



New South Wales

Building Professionals Amendment (Categories of Accreditation) Regulation 2014

under the

Building Professionals Act 2005

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Building Professionals Act 2005*.

PRU GOWARD, MP
Minister for Planning

Explanatory note

The object of this Regulation is to amend the *Building Professionals Regulation 2007* as follows:

- (a) to expressly authorise holders of a certificate of accreditation of category A1, A2, A3 or A5 to exercise functions as a principal certifying authority under the *Environmental Planning and Assessment Act 1979*,
- (b) to make further provision in relation to the A5 category of accreditation for certain port-related development at Port Botany, Port Kembla and the Port of Newcastle, including as a consequence of amendments made by the *Environmental Planning and Assessment Amendment (Three Ports) Regulation 2014*,
- (c) to make a law revision amendment.

This Regulation is made under the *Building Professionals Act 2005*, including sections 5A and 94 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Building Professionals Amendment (Categories of Accreditation) Regulation 2014*.

2 Commencement

This Regulation commences on 31 May 2014 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Building Professionals Regulation 2007

[1] Schedule 1 Categories of certificates of accreditation

Insert the following after the first paragraph of the matter relating to Category A1 in Column 2:

Exercise of functions under the *Environmental Planning and Assessment Act 1979* as a principal certifying authority for building work involving buildings of any class and size under the BCA.

[2] Schedule 1, Part 1

Insert the following after the first paragraph of the matter relating to Category A2 in Column 2:

Exercise of functions under the *Environmental Planning and Assessment Act 1979* as a principal certifying authority for building work involving buildings referred to in the preceding paragraphs (a), (b) and (c).

[3] Schedule 1, Part 1

Insert the following after the first paragraph of the matter in Column 2 relating to Category A3:

Exercise of functions under the *Environmental Planning and Assessment Act 1979* as a principal certifying authority for building work involving the buildings referred to above.

[4] Schedule 1, Part 1

Omit the matter relating to Category A5. Insert instead:

Category A5—Accredited certifier—Port Botany, Port Kembla and Port of Newcastle

Issue of complying development certificates, construction certificates and compliance certificates for building work to which clause 162AB of the *Environmental Planning and Assessment Regulation 2000* applies.

Issue of complying development certificates and compliance certificates for any demolition that is complying development under *State Environmental Planning Policy (Three Ports) 2013*.

Exercise of functions as a principal certifying authority for building work to which clause 162AB of the *Environmental Planning and Assessment Regulation 2000* applies.

Carrying out of inspections under clauses 129B, 143B and 162AB of the *Environmental Planning and Assessment Regulation 2000*.

[5] Schedule 2 Fees

Insert “, A5” after “A4” in the matter relating to item 1.