



# LEETON SHIRE COUNCIL

*Preserving the Past, Enhancing the Future*

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## **CONSTRUCTION CERTIFICATE**

Once the development application has been approved, a Construction Certificate is required before building work may begin.

A Construction Certificate is an approval that:

- Makes sure that detailed construction plans and specifications comply with the *Building Code of Australia* (BCA) and other relevant Australian Standard.
- Certifies that the detailed construction plans and specifications are consistent with the Development Consent.
- Certifies that the relevant development consent conditions have been complied with.
- Certifies that all necessary contributions and fees have been paid.

NOTE: A Construction Certificate is not required where a Complying Development Certificate has been applied for and issued by either Council or a Private Accredited Certifier.

A Construction Certificate can be issued by Council or a Private Accredited Certifier. If issued by a Private Accredited Certifier, a copy of the certificate, associated plans and specifications must be forwarded to Council within two days after the date of determination.

Once you have Development Consent and have then obtained a Construction Certificate, you need to appoint a Principal Certifying Authority (PCA) before starting work. A PCA is either Council or a Private Accredited Certifier who oversees the construction or subdivision process. Council must be told who has been appointed PCA at least two days before building works start.

The PCA will conduct an inspection of each required stage of construction and issue an Occupation Certificate (for any building work) when all the pre-conditions specified in the Development Consent have been met and the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.

A Construction Certificate is only valid while the Development Consent is valid. Building works must commence before the Development Consent lapses.

Applicants can apply for a Construction Certificate and appoint a PCA at the same time as applying for Development Consent. This can be done on Council's combined Development Application Form and will ensure your Development Application is processed efficiently.

### **Inspections**

Where Council is engaged to act as the Principal Certifying Authority, Council Officers must be booked with 48 hours prior notice to carry out Critical Stage Inspections. The Critical Stage Inspections required to be undertaken for a development are described

within the relevant Complying Development or Development Consent issued by Council. Where a Construction Certificate has been issued, a schedule of inspections will also be attached.

Critical Stage Inspections may include (where relevant to the proposed works):

#### *Class 1 & 10 buildings*

- after excavation for, and prior to the placement of, any footings
- prior to pouring any in-situ reinforced concrete building element
- prior to covering of the framework for any floor, wall, roof or other building element
- prior to covering waterproofing in any wet areas
- prior to covering any stormwater drainage connections
- after the building work has been completed and prior to any occupation certificate being issued in relation to the building

In the case of a swimming pool, an inspection is required as soon as practicable after the barrier (if one is required under the [Swimming Pools Act 1992](#)) has been erected.

#### *Class 2, 3 & 4 buildings*

- after the commencement of the excavation for, and before the placement of, the first footing
- prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building
- prior to covering any stormwater drainage connections
- after the building work has been completed and prior to any occupation certificate being issued in relation to the building

#### *Class 5, 6, 7, 8 or 9 buildings*

- after the commencement of the excavation for, and before the placement of, the first footing
- prior to covering any stormwater drainage connections
- after the building work has been completed and prior to any occupation certificate being issued in relation to the building

It is important to note that Council may require other inspections also be undertaken in addition to the Critical Stage Inspections listed by the Legislation. These will be clarified as a condition of consent in any Complying Development or Development consent issued by Council.

## **Occupation Certificate**

You will need to submit an Application for an Occupation Certificate at least 48 hours prior to contacting the PCA to arrange a final inspection.

Once a satisfactory final inspection has been carried out you must obtain an Interim Occupation Certificate or Final Occupation Certificate prior to occupying the building.

In certain circumstances the PCA may require you to submit additional information such as compliance certificates at the time of application.

It should be noted that it is an offence to occupy a building without an occupation certificate. The PCA may refuse to issue an Occupation Certificate if the development has been occupied without consent.

An Occupation Certificate is a lawful requirement in the conveyancing process when a property is sold and it is therefore essential that you follow the above process.

### **Interim Occupation Certificate**

An Interim Occupation Certificate can be issued if the building is fit for occupation but there are still outstanding matters to be addressed.

These matters must be addressed within the time frame specified by the PCA. Once all outstanding items have been completed, a re-inspection may be carried out and a Final Occupation Certificate issued.

### **Final Occupation Certificate**

A Final Occupation Certificate is issued by the PCA and certifies that:

- A PCA has been appointed under s109E of the Environmental Planning and Assessment Act 1979
- A development consent is in force with respect to the building.
- A construction certificate or complying development certificate has been issued with respect to the plans and specifications for the building.
- The building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.
- Where required, a final fire safety certificate has been issued for the building.
- Where required, a report from the Commissioner of Fire Brigades has been considered.
- All conditions of development consent have been met.