

Summary of Disciplinary Action

| Accredited certifier | Disciplinary action no. | Property address | Details of disciplinary matter | Disciplinary action | Date of decision |
|---|-------------------------|---------------------------------------|--|---|------------------|
| Simon TRIVES BPB No. 0514 | 307 | 2/834 Pittwater Road, DEEWHY | <ul style="list-style-type: none"> Mr Trives accepted the role of the principal certifying authority without an appointment having been made by the owner of the property. Mr Trives issued a construction certificate in reliance on a deficient application for a construction certificate as the application was not made by the owner of the property. Mr Trives issued a final occupation certificate for a shop fit out when no occupation certificate and relevant fire safety certificate were issued for the parent (base) building. Mr Trives failed to endorse the application for the construction certificate with its date of receipt. Mr Trives issued a construction certificate which contained incorrect information as to the identity | <p>Mr Trives is:</p> <ol style="list-style-type: none"> Reprimanded; Fined the sum of \$3,000 which is to be paid within 28 days of receipt of the notice of decision on complaint; Subject to the following condition on his certificate of accreditation: Issue the following certificates involving class 1 and class 10 buildings under the BCA, but only if the building achieves compliance with the performance requirements of the BCA by complying with the deemed-to-satisfy provisions of the BCA (and not by the formulation of any alternative solutions): (a) complying development certificates for building work or change of use; (b) construction certificates and compliance certificates for building work; (c) occupation certificates. Carrying out of any inspections required under section 109E(3)(d) of the Environmental Planning and Assessment Act 1979 of buildings referred to | 7 April 2011 |



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| | | | <p>of the certifying authority and their accreditation number.</p> <ul style="list-style-type: none">• Mr Trives acted outside the terms of his accreditation when he issued the construction certificate and occupation certificates for the building.• Mr Trives issued an interim occupation certificate without the required statement to the effect that the health and safety of the occupants of the building were taken into consideration.• Mr Trives issued a final occupation certificate unaccompanied by a fire safety certificate and fire safety schedule for the building.• Mr Trives issued an interim occupation certificate with conflicting information. | <p>above. In addition, carrying out of any inspections required under section 109E(3)(d) of the Environmental Planning and Assessment Act 1979 for work authorised by category of accreditation A2 with the consent of, and under the supervision of, an accredited certifier authorised to issue occupation certificates under category A2.</p> <p>Carrying out of inspections of class 1 and 10 buildings under clauses 129B and 143B of the Environmental Planning and Assessment Regulation 2000.</p> | |