

Building newsflash number 389

Building Regulation 2006 amendments— Bushfire standard, cadet building certifiers and QFRS inspection time frames

Purpose

To advise of changes to the Building Regulation 2006 (BR) for construction of buildings in bushfire prone areas and specifying the role of cadet building certifiers and inspection time frames for the Queensland Fire and Rescue Service (QFRS).

Background

Building Codes Queensland has a continuous legislative review and improvement program which is linked to stakeholder engagement through its building and plumbing industry consultative groups. The amendments to the BR are part of this program.

Legislation

- *Building Act 1975*
- Building Regulation 2006
- Queensland Development Code (QDC)

Construction of buildings in bushfire prone areas

The revised BR gives effect to a new QDC part, MP 2.4—Buildings in bushfire-prone areas which references AS 3959—2009—Construction of buildings in bushfire-prone areas. QDC MP 2.4 takes effect on 1 October 2009 and it will require assessable and self-assessable building work in a designated bushfire prone area to comply with the 2009 standard.

Cadet building certifiers

The BR now specifies that cadet building certifiers may be appointed to assist licensed building certifiers with performing building certifying functions, provided the cadet:

- has been employed by either a local government or private certifier for at least three months (within the previous six months) assisting in the performance of building certifying functions under the direct supervision of a licensed building certifier
- is undertaking a course of study that, if successfully completed, meets the educational standard required for accreditation by an accreditation standards body
- only assists with performing building certifying functions that are within the limits permitted under the level of license held by the supervising certifier

The BR now also sets out the supervisory responsibilities of licensed building certifiers who use cadets to assist them with performing building certifying functions. If a cadet assists a building certifier in the performance of a function, the licensed building certifier will still be responsible for the function. A building certifier must also consider a cadet's level of ability, experience, qualifications and skills in deciding whether to allow them to assist in performing functions.

Building certifiers may also consider a cadet is a competent person (subject to the requirements of Part 5 of the BR) except when the building certifier is the cadet's supervisor, employer or is employed by the same employer as the cadet.

The new provisions for cadet building certifiers commenced on 11 September 2009.



QFRS inspection time frames

The BR sets inspection time frames for referral agencies to inspect aspects of building work. Mandatory time frames for QFRS referral agency inspections are now included, in line with the inspection time frames that apply to all other referral agencies. Referral agencies are required to give a notice relating to the inspection to the relevant building certifier within 5 or 15 days, depending on whether the QFRS propose to undertake an inspection or test.

The new provisions for QFRS inspection time frames commenced on 11 September 2009.

Contact for further information

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The latest version of the Building Regulation 2006 is available at www.legislation.qld.gov.au and MP 2.4 is available at www.dip.qld.gov.au/building/current-parts.html.

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