

Legislative Council

**Environmental Planning and Assessment Amendment (Quality of Construction)
Bill**

Schedule of Government amendments agreed to in Committee of the Whole on
Thursday 4 December 2003.

- No. 1 Page 3, Schedule 1 [2], lines 15 and 18. Omit “head” wherever occurring. Insert instead “principal”.
- No. 2 Page 4, Schedule 1 [7], line 33 and page 5, Schedule 1 [7], lines 1 and 2. Omit “head” wherever occurring. Insert instead “principal”.
- No. 3 Page 6, Schedule 1 [10], lines 21, 26 and 27. Omit “head” wherever occurring. Insert instead “principal”.
- No. 4 Page 8, Schedule 1 [19], lines 19-23. Omit all words on those lines. Insert instead:
- (a) that a construction certificate or complying development certificate has been issued for such of the building work or subdivision work as requires development consent and over which the principal certifying authority has control, before the work commences on the site, and
- No. 5 Page 8, Schedule 1 [19], line 24. Omit “head”. Insert instead “principal”.
- No. 6 Page 8, Schedule 1 [19], line 26. Omit “as”. Insert instead “if”.
- No. 7 Page 9, Schedule 1 [19], lines 9-13. Omit all words on those lines.
- No. 8 Page 9, Schedule 1 [20], line 25. Insert “**principal**” before “**certifying**”.
- No. 9 Page 18, Schedule 1 [44], line 32. Insert “after that commencement” after “appointed”.
- No. 10 Page 18, Schedule 1 [44], line 33. Insert “**principal**” before “**certifying**”.
- No. 11 Page 18, Schedule 1 [44], line 35. Omit “certifying authority or”.
- No. 12 Page 18, Schedule 1 [44]. Insert after line 37:

Restriction on issue of occupation certificates

Section 109H (1B), as inserted by the 2003 amending Act, does

not apply to any building work that commenced before that amendment.

No. 13 Page 22, Schedule 2.1 [4], line 3. Omit “head”. Insert instead “principal”.

No. 14 Page 22, Schedule 2.1 [4]. Insert after line 18:

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

No. 15 Page 22, Schedule 2.1 [4], lines 30-38. Omit all words on those lines. Insert instead:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

No. 16 Page 26, Schedule 2.1 [23], line 31. Omit “head”. Insert instead “principal”.

No. 17 Page 27, Schedule 2.1 [23]. Insert after line 12:

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

No. 18 Page 27, Schedule 2.1 [23], lines 24-32. Omit all words on those lines. Insert instead:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and

- (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

No. 19 Page 29, Schedule 2.1 [32], line 20. Omit all words on that line. Insert instead:

Insert “, the construction certificate or complying development certificate for which was issued before the commencement of Schedule 2.1 [32] to the *Environmental Planning and Assessment Amendment (Quality of Construction) Act 2003*” after “class 10 building” in clause 156 (1).

No. 20 Page 30, Schedule 2.1 [35], lines 9-14. Omit all words on those lines. Insert instead:

Note. These inspections are the *critical stage inspections*.

- (2) Except as provided by subclause (3), the critical stage inspections may be carried out by the principal certifying authority or, if the principal certifying authority agrees, by another certifying authority.
- (3) The last critical stage inspection required to be carried out for the class of building concerned must be carried out by the principal certifying authority.

No. 21 Page 31, Schedule 2.1 [35], lines 15-24. Omit all words on those lines. Insert instead:

- (1) A principal certifying authority and each other certifying authority must make a record of each critical stage inspection carried out by the principal certifying authority or other certifying authority.
- (2) Any certifying authority who is required to make such a record but is not the principal certifying authority for the work concerned must forthwith provide a copy of the record to the principal certifying authority for the work.

Note. Copies of these records must be kept for at least 15 years (see clause 205).

No. 22 Page 32, Schedule 2.1 [36], line 9. Omit “head”. Insert instead “principal”.

No. 23 Page 33, Schedule 2.1 [42]. Insert after line 4:

- (h) if the accredited certifier is a principal certifying authority, any copy of a record of a critical stage inspection provided to the principal certifying authority by another certifying authority.

No. 24 Page 33, Schedule 2.1 [44], lines 14, 30 and 31. Omit “head” wherever occurring. Insert instead “principal”.