

DBP Audits

Design and Building Practitioner Act and Regulation

Hydraulic Consultants Association of Australia – November 2024

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Inspections DBP Audits

Building Commission NSW



1. Powers of an authorised officer

Design and Building Practitioners (DBP) Act 2020

Residential Apartment Buildings (Compliance and Enforcement Powers) (RAB) Act 2020



2. What do authorised officers in the DBP Audits team do?

DBP Practitioner Audits

- Audit a registered or former registered practitioner
- Audit the preparation of regulated designs
- Audit the preparation of compliance declarations and other required documents
- Audit the carrying out of building work



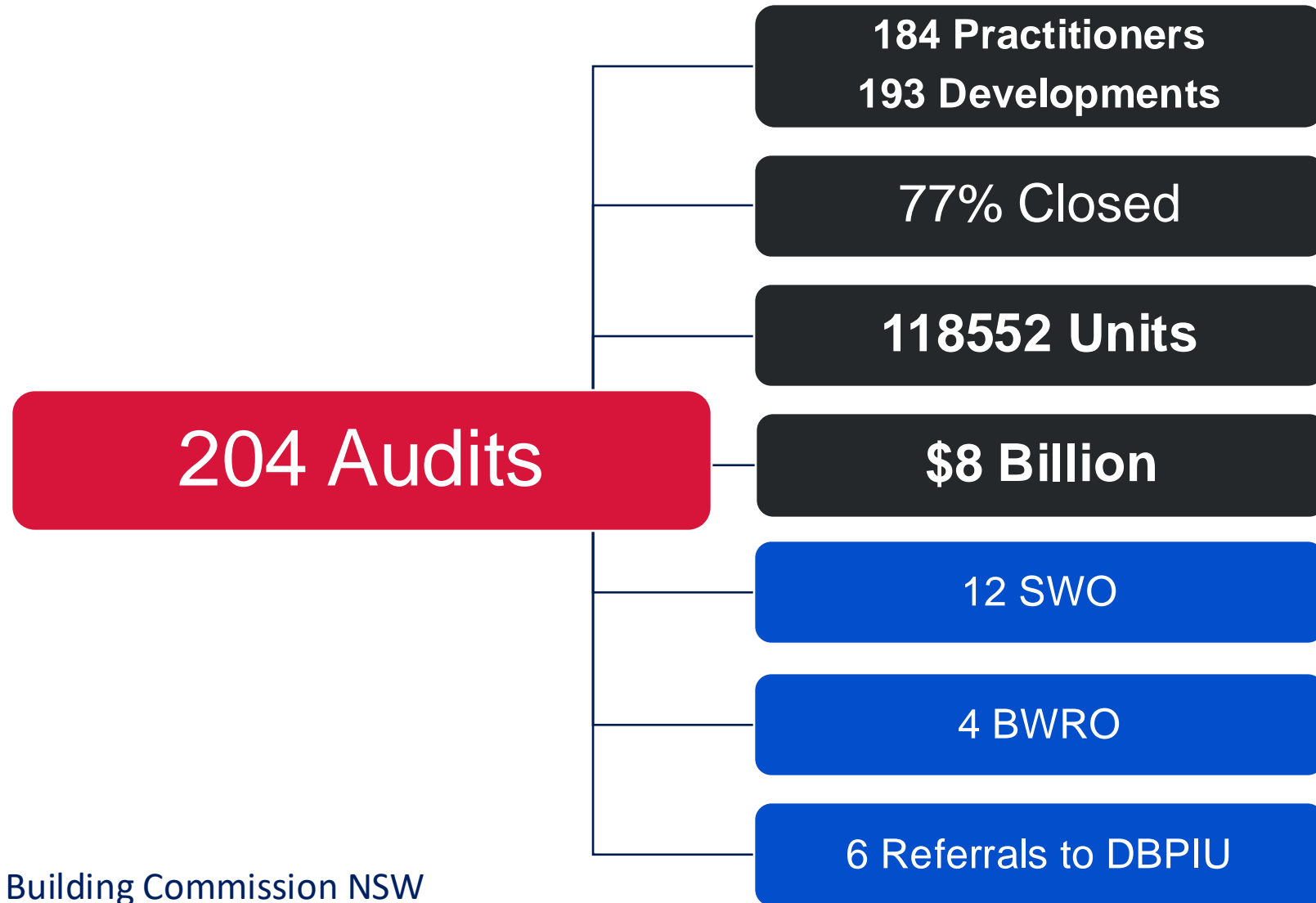
3. How we select a practitioner to audit

Data & Analytics

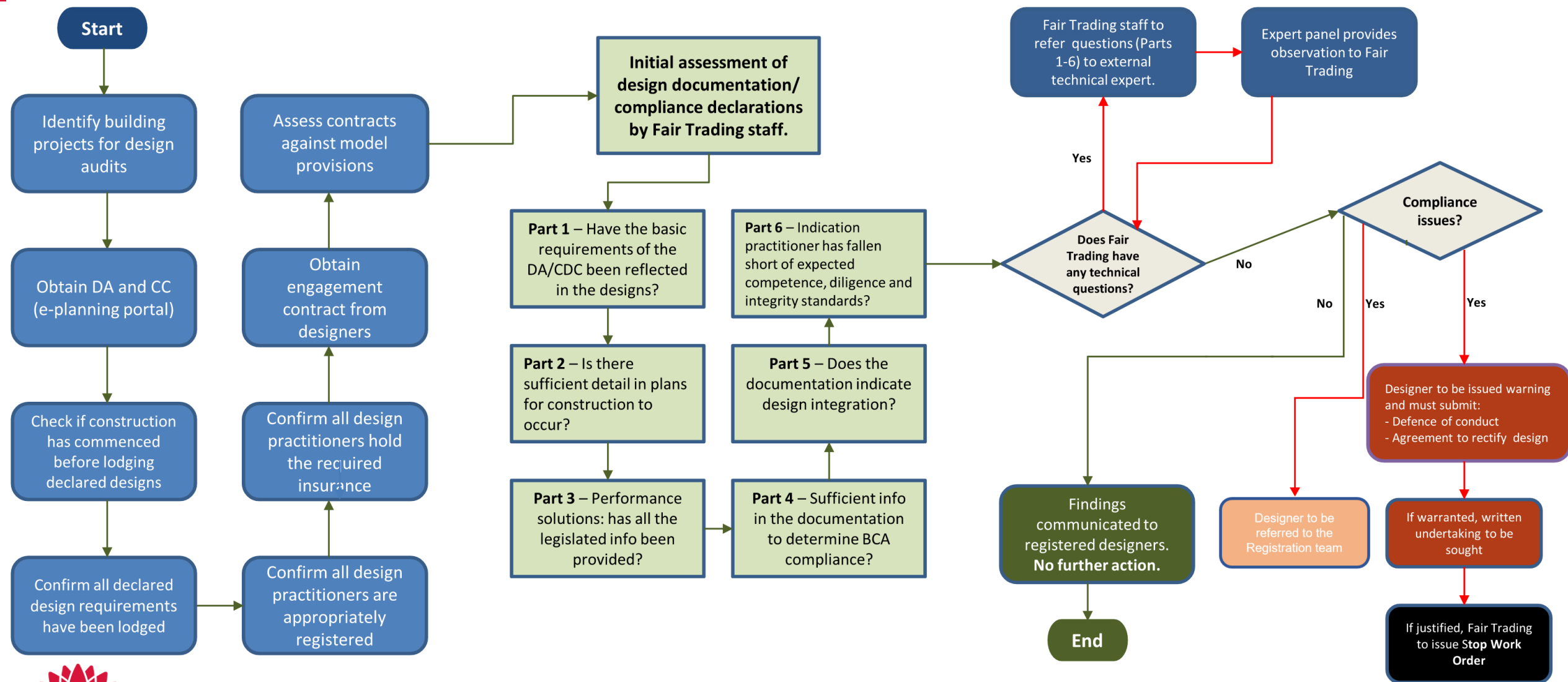
- Practitioners who have previously been the subject of enforcement or disciplinary action
- Practitioners who have been the subject of a complaint
- Practitioners undertaking the design of buildings of high technical complexity
- Practitioners who have worked on projects which have the potential to affect a large number of people.
- Practitioners who have worked on projects which involve high risk materials (e.g. non-compliant cladding).
- Serious defects in building elements or building projects observed from building audits under other Fair Trading legislation, such as those conducted under the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020.



4. Statistics



5. Overview of the design practitioner audit process



6. What we are looking for in a regulated design

Construction Issued Regulated Design (CIRD)

DBP Regulation 3A :
Meaning of construction issued
regulated design

- Contains the necessary detail to produce building work that would achieve compliance with the BCA
- Can be used by the building practitioner to carry out the work in accordance with the regulated design and the BCA

Integration with other regulated designs and building work

- Designs are project specific
- Designs are coordinated



7. What happens if there is a non-compliance?

Recommended actions

- Prepare variations to the regulated designs
- Prepare a new design compliance declaration

Orders – Stop work order, building work rectification order, undertaking

- When work is likely to be carried out in contravention of the Act
- The work could result in significant harm or loss to the public or occupiers or damage to the property

Referral

- Warning
- Penalty infringement notice (PIN)
- Disciplinary action

Compliance

Passed

| Type | Result |
|---------------------|--------|
| Disciplinary Action | ✓ |
| Public Warning | ✓ |
| Suspension | ✓ |
| Undertaking | ✓ |

Compliance

Passed

| Type | Result |
|----------------|--------|
| Public Warning | ✓ |
| Suspension | ✓ |
| Undertaking | ✓ |

Did not pass

| Type | Result |
|---------------------|--------|
| Disciplinary Action | 2 |

| | | | |
|------------------|--|-------------|-------------|
| Type | Disciplinary Action | Date | 30 Aug 2024 |
| Action | Caution or Reprimand | | |
| Reference | Design and Building Practitioners Act 2020 | | |

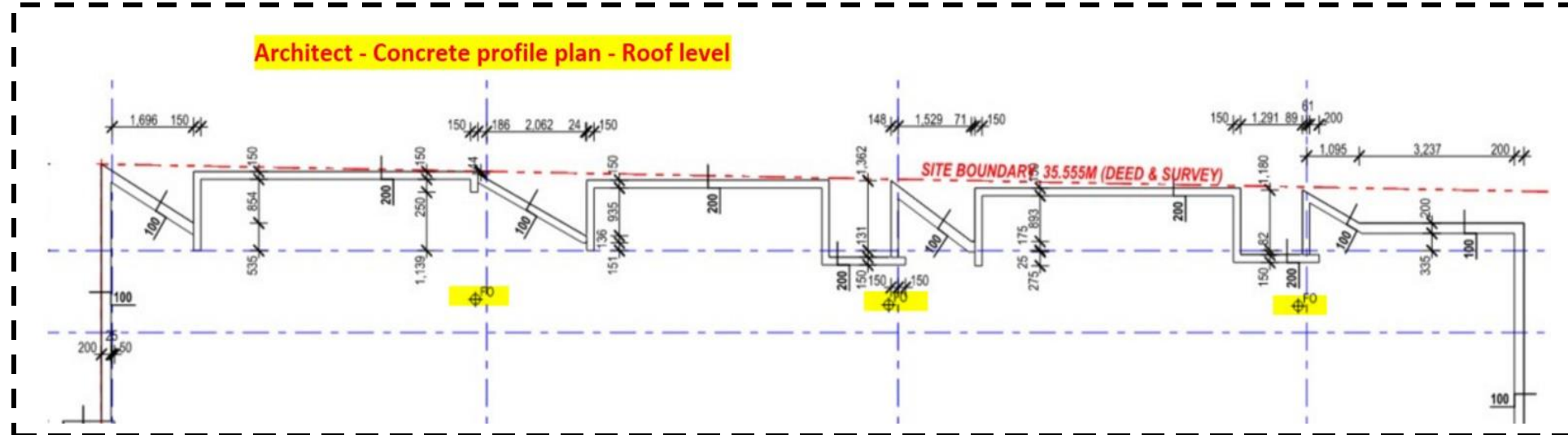
| | | | |
|------------------|--|-------------|-------------|
| Type | Disciplinary Action | Date | 30 Aug 2024 |
| Action | Condition - Licensee | | |
| Reference | Design and Building Practitioners Act 2020 | | |



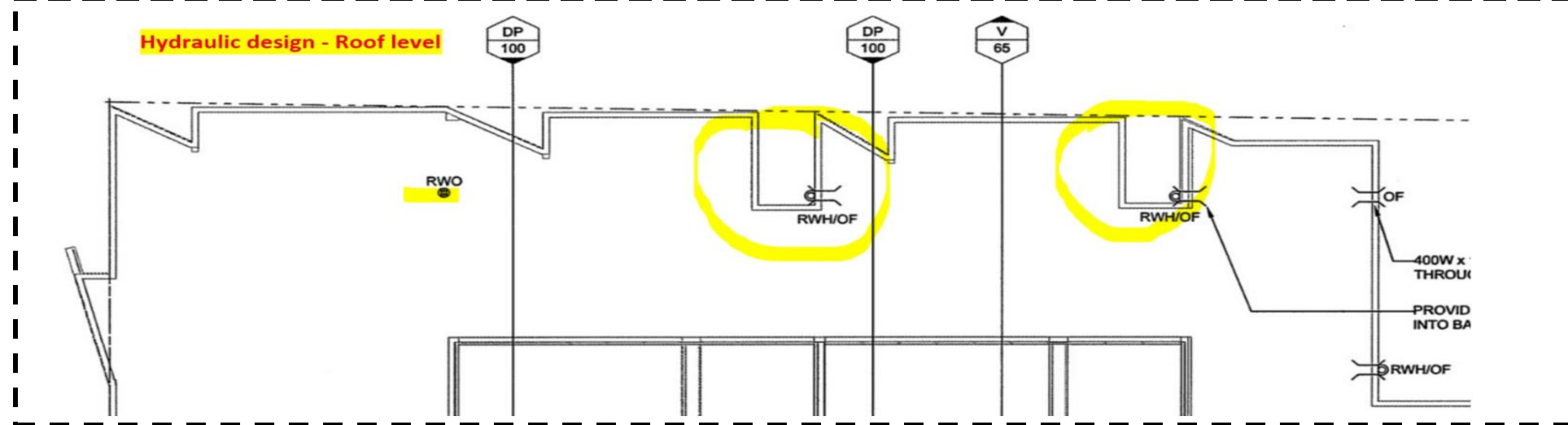
8. Integration

Roof drainage design is not coordinated

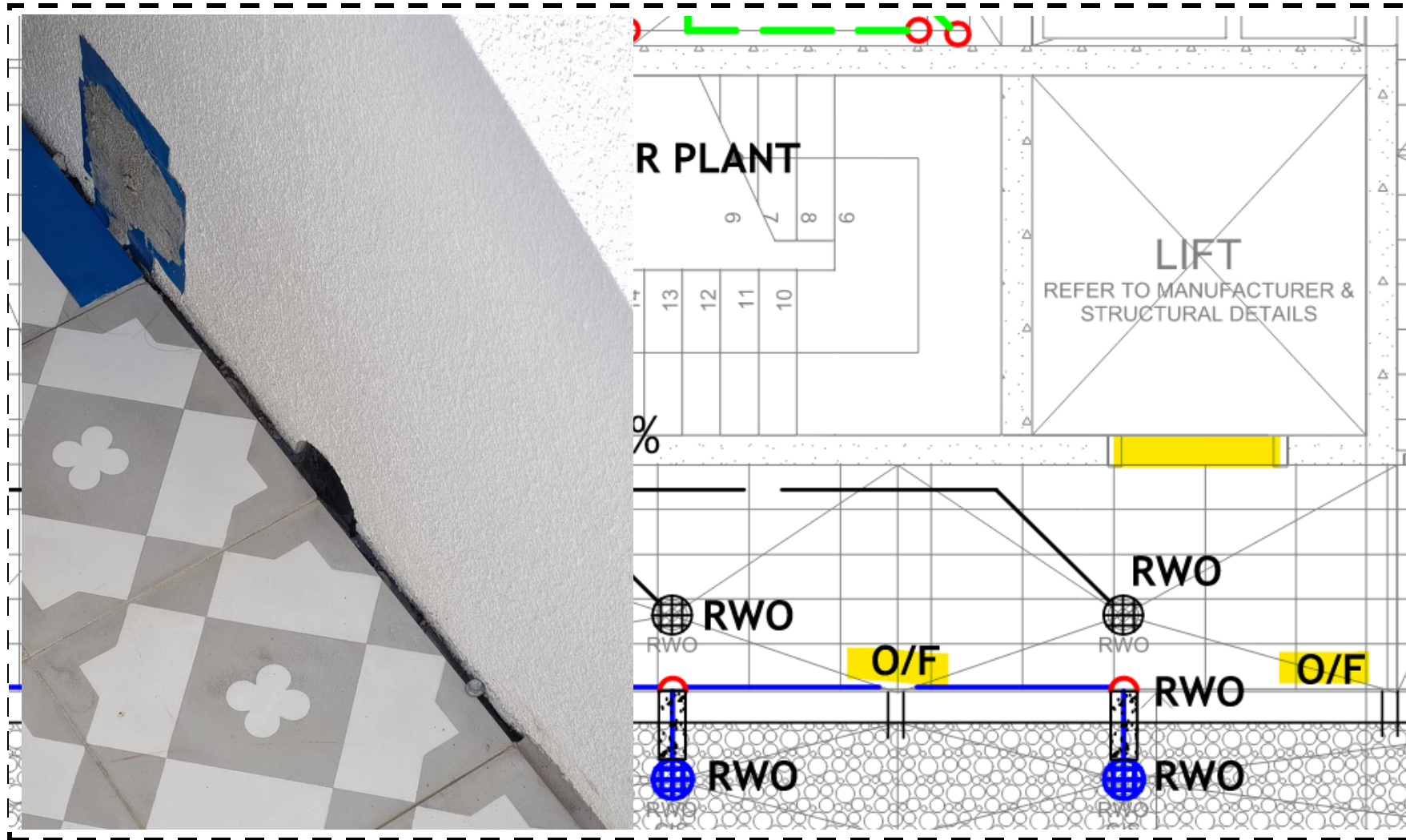
Architect indicates three (3) rainwater outlets



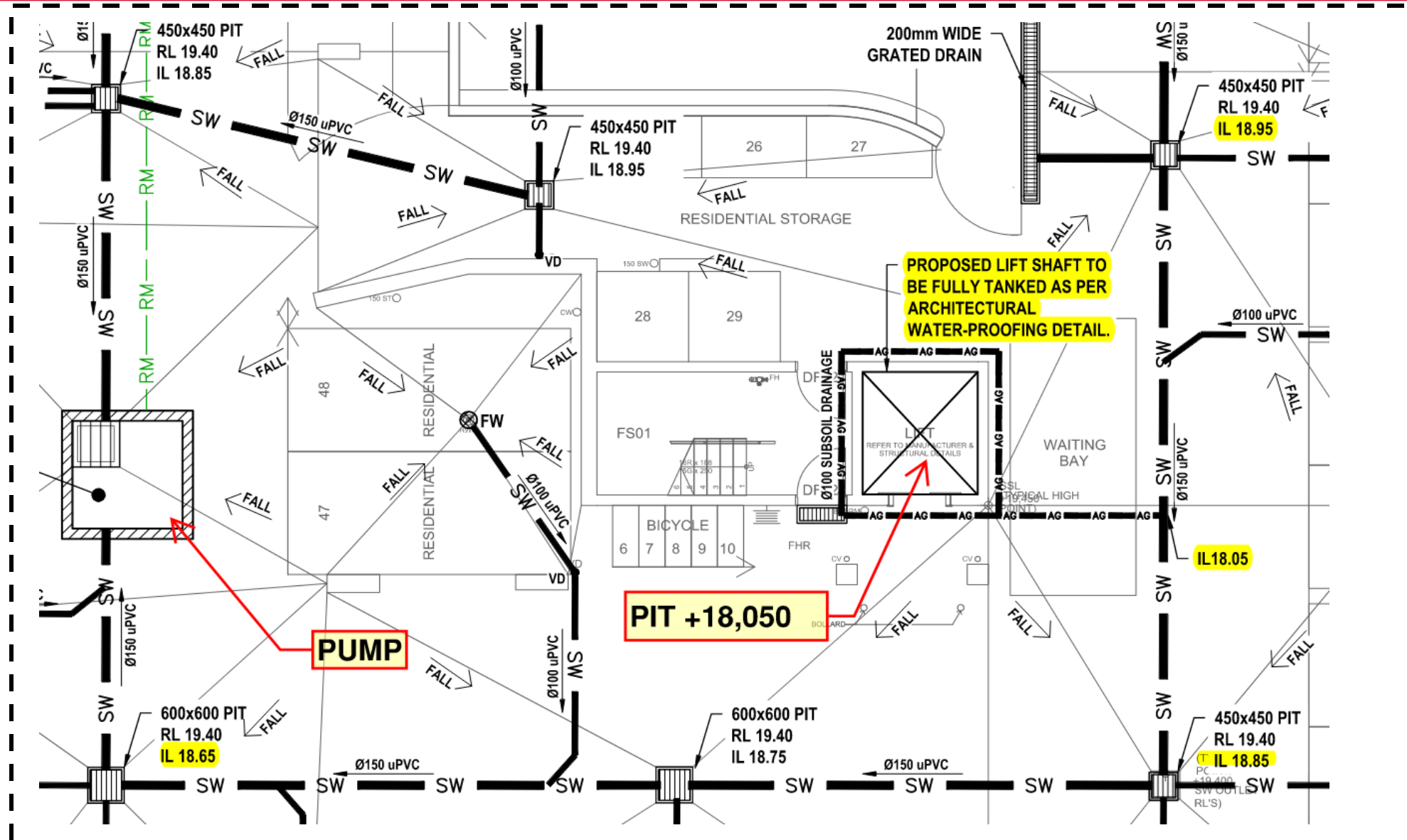
Hydraulic engineer indicates one (1) rainwater outlets and two (2) rain heads



Absence of dimensions and invert level of overflow

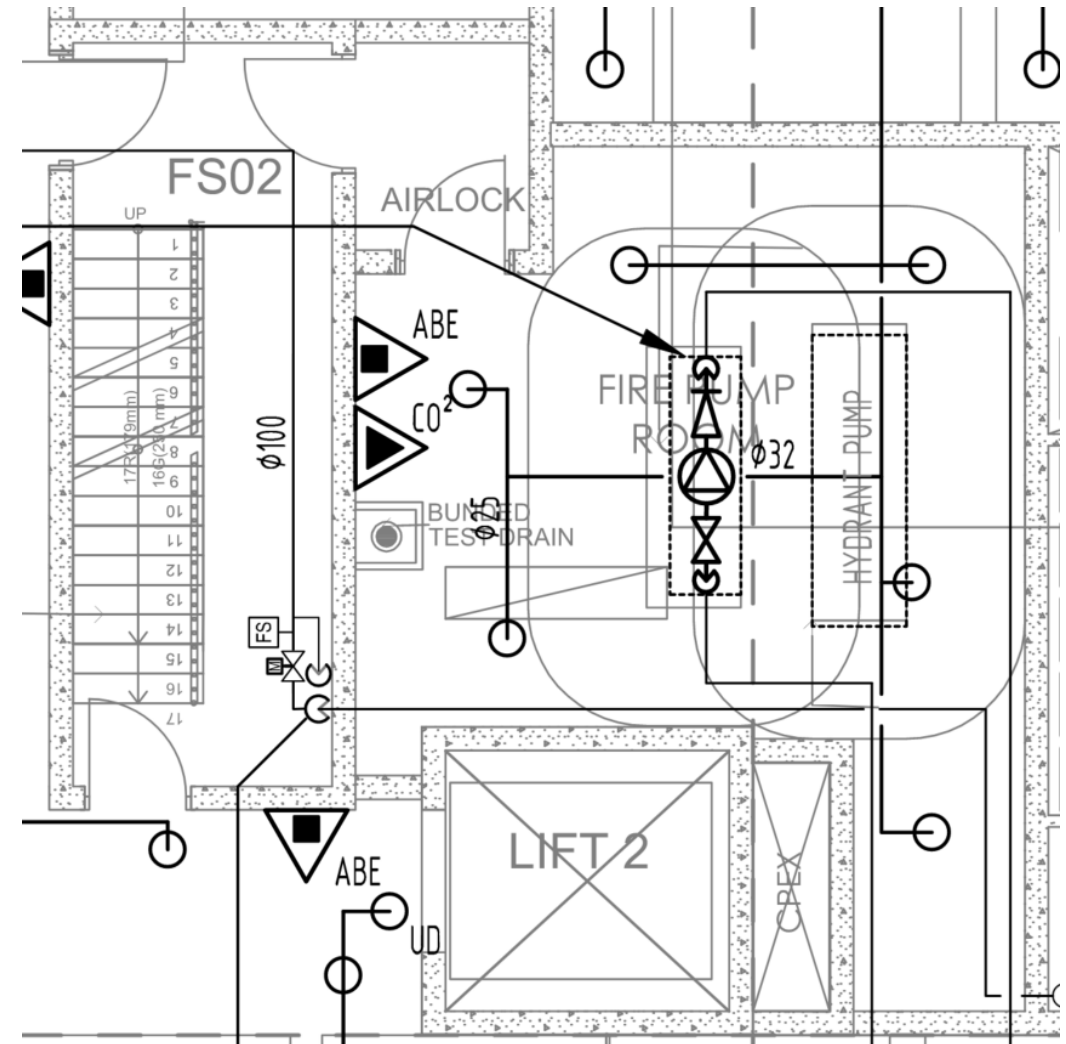


Lift pit drainage with reverse slope



Fire services designs are being declared too early

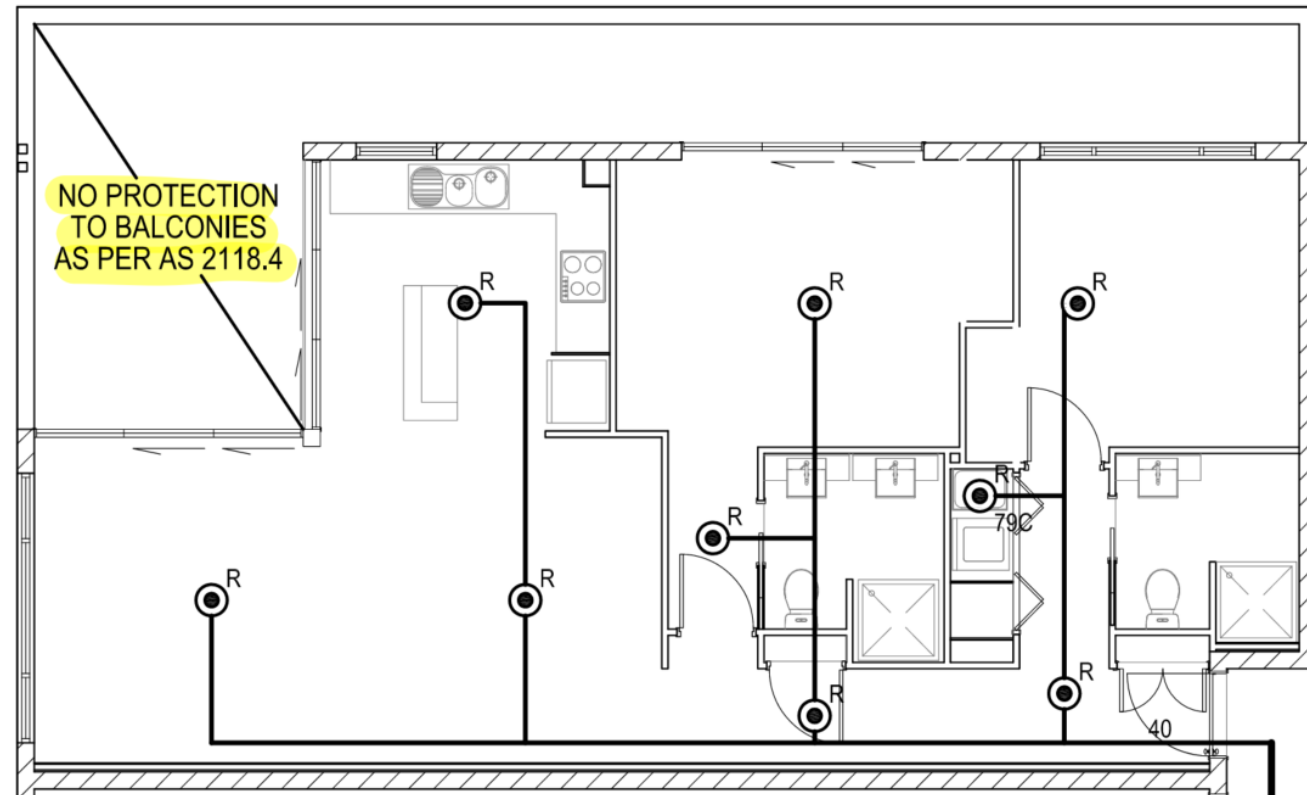
- Sprinklers are not dimensioned from walls or grid lines.
- Booster assemblies and pumps are schematic without providing a scaled or dimensioned detail with the necessary access space.
- Calculations, designs and compliance with the BCA are delegated to the contractor.
- Designs refer to performance solutions that have not been prepared yet.
- Lack of standard details to assist other design practitioners to integrate with e.g. details with required clearances around hydrant valves, clearances around pumps etc



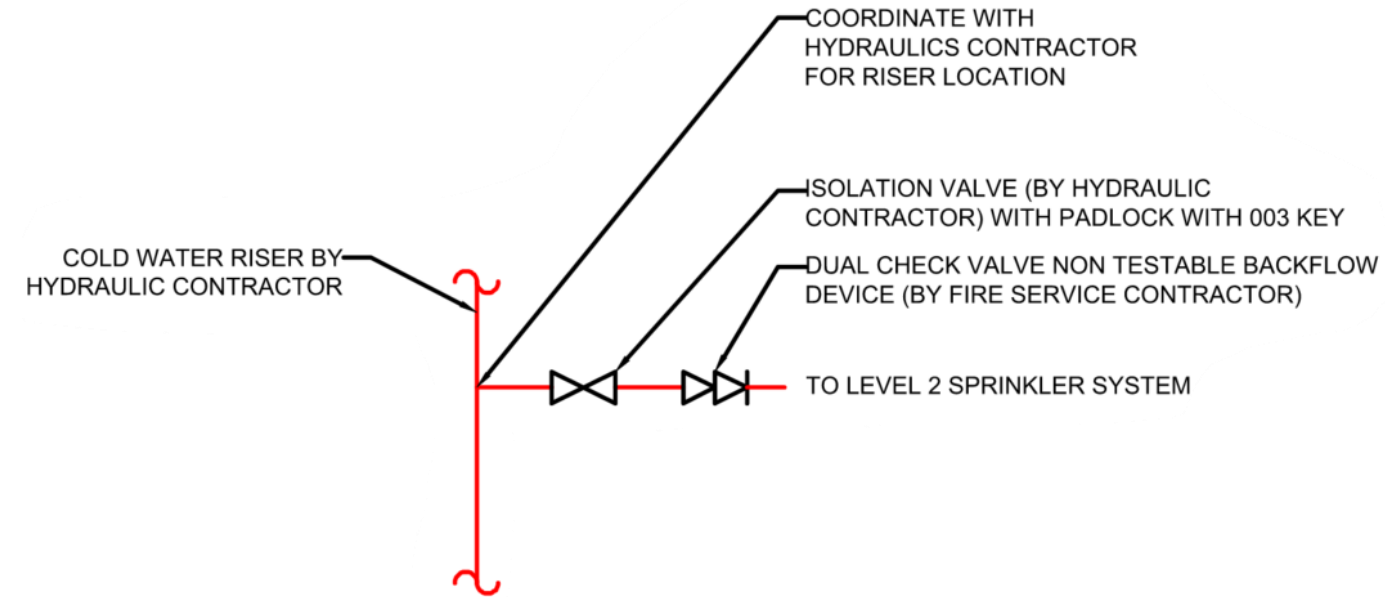
Making assumptions

FIRE ENGINEERING NOTE

- USE OF INTERNAL HYDRANTS WITHIN NON-FIRE ISOLATED EXITS TO BE ADDRESSED VIA SUITABLE PERFORMANCE SOLUTION.
- LEVEL 4 CONSIDERED NOT A 'STOREY' AS DEFINED BY THE NCC.
PROJECT BUILDING CERTIFIER TO CONFIRM ACCEPTANCE.



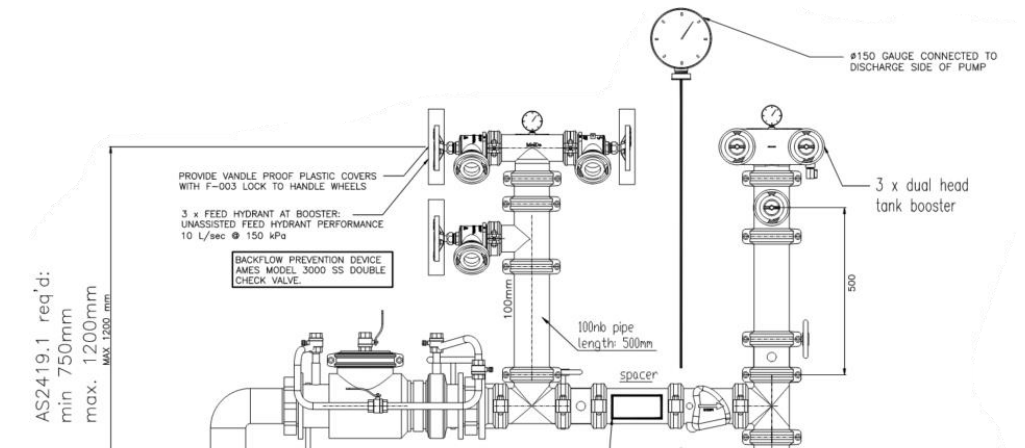
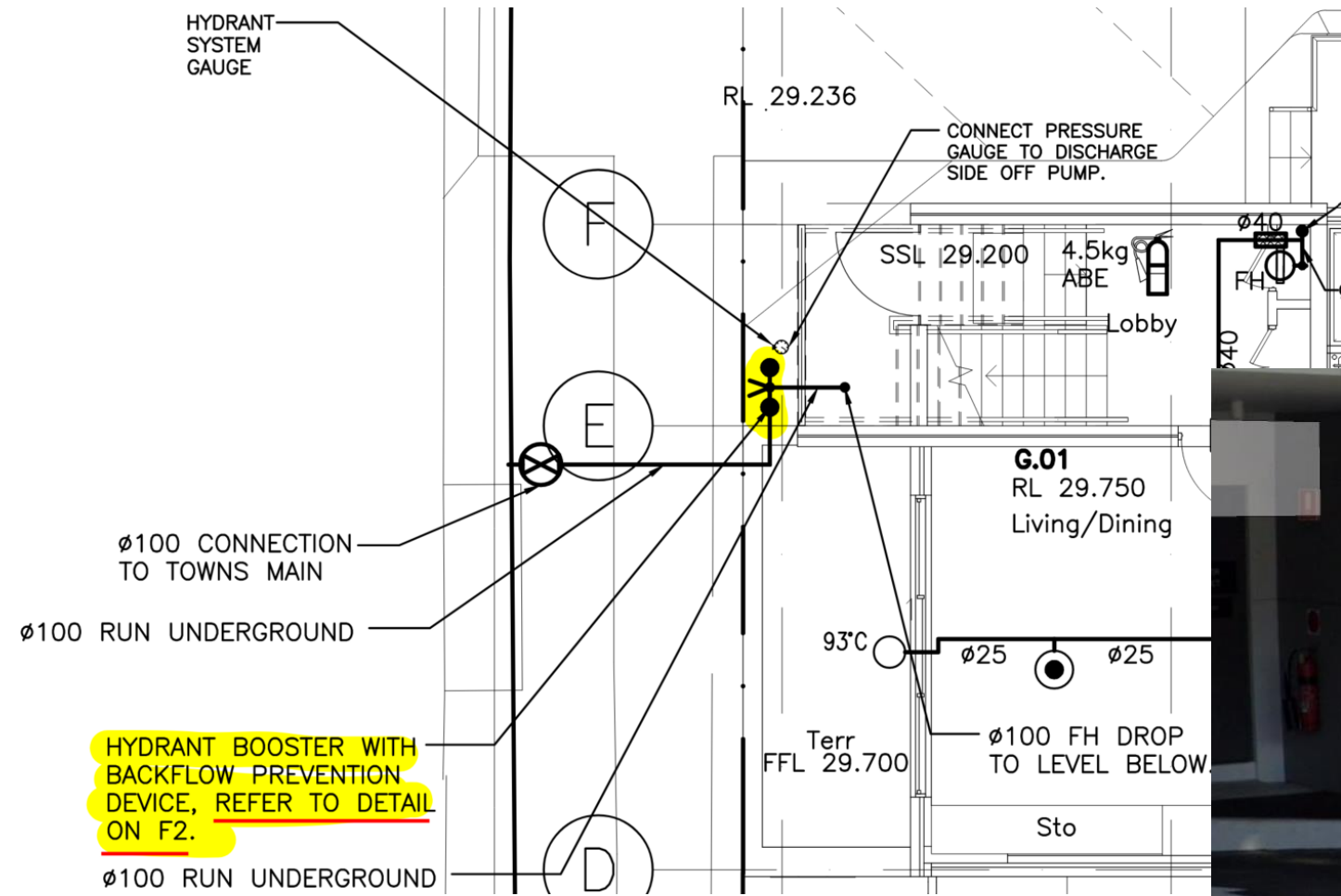
Lack of detail



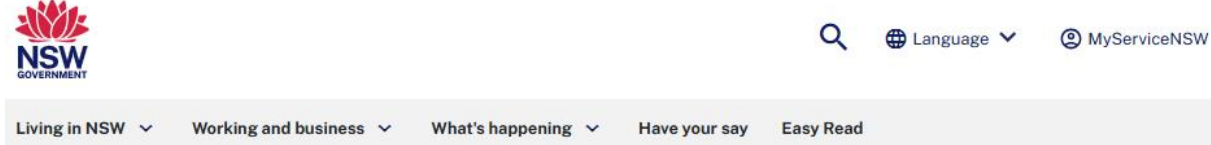
FPAA101D Sprinkler Floor Take-off



Lack of detail



15. Building Commission NSW website



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Building Commission NSW

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| Make a design or building practitioner enquiry | → | Apply for a licence class or registration | → | Explore our research and publications | → |



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बिल्डिंग कमीशन एनएसडब्ल्यू

हम न्यू साउथ वेल्स में भवन निर्माण उद्योग के नियामक हैं।



लोकप्रिय विषय के लिए इमारत आयोग एनएसडब्ल्यू

- | | | | | | |
|---|---|--|---|--|---|
| देखना ऊपर और सत्यापित करें ए लाइसेंस या पंजीकरण | → | घर इमारत शिकायतों रूप | → | बनाना एक जाँच करना | → |
| बनाना ए डिजाइन या इमारत व्यवसायी जाँच करना | → | आवेदन करना के लिए ए लाइसेंस कक्षा या पंजीकरण | → | अन्वेषण करना हमारा अनुसंधान और प्रकाशनों | → |



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Building Commission NSW

Plumber edition

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- A message from the Acting NSW Building Commissioner
- New Building Commissioner appointed
- Reminder: New plumbing and drainage inspection procedures in Huntlee and North Rothbury areas
- Licensed contractor permanently disqualified for statutory breaches
- Substantial fines for unlicensed builder
- Update on home building insurance obligations
- Have your say on home building insurance by 11 November
- Entries for Project Remediate close
- Construct NSW course spotlight
- Ensure you are registered with Long Service Leave Corporation
- Grants awarded to elevate women in construction
- Careers at Building Commission NSW
- The new Building Commission NSW News