

Summary of Disciplinary Action

Accredited certifier	Disciplinary action no.	Property address	Details of disciplinary matter	Disciplinary action	Date of decision
Mohamad Wissam (Sam) KAYELLOU BPB No. 0776	407	7 Gosling Street, Greenacre	Mr Kayellou issued a complying development certificate for construction of dwelling alterations/additions and a secondary dwelling which was not complying development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> and <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> .	The Board has made a combined decision after finding in regard to complaints 64/13, 71/14, 31/15, 36/15 & 62/15 that the conduct of Mr Kayellou constitutes unsatisfactory professional conduct as defined by s.19 of the BP Act. 1. Mr Kayellou is reprimanded; 2. Mr Kayellou is fined the sum of \$10,000. 3. Mr Kayellou's certificate of accreditation is subject to the following conditions for the period of two (2) years,	8 October 2015
		30 Virtue Street, Condell Park	Mr Kayellou issued a complying development certificate for construction of dwelling alterations/additions and a secondary dwelling which was not complying development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> and the council's planning instrument.		
		26 Cumberland Road, Auburn	Mr Kayellou issued a complying development certificate for construction of a secondary dwelling and outbuilding which was not complying development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> . Mr Kayellou as principal certifying authority failed to carry out his duties in a professional and responsible manner (non-		



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		37 Esme Avenue, Chester Hill	compliance with the built work /responding to a complainant). Mr Kayellou issued a complying development certificate for proposed building works where the related application did not satisfy clause 130 of the <i>Environmental Planning and Assessment Regulation 2000</i> (barrier requirements under Building Code of Australia for a proposed pool). Mr Kayellou as principal certifying authority issued a notice under section 109L of the <i>Environmental Planning and Assessment Act 1979</i> that did not identify upon whom the notice was directed.	commencing three [working] days after the date of the Board's notification to Mr Kayellou of the Statement of Decision on the Complaint: (i). Before determining any application for a complying development certificate (CDC) Mr Kayellou must obtain and consider a written report from a Town Planner (acceptable to the Board from time to time) which assesses whether the development proposed by the application complies with the requirements of the relevant environmental planning instrument.	
		10 Wharf Road, Kogarah Bay	Mr Kayellou issued a complying development certificate for construction of dwelling which included a proposed deck was not complying development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> . Mr Kayellou failed to fully comply with a direction issued to him by the Board under section 48 of the <i>Building Professionals Act 2005</i> .	(ii). In the event that Mr Kayellou issues a CDC which is not supported by the	



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				<p>assessment report of the Town Planner, Mr Kayellou must provide the Board with the reasons for doing so within 2 days of issuing the CDC.</p> <p>(iii). Mr Kayellou is to provide the Board with a list of projects for which he has issued complying development certificates every three months, with the first to be provided on 1 March 2016.</p>	