



# Circular

Division: Land and Property Information Division  
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## Changes to requirements for issue of strata certificates

The Department of Lands is officially registered in the Australian Business Register and also registered for GST. Its ABN is 21 804 973 362

The Building Professionals Board (the Board) has recently overseen reform that significantly changes the building certification system in NSW. Among other things, the reform process will affect the inspection requirements that councils and accredited certifiers must undertake before issuing a strata certificate.

From 2 March 2009, it will be a requirement that as the construction of a building for which a strata certificate is to be issued nears completion, or after it has been completed, a council or accredited certifier must inspect the building, and the common property areas around the building, so as to be satisfied that:

1. the floors, external walls and ceilings depicted in the proposed strata plan for the building correspond to those of the building as constructed; and
2. the floors, external walls and ceilings of the building as constructed correspond to those depicted in the building plans that accompanied the construction certificate for the building; and
3. any facilities required by the relevant development consent (such as parking spaces, terraces and courtyards) have been provided in accordance with those requirements.

These requirements are set out in the new section 29A of the *Strata Schemes (Freehold Development) Regulation 2007* and section 30A of the *Strata Schemes (Leasehold Development) Regulation 2007*, scheduled to commence on 2 March 2009.

The amendments relate to the inspections that must now be undertaken before a strata certificate can be issued under section 37A of the *Strata Schemes (Freehold Development) Act 1973*, and section 66A of the *Strata Schemes (Leasehold Development) Act 1986*.

The authorities for certifiers accredited by the Board in category of accreditation D1 under the accreditation scheme made under the *Building Professionals Act 2005*, have also been amended by the *Building Professionals Amendment (Inspections and Penalty Notices) Regulation 2009* to enable them to undertake these new inspections from 2 March 2009.

**Inquiries**

Further information on the certification reforms is available on the Board's website ([www.bpb.nsw.gov.au](http://www.bpb.nsw.gov.au)). To obtain copies of the amending regulations, visit [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

For any inquiries in relation to the changes to the Regulations, please contact Leanne Hughes or Robert Goncalves on 9228 6726.

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