

Summary of Disciplinary Action

Accredited certifier	Disciplinary action no.	Property address	Details of disciplinary matter	Disciplinary action	Date of decision
Scott McGufficke BPB No. 0258	359	Lot 100 DP 1089935 Headlam Road, Moss Vale.	<p>1. Mr McGufficke failed to properly consider the requirements of section 109F(1)(a) of the Environmental Planning and Assessment Act (EP & A Act) and clauses 145(1)(b) and 147(1)(f) of the Environmental Planning and Assessment Regulation 2000 (EP & A Regulation) when he issued the construction certificate for the development which incorrectly classified buildings which were the subject of the construction certificate as class 10a.</p> <p>2. Mr McGufficke issued a final occupation certificate for a building that was not suitable for occupation or use in accordance with its classification under the Building Code of Australia. Mr McGufficke breached section 109H (5)(c) of the EP&A Act.</p> <p>3. Mr McGufficke issued a final occupation when a condition of Council's development consent, had not been complied with. Mr McGufficke breached section 109H (2) of the EP&A Act.</p>	<p>Mr McGufficke was:</p> <p>(a) Reprimanded (b) Fined \$10,000 and (c) Required to undertake in 2013 and successfully complete and provide suitable evidence to the Board upon successful completion of the following educational course: a) Advanced Building Regulation, offered by UTS Centre for Local Government.</p>	28 February 2013.