



Building Code: end of certain transitional periods

This industry bulletin provides information for building industry practitioners and regulators on certain transitional periods coming to an end that will affect any building permit application submitted to a permit authority on or after 1 May 2017.

The end of the transitional periods means that you will not be able to use:

- Building Code of Australia (BCA) referenced standards AS 3660.1:2000 (termite management) and AS 3786:1993 (smoke alarms) as deemed-to-satisfy solutions.
- A certificate of design compliance that has nominated the 2015 edition of the BCA.

BCA referenced standards for termite management and smoke alarms

Standards Australia published two revised Australian Standards in 2014 that are referenced in the BCA:

- AS 3660.1:2014 Termite management Part 1: New building work; and
- AS 3786:2014 Smoke alarms using scattered light, transmitted light or ionization.

Since 1 May 2015, the BCA 2015 and successive BCA 2016, provided for the transitional use of both the previous and current versions of AS 3660.1 (termite management) and AS 3786 (smoke alarms) as listed in the table below. Building industry practitioners and permit authorities should be aware that this two year transitional period ends on 30 April 2017. This means only the current versions can be used for a deemed-to-satisfy solution from 1 May 2017.

When applying a deemed-to-satisfy solution, the certifying building surveyor must ensure the plans and specifications associated with an application for a building permit submitted on or after 1 May 2017 demonstrate compliance with AS 3660.1:2014 for termite management, and AS 3786:2014 for smoke alarms.

Previous version – transition ends 30 April 2017	Current version – for continued use on and after 1 May 2017
AS 3660.1:2000 Termite management Part 1: New building work	AS 3660.1:2014 Termite management Part 1: New building work
AS 3786:1993 (incorporating Amendment Nos 1, 2, 4) Smoke alarms	AS 3786:2014 (incorporating Amendment No.1) Smoke alarms using scattered light, transmitted light or ionization

As the transitional period is ending soon, it is recommended building surveyors assess compliance with the current versions of the referenced standards from now. This may help to reduce the possibility of incorrect versions of the standards being referenced with an application submitted after 30 April 2017.

The person named as builder on the building permit must ensure that the building or incidental structure to which the permit applies is completed in accordance with the applicable building standards. This means that if a building permit application is submitted after 30 April 2017, the deemed-to-satisfy solutions that rely on AS 3660.1 for termite management, and AS 3786 for smoke alarms, are in accordance with the current versions of those standards.

Edition of BCA on a certificate of design compliance

The building surveyor must identify the edition of the BCA applied by the building surveyor in the certificate of design compliance.

Under Regulation 31A(2) of the Building Regulations 2012, the edition of the BCA can be the edition that is in effect at the time of the application of the building permit or the BCA that was in effect 12 months prior. This means either BCA 2016 or BCA 2015 can be applied until 30 April 2017.

In the past, the BCA had an annual amendment cycle. From 1 May 2016, the BCA commenced a three-year amendment cycle. Therefore, from 1 May 2017 only BCA 2016 can be applied and identified on the certificate of design compliance until a new edition is adopted in 2019.

Disclaimer

The information contained in this bulletin is provided as general information only and 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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