

Principal Certifier (PC) Contract for Certification Work

Office use only

Application number
[]

Date received
[]

PCA -3

1. The Council is a certifying authority and employs a registered certifier who is authorised to undertake the functions of the PC on behalf of the Council.
2. The Applicant seeks to engage the Council to carry out certification work in accordance with the terms set out in this Contract.

Complete details below

property

Provide details of the site of the development

Lot and DP numbers are found on the Certificate of Title or on a Rates Notice.

Lot N ^o /s.	Section N ^o .	DP N ^o .
[]	[]	[]
Street N ^o .	Street Name	
[]	[]	
Suburb	Postcode	
[]	[]	

application type

A development proposal will require a Construction/Complying Development Certificate, critical stage inspections and an Occupation Certificate. BMBC may be appointed to do part or all of the certification work for your development proposal.

Select all relevant types of certification work required:

- ☐ I am applying for a **Construction Certificate**, and appoint Council as Principal Certifier to undertake construction inspections and issue an Occupation Certificate
- ☐ I am applying for a **Complying Development Certificate** and appoint Council as Principal Certifier to undertake construction inspections and issue an Occupation Certificate

I wish to apply for the following certification work type/s only: *(more than one may be selected)*

- ☐ Construction Certificate (CC) or ☐ Complying Development Certificate (CDC)
- ☐ Critical stage inspections
- ☐ Occupation Certificate (OC)

application details

Complete details if the application/s have been determined; include a list of plans and accompanying documentation for the application

If known, provide application number/s and dates, as applicable:

Development Application No.	[]	Dated	[]
Construction Certificate No.	[]	Dated	[]
OR			
Complying Development Certificate No.	[]	Dated	[]

Issued by:

- ☐ Blue Mountains City Council
- ☐ Other *(specify)* []

Description of the development (e.g.. single storey dwelling)

[]

proposal

Select (tick ✓) below the types of building work proposed (more than one may be selected)

When multiple types of building are proposed, please indicate how you intend to construct them:

☐ Concurrent ☐ Staged

TYPE OF BUILDING	DETAILS OF BUILDING WORK	SELECT ✓	OFFICE USE ONLY
1 DWELLINGS & SECONDARY DWELLINGS			
Erection of new dwelling / secondary dwelling	Raft (slab on ground) construction		A6
	Bearer & joist or timber/metal pole/ stump construction		A6
2 ADDITIONS AND ALTERATIONS			
Alteration or addition to existing dwelling Studio	Raft (slab on ground) construction	Does not include wet areas(i.e. WC, shower, bath or laundry)	B4
		Includes wet areas	B5
	Bearer & joist or timber/metal pole/ stump construction	Does not include wet areas	C5
		Includes wet areas	C6
First floor addition		Does not include wet areas	D3
		Includes wet areas	D4
3 OUTBUILDINGS			
Carport, awning, or the like			E3
Deck, pergola, or the like			F3
Swimming Pool	Above-Ground		G2
	In-Ground	Concrete	H3
		Fibreglass	H3
Garage, shed or the like			I3
Fence			J2
Retaining wall, masonry fence			K2
4 MULTI –RESIDENTIAL, COMMERCIAL & INDUSTRIAL			
Villa/Town House & multi-storey developments	1-5 units (Provide details of staging and number of units)	Number of units: _____	
		Number of stages: _____	
	Greater than 5 units		
Commercial / Industrial developments	Value of works under \$250,000		
	Value of works \$250,000 and over		

owners authorisation

Must be completed by the owner/s of the property

Permission is granted for Council's Officers to enter the property/premises to conduct inspections relative to this application.

Owner/s' Name

Owner's signature

Owner's Signature

permit / insurance

Who will be undertaking the building works?

☐

Owner-Builder

Permit No. :

An owner builder permit is required when works exceed \$10,000. A copy of the permit, when applicable, must be submitted to the PC prior to the release of the construction certificate.

☐

Principal Contractor

Name:

Address:

Phone/Mobile:

Email:

Licence/Permit No:

Value of works \$20,000 and under:

A letter from the principal contractor is required to confirm their appointment as the principal contractor for the work. The principal contractor for the work is appropriately licensed and has management of the site. The letter must include their name, address and licence number, and be provided to the Principal Certifier (PC) prior to the release of the construction certificate (CC).

Value of works over \$20,000:

Insurance under the Home Building Compensation Fund is required. A copy of the certificate must be submitted to the PC prior to the release of the CC, together with the builder's details (name, address and licence number) if not provided above.

applicant

* This agreement may be completed by the property owner or other person entitled to appoint a Principal Certifier. **This excludes any person who will carry out building work** (e.g.. builder) unless that person is also the owner of the land

Applicant details*

Select type of Applicant:

☐

Property owner

☐

Other person having benefit of the consent (specify)

Applicant Name

Postal Address

Contact Telephone

Email Address

Clause 30 Building and Development Certifiers Regulation 2020

By signing this contract, I confirm that I have:

- freely chosen to engage Blue Mountains Building Certifiers as the certifier, and
- read the contract and any documents accompanying the contract and understand my role and responsibilities and the roles and responsibilities of the registered certifier.

Signature

Signature

Date

Date

Council registered certifier authorisation

Blue Mountains City Council / Blue Mountains Building Certifiers

2 Civic Place, Katoomba NSW 2780

TELEPHONE: (02) 4780 5000

FACSIMILE: (02) 4780 5555

POSTAL ADDRESS: Locked Bag 1005, Katoomba NSW 2780

EMAIL: council@bmcc.nsw.gov.au

WEB: www.bmcc.nsw.gov.au

The details of the officers employed by Council as registered Certifiers, any of whom may carry out certification work and inspections under this contract, can be found on the Fair Trading and Council's websites (bmcc.nsw.gov.au).

Should the application include a performance solution under the NCC, the certification work will be undertaken by an appropriately registered certifier.

Executed by an authorised officer of Council by delegated authority pursuant to s.377 of the Local Government Act 1993.

Council Officer Name

Council Officer Signature

Registration Number

BDC

Date

information

Fair Trading is the statutory body that registers the Certifier and administers the Building and Development Certifiers Act 2018.

Under this Act, an information sheet prepared by NSW Fair Trading must accompany this contract. The attached information sheet (see Annexure 2) outlines the roles and statutory obligations of the parties and the information to be kept on the register of registrations.

Terms of Agreement

Responsibilities of the Principal Certifier (PC)

Blue Mountains Building Certifiers (BMBC)/ Blue Mountains City Council (the Council), as the Principal Certifier for the development, will comply with all relevant statutory requirements, by:

- confirming either the principal contractor holds the relevant licence and insurance (when applicable) or an owner-builder permit has been issued, for residential building work
- reviewing the development consent or complying development certificate to ensure all pre-conditions have been met
- providing a list of inspections required for the proposal
- carrying out all critical stage inspections of the building work as prescribed by the EP&A Regulation or required by the Certifier
- determining an application for an occupation certificate following a satisfactory final inspection and assessment.

Inspections

Development and/or site inspections required under the EP&A Act or the EP&A Regulation will be listed in the Inspection Schedule issued at the time of determination of the Construction Certificate (CC) or Complying Development Certificate (CDC) and/or appointment of PC.

Officers employed by Council as Registered Certifiers may carry out inspections under this contract; their details may be found on the Fair Trading website fairtrading.nsw.gov.au and Council website bmcc.nsw.gov.au.

A copy of the inspection report will be provided to the principal contractor.

Where a critical stage inspection has been missed, BMBC will make a record of this and issue a copy to the Applicant, and notify the principal contractor or owner builder of the missed inspection.

Issue of an Occupation Certificate (OC)

BMBC will comply with all relevant statutory requirements with respect to the issue of an occupation certificate. This includes:

- carrying out a final inspection by the Principal Certifier
- ensuring compliance with relevant BASIX requirements and obtaining any necessary BASIX completion receipt
- assessment of any conditions relating to the issue of an OC
- where required, ensuring a compliance certificate is submitted, when there is an alternative solution for fire safety requirements, and
- whether the work is consistent with the development consent.

The Certifier will ensure the application for an Occupation Certificate is accompanied by a final fire safety certificate and/or schedule or interim fire safety certificate and/or schedule when required by the EP&A Regulation. Where required under the Act, the Certifier will apply to other authorities for a report or verification of compliance. Following a satisfactory final inspection and assessment, the Certifier will issue an occupation certificate to the Applicant.

Should the Applicant request a part, partial or interim Occupation Certificate prior to completion of the development, a separate application must be lodged and be accompanied by the applicable fee.

Compliance

The Registered Certifier is responsible for ensuring works comply with the relevant conditions of development consent. Should a breach occur, the Certifier will investigate the matter and may result in the issue of a written directions notice. Fees may apply for any administration costs.

Contract Date

To avoid confusion, the date of the contract is the date the contract is signed by all parties for the purpose of clause 28(h) of the Building and Development Certifiers Regulation 2020.

Terms of Agreement (continued)

Applicant requirements

Prior to commencement of building works

The Applicant must not commence building works until a CC has been issued, a PC appointed and builder details are submitted, where applicable (owner-builder permit or home building compensation cover).

Any structural or other specialist engineering details relating to the building shall be forwarded to the BMBC prior to commencement of such building works. Such details are to confirm compliance with the relevant provisions of the Building Code of Australia and/or Australian Standards to the satisfaction of BMBC.

A Notice of Commencement form must be submitted at least 2 days prior to works commencing. A copy of this form is provided by BMBC.

During building work

All works must be carried out in accordance with the terms and conditions of Council's Development Consent and the Construction Certificate, or Complying Development Certificate (as applicable), and relevant provisions of the Building Code of Australia.

The Principal Contractor/Owner Builder may be required to submit third party certification from a registered certifier or suitably qualified and experienced person in a specific field (e.g. structural engineer) to BMBC, which references the relevant provisions of the BCA, Australian Standards and approved drawings, and demonstrates a specific matter complies with a relevant standard. This is to ensure compliance with the consent or BCA requirements. Plans and documentation submitted to the Principal Certifier must be of a quality that is an accurate and true representation of the development.

A new or modified Development Consent and a Construction Certificate, or Complying Development Certificate (as applicable), may be required to be obtained for modifications or variations to the development, prior to the commencement of any works relating to those changes.

Inspections

It is the Principal Contractor or owner-builder's responsibility to make arrangements, including the provision of safe access, for BMBC to carry out all relevant critical stage inspections or re-inspections.

Building works must not proceed to the subsequent stages of construction prior to obtaining a satisfactory inspection from BMBC for each relevant stage of construction.

Where a critical stage inspection is missed, this may affect the issue of an Occupation Certificate.

Occupation Certificate (OC)

An Occupation Certificate must be obtained from the PC 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. The Environmental Planning and Assessment Act 1979 contains penalty provisions for using or occupying a building prior to the issue of an Occupation Certificate.

Upon satisfactory completion of all works on site, an application for an Occupation Certificate must be submitted via the NSW Planning Portal. For class 2-9 developments, the application must also be accompanied by a fire safety schedule or interim fire safety schedule.

Fees

Quotations for certification work and PC appointment are available by contacting Council on 4780 5000.

Fees & Charges are available on Council's website. Council's current fees and charges for certification work are contained in Annexure 1 of this contract.

Set fees and charges:

(i) The fees and charges for BMBC to carry out certification work and/or the functions as the PC for the development are set out in Council's Fee Statement provided at lodgement or by quotation.

(ii) The set fees and charges are payable at the time of lodgement of the application. Fees are not refundable once work has commenced. Any amounts refundable will be less any administration charges and/or costs incurred up till that point.

Contingency fees and charges:

(i) In the case of fees and charges that may be payable for work arising from unforeseen contingencies, these are listed in Council's fees and charges on the website. This may include fees for re-inspection of work or missed inspections, an occupation certificate or compliance fees.

(ii) In respect of any unforeseen contingency work provided for under this Agreement, BMBC is to send an invoice to the Applicant within 21 days after the completion of any such work. Application fees for a part, partial or interim occupation certificate are payable at lodgement. Other fees that are payable to external agencies, such as Fire & Rescue NSW, are charged at cost.

(iii) Additional inspections incurred as a result of staging the construction, incomplete or unsatisfactory works, or other similar circumstances will be charged in accordance with Council's current fees and charges at that time.

(iv) Any fees for additional inspections must be paid prior to the issue of an occupation certificate.

Other

The Applicant must notify BMBC in writing of any changes to the Principal Contractor or owner-builder, including any contact details, within 14 days.

Annexure 1 - Certification Fees and Charges Schedule

Note - These fees and charges are correct at the date of the contract. Any additional inspections or re-inspections will be charged in accordance with the current fees and charges at that time.

Current fees and charges are available at www.bmcc.nsw.gov.au.

Type of Fee/Charge	Year 21/22 Total Payable (incl. GST)	GST	Pricing Policy
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COMPLYING DEVELOPMENT / CONSTRUCTION CERTIFICATE / PCA SERVICES

COMPLYING DEVELOPMENT CERTIFICATE (CDC)

Where a CDC application is withdrawn or cancelled prior to determination, Council will retain min 50% of the charges applied.

For building works up to \$5,000	\$510, plus additional \$250 if BAL certificate required	Y	FS/MA
For building works \$5,001 – \$25,000	\$585 plus \$4.00 per thousand over \$5,000 (additional \$250 where BAL certificate required)	Y	FS/MA

Type of Fee/Charge	Year 21/22 Total Payable (incl. GST)	GST	Pricing Policy
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COMPLYING DEVELOPMENT CERTIFICATE (CDC) [continued]

For building works \$25,001 – \$50,000	\$760 plus \$3.85 per thousand over \$25,000 (additional \$250 where BAL certificate required)	Y	FS/MA
For building works \$50,001 – \$100,000	\$1,025 plus additional \$3.85 per thousand over \$50,000 (additional \$250 is BAL certificate required)	Y	FS/MA
For building works \$100,001 – \$250,000	\$1,345 plus addition \$3.65 per thousand over \$100,000 (additional \$250 where BAL certificate require)	Y	FS/MA
For building works \$250,001 – \$500,000	\$2,090 plus additional \$3.30 per thousand over \$250,000 (additional \$250 where BAL certificate require)	Y	FS/MA
For building works over \$500,000	\$2,930 plus additional \$2.50 per thousand over \$500,000 (additional \$250 where BAL certificate require)	Y	FS/MA
Villas, Townhouses, Duplex and Class 2 buildings	By quote at \$185 per hour	Y	FS/MA
Class 3 – 9 Building	By quote at \$185 per hour	Y	FS/MA
Subdivision	\$280.00	Y	FS/MA
Strata development	\$255 plus \$55 per additional unit	Y	FS/MA

CONSTRUCTION CERTIFICATE (CC)

Building works Class 1 and 10 up to \$5,000	\$305.00	Y	FS/MA
Building works Class 1 and 10 \$5,001 – \$25,000	\$305 plus \$4.30 per thousand over \$5,000	Y	FS/MA
Building works Class 1 and 10 \$25,001 – \$50,000	\$395 plus \$4.00 per thousand over \$25,000	Y	FS/MA
Building works Class 1 and 10 \$50,001 – \$100,000	\$510 plus \$4.00 per thousand over \$50,000	Y	FS/MA

Type of Fee/Charge	Year 21/22 Total Payable (incl. GST)	GST	Pricing Policy
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CONSTRUCTION CERTIFICATE (CC) [continued]

Building works Class 1 and 10 \$100,001 – \$250,000	\$710 plus \$2.75 per thousand over \$100,000	Y	FS/MA
Building works Class 1 and 10 \$250,001 – \$500,000	\$1,270 plus \$2.50 per thousand over \$250,000	Y	FS/MA
Building works Class 1 and 10 over \$500,000	\$1,905 plus \$2.00 per thousand over \$500,000	Y	FS/MA
Villas, Townhouses, Duplex and Class 2 buildings	\$710 plus \$455 per unit	Y	FS/MA
Building works Class 3 – 9 up to \$5,000	\$560.00	Y	FS/MA
Building works Class 3 – 9 \$5,001 – \$25,000	\$610 plus \$7.00 per thousand over \$5,000	Y	FS/MA
Buildings works Class 3 – 9 \$25,001 – \$100,000	\$750 plus \$6.50 per thousand over \$25,000	Y	FS/MA
Building works Class 3 – 9 \$100,001 – \$250,000	\$1,248 plus \$6.00 per thousand over \$100,000	Y	FS/MA
Building works Class 3 – 9 \$250,001 – \$1M	\$2,163.50 plus \$5.00 per thousand over \$250,000	Y	FS/MA
Building works Class 3 – 9 >\$1M	by quote at \$185 per hour	Y	FS/MA

MODIFIED CONSTRUCTION CERTIFICATE / COMPLYING DEVELOPMENT CERTIFICATE

Class 1 and 10 building	30% of original CC/CDC fee	Y	FS/MA
Class 2 – 9 building	50% of original CC/CDC fee (plus additional costs for alternate solutions)	Y	FS/MA

UNDERTAKING ROLE OF PRINCIPAL CERTIFIER FOR BUILDING CONSTRUCTION WORKS

Class 1	\$205 plus \$145 per inspection - Occupation Certificate inspection \$225	Y	FS/MA
Class 10	\$205 plus \$145 per inspection - Occupation Certificate Inspection \$200	Y	FS/MA
Villas, Townhouses, Duplex and Class 2 Buildings	\$760 per unit plus Occupation Certificate Inspection \$185 per unit	Y	FS/MA

Type of Fee/Charge	Year 21/22 Total Payable (incl. GST)	GST	Pricing Policy
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UNDERTAKING ROLE OF PRINCIPAL CERTIFIER FOR BUILDING CONSTRUCTION WORKS

[continued]

Building works Class 3 – 9 up to \$20,000	\$560 plus Occupation Certificate inspection \$445	Y	FS/MA
Up to 2 inspections			
Building works Class 3 – 9 \$20,001 – \$50,000	\$1,015 plus Occupation Certificate inspection \$445	Y	FS/MA
up to 5 inspections			
Building works Class 3 – 9 \$50,001 – \$100,000	\$1,220 plus Occupation Certificate inspection \$445	Y	FS/MA
Up to 5 inspections			
Building works Class 3 – 9 \$100,001 – \$250,000	\$1,625 plus Occupation Certificate inspection \$445	Y	FS/MA
Up to 5 inspections			
Building works Class 3 – 9 \$250,000 – \$1M	\$2,035 plus \$1.55 per thousand over \$250,000 plus Occupation Certificate Inspection \$445	Y	FS/MA
up to 7 inspections			
Building works Class 3 – 9 >\$1M	By quote at \$185 per hour plus Occupation Certificate Inspection \$445	Y	FS/MA
Additional Inspection Fee Class 1-10	\$152.00	Y	FS/MA
Additional Inspection Fee Class 3-9	\$190.00	Y	FS/MA
Missed mandatory inspection and processing document review fee	\$155.00	Y	FS/MA
In addition to the inspection fee paid.			
Reinspection fee under Principal Certifier role	\$105.00	Y	FS/MA

TRANSFER OF PRINCIPAL CERTIFIER ROLE TO COUNCIL

Class 1 and 10 building	\$1,020.00	Y	FS/MA
In addition to any inspections and Occupation Certificate fees.			
Class 2 – 9 building	Quotation \$1,000 plus \$185 per hour	Y	FS/MA

Type of Fee/Charge	Year 21/22 Total Payable (incl. GST)	GST	Pricing Policy
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OCCUPATION CERTIFICATE

Based on Building Code of Australia class of building.

Class 1 building	\$225.00	Y	FS/MA
Class 10 building	\$200.00	Y	FS/MA
Class 2 building, per unit	\$185.00	Y	FS/MA
Class 3 – 9 building	\$445.00	Y	FS/MA
Compliance Certificate	By quote at \$185 per hour	Y	FS/MA
Written advice of compliance with DA/CC/CDC/BA applications following satisfactory final inspection	\$130.00	N	FS/MA
Occupation Certificate Class 1 processing and review fee where no inspections within previous 12 months	\$120.00	Y	FS/MA

May be charged In circumstances where a development required a final reinspection or an Occupation Certificate was not issued for some other reason; and there has been no subsequent inspections for at least 12 months (note this fee applies in addition to the fee for the Occupation Certificate itself)

Occupation Certificate Class 10 processing and review fee where no inspections within previous 12 months	\$105.00	Y	FS/MA
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May be charged In circumstances where a development required a final reinspection or an Occupation Certificate was not issued for some other reason; and there has been no subsequent inspections for at least 12 months (note this fee applies in addition to the fee for the Occupation Certificate itself)

Occupation Certificate Class 3-9 processing and review fee where no inspections within previous 12 months	\$235.00	Y	FS/MA
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May be charged In circumstances where a development required a final reinspection or an Occupation Certificate was not issued for some other reason; and there has been no subsequent inspections for at least 12 months (note this fee applies in addition to the fee for the Occupation Certificate itself)

ASSESSMENT OF ALTERNATE SOLUTION

Class 1 and 10 building	\$355.00	Y	FS/MA
Class 2 – 9 building	Quoted at \$400 plus \$185 per hour	Y	FS/MA
Processing of an application for an unjustifiable hardship exemption under the Premises Standard	\$300.00	Y	FS/MA

PRE-LODGE MENT / PRE-CONSTRUCTION MEETING FOR COMPLYING DEVELOPMENT CERTIFICATE / CONSTRUCTION CERTIFICATE

Class 1 and 10 building	\$295.00	Y	FS/MA
Class 2 – 9 building	Quoted at \$185 per hour	Y	FS/MA
Principal Certifying Authority fees where Council does not have accreditation level for the development	Quoted at \$185 per hour for Council administration and 100% of contractor consultant cost	N	FS/MA



PO Box 972
Parramatta NSW 2124
Tel: 02 9895 0111 TTY: 1300 723 404
ABN 81 913 830 179
www.fairtrading.nsw.gov.au

Information about registered certifiers – building surveyors and building inspectors

Important: this is a summary document only.

Before signing any contract for certification work, make sure you understand your obligations and what you are agreeing to. The Fair Trading website has more information about certifiers.

Under section 31(2) of the *Building and Development Certifiers Act 2018* and clause 31 of the *Building and Development Certifiers Regulation 2020*, a contract to carry out certification work must be accompanied by an applicable document made available on the website of the Department of Customer Service (which includes NSW Fair Trading)¹. This is the applicable document for certification work involving a certifier registered in the classes of **building surveyor** or **building inspector**, working in either the private sector or for a local council.

This document summarises the statutory obligations of the registered certifier who will assess your development and your obligations as the applicant for the development. It also sets out the types of information that can be found on Fair Trading's online register of registrations and approvals.

Obligations of registered certifiers

The general obligations of registered certifiers include compliance with their conditions of registration, to hold professional indemnity insurance, comply with a code of conduct and avoid conflicts of interest.

Who does a registered certifier work for?

A registered certifier is a public official and independent regulator, registered by the Commissioner for Fair Trading.

Certifiers must carry out work in a manner that is impartial and in the public interest, even if this is not in the interests of the applicant, developer, or builder. Receiving a certificate is not guaranteed – the applicant is paying for the certifier to assess the application and determine *whether or not* a certificate can be issued.

It is a serious offence to attempt to bribe or influence a certifier, attracting a maximum penalty of \$110,000 and/or two years imprisonment.

¹ Visit www.fairtrading.nsw.gov.au and search 'certification contracts'.

Obligations of the applicant

An applicant is the person seeking a certificate, or engaging a certifier for other certification work, under the *Environmental Planning and Assessment Act 1979*.

As an applicant, you have the following obligations:

- Appoint, and enter into a contract with, your chosen certifier.
- Pay the certifier's fees before any certification work² is carried out.
- Communicate with your builder to ensure the certifier is notified when work reaches each stage. If a mandatory inspection is missed, the certifier may have to refuse to issue an occupation certificate.
- Follow any written direction issued by the certifier and provide any requested additional information to assess an application.
- Meet the conditions of any development consent and ensure the development is carried out in accordance with the approved plans.

What does a registered building surveyor do?

Registered **building surveyors** issue certificates under the *Environmental Planning and Assessment Act 1979* (construction certificates, complying development certificates and occupation certificates), act as the **principal certifier** for development, and inspect building work.

The principal certifier will attend the site to carry out mandatory inspections at certain stages. When construction is complete, the certifier may issue an occupation certificate, which signifies that the work:

- is 'suitable for occupation' – this does not necessarily mean all building work is complete
- is consistent with the approved plans and specifications
- meets all applicable conditions of the approval.

The certifier does not manage or supervise builders or tradespeople or certify that the builder has met all requirements of the applicant's contract with the builder.

What does a registered building inspector do?

Registered **building inspectors** carry out inspections of building work³ with the approval and agreement of the principal certifier. Building inspectors are not authorised to issue certificates or be appointed as the principal certifier.

² Upfront fee payment is required for any work to determine an application for a development certificate or carry out a function of a principal certifier.

³ Building inspectors may inspect class 1 and 10 buildings under the Building Code of Australia; that is, houses, duplexes and the like; garages and sheds; and structures such as swimming pools, retaining walls and fences.

Principal certifier enforcement powers

If the principal certifier becomes aware of a non-compliance with the development approval, the certifier must, by law, issue a direction to you and/or the builder, requiring the non-compliance to be addressed. If it is not, the certifier must notify the council which may take further action.

The certifier is also required to respond appropriately if a complaint is made about the development.

Finding more information on certifiers

Details of the class of registration each certifier holds, their period of registration, professional indemnity insurance and disciplinary history can be found at www.fairtrading.nsw.gov.au:

- [Details of registered certifiers](#) (or search 'appointing a certifier' from the homepage)
- [Disciplinary actions against certifiers](#) (or search 'certifier disciplinary register' from the homepage).

Questions?

The Fair Trading website www.fairtrading.nsw.gov.au has information about certifiers, enforcement powers, how to replace a certifier and resolving concerns about a certifier:

- Search '[what certifiers do](#)' for information about a certifier's role and responsibilities.
- Search '[concerns with development](#)' for information about enforcement powers of certifiers, councils and Fair Trading, and how to resolve concerns about a certifier.

The NSW Planning Portal at www.planningportal.nsw.gov.au provides information on the NSW planning and development certification system.

Note, although Fair Trading regulates certifiers, it does not mediate in contract disputes and does not regulate the actions of councils. Visit the Fair Trading website for more information.

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