



## Building and Energy Audit program – Taking a risk-based approach to minimising harm

# 2020/21 Audit priorities statement

## Building and building surveying

An important function of the Building Commissioner is to audit the work and conduct of registered builders and building surveyors and to monitor how well building standards are being applied.<sup>1</sup>

The Department of Mines, Industry Regulation and Safety (DMIRS) – Building and Energy Division (Building and Energy) has developed a risk-based audit program to support these functions and has appointed a team of highly skilled and experienced registered practitioners to carry out Compliance and General Inspections.

The audit program aims to reduce risk to the Western Australian public by focusing efforts on construction practices that pose the greatest risks to public health and safety. To achieve this, Building and Energy collects and carefully analyses a wide range of data to identify and then assess emerging risks.

The Audit priorities statement outlines its ongoing commitment to monitor the work and conduct of a random and targeted selection of registered builders and building surveyors along with the areas of design and construction compliance Building and Energy deems the greatest risk.

By taking a risk-based approach to minimising harm Building and Energy aims to build a strong culture of compliance where industry participants understand it is better to do the job right the first time than risk being caught cutting corners or making costly mistakes that put the community at risk.

Consistent with DMIRS' Transparency Policy, Building and Energy prepares reports on its auditing activities including technical information gathered during Compliance and General Inspections. These reports are published for the benefit of the WA building and construction industry and the community as a whole. Individual site inspection reports will only be provided to the relevant builder or building surveyor.

As a first step to a General Inspection Building and Energy will undertake a 'Snap Shot' review of a small sample of buildings or building or building surveying work to quickly inform itself and industry on an emerging issue.<sup>2</sup> Where a Snap Shot review is sufficient, Building and Energy will produce a Snap Shot General Inspection Report which is intended to draw attention to a potential issue rather than make conclusive findings that there is a systemic compliance concern. A Snap Shot review can deliver confidence that industry practices are satisfactory.

When it is appropriate to deliver confidence that a General Inspection finding represents an unsatisfactory and widespread industry practice, Building and Energy may conduct a more in depth inspection. Due consideration to a statistically significant sample size will be undertaken during the development of a General Inspection plan. At the conclusion of a General Inspection Building and Energy will produce a General Inspection Report detailing the compliance issues identified during the General Inspection and making recommendations on how these can be improved.

Non-compliant or unsatisfactory building or building surveying work will be brought to the attention of the builder or building surveyor in the first instance. If warranted, further investigations will be undertaken by Building and Energy where the inspection found registered builders or building surveyors may have breached their registration obligations. In cases where the non-compliant building work poses a public health or safety risk to occupants or the community, these will be referred to the relevant permit authority which has the powers to enforce compliance with approved plans and building standards.

<sup>1</sup> See *Building Services (Complaint Resolution and Administration) Act 2011*, s88

<sup>2</sup> Visit <https://www.commerce.wa.gov.au/building-and-energy/compliance-reports> for examples of Building and Energy's Compliance Reports and General Inspection Reports

## Compliance inspections

The intent of Building and Energy's Compliance inspections is to monitor the work and conduct of registered building and building surveying contractors and to determine whether all the requirements for registration are being met.

Each year Building and Energy selects a number of builders and building surveyors to audit and these are chosen on a random and targeted basis.

Building and building surveying contractors selected for a Compliance Inspection will be provided reasonable notice of an impending audit and be afforded every opportunity to engage with Building and Energy staff during inspections and any subsequent discussions regarding areas of concern.

Building contractors	
<b>Class 1a residential buildings<sup>3</sup></b>	Buildings are selected at random from the full list of building work being undertaken by the building contractor at the time of the audit.
<b>Low to medium rise class 2 buildings with a focus on fire safety, waterproofing and structural elements</b>	

Building surveyor contractors	
<b>All building classes</b>	Building surveying work will be selected at random from the full list of building surveying work being carried out by the building surveying contractor at the time of the audit.

## General inspections

Building and Energy's General Inspections monitor how well the building service Acts are operating and how well building standards are being applied.

Each year Building and Energy selects areas of construction that have been deemed to pose the greatest public health or safety risk. For the 20/21 period Building and Energy has identified the following areas:

Random general inspections	
<b>Class 1a residential buildings</b>	Randomly selected buildings

<sup>3</sup> Building classes can be viewed in Table One.

Targeted general inspections	
<b>Balustrading (barriers) and glass installations</b>	Randomly selected class 1a, 2 and 3 buildings
<b>Weatherproofing and effects of wind driven rain – includes gutter, flashing, window installations and surface water control</b>	Randomly selected class 1a residential buildings
<b>Waterproofing of wet areas – showers, wet rooms and laundries</b>	Randomly selected class 1a, 2 and 3 buildings

### Balustrading (barriers) and glass installations

Balustrades, also known as barriers, are installed on buildings to protect edges of balconies and raised levels. Balustrade products and installation represents a significant potential for harm if they are not fit for purpose or are installed incorrectly. Building and Energy has become aware of a number of instances where glass, glazing and balustrade installations have failed in recent times. As these failures can pose a life safety risk to users of a building, Building and Energy will carry out a General Inspection of balustrades and glass installations to assess the effectiveness of the current Australian Standards and how these standards are being applied. This issue is also being examined by other Australian building regulators and Building and Energy is working collaboratively via the Building Regulators Forum in relation to the findings of its and other jurisdictions' audits of glass installations.

### Weatherproofing and effects of wind driven rain

Water penetration in buildings caused by weather events can cause significant damage and will often require remediation. Western Australia experiences significant wind events particularly in cyclone prone areas and Building and Energy is aware of damage that has occurred in buildings during weather events where the wind speeds have been lower than the speeds factored into the design of a particular building. Building and Energy will conduct a General Inspection to examine the effectiveness of the current Australian Standards and how these standards are being applied.

### Waterproofing wet areas

Based on an analysis of data collected from building service complaints and technical building inspections, there is some evidence of unsatisfactory levels of compliance involving waterproofing in wet areas. Building and Energy will conduct a General inspection to examine waterproofing systems in relation to their design and installation in shower areas, bathrooms and laundries.

**Table one – Building Code of Australia – Building classes**

Building Code of Australia – classification	Types of buildings
<b>Class 1a, 1b</b>	Free standing or attached (side by side) single dwellings and additions; small boarding houses, guest houses
<b>Class 2</b>	Residential apartment buildings
<b>Class 3</b>	Residential portions of hotels, motels, hospitals, health care or residential care buildings
<b>Class 4</b>	Separate dwelling in a class 5,6,7,8 and 9 building
<b>Class 5</b>	Office/commercial premises
<b>Class 6</b>	Retail/shop premises
<b>Class 7a, 7b</b>	Car parks and warehouses
<b>Class 8</b>	Factories, laboratories and workshops
<b>Class 9a, 9b, 9c</b>	Health care; assembly; aged care buildings
<b>Class 10a, 10b, 10c</b>	Non-habitable buildings (garage/shed and the like); a structure (fence, wall, mast, swimming pool); private bushfire shelter

**Disclaimer** – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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