



PHOENIX BUILDING APPROVALS PTY LTD

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APPLICATION FOR COMPLYING DEVELOPMENT CERTIFICATE

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:

SECTION A ▶ Details of the Applicant

Please note that the applicant **cannot** be the builder unless the builder is the owner of the property

Mr Mrs Miss Ms Other

First name:

Family Name:

Company (if applicable):

ABN (if applicable):

Unit/Street No:

Street Name:

Suburb:

State: New South Wales

Postcode:

Phone:

Mobile:

E-mail:

SECTION B ▶ Invoice Details

Name of the person
the invoice should be addressed to

Name:

E-mail:

SECTION C ▶ Location and title details of the land where the development is to be carried out

Unit/Street No:

Street Name:

Suburb:

State: New South Wales

Postcode:

Lot no.

Section:

DP/SP no.

Land Use Zone:

SECTION D ▶ Principal Contractor Details

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/>	
Name:	
Company:	
Address:	
State:	Postcode:
Phone:	Mobile:
E-mail:	
Licence Number (Mandatory) :	
Principal Builder <input type="checkbox"/> Owner Builder <input type="checkbox"/>	

SECTION E ▶ Describe the development proposed to be carried out

Provide a brief description of the development. For example, if a dwelling is proposed, include information such as the type of building (house, townhouse, villa etc), the number of floors, the number of bedrooms, the major building material (brick, brick veneer, timber clad etc).

Building Classification

Tick the relevant class	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"/>

SECTION F ▶ Estimated cost of the development

\$ <input type="text"/>	The contract price, or if there is no contract a genuine and accurate estimate, for all labour and material costs associated with all demolition and construction required for the development, including the cost of construction of any building and the preparation of a building for the purpose for which it is to be used (such as the costs of installing plant, fittings, fixtures and equipment). GST is also to be included.
\$ <input type="text"/>	Long service levy (0.35% of the cost of works)

SECTION G ▶ Environmental planning instrument

Provide the name of the "Environmental Planning Instrument" (*see - definition below) under which the development is complying development.

If the development is specified as complying development by a "Development Control Plan" (*see - definition below) referred to in an environmental planning instrument, also provide the name of that development control plan.

Note: The criteria for complying development may vary between environmental planning instruments. You must nominate which instrument this Application is to be assessed under.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

OR

Other Environmental Planning Instrument (EPI):

Name of EPI

Name of Development
Control Plan (if applicable)

***Environmental Planning Instruments (EPI)** are State Environmental Planning Policies and Local Environmental Plans. Complying development is commonly, but not always, authorised under either the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or a Local Environmental Plan of the Council for the area where the development is to be carried out.

Development Control Plan. An EPI may refer to another instrument called a "Development Control Plan" (DCP) which contains more detailed provisions which support the EPI. A DCP may specify certain development as being complying development under the EPI.

SECTION H ▶ Asbestos

If any bonded asbestos material or friable asbestos material will be disturbed, repaired or removed in carrying out the development, what is the estimated area of the material?

square metres

SECTION I ▶ Attachments relating to the proposed development

Applicants must provide the documents listed below that are relevant to the type of development that is proposed. Please confirm that documents relating to the requirements below have been attached by placing a cross in the appropriate box(s). Applicants should confirm with the Principal Certifier how many copies of documents are required to be provided prior to lodging this application.

Attachments for developments ▼

A site plan of the land

Provide a site plan indicating:

- the location, boundary dimensions, site area and north point of the land,
- existing vegetation and trees on the land,
- the location and uses of existing buildings on the land,
- existing levels of the land in relation to buildings and roads,
- the location and uses of buildings on sites adjoining the land.

A sketch of the development

Provide a sketch which indicates:

- a) the location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,
- b) floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,
- c) elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures),
- d) elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in **SECTION Q**),
- e) proposed finished levels of the land in relation to existing and proposed buildings and roads,
- f) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),
- g) proposed landscaping and treatment of the land (indicating plant types and their height and maturity),
- h) proposed methods of draining the land,
- i) in respect of BASIX affected development, such other matters as any BASIX certificate(s) requires to be included on the sketch. (See-BASIX NOTES at the end of this Section)
- j) in respect of BASIX optional development for which a BASIX certificate(s) has been obtained, such other matters as the BASIX certificate(s) requires to be included on the sketch. (See-BASIX NOTES at the end of this Section)

Does the development involve subdivision work? Yes No

If 'Yes' provide appropriate subdivision work plans and specifications, which are to include:

- (a) details of the existing and proposed subdivision pattern (including the number of lots and the location of roads),
- (b) details as to which public authorities have been consulted with as to the provision of utility services to the land concerned,
- (c) detailed engineering plans as to the following matters:
 - (i) earthworks,
 - (ii) roadworks,
 - (iii) road pavement,
 - (iv) road furnishings,
 - (v) stormwater drainage,
 - (vi) water supply works,
 - (vii) sewerage works,
 - (viii) landscaping works,
 - (ix) erosion control works,
- (d) copies of any compliance certificates to be relied on.

Does the development involve a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure or work that relates only to fire link conversion)? Yes No

If 'Yes' provide:

- (a) a list of the Category 1 fire safety provisions that currently apply to the existing building,
- (b) a list of the Category 1 fire safety provisions that are to apply to the building following its change of use.

Does the development involve building work (including work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house)? Yes No

If 'Yes' provide:

1. A detailed description of the development by completing SECTION Q.

2. Appropriate building work plans and specifications, which are to include:

- (a) detailed plans, drawn to a suitable scale and consisting of a block plan and a general plan, that show:
 - (i) a plan of each floor section, and
 - (ii) a plan of each elevation of the building, and
 - (iii) the levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of the adjacent ground, and
 - (iv) the height, design, construction and provision for fire safety and fire resistance (if any),
- (b) specifications for the development:
 - (i) that describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply, and
 - (ii) that state whether the materials to be used are new or second-hand and (in the case of second-hand materials) give particulars of the materials to be used,
- (c) a statement as to how the performance requirements of the *Building Code of Australia* are to be complied with (if an alternative solution, to meet the performance requirements, is to be used),
- (d) a description of any accredited building product or system sought to be relied on for the purposes of section 85A (4) of the Environmental Planning and Assessment Act 1979**,
- (e) copies of any compliance certificate to be relied on,
- (f) if the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building,
- (g) in respect of BASIX affected development, such other matters as the BASIX certificate(s) requires to be included in the plans and specifications. (See-BASIX NOTES at the end of this Section)
- (h) in respect of BASIX optional development for which a BASIX certificate(s) has been obtained, such other matters as the BASIX certificate(s) requires to be included in the plans and specifications. (See-BASIX NOTES at the end of this Section)

*** S.85A(4) EP&A Act provides that a Principal Certifier must not refuse an Application on the ground that any building product or system does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the EP&A Regulation 2000.*

Does the development involve building work (other than work in relation to a dwelling-house or a building or structure that is ancillary to a dwelling-house)? Yes No

If 'Yes' provide:

- (a) a list of any existing fire safety measures provided in relation to the land or any existing building on the land, and
- (b) a list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

Does the development involve the erection of a wall to a boundary that has a wall less than 0.9m from the boundary? Yes No

If 'Yes' provide:

A report by a professional engineer (within the meaning of the BCA) outlining the proposed method of supporting the adjoining wall.

Does the development involve the demolition or removal of a wall to a boundary that has a wall less than 0.9m from the boundary? Yes No

If 'Yes' provide:

A report by a professional engineer (within the meaning of the BCA) outlining the proposed method of maintaining support for the adjoining wall after the demolition or removal.

Does the development involve the erection of a temporary structure? Yes No

If 'Yes' provide:

- (a) documentation that specifies the live and dead loads the temporary structure is designed to meet,
- (b) a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure,
- (c) in the case of a temporary structure proposed to be used as a place of public entertainment--a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with (if an alternative solution, to meet the performance requirements, is to be used),
- (d) documentation describing any accredited building product or system sought to be relied on for the purposes of section 85A (4) of the Act,
- (e) copies of any compliance certificates to be relied on.

Does the development involve the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant? Yes No

If 'Yes' complete the relevant portion(s) of the following statement:

The maximum number of persons proposed to occupy, at any one time, that part of the building used as:

- an entertainment venue is persons
- a function centre is persons
- a pub is persons
- a registered club is persons
- a restaurant is persons

Does the development involve building work (see - note below) in respect of which an alternative solution under the Building Code of Australia ("BCA") in respect of a fire safety requirement is proposed? Yes No

If 'Yes' provide:

Either or both of the following from a "fire safety engineer" (i.e. a private accredited certifier holding Category C10 accreditation):

- (a) a compliance certificate (as referred to in s.109C(1)(a)(v) EP&A Act) that certifies that the alternative solution complies with the relevant performance requirements of the BCA.
- (b) a written report that includes a statement that the alternative solution complies with the relevant performance requirements of the BCA.

NOTE

The above requirement only applies to building work in respect of:

- (a) a class 9a building that is proposed to have a total floor area of 2000 square metres or more, and
- (b) any building (other than a class 9a building) that is proposed to have:
 - (i) a fire compartment with a total floor area of more than 2000 square meters, or
 - (ii) a total floor area of more than 6000 square meters,

that involves an alternative solution under the BCA in respect of the requirements set out in EP1.4, EP2.1, EP2.2, DP4 and DP5 in Volume 1 of the BCA.

Does the proposed development comprise internal alternations to, or changes of use of, an existing building that is subject to an alternative solution relating to a fire safety requirement under the BCA? Yes No

If 'Yes' provide:

A written report by another accredited certifier who is accredited for the purpose of issuing a CDC for a building of that kind, which includes a statement that the proposed development is consistent with that alternative solution.

Does the Application involve a BASIX affected development, or a BASIX optional development for which a BASIX certificate has been obtained? Yes No

If 'Yes' provide:

- (a) the BASIX certificate(s) for the development (being a certificate(s) that has been issued no earlier than 3 months before the date of the Application being made, and
- (b) such other documents as the BASIX certificate(s) for the development requires to accompany the Application.

(See-BASIX NOTES at the end of this Section)

BASIX Notes ▼

A BASIX Certificate **MUST** be obtained for every "**BASIX affected development**", which are any of the following developments (other than development that is "BASIX excluded development"-see below):

- (a) development that involves the erection (but not the relocation) of a BASIX affected building,
- (b) development that involves a change of building use by which a building becomes a BASIX affected building,
- (c) development that involves the alteration, enlargement or extension of a BASIX affected building, where the estimated construction cost of the development is \$50,000 or more,
- (d) development for the purpose of a swimming pool or spa, or combination of swimming pools and spas, that services or service only one dwelling and that has a capacity, or combined capacity, of 40,000 litres or more.

BASIX excluded development is

- (a) development for the purpose of a garage, storeroom, car port, gazebo, verandah or awning,
- (b) alterations, enlargements or extensions to a building listed on the State Heritage Register under the *Heritage Act 1977*,
- (c) alterations, enlargements or extensions that result in a space that cannot be fully enclosed (for example, a veranda that is open or enclosed by screens, mesh or other materials that permit the free and uncontrolled flow of air), other than a space can be fully enclosed but for a vent needed for the safe operation of a gas appliance,
- (d) alterations, enlargements or extensions that the Director-General has declared, by order published in the Gazette, to be BASIX excluded development

SECTION J ▶ List of documents

Prepare and attach a list of all the documents provided under **SECTION I**

SECTION K ▶ Copyright

Information for the Applicant: Upon an application being made for a complying development certificate, the Applicant (not being entitled to copyright) is taken to have indemnified all persons using the application and any accompanying documents in accordance with the Act against any claim or action in respect of breach of copyright (See-Cl.129 EP&A Regulation 2000).

SECTION L ▶ Authority to enter and inspect land

Information for the Applicant: A Principal Certifier must not issue a complying development certificate for development unless the Principal Certifier, or an accredited certifier or council on behalf of the Principal Certifier, has carried out an inspection of the site of the development.

By signing this Application, the Applicant, and if the Applicant is not the owner of the property, the owner also, authorise the Principal Certifier, or an accredited certifier or council, to enter the subject property at any reasonable time for the purpose of carrying out an inspection in connection with the assessment of this Application. The Applicant and the owner undertake to take all necessary steps make access available to the property to enable the inspection to be carried out.

SECTION M ▶ Long Service Payment Levy

Information for the Applicant: Where a Principal Certifier completes a complying development certificate, that certificate must not be forwarded or delivered to the Applicant unless any long service payment levy payable under s.34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid. The Applicant should attach a copy of a receipt for any long service payment levy that has been made or make arrangements for a copy to be available to be provided to the Principal Certifier in the event that a complying development certificate is completed.

SECTION N ▶ Signature of Applicant(s)

Signature of Applicant(s)	<input type="text"/>	Name(s)	<input type="text"/>
	<input type="text"/>		<input type="text"/>
Date:	<input type="text" value="Select Date"/>		

SECTION O ▶ Consent of owners(s)

Note: If the Applicant is not the owner of the property, the owner(s) must sign the following statement. As the owner(s) of the above property, I/we consent to this application.

Signature of owner(s)	<input type="text"/>	Name(s)	<input type="text"/>
	<input type="text"/>		<input type="text"/>
Date:	<input type="text" value="Select Date"/>		

Phone:	E-mail:
--------	---------

Address:

SECTION P ▶ Delivery of the Application

Information for the Applicant: Applications for complying development certificates must be delivered:

- by hand, or
- sent by post, or
- transmitted electronically

to the principal office of the Principal Certifier.

Applications **MAY NOT** be sent by facsimile transmission.

NOTE: COMPLETE SECTION 'Q' ON FOLLOWING PAGE

SECTION Q ▶ Description of the development

1. For each proposed new building, indicate:

- The number of storeys (including underground storeys) in the building
- The gross floor area of the building (in square metres)
- The gross site area of the land on which the building is to be erected (in square metres)

2. For each proposed new residential building, indicate:

- The number of existing dwellings on the land on which the new building is to be erected
- The number of those existing dwellings that are to be demolished in connection with the erection of the new building
- The number of dwellings to be included in the new building
- Whether the new building is to be attached to any existing building
- Whether the new building is to be attached to any other new building
- Whether the land contains a dual occupancy
- The materials to be used in the construction of the new building by completing the table below

Place a cross in each appropriate box:

Walls	Code	Roof	Code	Floor	Code	Frame	Code
<input type="checkbox"/> Brick (double)	11	<input type="checkbox"/> Tiles	10	<input type="checkbox"/> Concrete/slate	20	<input type="checkbox"/> Timber	40
<input type="checkbox"/> Brick (veneer)	12	<input type="checkbox"/> Concrete/slate	20	<input type="checkbox"/> Timber	40	<input type="checkbox"/> Steel	60
<input type="checkbox"/> Concrete/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	70			<input type="checkbox"/> Not specified	90
<input type="checkbox"/> Curtain glass	50	<input type="checkbox"/> Other	80				
<input type="checkbox"/> Steel	60	<input type="checkbox"/> Not specified	90				
<input type="checkbox"/> Aluminium cladding	70						
<input type="checkbox"/> Timber/ weatherboard	40						
<input type="checkbox"/> Other	80						
<input type="checkbox"/> Not specified	90						

SECTION R ▶ 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"/>

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.