to this clause, or
 - (c) in any case where the application relates to a part of a building and that part consists of an external wall only or does not otherwise have a floor area, \$210.
- (2) If it is reasonably necessary to carry out more than one inspection of the building before issuing a building certificate, the council may require the payment of an additional fee (not exceeding \$75) for the issue of the certificate.
- (3) However, the council may not charge an additional fee for any initial inspection.
- (3A) An additional fee determined in accordance with subclause (3B) may be charged for an application for a building certificate in relation to a building where the applicant for the certificate is the person who erected the building or on whose behalf the building was erected and any of the following circumstances apply:
 - (a) where a development consent, complying development certificate or construction certificate was required for the erection of the building and no such consent or certificate was obtained,
 - (b) where a penalty notice has been issued for an offence under section 76A (1) of the Act in relation to the erection of the building and the person to whom it was issued has paid the penalty required by the penalty notice in respect of the alleged offence (or if the person has not paid the penalty and has not elected to have the matter dealt with by a court, enforcement action has been taken against the person under Division 4 of Part 4 of the [*Fines Act 1996*](#)),
 - (c) where order No 2, 12, 13, 15, 18 or 19 in the Table to section 121B (1) of the Act has been given in relation to the building unless the order has been revoked on appeal,
 - (d) where a person has been found guilty of an offence under the Act in relation to the erection of the building,
 - (e) where the court has made a finding that the building was erected in contravention of a provision of the Act.
- (3B) The additional fee payable under subclause (3A) is the total of the following amounts:
 - (a) the amount of the maximum fee that would be payable if the application were an application for development consent, or a complying development certificate (if appropriate), authorising the erection or alteration of any part of the building to which the application relates that has been erected or altered in contravention of the Act in the period of 24 months immediately preceding the date of the application,
 - (b) the amount of the maximum fee that would be payable if the application were an application to the council for a construction certificate relating to the erection or alteration of any part of the building to which the application relates that has been erected or altered in contravention of the Act in the period of 24 months immediately preceding the date of the application.
- (3C) If an application for a building certificate is made in relation to part only of a building, a reference in subclause (3A) to a building is taken to be a reference to the part of a building that is the subject of the application.
- (4) In this clause, a reference to a class 1 building includes a reference to a class 2 building that comprises 2 dwellings only.