

## Summary of Disciplinary Action

Accredited certifier	Disciplinary action no.	Property address	Details of disciplinary matter	Disciplinary action	Date of decision
<p>Lyll</p> <p><b>Dix</b></p> <p>BPB No. 0092</p>	327	244 Coward Street, cnr 35 John Street, Mascot	<p>Mr Dix issued an interim occupation certificate for a commercial building that constituted a hazard to the health and safety of the occupants in the following ways:</p> <ul style="list-style-type: none"> <li>• An operational mechanical ventilation system had not been installed.</li> <li>• Toilet pans, hand basins and taps to bathrooms had not been installed.</li> <li>• Sanitary facilities for people with disabilities had not been installed.</li> <li>• Final testing and the provision of a fire trip to the air conditioning system had not been completed, as an operational mechanical ventilation system had not been installed.</li> <li>• The internal window wetting drencher system could not operate effectively because transoms were located on the inside of the window and would inhibit water flow.</li> <li>• The fire pump that is used to pressurize the hydrant and wall wetting drencher system had not been completed or commissioned.</li> <li>• Maximum size openings to a balustrade within a fire isolated stairway did not comply with the Building Code of Australia.</li> <li>• The balustrade within a fire isolated stairway was not continuous and did not comply with the Building Code of Australia.</li> <li>• A single-handed downward action door handle had not been installed to a door on the roof terrace as required by the Building Code of Australia.</li> <li>• Penetrations through the fire-rated slabs had not been</li> </ul>	<p>1. The decision is a combined decision, having regard to two other complaints against Mr Dix. The Board has made one decision under section 31 (4) of the Building Professionals Act 2005.</p> <p>2. Mr Dix is reprimanded, and</p> <p>3. Mr Dix's accreditation is suspended for a period of two (2) months from 25 December 2011, and</p> <p>4. Mr Dix is ordered</p>	5 December 2011



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			<p>protected as required by the Building Code of Australia.</p> <p>Mr Dix failed to adequately inspect the building and to exercise reasonable care and attention in carrying out his duties as the principal certifying authority. Mr Dix's conduct constitutes unsatisfactory professional conduct.</p>	to pay a fine to the Board of \$10,000.	
		26 Purvis Lane, Dubbo.	<ul style="list-style-type: none"><li>• Mr Dix failed to forward a copy of the construction certificate to Council within the prescribed time after issue of the certificate.</li><li>• Mr Dix failed to forward a copy of his appointment as the principal certifying authority to Council within the prescribed time after appointment.</li><li>• Mr Dix issued a construction certificate for a development when building work had commenced.</li></ul>		
		71 Pacific Parade and no. 2-6 The Crescent, Dee Why.	<ul style="list-style-type: none"><li>• Mr Dix did not respond to the complainant's emails in a timely manner.</li><li>• Mr Dix failed to issue a notice in relation to a balcony that was constructed so that it was not in accordance with the development consent.</li><li>• Mr Dix issued a construction certificate that was inconsistent with the development consent by virtue of a:<ul style="list-style-type: none"><li>○ change in material for the roof and walls.</li><li>○ change in the external appearance of the building.</li></ul></li><li>• Mr Dix failed issue a notice in relation to the layout of two units that were constructed so that they were not in accordance with the development consent.</li><li>• Mr Dix failed to ensure that an updated BASIX certificate was obtained following a change in building material during construction.</li><li>• Mr Dix issued a final occupation certificate without BASIX commitments being met.</li></ul>		