

Principal Certifying Service Agreement / Contract

PRINT FORM

Advisory Notes

An incomplete form may result in rejection of your application.

Application fee must accompany application – Refer to Schedule of fees and charges

For advice, please contact Customer Service on (02) 9330 6400 (8.30am-5.00pm Monday to Friday)

Development Site Address

Street Address:

Suburb:

Postcode:

Lot:

Section:

DP/SP:

Development Application or
Complying Development Certificate Number:

Date of Issue:

Construction Certificate No:

Date of Issue:

Type of Development as detailed in Consent/Certificate:

Estimated value of Proposed Works: \$

Applicant Details

CSO Checked

Note: To be completed by the owner or the person having the benefit of the development consent. The builder cannot complete this form unless they are also the owner of the property

Name:

Mailing Address:

Suburb

Postcode:

Phone:

Mobile No:

E-mail Address:

If Applicant is a Company: Application form must be signed by 2 directors or a director and the company secretary. In the case of a proprietary company that has a sole director, that director only must sign and must indicate that he/she is the sole director.

Signature:

Date:

Position:

Signature:

Date:

Position:

Compliance with Development Consent

Have all conditions to be addressed prior to the commencement of works been satisfied?

Yes

No

Note: If NO work must not commence.

Please be aware that failure to address these conditions may leave you liable and in Breach of the Environmental Planning and Assessment Act 1979 (as amended). Penalties may include an on-the-spot fine and/or legal action. If you are uncertain as to these requirements, please contact Council's Development Compliance Group.



Builders Details		CSO Checked <input type="checkbox"/>
Who will be doing the Building Works? (If you are an Owner Builder for the residential building work exceeding \$12,000 you must apply for a permit through NSW Fair Trading)	Owner Builder	Owner Builder Permit No:
	Licensed Builder (Complete Details Below)	Builders Licence No:
Company/Builders Name:		
Position Held:		ABN:
Street Address:		Suburb Postcode:
Phone:		Mobile No:
E-mail Address:		

Insurance Details	
Insurance Certificate of Currency Attached? (Note: If you are using a licensed builder for residential building work exceeding \$20,000 you must obtain Home Building Act Insurance. A certificate of insurance must be provided with this application)	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
If no - statement attached and signed by each owner of the property that the reasonable market cost of the labour and materials to be used is less than \$20,000.	

Responsibilities and Obligations of the Principal Certifier
<p>Quality of Service: Georges River Council will carry out Certifier and inspection services in a professional manner and in accordance with the requirements of the <i>Environmental Planning & Assessment Act 1979</i> and Council's Code of Conduct. Council Officers continue to undertake professional development each year as required by Schedule 65 of the accreditation scheme (to apply for renewal of their accreditation). Council creates and maintains record keeping inclusive of registration, disciplinary determinations, prosecutions, penalty notices, tribunal instructions or warning notices. Avoid conflicts of interest. Act within accreditation and competence.</p> <p>Inspections: Georges River Council officers will undertake the Critical Stage Inspections of the work during construction and prior to issuing an Occupation Certificate to ascertain compliance of specified stages of construction with the Development Consent, Construction Certificate, Building Code of Australia and relevant standards of construction. On appointment as the Principal Certifier, Georges River Council will notify the applicant in writing of the Critical Stage and other Inspections.</p> <p>Critical Stage and Other Inspections: The following stages of construction are required to be inspected by Council (as indicated by the schedule on page 3) and conditions of Consent.</p> <p>Note: Council's Building Surveyor will complete one of the following three sections of the form.</p>



Responsibilities of the Principal Certifier

Note: Should the building works be completed in parts, and not all aspects of a Critical Stage Inspection be ready, additional inspections may be required – which may incur a further inspection fee. E.g.: If two slabs are prepared at separate times, two separate inspection bookings and fees may be required

Class 1 & 10 – Single Dwellings, Carports, Garages, Sheds, Swimming Pools

- After excavation, prior to placement of any footings
- Prior to pouring any in-situ reinforced concrete building element
- Prior to covering of the framework for any floor, wall, roof or other building element Wet Area
- Prior to covering waterproofing in any wet areas
- Prior to covering any stormwater drainage connections
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building
- In the case of a swimming pool, as soon as practicable after the barrier (if one is required under the Swimming Pools Act 1992) has been erected

Class 2, 3, or 4 – Flats, Boarding Houses, Residential Parts of Hotels, Motels, Schools

- After the commencement of the excavation for, and before the placement of, the first footing
- Prior to covering of fire protection at service penetrations to building elements that are required to resist internal fire or smoke spread, inspection of a minimum of one of each type of protection method for each type of service, on each storey of the building comprising the building work,
- Prior to covering the junction of any internal fire-resisting construction bounding a sole-occupancy unit, and any other building element required to resist internal fire spread, inspection of a minimum of 30% of sole-occupancy units on each storey of the building containing sole-occupancy units
- Prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building
- Other

Class 5, 6, 7, 8 or 9 - Office, Shop, Car Park, Hospital, School, Church, Theatres

- After the commencement of the excavation for, and before the placement of, the first footing
- Prior to covering of fire protection at service penetrations to building elements that are required to resist internal fire or smoke spread, inspection of a minimum of one of each type of protection method for each type of service, on each storey of the building comprising the building work
- Prior to covering any stormwater drainage connections
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building
- Other

Critical Stage and other inspection fees:

An inspection fee is required for inspections identified in the boxes above. These fees are based on the construction cost of the development. Please contact Council’s Customer Service Centre to enquire as to the subject inspection fees (Principal Certifier Service Fees) relevant to your development.

Construction Cost: \$..... Inspection Fees:

Please note the fee includes the application fee for a Final Occupation Certificate however should a Part Occupation Certificate be sought, this application will be subject to an additional fee.

Inspection Results:

If required, Georges River Council will provide written confirmation to the applicant of the inspection results and indicate if satisfactory or if additional works are required prior to reinspection.



Responsibilities of the Applicant

Inspections:

A minimum of twenty-four (24) hours' notice (excluding weekends and public holidays) must be given to Council to enable the specified stages of construction to be inspected as identified in the section above of this agreement.

Should an inspection be missed, the applicant must advise Council in writing as soon as practicable after the event of that fact, the circumstances causing the inspection to be missed and supporting documentation for Council's consideration. A 'Missed Inspection Form' has been provided within this package. In such cases, the inspection fee, which would normally have been required, must still be paid.

The applicant must ensure that the Principal Contractor (Builder/Owner Builder) is advised of the required inspections and that the directions of Council's Accredited Certifiers (Building Surveyors) are to be observed to ensure compliance with the Development Consent, Construction Certificate, Building Code of Australia and the terms of this agreement.

Booking of Inspections:

The applicant shall request an inspection via Georges River Council's Inspection Booking hotline on (02) 9330 6400 or on Georges River council Website Online form <https://www.georgesriver.nsw.gov.au/Council/Online-Forms/Building-Inspection-Booking-Request> A minimum of twenty-four (24) hours' notice must be provided to Council to arrange for completion of the inspection, although if urgent, special consideration will be given to urgent on the day inspections.

At the time of requesting the inspection, Georges River Council will confirm an inspection time period (am/pm) and day and the name of inspecting officer.

Building works must **not** proceed to the subsequent stages of construction prior to obtaining a satisfactory inspection from Council for each stage of construction specified in the section above of this agreement.

Site Signage:

Georges River Council will provide a sign to the applicant to advise the general public of the contact details of the Principal Certifier. The sign is required to be erected prior to the Commencement of Works.

The applicant is responsible to maintain the Principal Certifier signage provided by Georges River Council at the site until the work is completed.

The applicant is responsible to ensure that the Owner Builder or Principal Contractor (Builder) provide a rigid durable sign at the site, visible from the public place and maintained at the site until the work is completed. Such a sign shall display: (a) the name, address and telephone number of the person; (b) an after-hours emergency telephone number for the person and (c) stating "Unauthorised Entry to the Site is Prohibited".

Compliance with the Development Consent and Construction Certificate or the Complying Development Consent:

All works must be carried out in accordance with the terms and conditions of Council's Development Consent and the Construction Certificate / Complying Development Consent and relevant provisions of the Building Code of Australia and Environmental Planning and Assessment Act 1979.

Council's approval must be obtained for any amendments or variations to the development, prior to the commencement of the amendment or variation.

Works not in accordance with the approval and Building Code of Australia may result in the refusal to issue an Occupation Certificate. Council may also serve a Notice and Order to comply with the approval and/or the institution of legal proceedings.



Responsibilities of the Applicant

Structural Engineering and Other Specialist Details:

The following details are to be forwarded to the Council prior to commencement of the relevant stage of construction (as identified in the following list). The details are to be prepared by a suitably qualified person to confirm compliance with the relevant provisions of the BCA and Australian Standards:

Note: Council's Accredited Certifier (Building Surveyor) will complete the box below.

- Timber framing details including bracing and tie-downs
- Roof construction or roof truss details
- Termite control measures
- Glazing details
- Mechanical ventilation details
- Wet area construction details
- Details of fire resisting construction
- Details of essential fire and other safety measures
- Sound transmission and insulation details
- Details of compliance with development consent conditions
- As per required by the Council Accredited Certifier

Certification of Works

To ensure compliance with the Construction Certificate and Building Code of Australia (BCA), the applicant is to provide certification, verifying that the following specialist matters (identified by a tick) have been carried out.

Each certification must:

- Reference the approved Construction Certificate number, property address, relevant provisions of the BCA, Australian Standards and approved drawings.
- Be prepared by an accredited certifier or other suitably qualified & experienced person to the satisfaction of Georges River Council.

Note: Council's Accredited Certifier (Building Surveyor) will complete the box below.

- Survey detailing building setbacks, reduced levels of floors and ridge by a registered Surveyor
- Shoring and support for adjoining premises and structures by a structural engineer Office Use Only
- Contiguous piers or piling by a structural engineer
- Underpinning works by a structural engineer
- Structural engineering works by a structural engineer
- Retaining walls by a structural engineer
- Stormwater drainage works by a hydraulic engineer and surveyor
- Hydraulic details (Fire Safety)
- Landscaping works by the landscaper
- Condition of trees by an Arborist
- Mechanical ventilation by a mechanical engineer
- Termite control and protection by a licensed pest controller
- Waterproofing of wet areas by a licensed waterproofer or licensed builder
- Installation of glazing by a licensed builder
- Installation of smoke alarm systems by a licensed electrician
- Completion of construction requirements in a bush fire prone area by a competent person
- Completion of requirements listed in the BASIX Certificate by a competent person
- Fire resisting construction systems by a competent person



Responsibilities of the Applicant

Note: Council's Accredited Certifier (Building Surveyor) will complete the box below (cont'd).

- Smoke hazard management systems by a competent person
- Essential fire safety and other safety measures by a competent person (Form 15a)
- Completion of Bushland Management requirements by a suitably qualified person.
- Installation of Waste Water Management System by a suitably qualified person
- Installation of the inclined lift by a suitably qualified person
- Installation of sound attenuation measures by an acoustic engineer
- As per required by the Council Accredited Certifier.....

Occupation Certificate:

A Final Occupation Certificate must be obtained from Council prior to the occupation or use of a new building (or part of a building) or prior to the change of an existing building use/ classification. There is no application fee associated with the Final Occupation Certificate.

An application may be made to Council for a Part Occupation Certificate which will be considered in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and conditions of development consent.

Only the Principal Certifier (in this case Council), can issue an Occupation Certificate and the Environmental Planning and Assessment Act 1979 contains penalty provisions for failing to obtain a required Occupation Certificate.

An application for a Part or Final Occupation Certificate must be accompanied by a final or interim fire safety certificates as required by the EP&A Regulations, Clauses 80E or 80F for buildings other than Class 1 and 10.

Miscellaneous Requirements:

The applicant is required to ensure that valid public liability insurance cover to the value of \$10,000,000 (minimum) is held by the applicant and/or builder.

The applicant is required to notify Council, in writing, of any change in the details or address of the applicant or head contractor.

Georges River Council may cancel the agreement if there is a breach of the agreement.

Agreement / Contract Terms and Conditions

Parties of this Agreement / Contract are the Applicant as listed on this form, Owner/s as listed on this form and Georges River Council (Certifier). Services will not commence until the Applicant pays the Application Fee and correctly completes and signs this Agreement / Contract form. The Certifier will not accept any liability for any damages, losses or delays suffered by the Applicant / Owner/s or other party as a result of omissions or errors contained within this Agreement / Contract or failure to of the Applicant / Owner/s to comply with all relevant items required by the Certifier prior to the issue of a Construction Certificate, Complying Development Certificate or Occupation Certificate.

The extent of works covered under this Agreement / Contract are restricted to those building works approved for the purpose of issuing this consent any variation to the consent as approved will attract additional variation fees in acceptance with Council's adopted Fees and Charges.

The Applicant is responsible for:

1. Ensuring all information provided by the Applicant on this Agreement / Contract form is accurate and correct. The Certifier does not accept any responsibility for any intentional or accidental error or omission made by the Applicant on this Agreement / Contract form.
2. The Applicant declares that no building works have commenced at the time of this Agreement / Contract or be undertaken prior to the consent being issued with all relevant notices and fees being complied with. A false representation in this regard will terminate the Agreement / Contract and Applicant will indemnify the Certifier against any damages or losses suffered by it or its employees in relation to the issue of a Construction Certificate, Complying Development Certificate or Occupation Certificate.



Agreement / Contract Terms and Conditions (cont'd)

3. Should the Certifier be engaged as the Principal Certifier, the Applicant / Owner/s shall not occupy the premises prior to an Occupation Certificate being issued by the Principal Certifier.
4. The applicant accepts responsibility informing the Certifier of any changes that may effect the issuing of any Certificates by the Certifier relevant to the approved scope of work.
5. You shall use competent persons for all aspects of the building works. Competent people and people authorised to carry out any work associated with Building Works under the Act and includes contractors.
6. As the Principal Certifier, we may at any stage request you or your builder provide specialist reports, plans, specifications and certification of building materials, processes or works. Additional documents include and are not limited to engineer's plans, engineering reports, engineering certification, Compliance Certificates and Fire Safety Certificates.
7. An Occupation Certificate will NOT be issued if you fail to call for a mandatory critical stage inspection required by the Development Consent Conditions or this Agreement / Contract and we may terminate this Agreement / Contract without further notice to you.

Principal Certifier Services

Act in the capacity of a Public Servant to:

Prepare a list of Construction Certificate requirements:

- Assessment of plans and specifications for Building Code of Australia and Development Consent compliance;
- Issue a Construction Certificate with Stamped Plans through the NSW ePlanning Portal;
- Issue a Notice of Commencement of Work and Appointment of Principal Certifying Services;
- Carry out all Mandatory Critical Stage Inspections;
- Issue a Final Occupation Certificate certifying the building is suitable for occupation in accordance with its classification under the Building Code of Australia.
- We do NOT undertake detailed quality control inspections or provide the level of supervision required to ensure that minimum standards and tolerances are achieved, as this is the role of the principal contractor or owner/builder.
- Only when an Occupation Certificate is issued for the full development is this contract considered to be completed. Occupation of a building without an Occupation Certificate is an offence under Clause 6.9 of the *Environmental Planning and Assessment Act 1979*, if this offence occurs this will void this Agreement / Contract and due to the Applicant / Owner/s actions, we will be unable to issue an Occupation Certificate.

Plans and Specifications

Plans and Specifications approved that relate to this Agreement / Contract are listed on the Construction Certificate or Complying Development Certificate as applicable.

Fees and Charges

Fees and Charges for Principal Certifying Services must be paid on this Agreement / Contract in accordance with Clause 29 of the *Building and Development Certifiers Regulation 2020 – Fees and Charges* inclusive of GST.

Fees are not inclusive of other Council charges including bonds, levies, contributions, any statutory or other third party fees.



Agreement / Contract Terms and Conditions (cont'd)

Please note that any additional services or inspections requested or required as a result of consent modifications, non-complying, incomplete or defective works shall be billed separately in accordance with Council's adopted Fees and Charges.

Not paying the quoted fee for services undertaken by the Principal Certifier will result in a refusal to release the Consent or any other Certificates should we be engaged as the Principal Certifier. Payment for any associated certification services not honoured by the parties of this Agreement / Contract will be liable to any associated debt recovery costs.

Applicant Declaration and Signature

I, to the best of my knowledge, have obtained consent from the Owner/s and have completed all detail in this Agreement / Contract correctly and hereby indemnify the Principal Certifier against any damages, losses or suffering as a result of incorrect information provided. I have read, understood and hereby accept the terms and conditions of this Service Agreement / Contract, including the associated payment of fees and appoint Georges River Council as the Principal Certifier for the subject development.

Signature:

Date:

Councils Agreement to Appointment

The relevant details in this agreement have been completed, Home Owners Warranty Insurance Certificate or Owner/Builders Permit or Statement has been provided where necessary and I acknowledge the appointment of Georges River Council as the Principal Certifier.

Signature:

Date:

On Behalf of Georges River Council – Officers Name:

Print form

Printed form can be submitted in person at Hurstville or Kogarah Service Centres, email mail@georgesriver.nsw.gov.au or it can be posted via the postal address Georges River Council, PO Box 205, Hurstville NSW 1481. When lodging via the NSW ePlanning Portal please go to <https://pp.planningportal.nsw.gov.au/>

The details provided in this form may contain information that is personal information, which identifies you etc., for the purposes of the Privacy and Personal Information Protection Act 1998. The purpose of collecting this information is to enable the Council to consider matters under related legislation, issue related documentation where required and other associated matters as provided by law and will be utilised by Council officers in assessing the proposal and other associated activities. The information may also be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regard. The submission of personal information in this case is required by law and if not provided (wholly or in part) may affect or prevent consideration of the matter by Council. The information will ultimately be stored in Council's record system.

