

Building Newsflash

Extension of the transitional period for the low-high-low cyclonic test method in Queensland

Purpose

To advise that the *Building Regulation 2006* (BR) has been amended to include a new Part MP 5.9 to the Queensland Development Code (QDC), from 1 May 2008. MP 5.9 (Buildings and structures in cyclonic areas) will extend the transitional period for the introduction of the new low-high-low (LHL) test method by a further 12 months. The LHL test method applies to metal roof assemblies, their connections and immediate supporting members in cyclonic areas.

Background

On 1 May 2006, the Building Code of Australia (BCA) was amended to incorporate the new LHL test method. To give industry time to prepare for the change, a two-year transitional period was provided, giving the option of complying with the old test method or the new LHL test method. This meant that, from 1 May 2008, it would have been mandatory for the LHL test method to be used for all metal roof cladding, its connections and immediate supporting members used in cyclonic areas.

A number of industry stakeholders recently informed Building Codes Queensland that they would not be able to have their products tested to the new LHL test method, by 1 May 2008.

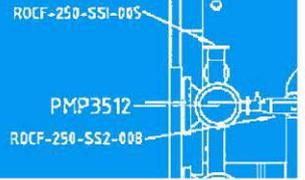
To avoid causing disruption to the building industry in cyclonic areas, an amendment has been made to the BR to introduce the new Part MP5.9 (Buildings and structures in cyclonic areas) to the QDC. MP5.9 in effect, extends the transitional period for the new LHL test method by a further 12 months. MP 5.9 expires on 1 May 2009.

This will give industry a further 12 months to have products tested to the LHL test method.

The LHL test method will be the only test permitted under the deemed-to-satisfy provisions of the BCA after MP 5.9 expires on 1 May 2009.

Legislation

- *Building Act 1975*:
 - Section 13—What is the QDC?
 - Section 30—Relevant laws and other documents for assessment of building work.
 - Section 35—Relationship between the BCA and the QDC.
- *Building Regulation 2006*



- Section 51BB—Approval of amendment of QDC by adding Part MP5.9.
- MP 5.9—Buildings and structures in cyclonic areas.

Interpretation

Under section 13 of the *Building Act 1975* (BA) the chief executive is authorised to amend the existing Parts or add new Parts to the QDC. However, the amendment does not take effect until the amendment is published on the department's website and a regulation approves the amendment.

The QDC consolidates Queensland-specific building standards. The standards cover Queensland matters outside the scope of the national BCA or matters that are of specific interest to Queensland.

Under section 30 of the BA, the QDC forms part of the building assessment provisions. All building assessment work and self-assessable work under the BA must comply with relevant parts of the QDC.

QDC Part MP5.9 took effect on 1 May 2008 through the *Building Amendment Regulation (No. 2) 2008*. MP5.9 adopts the relevant performance requirements and deemed-to-satisfy provisions that existed in BCA 2007, which gave the option of complying with the old test method or the new LHL test method.

This results in an inconsistency between MP 5.9 and Part B1 of Volume One and Part 3.10.1 of Volume Two of BCA 2008. Under section 35 of the BA, if there is an inconsistency between the BCA and the QDC, the QDC prevails.

This means that BCA 2007 will apply until QDC Part MP 5.9 expires on 1 May 2009, only in relation to Part B1 of BCA Volume One and Part 3.10.1 of BCA Volume Two for metal roof cladding, its connections and immediate supporting members in cyclonic areas in Queensland.

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Further information

A copy of MP 5.9 is available on the Department of Infrastructure and Planning's website at http://www.dip.qld.gov.au/docs/mp5_9_buildings_structures_in_cyclonic_areas.pdf

A copy of the amendment regulation can be obtained at the following website <http://www.legislation.qld.gov.au/LEGISLTN/SLS/2008/08SL113.pdf>

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