



Certificates Issue Service Agreement Policy

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| Application | Ratepayers, Customers and Council Staff |
| Responsible Officer | Director Corporate and Community Services / Building and Regulatory Services Manager |
| File No | CM:POL:CWP |
| Authorised by | Council |
| Effective Date | 1056/20.08.2019 |
| Distribution | Internet / Intranet / Public Exhibition |

Purpose

The purpose of this policy is to ensure accurate and timely certificates such as planning and outstanding rates are provided to applicants.

Definitions

Council: Carrathool Shire Council

Certificate A document applied for by property owners, buyers, solicitors or Conveyancers issued by Council providing information concerning land such as zoning, outstanding rates and charges, or outstanding notices in accordance with legislative requirements.

Reference

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

- Environmental Planning and Assessment Act 1979 s10.7(2) & (5)
- Local Government Act 1993 s603 and s735A
- Swimming Pools Act Amendment 1992 s22D
- Biosecurity Act 2015 Schedule 7 Clause 28(1)

Policy statements

The *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993*, *Swimming Pools Amendment Act 1992* and *Biosecurity Act 2015*, each contain sections that require Council to issue certificates for a range of purposes. These certificates are requested by the public by the way of applications and are utilised typically in property transactions. Accordingly, there is a requirement that the certificates be issued in a timely manner so that transactions can continue

The respective legislation does not nominate a time period in which Council must issue the certificates. As Carrathool Shire is a smaller Council with limited resources it is proposed that most certificates will be issued within seven days of receipt of the application. For those certificates requiring property inspections Council proposes to issue the certificate within a period of ten days of receipt of the application.

As previously mentioned Council is committed to providing timely and accurate advice and has prepared the attached flowchart which depicts how certificates are processed at Carrathool Shire to help to prevent inaccurate information being provided to applicants.

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Revision Table

| Minute /Date | Amendment Reason or Reference |
|-------------------|--------------------------------------|
| 0800 / 18.10.2005 | |
| 0619 / 18.03.2014 | Reviewed and Reformatted |
| 1056/20.08.2019 | Reviewed with changes to legislation |

Associated Documents

- Form 150 – Application Swimming Pool Compliance
- Form 71 – Application for Certificates under sections 10.7 (other than 6.33) *Environmental Planning and Assessment Act 1979* and section 603 *Local Government Act 1993*
- Form 124 - Application for Outstanding Notice/ Order Certificate

Review

This policy may be amended from time to time and will be reviewed within four years of its adoption (or latest amendment) with reference to any relevant legislation and best practice guides.



ATTACHMENT

Carrathool Shire Council Flow Chart on Issuing Certificates

