



Upper Lachlan Shire Council
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ABN 81 011 241 552

Lodgement Options
Mail: PO Box 42 Gunning NSW 2581
In person: Crookwell Office, 44 Spring Street, Crookwell
Gunning Office, 123 Yass Street, Gunning
Opening Hours: 9am – 4pm Monday to Friday

BUILDING INFORMATION CERTIFICATE FORM

Division 6.7 of the Environmental Planning and Assessment Act 1979

Use this form to lodge an application for a **Building Information Certificate**. This is a public document and may be made available to the community upon request.

Please place a mark in the relevant boxes and fill out all appropriate blank Steps. Please ensure you have submitted all relevant information to minimise delays. Once your application has been assessed you will be advised in writing of Council's Determination.

STEP 1 PROPERTY LOCATION

Where the application involves multiple allotments all lot details must be provided.

House No.	Street	
Suburb or Town		Postcode
Lot No.	Section (if applicable)	Deposited Plan (DP)

STEP 2 DETAILS OF THE APPLICANT/S

Anyone can submit an application but if the applicant is not the owner of the land, then the Owner(s) written consent to lodge the application is required. All correspondence will be sent to the applicant. It is important to notify Council of any change of address and/or telephone number if this occurs during the processing of the application.

Name/ Company Name	
Contact Name (in the case of a Company)	
Postal address	
Email	
Mobile	Daytime Telephone

STEP 3 TYPE OF BUILDING(S)

What structure(s) are you applying for eg: Dwelling, Shed, Pool or All Structures on site.

Description:	
Whole or Part of each building? Whole Part	Floor area of building or part m ²

STEP 4 CONTACT PERSON/DETAILS FOR INSPECTION

As part of this application Council will be required to carry out an inspection of the property, please provide details for the person who can assist Council with access to the property.

Contact Name	Daytime Telephone
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STEP 5 PRIVACY POLICY	
<p>The information you provide in this application will enable us, and any relevant state agency, to assess your application under the Environmental Planning and Assessment Act 1979 and other applicable State Legislation. If the information is not provided, your application may not be accepted.</p> <p>If your application is for designated development or notified development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.</p>	
STEP 6 PRIVACY NOTIFICATION	
<p>The personal information that Council is collecting from you is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA). The intended recipients of the personal information are officers within Council, data service providers engaged by the Council from time to time and any other agent of Council.</p> <p>If you cannot provide, or do not wish to provide, the information sought, the Council may be unable to process your application. You may make application for access or amendments to information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the PPIPA.</p>	
STEP 7 POLITICAL DONATIONS AND GIFTS	
<p>Please be aware of the Statutory obligations to disclose Political Donations and Gifts that may apply to you or associated people if you are lodging a Development Application. A failure to meet your obligations is an offence. Links to information and Council's Political Donations and Gifts Disclosure Statements form are available from Council's website at https://www.upperlachlan.nsw.gov.au/planning/forms-checklists. All Political Donations and Gifts Disclosure Statements will be public documents and all information contained in them will be available to the public and government agencies. Does a Political Donations and Gifts Disclosure Statement accompany this application?</p>	<p>No</p> <p>Yes</p>
STEP 8 PAYMENT OPTIONS	
<p>Council accepts payments by cash, cheque, money order, eftpos or credit card (Visa and Mastercard only) at Council's Administration Office. All cheques are to be made payable to Upper Lachlan Shire Council. Should you wish to mail your application package to Council and wish to use the credit card facility, please download a Mail Order/Telephone Order credit card processing form which can be found at https://www.upperlachlan.nsw.gov.au/planning/forms-checklists or alternatively enclose a cheque or money order.</p> <p>Please contact the Upper Lachlan Shire Council's Environment & Planning Department on (02) 4830 1000 or council@upperlachlan.nsw.gov.au to arrange a fee quote for your application.</p>	
STEP 9 SCHEDULE OF FEES	
For a whole/part dwelling (Class 1) and/or an associated building (Class 10)	\$250.00
Any other building, refer to the table below: Floor area of building or part <ul style="list-style-type: none"> • Not exceeding 200 square metres • Exceeding 200 square metres but not exceeding 2,000 square metres • Exceeding 2,000 square metres 	\$250 \$250, plus an additional 50 cents per square metre over 200 \$1165, plus an additional 7.5 cents per square metre over 2,000
Part of a building and that part consists of an external wall only or does not otherwise have a floor area	\$250.00
Additional inspections carried out to determine a building certificate (the initial inspection is included in the application fee)	\$90
<p>Additional fees relating to unauthorised construction works or where a notice has been served <i>Estimated construction costs of unauthorised works:</i></p>	
The amount of the maximum fee that would be payable if the application were an application for development consent, or a complying development certificate (if appropriate), authorising the erection or alteration of any part of the building to which the application relates that has been erected or altered in contravention of the Act in the period of 24 months immediately preceding the date of the application,	Refer Application fees
The amount of the maximum fee that would be payable if the application were an application to the council for a construction certificate relating to the erection or alteration of any part of the building to which the application relates that has been erected or altered in contravention of the Act in the period of 24 months immediately preceding the date of the application.	Refer Application fees

STEP 10 SIGNATURE OF ALL OWNER/S

ALL OWNERS OF THE LAND TO BE DEVELOPED MUST SIGN THE APPLICATION PRIOR TO THE APPLICATION BEING SUBMITTED. IF OWNERS OF THE LAND ARE ALSO THE APPLICANT/S STEP 11 BELOW MUST STILL BE COMPLETED.

- If you are not the owner of the land, you must have all the owner/s sign the application. You can only sign on behalf of the owner/s if you have power of attorney or a letter of authority.
- If Council is the owner of the land, you will need to obtain owners consent prior to lodging the application.

As the owner/s of the above property, I/we consent to this application and consent to the Council, its servants or agents entering upon the property without first having given notice, for the purpose of carrying out all or any inspections which the Council may deem appropriate in connection with the processing of this application.

Conflict of Interest declaration

To ensure transparency in Council’s decision making process and to avoid potential conflicts of interest owners are to make a declaration as to whether they are a Council employee or Councillor or are a friend/relative/associate to a Council employee or Councillor.

I am a Council employee or Councillor

No Yes

I am a friend, relative or associate to a Council employee or Councillor

No Yes (state relationship below)

– Relationship:

Owner Signature	Owner Signature
Name	Name
Date	Date

STEP 11 SIGNATURE OF ALL APPLICANT/S

By signing this application,

1. I confirm that the application form is completed and the information (e.g. Number and type of plans, etc) required by Council is attached.
2. I licence Council to make all documents lodged with this application of which I am the copyright owner publicly available on Council’s website both during the assessment of this application and thereafter, and further licence Council to reproduce all such documents for any purpose associated with the exercise of its functions under the Environmental Planning & Assessment Act 1979 in respect of this application, and for the purpose of complying with its obligations under the Government Information (Public Access) Act 2009.
3. I warrant that to the extent that I do not own the copyright in any documents lodged with this application, the Council is licensed by the copyright owner to use the documents lodged with this application in accordance with paragraph 2 above.
4. I indemnify the Council against all claims and actions in respect of a breach of copyright arising from any unauthorised use of any documents lodged with this application.

Note: ALL correspondence will be forwarded to the applicant, including the determination.

Conflict of Interest declaration

To ensure transparency in Council’s decision making process and to avoid potential conflicts of interest applicants are to make a declaration as to whether they are a Council employee or Councillor or are a friend/relative/associate to a Council employee or Councillor.

I am a Council employee or Councillor

No Yes

I am a friend, relative or associate to a Council employee or Councillor

No Yes (state relationship below)

– Relationship:

Applicant Signature	Applicant Signature
Name	Name
Date	Date

CHECKLIST OF DOCUMENTATION TO ACCOMPANY YOUR APPLICATION

This checklist will assist with the lodgement of your application by ensuring you have included all the necessary details. This will prevent delays in processing your application. **Please do not lodge your application until you have checked each item on this checklist and indicated whether you have included the required information.**

IF THE REQUIRED INFORMATION IS NOT PROVIDED, YOUR APPLICATION WILL NOT BE ACCEPTED BY COUNCIL.

REQUIRED INFORMATION

Submitted

Completed application form

Yes

Payment of fees

Yes

A survey plan and report from a Registered Surveyor

Yes

Additional information will be required where unlawful building works are identified.

OFFICE USE ONLY

Is additional information required for this application?

No

Yes

Development Officer

Date

WHAT IS A BUILDING INFORMATION CERTIFICATE?

A Building Information Certificate is a certificate issued by Council that states it will not make certain Orders or take certain action under the *Environmental Planning & Assessment Act 1979* or the *Local Government Act 1993*.

This includes Orders (or take proceedings for an Order) to have the building covered by the certificate demolished, altered, added to or rebuilt. The certificate also means Council will not take proceedings in relation to any encroachment by the building onto land under the control of Council, for a period of seven years.

A Building Information Certificate is usually applied for when selling houses and/or to seek protection against Council taking action (typically demolition) to rectify unlawful building work or work where mandatory building inspections may have been missed.

If building works have already constructed a building certificate may be issued, however this does not make the structure/s lawful. Where an applicant for a Building Certificate is seeking to regularise an unlawful building works Council may require that a Development Application for the use of the unlawful building be submitted.