

# Building Certifiers Role

## ***Q. What is the role of a certifier in developments?***

An accredited certifier, whether in private practice or working for a council, is a public official whose role it is to issue certificates that authorise construction and building occupation in accordance with relevant planning and building legislation. They also inspect buildings to issue certificates.

When a certifier is elected to act as the certifier for a project, the certifier cannot act as a consultant for that project, in any form, as it could give rise to conflicts of interest. Similarly, if a certifier acts as a consultant for a project, that certifier cannot subsequently act as the certifier for the same project.

A certifier will only issue a complying development certificate, or a construction certificate, if satisfied a proposed development will meet all applicable legislative requirements. For complying development, State Environmental Planning Policies set out predetermined criteria that a development proposal must meet. If the proposal fails these criteria, a complying development certificate will not be issued.

As complying development requirements are predetermined, the ability for neighbours of a proposed development to object does not apply, as it may if a development requires a development application to a council.

In case of a development consent from a council, subsequent construction certificates must further comply with the requirements of the issued consent for the development.

As construction progresses, the certifier will visit the building site to inspect work at key stages, called critical stage inspections. Certifiers are not required to be, nor are they present, on the building site every day – the builder is responsible for day-to-day supervision of the site and the work of tradespeople.

At the end of construction, the certifier may issue an occupation certificate, but only if satisfied the building meets legislative requirements and is suitable for occupation in accordance with the Building Code of Australia. A building must not be occupied or used without an occupation certificate.

## ***Q. What if I have a complaint about the development?***

First, talk with the owner and/or builder to try and resolve the matter.

If this is not successful, the next step is to contact either the principal certifying authority or the local council.

The council has greater powers of enforcement than private certifiers, and councils can take independent action at any time, even when a private certifier is the principal certifying authority. A private certifier can take limited action but may need to refer the matter to the council, which is then responsible for further enforcement.

For more urgent matters (such as structural damage, stormwater runoff causing property damage or pollution matters) you may consider contacting the council, which has power to take immediate action where warranted.