

Subdivision Certificate Checklist

Sections 109D & 109J of the EP&A Act and Clauses 157 & 160 of the EP&A Regulation 2000

Authority to issue certificates

Section 109D of the EP&A Act

Was the certifier permitted to issue the subdivision certificate under S109D(1)(d) of the EP&A Act?

Yes / No

Was the subdivision certificate issued by the PCA appointed for the works under S109D(3) of the EP&A Act?

Yes / No

Restriction on issue of subdivision certificates

Section 109J of the EP&A Act and 157 of the EP&A Regulation

Is there evidence that the application has been made in accordance with cl.157 of the EP&A Regulation 2000?

Yes / No

Is there evidence that the application was made prior to determination of the subdivision certificate?

Yes / No

Is there evidence that the owner consented to the making of the application?

Yes / No

Has the application been forwarded by the applicant by hand, post or electronically, but Not by fax? (157(3)of the Regs)?

Yes / No

Has the application been endorsed by the certifying authority with the date of receipt? (cl157(5) of the Regs)?

Yes / No

Evaluation	
<p>Has the certifier ensured compliance with the following prior to issuing the subdivision certificate.</p> <p>1. Is the subdivision certificate prohibited under the EP&A Act?</p> <p>2. Is a development application or complying development application required, and if so, is one in force?</p> <p>3. If a development application has been granted, is there evidence that the applicant has satisfied all conditions required to be complied with prior to the issue of the subdivision certificate?</p> <p>4. In the case of 'deferred commencement' is there evidence that the applicant has satisfied all conditions required to be complied with prior to the issue of the subdivision certificate?</p> <p>5. Has the applicant obtained a certificate of compliance for the water supply authority?</p> <p>6. If the subject of an order made by the court concerning drainage easements, have all such easements been acquired by the council?</p> <p>7. In an instance where the subdivision is the subject of a development application for which the authority must notify an objector, have at least 28 days elapsed since notification or determination of an appeal?</p> <p>8. Was all the subdivision work completed prior to the issue of the certificate, <input type="checkbox"/> or agreement been reached between the applicant and the consent authority for the consent authority to undertake the work? <input type="checkbox"/></p> <p>9. If building work is involved, was a construction certificate issued for those works?</p> <p>10. Did the PCA notify the consent authority of their appointment at least 2 days prior to commencement of works?</p>	<p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p>

Determination of Subdivision Certificate	
<p>Does the determination contain the following:</p> <p>Date: _____ <input type="checkbox"/> Determination (approval or refusal) <input type="checkbox"/></p> <p>If refusal, reasons for refusal and applicants right to appeal <input type="checkbox"/></p> <p>Was a copy of the endorsed plan of subdivision sent to the</p>	<p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p>

consent authority within 2 days of determination	
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