

# Certifiers and certification in a single Building Act

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# Acknowledgement of Country

The Department of Customer Service acknowledges, respects and values Aboriginal peoples as the Traditional Custodians of the lands on which we live, walk and work. We pay our respects to Elders past and present. We recognise and remain committed to honouring Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships, and continuing connection to their lands, waters and seas. We acknowledge their history here on these lands and their rich contribution to our society.

We also acknowledge our Aboriginal employees who are an integral part of our diverse workforce, and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and cultures.

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The 'Connecting Communities' artwork used here is by Alison Williams, a proud Gumbaynggirr woman.



# Modernising construction law in NSW

# The importance of certifiers

Certifiers are key to the progress of building and the delivery of housing supply



Certification is relied upon by industry and consumers to provide confidence in the building process.



It plays a significant role in ensuring building approvals are BCA compliant and that building works are built according to the building approval issued.



Certifiers are key to supporting Government housing targets and much needed housing supply.



# What is changing?

The consolidation of various building laws into a new, easy to read law



## Building Act

- Introduction of a plain English Building Act
- Modernise and consolidate building legislation –
  - ✓ *Home Building Act*
  - ✓ *Design Building & Practitioners Act*
  - ✓ *Building Development Certifiers Act*



## Building Compliance & Enforcement Act

- Suite of enforcement and compliance tools
- Aims to improve the quality of construction and provide enhanced protections for consumers
- Proactive regulatory approach

# Laws relevant to certifiers

Current laws relevant to certifiers will be incorporated into the new Building Act

## Building and Development Certifiers Act 2018

The BDC Act sets out the registration of certifiers and regulates the occupation.

This is complemented with the Code of Conduct and Practice Standards to aid compliance and clarify obligations.



## Environmental Planning and Assessment Act 1979

The EPA Act sets out the building approval process, including inspections and various certificates such as compliance, construction and occupation certificates.



## Future Building Act

The BDC Act and parts of the EPA Act are to be modernised and amalgamated into the Building Act.

This aims to make it easier and simpler to understand the rules and obligations in line with DBP, fire safety and other relevant frameworks.



# Chain of Responsibility

Enhanced chain of responsibility for design and construction



Design Practitioner



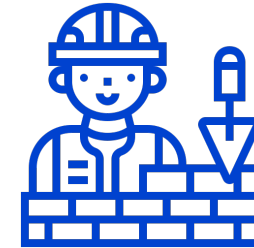
Certifier



Builder



Certifier



Builder



Certifier

Registered design practitioners prepare designs.

Certifier issues the building approval (a CC or CDC).

Builder and relevant trades carry out the work to plans and specifications and building standards.

Certifier carries out stage inspections.

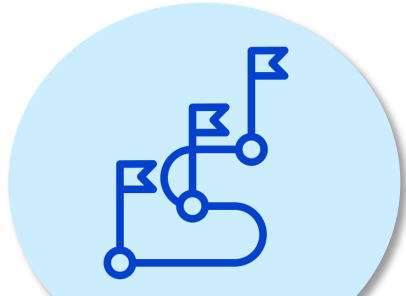
Building declarations and specialist certificates of installation compliance are provided.

Work is complete and OC is issued.

# Key problem areas impacting certifiers

Known pain points impacting the industry

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Staged approvals



Certificates



Fire safety design



Inspections



Certifier function

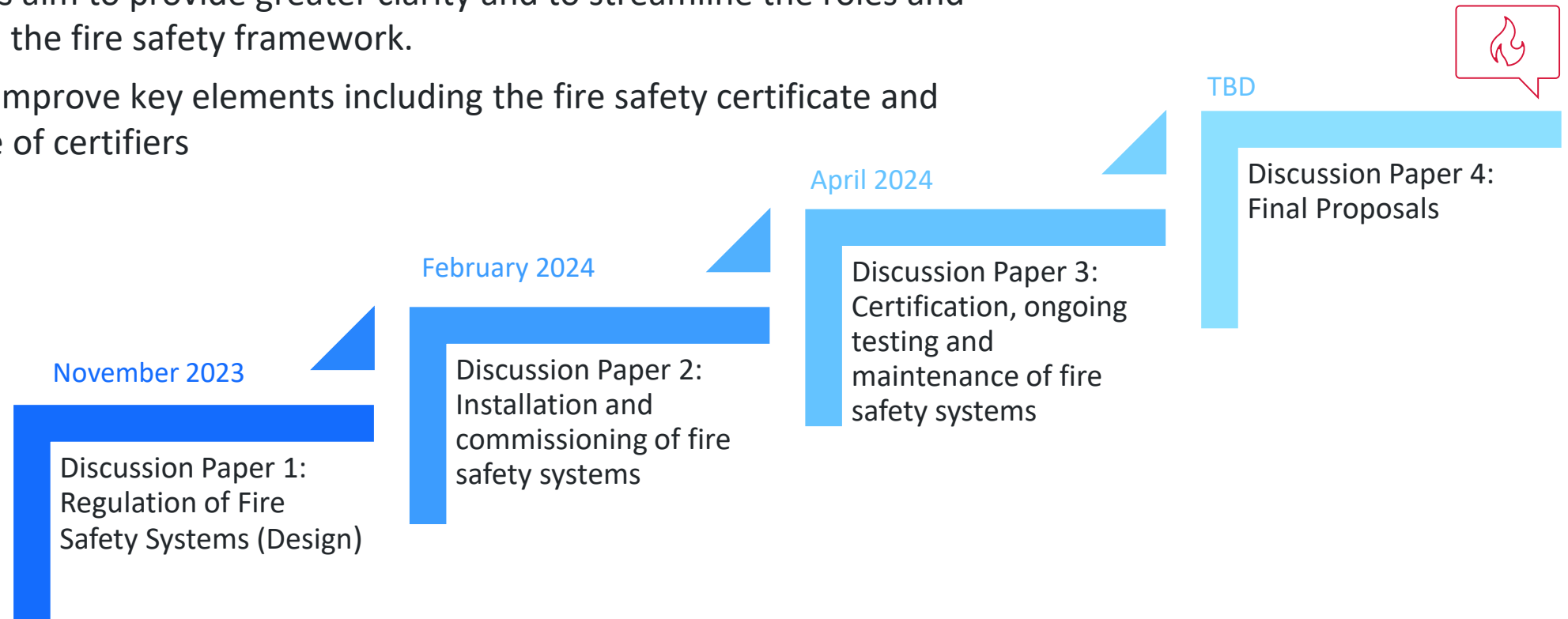


Compliance



# Fire safety framework

- The Building Commission is considering improvements to fire safety regulation.
- Proposed changes aim to provide greater clarity and to streamline the roles and responsibilities in the fire safety framework.
- Changes seek to improve key elements including the fire safety certificate and clarifying the role of certifiers



# What's next?

