

## Application for Complying Development Certificate

SEPP Code: \_\_\_\_\_ CDC No: \_\_\_\_\_

Date Received: \_\_\_\_\_

You can use this form to apply for approval to carry out a proposal that is classed as complying development. The planning instrument made under the *Environmental Planning and Assessment Act 1979* applying to your property will identify whether your proposal is complying development. To complete this form, please place a cross in the boxes  and fill out the white sections as appropriate. To minimise 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).

### 1. Details of the applicant

Mr  Ms  Mrs  Dr  Other

First name  Family name

Flat/street no.  Street name

Suburb or town  State  Postcode

Daytime telephone  Fax  Mobile

Email address

Owner/s

### 2. Identify the land you propose to develop

Flat/street no.  Street name

Suburb or town  Postcode

Lot no.  Section

DP/MPS no.  Volume/folio

You can find the lot no., section DP/MPS no. and volume/folio details on a map of the land or on the title documents for the land. If you need additional room, please attach a schedule and/or map with these details.

### 3. Estimated cost of the development

\$  including GST

#### 4. Describe the work you propose to carry out

*This might include the type of building you propose to build or demolish and its location.*

#### 5. Residential building work

1. Are you going to build a house or other dwelling or alter or add to a dwelling?

No

Yes  ➤ Go on to question 2

2. Are you an owner-builder?

Yes  ➤ What is your owner-builder permit no.?

No  ➤ Will the work be carried out by someone who is licensed to do so?

Yes  ➤ What is the name of the builder?

What is the telephone no. of the builder?

What is the contractor licence no. of the builder?

Have you attached to this application evidence that the licensed person is insured to carry out this type of work?

No

Yes

No  ➤ Have you attached to this application a declaration (signed by each owner of the land) that the reasonable market cost of the labour and materials to be used is less than \$5000?

No

Yes

#### 6. Plans and specifications of the land and development

You need to provide the plans and specifications of your proposal to help the certifying authority determine whether it complies with set standards and requirements. Please confirm that you have attached this material by placing a cross in the appropriate boxes :

**A site plan of the land, drawn to scale (3 copies) that indicates:**

- the location of the land, the measurements of the boundaries of the land, the size of the land and which direction is north
- existing vegetation and trees on the land
- the location and uses of buildings that are already on the land
- the existing levels of the land in relation to buildings and roads
- the location and uses of buildings on sites that adjoin the land.

#### 6. continued

**Plans or drawings of the proposal, drawn to scale (4 copies) that indicate, where relevant:**

- the location of any buildings or structures on the land, any proposed extensions or additions, the boundaries of the land, and any development on adjoining land
- the floor plans of each proposed building
- each elevation of the proposed building(s)
- how high the proposed development will be in relation to the land
- the level of the lowest floor, the level of any yard or unbuilt area and the level of the ground
- any changes that will be made to the level of the land by excavation, filling or otherwise
- the arrangements you have made for parking, where vehicles will enter and leave the site, and how vehicles will move about the site
- the fire safety and fire resistance measures (if any) and their height, design and construction
- how the land will be landscaped or otherwise treated and what types of vegetation will be used (including their height and maturity)
- how you intend to drain the land.

*Where you propose to alter, add to or rebuild a building that is already on the land, please mark the plans (by colour or otherwise) to show the alteration, addition or rebuilding you propose to do.*

**The specifications for the development (4 copies) that:**

- 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 plans and specifications that have already been approved, you need to mark the approved plans and specifications (by colour or otherwise) to show the modification.*

## 7. Other attachments

You need to provide other material 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
- 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 a private garage, carport, shed, fence, antenna, wall or swimming pool). These details must 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.*

## 7. continued

- 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.*

- 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** (such as building a road or a stormwater drainage system):

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

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

- 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

*If you are modifying plans that have already been approved, please mark the 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 (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.*

## 8. Certifying Authority

Do you wish to appoint Gunnedah Shire Council as the Principal Certifying Authority for the purposes of undertaking the required inspections and issuing the Compliance and Occupation Certificate(s)?

Yes  No

**Note:** If 'Yes' is ticked, this application will be deemed to also be an application for Final Occupation Certificate. The date of the application will be taken to be the date that a final inspection is requested. If an Interim Occupation Certificate is required, a separate application must be lodged at that time.

## 9. Other Approvals under section 68 Local Government Act

(Section 68 Application Form required)

Sewer Connection  Stormwater  Water Supply  Septic Tank

(Liquid Trade Waste Form required)  Trade Waste

## 10. Signatures

**The owner(s) of the land being developed must sign the application.**

If you are not the owner of the land, you must ask all the owners of the land to sign the application. If the land is Crown land, an officer of the Department of Land and Water Conservation must sign the application.

As the owner(s) of the above property, I/we consent to this application:

Signature

Name

Office (if Company or Org. etc. eg. Director)

Date

Signature

Name

Office (if Company or Org. etc. eg. Director)

Date

**The applicant, or the applicant's agent, must sign the application.**

Signature

Name, if you are not the applicant

Date

In what capacity are you signing if you are not the applicant?

## 11. Privacy policy

The information you provide in this application will enable your application to be assessed by the certifying authority under *the Environmental Planning and Assessment Act 1979*. If the information is not provided, your application may not be accepted. The application can potentially be viewed by members of the public. Please contact the council if the information you have provided in your application is incorrect or changes.

## Schedule to application for a complying development certificate

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 (m<sup>2</sup>)
- Gross site area (m<sup>2</sup>)


### 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? (NB dual occupancy = two dwellings on the same site) Yes  No


### Materials – residential buildings

Please indicate the materials to be used in the construction 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 or slate	<input type="checkbox"/> 20	Timber	<input type="checkbox"/> 40
Brick (vener)	<input type="checkbox"/> 12	Concrete or 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						

Longitude Co-ordinate of Development

Latitude Co-ordinate of Development

**OFFICE USE ONLY**

Type	Description	GST	Fee
81	Development Application Fees	No	\$
89	Notification Fees	Yes	\$
106	Modification of Consent	No	\$
83	Construction Certificate Fees	Yes	\$
111	Amend Construction Certificate	Yes	\$
109	Complying Development Certificate	Yes	\$
84	Inspection Fees	Yes	\$
85	Long Service Levy Payment	No	\$
86	Gunnedah Sewer Fees	No	\$
87	Curlewis Sewer Fees	No	\$
88	Sewerage Management System Fee	No	\$
115	Section 68 Approvals	Yes	\$
<b>Date</b>	<b>Cashier</b>	<b>R/N</b>	<b>TOTAL \$</b>

Zone	Parcel ID	Assessment Number

<b>Documentation Approved for Receipting:</b>	
<b>Date:</b>	

## **DISCLOSURE OF POLITICAL DONATIONS AND GIFTS**

Amendments made to the Local Government Act 1993 and Environmental Planning & Assessment Act 1979 in relation to political donations and gifts will become effective from 1 October 2008.

These introduce obligations on applicants, those making submissions and decision makers in relation to the disclosure of information relating to political donations and gifts during the plan making or development assessment process.

### ***When must an applicant/proponent make a disclosure?***

A disclosure must be made by any person who has a financial interest in a planning application and who has made a reportable political donation in the 2 years before a planning application is made and/or determined.

### ***When must a person making a submission make a disclosure?***

Any submissions must include disclosure of any reportable political contribution or gift made in the previous two years, and up to the time the application is determined, by you or your associate to anyone including:

- (i) all reportable political donation made to any local councillor of the council
- (ii) all gifts made to any local councillor or employee of that council.

A reportable political donation made to a local councillor of any local council includes any donation made at the time the person was a candidate for election to the council.

You are advised that a person is guilty of an offence under s125 of the Environmental Planning & Assessment Act 1979 if the person fails to make a disclosure of a reportable political donation or gift if it is reasonable for that person to know such a reportable donation or gift should have been disclosed. It is also an offence to make a false statement. Currently, the maximum penalty is \$22,000 or imprisonment for 12 months, or both.

A blank disclosure statement which meets the requirements of the legislation is provided on the backside of this information. If you require any further information as to the definition of terms used, or clarification of your obligations, the Guideline produced by the Department of Planning may be obtained from their web-site – [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au) , or a printed copy obtained from Council's Customer Services Centre.

## Disclosure Statement of Political Donations and Gifts

A disclosure statement of a reportable political donation or gift must accompany a planning application or submission if the reportable donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to the relevant consent or approval authority within 7 days after the donation or gift is made.

<b>Date Disclosure Made</b>	
<b>Name of the person making donation or gift</b>	
• Residential address or Registered/official office	
• ABN if not an individual	
<b>Name/address of development application or planning matter</b>	
• Date application lodged	
• Consent or approval authority	Gunnedah Shire Council
<b>Person's interest in application</b>	
• Applicant	
• Person with <i>financial interest (explain)</i>	
• Person making submission in opposition	
• Person making submission in support	

<b>Name of the person to benefit from the donation</b>	<b>Date donation made</b>	<b>Amount of the donation<sup>1</sup></b>
<b>Name of the person to whom gift is made</b>	<b>Date gift made</b>	<b>Amount or value of the gift<sup>1</sup></b>

Note 1: A *reportable political donation* of:

- \$1,000 or more made to or for the benefit of the party, elected member, group or candidate; or
- \$1,000 or more made by a major political donor to or for the benefit of a party, elected member, group or candidate; or
- Less than \$1,000 if the aggregated total of the donation made by the entity or person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) is \$1,000 or more.

## Agreement for the Performance of Certification Work

### **PART A:**

#### **Introduction:**

- The Council is a certifying authority that employs accredited certifiers who are authorised to carry out certification work on behalf of the Council.
- Section 73A of the Building Professionals Act 2005 provides that an accredited certifier must not carry out certification work for a person unless the certifier, or their employer, has entered into a written agreement with the person.
- This document, when signed by you and the Council, forms the agreement between you and the Council for the purposes of s73A of the Act.
- The rights and responsibilities of each party to this Agreement are set out in the following Attachment, which forms part of this Agreement.
- In the event that a dispute arises in relation to this Agreement, the parties agree to use their best endeavours to resolve the dispute.
- Words and terms used in this Agreement are defined in the Dictionary (page3).

### **PART B:**

#### **Parties to the agreement:**

##### **Gunnedah Shire Council (the 'Council')**

63 Elgin Street, Gunnedah NSW, 2380

Ph. 02 6740 2100 Email. council@infogunnedah.com.au

and

##### **The 'Client'**

Name of Client:

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Address of Client:

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Postal Address of Client:

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Telephone Number:

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Mobile Number:

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Email Address:

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### **PART C:**

#### **Persons who may carry out the certification work and inspections:**

- Certification work under this Agreement may be carried out by any of the following employees of the Council on behalf of the Council, subject to the terms of their accreditation :  
Sue Cox, BPB1550  
Blake O'Mullane BPB1124

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Land of Opportunity  
**GUNNEDAH SHIRE COUNCIL**

- Inspections required under the Environmental Planning and Assessment Act 1979 may be carried out by any of the following employees of the Council subject to the terms of their accreditation:  
Robert Carter, BPB2329  
Sue Cox, BPB1550  
Blake O'Mullane, BPB1124
- The Council will notify you in writing if any other person is to carry out certification work and inspections prior to that work being undertaken.

**PART D:**

**The Development:**

Description of Development: (e.g. Single Storey Dwelling)

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Formal particulars of the title of the development site:

Street Address:

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Lot/DP:

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Development Consent granted by consent authority

Development consent given by the issue of a complying development certificate (CDC)

Name of Consent Authority:

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Name of Certifying Authority:

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DA Consent Number:

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CDC Number:

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Date of Consent:

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Date of CDC:

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Details of Approved Document:

*Details of plans, specifications and other documents approved by development consent/CDC*

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**PART E:**

**Certification work to be performed:**

Determination of application for Development Certificates: *(Tick one or more boxes as appropriate)*

- Determination of application for a complying development certificate\*
- Determination of application for a construction certificate\*
- Determination of application for an occupation certificate\*

Undertaking the Functions of Principal Certifying Authority (PCA)

- Undertaking the functions of PCA for the development\*

\* Refer to relevant Attachment(s) that contain a **Description of Services** and relevant **Fees and Charges**.

**PART F:**

**Fees and Charges:**

Fees and charges are set out in the following Attachment, which forms part of this agreement.

**PART G:**

**Signatures:**

Signed/executed by or on behalf of the Council

Signed/executed by or on behalf of the Client

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**DICTIONARY:**

**Accredited certifier** means the holder of a certificate of accreditation as an accredited certifier under the BP Act

**Applicable environmental planning instrument** means the State Environmental Planning Policy or the Local Environmental Plan nominated by the Client as the instrument against which an application for a complying development certificate is to be assessed.

**BASIX** means the Building Sustainability Index

**BCA** means the Building Code of Australia.

**BP Act** means the Building Professionals Act 2005

**Certification work** means:

- a. the determining of an application for a development certificate
- b. the issue of a development certificate
- c. carrying out the functions of a PCA
- d. carrying out of inspections for the purposes of section 109E(3)(d) of the EP&A Act
- e. carrying out inspections under section 22 Swimming Pools Act 1992 and issuing certificates of compliance under that Act

**Contractor licence** means a licence issued under the Home Building Act 1989

**Development certificate** means:

- a. a certificate under Part 4A of the EP&A Act, being:
  - a construction certificate
  - a compliance certificate
  - a sub-division certificate
  - an occupation certificate
- b. a complying development certificate
- c. a strata certificate issued under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*

**EP&A Act** means the Environmental Planning and Assessment Act 1979

**EP&A Regulation** means the Environmental Planning and Regulation 2000

**Owner-builder permit** has the meaning given to it by the Home Building Act 1989

**PCA** means a principal certifying authority appointed under section 109E of the EP&A Act

**Residential building work** has the meaning given to it by the Home Building Act 1989

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**ATTACHMENT: APPLICATION FOR A COMPLYING DEVELOPMENT CERTIFICATE (CDC)**

**Rights and Responsibilities of Council:**

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

1. Providing a blank copy of CDC application form to the Client.
2. If necessary, obtaining a certificate under section 149 of the EP& A Act (subject to payment of the relevant fee by the applicant).
3. If the development is on a site which affects an existing building, inspecting, or arranging for another accredited certifier to inspect, the building and preparing a record of the inspection.
4. 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) obtain 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 (subject to payment of the relevant fee by the applicant).
5. Assessing whether the proposed development satisfies the development standards set out in the relevant environmental planning instrument, development control plan and the EP&A Regulation.
6. Determining the application and preparing a notice of the determination.
7. If the application is granted:
  - a. preparation of a complying development certificate and endorsement of all relevant plans, specifications and other documents
  - b. preparation of any associated fire safety schedule or fire link conversion schedule
  - c. determining whether any long service payment levy is required to be made, and if so, that the amount (or instalment) has been paid.
  - d. determining if any contributions plan requires the CDC to be subject to a condition requiring a monetary payment.
  - e. issuing the CDC to the Client together with associated endorsed plans specifications and other approved documents.
  - f. forwarding copies of documents prepared to statutory authorities, including the NSW Rural Fire Service, as required by the EP&A Regulation.

**Rights and Responsibilities of Client:**

1. The Client agrees to respond in a timely manner to any request from the Council for information concerning the proposed development.
2. The Client may terminate this agreement for any reason on the giving of at least two weeks written notice to the Council.
3. The Client agrees to pay all fees and charges set out below on or before lodgement of the application.

**Fees and charges:**

The Council agrees to undertake all of the above work for a fixed fee of:

\$ \_\_\_\_\_

Any additional inspections to those included in the fixed fee will be charged separately.

This fee includes the costs of any service provided by a third party and any fees for obtaining or lodging documents, **except** for contingency items (if any) specified below:

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**ATTACHMENT: APPLICATION FOR A CONSTRUCTION CERTIFICATE (CC)**

**Rights and Responsibilities of Council:**

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

1. Providing a blank copy of CC application form to the Client.
2. If necessary, obtaining a certificate under section 149 of the EP& A Act
3. If the development is on a site which affects an existing building, inspecting, or arranging for another accredited certifier to inspect, the building and preparing a record of the inspection.
4. If clause 144 of the EP& A Regulation applies to the development (i.e. alternative solutions for certain fire safety measures), applying to the Fire Commissioner for an initial fire safety report.
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) obtaining a compliance certificate or written report from a fire safety engineer.
6. Assessing 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.
7. Determining the application and preparing a notice of the determination.
8. If the application is granted:
  - a. preparing a construction certificate
  - b. endorsing all relevant plans, specifications and other documents
  - c. preparing any associated fire safety schedule or fire link conversion schedule
  - d. determining if any long service payment levy is required to be made, and if so, that the amount (or instalment) has been paid.
  - e. determining if any security or monetary payment or levy under sections 94 or 94A of the EP&A Act are required before the CC is issued.
  - f. issuing the CC to the Client together with associated endorsed plans specifications and other approved documents.
  - g. forwarding copies of documents prepared to the consent authority as required by the EP&A Regulation.

**Rights and Responsibilities of Client:**

1. The Client agrees to respond in a timely manner to any request from the Council for information concerning the proposed development.
2. The Client acknowledges the necessity for compliance with the conditions of development consent.
3. The Client may terminate this agreement for any reason on the giving of at least two weeks written notice to the Council.
4. The Client agrees to pay all fees and charges set out below on or before lodgement of the application.

**Fees and charges:**

The Council agrees to undertake all of the above work for a fixed fee of:

\$ \_\_\_\_\_

Any additional inspections to those included in the fixed fee will be charged separately.

This fee includes the costs of any service provided by a third party and any fees for obtaining or lodging documents, **except** for contingency items (if any) specified below:

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**ATTACHMENT: APPLICATION FOR AN OCCUPATION CERTIFICATE (OC)**

**Rights and Responsibilities of Council:**

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

1. Providing a blank copy of an OC application form to the Client.
2. Conducting an inspection 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), applying to the Fire Commissioner for a final fire safety report.
4. Obtaining a final fire safety certificate or interim fire safety certificate as required by the EP& A Regulation.
5. Ensuring that all BASIX requirements required to be complied with before an OC may be issued have been satisfied, including obtaining any necessary BASIX completion receipt.
6. 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), obtaining 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.
7. Assessing 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).
8. Determining the application and preparing a notice of the determination.
9. If the application is granted, preparing an OC and issuing it to the Client.
10. Forwarding copies of documents prepared to the consent authority as required by the EP&A Regulation.

**Rights and Responsibilities of Client:**

1. The Client agrees to respond in a timely manner to any request from the Council for information concerning the proposed development.
2. The Client acknowledges the necessity for compliance with the conditions of development consent.
3. The Client may terminate this agreement for any reason on the giving of at least two weeks written notice to the Council.
4. The Client agrees to pay all fees and charges set out below on or before lodgement of the application.

**Fees and charges:**

The Council agrees to undertake all of the above work for a fixed fee of:

\$ \_\_\_\_\_

Any additional inspections to those included in the fixed fee will be charged separately.

This fee includes the costs of any service provided by a third party and any fees for obtaining or lodging documents, **except** for contingency items (if any) specified below:

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**ATTACHMENT: UNDERTAKE THE FUNCTIONS OF PRINCIPAL CERTIFYING AUTHORITY**

**Descriptive Services:**

The Council agrees to 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:
  - a. notifying the consent authority of the Certifier's appointment as PCA
  - b. notifying the Client of all inspections that are required to be carried out of the building work or subdivision work.
2. Determining, before any building work or subdivision work commences, that a construction certificate or complying development certificate has been issued for the work.
3. Determining, 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. Carrying out all critical stage inspections of the building work or subdivision work prescribed by the EP&A Regulation or required by the Council, or ensuring that the inspections are carried out by another certifying authority. However, a certifier employed by the Council will personally carry out the last critical stage inspection that is prescribed for a building.
5. Making a record as required by the EP&A Regulation of all inspections that the Council carries out and ensuring that any other certifying authority that has carried out an inspection also prepares a report and supplies it to the Council.
6. Determining whether any inspection (other than the last critical stage inspection) that has not been carried out was due to circumstances that were unavoidable, and whether the work that would have been inspected was satisfactory. The Council will make a record of any such missed inspection as required by the EP&A Regulation and provide a copy to the Client. The Council will also notify the principal contractor or owner builder of the missed inspection as required by the EP&A Regulation.
7. Determining applications for occupation certificates or subdivision certificate (subject to separate terms under this Agreement).
8. Taking such steps as Council 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 the Council considers to be in the public interest to address.
9. Without limiting the actions that Council may take, Council 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 the Council considers appropriate, including the consent authority, NSW Fair Trading or an environmental protection agency
  - e. issue notices under 121H of the EP&A Act

Shire of  
**Gunnedah**  
Land of Opportunity  

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GUNNEDAH SHIRE COUNCIL

**Rights and Responsibilities of Client:**

1. The Client agrees to respond in a timely manner to any request from the Council for information concerning the proposed development.
2. The Client acknowledges that inspections are required to be carried out of the building work or subdivision work and agrees to ensure that building personnel are aware of these inspections.
3. The Client agrees to give the Council not less than two days' notice before the commencement of any building works.
4. The Client acknowledges the necessity for critical stage inspections and compliance with the conditions of development consent.
5. The Client acknowledges that the Council must be given not less than 48 hours' notice before any 'critical stage inspection' or other inspection is required.
6. The Client may terminate this agreement for any reason on the giving of at least two weeks written notice to the Council.
7. The Client agrees to pay all fees and charges set out below on or before lodgement of the application.

**Fees and Charges—PCA:**

The Council agrees to undertake all of the above work for a fixed fee of:

\$ \_\_\_\_\_

Any additional inspections to those included in the fixed fee will be charged separately.

This fee includes the costs of any service provided by a third party and any fees for obtaining or lodging documents, **except** for contingency items (if any) specified below:

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