



# ALL CONSTRUCTION APPROVALS

## BUILDING CERTIFICATION AND INSPECTIONS FOR THE FAR NORTH REGION

### ENGAGEMENT OF A PRIVATE CERTIFIER

#### Part A

Applicant: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: / /10

Registered Owner: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Owners Signature: \_\_\_\_\_ Date: / /10

Private Certifier HARALD W WEBER

Private Certifier Signature: \_\_\_\_\_ FOR Date: / /10

The applicant agrees to engage Harald Weber ("the Private Certifier") to undertake the Assessment specified in Part C upon the following terms of engagement.

#### TERMS OF ENGAGEMENT

#### Part B – Nature of Assessment

Services provided by the Private Certifier:-

1. Assess the Application (attached as Annexure 1) for the following "Works":-

- building work:
- operational work:
- plumbing work:
- drainage work:

exercising the powers of Assessment Manager under Part 2 Division 2 of the *Building Act 1975* in respect of the following premises:-

Address: \_\_\_\_\_

Local Government: - \_\_\_\_\_

2. Provide the Applicant with a Decision Notice (in accordance with the *Building Act 1975*) containing the outcome of the Private Certifier's assessment of the Application.

3. If the Application is approved, and subject to the conditions of the resulting Development Approval, the Private Certifier will:-

(a) Conduct all necessary assessments to assess whether any work performed pursuant to the developments Approval complies with the following applicable codes:-

i) Standard Building Regulation;

ii) any "standards and requirements" contained in:-

(A) The Planning Scheme for the Balance of the City of Cairns; or

(B) The Planning Scheme for Part of the City of Cairns; or

iii) other :(specify): \_\_\_\_\_

(b) Conduct the following inspections of any Works performed pursuant to the Development Approval:-

Footing/Slab

Bond Beam

Frame

Final

Other

#### Part C

1. In addition to the obligations of an Applicant under the *Building Act 1975*, the applicant agrees to :-

(a) supply to the Private Certifier all existing Development Approvals and applications for Development Approvals not yet issued;

(b) advise the Private certifier if the Applicant or any other person is engaged in any litigation in respect of the subject premises, and if so the nature of the litigation;

(c) advise the Private Certifier whether the subject premises is subject to any Show Cause Notice, Enforcement Notice or any other notice (including a Notice under a Local Law) from either the relevant Assessment manager or the State;

(d) ensure that access is available to the site by the Private Certifier;

(e) disclose whether the subject premises is:-

i) listed on the Contaminated sites Register of the Environmental Management Register;

ii) is the subject of an Environmental Management Plan or Program;

(f) Disclose whether the development is proposed to be used for or in conjunction with an Environmentally Relevant Activity.

#### Part D – Certification Fee

1. The Assessment specified in Part B will be carried out by the Private Certifier for the sum of \$ \_\_\_\_\_ +GST ("the Certification Fee").

2. In addition to the Certification Fee, any inspections, **in addition** to those specified in 3.(b), will be charged at a rate of \$ \_\_\_\_\_ +GST per inspection.

3. The Applicant must pay the Certification fee to All Construction Approvals, even if the Private certifier does not approve the Application or certify the works because of non-compliance with any applicable codes or other valid reason for refusing approval or certification.

#### General Conditions

1. Either party may terminate this agreement by providing written notice of the termination to the other party. In all other respects the discontinuance of this engagement is governed by the provisions of the *Building Act 1975*.

#### Additional Fees (if applicable):

- Lodgement fee with local government \$ \_\_\_\_\_
- Plumbing application \$ \_\_\_\_\_
- Water application \$ \_\_\_\_\_
- Siting Variation/Amenity and Aesthetics Assessment \$ \_\_\_\_\_
- Operational works/Landscaping \$ \_\_\_\_\_