

Summary of Disciplinary Action

Registered Certifier	Registration Number	Disciplinary Ground and Summary	Disciplinary Action	Date of Decision
Orlando Da Silva	BDC0081	<p>1. Engaged in unsatisfactory professional conduct under the <i>Building Professionals Act 2005</i> (NSW) by:</p> <ol style="list-style-type: none"> Breaching section 109H(5)(c) of the EPA Act; and Engaged in conduct that falls short of the standard of competence, diligence and integrity that a member of the public is entitled to expect of a reasonably competent accredited certifier. <p>Between 22 December 2015 and 29 September 2017 in relation to a development at 2-4 Aberdour Avenue, Rouse Hill NSW 2155, the Registered Certifier:</p> <ol style="list-style-type: none"> 1. Certified BCA compliance and issued an occupation certificate for the building, while the following readily observable non-compliances with the BCA were present in relation to the building: <ol style="list-style-type: none"> a. Non-compliance with clause C2.6(a)(iv)(A) and (B) of the BCA in relation to vertical separation of openings; b. Non-compliance with clause D1.6(b)(i) of the BCA, as set out in relation to width of fire stair exits; c. Non-compliance with clause D2.4(a) of the BCA, in relation to separation of rising/descending stairs; and d. Non-compliance with clause E1.5(b) of the BCA in relation to the sprinkler valve room location 2. Certified BCA compliance and issued an occupation certificate in relation to the building when there was no adequate basis for determining BCA compliance, given available information, in relation to Aluminium Composite Cladding attached to the building. 	<ol style="list-style-type: none"> 1. Reprimand the Registered Certifier, pursuant to section 48(1)(b) of the BDC Act with immediate effect; 2. Suspend the registration of the Registered Certifier in accordance with Part 2 for a period of two (2) years, pursuant to section 48(1)(e) of the BDC Act, with effect from 4:00pm on 31 August 2023; and 3. Impose the following condition on the registration of the Registered Certifier, pursuant to section 48(1)(d) of the BDC Act for a period of two (2) years from the date of imposition of this condition with immediate effect: <i>'1. The registered certifier is required within one (1) year of the date of this condition, to complete the current University of Technology Sydney Certification Course - Advanced Building Regulation'.</i> 	30/08/2023