

Building Act 2016

Director's Determination – Building Product Accreditation – High Risk Building Products

I, Dale Edward Webster, in my capacity as Director of Building Control, and acting pursuant to sections 18 and 20(1)(d) of the *Building Act*, hereby make the following Determination.

Determination title	Building Product Accreditation – High Risk Building Products
Description	For the purposes of section 20(1)(d) of the <i>Building Act 2016</i> (the Act), this Determination specifies the processes and requirements for applying for Building Product Accreditation for certain High Risk Products for use in Tasmania.
Version	Version 1.0 27 December 2017
Application	For the purposes of section 20(1)(d) of the Act, this Determination applies from the date of its approval until its revocation
Date of Director's approval	27 December 2017



Dale Edward Webster

Director of Building Control

1. Application of Determination

This Determination applies only to accreditation of building products, which are high risk building products as defined in this Determination.

The Determination provides the process for applying for accreditation of a building product in Tasmania.

2. Interpretation

Except as provided below, the terms used in this Determination are the same as those defined in the *Building Act 2016* and the *Building Regulations 2016*.

“**high risk building product**” means:

- a) An aluminium composite panel containing a polyethylene (PE) core used as a external building cladding, which is to be:
 - i. used on a class 2, 3 or 9 building of 2 or more storeys; or
 - ii. used on a class 5,6,7,or 8 building of 3 or more storeys.
- b) A polystyrene product used in an external insulation and finish (rendered) system , which is to be:
 - i. used on a class 2, 3 or 9 building of 2 or more storeys; or
 - ii. used on a class 5,6,7,or 8 building of 3 or more storeys.

3. Use of a high risk building product in Tasmania

From the date of the Determination, a high risk building product should not be used in Tasmanian buildings unless approved under this Determination.

4. Application

The application form to be used is attachment A to this Determination as amended from time to time.

The supporting documentation submitted needs to identify the building product material, the method of construction and design of the components for the work.

Evidence that the product is fit for the purpose for which it is intended is also required.

The following documents must be included as part of the application:

- A. Appraisal report from a suitably qualified licensed building practitioner, NATA registered testing authority or other suitably qualified person or body.

The Appraisal must contain the following information:

- The name of the owner of the building product/system
- The scope of the appraisal
- Description of the building product/system
- BCA Performance Requirements applicable to the application for accreditation
- Limits of the appraisal of the building product/system

- Demonstration of compliance with the applicable Performance Requirements
- Design and construction details
- Results of the appraisal including any conditions

B. Appraiser's statement of qualifications and experience.

C. Technical / installation manual to contain the following information:

- Description of building product/system
- Application of the building product/system
- Composition and physical properties
- Specifications of the materials /components
- Manufacturing tolerances
- Design criteria
- Installation and fixing guidelines
- Framing details (if applicable)
- General information (i.e. trade warranties, disclaimers, reference documents etc.)

Or specifications of the materials /components (where not incorporated in an installation manual(s))

D. Where test reports, or similar, are integral to demonstrating compliance with the Performance

Requirements: -

- Test report(s) must be issued by a NATA registered testing authority showing that the material or form of construction has been submitted to tests listed in the report and setting out the results of those tests and any other relevant information that demonstrates its suitability for use in the building; or
- Other form of documentary evidence must correctly describe the properties and performance of the material or form of construction and adequately demonstrates its suitability for the proposed use.

E. Any other relevant supporting documentation

The items listed at A,B,C and D are the mandatory documentation that must be submitted with the application. If not submitted, the application will not be accepted for assessment and will be returned to the applicant.

5. Process once Application is received

The applicant will be notified when the application is accepted for assessment by the Director, consideration of the application will occur within 60 days of the application being accepted for assessment.

A. Assistance to the Director

The Director may convene a panel with relevant expertise to assist him in considering the application. The applicant will be advised of this and is responsible for the cost of convening such a panel.

B. Additional Information

After the Director has considered the initial information there may be requests for further test reports, appraisals or opinions to be supplied. In these circumstances, the applicant will be advised of what further information is required.

All of the above reports, appraisals or opinions are required to be arranged and paid for by the applicant.

C. Conditions

The accreditation may be subject to conditions and if the Director intends to apply conditions the applicant will be advised in writing of the proposed conditions and given the opportunity to make submissions as to whether or not the conditions should be applied.

D. Likely Refusal

If a certificate of accreditation is likely to be refused the applicant will be advised in writing of the proposed refusal and invited to make submissions prior to the Director making a final decision.

E. Confidentiality

All information contained in any application is treated as strictly confidential and commercial in confidence.

6. Date of Effect and Period of Approval

If the product is approved by the Director the approval becomes effective from the date the Director's approval and Certificate of Building Product Accreditation is published.

The period of approval is for a maximum period of 5 years and may be renewed for further period(s) of up to 5 years each.

7. Certificate of Building Product Accreditation

A certificate of building product accreditation is proof that a product meets the performance requirements of the National Construction Code.

The accreditation may be subject to conditions and the conditions must be strictly adhered to.

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A building surveyor must accept the product if the use complies with the certificate of accreditation.

Attachment A –

APPLICATION FOR BUILDING PRODUCT ACCREDITATION

Submit completed application with the relevant fee and supporting documentation via one of the methods below:

Email:

CBOSinfo@justice.tas.gov.au

Post:

Consumer, Building and Occupational Services

PO Box 56

Rosny Park, TAS, 7018

Lodge in person:

Consumer, Building and Occupational Services

30 Gordons Hill Road

Rosny Park, TAS

Applicant's / Agents Details

Applicant's / Agent's Name:

Company Name:

ABN:

Address:

Telephone No.:

Email:

I have been authorised by the owner of the building product to act as their agent:

The authorisation is attached with this application:

Owner's Details (if different to applicant)

Owner's Name:

Company Name:

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ABN:
Address:
Telephone No.: Email:
Product Details
Name of product:
<input type="checkbox"/> New Application:
<input type="checkbox"/> Amendment of existing Certificate of Accreditation
Previous Certificate of Accreditation No. (if applicable)
<input type="checkbox"/> This Product a High Risk Building Product as defined in the Director's Determination (Please Note the Building Product Accreditation process in Tasmania only assesses defined High Risk Building Products)
Provide a brief statement of intended use of the building product:

Provide details of which deemed-to-satisfy clauses of the National Construction Code, BCA Volume One the product DOES NOT comply with

This application demonstrates that the product meets the following performance requirement(s) of the National Construction Code, BCA Volumes One

The following documentation is included in the application (please indicate)

- Appraisal report from a suitably qualified registered building practitioner, NATA registered testing authority or other suitably qualified person or body.
- Appraiser's qualifications and curriculum vitae.
- Test report(s) by a NATA registered testing authority or other information confirming compliance with the performance requirement(s) specified above.

<input type="checkbox"/> Technical / installation manual.
<input type="checkbox"/> Specifications of the materials /components (including installation manuals if applicable).
<input type="checkbox"/> Other relevant documentation (please specify).

Application fee:

Please refer to the Consumer Building and Occupational Services website for the relevant application fee and Payment Authorisation Form. www.justice.tas.gov.au

Declaration:

I certify that the information and content contained in this application is complete and correct.

Signature of applicant or authorised agent	
Name:	Date:
Signature:	

Note: Section 304 of the Building Act 2016:

False and misleading statements

A person, in providing any information, statement, report or document under this Act, must not –

- (a) provide it knowing it to be false or misleading; or
- (b) omit any matter knowing that without that matter the information, statement, report or document is false or misleading.

For assistance completing your application, please contact:

Technical Regulation – Building Standards
Consumer, Building and Occupational Services
Telephone: 1300 65 44 99