

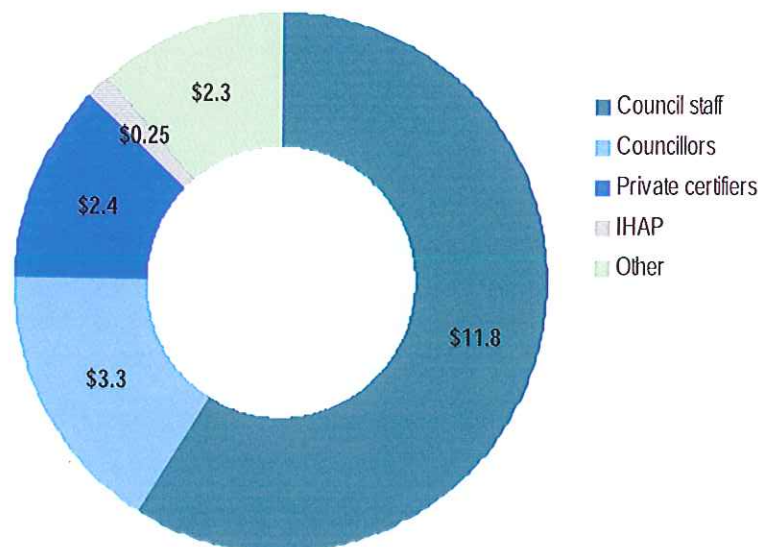
A snapshot of certification in NSW

The Board is focused on lifting the professionalism and capacity of the certification sector, taking advantage of the growing potential for accredited certifiers to help improve building standards and contribute to a stronger development industry for NSW.

Following the accreditation of council certifiers in early 2010, all certifiers – both private and council – must now work to an independent standard and with the same level of accountability to the Board. At 7 July 2011, there were 1,371 accredited certifiers in NSW (457 private; 914 from council).

During each year of accreditation, certifiers must successfully complete a specified amount of approved CPD activities, including training in areas such as professional practice; relevant Acts, legislation and statutory updates; the Building Code of Australia; and relevant Australian Standards.

Value of DAs & CDCs by determining authority
\$billion



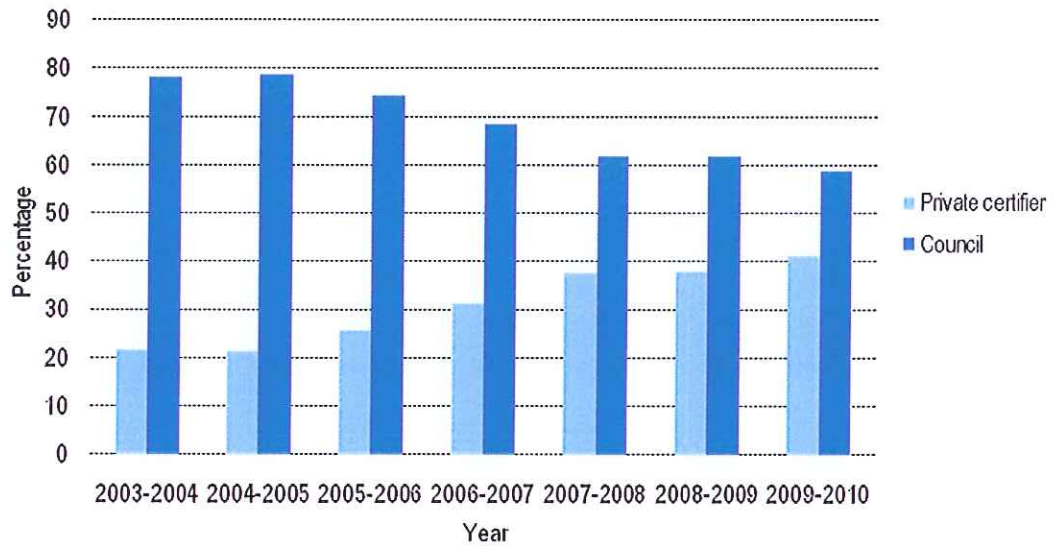
Accredited certifiers issue construction certificates (CCs), complying development certificates (CDCs), compliance certificates and strata certificates; undertake mandatory inspections of building work; and issue occupation and subdivision certificates when construction is completed.

Productivity growth and structure of the certification sector (2009/10)

In 2009/10 private certifiers issued 58 per cent of complying development certificates (CDCs) and councils 42 per cent. Private certifiers issued 83.9 per cent of CDCs for community facilities in 2009/10, including school buildings funded by the Australian Government's Nation Building Program.

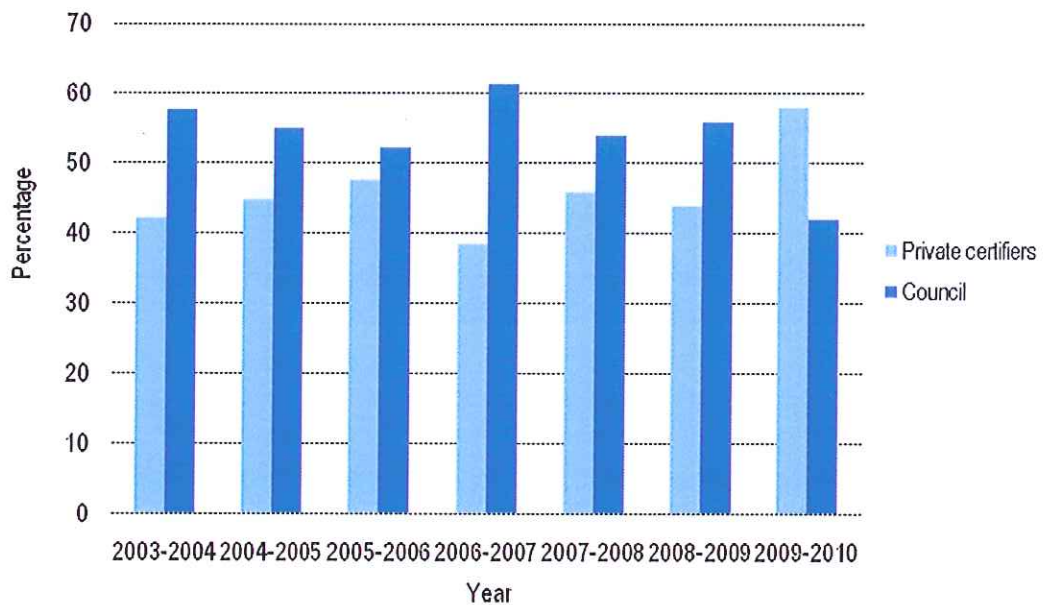


% of construction certificates issued by private certifiers & councils



Private certifiers issued a growing number of construction certificates (CCs), issuing 41 per cent in 2009-10 from 38 per cent in 2008-09 and 22 per cent in 2003-04.

% of complying development certificates issued by private certifiers & councils





A higher proportion of those in their 30s work for councils compared to the private sector and a large numbers of certifiers are heading towards retirement age.

Age Group	Council accredited certifiers (A1, A2, A3 and A4)	Private accredited certifiers (A1, A2 A3 and A4)	Private accredited certifiers all categories
20 and under	2	2	2
21-30	104	15	16
31-40	233	91	127
41-50	241	94	144
51-60	241	80	121
61-70	75	19	41
71-80	5	2	5
81-90	0	0	1
Not provided	13	0	0
Total	914	303	457

Among council certifiers, 35 per cent are over 50; only 11 per cent are under 30. Among private certifiers, 37 per cent are over 50 and only four per cent under 30.

This age structure indicates that a third of accredited surveyors will be retiring in the next ten years. Younger people are needed in the workforce and new staff brought up to degree qualified standing.

Only 14 per cent of council certifiers are female, and just 1.6 per cent in the private sector. Encouraging more women into the profession through education and stakeholder engagement initiatives will be critical to ensure improved gender balance in the sector.

The Board's investigation role

The Board receives and determines complaints against accredited certifiers and undertakes a program of audits.

During 2010/11, the Board conducted 68 audits - 48 audits of accredited certifiers (including two high risk buildings) and 20 country councils).

In same period, the Board received 92 complaints and the Disciplinary Committee reviewed 70 complaints. Of those reviewed, 45 were dismissed.

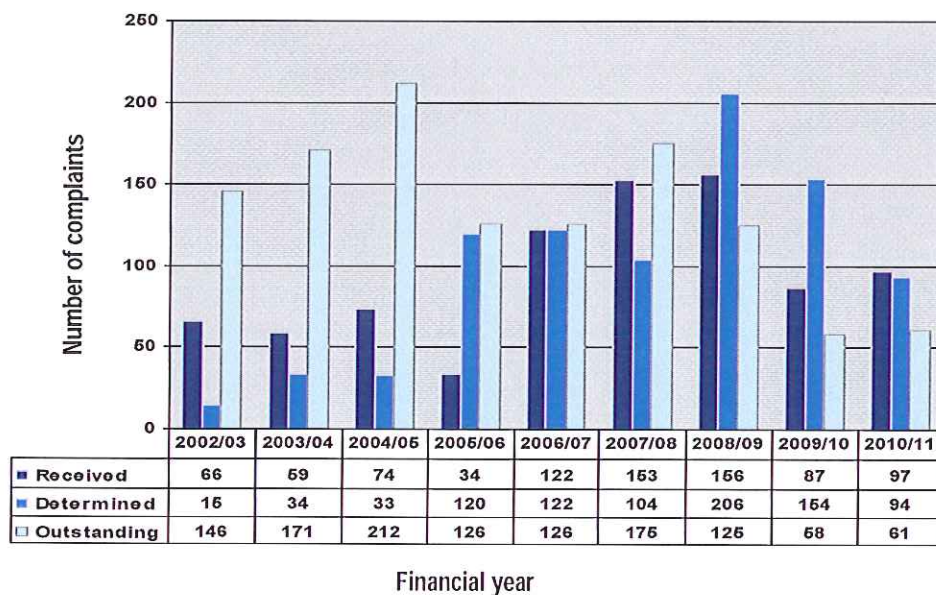
The Board's investigations provide a bank of knowledge on current certification practices. This knowledge informs our ongoing advice to industry through Summaries of Complaints and Investigations, the new practice advice page on our website, our regular BPBulletin and our direct consultation with industry at events, meetings and through our Technical Reference Group.



A snapshot of complaints: 2010/11

In 2010/11, the Board received 97 complaints in relation to the conduct of 57 accredited certifiers and one accredited body corporate. We determined 94 complaints, leaving 61 complaints outstanding at the end of the financial year.

Complaint investigations 2002/03 to 2010/11



In 2010/11, 72 per cent of complaints were either dismissed or no further action was taken, mainly on grounds that the conduct did not constitute unsatisfactory professional conduct.

The decisions that resulted in disciplinary actions related to the conduct of only 14 accredited certifiers and one accredited body corporate.

Complaint determinations by decision type 2010/11

Type of decision	No.	%
Dismissed	63	72%
No further action (section 22 BP Act)	1	
Dismissed as complaint lacked in substance (section 23(b) BP Act)	4	
Caution	8	28%
Reprimand	6	
Reprimand and fine	9	
Reprimand, fine and condition of accreditation	1	
Reprimand, education	1	
Cancellation of accreditation	1	
TOTAL	94	100%



Most complaints determined in 2010/11 were received from neighbours, councils and owners. The term 'other' refers to clients, owners corporations and strata committees.

Complaint decision type by complainant 2010/11

Decision type	Neighbour	Owner	Council	Other
Dismissed	29	19	14	1
No further action (section 22 BP Act)	1			
Dismissed as complaint lacked in substance (section 23(b) BP Act)	3	1		
Caution	1		6	1
Reprimand	2	1	3	
Reprimand and fine	2	2	5	
Reprimand, fine and condition of accreditation		1		
Reprimand, education		1		
Cancellation of accreditation				1
TOTAL	38	25	28	3

The majority of complaints related to 'PCA monitoring' – that is, the certifier has not been closely monitoring the progress of development.

Nature of complaints received 2010/11

Nature of Complaint	No.
PCA Monitoring	37
OC issued when construction works inconsistent with development consent/construction certificate.	11
CC issued when pre-conditions of development consent not satisfied.	9
CC inconsistent with development consent	9
OC issued when building not suitable for occupation	9
Certifier contravened the code of conduct	8
CDC does not comply with council DCP/LEP/SEPP	7
Failure to respond to telephone enquiries/written correspondence	4
CC issued that does not comply with the BCA	4
CC issued when no development consent in force	3
Conflict of interest	2
CDC was issued without Home Warranty Insurance being in place	2
Strata certificate issued when development did not comply with the relevant development consent	1
OC issued when no development consent in force	1
Failure to comply with a development consent	1
Failure of masonry retaining wall	1
CC issued without engineering details	1
The notice of appointment of PCA did not comply with the legislation; CC application form not signed by the owner.	1
CDC approved plans do not reflect compliance with the EP&A Reg; the notice of appointment of the PCA form did not comply with the legislation	1
Failure to provide notice of appointment of PCA to Council within legislative timeframe.	1

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**Although 97 complaints were received, some complaints fall into more than one category and are therefore recorded more than once.*