

6 What can I do if I'm not happy with my PCA?

Complaints about your PCA should be taken up with them directly. Complaints can then be referred to the Building Professionals Board if the issue is not resolved.

You are also able to change your PCA, by either obtaining an agreement between yourself — as the person who appointed the PCA — the current PCA and the proposed new PCA. You can also apply to the Board to change your PCA, although the Board does not approve a change of PCA without good reason.

Your PCA is not responsible for supervising your builder or tradespeople or for guaranteeing the fit and finish of building work - these fall outside the scope of the Building Code of Australia. In these cases, a complaint can be made to NSW Fair Trading (www.fairtrading.nsw.gov.au), the body responsible for licensing builders.

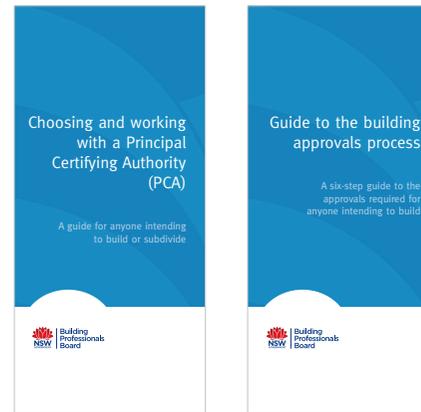
7 What is Council's role?

Beyond its responsibilities as and when it is appointed as a PCA, your local council has powers under legislation to require builders and landowners to comply with relevant legislation and approvals. This gives council the authority to issue orders and on-the-spot fines or even, in the worse cases, take court action.

Find out more

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Find out more about
the building approvals
process in our new guide
at www.bpb.nsw.gov.au



IMPORTANT NOTE: This brochure does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this brochure.

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Choosing and working with a Principal Certifying Authority (PCA)

A guide for anyone intending
to build or subdivide

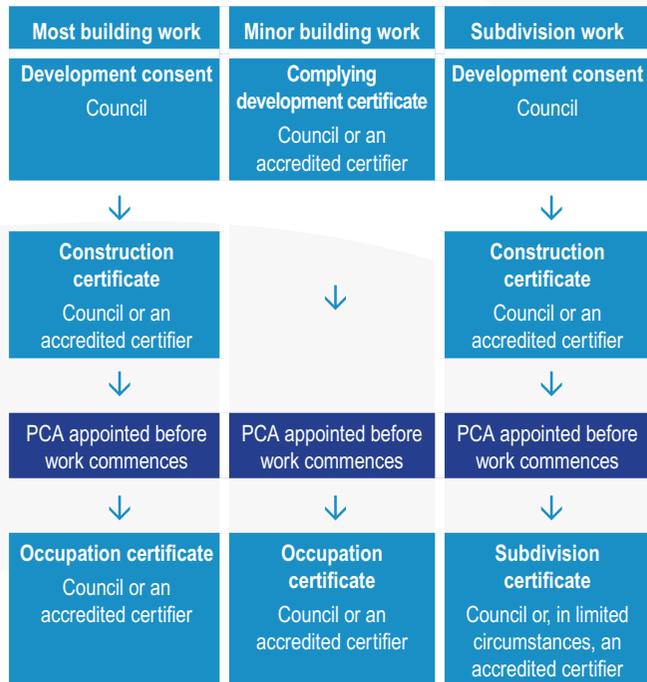
1 What is a PCA?

A PCA is a local council, or a private person or company accredited by the Building Professionals Board, who inspects building and subdivision work during construction. You will be involved with your PCA throughout the construction process.

2 When is a PCA needed?

A PCA is needed when building or subdivision work requires a construction certificate or a complying development certificate.

A PCA must be appointed before the building or subdivision work commences so that all required checks and inspections take place prior to work commencing and as construction proceeds.



A PCA is appointed by the person who has the benefit of the planning approval for the work. A builder cannot appoint the PCA unless they are the landowner.

Remember - the PCA acts on your behalf, not on behalf of the builder, and checks that building work is fit to use and occupy.

3 How do I choose a PCA?

Choose a certifying authority in the same way that you would choose an architect, draftsman or builder:

- check the Building Professionals Board website – it has a complete list of accredited certifiers
- seek recommendations from others
- obtain quotes from council and a selection of accredited certifiers
- check references from certifying authorities
- check inclusions in any contract or service level agreement before entering into it.

You must advise Council of the appointment of a PCA at least two days before building or subdivision work commences.

Applying for a construction certificate (CC) or a complying development certificate (CDC) is not the same as appointing a PCA. However, you may choose to appoint the accredited certifier who issues your CC or CDC as your PCA.

Remember – the PCA must be appointed before work commences on your site.

4 What work will my PCA do?

Your PCA will:

- inspect building work during the course of construction
- advise whether any changes need to be made so that the work is fit to occupy or use in accordance with the Building Code of Australia
- issue interim or final occupation certificates (building work) or issue a subdivision certificate (subdivision work).

The PCA, or another accredited certifier approved by the PCA, will undertake certain mandatory inspections of the work at different stages during construction - the required inspections should be set out in the agreement you have signed with the PCA. Your builder must advise the PCA when the building work reaches the stage where the inspections need to be undertaken. The PCA should advise you and the builder of any issues identified during an inspection.

The PCA may require compliance certificates or expert reports at different stages of construction (for example, a structural engineer's certificate for building footings). While they may rely on these certificates when issuing an interim or final occupation certificate, they, or another certifying authority agreed to by the PCA, must always undertake mandatory inspections on site.

5 What other obligations does a PCA have?

Your PCA is a public official and has responsibilities and a duty of care in relation to the advice they provide and action they take. Their work must satisfy the requirements of NSW planning legislation.

Your PCA is subject to a code of conduct and auditing by the Building Professionals Board, as well as anti-corruption provisions and the standards required of public authorities under NSW legislation. Your PCA is required to avoid conflicts of interest and can only exercise their functions if covered by professional indemnity insurance.