

Summary of Disciplinary Action

Accredited certifier	Disciplinary action no.	Property address	Details of disciplinary matter	Disciplinary decision	Date of decision
McKenzie Group Consulting (NSW) Pty Ltd Accredited body corporate (ABC 6)	498	Site 68, Bennelong Parkway, Sydney Olympic Park ('Opal Tower')	<p>The accredited certifier could not reasonably have determined prior to its issuing of interim occupation certificate (OC) no. 18/123378-6 and final OC no. 18/123378-8 that the relevant statutory requirements had been met under s.109H(3)(c) of the EP&A Act and cl.154(1) of the EP&A Regulation, given its reliance upon inadequate documentation in regard to BCA Parts B1 and C1.</p> <p>The accredited certifier could not reasonably have determined prior to issuing construction certificate (CC) no. 16/123315-3 for the proposed building work (<i>'Remainder of structure, façade and internal fitout of the building only'</i>) that the requirements of s.109F(1)(a) of the EP&A Act and cl.145(1)(b) of the EP&A Regulation had been met by the CC application as a result of inadequate plans, drawings, certificates and documentation.</p> <p>The accredited certifier could not reasonably have determined prior to issuing CC no. 16/123315-1 for the proposed building work (<i>'Building structure to ground floor and in-ground services'</i>) that the requirements of s.109F(1)(a) of the EP&A Act, and cl.145(1)(b) and cl.146(c) of the EP&A Regulation, had been met by the CC application in regard to compliance with BCA Parts B1, C1 and D1.</p> <p>The accredited certifier failed to make reasonable enquiries to ensure prior to its issuing of CC no. 16/123315-3 that the certificate would not be subject to s.109F(1A) of the EP&A Act.</p>	McKenzie Group Consulting (NSW) Pty Ltd (accredited body corporate) was reprimanded and fined the sum of \$50,000.	3 July 2020 by the NSW Civil and Administrative Tribunal