



Uniting Church in Australia
SYNOD OF VICTORIA AND TASMANIA

PLANNING A BUILDING PROJECT

The function of a church building is always understood in the context of mission.





Building legislation in Victoria is governed under the Building Act 1993. There is an obligation under the Act to ensure compliance whenever there is a statutory change of use of a building, major works are being undertaken, the building is being subdivided or the building is considered to be unfit for occupation or use.

Design, Construction and Use of Buildings

A key consideration when designing a building project is that the new work must meet all current applicable compliance requirements under the Act, which may also apply to parts of the building not being changed. Prior to commencing any design work it will be important to understand these compliance and upgrade requirements so that they can be factored into the project brief. Additional works can include requirements for upgrades to accessible access, egress and other determined fire safety measures along with rectification of deferred maintenance. A **Registered Building Surveyor** is a qualified person to assess an existing building or a design to agree the proposed work will be effective in delivering the necessary performance standards required for a safe building and its designed use. It may also be necessary to include specialist advice of a structural or services engineer as appropriate.

Standards for the Construction and Demolition of Buildings

Building legislation aims to continually improve the safety of new and existing buildings through statutory controls including the demolition of existing structures.

Ensuring the method of construction of a new building or the repairs undertaken on an

existing building are compliant to the legislation can greatly extend the sustainable life of our missional buildings.

Property Services is a mission resource to guide church councils and presbyteries with regard to the standards sought by the building legislation.

The method of removal of an existing structure can hold serious health consequences for the wider community. Church councils should seek the guidance of Property Services with regard to the applicable standards and controls when buildings are being demolished.

Standards of Safety

Identifying and planning for safety is a pre-requisite prior to the commencement of any building project.

The prescribed standard of safety is the *Occupational Health and Safety Act 2004* and *Occupational Health and Safety Regulations 2017*, upon which the **Uniting Church Occupational Health and Safety (OHS) Policy** is based.

Any risk to the health and safety of persons must be removed or reduced as far as practicable in the building design by the removal of hazards during building construction and by the introduction of control measures.

The Synod OHS Safety Officer and Property Services can support church councils and Presbyteries in identify and manage safety in the workplace. These include:

Working at a height above 2 metres

This is **High Risk Construction Work** and legislation requires a building contractor to supply a **Safe Work Method Statement**. For major projects exceeding \$350,000 in value, the legislation also requires the contractor to provide an **OHS Coordination Plan**.

Asbestos Register

The legislation requires that church councils maintain a register of all asbestos containing building materials for all existing missional buildings except residential homes. The



Asbestos Register (Division 5) must not exceed five years since the last audit date and must be updated whenever there is a building project.

A **Hazardous Materials Audit Report** (Division 6) is required for the demolition or partial dismantling of a building undergoing renovation or rebuilding. The Synod OHS Safety Officer can assist church councils to develop an Asbestos Register and Hazardous Materials Audit Report.

The UCA OHS Policy specifies only **licensed asbestos removalists** can carry out the removal of asbestos containing material regardless of the quantity involved.

Further advice on asbestos material identification and licensed asbestos removal can be obtained through the Synod OHS Safety Officer and Property Services.

Matters Related to the On-Going Use and Maintenance of Buildings and Fire Safety

The church has an expectation that all missional buildings must be safe for ongoing use.

In order to meet this expectation church councils are encouraged to prepare an **Asset Management Plan** for all missional buildings detailing the scheduling of maintenance tasks and the timing of future upgrades. Properties listed on the Victorian Heritage Register (VHR) require a Conservation Management Plan (CMP).

Adjoining Property

Missional or other church property can be impacted by work on adjoining properties. This also applies to developments undertaken by the church which have the potential to impact surrounding neighbours. This is known as Protection Works and is only required when a Registered Building Surveyor determines that it is necessary.

Legislation sets out the obligations to **Protection Works** between owners and adjoining owners which includes:

- ▶ Prior to work being carried out the owner of the property where the building work is to be performed must supply an agreed contract of insurance against potential damage caused to an adjoining owner's property.
- ▶ The owner of the property must undertake a dilapidation survey of the adjoining property as a record of all existing cracks and defects. The dilapidation survey must be signed as an agreed record prior to the commencement of any protection works.
- ▶ Where works involve demolition and/or removal of hazardous materials, in particular asbestos, the owner of the property must undertake the OHS Regulations Division 7 duties to inform the adjoining owner not less than 14 days prior to the licensed asbestos removal work.

Further advice on town planning and building legislation can be obtained from Property Services.

Standards and Matters Relating to the Maintenance of Fire Safety and Safety Measures

Missional buildings share a common obligation to maintaining a safe environment. It is necessary to identify, plan for and remedy safety risks. If the missional building is located in a designated bushfire area further advice can be obtained from the Synod OHS Safety Officer



about a bushfire plan.

Accreditation of Building Products, Construction Methods, Designs, Components

As a result of significant building-related events, some involving loss of life, it is necessary for legislators to be proactive from the learnings and improve the standards of building safety in the community. It can be expected that greater attention will be given to the standard of building materials relating to fire safety, inadequate design and poor building practices.

Property Services monitors changes to building codes and standards to ensure congregations receive current advice.

Prescribed Qualification and Other Matters Relating to Certification of Building Works

Building legislation requires architects, building designers, engineers and building contractors to be registered. A designer must hold Professional Indemnity Insurance in order to undertake design work. Property Services can assist with the commercial engagement of suitably qualified consultants and building contractors.

Arranging a building surveyor's Compliance Audit on existing missional buildings is an essential first step to identify upgrades and any outstanding compliance issues before the design process can begin.

It is essential to obtain a **Building Permit** for any work involving alterations or additions to structures including but not limited to changes in timber framing (roof or wall), brickwork or

stone, construction of ramps, retaining walls, damp proof coursing and verandas.

Building legislation requires that a design must meet the obligations to the National Construction Code (NCC) and relevant Australian standards. It is necessary for designers to incorporate disability access and egress obligations in all designs.

► A **'Statement of Design Compliance'** should be obtained from all design consultancy services including architecture, engineering or other design services establishing that their design complies to the regulatory obligations.

► A **'Registered Commercial Builder'** is a building practitioner licensed to carry out works upon Class 9b buildings which includes churches and halls. Property Services is able to assist church councils having difficulty identifying registered commercial builders to undertake building works.

Help is Available

Property Services is committed to supporting church councils and presbyteries in the delivery of successful building and maintenance projects to meet the church's mission requirements.

