



CertNews

Edition 11
February 2006

Edition 11 February 2006 A Newsletter for all Building Certifiers from BSA

BRISBANE

11 Edmondstone Street
South Brisbane QLD 4101
Facsimile 3225 2999
PMB 84 Coorparoo DC 4151

TELEPHONE STATEWIDE

1300 272 272

CAIRNS

Facsimile 4031 6831

GOLD COAST

Facsimile 5575 7666

MACKAY

Facsimile 4953 4151

ROCKHAMPTON

Facsimile 4926 1377

SUNSHINE COAST

Facsimile 5459 9655

TOOWOOMBA

Facsimile 4638 1917

TOWNSVILLE

Facsimile 4725 3401



**Helping
Queenslanders
Build Better**

Welcome to Edition 11 of *Cert News*, BSA's Newsletter aimed at keeping building certifiers, building designers and other BSA licensees informed on the latest issues.

This is our first newsletter for 2006 with what promises to be a busy year in terms of changes to the Integrated Planning Act, Building Act and Standard Building Regulations. This is in addition to the current review of the role of local government and the role of private certifiers in building regulation.

PERSONNEL CHANGES

Since our last edition in May 05, BSA's Research and Review branch has added two staff members. The new personnel are;

Mathew Hopwood
Senior Building Research and Investigation
Officer (Auditor) Ph: 07 3225 2842

Gary Stick
Building Inspector (Consumer Complaints
- Firewalls) Ph: 07 3227 5759

Position Vacant

BSA has a position vacant for a cadet Building Surveyor. Enquires regarding the position can be made by contacting Mr Tony Townshend, Manager of Research and Review on 07 3227 5859.

REFERRAL OF ALTERNATIVE SOLUTIONS TO QUEENSLAND FIRE & RESCUE SERVICE

As certifiers are aware Building Codes Queensland (BCQ) released a Newsflash in November 2005, outlining the requirements when alternative solutions are required to be referred to the Queensland Fire and Rescue Service (QFRS).

Recent audits of certifiers, both administrative/technical and firewalls, have highlighted that certifiers may not be referring applications involving Special Fire Services or alternative solutions to QFRS as the advice agency under the *Integrated Planning Regulation, 1997* (IPR).

The IPR requires applications involving an alternative solution for building work involving a fire safety system (which is also defined by the BCA) for a building or structure other than a temporary or special structure, to be referred to the QFRS for advice –

- If the application includes provision for a Special Fire Service;
- OR
- If the application includes provision for alternative solution assessed against the performance requirements of Volume 1 of the Building Code of Australia.

BSA discussions with audited certifiers have indicated that certifiers are still not clear on the definition of a Special Fire Service and Fire Safety System and when alternative solutions are required to be referred. Schedule 2 of the *Standard Building Regulation, 1993* (SBR), also defines the triggers for when applications need to be referred to QFRS. BCA Volume 1 defines a "Fire Safety System". Therefore any Special Fire Service or Fire Safety System referenced by the SBR or BCA, needs to be referred as required under IPR including any alternative solution.

**Definition - Section 5 of the SBR
special fire service—**

(a) means—

(i) for a building—an item mentioned in schedule 2;13 or

12 Section 6A (Meaning of Queensland Development Code)

13 Schedule 2 (Special fire services (generally)

s 6 19 s 6

Standard Building Regulation 1993

(ii) for matters the fire authority must assess—an item mentioned in schedule 3;14 or

(iii) for matters the fire authority must inspect—an item mentioned in schedule 4;15 but

(b) does not include interconnected alarms in budget accommodation buildings under part 2A, division 316 of the Act.

**Definition – Schedule 2 of the SBR
Schedule 2 Special fire services
(generally)**

section 5, def special fire service

- Fire mains (other than fire mains that connect only fire hoses)
- Fire hydrants
- Sprinklers (including wall-wetting sprinklers)
- Special automatic fire suppression systems (including foam, deluge and gas flooding systems)
- Fire detection and alarm systems (other than stand-alone smoke alarms not required to be interconnected or connected to a fire indicator panel)

- Fire control centres
- Stairwell pressurisation systems
- Air-handling systems used for smoke control
- Smoke and heat venting systems
- Smoke exhaust systems
- Emergency warning and intercommunication systems
- Emergency lifts
- Vehicular access for large isolated buildings
- Services provided under conditions imposed under section 71
- Services required under BCA, clause E1.10.

**BCA Volume 1 Definition-
Fire Safety System means;**

One or any combination of the methods used in a building to-

- a) warn people of an emergency; or
 - b) provide for safe evacuation; or
 - c) restrict the spread of fire; or
 - d) extinguish a fire
- and includes both active and passive systems.

For example - Table 1 of IPR.

If an application is lodged involving a Fire Safety System for buildings or structures (other than a temporary special structure) and the building work either (a) requires Special Fire Services; or (b) includes an alternative solution for a Fire Safety System.

When assessing the application certifiers need to ask themselves various questions. eg

- 1 Is the building work assessable against the SBR
- 2 Does the application involve a Fire Safety System (defined term) for a building or structure (other than a temporary special structure)
- 3 Does the building work require/ include special fire services listed in the SBR. If yes, referral is required and referral jurisdiction is limited to the matters outlined in Schedule 3 of the SBR.

- 4 Does the building work require/ include an alternative solution assessed against the performance requirements of Volume 1 of the BCA for the Fire Safety System. If yes, referral is required and referral jurisdiction is limited to matters outlined in the Building Act

It is the opinion of BSA that if any item or requirement under the above definitions does not meet the Deemed-To-Satisfy provisions of the BCA, then it must be referred to QFRS as an advice agency.

Examples are;

- a) warn people of an emergency-
eg - **Where the deletion of a detection system occurs;**
- b) provide for safe evacuation-
eg - **Where travel distances are extended or deletion of stairs;**
- c) restrict the spread of fire-
eg - **Where the deletion of fire rated construction occurs which is required as a DTS provision;**
- d) extinguish a fire-
eg - **Where Hose Reels are deleted**

Note: *The above are examples only and other issues or situations need to be considered and assessed to determine if the design proposal triggers the referral requirements under IPR.*

In addition Budget Accommodation Buildings have special rules applying to alternative solutions in budget accommodation buildings that involve fire safety management procedures which are also detailed in Scheduled 2 of IPR and Queensland Development Code – Part 14.

BSA will continue to monitor building certifiers practices in upcoming administrative/technical audits and through the BSA firewall program to ensure that Special Fire Services and Fire Safety Systems involving alternative solutions are referred to QFRS as required under IPR or when the Deemed-To-Satisfy provisions of the BCA are not met.

BSA ELECTRONIC PAYMENTS

BSA wishes to advise it is looking to move all contractor payments, where possible, to EFT. BSA will send forms out with future cheque payments for completion of individual bank details or alternatively individuals may contact the Finance Branch of BSA and their individual details will be updated over the phone. In addition BSA is reviewing the possibility of this method of payment being available to building certifiers for renewal of their licences.

PRE-PURCHASE BUILDING INSPECTIONS

BSA has been made aware that building certifiers are continuing to carry out completed residential building inspections (more commonly known as residential pre-purchase and practical completion/handover inspections) under their building certifier licence. BSA wishes to notify certifiers, unless individuals hold a Completed Residential Building Inspection (CRBI) Licence, these inspections cannot be performed. For further information regarding this licence, please contact BSA's Licensing Branch.

ROOF MOUNTED HOT WATER SYSTEMS AND OTHER ADDITIONAL LOADS.

Through consumer complaints BSA has been made aware that building certifiers and builders are not considering additional roof truss loads (roof mounted hot water systems, air conditioner units, etc) during installation and at frame or final inspections. When accepting truss certifications building certifiers should ensure the additional loading has been considered during the initial design of the trusses. In most circumstances, unless the builder has informed the truss manufacturer to design the trusses to hold a specific roof mounted structure, only standard trusses will be designed and supplied.

INSURABLE WORK – PERGOLAS, GAZEBOs, SHADE SAILS etc.

Over the past few months, BSA has been receiving enquiries whether shade sails are insurable works. Under the *Queensland Building Services Authority Act, 1991* shade sails are considered under a large group of items such as pergolas, gazebos etc.

Despite what installers are advising certifiers and clients, shade sails, from an insurance perspective, are no different to a pergola.

Firstly, I refer you to the *Queensland Building Services Authority Regulation 2003*, Division 2 - (The definition of) Residential Construction Work.

Anyone who wants an answer on whether something is insurable work should first read this definition.

The definition of a residence & related roofed building in section 9 states:

“residence” means a building or part of a building fixed to land and designed to be used for residential purposes....

“related roofed building” means a building other than a residence that

- (a) has a roof that is designed to be -
 - (i) part of the structure of the building; and
 - (ii) impervious to water or wind.....

Section 10

Classification as residential construction work the following is classified as residential construction work -

- (a) primary building work
- (b) associated building work

Section 11 advises the meaning of primary building work

- (1)..building work mentioned in subsection (2) is “primary building work” if it is -
- (a) carried out by a building contractor
 - (b) for a residence or related roofed building

- (c) of a value of more than \$3,300

(2) For subsection (1) the following is the building work -

- (a) construction of a residence or a related roofed building;
- (b) building work that affects the structural performance of the residence or related roofed building.....

In summary:

1. If the structure is attached to a residence (part of a building) & valued at more than \$3,300 it is insurable.
2. If the structure is freestanding but does not have an impervious roof it is not insurable.
3. If the structure is freestanding, valued at more than \$3,300 and has an impervious roof it is insurable.

SIGHTING OF INSURANCE RECEIPTS

(Confirmation of Insurance Receipt)

Existing Building Work

BSA receives numerous enquiries from building certifiers regarding their statutory obligation under Section 68 (2) of the *Queensland Building Services Authority Act 1991* regarding sighting of ‘Confirmation of Insurance’ receipt for existing building work.

Section 68(2) of the *Queensland Building Services Authority Act 1991* does not allow an Assessment Manager to issue a development approval for residential construction work unless:

1. They are in receipt of written confirmation from BSA that the appropriate insurance premium has been paid; or
2. The applicant produces satisfactory evidence that no insurance premium is payable.

These requirements are normally met by sighting a BSA Confirmation of Insurance or Owner-Builder permit. If these are not available and the work has already been performed, the alternatives are:

1. If the work was performed prior to 1 July 1992, it is prior to the governing legislation and therefore is not a BSA requirement;
2. The owner is able to identify the contractor who did the work and have the contractor pay the premium to BSA retrospectively;
3. In other scenarios, the owner should write to BSA's Executive Manager Insurance, advising –
 - the nature of the work
 - the value of the work
 - the date the work was performed
 - the name and licence number of the party responsible for the work
 - if it was performed under a contract, a copy of the contract or other evidence of the party responsible for the work

BSA will then provide written advice of the outcome of the enquiry. It should be noted BSA is unable to issue retrospective Owner-Builder permits.

Until BSA has stated its position and the requirements have been met, the Assessment Manager should not provide development approval.

CLAIMS FOR SIGHTING BSA INSURANCE

The procedures for claiming sighting of BSA insurance and Owner-Builder permits are as follows:

- Claims should be submitted each quarter
- Claims should contain items sighted in that quarter only (next quarter ends 31 March 2006)
- Claims should be submitted within two (2) weeks of the close of the quarter
- Claims for Owner-Builder permit sightings should be submitted separately.

Claims submitted containing sightings outside the relevant quarter will not be considered.

Contact at the BSA is Julie Randle, telephone 3247 5841, fax 3225 2889.

To enable correct invoicing, please pass this information to your Finance Department

BSA would welcome any suggestions for future editions of CertNews.

Please contact Jenny Watts on (W) 3225 5269 or email Jenny.Watts@bsa.qld.gov.au for further information.