

*Secretary of the Department of Customer Service approved form and matters for the Strata building bond and inspections scheme (SBBIS).*

INSPECTION REPORTS

Combined forms for interim and final reports
for
Strata building bond and inspections scheme

SBBIS)

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# PART A: INSPECTION REPORTS – COMBINED FORMS FOR INTERIM AND FINAL REPORTS AS APPROVED BY THE SECRETARY

Under the *Strata Schemes Management Act 2015* – Part 11.

## About this form

This form sets out the minimum requirements as approved by the Secretary and contains matters for the interim and final inspection and report by a building inspector to comply with Part 11 of the *Strata Schemes Management Act 2015* (SSM Act).

The form approved by the Secretary and the matters specified in the form is based on the Australian Standard AS4349 suite and may be reviewed after publication of AS 4349.2:2018 (AS 4349.2).

AS 4349.2 was published on 3 October 2018. The review history is located on the last page - version control.

The building inspector will perform inspections and provide the reports in accordance with this form and the Notes explain the matters specified in this form to satisfy the requirements of Part 11 of the SSM Act.

The online form accessible from Fair Trading’s web page is the current version. The link follows

<https://www.fairtrading.nsw.gov.au/housing-and-property/strata-building-bond-and-inspections-scheme>

How to complete this form:

1. Combined report
	1. Interim report
		1. Ensure that all fields in part 1 – 5 under the ‘interim’ column are filled out correctly and completed by the appointed building inspector
	2. Final report
		1. Ensure that all fields in part 1 – 5 under the ‘final’ column are filled out correctly and completed by the appointed building inspector
2. Please note that all fields are mandatory (unless stated otherwise) and must be completed before submitting the report.
3. Once completed, the building inspector must submit this form by emailing it to the Secretary to stratainspections@customerservice.nsw.gov.au. Please refer to the lodgement details sections at the back of this form for more information.

# Part 1 Administration

**Strata building bond and inspections scheme ePortal reference number** (for example projectnumber: PN-0000000##)

or

**NSW Planning Portal reference** **number** (for example: SB-2020-##)[[1]](#footnote-1)

## Type of inspection

|  |  |  |
| --- | --- | --- |
| **Inspected property details**Note 1[[2]](#endnote-1) | **Interim** | **Final** |
| Date range of the inspection |  |  |
| Weather conditions at time of each inspection |  |  |
| Description of property inspected |  |  |
| Building classification/s |  |  |

## Building work details

|  |  |  |
| --- | --- | --- |
| **Inspected property details**Note 2[[3]](#endnote-2) | **Interim** | **Final** |
| Address of the building work |  |  |
| Strata plan number |  |  |
| Stage – staged development identifier |  |  |
| Occupation certificate * Type
* issued date
 |  |  |
| If more than one Occupation certificate* Type

issued date |  |  |

## Parties

#### Owners corporation/Strata Managing Agency

|  |  |  |
| --- | --- | --- |
| **Owners corporation**Note 3[[4]](#endnote-3) | **Interim** | **Final** |
| Name of owners corporation (managing agency) |  |  |
| Owners corporation identifier |  |  |
| ABN |  |  |
| Contact name |  |  |
| phone number |  |  |
| email address |  |  |
| service addressNote 4[[5]](#endnote-4) |  |  |

#### Developer

|  |  |  |
| --- | --- | --- |
| **Developer’s details**Note 5[[6]](#endnote-5) | **Interim** | **Final** |
| Entity name |  |  |
| Entity billing entity |  |  |
| ABN |  |  |
| ACN |  |  |
| Entity service addressNote 4 |  |  |
| Authorised Agent’s name |  |  |
| Agent’s phone number |  |  |
| Agent’s email address |  |  |
| Agent’s service addressNote 4 |  |  |

If inspection was not organised by the Developer:

|  |  |  |
| --- | --- | --- |
| Person’s detailsNote 6[[7]](#endnote-6) | **Interim** | **Final** |
| Inspection requested by: |  |  |
| Contact name |  |  |
| Contact phone number |  |  |
| Contact email address |  |  |
| Contact service addressNote 4 |  |  |

#### Builder

|  |  |  |
| --- | --- | --- |
| **Builder’s details** Note 7[[8]](#endnote-7) | **Interim** | **Final** |
| Entity name |  |  |
| Entity billing entity |  |  |
| ABN |  |  |
| ACN |  |  |
| Licence/registration number (if any)Note 8[[9]](#endnote-8) |  |  |
| Licensed/registered – State (if any)Note 8 |  |  |
| Telephone number |  |  |
| Mobile number |  |  |
| Email address |  |  |
| Service addressNote 4 |  |  |

**Building inspector**

|  |  |  |
| --- | --- | --- |
| **Building inspector’s details #1**Note 9[[10]](#endnote-9) | **Interim** | **Final** |
| Name of the person who undertook the inspection |  |  |
| Name of organisation  |  |  |
| ABN |  |  |
| ACN |  |  |
| Licence/registration number (if any)Note 8 |  |  |
| Licensed/registered – State(if any)Note 8 |  |  |
| Telephone number |  |  |
| Mobile number |  |  |
| Email address |  |  |
| Service addressNote 4 |  |  |
| Authorised professional association:Strata inspector panel |  |  |
| Membership number |  |  |

## Documentation

|  |  |  |
| --- | --- | --- |
| Note 10[[11]](#endnote-10) | Interim | Final |
| Have you received all documents listed in section 198A of the *Strata Schemes Management Act 2015* and clause 46A *Strata Schemes Management Regulation 2016* from the from the developer? | Yes/No | Yes/No |
| Were they provided within 28 days of your appointment?  | Yes/NoIf yes, date | Yes/NoIf yes, date |
| If no, list and explain the attempts have you made to obtain all requisite documents? |  |  |
| Were the documents provided by the Secretary? | Yes/NoIf yes, date | Yes/NoIf yes, date |
| Australian StandardHas the documentation set out in AS 4349.2: clause 2.4 been made available to you? | Yes/NoIf yes, date | Yes/NoIf yes, date |
| If no, list and explain the attempts have you made to obtain all requisite documents? |  |  |

# Part 2 Inspection

## Scope

### Defective building work

The building inspections do not provide a level of compliance, but do identify defective building work, to which Part 11 of the SSM Act applies (see Note 11[[12]](#endnote-11)).

Defective building work is to be identified at the time the interim inspection is performed. The final report must not contain matters that relate to defective building work not identified in the interim report, other than arising from rectification of defective building work identified in the interim report.

The scope of the inspection shall comprise visual assessment of the agreed areas of the property to identify all defects at the time of the inspection.

### Testing

Destructive and/or invasive testing is not required for the purpose of Part 11 of the SSM Act.

Defective building work is to be identified by visual inspection and use of equipment/techniques that do not involve destructive testing. The inspection is to include the removal of any object designed to be moved/opened whether or not it requires a specialist to remove/open any object. It includes any test whereby the object or assembly can be returned to its prior state without the replacement by a new component.

### Inspection process for interim inspection

##### See Note 12[[13]](#endnote-12)

A building inspector appointed to prepare a report for SBBIS may enter and inspect any part of the parcel of the strata scheme.

The building inspector must give at least 14 days written notice to the owners corporation and the owner and any occupier of any affected lot of an intention to enter any part of the parcel of the strata scheme.

The inspection must be carried out in accordance with Australian Standard 4349.2:2018. In the event of any inconsistency between the Australian Standard and this form, this form prevails.

Note 13[[14]](#endnote-13)

# Part 3 Recording defective building work

The form is to be used for each item of defective building work. If an item of defective building work is repeatedly identified, a single form for the repeated defective building work item may be used provided it details all of the relevant locations of that defective building work.

|  |
| --- |
| **Defective building work description** |
| **Identification:** (Note 14)[[15]](#endnote-14)and (Note 16) | **Interim inspection** | **Final inspection**Rectified: Yes/No |
| Defective building work number |  |  |
| Lot |  | Not required |
| Unit |  | Not required |
| Level |  | Not required |
| Common property location |  | Not required |
|  |  | Not required |
| Description of defective building work |  |  |
| **Does defective building work require urgent attention AND/OR is this a serious hazard** |  |  |
| **Have you notified the client of a present or imminent serious safety hazard?** |  |  |
|  |  |  |
| **Photos**:(Note 15)[[16]](#endnote-15) |
| Photos of the defective building work – interim report |  |
|  |
| Photos of the defective building work – final report |
|  |
| **Details: Defective building work**(Note 16)[[17]](#endnote-16) | **Interim (identified)** | **Final**  |
| Inspection area |  | Not required |
| Building element/component |  | Not required |
| Type of defect |  | Not required |
| Cause of defect (if reasonably practicable) |  | Not required |
| Equipment used to test |  |  |
| Secondary inspector report included |  |  |
|  |  |  |
| **Final report**: defective building work identified in the interim report that has not been rectified | Not required | No – DBW rectified Yes – DBW not rectified |
| **Final report**: defective building work arising from rectification of defective building work previously identified in interim report | Not required |  |
| **Final report**: specify how defective building work identified in the report should be rectified (scope)  | Not required |  |
|  |
| **Basis for the item being classified as defective building work**(Note 17)**[[18]](#endnote-17)** |  |
|  | **Interim** | **Final** |
| Reference (e.g. Australian Standard, National Construction Code etc). | Pinpoint Reference and basis for which building work is classified as defective building work | Rectified Yes/No |
|  |  |  |
|  |  |  |
|  |  |  |
|  |
| Building inspector free text(Note 18)[[19]](#endnote-18) | Not mandatory |
|  |
|  |
| **OPTIONAL - Notes for potential future inspection**(Note 19)**[[20]](#endnote-19)** |
| **Note 1:** Further testing or opening up of building work recommended:  |
| Why: | **Interim** | **Final** |
|  |  |
| **Other** |
|  |
| Building inspector free text |  |
| **Interim**Any additional matters not captured in the above Notes. |
| **Final**Any additional matters not captured in the above Notes. |
| **Repeat whole table for each** **SEPARATELY IDENTIFIED DEFECTIVE BUIDLING WORK** |

# Part 4 Additional matters

## Areas not inspected

Areas not inspected: Yes/No

Requirement: Any areas of work that could not be inspected and the reasons why this could not be completed

|  |  |  |
| --- | --- | --- |
| Area/item | Circumstances that prevented the inspection  | Photo (if possible) |
|  |  |  |
|  |  |  |
|  |  |  |

##### (Note 20)[[21]](#endnote-20)

## Additional specialist engagements

**Specialist work/elements**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Specialist area | Contact details | Report reference(attached to this report) | What was inspected |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

##### (Note 21)[[22]](#endnote-21)

# Part 5 All identified defective building work (DBW) summary table

|  |  |  |
| --- | --- | --- |
|  | **Interim report** | **Final report** |
|  |  |  | **RECTIFIED** | **NOT RECTIFIED** |
| DBWidentifier | Date of inspection | Summary of DBW | Date of inspection | Yes - rectified | No –Not rectified | No – Damage arising from rectification DBW | No – How to rectify DBW (scope)s.201(2)(d) | Rectification cost(not required unless included in engagement) |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  | Total$ |

##### Note 22[[23]](#endnote-22)

# Lodgement details

The building inspector must provide this form by emailing it to the Secretary to stratabond@customerservice.nsw.gov.au within 14 days of completing it.

The Secretary will take 10 business days to review the report and request amendments from the building inspector should it not comply with legislative requirements (regarding the report not the defective building work). The building inspector must incorporate and allow for the Secretary’s processing time when providing the report.

A building inspector must give a copy of an interim report or a final report (once approved) to the following persons not later than 14 days after completing the report:

1. The developer,
2. The owners corporation,
3. The Secretary,
4. The builder responsible for any defective building work identified in the report.

The interim report must be provided not earlier than 15 months and not later than 18 months after the completion of the building work.

The final report must be provided not earlier than 21 months and not later than 2 years after the completion of the building work.

For further information regarding the building inspector’s obligations please contact the Secretary on:

**Email**: stratainspections@customerservice.nsw.gov.au

**Telephone**: 13 32 20

# Notes for completing inspection reports – combined forms for interim and final reports as approved by the Secretary.

1. The Strata building bond and inspections scheme ePortal project number (format PN-0000000##) or NSW Planning Portal reference number (format SB-2020-##) [↑](#footnote-ref-1)
2. ## Part 1 Administration

 **Note 1**

**Interim inspection**

A building inspector appointed under Part 11 is to carry out an inspection of the building work, and provide an interim report, not earlier than 15 months and not later than 18 months after the completion of the building work.

**Final inspection**

A building inspector appointed to carry out a final inspection of the building work, and provide a final report, not earlier than 21 months and not later than 2 years after the completion of the building work.

**Inspected property details – interim and/or final**

Date range of the inspection - The inspections may take place over a period of days. Record the dates of each day onsite.

Weather conditions at the time of each inspection – record the weather each date onsite performing the inspections

Description of the property inspected - For example, residential strata building, mixed use – commercial, retail, consisting of 15 storeys, lower ground car park five levels, swimming pool, gym etc.

Building classification – This must comply with the National Construction Code current version as at the date the inspection. The property may be classified as mixed purpose and each of those classifications should be recorded. [↑](#endnote-ref-1)
3. **Note 2**

**Building work details – interim and/ or final**

Address of the building – The physical address of the building work. The address on applications and forms may change throughout the development.

Strata plan number – the strata plan number as registered

Staged development identifier – the Development Approval may have been determined to consent to staged release.

Occupation certificate –

Type: interim or final

issued date – what date was the occupation certificate issued. [↑](#endnote-ref-2)
4. **Note 3**

**Owners corporation/Strata managing agency**

Name of Owners Corporation – as registered with NSW Land Registry Services - “The owners – Strata Plan No…”

Name of strata managing agency – Authorised SMA

Owners corporation identifier – if additional reference given to the owners – Strata Plan No…

ABN – owners corporation

ACN – owners corporation (if incorporated as company)

Contact name – authorised representative/agent

Phone number – of the authorised representative/agent

Email address - of the authorised representative/agent

Service address – see note 4 [↑](#endnote-ref-3)
5. **Note 4**

**Service address**

Address for service - An address for service given under the *Strata Schemes Management Act 2015* may be an Australian postal address, an email address or a facsimile number.

For the purposes of this Part, the preferred address for service is the email address. [↑](#endnote-ref-4)
6. **Note 5**

**Developers details**

Entity name – The developers name as on the construction contract

Entity billing name – If the developer is trading through a different entity for the billing/invoice of accounts

ABN – as on construction contract

ACN – as on construction contract (if incorporated as company)

Entity service address – Note 4

Authorised agent’s name – the name of the developer’s authorised contact

Agent’s phone number – of the authorised representative/agent

Agent’s email address - of the authorised representative/agent

Agent’s service address – Note 4 [↑](#endnote-ref-5)
7. **Note 6**

The person that organised the appointment of the building inspector. If not the developer, it will be the Secretary. The Secretary has the same meaning as *Strata Schemes Management Act 2015*- section 4:

Secretary means:

The Commissioner for Fair Trading, Department of Customer Service, or

If there is no person employed as Commissioner of Fair Trading – the Secretary of the Department of Customer Service.

The person details may be different between the interim report and the final report depending whether the developer appointed the building inspector, or the obligation fell to the Secretary.

**Person’s details**

Inspection requested by –

Developer (may be same details in Note 5 – refer to Note 5)

Secretary

Contact name –

Developer

Secretary’s delegate

Contact phone number –

Developer

Secretary’s delegate

Contact email address –

Developer

Secretary’s delegate

Contact service address –

Developer

Secretary’s delegate [↑](#endnote-ref-6)
8. **Note 7**

**Builder’s details**

Name – the principal contractor as named on the construction contract

Entity billing name – If the principal contract is trading through a different entity for the billing/invoice of accounts

ABN – as on construction contract

ACN – as on construction contract (if incorporated as company)

Licence/registration number (if any) – see Note 8

Licence/registered – state (if any) – see Note 8

Telephone number – the contact telephone number for the builder – office/business

Mobile number - the contact telephone number for the builder – mobile telephone

Email address – contact email address

Service address – Note 4

The builder’s details may be different between the interim report and the final report. [↑](#endnote-ref-7)
9. **Note 8**

Licence/registration number (if any) – in NSW, the principal contractor may not be licensed. Provide the licence number if one does exist

Licence/registered – state (if any) - in NSW, the principal contractor may not be licensed. Provide the State if the principal builder is licensed if one does exist [↑](#endnote-ref-8)
10. **Note 9**

**Building inspector’s details #1 (if more than one building inspector performed an inspection, note as #2 etc)**

Name of the person who performed the inspection – The building inspector’s individual name

Name of organisation – The building inspector’s trading entity name

ABN – as registered

ACN – as registered (if incorporated as company)

Licence/registration number (if any) – see Note 8

Licence/registered – State (if any) – see Note 8

Telephone number – the contact telephone number for the builder – office/business

Mobile number - the contact telephone number for the builder – mobile telephone

Email address – contact email address

Service address – Note 4

Authorised professional association - Strata inspector panel: (SIP) Strata Schemes Management Regulation 2016 (SSMR): Clause 44(2)

Membership number to the SIP – membership number with the Authorised professional association listed in clause 44(2) SSMR having established the SIP

The building inspector’s details may be different between the interim report and the final report. [↑](#endnote-ref-9)
11. **Note 10**

**Documentation**

Please check that the developer has provided you all documents listed - in section 198A of the *Strata Schemes Management Act 2015* and cl 46A of the *Strata Schemes Management Regulation 2016.*

Section 198A provides as follows:

Within 28 days of the building inspector being appointed under this Division to inspect building work for the scheme (or within any other period prescribed by the regulations), the **developer** of a strata scheme must, provide the following documents to the **building inspector**—

(a)  a document that identifies any building defects of which the developer is aware in the building work, including any building defects considered at the first annual general meeting of the owners corporation,

And

	1. any other documents relating to the building work that are prescribed by the regulations.Clause 46A of the Strata Schemes Management Regulation 2016, requires a **developer** to give the **building inspector** the following:

(a)  a copy of the initial maintenance schedule relating to the strata scheme,

(b)  copies of the following documents relating to the building work—

(i)  the contract or contracts between the developer and the builder,

(ii)  any specifications and any variations (including any “issued for construction” and “as-built” drawings and specifications and particulars of approved alternative solutions to meet the performance requirements of the *Building Code of Australia*),

(iii)  any written warranties,

(iv)  any schedule of samples (being samples of fixtures, fittings, materials and finishes) approved by the developer for use in the building work,

(v)  any development consents, approvals or certificates granted or issued under the [*Environmental Planning and Assessment Act 1979*](https://www.legislation.nsw.gov.au/#/view/act/1979/203),

(vi)  in the case of building work involving an alternative solution in respect of a fire safety requirement under the *Building Code of Australia*—any report prepared by or on behalf of an accredited practitioner (fire safety) in relation to the alternative solution that was required in connection with an application for a certificate under the [*Environmental Planning and Assessment Act 1979*](https://www.legislation.nsw.gov.au/#/view/act/1979/203),

(vii)  any certificates relating to the design of the building work that were required in connection with an application for a development consent, approval or certificate under the [*Environmental Planning and Assessment Act 1979*](https://www.legislation.nsw.gov.au/#/view/act/1979/203),

(viii)  any report obtained by the developer or builder relating to the inspection of the building work.

(2)  In this clause, a reference to an ***accredited practitioner (fire safety)*** includes a reference to a fire safety practitioner for things done before 1 July 2020.

**If no, list and explain the attempts you have made to obtain all requisite documents.**

If the building inspector does not receive the requested documents from the developer, requests should be made to the Secretary who may provide a building inspector with any of the documents referred to above section 198A (a) and (b) that are in the possession or under the control of the Secretary.

If the building inspector does not receive the documents, the building inspector is to document the attempts made to obtain the documents including the following details:

Who the building inspector requested the documents from

What date

Contact details

What documents

How they attempted – for example: phone, email, letter, in person

**Australian Standard**

Has the documentation expressed in AS 4349.2 in section 2.4 been made available to you?

If no, list and explain the attempts have you made to obtain all requisite documents including the following details:

	1. Who the building inspector requested the documents from
	2. What dateContact details

What documents

How they attempted – for example: phone, email, letter, in person

## Part 2 Inspection

 [↑](#endnote-ref-10)
12. **Note 11**

**Building work** means the same as in the *Strata Schemes Management Act 2015* – Section 190:

***Building work*** means any work involved in, or involved in coordinating or supervising any work involved in:

(a)  the construction of a building, or

(b)  the making of alterations or additions to a building, or

(c)  the repairing, renovation, decoration or protective treatment of a building.

**Defective building work** means the same as in the *Strata Schemes Management Act 2015* – Section 190:

***Defective building work*** means building work that:

(a)  is residential building work done in such a way that it constitutes a breach of a statutory warranty applicable to the work under Part 2C of the [*Home Building Act 1989*](https://www.legislation.nsw.gov.au/#/view/act/1989/147), or

(b)  is building work done in such a way that it would constitute such a breach if the building work were residential building work. [↑](#endnote-ref-11)
13. **Note 12**

Inspection size – for interim inspection

There is one method of building inspection – the whole strata scheme approach.

***Whole strata scheme approach***

The parcel of a strata scheme includes all common property and all lots in a strata scheme and will be inspected for defective building work.

If the strata parcel is being completed in a staged process, it would involve the whole stage and include all of that stated above.

 [↑](#endnote-ref-12)
14. **Note 13**

The building inspector must attend the site and perform the interim and final inspection. The building inspector may commence a desk audit and other procedures prior to attending the site, however, physical attendance and observation at the site is required to satisfy interim and final inspections in Part 11 *Strata Schemes Management Act 2015*.

The building inspector must give at least 14 days written notice to the owners corporation and the owner and any occupier of any affected lot.

The written notice may take the form of an electronic communication and the address for service may be an electronic address such as email.

If the written notice is manual requiring in person delivery or via a service such as Australia post, the building inspector should ensure the recipient receives that notice no less than 14 days before the intention to enter takes place.

	* Such a written notice must include –
	* The date/s of intended access/inspection/s;
	* The period of up to an hour during which the inspection of a particular lot will commence; and
	* The likely duration of the access needed to the particular lot/sNB: The Secretary has a suite of written notices that the building inspector can use for this purpose.

## Part 3 Recording the defective building work

 [↑](#endnote-ref-13)
15. **Note 14**

**Identification of defective building work**

***Interim report:***

Defective building work number- the identification reference for the Defective building work

Description of defective building work- brief summary of the defective building work

**Does defective building work require urgent attention AND/OR is this a serious hazard**

The building inspector is required to identify defective building work requiring urgent attention due to being a serious hazard.

**Have you notified the client of a present or imminent serious safety hazard?**

The building inspector is required to notify the client – the developer, that the building inspector has identified defective building work requiring urgent attention due to being a serious hazard.

***Final report:***

**Has the defective building work been rectified?**

Yes: State ‘Yes”

Refer to Note 15 (Photo – final report) and the matter is completed

No: State ‘No’

 Refer to Note 15 (Photo – final report) and continue following steps:

The building inspector has identified:

 defective building work identified in the interim report that has not been rectified, or

Any defective building work arising from rectification of defective building work previously identified in the interim report [↑](#endnote-ref-14)
16. **Note 15**

**Photos**

***Interim***

Provide photograph/s of the identified defective building work

***Final***

Provide photograph/s of the:

defective building work identified in the interim report that has been rectified

defective building work identified in the interim report that has not been rectified, or

Any defective building work arising from rectification of defective building work previously identified in the interim report (see also Note 16)

 [↑](#endnote-ref-15)
17. **Note 16**

**Details: Defective building work**

Australian Standard 4349.2 Inspection of buildings Part 2: Group titled properties sets out the minimum requirements for the inspection and preparation of the report to identify defects in a group titled property. In this form, ‘group titled property’ is the building the subject of the inspection.

Australian Standard 4349.2 is required to be adhered to in performing the inspection and completing this form. In the case of inconsistency, this form is to be given precedence.

Section 3, D3 and Table A1 of the Australian Standard AS 4349.2:2018 Inspection of buildings Part 2: Group titled properties set out the requirements for identifying the inspection areas. Section 3, D3 and Table A1 are not exhaustive lists, but provide an example of the building elements/components which, as a minimum, must be inspected.

**Inspection area**:

The visual, non-destructive inspection must include all safely accessible areas. An accessible area is as defined in AS 4349.2.

**Building element/component**

The visual, non-destructive inspection must include all building elements and components in safely accessible areas.

**Types, defect, examples, and cause of defective building work**

Table C1 in AS 4349.2 provides a non-exhaustive list of the types of defective building work, examples of defective building work and the causes (termed subsets) thereof. Table C1 should be referred to when completing this report.

**Cracking of a building element:**

Table B1 of AS 4349.2 provides for the categorisation of cracking of a building element (for example, cracking in masonry or plasterboard). Table B1 should be referred to when completing this report.

**Equipment used to test**

The building inspector should list the equipment (if any) used during the inspection which identified the defective building work.

**Secondary inspector report included**

(See also Note 21 to record the secondary inspector’s details)

**Specialist work elements**

Specialist work means the same as in the *Home Building Act 1989*. Consideration should be given to essential services, structural, lifts, acoustic, Fire, BCA compliance, Drainage, Communications/IT, Mechanical.

Secondary inspector may include an inspector of the specialist work, or other building work as required under the Scheme.

A secondary inspector should perform inspections outside of the appointed building inspector’s skillset. The secondary inspector must be selected, briefed and instructed by the building inspector without input from any of the other ‘parties’ (refer Part 1). The costs will be borne by the developer. The report will be attached and be included in the building inspectors report.

**Final report:**

The building inspector is required to carry out a final inspection. The building inspector may identify that the defective building work identified in the interim report:

**Final report:** has or has not been rectified.

**Final report**: defective building work identified in the interim report that has been rectified

**Final report**: defective building work identified in the interim report that has not been rectified

**Final report**: defective building work arising from rectification of defective building work previously identified in interim report

**Final report**: specify how defective building work identified in the report should be rectified.

Section 201(2)(d) of the Act requires the building inspector to provide the scope to rectify the defective building work that was identified in the interim report and remained unrectified in the final report. [↑](#endnote-ref-16)
18. **Note 17**

The purpose of this section is to identify the basis for which the observed building work is defective, by reference to relevant Act, Regulations, Australian Standards, or Codes. The section requires building inspector to state the reference (for example, the *Home Building Act*) and to nominate the relevant provision of the reference source (for example, Part 2C).

Some examples of what must be considered when performing an inspection to identify defective building work for the purpose of Part 11 of the SSM Act include:

Part 2C *Home Building Act 1989*

	* Building work identified for the purpose of determining whether a breach of statutory warranties in (18B(1)(a)-(f)), is identified as defective building work.
	* Other law referred to in section 18B(1)(c) contains a warranty that the work will be done in accordance with, and will comply with, this or any other law. That includes (but is not limited to) other codes such as National Construction Code, other laws such as the *Environmental Planning and Assessment Act* and Regulations and *Plumbing and Drainage Act 2011* and standards such as Australian Standards. [↑](#endnote-ref-17)
19. **Note 18**

Not mandatory field

Building inspector free text

The building inspector may include further text. [↑](#endnote-ref-18)
20. **Note 19**

**OPTIONAL - Notes for potential future inspection**

**Note #1 – Further testing or opening up of building work recommended – TABLE ABOVE**

Noting that the interim and final inspection are to be visual, non-invasive inspections, the Building Inspector may also identify building work that could be investigated more thoroughly at a later date, subject to the inclination of the future owners.

The matters to note in this table are items of building work identified by a building inspector that because of the nature of the testing involved in preparing this report, are unable to be reported as defective building work but which the Building Inspector believes may warrant the owners corporation carrying out further investigation should it wish.

**Please note**: any matters listed here will not be included in the calculation of the building bond under the SSM Act.

**Other – Building inspector free text**

Not mandatory field

The building inspector may include further text.

## Part 4 Additional matters

 [↑](#endnote-ref-19)
21. **Note 20**

**Additional Matters**

**Areas not inspected**

All areas of the strata parcel are to be inspected. The building inspector must record the reason why an area was not inspected. A photograph of the visual obstruction etc. is required.

This includes areas that were not accessible at the time of inspection and whether a recommendation for access and further inspections are required.

**Circumstances that prevented the inspection** –

The area required to be inspected was obstructed,

The owners corporation, any person who has exclusive use of common property, a strata managing agent, any building manager or manager of the common property and any owner or occupier of a lot must provide assistance that is reasonable to enable an inspection to be carried in accordance with Part 11 of the Act

A person must not, without reasonable excuse, refuse a building inspector access to any part of the parcel of a strata scheme or a lot in the strata scheme, or obstruct or hinder a building inspector, in the exercise of the inspector’s functions under the Act. [↑](#endnote-ref-20)
22. **Note 21**

**Additional secondary/specialist engagements**

As per Note 16

**Specialist work elements**

Specialist work means the same as in the *Home Building Act 1989*

Secondary inspector may include an inspector of the specialist work, or other building work as required under the Scheme.

The details of the secondary inspector that performed an inspection under the instruction of the appointed building inspector and their report to be included in the inspection report.

 [↑](#endnote-ref-21)
23. ## Part 5 All identified defective building work summary table

 **Note 22**

Table to summarise all identified defective building work during the interim inspection and to record whether the identified defective building work during the interim report was rectified before the final inspection. How to rectify DBW (scope) is required in this report: s.201(2)(d) of the Act.

The cost of rectification work required to correct the reported defects and a summary of the cost of rectification is not required for this report, however, it may be included if included in the scope of the engagement.

# PART B. DOCUMENT CONTROL

## B.1 Document Approval

|  |  |  |
| --- | --- | --- |
| Name and position | Signature | Date |
| Melanie SchwerdtPrincipal: Strata building bonds and inspections | Melanie Schwerdt | 20/12/2017 |
| Executive director, Building & Construction Service(Secretary) | Lynelle CollinsA/Executive Director | 21/12/2017 |
| Melanie SchwerdtManager, SBBIS | Melanie Schwerdt | May 2019June 2020July 2020 |
| Matthew WhittonDirector, Consumer Building & Property | Endorsed | August 2020 |

## B.2 Document version control

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Version | Status | Date | Prepared by | Comments |
| 1.0 | Draft | May 2017 | Melanie Schwerdt |  |
| 2.0 | Draft | October 2017 | Melanie Schwerdt | Technical workshopFair Trading website |
| 3.0 | Draft | November 2017 | Melanie Schwerdt | Fair Trading website |
| 4.0 | Final | December 2017 | Melanie Schwerdt | Fair Trading Legal ServicesExecutive Director BCS |
| 5.0 | Review | May 2019June 2020 | Melanie Schwerdt | Two year review in accordance with AS 4349.2 publication |
| 6.0 | Review  | July 2020 | Melanie Schwerdt | Fair Trading Legal ServicesDirector CBP |

## B.3 Document review date

This guideline will be reviewed when the Act or Regulations are amended and annually based on commencement of regime for first two years, and assessed thereafter. [↑](#endnote-ref-22)