

APPOINT COUNCIL AS YOUR CERTIFYING AUTHORITY

Environment and Planning Services

THE HILLS
Sydney's Garden Shire

The *Environmental Planning and Assessment Act 1979* requires that a person who proposes to carry out development involving building work subsequent to a development consent, must obtain a Construction Certificate and appoint a Principal Certifying Authority (PCA).

The person having the benefit of a Development Consent or Complying Development Certificate for development involving building work or subdivision work may appoint the Council, or an Accredited Certifier as the Principal Certifying Authority for the development.

The appointment must be made by the owner. Such an appointment must not be made by any contractor or other person who will carry out the building work or subdivision work unless the contractor or other person is the owner of the land on which the work is to be carried out.

Should the applicant wish to appoint Council as the PCA at the initial application stage, please tick the appropriate box on the Development Consent/Construction Certificate form. Otherwise Council may be appointed by separate written request.

An "Appointment of PCA/Notice of Commencement of work" form has been prepared for this purpose ..\notice of commencement sheet.doc. Legislation provides that the Council must be advised of the appointment of the PCA at least two (2) business days before work is scheduled to commence.

The role of the PCA and the general terms that would apply if Council were appointed as the PCA are explained below.

- Council does not charge a fee for this appointment, however a fee is charged for inspections of construction work as set out in Council's Schedule of Fees and Charges.
- A PCA must not be replaced by another Accredited Certifier except with the approval of the relevant accreditation body.
- The Act requires certain specific inspections known as "Critical Stage Inspections" to be carried out for building work. Prior to permitting commencement of the work, the PCA is required to give notice to the applicant of these inspections. Where Council is nominated as the PCA, notification of all inspections required is provided with your Construction Certificate approval.
- The appointment of the PCA imposes various obligations upon both the applicant and the PCA.

The role and obligation of the PCA is to:

- Conduct a proper inspection of each required stage of construction. These will be listed with your Construction Certificate if issued by Council.
- Promptly advise the applicant, after any relevant inspection, of any outstanding work.

- Issue to the applicant an Occupation Certificate for any building work or change of building use when the relevant application has been lodged with Council or when the required works and conditions of the Development Consent have been completed or satisfied.

The applicant's obligation is to:

- Ensure the relevant work at each stage of construction required to be inspected is completed in accordance with the plans, specifications or details attached to the Construction Certificate.
- Ensure that Council is given advice and sufficient notice (24Hours) to enable a proper inspection of the construction work. The simplest way to book an inspection is to telephone Council's Building Control Section on 9843 0431 prior to 3.00pm the day before.
- When the Construction Certificate relates to residential building work subject to the *Home Building Act 1989*, submit evidence to Council that the required Home Owners Warranty insurance has been effected prior to commencement of any construction work.

Ensure that the development is not occupied or otherwise used until such time as Council is satisfied that the development has been completed in accordance with the approved plans and conditions of the Development Consent.

DISCLAIMER

This fact sheet provides a summary of the major issues concerning Development Applications. The requirements contained within this fact sheet relate to all applications lodged with Council's Development Control section, for which they are applicable. Any person using this document must do so on the basis that not every scenario and issue can be addressed, and discussion with relevant staff at Council's Customer Service Centre should be undertaken. This document is subject to change without notice.

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