

AGREEMENT FOR THE PERFORMANCE OF CERTIFICATION WORK

Complete all shaded areas and ensure all owners have the signed prior to lodgement

Agreement between

Oberon Council (the Council)

and

.....(the Client)

Part A. Introduction

1. The Council is a certifying authority and employs an accredited certifier (the Certifier) who is authorised to carry out the certification work which is the subject of this Agreement on behalf of the Council.
2. The Client seeks to engage the Council to perform certification work on the terms set out in this Agreement.

Part B. Interpretation

Words and terms used in this Agreement are defined in the Dictionary (page 5).

Part C. Parties to the agreement

1. The Council

Name of Council: <input type="text" value="Oberon Council"/>		
Business address: <input type="text" value="137-139 Oberon Street
OBERON NSW 2787"/>	Postal address: <input type="text" value="PO Box 84
OBERON NSW 2787"/>	
Telephone: <input type="text" value="02 6329 8100"/>	Mobile: <input type="text"/>	Email: <input type="text" value="council@oberon.nsw.gov.au"/>

2. The Client

Name of Client: <input type="text"/>		
Address: <input type="text"/>	Postal address: <input type="text"/>	
Telephone: <input type="text"/>	Mobile: <input type="text"/>	Email: <input type="text"/>

Part D. Certifier's details

These are the details of the employees that Council proposes, at the date of the Agreement, to have carry out the certification work and undertake any inspections required under the Environmental Planning and Assessment Act or the Environmental Planning and Assessment Regulation under this agreement will be:

<p>Name of Certifier:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Gary Wallace Kerry Davison Jaclyn Burns Damian O'Shannassy</p> </div>	<p>Accreditation number:</p> <div style="border: 1px solid black; padding: 5px;"> <p>BDC1854 BDC1900 BDC 0931 BDC 1884</p> </div>
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Part E: The development

<p>Description of development: (eg: single storey dwelling)</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>	<p>Address of development:</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>			
<p>Formal particulars of the title of the development site:</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>				
<p>Development consent details (tick appropriate box/s and complete as applicable)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; vertical-align: top; border-right: 1px solid black;"> <input type="checkbox"/> Development consent granted by consent authority Name of consent authority <input style="width: 100%;" type="text"/> Development consent no./identifier: <input style="width: 100%;" type="text"/> Date of development consent: <input style="width: 100%;" type="text"/> </td> <td style="width: 33%; vertical-align: top; border-right: 1px solid black;"> <input type="checkbox"/> Development consent given by the issue of a complying development certificate (CDC) Name of certifying authority <input style="width: 100%;" type="text"/> CDC no./identifier: <input style="width: 100%;" type="text"/> Date of CDC: <input style="width: 100%;" type="text"/> </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Part 4A certificates issued Type of Part 4A certificate issued: <input style="width: 100%;" type="text"/> Name of certifying authority: <input style="width: 100%;" type="text"/> Certificate no./identifier: <input style="width: 100%;" type="text"/> Date of certificate: <input style="width: 100%;" type="text"/> </td> </tr> </table>		<input type="checkbox"/> Development consent granted by consent authority Name of consent authority <input style="width: 100%;" type="text"/> Development consent no./identifier: <input style="width: 100%;" type="text"/> Date of development consent: <input style="width: 100%;" type="text"/>	<input type="checkbox"/> Development consent given by the issue of a complying development certificate (CDC) Name of certifying authority <input style="width: 100%;" type="text"/> CDC no./identifier: <input style="width: 100%;" type="text"/> Date of CDC: <input style="width: 100%;" type="text"/>	<input type="checkbox"/> Part 4A certificates issued Type of Part 4A certificate issued: <input style="width: 100%;" type="text"/> Name of certifying authority: <input style="width: 100%;" type="text"/> Certificate no./identifier: <input style="width: 100%;" type="text"/> Date of certificate: <input style="width: 100%;" type="text"/>
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<p>Details of approved documents</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; border-right: 1px solid black;"> Details of plans, specifications and other documents approved by development consent/CDC: <div style="border: 1px solid black; height: 50px; width: 100%;"></div> </td> <td style="width: 50%; vertical-align: top;"> Details of plans, specifications and other documents the subject of any Part 4A certificate: <div style="border: 1px solid black; height: 50px; width: 100%;"></div> </td> </tr> </table>		Details of plans, specifications and other documents approved by development consent/CDC: <div style="border: 1px solid black; height: 50px; width: 100%;"></div>	Details of plans, specifications and other documents the subject of any Part 4A certificate: <div style="border: 1px solid black; height: 50px; width: 100%;"></div>	
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Part G. Certification work to be performed

(Tick one or more boxes as appropriate)

1. Determination of Applications for Development Certificates

- Determination of application for a CDC*
- Determination of application for a construction certificate*
- Determination of application for a subdivision certificate*
- Determination of application for a compliance certificate*
- Determination of application for an occupation certificate*
- Determination of an application for a strata certificate*

2. Undertaking the functions of Principal Certifying Authority (PCA)

- Undertaking the functions of PCA for the development*

* Refer to relevant Attachment(s) that contain a **Description of Services** and the relevant **Fees and Charges**.

Part H. Fees and charges

1. Development certificates

(a) Set fees and charges

- i. The fees and charges for the determination of an application for a development certificate are set out in the relevant Attachment(s).
- ii. The set fees and charges for the determination of a development certificate must be paid to the Council before, or at the time, an application for the development certificate is lodged with the Council.

2. PCA functions

(a) Set fees and charges

- i. The fees and charges for the Council to carry out the functions as the PCA for the development are set out in the relevant Attachment(s).
- ii. The set fees and charges for the carrying out of the functions as the PCA for the development are to be paid in full before the Council commences to carry out any of those functions.

Part I. Statutory obligations (tick appropriate box)

An information brochure which is to include information about statutory obligations must accompany this Agreement, if one is published by the Building Professionals Board on its website. The Board is the statutory body that accredits the Certifier and administers the *Building Professionals Act 2005*.

- A copy of the Board’s Information Brochure is attached
- The Board has not published a brochure as at the date of the Agreement

Part J. Date of agreement

This Agreement is made on theday of20...

Part K. Signatures

.....

Signed/executed by or on behalf of the Council

.....

Signed/executed by or on behalf of the Client (All Property Owners)

Dictionary

Accredited certifier means the holder of a certificate of accreditation as an accredited certifier under the *BP Act*

Applicable environmental planning instrument means the State Environmental Planning Policy or the Local Environmental Plan nominated by the Client as the instrument against which an application for a complying development certificate is to be assessed.

BASIX means the Building Sustainability Index

BCA means the Building Code of Australia.

BP Act means the *Building Professionals Act 2005*

Certification work means:

- a) the determining of an application for a development certificate
- b) the issue of a development certificate
- c) carrying out the functions of a PCA
- d) carrying out of inspections for the purposes of section 6.5 of the EP&A Act
- e) carrying out inspections under section 22 *Swimming Pools Act 1992* and issuing certificates of compliance under that Act

Contractor licence means a licence issued under the *Home Building Act 1989*

Development certificate means:

- a) a certificate under Part 4A of the EP&A Act, being:
 - a construction certificate
 - a compliance certificate
 - a sub-division certificate
 - an occupation certificate
- b) a complying development certificate
- c) a strata certificate issued under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*

EP&A Act means the *Environmental Planning and Assessment Act 1979*

EP&A Regulation means the Environmental Planning and Regulation 2000

Owner-builder permit has the meaning given to it by the *Home Building Act 1989*

PCA means a principal certifying authority appointed under section 6.5 of the EP&A Act

Residential building work has the meaning given to it by the *Home Building Act 1989*

Privacy and Personal Information Act 1998

The personal information provided on this form is collected by Oberon Council for the purposes of processing this application by Council employees and other authorised persons. If you cannot provide or do not wish to provide the information sought, the Council will be unable to process your application. The intended recipients of the information are: staff, Councillors, data service providers, or agents (such as consultants), the public (as permitted by legislation such as section 12 of the Local Government Act) and details may be displayed on the Council internet site. This form will be stored within Council's Record Management System and may be available for public access and/or disclosure under various New South Wales Government legislation. This use and disclosure will be in accordance with the Information Protection Principles and Public Register provisions of the Privacy Code of Practice for Local Government. You may request access to or amendment to personal information held by Council. You may request that Council suppress your personal information from a public register if your safety or well being are affected. For further information please contact Oberon Council's Privacy Contact Officer