

APPLICATION FOR CERTIFICATE OF SUBSTANTIAL COMPLIANCE

An application for Certificate of Substantial Compliance is to be used where building work comply substantially with the requirements of the *Building Act* and Building Regulations and or Building Permit. This form is to be used where the owner is unable to apply for the highest level of certification (an Occupancy Permit) because full compliance with the legislative requirements and or Building Permit cannot be demonstrated. The building work must, however, meet the Technical Standards that applied to the Building Permit.

WHOLE BUILDING
 PART OF BUILDING
 CHANGE OF USE

BUILDING PERMIT NUMBER		NAME OF CERTIFIER WHO ISSUED BUILDING PERMIT	
		REGISTRATION NUMBER	

SECTION 1 DETAILS OF PROPERTY

LOT/PORTION NUMBER		LOCATION eg. Town of Darwin	
PROPERTY ADDRESS			
NAME OF REGISTERED OWNER/S (Print clearly)			

SECTION 2 APPLICANT

Note a person must not act as an agent for the owner unless they have been authorised in writing by the owner to do so.
Maximum penalty – 8 penalty units.

NAME OF APPLICANT			
DAY TIME PHONE NUMBER		MOBILE PHONE NUMBER	
FAX NUMBER		EMAIL ADDRESS	
POSTAL ADDRESS			

SECTION 3 DESCRIPTION OF WORK

Please provide a brief description of the work:

SECTION 4 IMPORTANT INFORMATION

APPEALS

The Certifier must advise the owner that the owner or the owner's agent may appeal to the Building Appeals Board against a refusal to grant, or against a condition imposed on an Occupancy Permit or a Certificate of Substantial Compliance (Schedule 3, item 12(2) and Section 130). **An appeal must be commenced not later than 28 days after the date on which notice of the decision appealed against is given** (Section 130A).

OCCUPANCY CERTIFICATION

The building (or part of the building) must not be occupied in contravention of an occupancy certification, including the building use/classification and any conditions imposed – Maximum penalty is 85 penalty units (Section 65(2)).

If it is proposed to change the use of the building (or any part), a new occupancy certification must first be obtained permitting the new use – Maximum penalty is 85 penalty units (Section 65(1) and Building Regulation 20).

LEVEL OF CERTIFICATION

Please consider carefully whether you wish to apply for this level of certification before making the application.

If as the owner or the owner's agent you do not agree that the building work should be covered by this level of certification, you should not complete this form and should apply for an Occupancy Permit. Appeals may only be made against a refusal to grant the occupancy certification that the owner or owner's agent applies for.

SECTION 5 UNATTESTED DECLARATION - Pursuant to Section 21 of the *Oaths, Affidavits and Declarations Act*

I _____ (FULL NAME), solemnly and sincerely declare:-

- hereby apply for a Certificate of Substantial Compliance pursuant to Section 72A of the *Building Act* in relation to the above building work;
- that failure to supply information required on this form may delay processing of this application; and
- that as the **owner** I understand I am applying for a Certificate of Substantial Compliance and have been advised why the building work may be issued with this level of certification **OR**
- that I as the **owner's agent** have advised the owner that this is not the highest level of certification and advised the owner why the building work may be issued with this level of certification; and
- that the information contained herein is true and acknowledge that it is an offence¹ to make a declaration that is false in any material particular.

Dated this _____ day of _____ 20____
at (ADDRESS) _____

SIGNATURE

¹ Section 119 of the *Criminal Code Act* (NT) provides that a person making an unattested declaration that, in any material particular, is to his or her knowledge false, is guilty of a crime and is liable to imprisonment for 3 years.

SECTION 6 DOCUMENTATION

Documents must be attached to this application to comply with the *Building Act* and Building Regulation 18B. Please tick included documents:

- Section 40 certificate
- Section 63 inspection certificates issued
- Certificate of Compliance under section 69 of *Electricity Reform Act* (if applicable)
- Copy of relevant planning or other prescribed consent
- Other prescribed documents (Termite Certificates, Truss Certificates etc)
- Builder's declaration
- Section 73A exemption certificate/s (if applicable)
- Other documentation and or reports (please provide details below).

Additional documentation and/or comments:

