

# CONTRACT FOR UNDERTAKING OF CERTIFICATION WORK

This contract meets the requirements of The Building & Development Certifiers Act 2018 and The Building & Development Certifiers Regulation 2020.

This is a contract between the applicant / Client and Fairfield City Council where Council will carry out certification work for the applicant and/or may be appointed as the Certifying Authority in relation to the subject development.

## Accredited Certifier

<b>Name:</b>	Fairfield City Council
<b>Address:</b>	86 Avoca Road, Wakeley
<b>Postal address:</b>	PO Box 21, Fairfield NSW 1860
<b>Email:</b>	mail@fairfieldcity.nsw.gov.au
<b>Telephone number:</b>	9725-0222

The Council is a certifying authority and employs registered certifiers (the Certifier) who is authorised to carry out the certification work and carry out the role as the principal certifier (PC) which is the subject of this Agreement on behalf of the Council.

The Client seeks to engage the Council to perform certification work on the terms set out in this Agreement.

The details of the officers employed by Council as registered Certifiers, any of whom may carry out certification work and PC role / inspections under this contract, can be found on the Building Professionals Board Website at; <http://www.bpb.nsw.gov.au/page/engaging-a-certifier/find-a-certifier>. Also refer to list of NSW Fair Trading documents as noted on page 4 of this form.

## Details of the Certificate work to be undertaken

The following certification works are requested to be undertaken by Fairfield City Council (please select):

- The determination of an application for a Complying Development Certificate under Section 4.28 of the Environmental Planning & Assessment Act 1979 (EP&A Act)
- The issuing of:
  - Construction Certificate under Section 6.8 of the EP&A Act
  - Compliance Certificate under Section 6.18 of the EP&A Act
  - Occupation Certificate under Section 6.9 of the EP&A Act
- Appointment as Principal Certifier under Section 6.5 of the EP&A Act for building works
- The carrying out of functions as Principal Certifier under the EP&A Act
- The carrying out of inspections under Section 6.5(b) of the EP&A Act
- The carrying out of inspections under Part 2 of the Swimming Pool Act

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 & Assessment Regulation 2000 and The Building & Development Certifiers Act 2018 and Regulations.

## Insurance

Registered certifiers employed by Council exercising the certifying functions on Council's behalf are not required to be covered by insurance for the purposes of Division 1 of the *Building & Development Certifiers Act 2018*.

For any further information regarding Fairfield City Council Insurance, details please contact Council Commercial Insurance Team on 9725 0222.

Insurer details : Statewide Mutual Liability Scheme, Certificate No. 001873.

## Description of the site and development works to be undertaken

### i. Property description

House / unit no.	Lot:	Section:	DP / SP:
Street:			
Suburb:			
Description of Development :			

### ii. Type of approval

Consent Authority	Application type and number	Determination date
Fairfield City Council	Development Consent Application Number: /	_____
Fairfield City Council	Complying Development Certificate Application Number: /	_____
Fairfield City Council	Construction Certificate Application Number: /	_____

### iii. Plans, specifications and documents

Please list all related plans, specifications or other documents issued with the Development Consent or Construction Certificate or Complying Development Certificate.

## Fees and charges

### i. Certification work

The fees for Council's appointment as Principal Certifier and certification work are based on Council's annual fees and charges, which are published on Council's website ([www.fairfieldcity.nsw.gov.au](http://www.fairfieldcity.nsw.gov.au)). To obtain a quote as to fees applicable for completion of the certification work under this Contract, please contact Council's Customer Service team on 9725 0222.

### ii. Contingencies

The fees above provide for Council to carry out 1 (one) inspection for each critical stage or other inspections.

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 inspections or on-site meetings.

These and any other fees for contingencies are also based on Council's Annual Fees & Charges.

## Appointment as Principal Certifier (PC)

If the certification work relates to the functions of a Principal Certifier, 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 21 days 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 PC and the fees are not paid in accordance with this contract, you 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 PC, may suspend services where fees have not been paid, or remain outstanding.

## Statutory obligations and accredited certifiers

This contract must attach any document containing information about the statutory obligations of accredited certifiers that is published by the Department of Fair Trading for the purpose of clause 31 of the Building & Development Certifiers Regulation 2020 and available on its website at;

<https://www.fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers/certifier-forms>

Please refer to the below list of information sheets.

## Applicants details (The Client)

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

**Title:**  Mr  Mrs  Ms  Miss  Other .....

**Name:**

**Company  
(if applicable):**

**Address:**

Postcode:

**Contact details:**

Home:

Mobile:

Work:

Fax:

**E-mail:**

**Signature:**

Date:

### NSW Fair Trading documents :

<https://www.fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers/certifier-forms>

Please refer to information sheets for certification contracts, being :

- Information sheet - building surveying / building inspection (includes principal certifier appointments)
- Information sheet - swimming pool certification
- Information sheet - fire safety certification
- Information sheet - subdivision and strata certification
- Information sheet - engineering certification

**Fairfield City Council Use Only - signed for and on behalf of Council by an authorised officer.**

<b>Officers name:</b>	
<b>Officers position:</b>	
<b>Signature:</b>	Date:     /     /