



## ***Building Regulations 2018, Regulation 38*** **ALTERNATIVE SOLUTION FACT SHEET**

With the commencement of the Building Regulations 2018, the terms 'Alternative solution', 'Dispensation', 'Partial Compliance', 'Exemption' and 'Performance Assessments' will now be common practice in the building permit process for new buildings and additions.

Alternative Solutions are part of the building approval process used to certify the building works in relation to compliance with the *Building Code of Australia (BCA) performance provisions*.

The BCA performance requirements are the mandatory levels of compliance building work must achieve. A performance based building code allows practitioners and designers a strong degree of flexibility for innovative design, materials and solutions. A common misunderstanding in this process is the belief the *Deemed-to-Satisfy* or prescriptive requirements are the minimum compliance that all building work must be achieve, this is simply not the case.

The BCA permits an 'Alternative Solution' or 'DTS' solution can be adopted for compliance, so which one is better? The answer is "it depends on the situation". DTS solutions allow a simpler approval process with greater redundancy built in, however generally restrict design to a "one size fits all" solution. An 'Alternative Solution' approach has the advantage of being cost effective, greater flexibility, specific to the occupant characteristic and may take advantage of 'trade-offs'. On the downside 'Alternative Solutions' generally require higher levels of ongoing maintenance and changes to the way a building operates.

A simple example of an 'Alternative Solution' is the use of a foam cladding or vertical weatherboard systems. The BCA deemed-to-satisfy provisions provide no details for the use of these systems and so an alternative solution is required to verify the system will achieve the minimum levels of weatherproofing and resistance to wind loads.

It is the responsibility of the applicant or designer to provide the Building Surveyor (RBS) with documentation to enable the RBS to assess the proposed 'Alternative Solution'. The documentation to be submitted may include '*Evidence of Suitability*' such as a test report from a registered testing authority, '*Verification Method*' such as an energy report, '*Comparison to the deemed-to-satisfy*' or '*Expert Judgement*' such as an engineer's report. Where building plans are submitted that document an alternative solution such as 'polished concrete within a wet area' or 'foam cladding systems' it is important that further accompanying documents are provided that detail exactly how to construct/install and maintain the proposed 'Alternative Solution'.

Where a builder uses an 'Alternative Solution' contrary to the approved solution documents and drawings or in lieu of a deemed-to-satisfy solution it should be noted the builder can not use the building permit certification as a defence where a building dispute has arisen.

Considering the building industry is moving at a great pace and there is now more new building products on the market than ever before, one thing is for sure is 'Alternative Solutions' will become even more prevalent in the approval process.

For your next project be sure to contact **TJ Building Consultants**. Our team of disability access consultants, fire engineers and industry experts will ensure the success and innovation of your building solution.

