

## BUILDING SERVICES AUTHORITY FOURTH QUARTER REPORT ON BUILDING CERTIFICATION

JUNE 2001

### Purpose

The purpose of this report is to provide general and statistical information about building certification from the perspective of the Building Services Authority (the Authority) as the accrediting body. It is intended that this will provide beneficial information to the building certification industry directly and to the relevant stakeholders of the development industry.

### Background

The Authority is a self-funded statutory body established under the *Queensland Building Services Authority Act 1991*. For the purposes of building certification the Authority is authorised to be the accrediting body as provided for under section 111 of the *Standard Building Regulation 1993* (the SBR). More information about the Authority as the accrediting body can be found by accessing the specific section of the Web Page at <http://www.bsa.qld.gov.au/certification/general/role.htm>.

Throughout the course of the complaint investigation and audit function the Authority observes particular circumstances that bring about common patterns of conduct and general issues of note. As part of the monitoring role of the Authority it is considered these issues should be publicised in an effort to bring about greater industry awareness in order for them to be understood and addressed.

### Structure

The Authority's accreditation, complaint and audit functions are administered by the following resource structure:

Resource	BSA Designation
Manager – Complaints and Audits	Research and Review Section
Building Research and Investigation Officer	Research and Review Section
External Service Provider	Licensing Division
Administration Support Complaints and Audits	Research and Review Section
Administration Support – Certifier Accreditation	Licensing Division
Building Inspector (part time) – Complaints and Audits	Dispute Management Division

### Statistical Information

The following tables are a breakdown statistically of the complaint, audit and general functions of building certification. The figures compiled are statistics commencing from the inception of building certification in May 1998 up to and including 18 July 2001.

### Number of Building Certifiers

Type	Number
Building Surveyor (PC)	119
Building Surveyor (no PC)	18
Assistant Building Surveyor (PC)	169
Assistant Building Surveyor (no PC)	45
Building Surveying Technician	27
<b>Total</b>	<b>378</b>

PC = Private Certifier Endorsement.

### Audits Conducted

Type	Number
Random	202
Complaint Driven	2
<b>Total</b>	<b>204</b>

### Complaint Notifications

Type	Number
Town Planning	121
Technical (BCA)	15
Standard Building Regulation	78
Conflict of Interest	9
Code of Conduct	6
<b>Total</b>	<b>229</b>

### Complaint Source

Local Government	General Public	Queensland Fire & Rescue
197	31	1

### Discipline Outcomes

Guilty	No further action	21
	Reprimand	36
	Caution	21
	Direction	3
	Condition	3
	Suspension	1
Not Guilty	No further action	60
	Recommendation	7
Withdrawn by complainant		6
Withdrawn insufficient evidence		12

### Complaint Status

Type	Number
Finalised Complaints by BSA	191
Current Complaints (< 30 days old)	2
Current Complaints (> 30 days old)	36
<b>Total</b>	<b>229</b>

### BSA Decisions Appealed to Chief Executive

Type	Number
Not Decided	14
Decision Reversed	7
Decision Upheld	11
<b>Total</b>	<b>32</b>

### General Issues

#### Complaints

As can be clearly seen from the statistics Town Planning issues still are the most subject of complaint. Largely the issues are that other approvals relating to planning schemes are not being obtained or that interpretations of the schemes are incorrect. The complainants in these matters are predominantly Local Governments however there are instances where affected parties, such as adjacent property owners, lodge complaints against the certifier involved.

The next highest complaint matter relates to nonconformity with the provisions of the SBR. In particular the items contained within schedule 6 of the SBR and specifically the provisions relating to the siting of buildings form the main complaint basis. Again Local Governments are the predominant complainants however, in some cases these matters are brought to the attention of Local Governments by their constituents.

#### **Audit Information**

In addition to complaint investigation the Authority has a statutory obligation under Section 29 (1) (e) of the *Building Act 1975* to: *carry out audits of work by building certifiers;*

Audits fall into two categories being random or as a result of a proven complaint. As at the publication of this report the Authority has successfully completed approximately 204 audits. It is the intention of the Authority to audit all building certifiers every two and half to three years. Recently the Authority audited twenty-two building certifiers in Townsville, Cairns and other nearby centres.

The Authority intends to carry out further audits between Mackay to Rockhampton in November 2001.

By the end of 2001 the Authority will have completed audits along the most populated areas along the eastern seaboard. In early 2002 the Authority will establish a framework to audit the more remote areas of Western Queensland. Many of the issues identified in the Authority's previous quarterly report are still evident and building certifiers may need some education in this area.

### **Audit Results:**

The standard of documentation being kept is improving but as advised in the previous quarterly report some problems are still evident eg.

- Site specific information is not being obtained and **documented** eg.
- Easement information
- Stormwater information
- PLANNING information

Decision notices are a mandatory document and require certain information to be recorded ie.

- Building certifiers should although **not a mandatory requirement** specify a completion period

Note. This is only a recommendation by the Authority

- Sufficient appeal information is not being attached
- Applicable codes to the application are not being stated
- Other approvals required are not being stated

### **General**

In some cases building certifiers are not sufficiently documenting selection of competent persons.

Check sheets are not updated to reflect changes to BCA, SBR or other required legislation.

Building certifiers need to develop processes to ensure documentation is being received by Local Authority's.

### **Other Matters.**

The Authority in conjunction with Building Codes Queensland (Department of Local Government and Planning) is currently participating in the review of Building Certification being conducted by the Local Government Association of Queensland. At the conclusion of this review recommendations will be made to the Minister responsible for building certification legislation.