



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF DECISION

Building Regulations 2006

I, Rob Hulls, Minister for Planning and Minister responsible for administering the **Building Act 1993**, give notice under section 12 of the **Subordinate Legislation Act 1994** as follows:

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Building Regulations 2006 which prescribe matters relating to—

- the design, construction and use of buildings and places of public entertainment; and
- standards for the construction and demolition of buildings; and
- standards of safety for places of public entertainment; and
- the use and maintenance of buildings and places of public entertainment; and
- the design and siting of single dwellings and associated buildings; and
- the maintenance of fire safety and safety measures; and
- requirements for swimming pool and spa safety; and
- the registration of cooling tower systems; and
- the accreditation of building products, construction methods, designs, components and systems connected with building work; and
- qualifications and other matters relating to registration of building practitioners; and
- fees in respect of various matters relating to council functions, matters before the Building Appeals Board, the Building Practitioners Board and the Building Regulations Advisory Committee; and
- other matters for the purposes of the **Building Act 1993**.

The RIS was advertised seeking public comment and 206 submissions were received and have been considered.

After considering these submissions, I have decided that the proposed Building Regulations 2006 should be made with the following amendments—

- *Regulation 309: Report and consent required for fire safety matters*

Remove the requirement for a report and consent for fire safety matters relating to open space around large isolated buildings and sprinkler systems if those matters do not meet the deemed to satisfy requirements of the Building Code of Australia (BCA). Reinsert a regulation to the effect of the current regulation 314 which requires details of a sprinkler system installation that does not meet the deemed to satisfy requirements of the BCA to be forwarded to the chief officer.

- *Regulation 326: Requests for information*

Omit statements issued by a relevant building surveyor under preceding regulations relating to combined allotments or subdivision of existing buildings from the matters to be provided on request. Omit information relating to whether an approved building envelope applies or whether any regulation in Division 2 of Part 4 or regulation 424 applies to the construction of a building from the matters to be provided on request.

- *Regulation 328: Register of building permits*
Omit this regulation.

- *Regulation 603: Exceptions to carrying out protection work*

Clarification that the relevant building surveyor is satisfied that the proposed building work will not adversely affect the stability of, or cause damage to adjoining property.

- *Regulation 709: Hard-wired smoke alarms or detection system*

Clarification that the regulation does not apply to a building that has an approved smoke alarm or smoke detection system.

- *Regulation 710: Shared accommodation buildings – automatic sprinkler systems*

SPECIAL

Provision of alternative methods of improving the safety of occupants of this type of building that provide an equivalent level of life safety as that provided by a sprinkler system. Extension of the period of time by which compliance must be achieved.

- *Regulation 907: Register of emergency orders, building notices and building orders*
Omit this regulation.
- *Regulation 1016: Register of occupancy permits and temporary approvals*
Omit this regulation.
- *Regulation 1206: Building surveyor may create or update a maintenance schedule*
Provide for a private building surveyor to carry out the functions set out in the regulation.
- *Regulation 1214: Owner of building or place constructed before 1 July 1994 must prepare annual report*
Increase the compliance period of time to prepare an annual report from 1 year to 3 years.
- *Regulation 1219: Owner to inform occupier of their responsibility*
Omit this regulation.
- *Regulations generally:*
Minor amendments for the sake of clarity and consistency.

Dated 17 May 2006

ROB HULLS, MP
Minister for Planning

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Level 2 1 Macarthur Street
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