

## Industry Bulletin 157

# Updated BA18 – Certificate of building compliance for building surveyors

***The certificate of building compliance (CBC) dated 14 April 2021 (CBC 2021) has been updated and published by the Building Commissioner.***

The updated version dated 2 November 2023 (CBC 2023) simplifies the process for building surveyors making the required statements for a CBC that will accompany an application for an occupancy permit or building approval certificate for unauthorised work under section 51 of the *Building Act 2011* (Building Act).

### Background

Under section 57 of the Building Act, the CBC must be in an approved form, signed by a building surveyor and must contain certain inclusions. For a section 51 application these inclusions are:

**1. Section 57(3) of the Building Act:**

A CBC that accompanies an application other than an application mentioned in section 48 or 52(1) or (2) must state that the building or incidental structure substantially complies with each applicable building standard.

**2. Regulation 36(2)(b) of the Building Regulations 2012:**

For the purposes of section 57(2)(d) a CBC must contain (amongst other things) if the certificate of building compliance is to accompany an application mentioned in section 51(2) or (3), plans and specifications that show how the building complies with each building standard that applies to the building or incidental structure.

The above two inclusions are captured in the declaration at Part 5 of the CBC 2021 in tick box statements 6.b. and 6.c. respectively. Both statements apply to an application made under section 51 of the Building Act and as such both must be ticked as part of the declaration being made by the building surveyor.



## Overview of changes to the form

Changes are confined to the declaration at Part 5 – item 6 of the CBC.

### CBC 2023

In CBC 2023 there is now a single tick box in relation to a section 51 application, in addition to any other statements that might be required (for example, item 6.d. for bushfire).

6. Where this certificate relates to (tick relevant box(es)):

- a.  **An application mentioned in section 48 or 52(1) or (2) of the *Building Act 2011***
  - i. This building or incidental structure substantially complies with the building permit, building licence or other approval that was granted in respect of the construction of the building or incidental structure applicable at the time of its construction; or
  - ii. This building or incidental structure substantially complies with each applicable building standard or other prescribed requirement in relation to the technical aspects of the construction of the building or structure.
- b.  **An application mentioned in section 49 of the *Building Act 2011***

This building or incidental structure substantially complies with each applicable building standard.
- c.  **An application mentioned in section 51(2) or 51(3) of the *Building Act 2011***
  - i. This building or incidental structure substantially complies with each applicable building standard; and
  - ii. The plans, specifications and technical documents that show how this building complies with each building standard that applies to this building or incidental structure are set out in part 3 of this certificate.
- d.  **An application mentioned in section 49(b) or 51(2) or 51(3) of the *Building Act 2011* where the building is a Class 1, Class 2 or Class 3 building or an associated Class 10a building or a deck that is located less than six (6) metres from the Class 1, Class 2 or Class 3 building:**

I have made the required statements in part 2 of this certificate in respect to bush fire prone areas.

Note: Item 6.b. has also been amended on CBC 2023 to provide the statement required for an application for a section 49 application only.

## Using the updated BA18 form

### Can the previous version of the form be used?

The BA18 form (CBC 2021) will no longer be available on Building and Energy's website, however if building surveyors use this version, they must tick both boxes 6.b. and 6.c. when making the statements required in relation to a section 51 application.

### How can I tell if I am looking at the updated form?

The updated BA18 form (CBC 2023) can be identified by the Building Commissioner approved date of 2 November 2023 in the form's footer.

### Where can I find the new BA18 form?

Under the 'Building approval forms' link on Building and Energy's website:

[Building approval forms | Department of Mines, Industry Regulation and Safety \(commerce.wa.gov.au\)](https://www.commerce.wa.gov.au)

### Has the link to the form changed?

While the link to the main web page for building approval forms remains the same, any links you have created to individual forms will need to be updated.

## Have other forms been updated and approved by the Building Commissioner?

No. Only the BA18 been changed.

## What format is the form available in?

On Building and Energy's website:

- PDF – for printing or handwritten completion.
- Word (protected) – for typewritten completion.

On the Extranet (for permit authorities):

- Word (unprotected) – template to allow data merging.

## Are template/editable versions of the form available?

Form templates (editable versions for data merging purposes) are available to permit authorities on Building and Energy's Extranet. Other organisations requiring access to the templates can request them via email.

Note that any changes made to the wording of a form may materially affect its substance and may make it invalid for the purposes of the Building Act. If you change or vary a form or create your own, it may no longer be a Building Commissioner approved form. Building and Energy strongly suggests seeking legal advice before any changes or variations are made to the approved forms.

## What if I am experiencing difficulties with any of the forms?

If you are experiencing any difficulties with the forms and their compatibility with your system, email Building and Energy at [be.info@dmirs.wa.gov.au](mailto:be.info@dmirs.wa.gov.au) with as many details of the issue as possible or phone 1300 489 099.

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### Building and Energy

Department of Energy, Mines, Industry Regulation and Safety

**1300 489 099**

8.30am – 4.30pm

Level 1 Mason Bird Building

303 Sevenoaks Street (entrance Grose Avenue)

Cannington Western Australia 6107

M: **Locked Bag 100, East Perth WA 6892**

W: [www.demirs.wa.gov.au/building-and-energy](http://www.demirs.wa.gov.au/building-and-energy)

### Regional Offices

Goldfields/Esperance (08) 9021 9494

Great Southern (08) 9842 8366

Kimberley (08) 9191 8400

Mid-West (08) 9920 9800

North-West (08) 9185 0900

South-West (08) 9722 2888

National Relay Service: 13 36 77

Translating and Interpreting Service (TIS): 13 14 50

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