

# APPOINTMENT OF COUNCIL AS PRINCIPAL CERTIFYING AUTHORITY (PCA) / CONTRACT FOR COUNCIL TO UNDERTAKE CERTIFICATION WORK

.....  
If the applicant is not the property owner, the owner also needs to sign declaration on this form.

## • APPLICANT DETAILS

First name  Surname

Company or organisation (if relevant)

Street number  Street name

Suburb  Postcode

Contact phone number  Email address

Signature of applicant  Date

.....  
Find this on your rates notice or title deeds

## • PROPERTY DETAILS

Lot number  DP/SP

Street number  Street name

Suburb  Postcode

By lodging this form, I am notifying Council of my intention to commence works **at least 48 hours** later.  
Signature  Date

## CERTIFICATION WORK REQUESTED

The following certification works are requested to be undertaken (please select);  
appointment as Principal Certifying Authority (PCA) under Section 109E of the EP&A Act for building works/subdivision works  
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
- 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

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 Regulations 2000

.....  
For example, decking  
and swimming pool

## DESCRIPTION OF PROPOSAL

.....  
Leave empty if these  
have not yet been  
determined.

Development consent number Date issued

Complying development certificate number Date issued

Construction certificate number Date issued

## DECLARATION BY OWNER

First name Surname

declare that I have read the accompanying notes and I am aware of my responsibilities during the course of the works on my property.

Signature Date

## 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.

## ACCREDITED CERTIFIER

### Name

Penrith City Council

### Street number Street name

601 High Street Penrith

### Suburb State Postcode Phone Number Email address

Penrith NSW 2751 4732 7777 council@penrithcity.nsw.gov.au

The details of the officers employed by Council as accredited Certifiers, any of whom may carry out certification work and inspections under this contract, can be found on the Building Professionals Board website [bpb.nsw.gov.au](http://bpb.nsw.gov.au)

## INSURANCE DETAILS

### Name of insurer

Swiss Re International SE (Australia Branch) & various Lloyd's of London Underwriters

### Policy number Period of insurance

MH 146226 & Others 4pm, 31 October 2017 to 4pm, 31 October 2018

## COUNCIL'S SIGNATURE

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

Officer's first name Officer's surname

Officer's position

Signature of Officer Date

## NOTES

### APPOINTING PENRITH CITY COUNCIL AS YOUR PRINCIPAL CERTIFYING AUTHORITY (PCA)

As the property owner(s), it is your responsibility to engage a Principal Certifying Authority (PCA) before you can commence work on the property. The completion and submission of this form means that you are appointing Penrith City Council to act as your PCA for building work or subdivision work. This includes :

- installing an On Site Sewage Management System (with development consent), and/or
- demolition of an existing building / structure (part of a valid development consent or complying development certificate).

Please note that Penrith City Council is the PCA for any subdivision work on property(s) in the Penrith local government area. As your PCA, Council will :

- ensure that there is a valid Construction Certificate issued for the approved work,
- ensure that each person who will carry out the work holds an appropriate licence or permit and is covered by appropriate insurance in accordance with the Home Building Act 1989
- carry out inspections, upon request, during the course of the work,
- ensure that all relevant provisions under the Environmental Planning and Assessment Act and accompanying regulation are satisfied during the construction

On satisfactory completion of the building work or subdivision work and compliance with the development consent, Council will issue an Occupation Certificate or Subdivision Certificate for the work.

### CAN COUNCIL BE THE PCA EVEN IF IT WAS NOT THE CONSENT AUTHORITY OR CERTIFYING AUTHORITY FOR THE WORK?

Yes, you can still appoint Council as your PCA even if it was not the consent authority or certifying authority for the approved building work on your property, as long as the property is within the Penrith Local Government Area. You will need to submit the following documents to Council when you submit this completed form :

- a copy of the Notice of Determination or Complying Development Certificate, including a copy of the stamped-approved plans (and accompanying documents)
- a copy of the Construction Certificate for the approved work (if already issued), including a copy of stamped-approved plans (and accompanying documents).

### YOUR RESPONSIBILITIES BEFORE, DURING AND ON COMPLETION OF THE WORK(S)

Firstly, you should be familiar with the conditions in your Development Consent and Construction Certificate, or Complying Development Certificate. The person you engage to carry out the work(s) should also be familiar with the conditions in your Development Consent and Construction Certificate, or Complying Development Certificate.

Typically, there are conditions that need to be complied with before, during and on completion of the building work or subdivision work. The following should be used as a guide unless it is specified in your Development Consent, Complying Development Certificate, or the Environmental Planning and Assessment Regulation 2000.

If you do not comply with the conditions of your Development Consent and Construction Certificate, or Complying Development Certificate, or any prescribed conditions under the Environmental Planning and Assessment Regulation 2000, Council may impose penalties on the project resulting in fines or legal action.

### WHAT NEEDS TO BE DONE BEFORE ANY WORK CAN COMMENCE ON THE SITE?

It is your responsibility to ensure that the following requirements are completed before work can commence on the site :

- all associated fees have been paid to Council including fees to inspect the work.
- signage must be erected on a site where building work or demolition work is to be carried out. The signage must state :
  - the name, address and telephone number of your Principal Certifying Authority, the name of the person in charge of the work site and a telephone number for that person outside working hours (other than the PCA), and
  - that unauthorised entry into the site is prohibited.

Additionally, you and your builder (or whoever you engage to carry out the works) should determine who will contact Council to carry out the necessary inspections. The following rules will apply :

- any Council officer, acting in the capacity of Council as the PCA, is to have uninterrupted access to the site to inspect and examine any works or materials, and any place where the said work or materials are being prepared, at any time.
- until an inspection has been carried out by the PCA and the work so far is deemed satisfactory by the PCA, the person authorised to carry out the work must not proceed past that construction stage (which is the subject of the inspection).
- the nominated stage of the inspection request is ready by 9:30am on the day of the inspection. All necessary arrangements to carry out that inspection are provided.
- requests to re-inspect must be made in the same way as other inspections (see below). Re-inspections are to be carried out once the required work has been completed. Additional inspection fees may be charged.

### **INSPECTION REQUESTS - BUILDING WORK OR INSTALLATION OF AN ON SITE SEWERAGE MANAGEMENT SYSTEM (OSSM SYSTEM)**

Inspection requests must be made (and accepted by Council) before 4:00pm on the working day before the day of the required inspection. Requests can be made by phone (4732 7991), or in person at the customer service counter of Council's Penrith or St Marys offices.

Inspections must be carried out for the following stages :

- on completion of the sediment and erosion control measures being installed on site (as per the stamped-approved erosion and sediment control plan for the site).
- Council must be satisfied that the sediment and erosion control measures are properly installed.
- to ensure compliance with any other conditions specifically requiring compliance before work can commence on the site
- where it involves a concrete pour (but the structure is not a prefabricated concrete structure) :
  - after any steel reinforcement has been positioned and before any framework has been completed, and
  - after any formwork has been completed and before the concrete is poured.
- where the construction of the building involves the placement or relocation of a prefabricated concrete structure, an inspection is to be carried out immediately after the placement or relocation is completed.
- where it involves floor framing, wall framing, roof framing, or waterproofing an inspection is to be carried out immediately after each of these stages is completed.
- where an OSSM system is being installed, inspections are to be carried out for :
  - drainage lines, septic tanks and absorption trenches (if required) before it is backfilled,
  - any other inspection as stated by Council during its installation, and
  - when installation is completed.
- An inspection is carried out after the building or structure has been completed and before an Occupation Certificate is issued for the building.

### **INSPECTION REQUESTS - SUBDIVISION WORK OR INSPECTIONS CARRIED OUT BY COUNCIL'S ENGINEER**

Inspection requests must be made (and accepted by Council) before 4:00pm on the working day before the day of the required inspection. Requests can be made by phone (for subdivision work, call Development Engineering on 4732 7777), or in person at the customer service counter of Council's Penrith or St Marys offices.

An inspection by Council's Engineer is to enable Council (as the PCA) to certify that the works have been properly carried out in accordance with the approved Engineering Drawings and specifications, and they are in a satisfactory state for Council (as the PCA) to take them over. Where any defects develop before the work is finally accepted by Council (as the PCA) these will have to be rectified at the cost of the owner notwithstanding that Council's Engineer (as the PCA) may have previously inspected the defective work.

The whole of the work shall be carried out to the entire satisfaction of Council's Engineer. The Applicant shall at all times give uninterrupted access and afford every facility for the inspection and examination of any works or materials that may be requested by Council's Engineer, or any other person authorised by Council to examine them, and any place where the said work or materials are being prepared, and at any time. The Applicant, when required by Council's Engineer, shall provide all particulars as to the mode and place of manufacture and source of supply of any of the materials to be used.

The owner (or person acting on behalf of the owner) shall, at the direction of Council's Engineer, submit any materials or work for testing and will, when required, open up and supply samples of any work which has covered, whether or not same shall have been previously accepted by Council's Engineer. All expenses incurred in moving such material from the works, making good the works after such removal and the testing of the material shall be borne by the owner.

The owner (or person acting on behalf of the owner) shall submit to Council the results of all tests or certificates to verify that the works have been carried out in strict conformity with the consent conditions and the approved Engineering Drawings. Certificates shall be submitted during the progress of the works as appropriate and the works shall not progress further until the certificates have been accepted and approval given by Council's Engineer for the works to proceed.

Failure by the owner (or person acting on behalf of the owner) to comply with all reasonable requests and directions from Council's Engineer will be sufficient reason for Council to withhold final acceptance of the works.

Council's Engineer will issue a Certificate of Inspection following each inspection. Inspections must be carried out in accordance with Section 2-2-1 'Inspections' of Council's Engineering Certification Specification for Civil Works and notification of intention to commence works must be given in accordance with Section 2-1-3 of that specification.

## **INTENTION TO COMMENCE WORK(S) ON SITE**

You are required to advise Council at least 2 days before you intend to commence any work on the site. This means that this section of the form is to be completed and sent to Council 2 days before you are to start work on the site.

In addition, you should ensure that any conditions requiring compliance before you commence work have been completed to the satisfaction of your PCA (in this case, Penrith City Council).

## **APPLICATION FOR FINAL PART 4A CERTIFICATE**

Certain work may require a Final Compliance Certificate confirming that the work has been completed in accordance with the Development Consent and Construction Certificate, instead of an Occupation Certificate. You should read your development consent to determine which certificate is required.

Before you can occupy or use the building or tenancy, an Occupation Certificate must have been issued for the building or unit. In order for Council (as your PCA) to issue you with an Occupation Certificate, you need to formally apply for it. It is therefore beneficial for you to complete this section at the same time as completing the remainder of the form.

A Interim Occupation Certificate relates to the :

- occupation or use of that part of the building that has been completed, or
- a change of building use for the existing building.

A Final Occupation Certificate relates to the :

- occupation or use of the newly completed building, or
- a change of building use for the existing building.

## **OWNER DETAILS**

This section is to be completed by the owner(s) of the property where an operational development consent or Complying Development Certificate has been issued. You should ensure that the subject development consent or Complying Development Certificate has not expired.

## **FOR MORE INFORMATION**

For information about building works or the installation of an On Site Sewerage Management System, contact the Building Approvals and Environmental Health Department on 4732 7991

For information about subdivision works, please contact Development Services on (02) 4732 7777

See our fact sheet 'The Role of Private Certifiers on Building Sites' about how to engage a private certifier instead of Council.

### **CONTACT US**

Penrith City Council  
601 High Street  
PENRITH NSW 2750

PO Box 60  
PENRITH NSW 2751

**PHONE:** (02) 4732 7777

**FAX:** (02) 4732 7958

**EMAIL:** [council@penrithcity.nsw.gov.au](mailto:council@penrithcity.nsw.gov.au)

**WEB:** [www.penrithcity.nsw.gov.au](http://www.penrithcity.nsw.gov.au)