



## Summary of Disciplinary Action

Accredited certifier	Disciplinary action no.	Property address	Details of disciplinary matter	Disciplinary action	Date of decision
Simon <b>TRIVES</b>  BPB No. BPB0414	335	631 Mowbray Rd West, Lane Cove	<ul style="list-style-type: none"><li>• Issued a complying development certificate in reliance on a deficient application. Specifically, the plans did not show the following:<ul style="list-style-type: none"><li>- the correct footprint of the existing buildings;</li><li>- the existing vegetation and trees on the land;</li><li>- the location and uses of buildings on sites adjoining the land;</li><li>- the existing levels of the land in relation to buildings and roads;</li><li>- the proposed method for draining the land.</li></ul></li><li>• Issued a complying development certificate in reliance on a deficient application. Specifically, there was no prior approval or a recommendation for shoring or underpinning that was to be provided by the engineer. Further, the application was made by a builder without the consent by the owners.</li><li>• Issued a complying development certificate that did not satisfy the requirements of the EP&amp;A Regulation 2000. Specifically, in relation to the following:<ul style="list-style-type: none"><li>- the certificate did not contain a statement to the effect that the development was a complying development and if carried out as specified in the certificate would comply with such other requirements prescribed by the</li></ul></li></ul>	Reprimand and fined \$3,000.	7 March 2012



# Building Professionals Board

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			<p>regulation concerning the issue of the certificate;</p> <ul style="list-style-type: none"><li>- the certificate did not contain the land use zone within which the land was situated;</li><li>- the certificate contained a reference to the approved plans that were prepared by others than the endorsed plans.</li><li>- the certificate did not contain a condition that the building works need to comply with the BCA.</li></ul> <ul style="list-style-type: none"><li>• The certifier accepted the appointment as the principal certifying authority in reliance on a deficient instrument of appointment.</li><li>• The notice to council of the appointment of the principal certifying authority did not contain a statement signed by the certifier to the effect that he consents to being appointed as the principal certifying authority.</li><li>• The certifier failed to serve a notice of intention to serve an order under section 109L of the EP&amp;A Act to require compliance with the terms of the complying development certificate in relation to the extent of the excavations carried out.</li></ul>		