

## About this form

- You can use this form to obtain a Building Information Certificate for existing buildings/structures and for structures that have been erected without approval.
- A Building Information Certificate operates to prevent the Council, for a period of 7 years from the date of issue of the certificate, from making an order or take civil proceedings in relation to the buildings/structures.
- An application for a Building Information Certificate **can only** be made by:
  - The owner of the land on which the building is erected,
  - Any other person with the consent of the owner of the land,
  - The purchaser under a contract for the sale of property that comprises or includes the building, or the purchaser's Australian legal practitioner or agent,
  - A public authority that has notified the owner of that land of its intention to apply for the certificate.
- A Building Information Certificate **does not assess use**. Unauthorised works that are intended to facilitate a non-approved use will need a Development Approval and Occupation Certificate to be issued prior to the use commencing, regardless of the determination of the Building Information Certificate.

## How to complete this form

- Ensure that Parts A and B have been filled out correctly, and are saved as separate PDF files.
- All fields are mandatory and must be completed before submitting the application.
- Once completed you must submit this form electronically by email or by the NSW Planning Portal. Refer to the Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' for further information.
- Ensure all information outlined in the relevant checklist is provided at the time of lodgement. Failure to provide the required information will result in the application being rejected.

## Part A – Personal Information

A1 PROPERTY/SITE DETAILS					
Lot:		Section:		DP/SP:	
House No:		Street:			
Suburb:					

A2 APPLICANT DETAILS			
Name/Company:		Phone:	
Contact Name:		Mobile:	
Postal Address:			
Email:			
Applicant Signature:		Date:	
X			

**Note:** All enquires and correspondence relating to this application will only be discussed with or directly through the nominated contact.

### A3 CONSENT OF OWNERS

This section must be signed by every property owner. If the owner is a Strata Title Body Corporate, consent to lodging the application must be signed by an authorised person under the common seal of the body corporate. If the owner is a company, either the signature of an authorised person identifying their office held, signed under the company seal, or if no company seal, two directors' signatures and their office held, one director and a company secretary and their office held, or in the case of a proprietary company that has a sole director who is also the company secretary – that director's signature and office held.

Council must not issue a building information certificate unless it is satisfied that the building (or part of a building) is suitable for occupation or use in accordance with its classification under the *Building Code of Australia*.

**As the owner/s of the above property, I/we consent to this application and to any subsequent inspections required to be undertaken by Council officers in the assessment of this application.**

Name/Company:		Phone:	
Contact Name:		Mobile:	
Postal Address:			
Signatures of all owners:	X	X	

### A4 AUTHORITY TO SIGN: *Section 127 of the Corporations Law*

Signature of authorised person:	Signature of authorised person:
X	X
Name of authorised person:	Name of authorised person:
Office held:	Office held:
<b>Important:</b> Every owner must sign this form (or attach a separate letter signed by each owner if more space is required). Incomplete or inaccurate information on this section may result in rejection of the application.	
Is the subject land Crown Land?	No                      Yes – <b>attach</b> Authority

### A5 APPLICANT DECLARATION – to be signed after completing Parts A & B of this form

All of the details sought in this form must be provided. On-site inspections are carried out prior to the determination of any application. The applicant undertakes to take all necessary steps to make access available to the property to enable the inspection to be carried out. As a result of this inspection, or from a preliminary assessment, further information may sometimes be required. The Assessing Officer will contact you soon after their initial inspection if this is the case.

**Failure to provide the required documentation of an acceptable standard will result in your application being returned.**

#### What you need for lodgement

	<b>Building Information Certificate Application Form</b>
	<b>All associated plans and documents outlined in Part B of this form</b>
<b>Note:</b>	<b>Council will notify you of the Fees and Charges payable once your application is submitted and has completed a pre-lodgement check. Fees and Charges will be applied in accordance with Council's adopted fees and charges.</b>

**Important Notice:**

- I understand that Council will not process applications that are incomplete or non-complying with lodgement requirements. I understand that incomplete applications will be returned to applicants within 14 days (see Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality').
- I understand that building work will be valued independently by using the latest building cost indicators.
- I apply for approval to carry out the development or work described in Parts A and B of this application. I declare that all the information provided as part of the application is, to the best of my knowledge, true and correct.
- I also understand that if the information is incomplete, the application may be delayed, rejected or more information may be requested. I acknowledge that if the information provided is misleading, any approval granted may be void.
- I accept delays in processing will arise out of any inadequacies in the material submitted in support of the application.
- I declare that the electronic data provided is a true copy of all plans and associated documents submitted with this application and the data is not corrupted or does not contain any viruses. All documents are saved as separate PDF files, no bigger than 20MB each, named in accordance with Council's 'Guide to carrying out Development or an Activity in the Kiama Municipality' and Parts A and B of this form are saved as separate PDF files. I understand that information provided electronically (excluding Part A and non-exhibition plans) will be publicly available.
- I understand that the Council will use the information and materials provided for notification and advertising purposes and that material provided will be made available to the public for inspection and copying at Council's Administration Building and on Council's website.

<b>Applicant Name:</b> (print name)	<b>Applicant signature:</b>	<b>Date:</b>
	X	

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## Part B – Development

**Note:**

- Information provided on this Part B will be public information and will be placed on the Council's website.
- All fields on this form are mandatory and must be completed before submitting the application.

B1 PROPERTY/SITE DETAILS					
Lot:		Section:		DP/SP:	
House No:		Street:			
Suburb:					

B2 APPLICANT DETAILS	
Name/Company:	

B3 PARTICULARS OF THE APPLICATION	
<p><b>Why are you applying for a building information certificate?</b></p> <ul style="list-style-type: none"> <li>• For example, property sale, property purchase, unauthorised building work, other</li> </ul>	
<p>Class/es of building/s under the <b>Building Code of Australia</b> (Refer to checklist for building classifications under the Building Code of Australia). Note there may be more than one class that may apply.</p>	
<p><b>Unauthorised Development</b> Complete this section if you are seeking Council's acceptance of unauthorised works</p>	
<p><b>Is the application for whole or part of the building?</b></p> <ul style="list-style-type: none"> <li>• Provide a description of all structures you want the Building Information Certificate to cover</li> </ul>	
	Whole
	Part
<p><b>What is the floor area (m<sup>2</sup>) of the whole building or part of the building you want the building information certificate to cover?</b></p>	m <sup>2</sup>
<p><b>When was the work originally carried out?</b></p>	
<p><b>What is the total cost, to the nearest thousand, of the unauthorised work/s?</b></p> <ul style="list-style-type: none"> <li>• This includes GST, labour etc. Council checks your estimate against current building cost indices.</li> </ul>	\$

## B4 ATTACHMENTS RELATING TO THE DEVELOPMENT

Applicants must provide the documents listed below that are relevant to the type of building work that has been carried out. TICK the appropriate box/es to indicate the documents you have provided. Confirm from the certifying authority how many copies are required prior to lodging this application.

### 1. Works-as-executed architectural/structural engineering plans and specifications

Copies are to **include**:

- a. detailed plans, drawn to a suitable scale and consisting of a block plan and a general plan, that show:
  - i. a plan of each floor section
  - ii. a plan of each elevation of the building
  - iii. the levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of the adjacent ground
  - iv. the height, design, construction and provision for fire safety and fire resistance (if any)
- b. specifications for the development:
  - i. that describe the construction and materials of which the building is built and the method of drainage, sewerage and water supply, and
  - ii. that state whether the materials used were new or second-hand and (in the case of second-hand materials) give particulars of the materials used
- c. if the development involved building work to alter, expand or rebuild an existing building, a scaled plan of the building existing prior to the unauthorised works
- d. if a BASIX certificate has been obtained for the development, such other matters as the BASIX certificate requires to be included in the plans and specifications

### 2. Structural engineering certificate

Copies are to **include**:

- a. Certificate/s confirming that the building or part of the building has been constructed in accordance with the works-as-executed architectural/structural engineering plans

### 3. Survey reports

Copies are to **include**:

- a. Reports showing the location of any work not confined within the footprint of the building existing prior to the unauthorised works

## PRIVACY & PERSONAL INFORMATION PROTECTION NOTICE

**Purpose of collection:** We are collecting your personal information in order to enable Council to assess this application in accordance with the *Environmental Planning and Assessment Act 1979*.

**Intended recipients:** The intended recipient of the information is Kiama Municipal Council.

**Supply:** While the supply of this information is voluntary, the personal information you provide will enable Council to assess this application in accordance with the *Environmental Planning and Assessment Act 1979*. If you cannot provide this information, Council will be unable to process your application(s).

**Access/Correction:** The personal information can be accessed by you and may be available to third parties in accordance with the *Government Information (Public) Access Act* and Council's Privacy Management Plan.

Your personal information may be disclosed to third parties for the purpose of compliance with the *Government Information (Public) Access Act*, Council's Privacy Management Plan or if otherwise required by law.

You may make an application for access or amendment to personal information held by Council. We will consider any such application in accordance with the *Privacy and Personal Information Protection Act 1998*.

**Storage:** Kiama Council is the agency that holds the personal information. Council may be contacted on 02 4232 0444, or by email to: [council@kiama.nsw.gov.au](mailto:council@kiama.nsw.gov.au) or at 11 Manning Street, Kiama. NSW. 2533.