

# **Building manuals**

Model guidance on BCR recommendation 20

2021

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Enquiries about this publication can be sent

Australian Building Codes Board GPO Box 2013

CANBERRA ACT 2601 Phone: 1300 134 631 Email: ncc@abcb.gov.au

Web: abcb.gov.au

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## **Preface**

The <u>Building Confidence Report</u> (BCR), published in April 2018, made 24 recommendations to Building Ministers to address systemic issues in the Australian building industry. Building Ministers established the BCR Implementation Team within the Office of the Australian Building Codes Board (ABCB) to work with governments and industry to respond to the recommendations with a focus on national consistency where possible.

The BCR Implementation Team's work aims to establish national best-practice models in response to BCR recommendations. If implemented, the responses will strengthen compliance with the National Construction Code (NCC), better protecting the interests of people who own, work in, live in, and use Australian buildings.

All responses to BCR recommendations have been developed in accordance with the <u>Building Confidence National Framework</u> with input from industry and governments. Figure 1 lists the outputs developed under the Framework, and where to find them.

State and territory governments have agreed to consider implementation of all BCR endorsed responses. This process will take time depending on each government's regulatory reform agenda, and may be undertaken in stages.

The model guidance for Building manuals represents a nationally agreed response to BCR recommendation 20. This recommendation states "that each jurisdiction requires that there be a comprehensive building manual for commercial buildings that should be lodged with the building owners and made available to successive purchasers of the buildings".

The BCR identified that owners of Class 2 – 9 buildings often do not receive access to full sets of final documents related to the design and construction of their buildings, including those needed for ongoing management and maintenance. This limits the ability of building an owner to maintain their building so it continues to perform as intended for the life of the building.

Building owner access to accurate and complete building information is key to responding to BCR recommendation 20.

Defined terms used in this document are shown in italics. The definitions can be found in the <u>Building Confidence Glossary</u>.

Figure 1 – Building Confidence Implementation Framework - Outputs



#### Registration and training

Nationally consistent initial and on-going registration of building practitioners incorporating training, education and experience, to strengthen implementation of the NCC.

National Registration Framework

Evidence of experience for building surveyor registration

Continuing professional development on the NCC and ethics

NCC CPD



# Building surveyor integrity

Standards of behaviour for building surveyors performing statutory functions to improve accountability and transparency, and to manage expectations of building practitioners and consumers.

Building surveyor integrity and their role in enforcement

Code of conduct for building surveyors



#### Fire safety

Better integrate fire safety into design, construction and certification processes to lift compliance outcomes.

Code of conduct for fire safety engineers

Fire authorities in the building approval process

Fire safety systems



# Regulatory oversight

Improve regulator collaboration, ensure regulators have powers to enforce compliance with building laws, and provide transparency for industry.

Building regulator collaboration

Building regulator powers

Auditing and compliance



# Design, construction and certification

Reduce non-compliance with a robust and transparent system of inspection and certification throughout the building approval process.

Design acceptance

Independent third-party review

Mandatory inspections

Building product safety



# Information sharing

Enable better access to building data for regulators and building owners, and improve understanding of building and plumbing terminology.

Data sharing MOU

**Building manuals** 

**Building Confidence Glossary** 

Standards Australia's Construction dictionary

#### **Next Steps**

#### Implementation by state and territory governments

Governments have agreed to consider implementation of the responses. Contact the building authority in your jurisdiction for information on progress.

Each of the outputs listed in Figure 1 can be accessed on the ABCB website.

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### Adoption of model guidance

As a model, this guidance does not have any force until adopted by a jurisdiction. States and territories may have regard to the content of the model. This may include amending or adopting the model for application in their jurisdiction.

The model guidance needs to be read in conjunction with the relevant legislation in a jurisdiction. It is written in generic terms and is not intended to override legislative requirements.

# **Purpose**

This guidance is a national model for building manuals in the context of minimum building manual information requirements and the legislative provisions governments should consider implementing.

Building manuals are often contractually required as part of the construction of new commercial buildings. Stakeholders have reported that the information included in building manuals is often inaccurate or incomplete because it is provided under time pressure to meet contractual arrangements. Information may also be collated after the completion of construction, rather than during the project, impacting the quality and accuracy of the information. Over time this information is often lost, misplaced or becomes outdated and may not be available to future owners of a building.

A reference to a 'building manual' in this model guidance should not be considered in the context of a 'physical hard copy publication' or a 'digital file'. A building manual is primarily about a building owner having access to accurate information and documentation relevant to their building.

This model guidance uses the term *building manual information* to describe the specific information and documentation that should be made available to building owners and managers to enable maintenance of their buildings.

This model guidance and the recommended legislative provisions are flexible enough for governments to implement in a way that suits their individual regulatory arrangements. Some governments may require building owners keep copies of their building information on site and in hard or digital format. Other governments may only require *building manual information* is lodged with government and is available to building owners through mediums such as electronic portals hosted by government.

This model guidance recommends the minimum information that should constitute a 'building manual' as described in BCR recommendation 20. This model guidance does not exclude the inclusion of additional information.

Of most importance is that information relating to a building's design, approval and maintenance is accurate and stored in a way that it is accessible to future building owners, those responsible for maintenance and relevant government agencies.

# **Background**

When a building is designed and constructed, project documentation is created. This consists of documentation that must be provided as part of the *building approval process* as well as warranty documents, installation and operational manuals for various products, equipment and systems installed in the building.

Stakeholder feedback indicates project documentation is often lost or destroyed after the completion and handover of a project but also progressively over time as building managers and owners change.

The failure to provide complete and accurate building information often occurs:

- at handover from the builder to the owner (or head contractor to principal)
- at handover from a developer to a building owner (in the case of Class 2 buildings this should occur prior to the first meeting of the Owners Corporation), and
- when a building is sold by an owner (who is not the original developer or builder) to a new owner.

Lack of building documentation reduces transparency, accountability and knowledge required to understand the design assumptions, building solutions and key safety and maintenance obligations.

As the European Commission noted, in examining the need for digital building manuals, "The built environment and construction sector are notoriously complex and involve large numbers of stakeholders (with often conflicting interests) who have different information needs, use data in different ways and for different purposes. Most information is not available in one place and a systematic approach to organising and managing it is largely missing."

The European Commission noted that "mapping of data flows has shown that very little information is transferred integrally from the beginning to the end of the supply chain. Some information stays with particular professionals or suppliers, some of it needs to be re-created several times for transaction, certification or refurbishment purposes, and typically only a fraction of it ends up with those who would use data and information."

"Whatever data may exist, it often remains static and not updated. Data and building documentation, which is generated and kept in paper format, remains inaccessible to most users. This situation adversely influences project costs and timelines, quality of works, allocation of resources and environmental impacts. The extent of these consequences is even more notable as buildings represent high value, but also high risks. Better information flows are necessary to improve the quality assurance system for buildings and the construction industry overall." This is also true in the Australian context.

When building design information is lost or unavailable, the safety of building users is potentially impacted as key design assumptions may be unknown. Without design and construction information, decisions made during the building's operational life, over many decades, may not be appropriate.

In the early years post construction, the failure to provide project documentation may also contribute to building owners not being able to quickly identify building defects and seek rectification from a developer or builder. In turn, this contributes to building owners bearing the costs of building rectification even when defects can be traced back to problems in the design and construction of a building.

Company liquidations and insolvencies contribute to building owners not being able to pursue developers or builders for rectification costs and may prevent building owners from understanding their buildings, as liquidating companies may be unable to fulfil tasks such as provision of building information.

Building maintenance is also essential to enable building elements and systems to perform as intended over their design life. All jurisdictions mandate *fire safety system* maintenance in some form and many require records to be kept and/or annual reports to be prepared. These records are not always readily accessible to confirm compliance and ensure *fire safety systems* will function as intended when required.

This model guidance responds to these stakeholder concerns by encouraging governments to consider legislative provisions as a basis for regulation. This legislation aims to ensure *building manual information* is accurate and complete prior to the issuing of an *occupancy approval*. Storage of the *building manual information* by government will ensure it is available to those who need it in future. Post building

occupancy maintenance must be undertaken and records of this maintenance lodged with government.

Further background information on BCR recommendation 20 can be found in the discussion paper for public consultation.

# **Principles**

#### **Principles for building manuals** All documentation relating to a building's design and approval is 1 available to building owners to inform ongoing building management and maintenance Building manual information is compiled and checked by the statutory 2 building surveyor as part of the building approval process prior to issuing an occupancy approval Practitioners that contribute building manual information are 3 responsible for its accuracy and completeness Owners and relevant government agencies have access to building 4 manual information for the life of a building Government undertakes compliance monitoring, auditing and 5 enforcement of building manual information and maintenance activities Governments provide information and education on the use of 6 building manual information and the need for ongoing building maintenance

# Principle 1 – Minimum building manual information

All documentation relating to a building's design and approval is available to building owners to inform ongoing building management and maintenance

## **Objective**

To ensure there is sufficient information available post-construction, in an appropriate form, so that buildings can be managed to perform as designed and approved.

#### Context

The BCR stated a building manual "would include all relevant documents for the ongoing management of the building, such as as-built construction documentation, fire safety system details and maintenance requirements." A primary consideration in developing this model guidance has been the level of detail that is appropriate to inform the ongoing operation of the building and which can form the basis of a building manual. A building manual is not intended to be a tool for recording daily maintenance, but a reference to information to ensure critical maintenance is carried out.

Information needed by building owners to safely manage and use their buildings includes documents prepared during the design, construction and approval of a building. If not compiled during these stages and made available to building owners, these documents can be lost or become hard to access after an *occupancy approval* is issued. *Building manual information* is expected to be collated throughout the *building approval process* and not just at the end of construction.

Many building owners engage building managers to arrange and oversee building maintenance and use. These managers require access to complete and accurate information to fulfil their obligations. They are also likely to use specialised software to record daily maintenance.

Some public feedback supported *building manual information* aligning to that contractually required at handover, while other feedback supported less detail covering only core safety and design information, as this may be more likely to be effectively regulated and stored by governments.

The *building manual information* set out in Table 1 and Table 2 is considered to be the minimum information needed to manage and maintain a building. It is not intended to limit the provision of more information to building owners, including information needed to meet contractual obligations.

The information listed in Table 1 is targeted at building owners, not all of whom are expected to have a strong understanding of technical building information. The content of Table 2 is targeted at building practitioners and contains more technical building information, which will be specific to each building.

The 'standard information' described in Table 1 is expected to be developed by governments, made publicly available and not be required to be lodged as part of the *building approval* documentation for each building.

## Legislative provisions

It is recommended the information listed in Tables 1 and 2, as applicable,

- 1. Is the minimum *building manual information* required;
- 2. Is to form part of the building approval documentation;
- 3. Must be lodged with government prior to an *occupancy approval* being issued by the *building approval authority*;
- 4. Must be made available to building owners; and
- 5. Is required for all new Class 2-9 buildings.

Table 1 Building manual information Part 1 contents (for building owners)

Category	Purpose of this section	Information	Where is the information captured?	Who provides/lodges the information?	
Standard information	Provides information about building manual information and owner's obligations	<ul> <li>Explanation of the purpose of the building manual information</li> </ul>	Prescribed form	Government	
		<ul> <li>Explanation of how to use the building manual information</li> </ul>			
		<ul> <li>A statement of the building owner's legal obligations to maintain and operate the building</li> </ul>			
		<ul> <li>Who to contact or where to seek further help to understand the building manual information and owner obligations</li> </ul>			
Building and site details	Provides information about the site and design of the building	the site and design of the approval approval	- Site address	• •	Statutory building surveyor
			- Site area (size)		
			documentation	Fire safety engineer	
		- NCC Class, Type and Importance Level			
		- Floor area			
		- Rise in storeys (as per the NCC)			
		- Effective height (as per the NCC)			
		<ul> <li>Number of sole occupancy units (SOU's) (if Class 2 building)</li> </ul>			
		- Maximum occupants (excluding Class 2 SOU's)			

<sup>&</sup>lt;sup>1</sup> The building approval documentation is as per the model guidance for <u>Design acceptance</u>. The documentation would be lodged with government by the building surveyor for each project.

Category	Purpose of this section	Information	Where is the information captured?	Who provides/lodges the information?
		<ul> <li>Any special conditions, (e.g. building use limitations, including those imposed by a Performance Solution)</li> </ul>		
		- Fire safety including:		
		<ul> <li>Fire safety strategy</li> </ul>		
		<ul> <li>Assumptions of the fire safety design</li> </ul>		
		<ul> <li>Evacuation strategy</li> </ul>		
		<ul> <li>Summary of structural framing system</li> </ul>		
		<ul> <li>External façade, wall and cladding materials</li> </ul>		
Site	- Environmental protection conservation	- Land contamination details/actions	Forms part of building	Building approval
environmental or legal.  The name of the person providing the rating or status		- Environmental protection, conservation	approval documentation	<i>applicant</i> or lead designer
	<u>-</u>	- Bushfire Attack Level of property (if applicable)		
	·	- Flood/inundation prone		
		- Wind region		
	purposes	- Termite risk area		
		- Alpine area		
		- Landslip/coastal erosion/subsidence prone		
		- Earthquake prone		
		<ul> <li>Any local government decision notice or other referral body that conditions the site</li> </ul>		

Category	Purpose of this section	Information	Where is the information captured?	Who provides/lodges the information?
		<ul> <li>Other planning overlays and site constraints (e.g. easements, if applicable)<sup>2</sup></li> </ul>		
Developer and practitioner details	Provide details of developer and practitioners involved in the building's design, construction and approval	<ul> <li>Building surveyor's name and registration number</li> <li>Details of developer including name(s) of directors if a registered entity</li> <li>Practitioner's names and registration numbers</li> </ul>	Building approval documentation	Statutory building surveyor
Maintenance and operation	Provide details of maintenance and operation requirements	<ul> <li>Summary information on services and utilities</li> <li>Termite protection system and maintenance requirements</li> <li>Fire safety: testing and maintenance schedule of all statutory, non-statutory and performance measures requiring maintenance and inspection</li> </ul>	Building approval documentation	Building approval applicant or lead designer
		<ul> <li>Other: testing and maintenance schedule of all statutory, non-statutory and performance measures requiring maintenance and inspection.</li> </ul>		

<sup>&</sup>lt;sup>2</sup> In a non-sewered area, the maintenance regime of the plumbing installations required for on-site wastewater management or treatment should be included.

Table 2 Building manual information Part 2 contents (for building practitioners)

Category	Purpose of this section	Information	Where is the information captured?	Who provides the information?
Building design	Provides information about the building's design	<ul> <li>Complete construction drawings (fully dimensioned and to a suitable scale)</li> <li>Project product register</li> <li>Declarations of design compliance</li> <li>Final report for each Performance Solution used in the building</li> <li>Fire safety including:         <ul> <li>Details of the fire safety system</li> <li>Which elements are fire resisting, the proposed level of fire resistance and any fire compartmentation including sealing and separation details</li> <li>Details of correspondence/advice from relevant fire authority.</li> </ul> </li> </ul>	Building approval documentation	Statutory building surveyor  Building practitioners providing declarations Building practitioners preparing the reports. Building approval applicant
Compliance	Provide information about compliance	<ul> <li>NCC Performance Requirement checklist (will include applicable version of NCC relevant to the building approval)</li> <li>Building approval, any linked conditions and date(s) of issue</li> </ul>	Building approval documentation	Statutory building surveyor
		<ul> <li>Occupancy approval or final certificate, any linked conditions and date(s) of issue</li> </ul>		

Category	Purpose of this section	Information	Where is the information captured?	Who provides the information?
Commissioning	Provide details of commissioning	- Commissioning data and reports <sup>3</sup>	Information required prior to building occupation	Building practitioner who carried out commissioning
Maintenance records <sup>4</sup>	Records maintenance activities	Records of maintenance of fire safety equipment and systems required to be created under AS1851 or other approved maintenance requirements	Maintenance reports and logbooks	Maintenance contractors
Annual Maintenance statement <sup>5</sup>	Declarations of annual maintenance	Annual statements provided to government confirming all fire safety maintenance has been undertaken in accordance with the occupancy approval		Building owner

<sup>&</sup>lt;sup>3</sup> For example, commissioning data and reports using Standards Australia 5342:2021 Technical specification for building commissioning. <sup>4</sup> Maintenance records will not form part of the *building manual information* prior to the issuing of the *occupancy approval*.

<sup>&</sup>lt;sup>5</sup> Annual maintenance statement will not form part of *building manual information* prior to the issuing of the *occupancy approval*.

#### **Further comment**

When implementing this model guidance for Building manuals, the model guidance for <a href="Design acceptance">Design acceptance</a> should be considered. The model guidance for <a href="Design acceptance">Design acceptance</a> sets out the minimum requirements for the lodgement and approval of design documentation including variations. Where there is an approved variation to the design during or prior to construction, the approved documentation must be updated to reflect the change. The approved as-designed documentation should be the same as the asbuilt documentation.

The BCR recommended that *building manual information* be available for all new Class 2-9 buildings; this is reflected in the legislative provisions. There is support from some stakeholders for expanding the legislative provisions to new and existing Class 1a and Class 1b buildings, new Class 10c buildings (private bushfire shelters) and existing Class 2-9 buildings. This has not been addressed in the legislative provisions contained in the model guidance for building manuals and is a matter for each jurisdiction.

Jurisdictions should determine appropriate penalties for committing offences, noting that not issuing an *occupancy approval* until *building manual information* is lodged prevents developers from completing the sale of buildings and building owners from using the building.

The collation and lodgement of *building manual information* with government by the *statutory building surveyor* may constitute introduction of a new statutory function. It is suggested this additional function of a *statutory building surveyor* be considered for inclusion in a Statutory Building Surveying Services Agreement, which is outlined in the model guidance for <u>Building surveyor integrity and their role in enforcement</u>.

# Principle 2 – Responsibility for compiling building manual information

Building manual information is compiled and checked by the statutory building surveyor as part of the building approval process prior to issuing an occupancy approval

## **Objective**

To ensure that *building manual information* is accurate and contains the necessary information to satisfy Principle 1.

To provide clarity on who should check the *building manual information* at the time of completion of building work and prior to lodgement with government.

#### Context

Stakeholder consultation supported the need for the *building manual information* to be complied during the *building approval process* and for a mechanism to check that all information had been provided and is accurate.

The *building manual information* in Table 1 and Table 2 must be prepared prior to the issuing of an *occupancy approval* and checked as part of the functions of the *statutory building surveyor*. This is intended to ensure the *building manual information* is compiled at the time of final approval of building work and that an independent person confirms the required documents are included.

## Legislative provisions

It is recommended:

1. The building approval applicant must provide all required building manual information to the statutory building surveyor prior to the application for an occupancy approval;

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- 2. The *building approval authority* must not issue an *occupancy approval* unless satisfied that:
  - a. the building manual information in Table 1 and Table 2 has been provided;
  - b. that declarations have been provided for the information (refer Principle 3); and
  - c. that a reasonable person would conclude the information appears to represent the building.
- 3. In relation to the provision of *building manual information* where a progressive occupancy development model<sup>6</sup> is used:
  - a. the building approval applicant must provide the building manual information to the statutory building surveyor for each portion of the building to which each occupancy approval relates, prior to the issue of each occupancy approval; and
  - b. the same provisions as at 1 above apply.
- 4. Post *occupancy approval*, an annual maintenance statement must be lodged with government confirming that all maintenance has been undertaken as specified on the *occupancy approval*.

#### **Further comment**

The statutory building surveyor should check the building manual information as part of their statutory function. In the same way that the statutory building surveyor independently reviews design and construction documentation to assess compliance with the NCC, they should review all building manual information at the time of completion to confirm it contains the required information.

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<sup>&</sup>lt;sup>6</sup> A progressive occupancy development model means the development is staged and the building is occupied progressively as portions are completed.

Refer to the model guidance for <u>Design acceptance</u>.

It is noted that the some of the information in Table 1 and Table 2 is the approved documentation the *statutory building surveyor* will have considered and approved as part of their statutory functions. They may also be able to prepare some of the summary information required in Table 1. Other documents that must be included are to be provided by the *building approval applicant* who may engage various building practitioners involved in the project to perform this task.

On projects involving complex documentation, the *building approval applicant* may appoint the lead designer, project manager or builder to take on the role of coordinating or preparing *building manual information* documents for submission to the *statutory building surveyor*.

Ultimately, the practicalities of how the *building manual information* will be complied for checking by the *statutory building surveyor* will depend on contractual obligations between parties and on digital document retention and sharing practices.

All building manual information must be lodged with the statutory building surveyor prior to the occupancy approval being issued. This will provide an incentive for the building manual information to be compiled and completed in a timely manner.

The requirements post construction for record keeping and any annual maintenance reports will be set out in legislated maintenance obligations. Maintenance contractors should prepare these records as part of their work for inclusion in the *building manual information*, on an ongoing basis. The name and contact details of maintenance contractors should be included in the records.

Where new building work is undertaken in an existing building that has *building manual information* in place, the *building manual information* should be updated. This is to ensure that the building can continue to function as designed and that fire safety personnel, for example, have access to current information about the building to effectively undertake their role.

Similar to a new building, the *statutory building surveyor* engaged by the owner or the *owner's representative* would be responsible for collating the information and lodging it with government at the time of issuing an *occupancy approval*, or final approval where an *occupancy approval* is not required.

# Principle 3 – Accuracy and completeness

Practitioners that contribute building manual information are responsible for its accuracy and completeness

## **Objective**

That building practitioners providing *building manual information* take responsibility for ensuring it is accurate and complete, reducing the risk that the information will be incorrect or misleading.

#### Context

Building manual information is only as useful as it is accurate and complete. Individuals should be responsible for the accuracy and completeness of the information they contribute and should be made aware of their obligations by being required to make a declaration when providing information.

The *statutory building surveyor* would be responsible for collating and lodging the *building manual information*, confirming the information is complete; declarations have been provided for the information, and the information appears to represent the building.

The statutory building surveyor may assist to prepare or compile building manual information provided they do not act inconsistently with the model Building Surveyor Code of Conduct and in particular their obligations to manage and mitigate conflicts of interest.

## Legislative provisions

It is recommended that in relation to the preparation of *building manual information* during the construction phase:

 Each building practitioner who contributes building manual information is required to make a declaration that the information is accurate and complete to the best of their knowledge;

- 2. Each declaration contains adequate identifying information such that the provider of the information can be contacted if the information is found not to be accurate and/or complete; and
- 3. All declarations are retained with the *building manual information*.

#### **Further comment**

The model guidance suggests declarations should be made, as this is acknowledged to be a strong psychological incentive for information providers to check what they are declaring is true. Jurisdictions should provide the text for the content of declarations to ensure consistency and practitioner understanding of the meaning of the declaration.

It is also important that providers of such declarations provide identifying information so that if the information is found to be incorrect or incomplete, the individual responsible can be identified and the correct information sought. Assuming all jurisdictions accept *building manual information* digitally through state or territory-based *building approval* systems, it is recommended the systems include a prompt each time information is provided. The prompts should:

- Remind the information provider of their responsibilities under legislation and any penalties or consequences that may apply for contravening these;
- Require the provider enter their full name, the number of their registration or identifying document (e.g. licence); and
- Require the provider complete a declaration that the information provided is accurate and correct to the best of their knowledge.

# Principle 4 – Access to building manual information

Owners and relevant government agencies have access to building manual information for the life of a building

## **Objective**

That building manual information is accessible for the life of the building by:

- Building owners, in the case of buildings with strata titles this would be the owners corporation;
- Government, which would include relevant building regulators, local councils and fire authorities in each jurisdiction.

#### Context

The ownership of *building manual information* should align with the ownership<sup>8</sup> of the buildings to which it relates for transparency, safety and privacy reasons. When a building is sold, the new building owner becomes the owner of the *building manual information* and is responsible for updating the *building manual information*.

## Legislative provisions

It is recommended:

- 1. The relevant government should keep records that comprise the *building manual information*<sup>9</sup>; and
- 2. Building owners have access to all *building manual information* relevant to their building; and

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<sup>8</sup> Complex ownership arrangements of buildings is discussed in the model guidance for <u>Building surveyor integrity and their role in enforcement</u>.

These would be lodged as part of the building approval process

3. Governments should have adequate information sharing provisions and policies to enable sharing of the *building manual information* between relevant state government agencies, local government and relevant fire authorities.

#### **Further comment**

Most *building manual information* will already be lodged with local or state governments during the *building approval process*. Government may need to establish digital platforms for the consolidation and future access to *building manual information*. Post construction, any updated information and maintenance declarations should also be lodged with the relevant government agency and form part of the *building manual information*.

As part of the *building approval process* or via access to a government database, building owners will have copies of all *building manual information*. It is expected some owners will use this information to create digital or hardcopy building manuals that they will store and make available to their contractors.

Where owners can access the *building manual information* from a government agency, jurisdictions should, prior to granting access to an individual or entity, consider appropriate threshold criteria and proof of identity requirements.

Access to the *building manual information* by potential purchasers is not provided for in this model guidance. Access to documents for due diligence as part of property sales is governed by state and territory legislation. Jurisdictions may choose to introduce controls over access to the *building manual information* by potential purchasers at their discretion.

# Principle 5 – Auditing and enforcement

Government undertakes compliance monitoring, auditing and enforcement of building manual information and maintenance activities

# **Objective**

To regulate ongoing compliance with *building manual information* and the undertaking of post construction maintenance activities.

#### Context

To support compliance activities, including audits, governments should have regard to building manual information. Stakeholders view governments as being trustworthy to keep information safe and support governments undertaking compliance activities to ensure that ongoing maintenance obligations are fulfilled. Governments are also well-placed to manage, secure and provide appropriate access to building manual information.

Ongoing maintenance of a building is as important as its original commissioning. Governments should include the auditing of building maintenance activities and the ongoing updating of *building manual information* in its annual auditing strategy.

Access to *building manual information* may provide governments with opportunities to benchmark and analyse compliance and building trends, and use data to support policy and regulatory decisions.

## Legislative provisions

It is recommended governments:

- 1. Audit building manual information lodged to verify accuracy and completeness;
- 2. Make orders, prosecute or take other actions, as necessary, if *building manual information* is found not to be accurate and complete; and
- 3. Should monitor, audit and enforce compliance with building maintenance requirements.

## **Further comment**

Jurisdictions should consider penalties for building owners found not to have maintained the currency of *building manual information* and for *statutory building surveyors* who have approved *building manual information* that does not contain the required information.

# Principle 6 – Information and education

Governments provide information and education on the use of building manual information and the need for ongoing building maintenance

## **Objective**

That there is adequate information and education about the purpose of *building manual information*, how to use it and keeping it up to date.

#### Context

In Australia, building information is not supplied to consumers alongside the building in the same way as data about the specifications and operation of other complex products, such as cars and aircraft. Governments can play a role in providing education and training about the importance and value of *building manual information* and why updating it is important.

## Legislative provisions

Nil suggested.

#### **Further comment**

Stakeholder feedback suggested printable checklists of all the information required by practitioner type, and/or a way for practitioners to flag incomplete areas of the *building manual information* during a project. This could also assist each contractor or sub-contractor to recognise the information they are required to provide.

Educational information for building owners and potential building owners could focus on understanding the role of the *building manual information* in relation to their legal responsibilities. Feedback has suggested that if building owners better understood their legal responsibilities, they would be more vigilant in engaging competent building managers and/or overseeing their work.

As there isn't a culture of expecting building information to be provided with buildings in Australia, education campaigns could highlight the importance of checking the *building manual information* as part of a due diligence process when buying buildings, and the importance of the owner's role in ensuring appropriate maintenance and decisions about building use.

Jurisdictions could also develop specific educational materials targeted at owners and purchasers of sole-occupancy units of Class 2 apartment buildings, to make them aware of building manuals and their purpose.