

14 December 2021

State Coroner Paresa Spanos
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Dear Coroner Spanos,

VICTORIAN BUILDING AUTHORITY RESPONSE TO THE FINDING WITH INQUEST INTO THE DEATHS OF CHERYL TAYLOR AND SARAH KAJOBA – COR 2017 006326 AND COR 2017 006330

I refer to the letter sent to the Victorian Building Authority (VBA) by the Coroners Court dated the 15 September 2021, enclosing a copy of your Finding into the deaths of Cheryl Taylor and Sarah Kajoba with inquest.

The VBA's response to each of the recommendations is set out below.

Recommendation 1

That the VBA promotes among registered builders and building surveyors a practice of ensuring that balconies associated with residential premises are subject to mandatory inspections at either the frame stage or at the final stage and that the inspection is specifically directed to the compliance of the balcony with currently applicable standards.

The Coroner's recommendation will be implemented by the VBA.

The VBA will implement this recommendation through the ongoing reviews, updates to training, education and associated materials to further strengthen guidance for registered builders and building surveyors.

Recommendation 2

That the VBA continues its efforts to improve public awareness of the need for regular inspections and competent maintenance of balconies, particularly where they are of timber construction or have timber structural members.

The Coroner's recommendation will be implemented by the VBA.

The VBA will continue to implement this recommendation through consumer alerts and media releases, particularly when balconies are subject to increased useage, such as in the lead up to the summer months.

The VBA also refers members of the public to existing [website information](#) on balcony, deck and balustrade maintenance.

Recommendation 3

That the VBA continues its efforts to develop a specific standard addressing the design and durability of exposed structures in response to the 2018 paper referred to it by the Chair of the Building Regulations Advisory Committee.

This recommendation is unable to be implemented by the VBA.

The Australian Building Codes Board (ABCB) is the body responsible for writing the National Construction Code (NCC).

The VBA wrote to the ABCB on 22 November 2021, advising them of the Findings into the deaths of Cheryl Taylor and Sarah Kajoba with inquest and in particular this recommendation 3. The VBA requested that the ABCB consider the development of these additional provisions for inclusion into future editions of the NCC.

Recommendation 4

That the VBA considers developing a system for:

- a. the certification of newly constructed balconies as to their maximum distributed load capacity.*
- b. requiring an alert to all users of newly constructed balconies in the form of signage to be permanently affixed to the balcony with an appropriately worded alert to owners and occupiers not to exceed that capacity and to be mindful of the need for regular inspection and competent maintenance.*

The Coroner's recommendation is unable to be implemented by the VBA.

The VBA is a regulator and is not responsible for the development of amendments to Legislation or Regulations. This recommendation should therefore sit with the Department of Land, Environment, Water and Planning (DELWP). The VBA has briefed DELWP to assist their further consideration.

Yours sincerely



Andrew Cialini
State Building Surveyor