

Northern Territory of Australia Building Act

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 PRO	OPERTY			
LOT/PORTION NUMBER				
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 O	E WORK			
Please provide a brief descript				



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 <u>not later than 28 days</u> 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				
(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 <i>Criminal Code Act</i> (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 <i>Building Act</i> 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:				
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SECTION 7 BASIS FOR APPLYING FOR CERTIFICATE OF SUBSTANTIAL COMPLIANCE
Please specify the basis for applying for a Certificate of Substantial Compliance, eg. Missing documentation; missing an inspection; have works been carried out with some deviation from the Building Permit (that meets Technical Standards)?
PRIVACY The Director of Building Control is authorised under the <i>Building Act</i> to collect the information on this form or other information provided by you. Some of the personal information provided by you on this application will be publicly available, as part of a Public Register. The information is regularly provided to other NT Government agencies, local government and Australian Bureau of Statistics for conveyancing, local government, valuation, statistical, administrative and other purposes. The Department also sells or licences copies of information to commercial organisations engaged in development and construction.

If you wash your personal information to be excluded from these extracts please tick this box.

The privacy statement for the Northern Territory Government is available at https://nt.gov.au/copyright-disclaimer-and-privacy
Your personal information provided in this application can be accessed by you by contacting the Department.

If you have any queries please contact the Director of Building Control on (08) 8999 8985.