FRAME INSPECTION REPORT & DEFECTS LIST

DETAILS REMOVED FOR PRIVACY REASONS

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CLIENT & PROPERTY DETAILS

Client Name(s):
Subject Property:
Builder:

DETAILS REMOVED FOR PRIVACY REASONS

INSPECTION & REPORT DETAILS

Inspection Date:
Inspection Time:
Stage of Works:
Date of this Report:

DETAILS REMOVED FOR PRIVACY REASONS

INSPECTION NOTES

At the time of this inspection, we note the following;

1. Several window and door frames had not yet been installed.
2. There was a perimeter walkway scaffold installed, which will require the walls be re-checked for plumb at a future inspection.
3. There were temporary braces fitted to the walls, which will require the walls be re-checked for plumb at a future inspection.
4. The lower roof frame at the rear of the home had not been constructed.

REPORT PURPOSE

The purpose of this inspection and report is to check on the progress of works and quality of workmanship at the specified construction stage and to identify defects or faults in the new construction that do not reach an acceptable standard of quality, or have not been built in a proper workmanlike manner in relation to the Building Act & Regulations, the Building Code of Australia (BCA), any relevant Australian Standard, any manufacturer's installation instruction or the acceptable standards & tolerances as set down by the Victorian Building Authority (VBA). The results of this inspection are in the Schedule of Building Defects table section.

GENERAL

This report is the result of a visual inspection only and is intended to provide a reasonable confirmation of the progress and quality of the works to date and to note items that may need attention by the builder to ensure satisfactory quality of workmanship. This report is not to be read as an instruction to the builder.

Should the reader of this report have any questions in relation to the items set out within it, please do not hesitate to contact me.

Yours faithfully,

SCHEDULE OF BUILDING DEFECTS

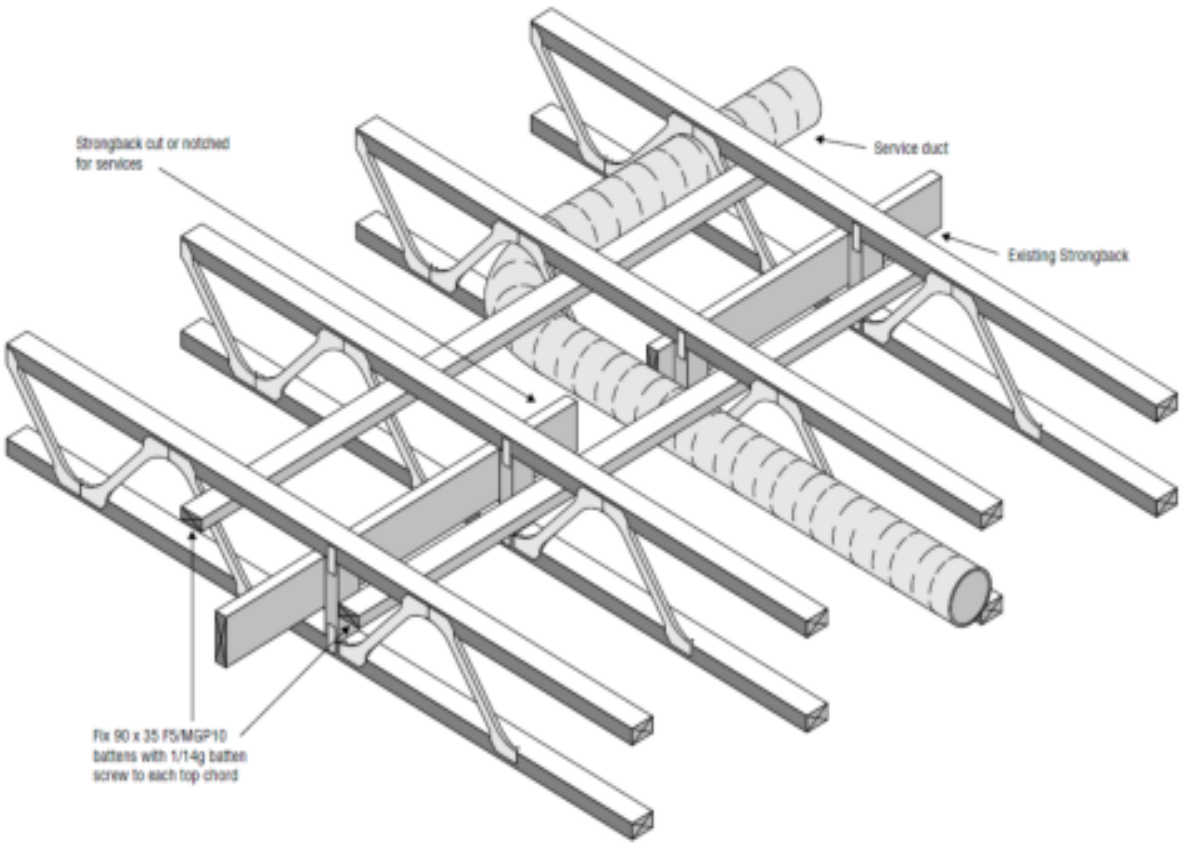
The following is a list of newly identified defects that exist in the finishes and the quality of those finishes, for which rectification can reasonably be expected to be the responsibility of the builder.

1. Posi Truss Strongback Cut

The strongbacks have been cut for services to run through, without any additional framework installed.
Area: Laundry in 2 x areas

The manufacturer states that ***'Strongbacks significantly dampen vibrations and increase the stiffness of the floor system. The performance of the floor depends very much on the proper installation of Strongbacks'***.

The manufacturer has a modification detail for this, which states ***'Where a strongback has to be cut (or notched) to run a service duct through it, a compensating pair of 90x35 F5/MGP10 battens may be fixed to the underside of the top chord, on each side of the strongback, as shown below. The battens should extend across 3 PosiStrut spacings. Multiple cuts in a strongback should not be less than 3 PosiStrut spacings apart, or additional measures will be required.'***.



The additional battens must be installed, or the manufacturer contacted to provide a proper solution.

2. Door Sill Flashing

The timber door frames have not had a sill flashing installed in accordance with the requirements of Part 3.5.3.6 Flashings to Wall Openings of the Building Code of Australia (BCA), which will allow water to penetrate in under it into the finished floor.

Area: Entry

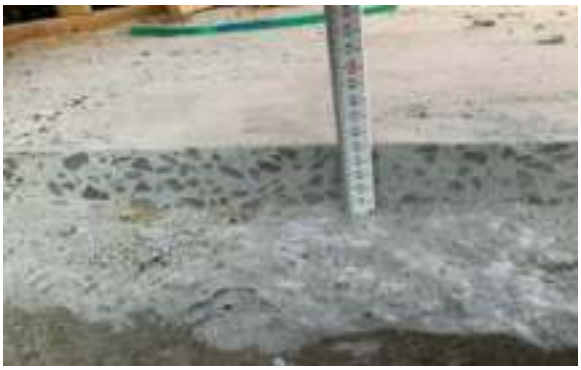
The Victorian Building Authority's Guide to Standards and Tolerances clause 8.02 Weather-tightness of windows, doors, and window and door frames states that ***'Windows and doors are defective if they are not sealed in accordance with the requirements of the Building Code of Australia'***.

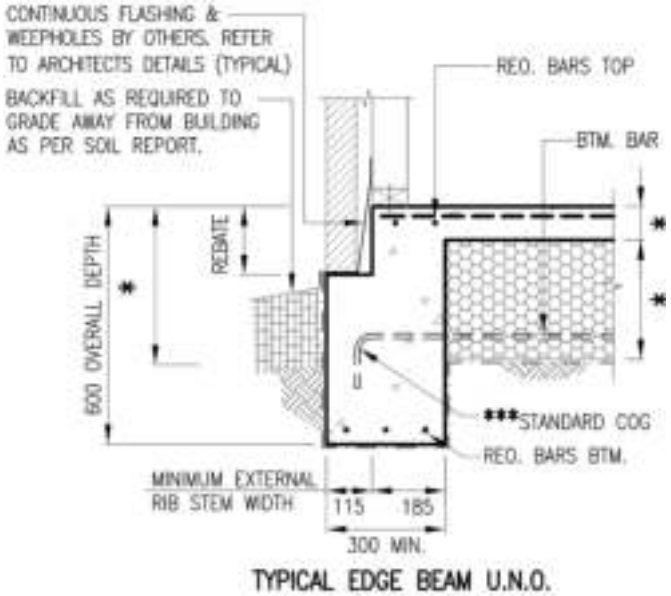
The frame will now have to be removed and the sill properly flashed before it is re-installed with attention paid to the flashing beings turned down into the cavity.

3. Concrete Chase Cut

The top of the floor slab in Rear beam under door frame has been cut/chased, which would have either exposed or cut away the steel reinforcement mesh from within it, compromising the slab's integrity.

Area: Rear beam under door frame



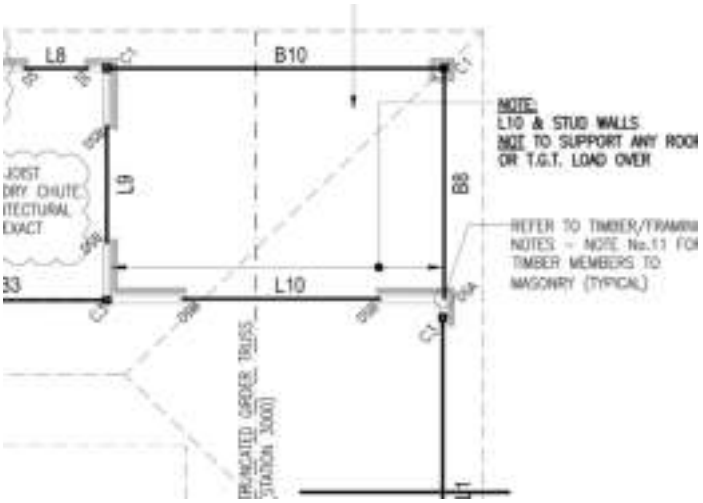


TYPICAL EDGE BEAM U.N.O.

The builder must have the original design engineer inspect and make recommendations on the acceptability of these cuts to ensure the slab's long-term performance. The owner should request a copy of the engineer's comments and/or recommendations and ensure that any rectification work is carried out under the supervision and approval of the building surveyor.

4. Engineering Item

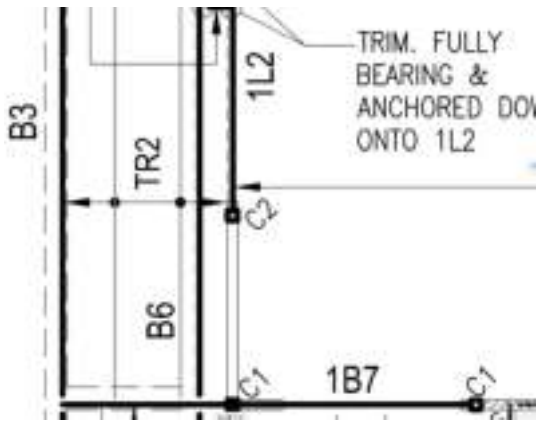
The wall frame and lintel over the living room sliding door frame has been constructed with a double top plate (ribbon plate) which will be supporting roof truss load, despite the note on the engineering drawings stating that it must not carry any load.



This must be rectified prior to works in this area proceeding any further.

5. Column Nuts Loose

The nuts on the "C2"column in the study have not been properly tightened.



This must be rectified prior to works in this area proceeding any further.

6. Engineering Brace Item

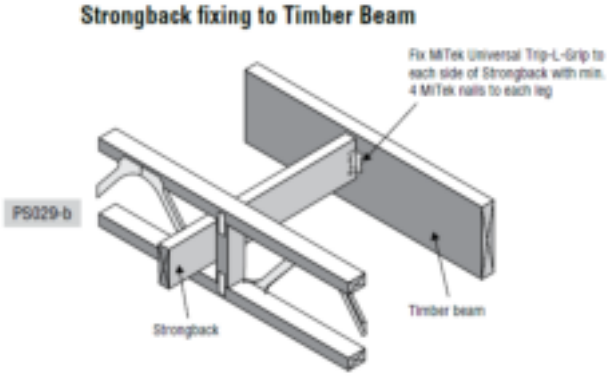
The bracing has not been constructed as detailed on the engineering drawings.
Area: The ceiling braces specified over the study & laundry areas have not been installed.

This will need to be re-constructed on site to reflect the designed requirements of the approved drawings, or otherwise be re-designed and certified by the original design engineer. The building permit may also need to be amended by the relevant building surveyor to reflect the changes to the approved drawings.

7. Posi Truss Strongback to Beam

The strongbacks have not been properly fixed to the timber beams.
Area: Study

The manufacturer states that ***'Strongbacks significantly dampen vibrations and increase the stiffness of the floor system. The performance of the floor depends very much on the proper installation of Strongbacks'***.



The strongback must be properly fixed in accordance with the manufacturer's instructions to ensure the performance of the floor frame system.

8. Flooring Not Supported

The flooring in this area has an unsupported join in it.
Area: Bathroom shower step-down over laundry area

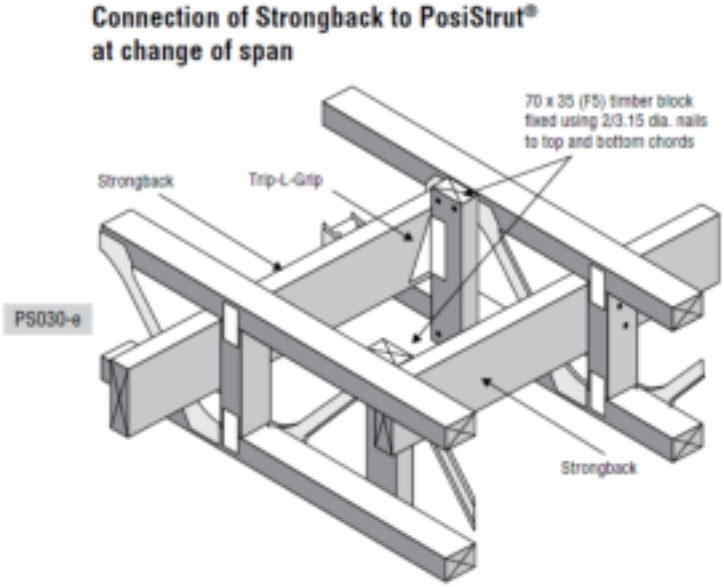
The relevant Australian Standard AS 1860.2 Particleboard Flooring – Installation in section 9.1 Panel Installation – General Requirements states that ***'Square edge joints shall be butted centrally over joists or trimmers'***.

The builder will need to provide solid blocking/trimmers to support this flooring.

9. Posi Truss Strongback Span Change

The strongbacks have not been properly connected to the joists at the span changes.
Area: Study & kitchen

The manufacturer states that ***'Strongbacks significantly dampen vibrations and increase the stiffness of the floor system. The performance of the floor depends very much on the proper installation of Strongbacks'***.



The strongback must be properly fixed in accordance with the manufacturer's instructions to ensure the performance of the floor frame system.

10. Plaster Stud Steel Column

The steel columns have not all been installed to allow for the fixing of the future plasterboard sheets at 300mm centres along the external corners.

Area: Rumpus

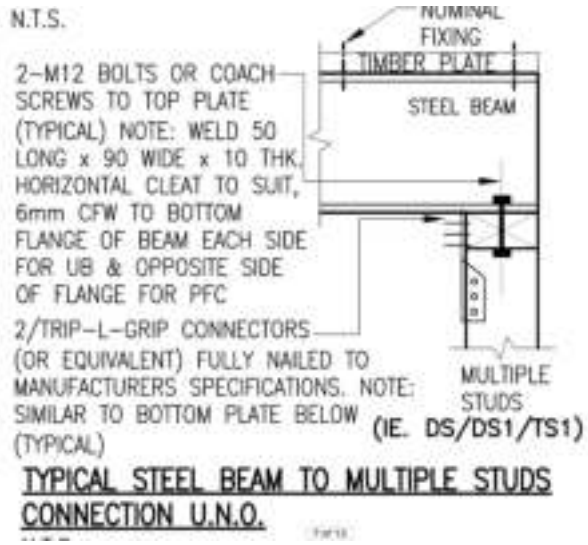
The relevant Australian Standard AS 2589.1 Gypsum Linings in Residential and Light Commercial Construction – Application and Finishing, clause 7.6.2 Spacing, requires that ***'Plasterboard shall be fastened at a maximum of 300mm centres for internal angles, external corners and around openings'***.

This column should have been set back to allow framing members to be attached, to properly support the plasterboard joint at the corners. As the plaster doesn't have the correct support for fixings at 300mm centres, future cracking of the plasterboard in this area is very possible, and should be the ongoing responsibility of the builder into the future, beyond ordinary warranty periods, unless properly addressed.

11. Engineering Connection Incorrect

This engineered connection has not been constructed as detailed on the engineering drawings.

Area: "1B5" to wall in master suite



This will need to be re-constructed on site to reflect the designed requirements of the approved drawings, or otherwise be re-designed and certified by the original design engineer. The building permit may also need to be amended by the relevant building surveyor to reflect the changes to the approved drawings.

12. Bottom Plate Unsupported Join

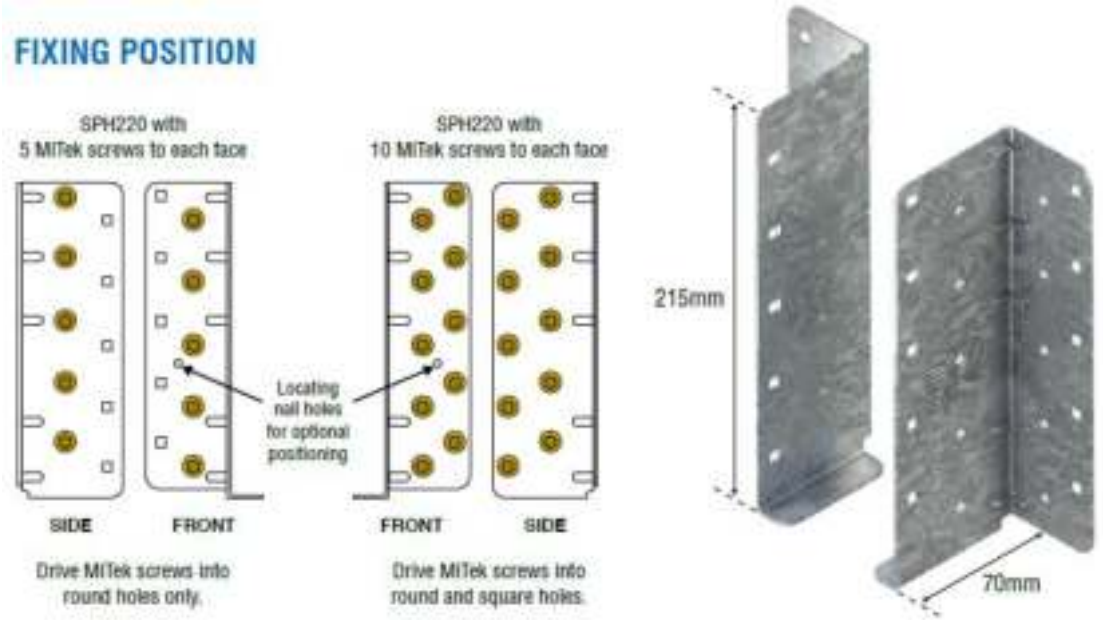
There are joins in the bottom plates that have not been supported by a joist or solid blocking.
Area: Above ensuite window

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction, clause 6.2.2.2 Bottom Plates states ***'Bottom plates may be butt-jointed provided both ends are fixed and supported by floor joists, solid blocking or a concrete slab'***.

This bottom plate join must be properly supported to comply with the above standard.

13. Split Hanger Missing

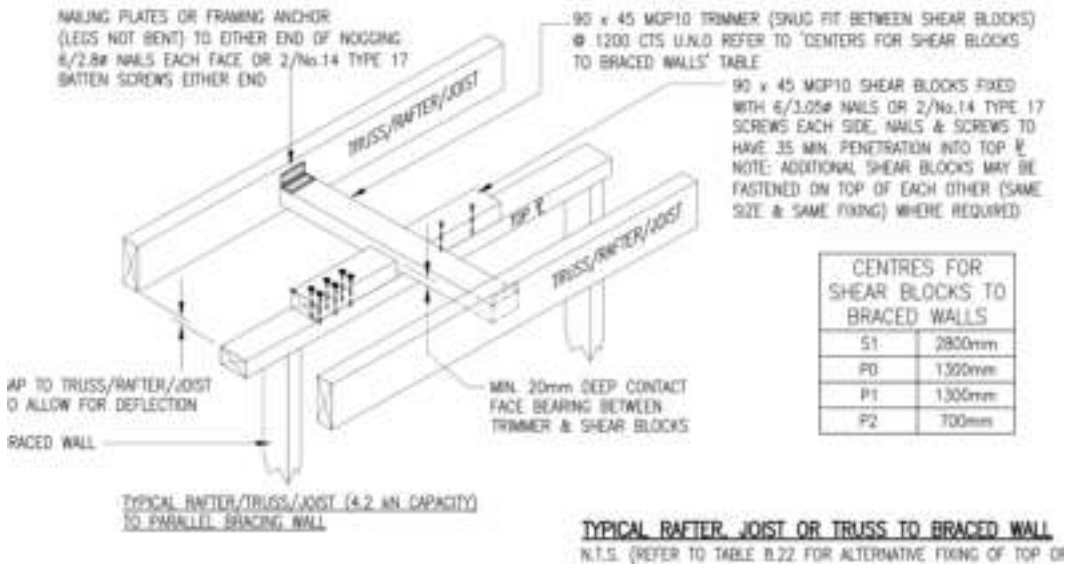
There is a split hanger missing on the floor frame.
Area: Stairwell beam should have bracket on both sides



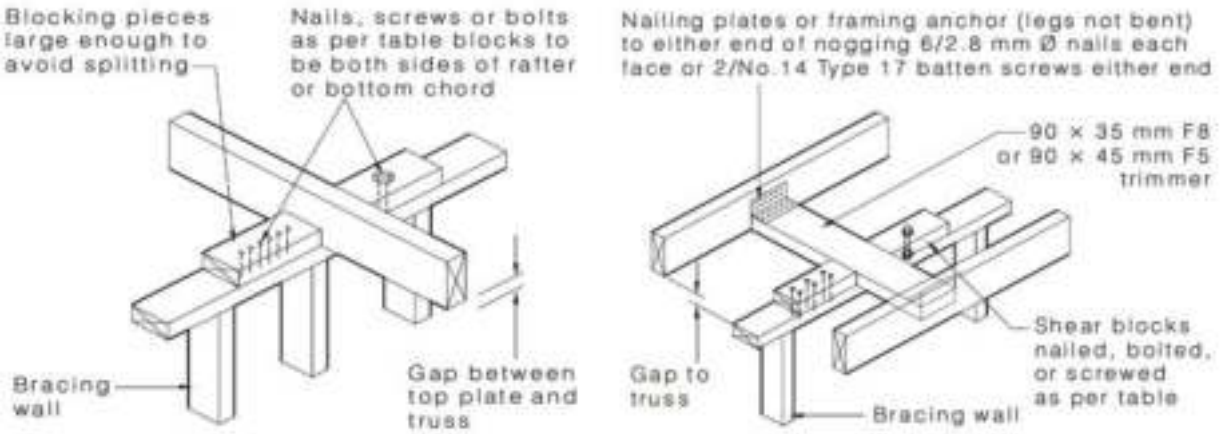
This must be immediately installed to prevent the floor frame from possible failure.

14. Shear Block Missing

There are shear blocks missing over internal braced walls throughout this home.
Area: Study/laundry wall



The relevant Australian Standard AS 1684 Residential Timber-Framed Construction, clause 8.3.6.9 Fixing of Top of Bracing Walls states that ***'All internal bracing walls shall be fixed to the floor of lower storey bracing walls, the ceiling or roof frame, and/or the external wall frame, with structural connections of equivalent shear capacity to the bracing capacity of that particular bracing wall'***.



These missing structural connections must be properly installed to the tops of the internal braced walls in accordance with AS 1684.

15. Nogging Short

There are noggings between the wall studs that are short, allowing the studs to move behind the plaster sheeting, which could lead to the future cracking of the plaster joints.

Area: Entry/Master wall

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction – Simplified, clause 6.2.1.5 Nogging, states ***'Wall studs shall have continuous rows of noggings, located on flat or on edge, at 1350mm maximum centres'.***

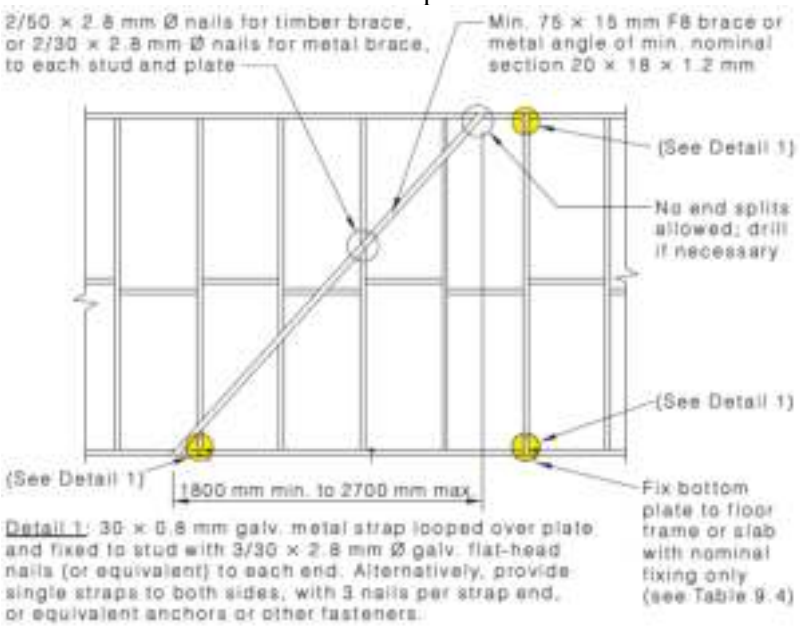
All of these wall noggings must be properly installed to be tight between the studs.

16. Angle Brace Nailing

The angle bracing has only been fixed to the studs with one nail (or none).

Area: Top of entry coat cupboard wall

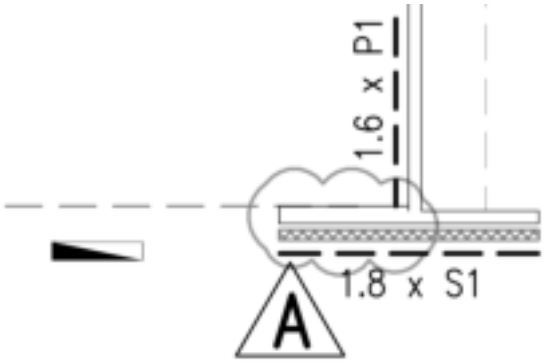
It is a requirement of Australian Standard, AS 1684 Residential Timber-Framed Construction, that there be a minimum of 2/30 x 2.8mm nails to each stud and plate.



There must be additional nails installed in accordance with AS 1684.

17. Engineering Brace Missing

The bracing detailed on the engineering drawings has not been installed as specified.
Area: "S1" brace missing to master/WIR external wall



This will need to be re-constructed on site to reflect the designed requirements of the approved drawings, or otherwise be re-designed and certified by the original design engineer. The building permit may also need to be amended by the relevant building surveyor to reflect the changes to the approved drawings.

18. Nogging Alignment

There are wall noggings that are offset or staggered from the ones beside it by up to 500mm.
Area: Laundry

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction, clause 6.2.1.5 Nogging, states ***'Noggings may be installed anywhere in the depth of the stud. Stagger in the row of noggings shall be not greater than 150mm'***.

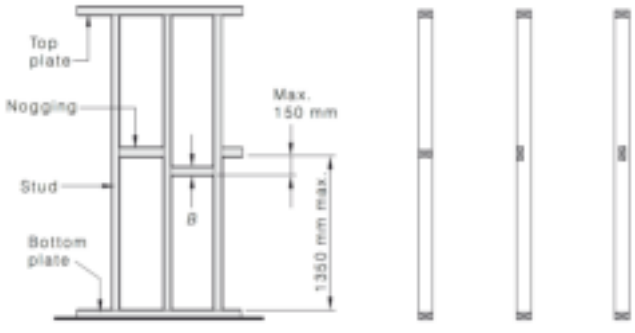
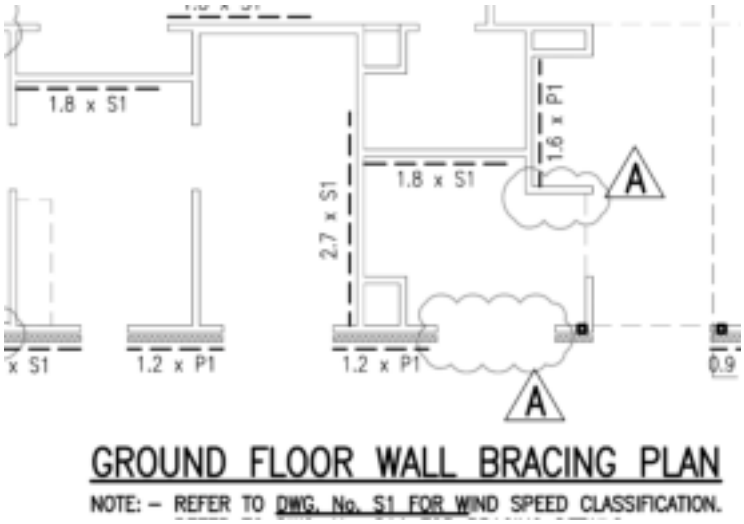


FIGURE 6.6 NOGGING

These noggings must be correctly aligned with the abutting ones in accordance with above.

19. Engineering Brace Missing

The bracing detailed on the engineering drawings has not been installed as specified.
Area: "S1" brace missing to Ensuite/pantry wall



GROUND FLOOR WALL BRACING PLAN

NOTE: – REFER TO DWG. No. S1 FOR WIND SPEED CLASSIFICATION.

This will need to be re-constructed on site to reflect the designed requirements of the approved drawings, or otherwise be re-designed and certified by the original design engineer. The building permit may also need to be amended by the relevant building surveyor to reflect the changes to the approved drawings.

20. Nogging Missing

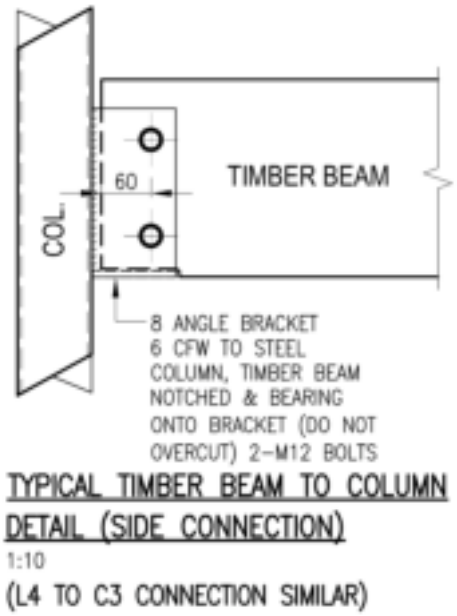
There is a nogging missing between the wall studs, allowing the studs to move behind the plaster sheeting, which could lead to the future cracking of the plaster joints.
Area: Laundry void

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction – Simplified, clause 6.2.1.5 Nogging, states ***'Wall studs shall have continuous rows of noggings, located on flat or on edge, at 1350mm maximum centres'.***

All missing wall noggings must be properly installed.

21. Engineering Beam Not Bolted

The steel beam has not been bolted as detailed on the engineering drawings.
Area: "L4" lintel over kitchen window



This will need to be re-constructed on site to reflect the designed requirements of the approved drawings, or otherwise be re-designed and certified by the original design engineer. The building permit may also need to be amended by the relevant building surveyor to reflect the changes to the approved drawings.

22. Pipe Movement in Frame

The water pipes need to have silicone or similar installed into the frame holes around the pipe to prevent movement and possible water hammer.
Area: Laundry trough area

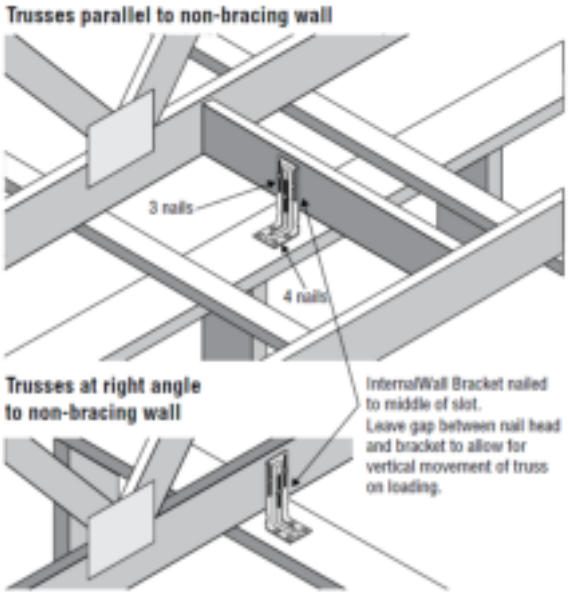
The relevant Australian Standard AS 3500 Plumbing and Drainage, Part 1: Water Services, clause 5.4.2 Concealed piping, states that ***'Where uninsulated pipes are used, a collar of lagging material or a neutral cure silicone sealant shall be used to fill the annular space'***.

All pipes that run through the frame must be fully secured in accordance with AS 3500.

23. L Bracket Spacing

There are internal L-brackets that have been spaced at greater than the allowable 1800mm centres.
Area: Replace bolts with 'L' brackets on WIR/Ensuite wall

The truss manufacturers installation instructions state that ***'If internal or non-load bearing walls are not designed as bracing walls, fix the truss with the Internal Wall Bracket with nails to middle of slots to allow for truss settlement as it is loaded. Brackets are fixed at 1.8m centres along unsupported sections of the wall. Where trusses are parallel to walls, trim between the bottom chords and fix brackets to the trimmer'***.



Additional brackets will have to be installed along these walls so that they are all spaced at no greater than 1800mm centres.

24. Flooring Not Screwed

The flooring throughout this home has only been nailed, not screwed to the floor joists. I note that the builder may have intended to screw these flooring sheets at a later stage, which is not un-common.

The relevant Australian Standard, AS 1860.2 Particleboard Flooring - Installation, clause 10.4 Screws states that ***'If particleboard flooring is fixed to I-beam and truss joists, screws (not nails) should be used'***.

These sheets will need to have screws properly installed to the joists at no greater than 150mm centres on their ends, and 300mm centres on intermediate joists as required by AS 1860.2 and AS 1684.

25. Single Span Flooring

There are areas in the flooring where there is a single span sheet of chipboard flooring only supported by two joists (one spacing), and there has not been any additional framing installed to properly support them.

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction, clause 5.5.4.2 Particleboard Laying states that ***'Sheets shall span not less than two floor joist spacings'***.

Although this sheet should not be installed in this manner at all, Australian Standard AS 1860.2 Particleboard Flooring - Installation, clause 9.1 Panel Installation, requires that ***'Where possible, each panel shall be supported by not less than three joists. Where this arrangement is not possible, or where small insert-panels are necessary for finishing off the floor area, panels spanning only two joists shall be additionally supported by a trimmer, not less than 70 mm × 35 mm, fixed between these two joists to support the middle of the panel (see Figure 3)'***.

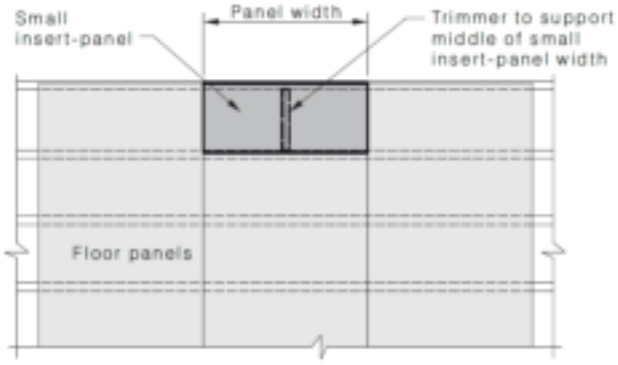


FIGURE 3 PANEL SPANNING TWO JOISTS ONLY—
TRIMMER TO SUPPORT MIDDLE OF PANEL

Therefore, these areas must have a trimmer installed between the floor joists to properly support the flooring sheets as required by AS 1860.2

26. Nogging Missing

There is a nogging missing between the wall studs, allowing the studs to move behind the plaster sheeting, which could lead to the future cracking of the plaster joints.

Area: Leisure front wall

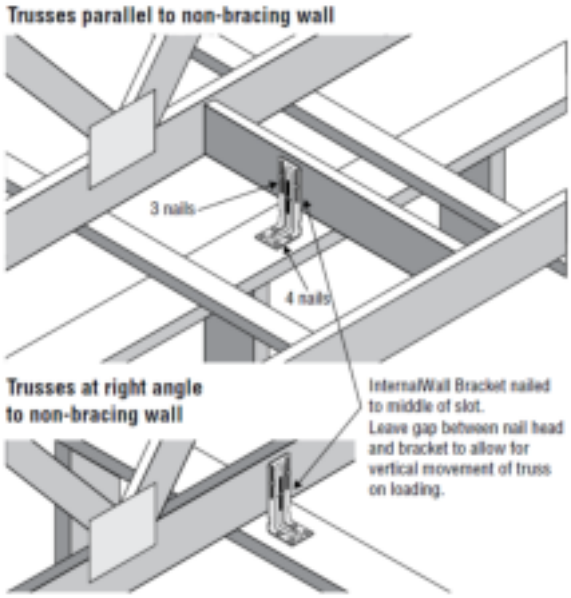
The relevant Australian Standard AS 1684 Residential Timber-Framed Construction – Simplified, clause 6.2.1.5 Nogging, states ***'Wall studs shall have continuous rows of noggings, located on flat or on edge, at 1350mm maximum centres'.***

All missing wall noggings must be properly installed.

27. L Bracket Spacing

There are internal L-brackets that have been spaced at greater than the allowable 1800mm centres.
Area: Replace bolts with 'L' brackets on Laundry linen wall

The truss manufacturers installation instructions state that ***'If internal or non-load bearing walls are not designed as bracing walls, fix the truss with the Internal Wall Bracket with nails to middle of slots to allow for truss settlement as it is loaded. Brackets are fixed at 1.8m centres along unsupported sections of the wall. Where trusses are parallel to walls, trim between the bottom chords and fix brackets to the trimmer'***.



Additional brackets will have to be installed along these walls so that they are all spaced at no greater than 1800mm centres.

28. Nogging Missing

There is a nogging missing between the wall studs, allowing the studs to move behind the plaster sheeting, which could lead to the future cracking of the plaster joints.
Area: Bathroom external wall

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction – Simplified, clause 6.2.1.5 Nogging, states ***'Wall studs shall have continuous rows of noggings, located on flat or on edge, at 1350mm maximum centres'.***

All missing wall noggings must be properly installed.

29. Lintel Non-Loadbearing Wall

There are non-loadbearing walls with an opening greater than 1.8m wide that don't contain a lintel.
Area: Bed 2 & 3 robes

It is a requirement of Australian Standard AS 1684 Residential Timber-Framed Construction, clause 6.3.6.5 Lintels in Non-Loadbearing Internal Walls that ***'Where wall openings wider than 1800mm occur in non-loadbearing walls, a lintel shall be provided and the size of the lintel shall be determined from Span Table 23'***.

AS 1684.2 N1/N2 SUPP. 4 - 2010 Wind classification N1/N2 – Seasoned softwood – Stress grade MGP 10

TABLE 23 HANGING BEAMS – Supporting ceiling loads

Size DxB (mm)	Ceiling Load Width (mm)							
	1800	2400	3000	3600	4200	4800	5400	6000
	Maximum Beam Span (mm)							
90x35	1400	1300	1300	1200	1200	1100	1100	1000
90x45	1900	1700	1600	1500	1400	1400	1300	1200
120x35	2600	2200	2000	1900	1800	1700	1600	1600
120x45	3000	2700	2400	2200	2100	2000	1800	1800
140x35	3200	2900	2600	2400	2200	2100	1900	1800
140x45	3500	3100	2800	2600	2400	2300	2200	2100
170x35	3900	3500	3200	2900	2700	2500	2300	2200
170x45	4200	3800	3400	3200	3000	2800	2600	2500
190x35	4300	3900	3500	3200	3000	2700	2600	2400
190x45	4700	4200	3800	3500	3300	3100	2900	2700
240x35	5400	4900	4300	3900	3600	3300	3100	2900
240x45	5800	5200	4800	4400	4100	3800	3500	3300
290x35	6500	5600	5000	4500	4200	3900	3600	3400
290x45	6900	6300	5600	5100	4700	4400	4100	3800

The builder must establish the correct sized lintel for this opening and install it into the wall in compliance with this requirement of AS 1684.

30. Downpipe Not Connected

There are downpipes that have not been fitted, continuing to direct water onto the ground adjacent to the footings, which could cause future slab heave/structural movement issues.

The builder must immediately fit downpipes to the gutters to prevent future structural movement issues.

31. Stud Holes Oversized

The wall studs have had holes of between 30-70mm drilled through the centre of their 90mm depth for the pipes and/or cables.

Area: Bathroom external wall

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction, clause 6.2.1.4 Notching, Trenching and Holes in Studs and Plates states that ***'Holes in studs and plates shall be located within the middle half of the depth and breadth of the member respectively, and that a maximum hole of 25mm in diameter may be drilled through the wide face of a stud'***.

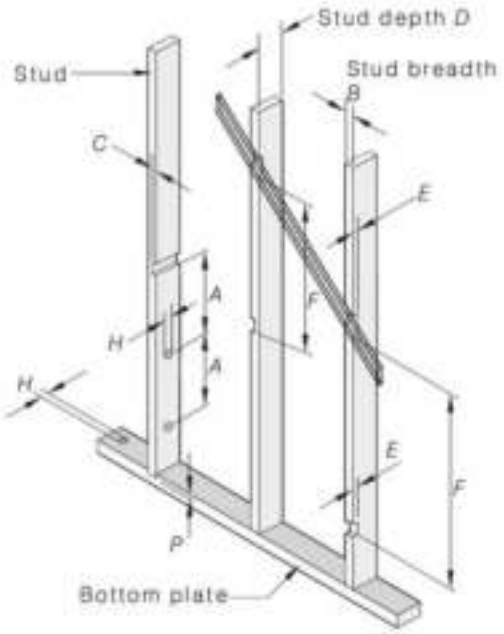


FIGURE 6.4 NOTCHING OF WALL STUDS

TABLE 6.1

HOLES AND NOTCHES IN STUDS AND PLATES

Symbol	Description	Limits	
		Notched	Not notched
A	Distance between holes and/or notches in stud breadth	Min. 3*D*	Min. 3*D*
H	Hole diameter (studs and plates)	Max. 25 mm (wide face only)	Max. 25 mm (wide face only)
C	Notch into stud breadth	Max. 10 mm	Max. 10 mm
E	Notch into stud depth	Max. 20 mm (for diagonal cut in bracing only) (see Notes 1 and 2)	Not permitted (see Note 1)
F	Distance between notches in stud depth	Min. 12*B*	N/A
P	Trenches in plates	3 mm max.	

These wall studs will have to be properly strengthened or replaced.

32. Top Plate Holes Oversized

The wall plates have had holes of between 30-70mm drilled through the centre of their 90mm depth for the pipes and/or cables.

Area: Bathroom wall for sewer vent

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction, clause 6.2.1.4 Notching, Trenching and Holes in Studs and Plates states that ***'Holes in studs and plates shall be located within the middle half of the depth and breadth of the member respectively, and that a maximum hole of 25mm in diameter may be drilled through the wide face of a plate'***. It also notes that ***'Top and bottom plates in internal non-loadbearing and non-bracing walls may be discontinuous up to 60mm (cut or drilled) to permit installation of services provided that, at the discontinuity, the plates are trimmed or otherwise reinforced either side of the discontinuity to maintain the lateral and longitudinal integrity of the wall'***.

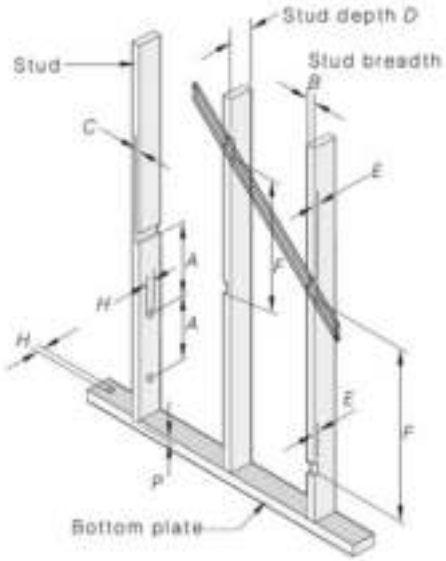


FIGURE 6.4 NOTCHING OF WALL STUDS

TABLE 6.1

HOLES AND NOTCHES IN STUDS AND PLATES

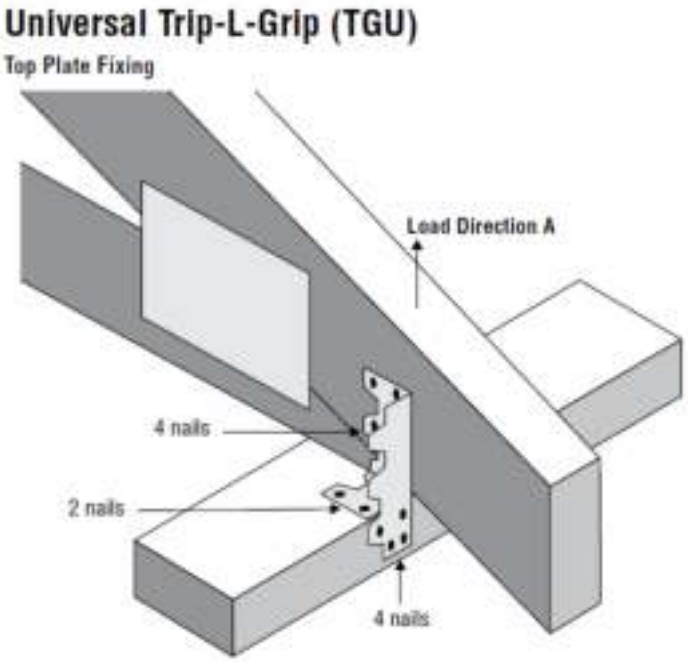
Symbol	Description	Limits	
		Notched	Not notched
A	Distance between holes and/or notches in stud breadth	Min. 3*D*	Min. 3*D*
H	Hole diameter (studs and plates)	Max. 25 mm (wide face only)	Max. 25 mm (wide face only)
C	Notch into stud breadth	Max. 10 mm	Max. 10 mm
E	Notch into stud depth	Max. 20 mm (for diagonal cut in bracing only) (see Notes 1 and 2)	Not permitted (see Note 1)
F	Distance between notches in stud depth	Min. 12*B*	N/A
P	Trenches in plates	3 mm max.	

These top plates will have to be properly strengthened or replaced.

33. Truss Tie Down (Hips)

There are trip-l-grips designed to hold down the hip roof trusses throughout this home that have been installed on their flat, which is not the correct orientation.

The truss manufacturer's installation instructions require four nails into the side of the top plates, two into the top of the top plate, and four into the side of the truss, as per their detail below;



These brackets will need to be replaced in the correct orientation, with the appropriate number of nails fitted through each section of the trip-l-grips in accordance with the truss manufacturer's requirements. Alternatively, the builder should provide the owner documentation from the truss manufacturer to confirm that the currently installed brackets are acceptable.

34. Roof Sarking Holes (Tiled Roof)

The roof sarking at the penetration of the services have not been turned back up to drainage around them properly, which will allow condensation to drip onto the ceilings.

The relevant Australian Standard AS 4200.2 Pliable Building Membranes and Underlays, Part 2: Installation Requirements states that ***'penetrations shall be either sealed or turned up to facilitate drainage around a penetration'***.

Additionally, Australian Standard AS 2050 Installation of Roof Tiles, Section 3 Installation, clause 3.1.3 Damage states that ***'Care shall be taken to avoid damaging the sarking during installation or tile-installing operations. Any tears or punctures, other than those caused by the installation of fixing over rafters, shall be repaired with a purpose-made sarking tape'***.

These penetrations/holes must be rectified in accordance with the above requirements.

35. Roof Ventilator Missing

The exhaust fans installed in the wet areas ventilate into the roof, however the roof of this home has been sarked, and there has not been a whirly-bird roof ventilator installed.

The NCC's Building Code of Australia 2016 (BCA) states in section 3.8.5.2(c) that;

> (c) An exhaust fan or other means of mechanical ventilation may be used to ventilate a *sanitary compartment*, laundry or bathroom, or where mechanical ventilation is provided in accordance with 3.8.5.3(b), provided contaminated air exhausts—
>
> (i) directly to outside the building by way of ducts; or
>
> (ii) into a roof space that—
>
> (A) is adequately ventilated by open eaves, and/or roof vents; or
>
> (B) is covered by roof tiles without sarking or similar materials which would prevent venting through gaps between the tiles.

The builder must install the roof ventilator or alternatively have all exhaust fans ducted externally.

36. Lintel Fixings

There are lintels that have not been adequately nailed to the jamb studs.

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction requires in section 9.5 Nominal Fixings that lintels are fixed through their jamb studs with at least 2/75mm nails.

Additional nails must be installed into these lintels in accordance with AS 1684.

37. Lintel Carry Stud Missing

There has not been jamb carry studs installed to the ends of the lintels over all openings.
Area: Bathroom window

It is a requirement of AS 1684 Residential Timber-Framed Construction, clause 6.3.2.3 Jamb Studs (studs at sides of openings), that ***'openings are to have 1 full-length stud on either side of the openings'***.

Additional jamb studs will have to be installed to the required ends of these lintels.

38. Nogging Short

There are noggings between the wall studs that are short, allowing the studs to move behind the plaster sheeting, which could lead to the future cracking of the plaster joints.

The relevant Australian Standard AS 1684 Residential Timber-Framed Construction – Simplified, clause 6.2.1.5 Nogging, states ***'Wall studs shall have continuous rows of noggings, located on flat or on edge, at 1350mm maximum centres'.***

All of these wall noggings must be properly installed to be tight between the studs.

39. Speedbrace Heel Detail

The diagonal speedbracing that runs across the tops of the trusses has not been fixed to the wall top plates at an angle less than 45 degrees, and the alternative fixing detail at the top plate has not been adopted.
Area: Over void near bathroom

The relevant Australian Standard, AS 4440 Installation of Nail-Plated Timber Roof Trusses, clause 4.3.8 Fixing, provides a detail outlining the method for connecting speedbrace to the top plate at the heel;

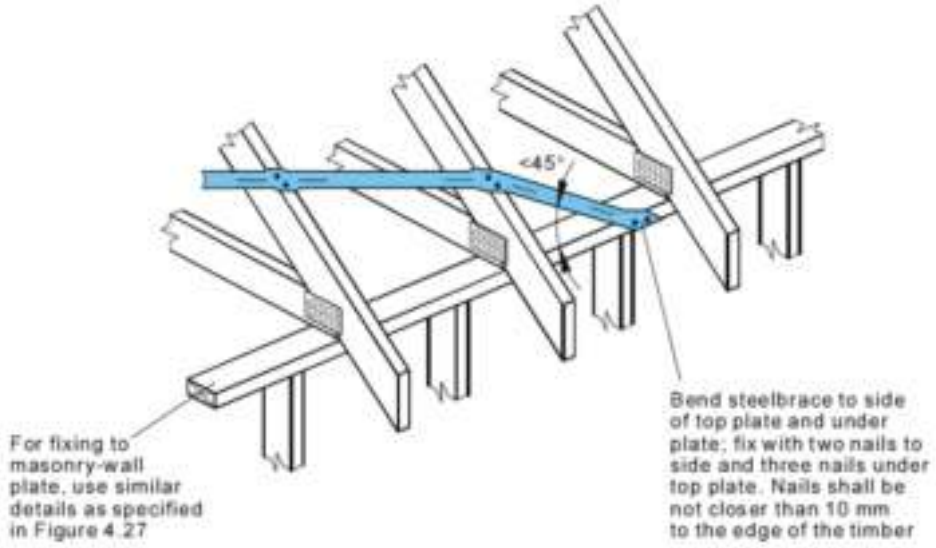


FIGURE 4.22 END FIXING DETAILS AT HEEL—TO TOP PLATE

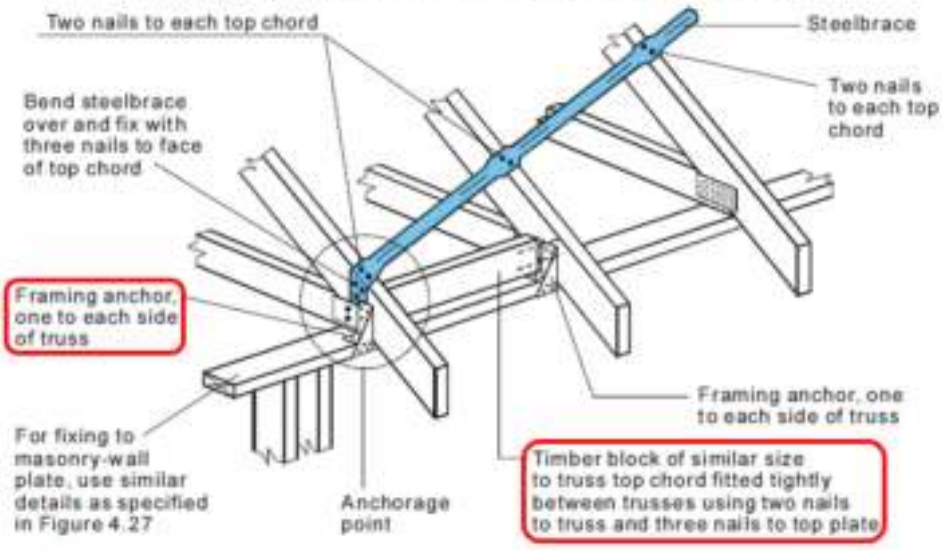


FIGURE 4.23 END FIXING DETAILS AT HEEL—TO TOP PLATE (ALTERNATIVE)

The fixing of the speedbracing must be rectified in accordance with Australian Standard AS 4440, or if this method is not achievable, then the alterative heel fixing detail shown above must be used.

BUILDER'S RESPONSIBILITY TO RECTIFY

Your Building Contract;
The building contract you have with your builder is a legally binding contract, which amongst several other things, outlines the specific details of your new home and the amount you will need to pay your builder.

Both your building contract and the Domestic Building Contracts Act (Act of Parliament in Victoria) have warranties that your builder must provide you, which in part state;

i. The builder warrants that the work will be carried out in a proper and workmanlike manner and in accordance with the plans and specifications set out in the contract.
ii. The builder warrants that the work will be carried out in accordance with, and will comply with, all laws and legal requirements including, without limiting the generality of this warranty, the Building Act and the regulations made under that Act.
iii. The builder warrants that the work will be carried out with reasonable care and skill and will be completed by the date (or within the period) specified by the contract.

These warranties mean that your builder has a contractual obligation to rectify or otherwise justify all of the identified items that breach any of your plans, specification, the NCC/BCA and all of the Australian Standards referenced within it; and must do so in a proper workmanlike manner with reasonable care and skill.

The Building Surveyor's Role;
Your builder may try to represent to you that because the building surveyor has approved a stage of works then they do not need to address any additional items identified within this report, however this is not true.
The building surveyor only operates under and ensures compliance with the Building Act, not the Domestic Building Contracts Act or your building contract, to which they are not party to. Any such representation would only be from someone that is either ill-informed or attempting to mislead you!

While the building surveyor does play a regulatory role in the process of your new home's construction, they are not the final advocate on its quality or its compliance with your building contract or the Domestic Building Contracts Act.

You should note that on completion of the construction of your home, the building surveyor will issue an Occupancy Permit, however what most people are never made aware of is that Section 46 Effects of Occupancy Permits of the Building Act clearly states that ***'An Occupancy permit is not evidence that the building or part of a building to which it applies complies with this Act or the Building Regulations'***. As a result, there is very little protection for you from the surveyor, other than knowing your home complies with the minimum regulatory requirements of the Building Act.

Nowhere in the Building Act does it state that a surveyor's approval overrides compliance with the Domestic Building Contracts Act, and vice-versa. Therefore, your builder has a regulatory obligation to comply with the Building Act and a contractual obligation to comply with the Domestic Building Contracts Act.

Completion & Final Payment;
For your builder to have reached the completion stage of your home, at which point they are entitled to receive their final payment, they must have completed all of their requirements under the Building Act and provided you with a copy of the Occupancy Permit. They must also have completed your home in a proper and workmanlike manner and in accordance with the plans and specifications; and all work performed by them must also have been carried out with reasonable care and skill.

It should be noted that until your builder has achieved full compliance with these warranties then the works remain incomplete, and the builder would not be entitled to receive final payment. The outstanding and newly-identified items documented in the schedules below must be properly addressed by your builder for your home to reach completion.

TERMS & CONDITIONS FOR THE PROVISION OF THIS REPORT

1. The Report is expressly produced for the sole use of the Client. Legal liability is limited to the Client.
2. No advice is given regarding the presence, or effect, of termites on the Property. A specialist company should be approached to provide such certification if required.
3. Any dimensions given are approximate only. Should any dimensions be considered critical or important, they should be accurately measured.
4. The Client acknowledges, and agrees that any comments contained in the Report relating to matters of an electrical or plumbing nature are based on a visual inspection only carried out by the Inspector on the day of the inspection, and should not in any way be relied upon by the Client as a substitute for obtaining expert professional advice from a licensed electrician or plumber.
5. Any charge-out rate quoted relates to normal work and is not applicable for work relating to arbitration, mediation, conciliation, expert witness, court appearance, document preparation, or any other legal application.
6. The Report comments on only those features that were reasonably visible and reasonably accessible at the time of the inspection, without recourse to viewing platforms, the removal, or moving of building components, or any other materials of any kind or any other unusual methodology.
7. We have not inspected framework or other parts of the structure/property that are covered, unexposed or inaccessible, and are therefore unable to report that any such part of the structure is free from defect.
8. Only those items in the Report that have been commented upon have been inspected. If there is no comment against an item, it has not been inspected. The Inspector gives no undertaking that they will inspect all items present on the day of the inspection.
9. This report, its layout and contents are the copyright of Correct Inspections. Any person, party or entity, other than the party named as the client on this report hereof that uses or relies upon this report without our expressed written permission is in breach of this copyright.
10. All advice given by the Inspector and not included in the Report is given in good faith. However, no responsibility is accepted for any losses, either direct or consequential, resulting from the advice.
11. The Report is confirmation of a visual inspection of the Property carried out by the Inspector on the day of the inspection and only covers those items that could reasonably be detected by such visual inspection at the time of such inspection.
12. All statutory or implied conditions and warranties are excluded to the extent permitted by law.
13. To the extent permitted by law, liability under any condition or warranty that cannot legally be excluded, is limited to supplying the Report again, or paying the cost of having the Report supplied again.
14. If the Report fails to conform in any material respect to the terms and conditions set out herein, then the Inspector is not liable unless the Client notifies the Inspector of the failure within 28 days after the date of delivery of the Report, and the liability of the Inspector is, in any case, limited to the cost of providing this inspection, and the Inspector is not liable for any consequential damage.
15. The provisions of clause 13 above are subject to the provision of any statutory condition or warranty that cannot legally be excluded.
16. Payment to the Inspector will be made at the time of inspection or prior to the supply of the report.
17. The terms and conditions contained herein constitute the entire agreement and understanding between the Client and the Inspector, on everything connected to the subject matter of the Agreement, and supersede any prior agreement or understanding or anything connected with that subject matter.
18. These are the standard terms and conditions under which we provide our service to you. When we provide you our service, we do so on the basis that these terms and conditions make up the terms of the contract between you and us, and you agree to be bound by these terms and conditions.
19. If you do not agree to be bound by these terms and conditions, then you must contact us prior to us providing you our service to advise us that you do not want to make a contract with us, and do not want us to provide our service to you.