

APPLICATION FORM

Building Information Certificate Application



Certificate Number _____ Date of Lodgement _____

Note

Lodgment via the NSW Planning Portal

www.planningportal.nsw.gov.au

Planning Portal queries: PH: 1300 305 695 OR Email: info@service.nsw.gov.au

1. It is essential that the **IMPORTANT INFORMATION** on page 5 of this application is read before lodging.
2. An original or certified copy of the current survey certificate must be attached.
3. An original or certified copy of the Structural Engineers Report must be attached.

PREMISES DETAILS

Address: _____

Suburb: _____

Postcode: _____

Lot number and DP/SP: _____

Application seeks approval for
Portion or Whole of Building: _____

Description: _____

NCC BCA building classification: _____

Floor Area (m²): _____

APPLICANT'S DETAILS

Name: _____

ABN (if applicable): _____

Address: _____

Postcode: _____

Phone: _____

Mobile: _____

Email: _____

Contact Name for access: _____

Mobile: _____

REASON FOR THIS APPLICATION

MUST be completed. This application is made: (tick which ever is applicable)

- ☐ By the owner of the land on which the building is erected (*owner **must** complete Owners Consent section of page 3), 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 (**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.

UNAUTHORISED BUILDING WORKS

Does this Building Information Certificate application seek to recognise any unauthorised building matter? ☐ Yes ☐ No

If yes, what is the market/contract value of the building work undertaken?

\$

Provide details of ALL the unauthorized building works undertaken:

Has a Development Consent been granted for the building works? ☐ Yes ☐ No

If yes, provide: DA / CDC Number:

Date granted:

Has a Construction Certificate been issued? ☐ Yes ☐ No

If yes, provide:

CC/CDC Number

Date issued:

When was the building work carried out?

Date:

Are the works currently subject of a compliance investigation by Council? ☐ Yes ☐ No

- If yes, please provide the Council Officers name or reference number?

Have you provided Installation Compliance Certificates confirming that the unauthorised works complies with the requirements of the National Construction Code (NCC) / Building Code of Australia (BCA) and any relevant Australian Standards? ☐ Yes ☐ No

Has a Structural Engineer inspected the building works? ☐ Yes ☐ No

- If yes, please attach to this application a copy of the Structural Engineers report certifying the structural adequacy of the building works.
- In no, please provide a Structural Engineers report certifying the structural adequacy of the building works to Council's Officer during Council's inspection of the unauthorized building works.

Is the building classified by the NCC BCA as a class 2 - 9 building? ☐ Yes ☐ No

Building Information Certificate Application

- If yes, please provide with this application a copy of the Fire Safety Schedule for the building listing the Essential Fire Safety Measures installed within the building. For any new Fire Safety Measures installed please also include a copy of all Fire Safety Certificates.

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.

Only unit owner's signatures are required if the application is for structures contained wholly within the cubic space of the unit.

Owner

Address

Signature(s)

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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.

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

North Sydney Council is collecting your personal information for the purposes of processing an application or submission. The supply of personal information is entirely voluntary. If you elect not to provide or do not wish to provide your personal information, Council may not be able to process your application or act on or acknowledge your submission. North Sydney Council shall be regarded as the agency that holds your personal information and access to your personal information by interested parties, may be released in line with Council policies. North Sydney Council may publish any personal information included in a submission on a proposal or proposed development. You have a right to access your personal information held by Council. You also have a right to have your personal information corrected or amended by Council. Applications by members of the public to view Council's records which are not in the public arena are subject to the provisions of Privacy and Personal Information Protection Act 1998, Government Information (Public Access) Act 2009 and North Sydney Council's Privacy Management Plan.

FEES FOR 2023/2024

Note: Please read on page 6 “What is the fee for a building information certificate”

Floor area of building or part	Fee
Class 1 and 10	\$278.00
All other Classes:	
• Not exceeding 200 square metres	\$278.00
• Exceeding 200 m ² but not exceeding 2,000 m ²	\$278.00 plus an additional \$0.60 per m ² over 200
• Exceeding 2,000 m ²	\$1,291.00 plus an additional \$0.080 per m ² over 2,000
• Other class of buildings (part of building consisting an external wall only)	\$278.00
• Re-Inspection Fee	\$101.00

Unauthorised works, additional fee will be charged as per Environmental Planning and Assessment (EP&A) Regulation 2000

CHECKLIST FOR APPLICANT

- ☐ Have you read the IMPORTANT INFORMATION on page 5?
- ☐ Have you completed all the relevant sections on this application?
- ☐ Do you have the owner’s consent (if applicable)?
- ☐ Have you attached a copy of the contract of sale (if applicable)?
- ☐ Have you attached an original or certified copy of the current survey certificate incorporating the building works carried out?
- ☐ Have you attached payment?
- ☐ Have you attached Structural Engineers Report certifying the structural adequacy of the building works?
- ☐ Have you nominated the value of the building works?
- ☐ Have you attached a Site Plan, Elevation Plan & Floor Plan?

FOR COUNCIL USE				
Total	Receipt Number	Date	Time	Initials
Building Information Certificate - Cashier Code 705				

IMPORTANT INFORMATION

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 Information 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.

Council officers will check that any pool fences relevant to the application comply with the NSW *Swimming Pools Act 1992*. To ensure and promote pool safety, Council will not issue a Building Information Certificate where a pool fence relevant to the application is found to be non-compliant with the *Swimming Pools Act 1992* as it applies.

Pursuant to Section 6.26 of the *Environmental Planning and Assessment Act 1979* - 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.

Pursuant to Section 6.26 of the *Environmental Planning and Assessment Act 1979* - 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.

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 (**provide contact details so an inspection may be organised**). Council officers will also need to review all building records relevant to the application, which may require retrieval from archives.

What is the fee for a building information certificate?

- (1) For the purposes of section 6.23 (2) of the *Environmental Planning & Assessment Act 1979*, 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, \$278 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, \$278.
- (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 \$93) 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, or the person on whose behalf the application is made, 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 4.2 (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, 3, 10, 11 or 14 in Part 1 of Schedule 5 to 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 information 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.