



PHOENIX BUILDING APPROVALS PTY LTD

Level 1, Office 27
35 Old Northern Road
Baulkham Hills NSW 2153

PO Box 396, Baulkham Hills NSW 1755
P: (02) 9639 8808
E: info@phoenixbuildingapprovals.com.au

CONSTRUCTION CERTIFICATE APPLICATION

OFFICE USE ONLY ▶ Date of Receipt of Application

To be completed by the Principal Certifier **immediately** after receiving this Application.

This application was received on:

1. Details of Applicant

<i>Please note that the applicant cannot be the builder unless the builder is the owner of the property</i>	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/>	
	Surname (or Company):	
	Given names (or ABN):	
	Address:	
	State: Please select	Postcode:
	Phone:	Mobile:
	E-mail:	

2. Invoice Details

<i>Name of the person the invoice should be addressed to</i>	Name:
	E-mail:

3. Subject Property Identification

	Address:	
	State: Please select.	Postcode:
	Lot:	DP/SP:
	Council Area:	

4. Owner's Details

	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/>
--	---

	Surname (or Company):	
	Given names (or ABN):	
	Address:	
	State: Please select.	Postcode:
	Phone:	Mobile:
	E-mail:	
5. Description of Development		
<i>Provide a description of the works to be approved as per the Development Consent</i>	Describe works as per the Development Consent:	
6. Development Consent		
	Development Consent No.	
	Date of Determination: Select Date	
	Approval of Authority:	
7. Building Classification		
<i>Tick the relevant class</i>	1a <input type="checkbox"/> 1b <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7a <input type="checkbox"/> 7b <input type="checkbox"/>	
	8 <input type="checkbox"/> 9a <input type="checkbox"/> 9b <input type="checkbox"/> 9c <input type="checkbox"/> 10a <input type="checkbox"/> 10b <input type="checkbox"/> 10c <input type="checkbox"/>	
8. Estimated Cost of Works		
<i>Total cost including GST</i>	\$	<input type="text"/>
9. Principal Contractor Details		
<i>Provide details of Principal Contractor of development</i>	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/>	
	Name:	
	Company:	
	Address:	
	State: Please select.	Postcode:

	Phone:	Mobile:
	E-mail:	
	Licence Number:	
	Principal Builder <input type="checkbox"/> Owner Builder <input type="checkbox"/>	

10. Applicant Declaration

<p style="text-align: center;"><i>Applicant to declare items and sign declaration. If the applicant is a company or strata title body corporate, a director or authorised delegate must sign this declaration</i></p>	<p>Declaration:</p> <ul style="list-style-type: none"> I/We apply for approval to carry out the development the subject of this Construction Certificate application. I/We declare that all the information in the application and checklist is true and correct to the best of my/our knowledge and hereby indemnify the certifying authority and PC against any damage and losses as a result of incorrect information submitted. I/We have the benefit of the Development Consent specified in Section 5 of this application for the works the subject of this Construction Certificate application. I/We understand that if the information is incomplete the application may be delayed or rejected or more information may be requested. I/We acknowledge that if the information provided is misleading any Construction Certificate approval granted may be void I/We understand that building works cannot commence until 2 days after the appointment of PC and it is my/our responsibility to arrange all mandatory critical stage inspections via prior written notice. I/We understand that if a mandatory critical stage inspection is missed or if we do not construct the building in accordance with the Construction Certificate approval, the PC will be unable to issue an Occupation Certificate. I/We have completed the application checklist and schedules 1,2 and 3 and acknowledge that the Construction Certificate application is incomplete until all documentation is submitted. I/We hereby appoint: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> <p>as the Principal Certifier (PC) for the building works identified in this application.</p> <p>In signing this application form I/We declare the abovementioned terms and conditions.</p>
Signed (Applicant):	
Date: Select Date	

11. Owner's Consent

<p><i>Owner to declare items and sign declaration. If applicant is a company or strata title body corporate, a director or authorised delegate must sign this declaration</i></p>	<p>Declaration:</p> <ul style="list-style-type: none"> I/We authorise the right of entry into the subject property to conduct inspections of building works forming part of the scope of this Construction Certificate As owners of the property the subject of this Construction Certificate application, I/We hereby consent to this application. <p>In signing this application form I/We declare the abovementioned terms and conditions.</p>
	<p>Signed (Owner[s]):</p>
	<p>Date: Select Date</p>

SCHEDULE 1 ▶ Application for a Construction 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 ²)	
	Gross site area (m ²)	

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
<input type="checkbox"/> Brick (double)	11	<input type="checkbox"/> Tiles	10	<input type="checkbox"/> Concrete or Slate	20	<input type="checkbox"/> Timber	40
<input type="checkbox"/> Brick (veneer)	12	<input type="checkbox"/> Concrete or Slate	20	<input type="checkbox"/> Timber	40	<input type="checkbox"/> Steel	60
<input type="checkbox"/> Concrete or Stone	20	<input type="checkbox"/> Fibre Cement	30	<input type="checkbox"/> Other	80	<input type="checkbox"/> Aluminium	70
<input type="checkbox"/> Fibre cement	30	<input type="checkbox"/> Steel	60	<input type="checkbox"/> Not specified	90	<input type="checkbox"/> Other	80
<input type="checkbox"/> Timber	40	<input type="checkbox"/> Aluminium	20			<input type="checkbox"/> Not specified	90
<input type="checkbox"/> Curtain Glass	50	<input type="checkbox"/> Other	20				
<input type="checkbox"/> Steel	60	<input type="checkbox"/> Not specified	20				
<input type="checkbox"/> Aluminium	70						
<input type="checkbox"/> Other	80						
<input type="checkbox"/> Not specified	90						

SCHEDULE 2 ▶ Existing and Proposed Fire Safety Measures

For class 1B & 2-9 Buildings

Please complete this schedule by identifying the existing and proposed fire safety measures within the subject development placing a tick in the appropriate box. Only proposed measures are required for a new development.

Essential Fire Safety Measure	Existing	Proposed
Access Panels, Doors & Hoppers To Fire Resisting Shafts	<input type="checkbox"/>	<input type="checkbox"/>
Automatic Fail-Safe Devices	<input type="checkbox"/>	<input type="checkbox"/>
Automatic Fire Detection & Alarm	<input type="checkbox"/>	<input type="checkbox"/>
Automatic Fire Suppression Systems	<input type="checkbox"/>	<input type="checkbox"/>
Combined Fire Hydrant & Sprinkler System	<input type="checkbox"/>	<input type="checkbox"/>
Emergency Lifts	<input type="checkbox"/>	<input type="checkbox"/>
Emergency Lighting	<input type="checkbox"/>	<input type="checkbox"/>
Exit Signs	<input type="checkbox"/>	<input type="checkbox"/>
Fire Alarm Monitoring Communication Link	<input type="checkbox"/>	<input type="checkbox"/>
Fire Control Centres & Rooms	<input type="checkbox"/>	<input type="checkbox"/>
Fire Dampers	<input type="checkbox"/>	<input type="checkbox"/>
Fire Doors	<input type="checkbox"/>	<input type="checkbox"/>
Fire Hose Reel Systems	<input type="checkbox"/>	<input type="checkbox"/>
Fire Hydrant Systems	<input type="checkbox"/>	<input type="checkbox"/>
Fire Rated Lift Landing Doors	<input type="checkbox"/>	<input type="checkbox"/>
Fire Seals - Electrical	<input type="checkbox"/>	<input type="checkbox"/>
Fire Seals - Plumbing	<input type="checkbox"/>	<input type="checkbox"/>
Fire Shutters - Carpark	<input type="checkbox"/>	<input type="checkbox"/>
Fire Shutters - External Openings	<input type="checkbox"/>	<input type="checkbox"/>
Fire Windows	<input type="checkbox"/>	<input type="checkbox"/>
Floor & Wall Covering	<input type="checkbox"/>	<input type="checkbox"/>
Lightweight Construction	<input type="checkbox"/>	<input type="checkbox"/>
Mechanical Air Handling Systems		
• Exit Pressurization	<input type="checkbox"/>	<input type="checkbox"/>
• Zone Smoke Control	<input type="checkbox"/>	<input type="checkbox"/>
• Smoke Exhaust System	<input type="checkbox"/>	<input type="checkbox"/>
• Automatic Shutdown	<input type="checkbox"/>	<input type="checkbox"/>
• Car Park Ventilation System	<input type="checkbox"/>	<input type="checkbox"/>

(continued on page 6)

Essential Fire Safety Measure	Existing	Proposed
Paths Of Travel	<input type="checkbox"/>	<input type="checkbox"/>
Perimeter Emergency Vehicle Access	<input type="checkbox"/>	<input type="checkbox"/>
Portable Fire Extinguishers	<input type="checkbox"/>	<input type="checkbox"/>
Radiant Heat Attenuation Screens	<input type="checkbox"/>	<input type="checkbox"/>
Safety Curtain In Proscenium Opening	<input type="checkbox"/>	<input type="checkbox"/>
Sliding Fire Doors	<input type="checkbox"/>	<input type="checkbox"/>
Smoke Doors	<input type="checkbox"/>	<input type="checkbox"/>
Smoke & Heat Vents	<input type="checkbox"/>	<input type="checkbox"/>
Smoke Dampers	<input type="checkbox"/>	<input type="checkbox"/>
Smoke And Heat Alarms	<input type="checkbox"/>	<input type="checkbox"/>
Smoke Seals	<input type="checkbox"/>	<input type="checkbox"/>
Solid Core Doors	<input type="checkbox"/>	<input type="checkbox"/>
Sound System And Intercom System For Emergency Purposes	<input type="checkbox"/>	<input type="checkbox"/>
Standby Power Systems	<input type="checkbox"/>	<input type="checkbox"/>
Wall-Wetting Drenchers - External Openings	<input type="checkbox"/>	<input type="checkbox"/>
Wall-Wetting Drenchers - Fire Shutter	<input type="checkbox"/>	<input type="checkbox"/>
Warning & Operational Signs	<input type="checkbox"/>	<input type="checkbox"/>
Performance Based Alternative Solution Report	<input type="checkbox"/>	<input type="checkbox"/>

This is an accurate statement of the existing fire safety schedule implemented in the whole building and the land on which it is situated.

Signed:

(owner/agent)

Name:

Date:

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.

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

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.

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 work 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 work² 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 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.