



Building Commission

Number: 2011/014

info@buildingcommission.wa.gov.au

Date: May 2011

Building Amendment Regulations 2011 Amendments for Energy Efficiency

On 10 May 2011, the *Building Amendment Regulations 2011* were published in the Government Gazette. These new regulations amend the *Building Regulations 1989* and come into full operation on 11 May 2011.

The *Building Amendment Regulations 2011* insert new regulations that prescribe the 12 month transitional arrangements for energy efficiency as outlined by the Building Commission in Advisory Note 8 and Advisory Note 13.

They provide the building licence applicant with the choice of either complying with the energy efficiency provisions in the BCA 2011, or instead choosing to comply with the WA Variations to BCA 2010.

A local government **must accept and approve** any application submitted on or after 1 May 2011 and before 1 May 2012, to the extent that it complies with the WA Variations to BCA 2010 for energy efficiency.

A copy of the gazetted regulations is attached.

Peter Gow

EXECUTIVE DIRECTOR
BUILDING COMMISSION



WESTERN
AUSTRALIAN
GOVERNMENT
Gazette

ISSN 1448-949X PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 10 MAY 2011 No. 76

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Electricity Act 1945—	
Electricity Amendment Regulations (No. 3) 2010	1662
Electricity (Licensing) Amendment Regulations 2011	1666
Local Government (Miscellaneous Provisions) Act 1960—Building Amendment Regulations 2011	1661
State Superannuation Act 2000—State Superannuation Amendment Regulations 2011	1668

PART 2

Deceased Estates	1684
Fisheries	1670
Marine/Maritime	1670
Minerals and Petroleum	1671
Parliament	1680
Planning	1680
Racing, Gaming and Liquor	1682
Water/Sewerage	1683

— PART 1 —

COMMERCE

CM301*

Local Government (Miscellaneous Provisions) Act 1960

Building Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive Council under section 433A of the Act and the *Local Government Act 1995* section 9.60.

1. Citation

These regulations are the *Building Amendment Regulations 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Building Regulations 1989*.

4. Regulation 6 amended

After regulation 6(2) insert:

Transitional period for energy efficiency standards following publication of the Building Code on 1 May 2011

- (3) Despite subregulations (1) and (2), if plans, drawings and specifications relating to the construction or alteration of a Class 1 or Class 10 building on a site submitted to the local government for its approval on or after 1 May 2011 and before 1 May 2012 —
 - (a) do not comply with the Building Code published on 1 May 2011 Volume Two Parts 2.6 and 3.12; but

- (b) comply with the Building Code published on 1 May 2009 Volume Two Parts 2.6 and 3.12 and WA 1.1 and WA 1.2 of the Western Australian addition for Hot Water Systems,

the local government must approve those parts of the plans, drawings and specifications that comply with the provisions of the Building Code referred to in paragraph (b).

- (4) Despite subregulations (1) and (2), if plans, drawings and specifications relating to the construction or alteration of a building other than a Class 1 or Class 10 building on a site submitted to the local government for its approval on or after 1 May 2011 and before 1 May 2012 —

- (a) do not comply with the Building Code published on 1 May 2011 Volume One Part J0; but
- (b) comply with the Building Code published on 1 May 2010 Volume One WA Part J0 of the Appendices (Variations and Additions),

the local government must approve those parts of the plans, drawings and specifications that comply with the provisions of the Building Code referred to in paragraph (b).

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.