

Appendix 2 – Summary of questions for comment

1. What kinds of plans should be signed off and declared by a statutory declaration?

Plans identifying proposed Performance Requirements, BCA Compliance, fire safety

2. Could plans be statutorily declared at the CC/CDC stages? If not, why not?

Yes

3. To what extent should changes to plans be submitted to the regulator?

Where the plans would require an adjustment to NCC requirements or planning controls.

Increase in floor area or height

impact on neighbours,

4. Should a statutory declaration accompany all variations to plans or only major variations?

All

5. Are there any obstacles that would prevent a person from submitting a statutory declaration for variations? If so, what are those obstacles?

6. What other options could be workable if there are variations to plans?

Neighbours consent via signature.

7. How could the modifications process be made simpler and more robust?

Where modifications are considered to fall within the parameters of consent (minor internal adjustments) to modifications could be managed as complying development.

8. How should plans be provided to, or accessed by, the Building Commissioner?

Online access

9. What types of documents should 'building designers' provide to the Building Commissioner?

All documents associated with a development

10. In what circumstances would it be difficult to document performance solutions and their compliance with the BCA?

In all cases I suspect it will be difficult, however it is more difficult if the documentation is not provided.

11. Would a performance solution report be valuable as part of this process? If not, why not?

Yes

12. Are there any other methods of documenting performance solutions and their compliance that should be considered?

A separate schedule for performance provisions

13. What would the process for declaring that a building complies with its plans look like?

Generic forms should be available for all tradespersons for them to sign off of their own work to make them personally accountable. Similar to the new fire safety certificates.

14. What kind of role should builders play in declaring final building work?

Builders should certify that all works are compliant with the national construction code and any performance solutions.

15. Which builders involved in building work should be responsible for signing off on buildings?

The project manager should be responsible for the final sign off however during the building process all trades should have to register their own works.

A free software application could be created to facilitate the requirements. Photographs, dates times and GPS locations could be incorporated.

16. Are there any circumstances which would make it difficult for builders to declare that buildings are constructed in accordance with their plans? If so, what are those circumstances?

If sign off is solely left up to the one builder or there is more than one builder it would be difficult. Each tradesperson should be accountable for their own work and all works should be documented.

17. Are existing licensing regimes appropriate to be accepted as registration for some builders and building designers, such as architects, for the new scheme?

Architects & builders should be taught to incorporate the requirements of the national construction codes and the associated standards. The current education for builders and architects does not meet requirements of the industry.

Architects and builders are not taught planning controls, legislative requirements or the basics of the National Construction Code requirements. Many are taught online and do not have a broader understanding of how the system works on a holistic level.

The end result is that the builders are coming up with design solutions during construction in an attempt to correct architectural anomalies.

18. What occupations or specific activities are involved in 'building design' and should be in scope for the registration scheme?

Buildings have many components for a building design to function as intended every component should be included.

19. What should be the minimum requirements for a registration scheme?

Direct industry experience in association with the level of construction. The experience requirements could be similar to the BPB accreditation requirements for certifiers.

20. What form of insurance should be mandatory for 'building designers'? Why?

The Insurance requirements could be similar to the BPB accreditation requirements for certifiers.

21. What kinds of minimum requirements should be prescribed for the insurance policy (for example, value, length of cover, etc.)?

I don't have the experience in this area to comment.

22. What skills should be mandatory for 'building designers'?

I believe experience is a governing factor that contributes to understanding.

Anyone can gain a qualification these days the skill is in the understanding.

23. Should specific qualification(s) be required?

The courses need to be specific to the industry. Many of the courses have been dumbed down to enable students to gain passes because if the students don't pass the TAFEs and University's don't get paid. I have seen this within the TAFE system where I initially studied and then became a teacher.

Those with the most experience within the industry should be writing the courses and all courses should be validated by their peers.

24. Should there be other pre-requisites for registration?

No

25. What powers should be provided to the regulator to support and enforce compliance by registered 'building designers'?

The regulator already has the authority to act in regards to non-compliances.

26. Which categories of building practitioners should owe a duty of care?

Everyone should be responsible for their own work and design solutions.

27. What should be the scope of the duty of care? Should it apply to all or certain types of work? If so, which work?

All

28. How will the duty of care operate across the contract chain?

The person responsible for undertaking the works should be held responsible. Far too often companies dissolve, and/or building certifiers although not onsite and not legislatively required to undertake additional inspections are expected to validate all works on a site.

29. What types of consumers should be owed a duty of care?

Property owners and 1st purchasers

30. On what basis should a particular consumer be afforded the protection?

Where a duty of care has been established.