



## APPROVALS APPLICATION

& APPOINTMENT OF PRINCIPAL CERTIFIER FORM

Please tick appropriate application(s):

- CONSTRUCTION CERTIFICATION (CC)
- COMPLYING DEVELOPMENT CERTIFICATE (CDC)
- OCCUPATION CERTIFICATE (OC)
- APPOINTMENT OF PRINCIPAL CERTIFIER (PC)
- MODIFIED CONSTRUCTION CERTIFICATE
- MODIFIED COMPLYING DEVELOPEMENT CERTIFICATE

*Under Environmental Planning and Assessment Act and EP&A Regs 2000.*

*This application forms part of the contract under part 5 of the Building and Certifiers Regulation 2020.*

### 1. APPLICANT DETAILS (Cannot be the builder unless they are the property owner)

Full name or Company: \_\_\_\_\_

Contact (if Company): \_\_\_\_\_

Unit/Number and Street name: \_\_\_\_\_ Town/Suburb: \_\_\_\_\_

State: \_\_\_\_\_ Post Code: \_\_\_\_\_ Phone: \_\_\_\_\_ Mob: \_\_\_\_\_

Email: \_\_\_\_\_

Applicants Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

### 2. OWNER(S) DETAILS (If more than 2 owners, attach owner's details to application)

**Owner 1:** Full name or Company: \_\_\_\_\_

Contact (if Company): \_\_\_\_\_

Unit/Number and Street name: \_\_\_\_\_ Town/Suburb: \_\_\_\_\_

State: \_\_\_\_\_ Post Code: \_\_\_\_\_ Phone: \_\_\_\_\_ Mob: \_\_\_\_\_

Email: \_\_\_\_\_

**Owner 2:** Full name or Company: \_\_\_\_\_

Contact (if Company): \_\_\_\_\_

Unit/Number and Street name: \_\_\_\_\_ Town/Suburb: \_\_\_\_\_

State: \_\_\_\_\_ Post Code: \_\_\_\_\_ Phone: \_\_\_\_\_ Mob: \_\_\_\_\_

Email: \_\_\_\_\_



### 3. DETAILS OF LAND TO BE DEVELOPED

Unit/Street No: \_\_\_\_\_ Street Name: \_\_\_\_\_ Suburb: \_\_\_\_\_  
 State: \_\_\_\_\_ Post Code: \_\_\_\_\_ Council Area: \_\_\_\_\_  
 Lot No: \_\_\_\_\_ Section No: \_\_\_\_\_ DP No: \_\_\_\_\_

### 4. DESCRIPTION OF WORK PROPOSED

**Type of Development:**

- Dwelling
- Pools / Decks / Fencing
- Demolition
- Boarding House
- Shed
- Dual Occupancy
- Attached Dwelling
- Secondary Dwelling
- Retaining Walls
- Protections of Trees
- Multi Dwelling Housing
- Balconies, Decks, Patios, Terraces or Verandas
- Alterations and additions to a residential dwelling
- Garages, Carports and Car Parking Spaces
- Other

**Provide a description of the work you propose to carry out:**

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**Estimated cost of the Work/Development** - The contract price, or if there is no contract a genuine and accurate estimate, for all labour and material costs associate 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 and equipment) including GST:

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**Have you paid the Long Service Levy? (If the value of work is \$25,000 or more the Building and Construction Industry Long Service Levy must be paid before the construction certificate is issued):**

- Yes       No       N/A

**For building work, what is the class of building under the Building Code of Australia?**

- Class 1a      A single dwelling being a detached house, or one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit.
- Class 10a      Buildings are non-habitable buildings including private garage, carport, shed or the like
- Class 10b      A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like
- Class 1b      A boarding house, guest house, hostel or the like with a total area of all floors not exceeding 300m<sup>2</sup>, and where not more than 12 reside, and is not located above or below another dwelling or another Class of building other than a private garage. It can also be four or more single dwellings located on one allotment which are used for short-term holiday accommodation
- Class 10c      A private bushfire shelter. A private bushfire shelter is a structure associated with, but not attached to, a Class 1a building.



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**Required if applying for Construction Certificate:**

Consent Authority (Council): \_\_\_\_\_

Development Consent number(s) DA: \_\_\_\_\_

Date the Development Consent DA(s) was granted: \_\_\_\_\_

**Select the type of Certificate you wish to apply for:**

- Certificate for the full development
- Certificate for part of the development (For example: Excluding Retaining Walls)
  - Please specify what is being excluded from the approval: \_\_\_\_\_

**Construction Certificate/Complying Development Certificate No:** *(Required for Occupation Certificate Lodgement):* \_\_\_\_\_

**Date the Certificate was Issued** *(Required for Occupation Certificate Lodgement):* \_\_\_\_\_

**Are you proposing to carry out alterations/ modifications to existing `relevant fire safety systems?**

- Yes
- No

**Are proposed fire safety measures to be installed in the building?**

- Yes
- No

**Environmental Planning Instrument (If undertaking a Complying Development Certificate (CDC))**

**Are you undertaking a Complying Development Certificate?**

- No** *(Continue on to Part 5)*
- Yes** *(Select below relevant legislation)*

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

Please tick the relevant legislation below:

- Part 3 – Housing Code
- Part 3A – Rural Housing Code
- Part 3B – Low Rise Housing Diversity Code
- Part 3C – Greenfields Housing Code
- Part 4 – Housing Alterations Code
- Part 7 – Demolition Housing Code

**OR**

- State Environmental Planning Policy (Affordable Rental Housing) 2009



## 5. RESIDENTIAL BUILDING WORK

1. Are you going to build a house or other dwelling or undertake alterations and additions to a dwelling over \$10,000?

- YES** (Please complete question 2 below)
- NO** (Please proceed to question 3)

2. Are you an Owner-Builder or using a contract builder? (Please complete ONE of the relevant option details below):

**OWNER-BUILDER** (Attach copy of permit)

OR

**CONTRACTOR-BUILDER**

Permit No.: \_\_\_\_\_

Licence No.: \_\_\_\_\_

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

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

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

**Note:** If applying for a Complying Development Certificate you will not be able to obtain the Owner Builder Permit until the Approval has been released.

Phone: \_\_\_\_\_

ABN: \_\_\_\_\_

3. Have you attached to this notice evidence that the licensed person is insured to carry out this type of work or a declaration (signed by each owner of the land) that the reasonable market cost of labour and materials to be used is less than \$10,000.00?

- Yes**
- No** (Required prior to the release of the approval)

4. If you are using a licensed builder have you supplied a copy of the Home Owners Warranty?

- Yes**
- No** (Required prior to the release of the approval)

## 6. DETAILS OF PRINCIPAL CERTIFIER

**City Building Approvals Pty Ltd**

**Registered certifier:** Mile Petrovski

**Registration No:** BDC1924

**Registered certifier:** Jessica Rosskelly

**Registration No:** BDC3301

I acknowledge that I have seen evidence that the builder is licensed and insure where required, or that I have seen evidence that the building works are to be undertaken by a person with an owner-builder permit.

I acknowledge that I have been appointed by the owner to carry out the role of the Principal Certifier for this development.



**1. Have all conditions been satisfied prior to the commencement of works in relation to this Construction Certificate or Complying Development Certificate?**

- Yes
- No

*\*The Certifier is acting as a Public Officer and are bound by the laws and liabilities of Public Officials as to all interactions in relation to the project the subject of this agreement, including and not limited to owners, applicant, the general public, Council and governing body.*

**PRINCIPAL CERTIFIER PARTICULARS:**

**Certifiers Name:** Mile Petrovski  
**Registration Number:** BDC1924  
**Address:** 1/ 102a Industrial Road, Oak Flats, NSW,2529  
**Phone:** (02) 4257 5326  
**Email:** info@citybuildingapprovals.com.au  
**Employee of Certifier:** Jessica Rosskelly  
**Registration number:** BDC3301

**XL Insurance Company SE, Australia branch (ABN: 36 083 570 441), trading as Brooklyn Underwriting.**

**Policy No:** BXLC-DPI-2018-001368  
**Policy Period:** 1 March 2021 – 1 March 2022

**PRINCIPAL CERTIFIER (PC) DECLARATION** *(To be filled in by Certifier):*

**Certifying Authority:** Mile Petrovski      **Registration number (NSW Fair Trading):** BDC1924  
**Certifying Authority:** Jessica Rosskelly      **Registration number (NSW Fair Trading):** BDC3301

I acknowledge that I have been appointed by the owner as the Principal certifier for this development. I, Mile Petrovski/ Jessica Rosskelly, Registered d Certifier of City Building Approvals located at 1/102a Industrial Road, Oak Flats, NSW, 2529, accept the appointment as the Principal Certifier for the building works identified and covered under the relevant Complying or Construction Certificate as stated in the Notice.

**Accredited Certifiers Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Accredited Certifiers Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Date Application Received:** \_\_\_\_\_



## 7. OWNERS CONSENT

As the owner/s of the land specified on this form, I/ we hereby consent to the following:

By completing this form you are enabling City Building Approvals Pty Ltd to collect personal information that is required by the *Environmental Planning and Assessment Act 1979*. Failure to provide this information may lead to rejection or delays in the determination of your application. At any time, you have the right to access, view or correct the personal information that you have provided. This information will be stored in City Building Approvals Pty Ltd records system and will be used only for the purposes for which it has been collected.

### I/we authorise an application being made to:

- City Building Approvals Pty Ltd
  
- Registered certifier:** Mile Petrovski      **Registration No:** BDC1924  
**Registered certifier:** Jessica Rosskelly      **Registration No:** BDC3301

for a Construction Certificate/ Complying Development Certificate (whichever is relevant) and Occupation Certificate by the applicant nominated on this form.

### I/we authorise the appointment of:

- City Building Approvals Pty Ltd
  
- Registered certifier:** Mile Petrovski      **Registration No:** BDC1924  
**Registered certifier:** Jessica Rosskelly      **Registration No:** BDC3301

as the Principal Certifier (PC), and for the required inspections to be undertaken.

### Are there any security or site conditions which may impact on the person undertaking the inspection? (E.g. locked gates, animals etc.)

- Yes: \_\_\_\_\_
- No

I/we authorise the right of entry for any Certifying Authority arranged by City Building Approvals to carry out inspections required by the PC under this Agreement.

I/we have sighted and agree to the terms and conditions set out in the attached Appendix, including the information sheet about registered certifiers-building surveyors and building inspectors from NSW Fair Trading dated October 2020.

I/ we agree to pay all Certifier fees in accordance with the Building & Development Certifiers Regulation 2020 (Upfront payment of full fees) and as set out in the attached Fee Proposal or Invoice.

I/ we agree to appoint City building Approvals Pty Ltd to carry out all necessary certification work relevant or related to the development.

I/we have freely chosen to engage the Registered Certifier Mile Petrovski/ Jessica Rosskelly and have read the contract and any accompanying documentation. I/we understand my/our responsibilities and those of the Certifier.



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I/we the owners of the subject property hereby give consent for the lodgement of all relevant applications (i.e. for Construction Certificate/s, Complying Development Certificate/s, Occupation Certificate/s, Compliance Certificate/s) and associated documentation to City Building Approvals Pty Ltd or a Registered Certifier employed by City Building Approvals Pty Ltd for consideration.

I/we also declare that all documentation presented as part of an application for a Construction Certificate has remained unaltered from that issues with any Development Consent or that any changes have been documented and City Building Approvals Pty Ltd have been advised accordingly in writing.

I/we also advise that I/we are aware of the conditions attached to all Development Consents (i.e. Development consent or Complying Development Consent) applying to this project and understand our responsibilities in relation to those conditions. I/we agree to undertake any works that may be required or to provide any information requested by the Principal Certifier in order that he/she may fulfil their statutory obligations under the Act.

I/we are not aware of any existing conflict of interest with the nominated Principal Certifier as defined by the Building and Development Certifiers Act 2018. In the event that a conflict of interest becomes apparent during the assessment stage of the application my signature provided serves as my authorisation for the transfer of the role and responsibilities of the Principal Certifier from the nominated persons to one of the Registered Certifiers employed at City Building Approvals Pty Ltd.

As the owner of the above property, I/we consent to this application

Owner (1): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner (2): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner (3): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## 8. SCHEDULE (It is compulsory to complete all of this schedule. The information will be sent to the Australian Bureau of Statistics)

1. Gross area of site (m2)? \_\_\_\_\_
2. Current gross floor area (sqm) of the development (m2)? \_\_\_\_\_
3. Gross floor area of new dwelling (m2)? \_\_\_\_\_
4. What are the current uses of all parts of the building(s)/ land? (i.e. vacant land/residential land) \_\_\_\_\_
5. What is the proposed use of all parts of the building(s)/ land? (i.e. residential dwelling) \_\_\_\_\_
6. Will the new dwelling be attached to other new buildings? \_\_\_\_\_
7. Number of bedrooms in the dwelling in the proposed development? \_\_\_\_\_
8. Ultimate height of the development (m) \_\_\_\_\_
9. Number of pre-existing dwellings? \_\_\_\_\_
10. Number of dwellings to be demolished? \_\_\_\_\_
11. Number of dwellings proposed as part of this certificate? \_\_\_\_\_
12. Number of storeys? \_\_\_\_\_
13. Number of proposed lots? \_\_\_\_\_
14. Number of dwellings to be constructed? \_\_\_\_\_



15. Does the site contain dual occupancy? (A dual occupancy is defined as two dwellings on the one site) \_\_\_\_\_

16. Will the new building be attached to existing? \_\_\_\_\_

17. 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? \_\_\_\_\_

18. Please indicate the materials to be used in the construction of the new building(s):

<b>WALLS</b>		<b>CODE</b>	<b>ROOF</b>		<b>CODE</b>
Brick (Double)	<input type="radio"/>	11	Tiles	<input type="radio"/>	10
Concrete Block	<input type="radio"/>	11	Concrete or Slate	<input type="radio"/>	20
Brick (Veneer)	<input type="radio"/>	12	Fibre Cement	<input type="radio"/>	30
Concrete/ Masonry	<input type="radio"/>	20	Steel	<input type="radio"/>	60
Hardiplank	<input type="radio"/>	30	Aluminium	<input type="radio"/>	70
Timber/ Weatherboard	<input type="radio"/>	40	Other	<input type="radio"/>	80
Steel	<input type="radio"/>	60	Not specified	<input type="radio"/>	90
Aluminium cladding	<input type="radio"/>	70			
Other	<input type="radio"/>	80			
Not specified	<input type="radio"/>	90			
<b>FLOOR</b>		<b>CODE</b>	<b>FRAME</b>		<b>CODE</b>
Concrete or Slate	<input type="radio"/>	20	Timber	<input type="radio"/>	40
Timber	<input type="radio"/>	40	Steel	<input type="radio"/>	60
Other	<input type="radio"/>	80	Aluminium	<input type="radio"/>	70
Not specified	<input type="radio"/>	90	Other	<input type="radio"/>	80
			Not specified	<input type="radio"/>	90

## ADDITIONAL INFORMATION

- The full cost of a Construction Certificate/ Complying Development Certificate Application and Council lodgement fees are required to be paid at the time of application.
- Please ensure that all mandatory inspections are carried out. Failure to comply may result in a delay in the issue of an Occupation Certificate.
- Inspection bookings are to be made by 11:00am the day prior to the required inspection.
- Additional inspections that arise as a result of the method of the construction or reinspection of defective/ incomplete works will be subject to additional fees.
- Any additional consultation for dispute resolution, council liaison or compliance advice may be charged at an hourly rate.





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## OCCUPATION CERTIFICATE

- Part**
  - Please list what you are excluding: \_\_\_\_\_
- Whole**

Mr/Mrs/Ms: \_\_\_\_\_ First name/s: \_\_\_\_\_ Surname/Company Name: \_\_\_\_\_

Flat/Street No and Name: \_\_\_\_\_

Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Mobile No: \_\_\_\_\_

Contact name if a company: \_\_\_\_\_ Email address: \_\_\_\_\_

Owner (1): \_\_\_\_\_ Signature: \_\_\_\_\_

Owner (2): \_\_\_\_\_ Signature: \_\_\_\_\_

**NOTE:**  
*An occupation certificate that is issued for the first completed stage of a partially completed building (the partial occupation certificate) is subject to the legislative requirement that an occupation certificate must be obtained for the whole of the building within five (5) years after the partial occupation certificate is issued.*

*Should the whole occupation certificate not be obtained within five (5) years City Building Approvals Pty Ltd any of its registered certifiers will not be able to issue any further certification in relation to the development.*

## 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)<sup>1</sup>. 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.

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.

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<sup>1</sup> Visit [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) and search 'certification contracts'.

## 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<sup>2</sup> 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 work<sup>3</sup> with the approval and agreement of the principal certifier. Building inspectors are not authorised to issue certificates or be appointed as the principal certifier.

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<sup>2</sup> Upfront fee payment is required for any work to determine an application for a development certificate or carry out a function of a principal certifier.

<sup>3</sup> 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](http://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](http://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](http://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.