



CONTRACT FOR CARRYING OUT CERTIFICATION WORK

This contract meets the requirements of Section 73A of the Building Professionals Act 2005 and clause 19A of the Building Professionals Regulation 2007.

This is a contract between the person appointing the Principal Certifying Authority and Weddin Shire Council, where Council will carry out certification work for the applicant upon being appointed as the Principal Certifying Authority in relation to the subject development.

The person appointing the Principal Certifying Authority must have the benefit of the development consent and is usually the owner of the land or someone authorised to act on their behalf. The builder cannot appoint the certifying authority unless they are the person with the benefit of the development consent.

Privacy Notification

The personal information provided in this contract is done so as required by the Environmental Planning and Assessment Act 1979, and in accordance with such act, the information may be available for public inspection. This personal information may be available for public inspection under clause 268 of the Environmental Planning and Assessment Regulation 2000 or may also be available under the Government Information (Public Access) Regulation 2009. You may make a request that the Council suppress your personal information from being made publicly available. Council will consider any such application in accordance with the relevant legislation.

1. Introduction

- The Weddin Shire Council is the certifying authority and the Principal Certifying Authority and employs accredited certifiers who are authorised to carry out the certification work, which is the subject of this contract, on behalf of Council. Each authorised officer holds of a certificate of individual accreditation that authorises the holder to do that certification work.
- The applicant seeks to engage the Council to perform certification work on the terms set out in this contract.

2. Accredited Certifier

Name	Weddin Shire Council
Address	Cnr Camp & Weddin Streets
Postal Address	Po Box 125 GRENFELL NSW 2810
Email	mail@weddin.nsw.gov.au
Telephone number	(02) 63431212

The following officers are employed by Council as accredited Certifiers and may carry out certification work and inspections under this contract:

Name	Accreditation Level	Accreditation Number
Luke Sheehan	A 1	BDC1674

3. Details of the Person Appointing the Principal Certifying Authority

Name	
Company/organisation	
Postal Address	
Telephone number	
Email	
Role (Owner, Builder, etc)	

4. Details of the Certification work to be undertaken

The following certification works are requested to be undertaken (please select);

- The determination of an application for a Complying Development Certificate under Section 85A of the Environmental Planning and Assessment Act 1979 (EP&A Act)
- The issuing of a:
 - construction certificate under Section 109F of the EP&A Act
 - compliance certificate under Section 109G of the EP&A Act
 - interim occupation certificate under section 109H of the EP&A Act
 - final occupation certificate under Section 109H of the EP&A Act
- Appointment as Principal Certifying Authority (PCA) under Section 109E of the EP&A Act for building works
- The carrying out of functions as PCA under the EP&A Act
- The carrying out of inspections under Section 109E(3) of the EP&A Act and the subsequent issue of inspection reports for those inspections.

Council will undertake the certification work in a professional manner and in accordance with the requirements of the EP&A Act and the Environmental Planning and Assessment Regulation 2000.

In signing this contract the owner grants consent to Council's authorised officers, as mentioned above, to enter the property to carry out inspections for the certification work indicated above, during reasonable working hours and in accordance with the powers of entry as permitted under the Environmental Planning and Assessment Act 1979.

Where Weddin Shire Council is appointed as the Principal Certifying Authority (PCA), the service agreement in the attached Schedule A will apply. This agreement sets out the services provided by Council when appointed as PCA and the Council and Owner's obligations when Council is appointed as PCA.

5. Description of the site and development works to be undertaken

<i>Description of the development</i>			
<i>Site Address</i>	<i>No</i>	<i>Street</i>	<i>Town</i>
<i>Title Details</i>	<i>Lot</i>	<i>DP</i>	<i>Sec</i>
<i>Type of Approval</i>	<i>Consent Authority</i>	<i>Determination Number</i>	<i>Determination Date</i>
Development Consent	Weddin Shire Council	DA	
Complying Development Certificate	Weddin Shire Council	CDC	
Construction Certificate	Weddin Shire Council	CC	

6. Plans, specifications and documents

Related Plans, specifications or other documents issued with the consent or certificate	<i>'As referred to in the relevant development consent, construction certificate or complying development certificate, including subsequently approved modifications.'</i>
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7. Fees and Charges

Certification Work

Fees and Charges for appointment of Council for certification work are based on its annual fees and charges which are published on its website at www.weddin.local-e.nsw.gov.au

Fees for completion of work under this contract are:

<i>Service</i>	<i>Fee</i>
Complying Development Certificate	
Construction Certificate	
PCA/Inspection Fees	
Interim Occupation Certificate	
Occupation Certificate	
<i>Total</i>	

Contingencies

The fees above provide for Council to carry out 1 (one) inspection for each critical stage, or other inspections of the building as determined by the certifier to enable the issue of the required Part 4A certificates.

Additional fees may be charged in the following circumstances;

- (i) Additional critical stage inspections or other inspections due to the staging of building works or variations in the construction sequence
- (ii) Reinspection of works as a result of the relevant stage of construction not being ready, incomplete or unsatisfactory
- (iii) Additional on-site meetings

These and any other fees for contingencies are also based on Councils annual fees and charges.

8. Payment

Determination of Applications

If the certification work relates to the issue of a:

- (i) Complying development certificate
- (ii) Construction certificate
- (iii) Compliance certificate
- (iv) Inspection Report
- (v) Occupation certificate

You must pay the fees and charges on or before the lodgement of the application for that certificate or report, excluding any fees and charges for work arising as a result of unforeseen contingencies.

Appointment as PCA

If the certification work relates to the functions of a PCA, you must pay the fees and charges before Council commences those functions, excluding any fees and charges for work arising as a result of unforeseen contingencies.

Unforeseen contingencies

If Council carries out work as result of unforeseen contingencies, Council will:

- (i) Calculate the fee based on its annual fees and charges; and
- (ii) Give you an invoice within 21days after the completion of that work.

You must pay any fees and charges for unforeseen contingencies within the invoice terms.

Unpaid fees

In circumstances where Council is appointed as PCA and the fees are not paid in accordance with this contract, you as the person appointing the Principal Certifying Authority acknowledge and accept liability for all or any unpaid fees and any associated debt recovery costs plus interest incurred from the time of appointment.

You acknowledge and accept that Council, as PCA, may suspend services where fees have not been paid, or remain outstanding.

9. Applicants Signature

I accept the terms and conditions of this contract including the associated payment of fees:

Signature	
Date	

10. Council's Signature

Signed for and on behalf of Council by an authorised officer:

Officer's name	Luke J Sheehan
Officer's position	Director Environmental Services
Signature	
Date	

11. Statutory Obligations of Accredited Certifiers

This contract must attach any document containing information about the statutory obligations of accredited certifiers that is published by the Building Professionals Board for the purpose of clause 19A of the Building Professionals Regulation 2000 and available on its website.

Note: No document published as at date of this contract.