

## Summary of Disciplinary Action

Registered Certifier	Registration Number	Disciplinary Ground and Summary	Disciplinary Action	Date of Decision
Glenn Levick	BDC0227	<p>1. Engaged in unsatisfactory professional conduct under the <i>Building Professionals Act 2005</i> (NSW); and</p> <p>2. Contravened a law of this or any other Australian jurisdiction (whether or not the contravention is an offence and whether or not the registered certifier is prosecuted or convicted for the contravention) with respect to fraud or dishonesty under section 45(c) of the <i>Building and Development Certifiers Act 2018</i> (NSW).</p> <p>Between 26 November 2018 and 1 August 2022 in relation to a development at 121-123 Elder Street, Lambton NSW 2299 the Registered Certifier:</p> <ul style="list-style-type: none"> <li>• issued certificates for proposed buildings which would not comply with the minimum fire safety standards required by the Building Code of Australia, thereby contravening the EPA Regulations 2000;</li> <li>• accepted and considered applications for certificates for proposed buildings without required documents or information in breach of clause 139 of the EPA Regulation;</li> <li>• failed to comply with a condition of his Registration in breach of section 9(1) of the BP Act in relation to obtaining required consent from the Commissioner of Fire and Rescue NSW, prior to issuing certificates for proposed buildings;</li> <li>• did not comply with 85(1)(a) of the BP Act when he issued a Part 4A Certificate he was not authorised to issue;</li> </ul>	<p>1. cancel the Certificate of Registration Number BDC0227, pursuant to section 48(1)(e) of the BDC Act; and</p> <p>2. disqualify the Registered Certifier from being registered as a certifier permanently, pursuant to section 48(1)(f) of the BDC Act.</p>	04/07/2023

		<ul style="list-style-type: none"><li>• issued a construction certificate that had no effect by operation of section 6.8(2) of the EPA Act as building work in relation to the certificate had already commenced prior to its issuance;</li><li>• provided false information to a public authority in breach of section 307B of the Crimes Act; and</li><li>• provided false documents to a public authority in purported compliance with a law of the state in breach of section 307C of the Crimes Act.</li></ul> <p>3. Modified complying development certificates for thirteen (13) class 3 residential care developments, comprising a total of sixty-four (64) self-contained units for residents needing high physical support under the National Disability Insurance Scheme (NDIS) Special Disability Accommodation (SDA) standards and, in so doing:</p> <ul style="list-style-type: none"><li>• Issued certificates for proposed buildings which would not comply with the minimum fire safety standards required by the Building Code of Australia, thereby contravening the EPA Regulations 2000 and 2021;</li><li>• incorrectly classified the developments as class 1a, 1b, or 10a;</li><li>• misrepresented the developments to be complying 'group homes' when the proposed homes were self-contained residential units and not complying 'group homes' under the EPA Act;</li><li>• contravened the BDC Act by issuing complying developments for three (3) class 3 building developments between 16 February 2021 and 31 March 2021 when his registration authorised him to carry out certification work with respect to class 1 and 10 buildings only; and</li><li>• failed to comply with a condition of his registration by issuing the certificates without first applying to the Commissioner of Fire and Rescue NSW for a report.</li></ul>		
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