

**APPROVALS APPLICATION**  
 & APPOINTMENT OF PRINCIPAL CERTIFIER FORM

Please tick appropriate Applications(s):

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

*Under Environmental Planning and Assessment Act 1979 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. DEVELOPMENT DESCRIPTION AND ADDRESS (The subject property to be developed)**

Unit/Number and Street Name: \_\_\_\_\_  
 Town/Suburb: \_\_\_\_\_ Lot: \_\_\_\_\_ DP: \_\_\_\_\_  
 Estimated Cost of Building Work: \_\_\_\_\_  
 Development Description: \_\_\_\_\_  
 \_\_\_\_\_  
 Building Classification(s): \_\_\_\_\_

**Required if Applying for Construction Certificate**

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

**3. 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: \_\_\_\_\_

**FOR RESIDENTIAL BUILDING WORK (New dwelling or alterations and additions to dwellings)**

Is the estimated cost of building works >\$10,000? **YES**  **NO**  (Must be a reasonable market rate)

If yes, Is the residential building work to be carried out by the owner as the owner builder, or contractor (builder)?

**1: OWNER-BUILDER** (Attach copy of Permit)

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

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

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

**2: CONTRACTOR-BUILDER**

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

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

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

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

OR

**Principal Certifier (PC) Declaration (To be filled in by Certifier)**

*Certifying Authority: Paul Bacchus | Registration Number (NSW Fair Trading): BDC 2046*

*\*I acknowledge that I have been appointed by the owner as the Principal Certifier for this development. I, Paul Bacchus, Accredited Certifier of Bacchus Partners located at 2 Bunberra Street, Bomaderry, NSW, accept the appointment as the Principal Certifier for the building works identified and covered under the relevant Complying or Construction Certificate as stated in this Notice.*

Accredited Certifiers Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**OWNERS DECLARATION (If more than 2 owners, attach owner's Declaration to application)**

- As the owner(s) of the land in this application, I/we authorise an application being made to Paul Bacchus (Accredited Certifier) for a Construction Certificate, Complying Development Certificate and Occupation Certificate which ever is relevant as nominated on this Application.
- I/we authorise the appointment of Paul Bacchus as the Principal Certifier (PC).
- I/We have read and agree with the terms in the attached Service Agreement/Contract including the information sheet from the NSW Fair Trading titled "Information about registered certifiers – building surveyors and building inspectors"
- I/We authorise the "right of entry" into a premises by any Certifier arranged by Bacchus Partners to carry out inspections and the normal duties under the agreement/contract.
- 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.

**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: \_\_\_\_/\_\_\_\_/\_\_\_\_

Note: Where the property is owned by a company or organisation an authorised delegate shall sign the form.



**SERVICE AGREEMENT/CONTRACT** (The attached Application forms part of the contract)

**PRINCIPAL CERTIFIER PARTICULARS**

**Certifiers Name:** Paul Bacchus

**Registration Number:** BDC2046

**Address:** 2 Bunberra Street, Bomaderry, NSW, 2541

**Phone:** (02) 44213752

**Email:** [enquiries@bacchuspartners.com.au](mailto:enquiries@bacchuspartners.com.au)

**Employee of Certifier:** Paul McDonald

**Registration Number:** BDC4506

**Insurer (Primary):** XL Insurance Company SE,

Australia branch (ABN 36 083 570 441), trading as Brooklyn Underwriting

**Insurance Contract Number:** BXLC-DPI-2018-001536

**Insurance Contract Dates:** 17/08/2020 to 17/08/2021

**Insurer (Excess):** Berkley Insurance Company via Pen Underwriting Pty Ltd

**Insurance Contract Number:** 0175K/0409412

**Insurance Contract Dates:** 17/08/2020 to 17/08/2021

*\*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.*

**1. (PC) Principal Certifier Obligations**

**1a.** The PC agrees to carry out mandatory critical stage inspections during the course of construction of the proposed development as follows:

- Pre-approval site inspection prior to issuing the Construction or Complying Development Certificates.
- After excavation for, and prior to the placement of, any footings; and
- Prior to pouring any in-situ reinforced concrete building element; and
- Prior to the covering of framework for any floor, wall, roof or other building element; and
- Prior to waterproofing at any wet areas; and
- Prior to covering any stormwater drainage connections; and
- After the proposed building work has been completed and prior to any occupation certificate being issued in relation to the building; and
- Any other inspections as the PC considers necessary in addition to those nominated which may be required from time to time to enable the issuing of the final Occupation Certificate.

**1b.** The owner and the principal contractor (where different from the owner) acknowledge that the PC or another certifying authority (with the approval of the PC) must inspect the mandatory critical stage inspections listed above. The PC must carry out the final mandatory critical inspection.

**1c.** The PC will retain records in accordance with the legislation.

**1d.** The PC shall issue the final Occupation Certificate for the proposed building work when the PC is satisfied that:

- All preconditions for the issue of the final Occupation Certificate that are specified in the Development Consent or Complying Development Certificate have been met; and
- The building works for which the Construction Certificate has been issued are suitable for occupation or use in accordance with their classification under the National Construction Code; and
- The building does not constitute a hazard to health or safety of the occupants of the building.
- A Fire Safety Certificate has been issued when applicable to the project.

## 2. Principal Contractor / Owner Builder Obligations

- Before commencement of any residential building work the principal contractor/owner builder must provide the PC with Home Warranty Insurance or an Owner Builder Permit pursuant to the Home Building Act 1989;
- The principal contractor/owner builder must notify the PC of a date and time for the carrying out of each mandatory critical stage inspection and shall pay the PC scheduled fees;
- The principal contractor/ owner builder must rectify any defects identified by the PC during the course of each mandatory critical stage inspection to the satisfaction of the PC before the principal contractor/ owner builder carries out any further building work or at such other time as may be agreed to by the PC and that failure to have critical inspections undertaken may result in the PC not issuing the Occupation Certificate for the building;
- The principal contractor/owner builder must not allow any occupation of the building to be permitted without first obtaining the Occupation Certificate (either interim or final) from the PC;
- The principal contractor/ owner builder must ensure that the Construction Certificate or Complying Development Certificate has been issued prior to the commencement of works;
- The principal contractor / owner builder must engage competent tradesmen to carry out all aspects of the building works not directly carried out by the principal contractor/ owner builder;
- The principal contractor/ owner builder must inform the PC of any material or method of construction that does not meet the "Deemed to Satisfy" provisions of the National Construction Code or does not comply with the relevant Australian Standards.
- The principal contractor/ owner builder must provide all relevant drawings, plans, statutory plans and documentation associated with but not limited to the Development Consent, the Construction Certificate and any Occupation Certificate at the request of the PC.
- The principal contractor/ owner builder must attend any meetings if required by the PC to do so;
- The principal contractor/ owner builder must comply with any notices or orders that the PC issues;
- The principal contractor/ owner builder must provide all information that the principal contractor/ owner builder can reasonably obtain to enable the PC to fulfill its obligations under this agreement.

## 3. Owner Obligations

- The owner agrees to pay all fees in the attached fee proposal or invoice at the time of the application in accordance with the Building and Development Certifiers Act and Regulation 2020.
- The owner agrees to pay any fees and charges arising from unforeseen contingencies in accordance with the Building and Development Certifiers Act and Regulation 2020 within 21 days of the completion of any such work.
- The owner must ensure that the subject property is available for the PC to carry out the PC's obligations under the Agreement;
- The owner must not occupy the building until an Occupation Certificate (Part or Whole) has been issued by the PC. Failure to obtain the appropriate OC prior to the buildings use is a breach of the Environmental Planning & Assessment Act and Regulation;
- The owner agrees that in the event of a Part Occupation Certificate being issued by the PC and there being outstanding work that is required to be completed or a condition of Development Consent that needs to be satisfied, the applicant agrees to complete any outstanding work or satisfy the condition of the Development Consent within 3 months from the date of the Part Occupation Certificate or such other time as may be agreed between the owner and the PC;
- The owner agrees to pay any charges for further inspections that are required to be carried out to enable the issue of the final Occupation Certificate.
- The owner agrees that if the Agreement is terminated to pay any money owing to the PC for works undertaken up to the date and time of the termination.

#### **4. Termination of this Agreement**

This Agreement may be terminated if any of the following occurs;

- Building works are commenced without the issue of a Construction Certificate or Complying Development Certificate;
- The owner or principal contractor fails to provide Home Warranty Insurance or Owner Builder Permit pursuant to the Home Builders Act 1998 if the building work is residential building work;
- If the PC terminates the Agreement then the principal contractor and owner must pay money owing to the PC for work done and costs incurred by the PC up to and including the date of termination of this Agreement.
- If the owner or principal contractor fails to comply with the requirements of the Environmental Planning and Assessment Act & Regs.
- If the owner or principal contractor provides misleading information or fails to provide the necessary documentation for the PC to carry their normal regulatory functions under the Environmental Planning and Assessment Act & Regs.

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#### **5. Replacing the PC**

The appointed PC can only be changed or replaced by another PC with the approval of the Director General of the Department of Fair Trading NSW, or by mutual agreement between the proposing PC and the existing PC.



**INFORMATION TO BE COLLECTED FOR ABS PARTICULARS OF THE PROPOSAL**

What is the area of the land (m<sup>2</sup>)? \_\_\_\_\_

How many dwellings are proposed? \_\_\_\_\_

Is the proposed building attached, detached (free-standing) or semi-detached? \_\_\_\_\_

What is the gross floor area of the proposed addition or new building (m<sup>2</sup>): \_\_\_\_\_

How many storeys will the building consist of? \_\_\_\_\_

Number of pre-existing dwellings? \_\_\_\_\_

Gross floor area of existing Building (m<sup>2</sup>): \_\_\_\_\_

Number of dwellings to be demolished? \_\_\_\_\_

Does the site contain a dual occupancy? \_\_\_\_\_

What are the current uses of all or parts of the building(s) or land? (If vacant state "vacant") \_\_\_\_\_

Use(s) include location of parts: \_\_\_\_\_

**MATERIALS TO BE USED**

Please tick appropriate materials to be used in the construction of the new building(s):

**WALLS**

- BRICK VENEER
- FULL BRICK
- SINGLE BRICK
- CONCRETE BLOCK
- CONCRETE/MASONRY
- CONCRETE
- STEEL
- FIBROUS CEMENT
- HARDIPLANK/ TIMBER
- WEATHERBOARD CLADDING
- ALUMINIUM
- CURTAIN GLASS
- OTHER \_\_\_\_\_
- UNKNOWN

**ROOF**

- CONCRETE TILE
- TERRACOTTA TILE
- FIBROUS CEMENT
- STEEL
- ALUMINIUM
- CONCRETE/SLATE
- FIBREGLASS
- OTHER \_\_\_\_\_
- UNKNOWN

**FLOOR**

- CONCRETE
- TIMBER
- OTHER \_\_\_\_\_
- UNKNOWN
  
- FRAME**
- TIMBER
- STEEL
- OTHER \_\_\_\_\_
- UNKNOWN



## HELPFUL CHECKLIST

### \* General Documents required to be submitted with this **COMPLYING DEVELOPMENT APPLICATION**

1. Plans: A set of full architectural plans to and acceptable scale and quality and A Specification of Building Works.
2. Completed and signed Application Form for Complying Development Certificate, Appointment of Principal Certifying Authority and Notice to Commence Building Work. Includes Service Agreement.
3. 10.7(2) Planning Cart (Available online and at your local Council).
4. If application is for Complying Development a copy of the Title certificate of the land. If certificate indicates easements on the subject property, then a Plan Image (Deposit Plan) is also required.   
*(These documents are available online at the LPI (Land and Property Information) online shop)*
5. Structural Engineers Details, if available. (Must be available prior to first inspection)
6. Current Basix Certificate. (All Basix commitments must be shown on the plans)
7. A Copy of BAL certificate if development is on bushfire prone land. (Must be BAL 29 or less for proposal to remain Complying Development) BAL construction requirements must be shown on plans.
8. Other necessary (Council) Approvals e.g. S68 for Plumbing & Drainage, Tree removal, Road opening Permit, Onsite effluent disposal, S138 Driveway.
9. Payment receipt for the Long Service Levy, should the estimated cost of building work be \$25,000 or over.

### \* Documents required to be submitted with this **CONSTRUCTION CERTIFICATE APPLICATION**

1. Plans: A set of full architectural plans to and acceptable scale and quality, Specifications of Building Works and One (1) copy of the DA stamped plans.
2. The Development Consent.
3. Completed and signed Application Form for Construction Certificate, Appointment of Principal Certifying Authority and Notice to Commence Building Work. Includes Service Agreement.
4. Structural Engineers Details, if available. (Must be available prior to first inspection)
5. Basix Certificate. (All Basix commitments must be shown on the plans)
6. A Copy of BAL certificate if development is on bushfire prone land. BAL construction requirements must be shown on plans.
7. Other necessary (Council) Approvals e.g. S68 for Plumbing & Drainage, Tree removal, Road opening Permit, Onsite effluent disposal, S138 Driveway.
8. Payment receipt for the Long Service Levy, should the estimated cost of building work be \$25,000 or over.

*\* This may not be an exhaustive list of documents required prior to your Approval being completed and released. We will contact you as soon as possible if there is any further information that is required to be submitted due to the assessment process.*