

Construction Certificate Application

Lodge Applications at Ballina Shire Council • 40 Cherry Street Ballina (Mon-Fri 8.15am to 3.00pm)
mail PO Box 450 Ballina 2478 • **e** council@ballina.nsw.gov.au • **abn** 53 929 887 369
t 1300 864 444 • **w** ballina.nsw.gov.au • **credit card payments e** terminal22@ballina.nsw.gov.au

If you want to carry out building work (such as building a house or extension) or subdivision work (such as building roads or a stormwater drainage system), you will need a Construction Certificate before you can commence work. You can use this form to apply for a Construction Certificate from Council. Explanatory Notes are attached to assist you in completing this form.

Once completed, you can submit this form together with the required information and fee payment by mail or in person.

This application may only be made by a person who is eligible to appoint a Principal Certifying Authority for the relevant development, i.e. the owner/s of the land.

If this application form is not completed correctly or is not accompanied by all the necessary information, processing delays may result or the application may be returned to you. Applications are to be lodged prior to 3.00pm Monday to Friday. Applications submitted after 3.00pm will be processed and receipted the following business day.

Is this an amendment to an existing Construction Certificate? Yes No

1. Applicant Details *all correspondence will be forwarded to this name and address*

It is important that you can be contacted should further information be required. Please provide as much detail as possible.

Title	Name		
<input type="text"/>	<input type="text"/>		
Company / Organisation	ABN	<input type="text"/>	<input type="text"/>
Postal Address	<input type="text"/>		
Email Address	Telephone <i>business hours</i>	<input type="text"/>	<input type="text"/>
Applicant Signature	Date	<input type="text"/>	<input type="text"/>

2. Site of Proposed Development

These details identify the land where the development is to be located.

Unit / Street Number	Street		
<input type="text"/>	<input type="text"/>		
Suburb / Town / Locality	Postcode	<input type="text"/>	<input type="text"/>
Lot/DP or Lot/Section/DP or Lot/Strata Plan Number	<input type="text"/>		
Is the development wholly or partially located on Council owned or Crown Land?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Office Use Only

<input type="checkbox"/> Lodgement Checklist completed & attached	Lodgement check completed by <i>sign and date</i>	DA Number	Parcel Number
<input type="checkbox"/> BUILD <input type="checkbox"/> LODG task added	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> CIVIL	CC Fee \$ Amount paid	Date received	Receipt number
	<input type="text"/>	<input type="text"/>	<input type="text"/>

3. Contact with Council Prior to Lodgement

Have you spoken with Council staff prior to lodging your application? Yes No

If Yes, who did you speak with?

Was it a Pre-lodgement meeting

Counter enquiry

Phone enquiry

4. Details of Development consent

Development Consent Number

Date Approved

Name of Applicant for Development Consent

5. Description of Development to be Carried Out

Briefly describe the type of work you propose to carry out.

Type: Building work

Subdivision work

6. Estimated Value of Development

Part 15 Division 1 of the Environmental Planning and Assessment (EP&A) Regulation 2000 sets out how to calculate the fees for development applications. For development that involves a building or other works, the fee for your application is based on the estimated cost of the development. If your application is for integrated development or requires concurrence from a Government Department, you will need to include additional processing fees. If your development needs to be advertised to the public (in accordance with the EP&A Regulation 2000 or Council policy), you will also need to include an advertising fee.

The cost of the development is the genuine estimate of:

- (a) The costs associated with the construction of the building; and
- (b) The costs associated with the preparation of the building for the purpose for which it is to be used (such as the costs of installing plant, fittings, fixtures and equipment).

Note: Owner builders will need to include the full cost of labour.

Estimated Cost of the Development

This figure must be identical to the Cost of Works on the DA Fee Quote

Please note:

- For development up to \$100,000, the estimated cost of the development is to be calculated by the applicant or a suitably qualified person (refer below). Please attach the methodology used to calculate the estimated cost of the development.
- For development between \$100,000 and \$3 million, the estimated cost of the development is to be calculated by a suitably qualified person. Please attach a cost estimate for the development and the methodology used to calculate the estimated value of the development.
- For development over \$3 million, please attach a detailed cost report prepared by a registered quantity surveyor, which verifies the estimated cost of the development.

A suitably qualified person is: a builder who is licensed to undertake the proposed works, a registered architect, a qualified and accredited building designer, a registered quantity surveyor or a person who is licensed and has the relevant qualifications and proven experience in costing development works at least to a similar scale and type as is proposed.

For further information, please refer to Council's Factsheet on **Estimating Cost of Works for Development & Construction**.

7. Planning Agreement

Is the development or the land upon which the development is to be carried out subject to a planning agreement (as referred to in Section 7.4 of the EP&A Act 1979)?

Yes >> Please attach a copy of the planning agreement.

No

8. Appointment of Principal Certifying Authority

refer to the attached Explanatory Notes for information in relation to Principal Certifying Authorities

Do you wish to appoint Council as the Principal Certifying Authority (PCA) for your development? If appointed as the PCA, Council will issue the Construction Certificate, carry out relevant building inspections and issue relevant Occupation Certificates.

Yes >> Please provide a Notice of Commencement
ie. the approximate date work is to commence

9. Details of the Builder, Owner Builder or Civil Contractor

Name

Company / Organisation

ABN

Postal Address

Telephone business hours

Mobile

Email Address

Licence No. / Owner Builder Permit Number

10. Schedule to Accompany an Application for a Construction Certificate

Please complete this schedule. The information will be sent to the Australian Bureau of Statistics.

All new buildings

Building classification

under the Building Code of Australia

Number of storeys

incl underground floors

Gross floor area

of new building m²

Gross site area m²

Residential buildings only

No. of dwellings to be constructed

No. of pre-existing dwellings on site

No. dwellings to be demolished

Will the new dwelling/s be attached to other new buildings?

Yes No

Will the new building/s be attached to existing buildings?

Yes No

Does the site contain a dual occupancy? dual occupancy = two dwellings on the same site

Yes No

Materials - Residential buildings please indicate the materials to be used in the construction of the new building/s

walls

- | | |
|---|--|
| <input type="checkbox"/> Brick (double) | <input type="checkbox"/> Curtain Glass |
| <input type="checkbox"/> Brick (vener) | <input type="checkbox"/> Steel |
| <input type="checkbox"/> Concrete/stone | <input type="checkbox"/> Aluminium |
| <input type="checkbox"/> Fibre cement | <input type="checkbox"/> Other |
| <input type="checkbox"/> Timber | <input type="checkbox"/> Not specified |

roof

- | |
|---|
| <input type="checkbox"/> Tiles |
| <input type="checkbox"/> Concrete/slate |
| <input type="checkbox"/> Fibre cement |
| <input type="checkbox"/> Steel |
| <input type="checkbox"/> Aluminium |
| <input type="checkbox"/> Other |
| <input type="checkbox"/> Not specified |

floor

- | |
|---|
| <input type="checkbox"/> Concrete/slate |
| <input type="checkbox"/> Timber |
| <input type="checkbox"/> Other |
| <input type="checkbox"/> Not specified |

frame

- | |
|--|
| <input type="checkbox"/> Timber |
| <input type="checkbox"/> Steel |
| <input type="checkbox"/> Aluminium |
| <input type="checkbox"/> Other |
| <input type="checkbox"/> Not specified |

11. Disclosure of Political Donations and Gifts

A person who submits a construction certificate application to Council is required to disclose the following reportable political donations and gifts (if any) made by any person with a financial interest in the application within the period commencing two years before the application is made and ending when the application is determined:

- All reportable political donations made to any local Councillor of the Council; and
- All gifts made to any local Councillor or employee of the Council.

A reference to a reportable political donation made to a “local Councillor” includes reference to a donation made at the time the person was a candidate for election to the Council.

Significant penalties apply for non-disclosure. For more information and to obtain a political donations and gifts disclosure statement, go to the NSW Government Planning and Environment website planning.nsw.gov.au/donations.

Is a disclosure statement to accompany your application?

- Yes >> complete the political donations and gifts disclosure statement at planning.nsw.gov.au/donations
- No >> in signing this application, I undertake to advise the Council in writing if I become aware of any person with a financial interest in this application who has made a political donation or has given a gift in the period from the date of lodgement of this application and the date of determination

12. Privacy and Copyright Notice

The completed construction certificate application form and any documents submitted with the application contains personal information that is being collected in order to assess, process and determine the application under the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The information will be processed by the Planning and Environmental Health Division of Ballina Shire Council and will be made available to public enquiries under the Government Information (Public Access) Act 2009 (GIPA). The information will be stored in Council’s electronic document management system.

The information supplied is required under the EP&A Act. The supply of the information is voluntary, however if it is not supplied Ballina Shire Council may be unable to process the application.

Construction Certificate Application and documents will be made publicly available

This construction certificate application form (including any personal information and other information supplied on the form) and any document submitted with the development application (including any related information lodged following the initial application) will be made publicly available on Council’s DAs online, and in other ways that the Council considers appropriate in accordance with sections 6 and 18 of the GIPA, and Schedule 1 of the GIPA Regulation.

Copyright Notice

You are advised that Council will make copies (including electronic copies) of the construction certificate application and accompanying plans and documents for the purpose of complying with its obligations under the EP&A Act and the Local Government Act 1993. In addition the Council may make such further copies as are necessary to facilitate a thorough consideration of the development application. This includes the application form, plans and supporting documentation and the publishing of same to DAs online. The applicant is responsible for obtaining all copyright licences necessary from the copyright owners for this purpose.

13. Owner's Consent

All owner(s) of the land to be developed must sign this form. Without the owner's consent, Council will not accept this application. For detailed information about who must sign this section of the application, refer to the attached Explanatory Notes.

As the owner/s of the land to which this application relates, I consent to this application. I also consent for authorised Council staff to enter the land to carry out inspections relating to this application. I accept that all communications regarding this application will be through the nominated applicant and I understand that information will be made publicly available and published to the DAs online section of Council's website.

Owner's Name

Owner's Name

Postal Address

Postal Address

Email Address

Email Address

Phone

Phone

Signature

Date

Signature

Date

14. Applicant's Declaration and Signature

Have all questions within the application been answered in full?

 Yes No

Has owner's consent been provided?

 Yes No

Have you got a Quotation of fees from Council? *If No, email pehd@ballina.nsw.gov.au*

 Yes No

Is all the required information for your proposal attached to this application?

 Yes No

Has the lodgement checklist been completed and attached to this application?

 Yes No

Note: If you have answered **No** to any of the above, your application is not sufficient and may result in rejection.

Declaration

1. I declare that all the information in this application and attachments are true and correct.
2. I declare that the electronic data provided is a true copy of all plans and associated documents submitted with this development application. The data is not corrupted and does not contain any viruses.
3. I understand that if the information is incomplete the application may be delayed or rejected.
4. I acknowledge that the information submitted on this form and any supporting documentation will be made publicly available and published to DAs online.

Applicant's Name

Signature

Date

Construction Certificate Lodgement Checklist

Lodgement Requirements *when Council is appointed as the PCA*

You need to provide material with your application that is relevant to the type of work you propose to do. Please indicate the material you have attached by placing a tick in the applicable boxes.

A. For all Construction Certificate Applications:

office
use
only

1. A current copy of Council's Quotation of fees
contact Council by email dehg@ballina.nsw.gov.au Yes No N/A

2. A completed Construction Certificate Application Form Yes No N/A

3. A checklist (including supporting documentation and plans) which demonstrates that all conditions of consent required to be addressed prior to the issue of a construction certificate have been satisfied. Yes No N/A

4. Digital copies of plans and supporting documentation supplied on a USB in accordance with Council's electronic lodgement requirements (attached) for all construction certificate applications. Council will accept the lodgement of a construction certificate without an electronic copy in certain circumstances. Yes No N/A

Additional or updated information supplied after the submission of the initial application must also be supplied on a USB.

Hardcopies of all construction certificate documentation may be required for larger applications depending on the volume of material to be submitted and the need for external referrals. Contact Council's Planning and Environmental Health Division for additional information regarding the number of copies of documents required prior to the submission of the construction certificate application.

B. If you are going to carry out building works:

5. Detailed plans of the building The plans must be drawn to a suitable scale and consist of a general plan and a block plan. The general plan of the building is to: Yes No N/A

- Show a site plan and plan of each floor layout
- Show all elevations of the building
- Show the level of each finished floor, existing outside ground levels and finished ground levels
- For additions to commercial, industrial or multi residential flat buildings, indicate any fire safety measures existing and the fire resistant measures (if any), including their design and construction.

Note: Where you propose to alter, add to or rebuild a building that is already on the land, or modify plans that have already been approved, please mark the general plan (by colour) to show the changes you propose to make.

6. Detailed specifications of the building. The specifications are to describe the construction (including the standards that will be met), the materials which will be used to construct the building and the methods of drainage, sewerage and water supply. Yes No N/A

7. Engineer's details for all structural steel concrete work, wind bracing and tie down details (by a qualified Structural Engineer) where required by Council Yes No N/A

e.g. new residential, commercial, industrial buildings, major additions or swimming pools

8. A plan of the existing building, drawn to scale, where the application involves building work to alter, enlarge or extend the building. Yes No N/A

Note: This plan will assist Council in assessing whether the work will reduce the fire protection capacity of the building.

9. Where you propose to meet the performance requirements of the Building Code of Australia (BCA) by using an alternative solution to the deemed-to-satisfy provisions of the BCA:

Yes No N/A

- A list of the performance requirements you will meet by using the alternative solution
- Details of the assessment methods you will use to meet those performance requirements.
- A copy of any compliance certificate or accredited certifier's report on which you rely.

10. Details of the fire safety measures, unless you are building a single dwelling or a non-habitable building or structure (such as a private garage, carport, shed, fence, antenna, wall or swimming pool). These details are to include:

Yes No N/A

- A list of any fire safety measures you propose to include in the building or on the land
- If you propose to alter, add to or rebuild a building that is already on the land, a list of the fire safety measures that are currently used in the building or on the land

Note: the lists must describe the extent, capability and the basis of design of each measure

11. If you are an **Owner Builder**, you will need an **Owner Builders Permit** for owner builder work greater than \$10,000. This will need to be submitted to Council, before we can issue a Construction Certificate to you.

Yes No N/A

12. Where you are engaging a **Consultant Builder**, you may need **Home Building Compensation Fund (HBCF)** insurance under the *Home Building Act* for work greater than \$20,000. Evidence in the form of a Certificate of Insurance will need to be submitted to Council, before we can issue a Construction Certificate to you.

Yes No N/A

13. Payment of the **Long Service Levy** (where applicable) under section 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) before we can issue a Construction Certificate to you. Council will advise you of this requirement on lodgement of your application.

Yes No N/A

C. If you are going to change the use of a building or its classification under the Building Code of Australia and you are doing building work (unless the building will now be used as a single dwelling or a non-habitable building or structure such as a private garage, carport, shed, fence, antenna, wall or swimming pool):

14. A list of any fire safety measures you propose to include in the building or on the land.

Yes No N/A

15. If you propose to alter, add to or rebuild a building that is already on the land, a list of the fire safety measures that are currently used in the building or on the land.

Yes No N/A

Note: the lists of fire safety measures must describe the extent, capability and the basis of design of each measure.

16. Details as to how the building will comply with the Category One fire safety provisions of the Building Code of Australia.

Yes No N/A

C. If you are undertaking Civil Construction Works:

17. Details of the existing and proposed subdivision layout (including the number of lots and location of roads) Yes No N/A

18. Detailed engineering plans and specifications. The detailed plans may include, but are not limited to the following: Yes No N/A

- Earthworks
- Roadworks
- Road Pavement
- Road Furnishings
- Stormwater Drainage
- Water Supply Works
- Sewerage Works
- Landscaping Works
- Soil and Water Management Plan
- Stormwater Management Plan
- Sedimentation and Erosion Control Plan
- Traffic Management Plan
- Location of all Service Conduits (Water, Sewer, Essential Energy and Telstra)

Electronic Lodgement Requirements for Documents and Plans

To lodge an application, Ballina Shire Council requires an electronic copy of all plans and documentation to be submitted on a USB. The USB will become the property of Council.

Council considers the electronic document to be the original and it is the responsibility of the document sender to ensure that documents transmitted are complete and accurate.

All information provided subsequent to the initial lodgement is also subject to these standards.

Electronic File Standards

Electronic documents must satisfy the following criteria:

Accuracy

Documents must be exact and fully legible reproductions of the original documents or plans.

File Format

All documents must be submitted in PDF or PDF/A format.

All security settings and restrictions such as password protection, editing and printing must be disabled.

Documents should not be scanned. They must be directly created or converted into PDF or PDF/A from their original file format.

File Naming Conventions

File naming conventions apply to all electronic documents, including plans and application forms. File names are to match the document requirements as listed in the File Name Guidelines.

Documents

All documents must be A4 formatted and optimised for minimum size (for online publishing).

Files larger than 20MB should be broken up into logical parts and supplied as separate files.

Note: Subfolders and zip files must not be used.

Media Storage

Electronic documents are to be provided on a USB memory stick and labelled with the applicant’s name and the property address to which the application relates.

Multipage Documents

Multiple paged documents should be provided as one complete document and not as single files. Multiple paged documents are to be bookmarked to indicate the relevant sections of the document.

Plans

Plans are to be saved in PDF format, grouped and titled using the required naming conventions as listed in the File Name Guidelines.

Plans must be to scale and the scale should be clearly displayed on every page.

The scale needs to state the original plan size, for example:

- 1:100 and separately state the original sheet size (eg A3), or
- 1:100@A3

Plans are to be rotated to the correct orientation (landscape or portrait).

Plans should not be scanned. They must be directly created or converted into PDF or PDF/A from their original format.

Colour or grayscale plans are preferred and are to have a minimum resolution of 300 dpi.

Photos or Photomontages

Photos are to be optimised for minimum size and provided as PDF or PDF/A format.

File Name Guidelines		
Application Information	name of multi-page file	examples of documents to include
please attach one multi-page PDF bookmarked to each document if possible	Lodgement Documents	<ul style="list-style-type: none"> • Application Form • Costs Estimate • Fee Quotation Sheet • OSSM Application Form • Owner’s Consent • Section 68 Application Form • Section 138 Application Form • Site Photographs
	Proof of ownership documents are to be provided as separate files, not part of the lodgement set e.g. sales contract, property title, and power of attorney information.	
Certificates and Other Documents please attach as individual PDF documents as required	name of individual files	
	Certificate - ABSA	
	Certificate - BASIX	
	Certificate - Design Compliance	
	Certificate - Engineering Compliance	
	Certificate - NaTHERs	
	Fire Safety Measures - Existing and Proposed	
	Schedules of Colours and Materials	
Specifications		
Water Services Application and Plan		

File Name Guidelines *continued*

	name of multi-page files	examples of documents to include
Plan Sets - Residential and Small Scale Commercial please attach one multi-page PDF document	Plan Set - Architectural	<ul style="list-style-type: none"> • Elevations • Sections • Cut and Fill • Floor • Landscape Lighting/Illumination plan • Photomontage • 3D Model / Views • Schedule of External Finishes • Shadow Analysis Diagrams • Site • Survey
	Plan Set - Engineering	<ul style="list-style-type: none"> • Bracing and Tie Down • Drainage • Footings • Joists • Pool • Roof • Slab
Plan Sets - Civil Works, Large Scale Commercial and Subdivision please attach individual PDF documents for each type of plan set	name of individual files	
	Plan Set - Architectural	
	Plan Set - Drainage	
	Plan Set - Hydraulic	
	Plan Set - Landscape	
	Plan Set - Road Works	
	Plan Set - Stormwater	
	Plan Set - Strata	
Plan Set - Subdivision		
Plan Set - Survey		
Reports please attach individual PDF documents for each report as required appendices and attachments to be bookmarked	name of individual files	
	Report - Access	
	Report - Acid Sulphate Soil	
	Report - Acoustic	
	Report - Bushfire Assessment	
	Report - Contamination	
	Report - Costs of Development	
	Report - Geotechnical	
	Report - Heritage	
	Report - OSSM Waste Water Management	
	Report - Site Contamination Assessment	
	Report - Statement of Environmental Effects	
	Report - Stormwater Management	
Report - Traffic and Parking Report		
Report - Waste Management		

Explanatory Notes

This information is to assist you in completing your Construction Certificate application form. The sections of this document relate to parts of the Construction Certificate (CC) Form where you may need further explanation of the requirements or you need to provide further information. The lodgement requirements checklist must be completed and attached to your construction certificate application form. Contact the Planning and Environmental Health Division at Council's Customer Service Centre for further advice.

Appointment of a Principal Certifying Authority

Section 8 of the CC Form provides an application for the appointment of the Principal Certifying Authority for the development. The Principal Certifying Authority (PCA) is chosen by the owner or applicant for an application that:

- Administers the conditions of consent and progress of the development from commencement to completion. The PCA also engages appropriately qualified persons to carry out mandatory and other required inspections of each required critical stages of construction.
- Promptly advises the applicant, after any relevant inspection, of any outstanding work.
- Issues the applicant with an Occupation Certificate for any building or change of building use when the relevant application has been lodged.
- Receives and investigates any complaints from the public concerning the development.

Council's accredited certifiers or a suitably qualified accredited private certifier can act as your PCA and issue the Construction Certificate and the Occupation Certificate and oversee the construction or subdivision process. If Council is not the PCA, the owner or applicant must notify Council of who has been appointed as the PCA, at least two days prior to building work commencing.

The information within the Schedule to Accompany an Application for a Construction Certificate will be used by the Australian Bureau of Statistics to report each quarter on the building activity that occurs in the economy. Building statistics allow governments and businesses to accurately identify main areas of population growth and demand for products and services.

Owner's Consent

Section 13 of the CC Form refers to owner's consent. The following details Council's requirements in relation to the acceptable forms of owner's consent.

1. Individual Ownership and Joint Owners

All owners MUST sign the application form/or provide a letter of authority stating:

- the correct Lots and DP/SP/NPP the application is to be lodged on
- the site address(es)
- the development description.

2. Company Ownership

A company can provide owner's consent with or without a common seal and the application or authorisation letter must be signed by:

- (a) two directors of the company; or
- (b) a director and a company secretary of the company; or
- (c) for a proprietary company that has a sole director who is also the sole company secretary - that director.

3. Owners' Corporation (Strata Plan)

When the owner of a lot is the Owners' Corporation the corporation must either:

- (a) sign and stamp the application form; or
- (b) provide letter of authority on the corporation's letterhead or with the corporation seal. If the corporation does not have a corporation seal or letterhead, the corporation secretary is to sign the application form/ letter of authority stating so.

4. When the application also involves Common Property within a Strata Plan, the Owner's consent is required from the Owners' Corporation as well as the owner of the subject lot, this can be in the form of:

- (a) a letter on the corporation's letterhead or with the corporation seal. If the corporation does not have a corporation seal or letterhead, the corporation secretary is to sign the application form/letter of authority stating so; or
- (b) the official minutes of the Body Corporate meeting giving consent for that particular application. There should be verification of the minutes by seal or signatures by office bearers or at the very least a signed covering letter verifying the minutes.

If either of the above cannot be provided, consent is required from all unit owners in the Strata Plan.

5. Department of Education Ownership

If the Principal of a school signs the development application on behalf of the owner they must also provide a letter of Authority from the Department of Education or a letter from the Minister of the Department of Education.

6. Legal representative for the true owner(s)

Where a person is legally authorised to provide consent on behalf of the true owner(s) in a Power of Attorney, Executor or Trustee capacity, documentary evidence of that legal authority must be attached to the application form/letter of authority or in the case of a Power of Attorney they must provide their Power of Attorney Number.

7. Crown Land

When the application relates to Crown Land the application form/letter of authority must be signed by an authorised officer from the NSW Crown Lands Division.

8. The subject site is in the process of changing hands or has changed hands in the past six months

- A settlement letter from a solicitor stating that settlement has taken place and the date of settlement must be provided; or
- The current landowner's consent to lodge the application; or
- The transfer of title.