

CONSTRUCTION/COMPLYING DEVELOPMENT CERTIFICATE APPLICATION FORM

Made under Part 6 of the Environmental Planning Assessment Act 1979.

PLEASE ENSURE RELEVANT CHECKLIST IS SUBMITTED AS YOUR APPLICATION WILL NOT BE PROCESSED WITHOUT IT. Applications can be lodged by mail or in person. PLEASE ALSO REFER TO COUNCIL'S ELECTRONIC APPLICATION REQUIREMENTS WHEN LODGING YOUR APPLICATION. Please note that information provided with this application will be public information and will be published on Council's website.

- Construction Certificate (CC)
- Complying Development Certificate (CDC) –SEPP (Exempt and Complying Development Codes) 2008 (AKA Codes SEPP)
- Complying Development Certificate (CDC) – SEPP (Infrastructure) 2007
- Complying Development Certificate (CDC) – SEPP (Affordable Housing) 2009

1. DESCRIPTION OF PROPOSAL (provide brief, concise details)

For CC Applications only please provide:

Development Consent No.: _____ Determination Date: _____

For CDC applications only please state which Part of the Codes SEPP the CDC relates to (if applicable):

- | | |
|--|--|
| <input type="checkbox"/> Part 3 Housing Code | <input type="checkbox"/> Part 5A Commercial and Industrial
(New Buildings and Additions Code) |
| <input type="checkbox"/> Part 3 General Housing Code (Expires 13.7.2019) | |
| <input type="checkbox"/> Part 4 Housing Alterations Code | <input type="checkbox"/> Part 6 Subdivision Code |
| <input type="checkbox"/> Part 4A General Development Code | <input type="checkbox"/> Part 7 Demolition Code |
| <input type="checkbox"/> Part 5 Commercial and Industrial Alterations Code | <input type="checkbox"/> Part 8 Fire Safety Code |

2. DEVELOPMENT SITE

Address: _____

Lot No(s): _____ DP/SP No(s): _____

Classification of new building or part: _____

What is the total additional and altered gross floor area? _____

Which of the following best describes your building works :

Alterations Alterations/additions New building

OFFICE USE ONLY

CD No.: _____ CC No.: _____ Date: _____

Amount: _____ Receipt: _____ Date: _____

Has a copy of the signed agreement been forwarded to the applicant? Yes

3. A GENUINE AND ACCURATE PROPOSED COST OF DEVELOPMENT (Required for CDC applications only)

\$ _____

To accompany this application form, you must provide one of the following:

Please tick (✓) appropriate box.

- \$0 – up to and including \$500,000 – a “Cost Summary Report Sheet” from a suitably qualified person (See “Guide to Estimating Cost of Works” on Council’s website).
- \$500,000 – a registered quantity surveyor’s “Detailed Cost Report”. (Copies of the “Cost Summary Report” and “Detailed Cost Report” Sheets are available on Council’s website).

4. APPLICANT

It is important that we are able to contact you if we need more information. Please give full details:

Mr/Mrs/Ms/Other: _____ Family Name (or Company): _____

Given Name(s) (or ABN): _____

Postal Address (we will post all letters to this address): _____

Phone : _____ Email: _____

Mobile: _____ Fax: _____

Contact person (available during business hours): _____

5. PARTICULARS OF CERTIFICATION WORKS AND RESPONSIBILITIES OF COUNCIL

a) Quality of Service

Willoughby City Council will carry out certification work set out below in a professional manner and in accordance with Council’s code of conduct.

b) Issue of Certificate

Willoughby City Council will issue a Construction Certificate (CC) or Complying Development Certificate (CDC) and endorse all relevant plans, specifications and other documents where application satisfies the requirements of the Environmental Planning and Assessment Act 1979.

c) Fees and Charges

Fees and charges are detailed in the Schedule of Fees and Charges as approved on 1 July of each financial year and found on Council’s website or by contacting Council’s Customer Service on 9777 1000 and are to be paid on or before lodgment of the application excluding unforeseen contingencies.

6. RESPONSIBILITIES OF THE OWNER

- a) You agree to allow Willoughby City Council to inspect the premises.
- b) You agree that building works will not commence prior to obtaining approval from Willoughby City Council.
- c) You agree to advise Council in writing of any change in your details or address.

7. LIMITATION OF LIABILITY

a) Terms and warranties excluded

Apart from clause 5(a) and subject to clause 5(c) below, Willoughby City Council excludes all terms and warranties of any kind, whether statutory or otherwise, or express or implied relating in any way to this agreement or its subject matter.

b) Cap on liability

Subject to clause 7(c) below, Willoughby City Council's total liability for loss or damage of any kind not excluded by clause 7(a) above, however caused, in contract, tort, under any statute or otherwise (including negligence) arising from or relating in any way to this agreement or its subject matter is limited in aggregate for any and all claims to **the amount of Fees paid by you.**

c) Non excludable terms

Where any Act of Parliament implies in this agreement any term, and that Act voids or prohibits provisions under a contract which exclude or modify the operation of such term, the term is taken to be included in this agreement. However, Willoughby City Council's liability for breach of such term will, if permitted by law, be limited to one of the following remedies (at Willoughby City Council's option):

- i) the resupply of the services; or
- ii) the payment of the cost of resupplying the services.

d) Your contribution

Willoughby City Council's liability to you for loss or damage of any kind in contract, tort, under any statute or otherwise (including negligence), arising from or relating in any way to this agreement or its subject matter, is reduced to the extent that you cause or contribute to the loss or damage.

8. CONSENT AND AGREEMENT OF OWNER TO APPOINT WILLOUGHBY COUNCIL TO DETERMINE DEVELOPMENT CERTIFICATES EXCLUDING COMPLIANCE CERTIFICATES STRATA CERTIFICATES AND SUBDIVISION CERTIFICATES

Multiple Owners – Every owner of the land must sign this form, or provide authorisation under separate cover (e.g. multiple individuals or multiple companies).

Individuals – If you are signing as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence under separate cover (e.g. Power of Attorney, Executor, Trustee etc).

Strata Title and Community Title – If the property is a unit under strata title or a lot in a community title, then in addition to the owner's signature the common seal of the Owners Corporation must be stamped on this form over the signature of the owner and signed by the Owners Corporation or the appointed managing agent.

Company – If the owner is a company, a separate letter is to accompany this application stating acknowledgement and consent of this application. This letter is to be signed by an authorized director in accordance with the Company's Memorandum and Articles of Association.

Owner/s: _____

Address: _____

Phone: _____ Mobile: _____

Email: _____

As owner(s) of the land to which this application relates, I/we consent to this application and accept the terms and conditions of this service agreement. I also consent for authorised Council Officers to enter the land to carry out inspections relating to this application and appoint Willoughby City Council to determine development certificates excluding Compliance Certificates, Strata Certificates and Subdivision Certificates.

Signature(s): _____ Date: _____

An application cannot be made WITHOUT owner's consent.

If unsure of the ownership, please contact Council's Customer Service on 9777 1000 for assistance.

NOTE TO ALL APPLICANTS AND OWNERS: Council has the policy that prohibits Council Officers from accepting any gift, benefit or hospitality.

9. WILLOUGHBY CITY COUNCIL'S AGREEMENT TO APPOINT AN ACCREDITED CERTIFIER (To be completed by Council)

Officers name: _____ Signature: _____ Date: _____