

Summary of Disciplinary Action

Accredited certifier	Disciplinary action no.	Complaint No.	Details of disciplinary matter	Disciplinary action	Date of decision
Ken SMITH BPB No. 0789	397	63/13	Mr Smith issued a complying development certificate for a development that did not constitute complying development as the floor area of a proposed terrace, which is to be attached to a dwelling, exceed the maximum permissible floor area of 12m ² .	The Board has made a combined decision. A. The Board finds, having regard to complaints No. 63/13, 65/13, 66/13, 105/14, 106/14, 108/14 and 110/14, that the conduct of Mr Kenneth Smith constitutes unsatisfactory professional conduct as defined by section 19 of the Building Professionals Act. B. Mr Smith is reprimanded. C. Mr Smith is fined the sum of \$7,500 which is to be paid to the Board within 28 days of receipt of the notice of decision on the complaints.	25 June 2015
		65/13	Mr Smith issued a complying development certificate when:		
		66/13	<ul style="list-style-type: none"> the plans that accompanied the application for the complying development certificate did not contain adequate information about the existing levels of the land in relation to buildings and roads, in breach of the Environmental Planning and Assessment Regulation, the plans that accompanied the application for the complying development certificate did not show the levels of the lowest floor and of any yard or unbuilt-on area belonging to that floor and the levels of the 		



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			adjacent ground, in breach of the Environmental Planning and Assessment Regulation, and <ul style="list-style-type: none">he could not have satisfied himself that the proposed development was a complying development as the plans that he relied upon to issue the complying development certificate did not show that the proposed fill associated with the erection of the dwelling house met the relevant standards of the State Environmental Planning Policy (Exempt and Complying Development), in breach of the Environmental Planning and Assessment Act.		
		105/14	Mr Smith issued a complying development certificate without imposing conditions of consent regarding contributions, as per the Environmental Planning and Assessment Act.		
		106/14			
		108/14			
		110/14			



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