



CertNews

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A Newsletter for all Building Certifiers from BSA

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WEBSITE

www.bsa.qld.gov.au

Your Gateway to
Building Information.

Welcome to Edition 9 of *CertNews* - a newsletter designed to keep building certifiers, local governments, designers and other industry bodies informed regarding the latest issues in the building certification industry. You will notice a brighter and a more revamped format.

In addition to *CertNews* BSA has now introduced special building certification content to its web page. You may access the web through the following address:

<http://www.bsa.qld.gov.au/certification/>

for all the latest information from the Building Services Authority. In the certification web page you will find

GENERAL TOPICS.

- ❑ Role of BSA in building certification
- ❑ Building Certifiers Guide to BSA Insurance Forms.
- ❑ Application for accreditation as a building certifier
- ❑ Change of particulars for a building certifier
- ❑ Lodging a complaint against a building certifier

MAILING LIST

Subscribe to Regular e-mail updates on certification information
If you no longer wish to receive BSA's Email news, simply click here: <http://www.bsa.qld.gov.au/certification/maillinglist.unsubscribe.htm>

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FIRE SEPARATING WALLS

In our last edition of Cert News (April 03) BSA advised of an increase in the number of Dispute Notifications being received concerning defective fire separating walls in multi-residential developments. As a result BSA undertook a program to notify and remind building certifiers of their statutory responsibilities. BSA followed up on this advice to other licensees in the Authorities magazine 'Building Links' and in addition wrote to all licensed building certifiers.

The article in Edition 8 of Cert News also advised building certifiers that BSA believed the issue was a forerunner to more Dispute notifications and that building certifiers were likely to become more involved in this type of issue.

Since notification of these building defects BSA now has a number of townhouse developments under investigation with possible defective fire separating walls.

Apart from liability issues concerning life and property the rectification process imposes significant costs to BSA's insurance scheme. As at the production of this newsletter BSA has currently directed a building certifier to undertake certain actions against a building contractor and is investigating a number of other building certifiers. BSA will provide further advice on the outcomes from the above.

Building certifiers need to ensure that fire separating walls have been constructed to the requirements of the Building Code of Australia prior to the issue of any Certificate of Classification. Inspections may be carried out personally by the Building Certifier or by a person deemed competent by the Building Certifier including holding the appropriate BSA licence.

BSA is currently examining the issue of fire separating walls through its Fire Separating Walls Working Party along with various industry representatives. Some of the construction practices requiring improvement are

- Attention given to design details submitted to the building certifier for assessment prior to the issue of a development permit for building works eg trusses penetrating fire separating walls in typical pitched roof construction.
- Walls not constructed in accordance with manufacturers specifications.

- Inadequate details in eaves area and during construction
- Inadequate follow up when problems have been identified
- Excessive penetrations for building services

Any suggestions by industry practitioners would be welcome. Please contact BSA's Research & Investigation Officer Peter Hope on 3225 2966 during normal business hours.

MANDATORY BUILDING INSPECTIONS & BUILDING CERTIFIERS RESPONSIBILITIES IN RELATION TO SECTION 87 OF THE STANDARD BUILDING REGULATIONS 1993

Building certifiers are reminded of the requirement of Section 87 (3) of the Standard Building Regulations 1993 SBR

(3) If-

- (a) the builder for the work is a licensed builder under the Queensland Building Services Authority Act 1991 ; and
- (b) the builder does not give the building certifier for the work a notice for inspection at each stage of building work as required under Section 86;

the builder certifier must notify BSA of the fact.

BSA is trialling a policy of notifying licensees on this issue.

AUDIT INFORMATION

BSA will be undertaking the following audit program this financial year-
Townsville to Maryborough in April/May/June.
Brisbane to Cunnamulla in March/April.
It's nearly the end of February and over 3 months since major legislative changes were introduced on the 14 November 03.

BSA is of the opinion that sufficient time has elapsed for all building certifiers to have amended their systems including mandatory forms to reflect the changes to the legislation. The audit program will focus primarily on this area including ensuring that acknowledgement notices have been received from local authorities prior to any development permits for building works being issued.

BUILDING APPROVAL-PRE EXISTING CONSTRUCTION BSA REQUIREMENTS

BSA has been requested by a number of building certifiers as to the requirement under the Home Warranty Insurance Scheme. The following is BSA policy for existing building work. BSA has recently clarified the process certifiers should adopt in relation to BSA insurance provisions when issuing an approval for existing building work. The policy is as follows;

Section 68 (2) of the *Queensland Building Services Authority Act 1991* states:

(2) An assessment manager must not, under the *Integrated Planning Act 1997*, issue a development approval for building work in respect of residential construction work unless-

- (a) the assessment manager has written information from BSA showing that the appropriate insurance premium has been paid; or
- (b) 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) The owner is able to identify the contractor who did the work and have the premium paid to BSA retrospectively.
- (2) If the work was performed prior to 1 July 1992 it is prior to the governing legislation and therefore there is no BSA requirement.
- (3) For all other situations the owner should write to BSA to explain:-
 - what was performed
 - estimated value
 - when it was performed
 - who performed the work
 - was it performed under contract

and seek written advice from BSA of its requirements.

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

For further information please contact Gwen Hawkins 3225 2871

PERSONNEL CHANGES

Recently BSA was sorry to see the departure of the Manager of Research & Review Branch Phil Finnimore to a private building certification firm. Phil made a significant contribution to the goals of BSA. As a result of this departure there have been some changes within this area. The branch personnel now is

A/Manager Research & Review
A. (Tony) Townshend 3247 5859

Building Research & Investigation Officer
Errol George 3225 2842

Building Research Officer
Peter Hope 3225 2966

Team Support Officer
Jenny Watts 3225 2969

FEE INCREASE

Please be aware that renewal/annual licence fees are now \$520 pa.

SHEDS / GARAGES

Effective 1 September 2003, Queensland Building Services Authority Regulation 2003 (Regulation) was amended to include changes to the definition of Residential Construction Work (RCW).

These amendments did not involve any change to the requirement to insure Sheds, Garages, Carports etc. or the height restriction on RCW.

Sheds, Carports and Garages are defined as related roofed buildings and are therefore RCW.

Some confusion on these structures arises when there is no residence already on the block and the owners are uncertain of when they propose to put a residence on the block.

To clarify this confusion, if a block is a residential block of 1 acre (4000sqm) or less, insurance is payable for the construction of sheds, garages etc., irrespective of whether there is already a residence on the block or whether there are approved plans for a residence.

If the residential block is rural residential, i.e. in excess of 1 acre, and already has a residence in situ and the proposed shed/garage is to be used for residential purposes, insurance is payable. If there is no residence on the rural residential block, no insurance is payable on the proposed shed/garage unless the shed is designed or built to be used as a residence.

Any shed to be used for farm, hobby farm or other rural purposes is **not** insurable work.

Number Of Storeys

Regulation 13 states –

“Building work that is not classified as residential construction work

Each of the following is not classified as residential construction work –

- (a) Building work on, or on the site of, a building or proposed building that is or forms part of any of the following:
 - (i) a multiple dwelling of more than 3 storeys... “

BSA Insurance Policy Edition 6 defines “multiple dwelling” as ‘means a building of not more than three storeys in height (excluding the lowest level if it consists only of a car park) comprising at least one residential unit, whether or not the building also includes one or more commercial purposes or uses;

There remains, therefore, a requirement to insure any building which falls within this definition.

For further information, please refer to BSA’s Website www.bsa.qld.gov.au – Information about Certification - Building Certifiers Guide to BSA Insurance and Owner-Builder Requirements for Residential Construction.

Should you have any comments or suggestions to improve information to the Certification industry please contact BSA.