

D & C Ferguson Building Inspection Services Pty Ltd

ABN 30 085 812 942



Offices: 4/1 Boree Street, ULLADULLA – PHONE: (02) 4455 3831
BATEMANS BAY – PHONE: (02) 4472 4410

Postal Address: PO Box 950, ULLADULLA NSW 2539

Email Address: office@dcfbuildinginspections.com.au
Website: dcfbuildinginspections.com.au

APPLICATION FOR CERTIFICATES & APPOINTMENT OF ACCREDITED CERTIFIER and PRINCIPAL CERTIFIER

Issued under the Environmental Planning and Assessment Act 1979, Sections 109C (1) (b), 81A (2) and 81A (4)

TYPE OF CONSENT, CERTIFICATE, APPROVAL or APPOINTMENT REQUIRED

- ☐ Construction Certificate
☐ Complying Development Certificate (Codes SEPP)
☐ Occupation Certificate
☐ Appointment of ☐ Donald Ferguson / ☐ Gareth Jenkins as the Principal Certifier
☐ Appointment of ☐ Donald Ferguson / ☐ Gareth Jenkins as the Accredited Certifier

Office Use Only:

Date Received: ____/____/____
 Job No.: ____/____/____
 File Name: _____
 DA No: DA ____/____/____
 CC No.: CC ____/____/____
 CDC No.: CDC ____/____/____
 OC No.: OC ____/____/____

APPLICANT/OWNER/S: (The applicant cannot be the principal contractor unless they are also the owner of the subject land)

Name/s: _____
 Mailing Address: _____
 Town: _____ State: _____ Post Code: _____
 Phone: _____ Fax: _____ Mobile: _____
 Email: (Please print clearly) _____

Accounts to be forwarded to and paid by: ☐ Applicant ☐ Owner ☐ Builder
 Who is the Approval Paperwork to go to: ☐ Applicant ☐ Owner ☐ Builder

OWNERS CONSENT:

I/We acknowledge that this is the only Construction Certificate Application or Complying Development Certificate Application for these building works.

I/We confirm that I am/we are the only owner/s of the below mentioned property.

I/We consent to this application for a Construction Certificate or Complying Development Certificate and any future modifications or amendments in relation to the application.

I/We have read, understood and agree to the terms of the attached Contract - Appendix A.

I/We confirm that I/we are appointing **Donald Ferguson / Gareth Jenkins** as the Principal Certifier in accordance with the attached Contract – Appendix A for the development.

I/We confirm that I/we are appointing **Donald Ferguson / Gareth Jenkins** as the Accredited Certifier in accordance with the attached Contract - Appendix A for the development.

I/We also consent to this form being considered as an application for an Occupation Certificate. The date of application will be taken to be the date that a final inspection is requested.

I/We accept the attached Fee Quote/Invoice. (Only applicable for the person paying the account)

Name/s & Signature/s of all Owners: (As noted on Councils Rate Notice)

Name: _____	Signature: _____	Date: ____/____/____
Name: _____	Signature: _____	Date: ____/____/____
Name: _____	Signature: _____	Date: ____/____/____
Name: _____	Signature: _____	Date: ____/____/____

Owners Details: (if different from above)

Mailing Address: _____
 Town: _____ State: _____ Post Code: _____
 Phone: _____ Fax: _____ Mobile: _____
 Email: _____

PROPERTY DETAILS: House No.: _____ Lot No.: _____ DP No.: _____
Street: _____
Town: _____ State: _____ Post Code: _____

DETAILS OF BUILDING WORKS:

Type of Work: *BUILDING WORKS*
Description of Works: _____
Value of Building Works: \$ _____
BCA Class: _____ Zone: _____
Development Consent No.: (If applicable) DA _____/_____/_____ Dated: _____/_____/_____
Local Government Area: ☐ Shoalhaven City Council ☐ Eurobodalla Shire Council
Long Service Levy: (If over \$25,000.00) Dated: _____/_____/_____ Receipt No.: _____
Amount: \$ _____ Attachments: Yes [] No []

Identifying Particulars of any plans, documents, or specifications the subject of this application:

Development Consent: No.: _____, Date: ____/____/_____, No of Pages: _____
DA Plans: No.: _____, Date: ____/____/_____, No of Pages: _____
CC Plans: No.: _____, Date: ____/____/_____, No of Pages: _____
Specifications: No of _____
Engineering Details: No.: _____, Date: ____/____/_____, No of Pages: _____
BASIX Certificate: No.: _____, Date: ____/____/_____, No of Pages: _____
Bush Fire Report: No.: _____, Date: ____/____/_____, No of Pages: _____
Other: _____, No.: _____, Date: ____/____/_____, No of Pages: _____
Other: _____, No.: _____, Date: ____/____/_____, No of Pages: _____

BUILDERS OR OWNER BUILDER DETAILS:

(Builders details and Home Owners Warranty or Owner Builder Permit must be provided to us at least 3 days before you can commence building works.)

Full Name: _____
Postal Address: _____
Contractor's Licence No.: _____ Attachments: Yes [] No []
Contractor's ABN No.: _____
O/B Permit No.: _____ Attachments: Yes [] No []
Phone: _____ Mobile: _____
Email: _____

BUILDING CERTIFIERS AUTHORITY:

D & C Ferguson Building Inspection Services Pty Ltd have read and agree to the terms of the contract as detailed in Appendix A below.

I, **Donald Ferguson / Gareth Jenkins** consent to acting as the Accredited Certifier to assess and determine the application in accordance with the said contract.

Signature: _____ Date: ____/____/____

I, **Donald Ferguson / Gareth Jenkins** consent to the appointment of me as Principal Certifier for the development in accordance with the said contract.

Signature: _____ Date: ____/____/____

D & C FERGUSON BUILDING INSPECTION SERVICES PTY LTD INDEMNITY INSURANCE DETAILS:

Policy Number: 82CON1847011
Insurer: Insurance Australia Limited T/AS CGU Prof Risks
Policy Period: From 15th August 2021 to 15th August 2022

SCHEDULE TO APPLICATION

Particulars of the Proposal

What is the area of the land in m² m²

What is the gross floor area of the building/s in m² m²

For each **proposed new building**, indicate –

The number of storeys (including underground storeys) in the building

The number of pre-existing dwellings on the land on which the new building is to be erected

Whether the new building is to be attached to any other new building Yes ☐ No ☐

The number of pre-existing dwellings to be demolished in connection with the erection of the new building

The number of dwellings to be included in the new building

Does the site contain a dual occupancy? Yes ☐ No ☐

Materials to be used

Place a tick (✓) in the box which best describes the materials which the new work is to be constructed of:

<i>Walls</i>	<i>Code</i>	<i>Roof</i>	<i>Code</i>	<i>Floor</i>	<i>Code</i>	<i>Frame</i>	<i>Code</i>
<input type="checkbox"/> Brick (double)	11	<input type="checkbox"/> Concrete Tiles	10	<input type="checkbox"/> Concrete/slate	20	<input type="checkbox"/> Timber	40
<input type="checkbox"/> Brick (veneer)	12	<input type="checkbox"/> Masonry/		<input type="checkbox"/> Timber	40	<input type="checkbox"/> Steel	60
<input type="checkbox"/> Brick (single)	11	Terracotta Tiles	10	<input type="checkbox"/> Other	80	<input type="checkbox"/> Aluminium	70
<input type="checkbox"/> Concrete/Masonry	20	<input type="checkbox"/> Shingle Tiles	10	<input type="checkbox"/> Not Specified	90	<input type="checkbox"/> Other	80
<input type="checkbox"/> Concrete Block	11	<input type="checkbox"/> Concrete	20			<input type="checkbox"/> Not Specified	90
<input type="checkbox"/> Steel	60	<input type="checkbox"/> Slate	20				
<input type="checkbox"/> Concrete	20	<input type="checkbox"/> Fibre Cement	30				
<input type="checkbox"/> Fibre Cement	30	<input type="checkbox"/> Steel	60				
<input type="checkbox"/> Hardiplank	30	<input type="checkbox"/> Aluminium	70				
<input type="checkbox"/> Timber	40	<input type="checkbox"/> Fibreglass	80				
<input type="checkbox"/> Curtain Glass	50	<input type="checkbox"/> Other	90				
<input type="checkbox"/> Aluminium							
Cladding	70						
<input type="checkbox"/> Timber/							
Weatherboards	40						
<input type="checkbox"/> Other	80						
<input type="checkbox"/> Not Specified	90						

APPENDIX A
CONTRACT FOR APPLICATIONS FOR CONSTRUCTION CERTIFICATE
OR COMPLYING DEVELOPMENT CERTIFICATE and
APPOINTMENT OF ACCREDITED CERTIFIER AND PRINCIPAL CERTIFIER

**This is a contract between DONALD JAMES FERGUSON / GARETH JOHN JENKINS
ACCREDITED CERTIFIER AND PRINCIPAL CERTIFIER
No 0117 / No 2521 BUILDING PROFESSIONAL BOARD**

**and the APPLICANT AND/ OR OWNERS WHOSE NAME AND DETAILS
APPEAR ON THE APPLICATION FOR CERTIFICATES AND APPOINTMENT
OF AC AND PC**

**Please note that the “Application Form” and details on such are considered as part of this contract
Please note that the attached “Fee Schedule” as issued by D & C FERGUSON BUILDING
INSPECTION SERVICES PTY LTD is considered as part of this contract**

This is the Contract and Service Agreement between **Donald James Ferguson (DF) / Gareth John Jenkins (GJ)** and the Applicant and/ or Owner/s (AO), (as noted on the Application form), for the Construction Certificate (CC) or Complying Development Certificate (CDC) and where **Donald James Ferguson / Gareth John Jenkins** is appointed as the Accredited Certifier (AC) and Principal Certifier (PC), to carry out the consideration and issuance of a Construction Certificate (CC) or a Complying Development Certificate (CDC) and to carry out nominated inspections of the building works and to issue the required Occupation Certificate/s (OC). Copies of this Appendix A will be attached to the CC or CDC Approval and PC Appointment Documents.

Terms and Conditions of Appointment

1. General

- The Applicant and/or Owner/s agree to pay our professional service fees for the Application and appointment of the PC and associated Inspections as set out in the attached Fee Estimate at the time of or prior to the submission of the relevant application.
- The Applicant and/or Owner/s agree to pay our professional service fees for work arising as a result of unforeseen contingencies as set out in the attached Fee Estimate at the time of issuance of a Tax Invoice.
- The Applicant and/or Owner/s agree to provide access for the AC and PC or his representative to the building site that is the subject of this agreement in order that the AC and PC may carry out their obligations under this agreement.
- The Applicant and/or Owner/s agree to attend any meetings if required to do so by the AC and PC.
- The Applicant and/or Owner/s agree that they have not previously applied for a CC or CDC for the subject Development.

2. Quality of Service for Accredited Certifier

- In consideration of the Applicant and/or Owner/s paying our fees I agree to ensure that the CC or CDC Application is assessed and determined in a timely manner.
- DF / GJ agrees to give the Applicant and/or Owner/s a suitable time period within which to provide any additional information before any application is determined.

3. Quality of service for Principal Certifier

- In consideration of the Applicant and/or Owner/s paying our fees I agree to undertake inspections of the work during construction to determine, at the times of inspections, any works required to be undertaken, before work can commence on the next stage of the construction.
- Written Report or Verbal Instructions will be provided and given to the Applicant and/or Owner/s and/or Principal Contractor, who will be responsible for construction of the building with the Development Consent, Construction Certificate, Complying Development Certificate, Building Code of Australia and the relevant Australian Standards. Our inspection services will be carried out in a professional manner and in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act).
- DF / GJ will inform the Principal Contractor in writing which inspections will be required during construction.
- The Applicant and/or Owner/s acknowledge that building inspections are to be undertaken at critical phases of the building process and that work **must not** proceed beyond each phase until any requirements of the inspection are complied with.
- The Applicant and/or Owner/s acknowledge that it is your responsibility under this agreement to ensure that DF / GJ is given not less than 48 hours notice (excluding weekends and public holidays) of when works are ready to be inspected.
- The Applicant and/or Owner/s acknowledge that the PC may engage the services of a third-party Principal Certifier to carry out critical stage inspections on his behalf.
- The Applicant and/or Owner/s acknowledge that as the PC, DF / GJ may at any stage request you or your builder to provide specialist reports, plans, specification and certification of building materials, processes or works. Additional documents DF / GJ may request (where necessary) include, but not be limited to, engineer's plans, engineering reports, engineering certifications, Surveys, Compliance Certificates and Fire Safety Certificates.

4. Compliance with relevant legislation

- The Applicant and/or Owner/s acknowledge that it is your responsibility (and that of your builder or sub-contractors) to ensure that you and they comply with all relevant legislation, consents and approvals relating to the subject development. These include, but are not limited to, the following Acts and Regulations: *The Building Code of Australia, Australian Standards, Councils LEP and DCPs*, *The Environmental Planning and Assessment Act 1979*; *The Contaminated Land Management Act 1997*; *The Protection of the Environmental Operations Act 1997*; *The Local Government Act 1993*; *The Roads Act 1993*; *The Traffic Act 1909*.

5. Compliance Certificates, Certification Documents and Survey Reports

- DF / GJ will advise owner/s and/ or Principal Contractor which Compliance Certificates, Certificates and Survey Reports are required. Any nominated survey reports must be produced by a Surveyor registered under the Surveyors Act 1929 or accredited under the Professional Surveyors' Occupational Association NSW Inc. Scheme.
- DF / GJ will advise owner/s and/ or Principal Contractor of those matters that require certification at any stage of construction and prior to issuing any Occupation Certificate.
- To ensure compliance with the CC and CDC Approvals and BCA, you or your Principal Contractor must provide certification to DF / GJ (at the relevant stages of construction) verifying that the specialist matters nominated to you have been carried out in accordance with the relevant requirements of the BCA, Australian Standards, and this agreement.
- Any delays in providing the required Compliance Certificates and/or other Certificates may result in delays in you obtaining your Occupation Certificate. You acknowledge that it is your responsibility to supply all required certificates in a timely manner to enable us to process applications to occupy the building.
- You acknowledge that certification must be prepared by a suitably qualified and experienced person and must reference the relevant provisions of the BCA and Australian Standards, to the satisfaction of the PC.

6. Occupation Certificate

- The Owner/s must obtain an Occupation Certificate from DF / GJ 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. Failure to obtain the required Occupation Certificate may result in you being penalised under the Act.
- The Owner/s may make an application to us for an Occupation Certificate with exclusions, if you would like to occupy the building prior to completion of the development. You must pay additional fees as agreed prior to the issuance of the Certificate and comply with the development consent conditions, and demonstrate the building is safe for occupation, to the satisfaction of the PC.

7. Competent Persons

- The Applicant and/or Owner/s shall only use competent and authorised/licensed persons for all aspects of the building works.

8. Conflict Resolution

- The Applicant and/or Owner/s acknowledge that you will cooperate with DFs' instructions within the time periods set by DF / GJ, with respect to any concerns from neighbouring property owners, the Local Council, or any other person/s.

9. Service Agreement Variations

The AC and/ or PC may be entitled to require additional fees if any of the following occurs:

- If the building works do not commence within 180 days from the date of its CC or CDC approval date.
- If any part of the building works is redesigned which requires an Amended Construction Certificate or Amended Complying Development Certificate.
- The number of inspections DF is requested to carry out exceeds the number initially paid for.
- If any reinspections are required by the PC of any works which are incomplete or non approved at the time of the PCs' inspection of building work
- You request us to carry out critical stage inspections on Saturdays, Sundays or Public Holidays.
- More than 1 Construction Certificate or 1 Complying Development Certificate, and 1 Occupation Certificate are required to be issued, that is if more than two Part 4a Certificates are required to be issued.
- Any conflicts occur as a result of the building works which require the PC's involvement.
- Any Notice of Intention to Serve an Order is required to be issued by the PC.
- The Applicant and/ or Owners request DF / GJ to provide advice, either verbally or in writing.
- The Applicant and/ or Owner/s request DF / GJ to issue an Interim Occupation Certificate.

10. Service Agreement Termination

The AC or PC may terminate this service agreement by sending a written notice of termination, stating the breaches, to the client. Termination will take effect as soon as the client receives the Notice of Termination. This agreement shall be terminated should any one of the following occur:

- The Applicant and/ or Owners or Builder has an execution levied against it, assigns or attempts to assign its estate or its creditors, has a winding up order made against it, goes into liquidation, has a Mortgagee taking possession of its property, has a liquidator appointed, becomes insolvent or bankrupt, or sells the subject property to another person.
- The Applicant and/ or Owners or Builder commences construction prior to the issuing of a Construction Certificate or Complying Development Certificate.
- The Applicant and/ or Owners or Builder breaches this service agreement in any respect.
- The Applicant and/ or Owners or Builder does not provide **D & C Ferguson Building Inspection Services Pty Ltd** with the required information to issue the Occupation Certificate within 60 days from the date of practical completion.
- The building works take longer than four (4) years to complete the development from the date of its CC or CDC approval.