

LEGISLATIVE COUNCIL
Question on notice

Tuesday, 16 June 2015

3264. Hon Robin Chapple to the Minister for Commerce.

I refer to the building codes in the City of Kalgoorlie-Boulder, specific to the requirements for homes within a two kilometre vicinity of the Superpit blasting operations, and ask:

- (a) is there specific construction that is required to withstand vibration and earth movement caused by blasting of the Superpit;
- (b) if yes to (a), what percentage of homes in Kalgoorlie-Boulder, within a two kilometre perimeter of the Superpit, are of that acceptable construction;
- (c) are there specific construction types that might be common in Kalgoorlie-Boulder but would be ruled 'non-compliant' under the city's latest building codes;
- (d) during the consultation process for the expansion of the Superpit in 2008-2009, what were the building standards;
- (e) what changes to building standards has the City of Kalgoorlie-Boulder since introduced, and why;
- (f) what changes to building standards has the City of Kalgoorlie-Boulder introduced since the commencement of the Superpit construction in the late 1980s, and why;
- (g) besides blasting operations, are there any specific environmental or geological conditions in the City of Kalgoorlie-Boulder that may require a different building standard to the rest of the State of Western Australia;
- (h) are properties of approved City of Kalgoorlie-Boulder construction or amendments (through licensed builders) prior to the Superpit now illegal; and
- (i) what changes does the City of Kalgoorlie-Boulder require of properties that meets standards pre-dating the Superpit, prior to sale?

Answer

In 1989 Western Australia adopted the national Building Code of Australia which applies throughout the state. The Building Code of Australia is a uniform set of technical provisions for the design and construction of buildings and other structures throughout Australia that allows for variations in climate and geological or geographic conditions. In general building legislation does not contain retrospective requirements for an existing building to be upgraded to current standards if there are no changes proposed to the building. This general information forms the basis of the response to the questions on notice as below:-

- (a) The Building Code of Australia does not specify construction requirements to withstand vibration and earth movement such as those caused by blasting of the Superpit.
- (b) N/A
- (c) Under building legislation compliance with current building standards is not retrospective, except for residential buildings to comply with smoke alarm requirements.
- (d) The Building Code of Australia as amended from time to time.

- (e) The Building Code of Australia and its referenced standards are developed nationally and from time to time are amended or modified. These are introduced under state law and not by the City of Kalgoorlie – Boulder.
- (f) Adoption of the national Building Code of Australia in 1989 removed the need for the City of Kalgoorlie – Boulder to introduce building standards.
- (g) The Building Code of Australia considers variations in climate and geological or geographic conditions and requires any proposed new building to be designed and constructed in a manner that meets the specific conditions that apply to the site, such the risk of high winds and earthquake events appropriate for that site. This is not unique to the City of Kalgoorlie – Boulder.
- (h)-(i) See (c)

Chris Schui