

Building Upgrade Agreement Application Form – Building Owner



Step 1: Eligibility Confirmation

This ensures the Council will meet their legislative requirements and provides the Building Owner/s with confidence to proceed with Building Upgrade Finance.

Eligibility Questions:	Yes	No
1. Are you the Building Owner (or an authorised representative) as per the interpretation in Schedule 1B of the <i>Local Government Act 1999</i> ?* <small>*If the building is located on Crown Land, consent may be required by the Minister for the Crown Land Management Act 2009.</small>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the building located in the City of Adelaide Local Government Area?	<input type="checkbox"/>	<input type="checkbox"/>
3. Is the building a prescribed building under the <i>Local Government (Building Upgrade Agreements) Regulations 2017</i> (used primarily for commercial, industrial or other non-residential purposes)?	<input type="checkbox"/>	<input type="checkbox"/>
4. Was the construction of the building completed at least 2 years ago? If yes, what year was construction completed? <input style="width: 50px;" type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. You confirm that the building is not subject to a registered Strata Plan?	<input type="checkbox"/>	<input type="checkbox"/>
6. Are the upgrade works either environmental upgrade works or are works prescribed in the <i>Local Government (Building Upgrade Agreements) Regulations 2017</i> (i.e. heritage works to or within a predominantly non-residential heritage building)?	<input type="checkbox"/>	<input type="checkbox"/>
7. Have you consulted with City of Adelaide's Planning and Development staff to ensure that all property development compliance requirements have been met or will be met?*** <i>Development consent is not required for this application form. For more info on development compliance requirements, contact the City of Adelaide's Duty Planner on 8203 7185.</i>	<input type="checkbox"/>	<input type="checkbox"/>
<small>***It is the responsibility of the applicant to obtain all required development application approvals prior to either the Building Upgrade Agreement being executed or the Building Upgrade Agreement commencement date.</small>		
8. Will the total amount of existing debts (mortgages, taxes, rates, charges) plus the value of the proposed Building Upgrade Charge# amount be less than 80% of the land's capital value prior to the upgrade?^ <i>Note: if there is a change in the scope of works after this Application Form has been submitted to the City of Adelaide, the full scope of works will need to be included in this assessment when the Building Upgrade Agreement is submitted.</i>	<input type="checkbox"/>	<input type="checkbox"/>
<small># The Building Upgrade Charge is the amount to be advanced by the financiers and any interest or charges payable to the financier. Financiers should be able to provide this information</small>		
<small>^ Council requires a statutory declaration detailing the total debts for a Building Upgrade Agreement contract execution. Council cannot execute the Building Upgrade Agreement unless this statutory declaration is received. Council may also require a copy of a recent (within 6 months of the date of the statutory declaration) capital valuation of the property to be provided with the statutory declaration.</small>		
9. Will existing mortgagees be notified in writing of your intention to enter into a BUA and provided details of the Building Upgrade Charge to be levied by Council?^^	<input type="checkbox"/>	<input type="checkbox"/>
<small>^^ The statutory declaration mentioned above is to also include a statement that the owner has complied with the Existing mortgagee notification requirements of the Act. Council cannot execute the Building Upgrade Agreement unless this statutory declaration is received.</small>		
10. There are no overdue debts to the City of Adelaide in respect of the building?	<input type="checkbox"/>	<input type="checkbox"/>
11. There are no outstanding orders that have been issued in relation to the building pursuant to any legislation?	<input type="checkbox"/>	<input type="checkbox"/>
12. You are not in dispute with Council regarding any matter? This includes any adverse or legal history with the council	<input type="checkbox"/>	<input type="checkbox"/>

If you answer yes to all of these, you are eligible for Building Upgrade Finance (subject to accuracy of information provided and confirmation of Item 8).

Please note:

- that this Application Form does not guarantee execution of a Building Upgrade Agreement.
- that planning approvals and other relevant consents and requirements may apply.

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Step 2: Details

This provides the council with information regarding the building owner, the building, the works to be financed, and the finance provider.

Building Owner's Company Name <i>(if applicable)</i>	
Building Owner's Company ABN/ACN <i>(if applicable)</i>	
Building Owner's name	
Building Owner's email	
Building Owner's telephone	
Building address	
Lot and Deposited Plan	
Building type <i>(retail/hotel/industrial etc.)</i>	
Type of works <i>(Heritage, environmental etc.)</i>	
Details of Scope of Upgrade Works with supporting technical detail <i>This assists to determine if any relevant consents or development approvals are required (HVAC, Lighting, Solar etc.)</i>	Include the detailed scope of works as 'Attachment 1'.
Estimated value of Upgrade Works	
Est. value of Building Upgrade Charge <i>(if known)</i>	
Finance Provider	
Finance Provider's contact details <i>(contact name and details)</i>	
Building Owner's authorised representative's name	
Authorised representative's details <i>(contact phone and email)</i>	

Submission and acknowledgement

In signing and submitting the BUA Application Form, I/we:

- Hereby declare that the information provided above is correct
- Understand that I/we will be liable for any information that was provided inaccurately
- Understand all information provided in this form will be used to assess your application and manage the ongoing administration of your BUA, and
- Any information provided in the BUA may be provided to any Government agency as required by statute.

Signed by Building Owner (or authorised representative):

Date: ____ / ____ / ____