

CLARIFICATION OF OTHER ASSESSMENTS A PRIVATE CERTIFIER MUST WAIT FOR

The Department is aware of interpretation problems being encountered as to what other assessments a private certifier is to await completion of prior to approving building work. In response, the following amendment to section 5.3.5(4) of the IPA was passed by Parliament as part of the *Local Government and Other Legislation Amendment Bill 1999*. This amendment came into force on Wednesday 16 June 1999.

‘PART 3A—AMENDMENT OF INTEGRATED PLANNING ACT 1997

‘Act amended in pt 3A

‘22A. This part amends the *Integrated Planning Act 1997*.

‘Amendment of s 5.3.5 (Private certifier may decide certain development applications and inspect and certify certain works)

‘22B.(1) Section 5.3.5(4)—

omit, insert—

‘(4) However, the private certifier must not decide the application until—

- (a) all necessary development permits are effective for other assessable development related to the development; and
- (b) all necessary preliminary approvals are effective for other assessable aspects of the development; and
- (c) all necessary approvals under the Standard Water Supply Law and Standard Sewerage Law have been given for plumbing and drainage work related to the development for premises not in a sewerage area under the Standard Sewerage Law.

‘Example for subsection (4)(a)—

‘If a proposal involves building work, a material change of use and reconfiguring a lot, a private certifier who is engaged to assess and decide the building work application must not decide that application until all necessary development permits are effective for the change of use and reconfiguring of the lot.



‘Example for subsection (4)(b)—

‘If a proposal requires assessment of building work against a planning scheme and the Standard Building Regulation, a private certifier who is engaged to assess and decide the building work application against the Standard Building Regulation must not decide that application until all necessary preliminary approvals are effective for the assessment of building work against the planning scheme.

‘Example for subsection (4)(c)—

‘If a proposal involves building, plumbing and drainage work in a non-sewered area, a private certifier who is engaged to assess and decide the building work application must not decide that application until all necessary approvals under the Standard Water Supply Law and Standard Sewerage Law are given for the plumbing and drainage work.’.

(2) Section 5.3.5(5), after ‘before all other assessments’—

insert—

‘for permits and approvals mentioned in subsection (4)’.

(3) Section 5.3.5(8)—

omit.