

# Tasmanian Renewable Energy Presentations

## Work approvals process photo-voltaic solar panels

### Current regulatory system

Installation of photo-voltaic solar panels is an “addition to a building” and therefore under the Building Act 2016 is a type of electrical work that requires a building approval.

Currently under the Building Act 2000 there is one approval process- applying for a *building permit*.

However photo-voltaic solar panels have been treated in this manner:

- Panel installation below a certain size (38m<sup>2</sup>), and meeting other installation criteria – have been exempted from a building permit.
- Over that exempt size – may be treated as a “minor alteration” under the current Building Act, and involves a building surveyor advising the council of the work, but no application for a building permit.

### New Act

- New approach does away with simple division between “permit” and “exempt” work.
- Instead it introduces the three broad “Risk Based” categories.

### Where do solar panels now fit in?

The photo voltaic panel installations that are currently “exempt” from a permit are converted to become work that is “Low Risk Work” and may be performed for the owner by a competent person (a licensed electrician is such a person)

- No building permit required
- No engagement of a building surveyor required.
- Engagement of competent person to perform work
- “Building Work” components (fixing of the panels) must meet the NCC/ Australian Standards.
- Reference: Director’s Determination of categories of Building or Demolition Work (draft) clause 1.1.13

Installations above sizes permitted for "Low Risk Work"

Solar panels that are larger than 38m<sup>2</sup>, or inclined on stands, or close to roof edges, etc., are "Notifiable Work" and require the formal approval of a building surveyor.

In that case that work is unlimited in its scope (area, installation criteria)

There are issues to consider by the building surveyor such as:

1. Live loading (wind uplift)
2. Dead loading (weight of panels on roof trusses).
  - No building permit required
  - An engagement of a building surveyor is however required.
  - Engagement of a licensed electrical contractor for electrical work
  - Engagement of competent person to perform any building work (may be supervised by the electrician)
  - "Building Work" components (fixing of the panels) must meet the NCC/ Australian Standards.
  - Reference: Director's Determination of categories of Building or Demolition Work (draft) clause 3.0.1

## Two - Approvals of energy efficient heated water services

Currently

- such energy efficient systems exempt from a plumbing permit.
- required to be installed by a licensed plumber.

Under the new system

- that work is governed by the Director's Determination of Categories of Plumbing Work
- New heated and cold water reticulation including water heaters (all types of building) is required to be notified to the council plumbing permit authority pre-construction or installation.
- Reference: Clause 3.3.5 of the draft Determination.

Replacement heated water services

- New HWC installation (in a new location) in all Classes of buildings, *from an existing service*,
- Requires a mandatory Notification to the Plumbing Permit Authority when work is completed only

Reference Clause 2.3.1 of the draft Determination.

## Three - Contracts

Application of new consumer laws (*Residential Building Work Contracts and Dispute Resolution Act 2016*) to the work of electrical and plumbing contractors.

The Act regulates the contract between the owner and the "building contractor" for new work, improvements of residential premises.

A "building contractor" means a person who performs, has performed, or intends to perform, residential building work;

- It applies to work of \$20,000 or more
- Note that the very wide definition of the types of work covered by that Act will include performance of electrical or plumbing work of \$20,000 where those "building contractors" are dealing directly with the owner.
- This means that for electricians installing solar panels or plumbers for plumbing installations, and the cost is \$20K or more -
  - Then they are a "Building Contractor" and
  - a written contract will have to be entered that complies with the Act.

Reference section 6(2) of the Act:

It provides that the following work is residential building work

- the restoration, maintenance, renovation, alteration, extension, improvement or repair of a residential building;
- all associated work carried out in conjunction with work referred to in paragraph ((c) including, but not limited to –
- the provision, installation, alteration, repair or removal, of all, or a part of, a relevant system in relation to the residential building and

“relevant system” includes any of the following:

- a system for lighting, heating, ventilation, air conditioning or cooling;
- a power supply system;
- a sewerage, water supply, or drainage, system;
- a plumbing system;