

Building Professionals Act 2005

Application for conflict of interest exemption

Section 66(1)(d) of the *Building Professionals Act 2005* (the Act) prevents a certifier from issuing a certificate under the EP&A Act in relation to any aspect of a development if they are associated with the council where the development is to be carried out.

Section 71 of the Act allows the Board to grant an exemption to a certifier from section 66(1)(d), for a particular development or class of development. Certifiers must use this form to apply for an exemption under section 71.

Who should use this form

Certifiers 'associated with' the council (as defined in sections 68-69 of the Act) where they wish to carry out certification work should complete this form to apply for an exemption.

How to complete this form

- Use BLOCK LETTERS and tick or cross boxes ()
- Ensure the form is complete and legible and all required documentation is included. Only complete, legible applications will be considered.
- Sign and date each page.
- Email your application, with evidence of payment of the fee, to bpb@bpb.nsw.gov.au

Supporting documentation

Private certifiers, attach an email or letter from the council confirming there is adequate governance to ensure you will have no private involvement in any development for which you provided services to the council. The email/letter must be from the council's General Manager, planning director or other appropriate person. **Your application will only be considered if you attach the email/letter.** The Board may contact you for further details.

Enquiries about your application: Phone (02) 8522 7800 or email bpb@bpb.nsw.gov.au.

Notice of decision

The Board will notify you in writing of its decision. An exemption may be granted unconditionally, subject to conditions, or refused.

1. APPLICANT'S DETAILS

Name and accreditation

Title		Given names				
Surname						
Accreditation number						

Business address

Business name					
Unit/Street no.		Street			
Suburb			State		Postcode
PO Box			State		Postcode

Address for correspondence (select one)

Business
 PO Box

Contact details

Res. tel.	()	Bus. tel.	()
Mobile		Email	

2. LOCAL GOVERNMENT AREA IN WHICH EXEMPTION IS SOUGHT

3. TYPE OF EXEMPTION SOUGHT

- Exemption in relation to the following particular development (specify the type of development, the address of the development, the DA/CDC number and the date work commenced on the development):

- Exemption in relation to a particular class of development (specify BCA class/es):

Applicant's signature _____

Date / /

4. ASSOCIATION WITH THE COUNCIL

- I am a councillor or employee of the council (**attach a detailed job description**)

Provide details, including a description of the relationship (if any) of the position with the development assessment and building certification sections of the council.

- I am related to a councillor or employee of the council (**attach a detailed job description of the councillor/ employee's position including any delegations to the position- you may need to ask council for this information**)

Provide details (including the relationship and the extent of contact between the position of the councillor or employee with the development assessment and building certification sections of council).

- I have a contractual arrangement with the council that might reasonably be seen to give rise to a conflict between my duties as a certifier and my interests under the arrangement.

Provide details (including the nature of the contract, its value, payments involved, and the people in council responsible for administering the contract).

5. GENERAL DECLARATION

- I solemnly and sincerely declare that the particulars contained in this application and accompanying documents are true and correct.
- I acknowledge that under section 307A of the *Crimes Act 1900*, I can be found guilty of an offence if I make a false or misleading statement in this application and the penalty for making a false or misleading statement is two years' imprisonment and/or a fine of \$22 000.

6. SIGNATURES

Applicant's signature: _____

Date of application: / /

Witness' signature: _____

Witness' name: _____

Date: / /

7. FEE

The **\$100 application fee** is payable by Visa, Mastercard or direct bank deposit/ EFT.

Phone the Building Professionals Board on (02) 8522 7800 to arrange payment.

Please note, cheques are not accepted.

If your application is refused, your application fee will not be refunded. If you withdraw your application before it is determined, part of your application fee may be refunded.

8. SEND YOUR APPLICATION

Email bpb@bpb.nsw.gov.au (preferred method)

Or post to:

Building Professionals Board
PO Box 972
PARRAMATTA NSW 2124

Applicant's signature _____

Date / /