

Director's Determination - Certificates by qualified persons for an assessable item 2019

I, Peter John Graham, in my capacity as Director of Building Control, and acting pursuant to section 20(1)(e) of the *Building Act 2016*, and regulation 8(f) of the *Building Regulations 2016* hereby make the following Determination.

Title	Certificates by Qualified Persons for an Assessable Item Determination 2019
Description	This Determination specifies, for the purposes of section 321(5)(b) of the <i>Building Act 2016</i> , the required expertise and qualifications of persons who may provide a certificate for an assessable item.
Version	Version number 1.1
Application	For the purposes of 20(3)(b) of the Act, this Determination applies from the date of its approval until its revocation This Determination supersedes the Certificates by Qualified Persons for an Assessable Item Determination 2016.
Approval date	14 November 2019
Commencement date	14 November 2019



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Director of Building Control
Consumer, Building and Occupational Services
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Document Development History

Version	Application Date	Sections amended
1.1	14 November 2019	<ul style="list-style-type: none"> • References to provisions of the Act and regulations providing for the making of this Determination updated • Document Development History, of amendments since last version, inserted • Explanatory Notes revised and expanded • Definition of “Authorised person” inserted • NPER changed to NER (National Engineering Register) • <i>AS/NZS On-site domestic-wastewater management</i> updated to 2012 version instead of 2000 <p>Schedule I:</p> <ul style="list-style-type: none"> • Two references to Civil Designers (designing roads in bushfire areas) deleted as this licence category had been abolished • NPER changed to NER (National Engineering Register) for two categories of engineers
1.0	5 December 2016	Original release under the Act.

Explanatory Notes

General

1. This Determination establishes the required qualifications and expertise of persons who may certify an assessable item under s.321 of the Act. They are set out in Schedule I (Part A in relation to performing building or demolition work, and Part B in relation to performing plumbing or hydraulic work).
2. A certificate may be relied on by an authorised person as evidence that the assessable item complies with the Act.

Where this certification process is generally used

1. As part of an independent assessment of a design performed by a licensed building services provider who has a *higher or more specialised* level of licence than the person who was responsible for preparing a design; for example a civil engineer checking engineering or structural elements drawings prepared by the responsible building designer; or
2. As part of advice given by a specialist or expert on an aspect of the design, or the performance of building or plumbing work, or an assessment of a site. Examples include soil testing reports, bushfire-prone area ratings, energy efficiency ratings, or an assessment of a component of a plumbing system.

Persons to act within area of competence and expertise

- Persons purporting to give certificates must only act within their area of competence and expertise.
- Note that Column 4 of the Determination requires that they have *special expertise* in the particular area being certified. Merely holding an occupational licence to practise, or an appointment to a statutory role such as an Environmental Health Officer, is not acceptable where those persons are purporting to give expert advice to other professionals or regulators such as the responsible building surveyor.

Approved Form of certification

The Director of Building Control has determined that certification under s.321 of the Act, in relation to any type of work, is to be made on approved form number 55: “Certificate of Qualified Person – Assessable Item.”

Licensing information

This document **does not** provide information on licensing of persons who may perform prescribed work under the *Occupational Licensing Act 2005*. Instead, refer to these documents:

- The categories of licensed building services providers and their scope of work are found in the Occupational Licensing (Building Services Work) Determination 2019, made by the Administrator of Occupational Licensing.
- The categories of licensed plumber practitioners and their scope of work are found in the Occupational Licensing (Plumbing Work Licence Classes) Determination 2018, made by the Administrator of Occupational Licensing.
- The Chief Fire Officer accredits Bushfire Hazard Assessors under the *Fire Service Act 1979*. More information about accreditation can be found on the “Building for Bushfire” webpage at www.fire.tas.gov.au

Definitions

In this Determination:

'Act' means the *Building Act 2016*.

'Accredited person - bushfire hazard' means a person accredited under the *Fire Service Act 1979* to analyse and report on bushfire hazards in bushfire-prone areas.

"Authorised person" has the same meaning as section 4 of the Act and includes –

- (a) the Director of Building Control; and
- (b) a building surveyor; and
- (c) a permit authority; and
- (d) a general manager; and
- (e) any other prescribed person.

'Building Services Provider' means a person licensed to perform prescribed building services work under the *Occupational Licensing Act 2005*;

'Certificate IV in on-site domestic wastewater management' means the qualification 39105QLD Certificate IV in Domestic Wastewater Management, or a qualification with equivalent scope and purpose;

'Certified Professional Soil Scientist' is a professional who has achieved the Professional Standards for Soil Science, set by the Australian Society of Soil Science Inc;

'Chief Officer' means the person appointed under section 10 of the *Fire Service Act 1979*;

'NER' means the National Engineering Register maintained by Engineers Australia;

'On-site domestic-wastewater management system' means a system for the management of waste water that is a disposal or treatment system servicing one or more blocks within the scope of AS/NZS 1547 - 2012 *On-site domestic-wastewater management* and includes associated land application system and collection wells;

'PI insurance' means that a person's scope of work, including assessment and certification, is covered by a current policy of Professional Indemnity Insurance.

Schedule I**Part A – Building or demolition work**

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
Access road for bushfire prone areas - Design or construction	Civil Engineer:	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer with qualifications to be licensed as an Engineer – Civil and has PI insurance;	Road design or construction
Acoustic	Acoustic engineer	Licensed as an Engineer – Building Services.	Building acoustics
Architectural	Architect	Licensed as an Architect.	Design of Class I and 10 buildings
Building Services - Electrical	Electrical engineer	Licensed as an Engineer – Building Services.	Electrical building services
Building Services - Hydraulic	Hydraulic engineer	Licensed as an Engineer – Building Services.	Hydraulic building services
Building Services - Mechanical	Mechanical engineer	Licensed as an Engineer – Building Services.	Mechanical building services
Building Surveying	Building surveyor; or Building surveyor limited	Licensed as a Building Surveyor; or Building Surveyor Limited.	Building surveying
Bushfire Hazard	Licensed person - bushfire hazard	Accredited to report on bushfire hazards under the <i>Fire Service Act 1979</i> .	Analysis of hazards in bushfire-prone areas
Civil Engineering	Civil engineer	Licensed as an Engineer – Civil.	Civil engineering
Energy Efficiency – Class 3 - 9 buildings	Person competent in operating energy efficiency evaluation software	Successfully completed a relevant energy evaluation software training course and has PI insurance.	Commercial building energy rating software

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
Energy Efficiency – Class 1, 2 and 4 buildings	Person competent in operating energy efficiency evaluation software	Accredited in the use of energy rating assessment software by an organisation approved under the National House Energy Rating Scheme (NatHERS) protocol for assessor accrediting organisations and has PI insurance.	Energy rating software under the National House Energy Rating Scheme (NatHERS)
Energy Management	Energy management engineer	Licensed as an Engineer – Building Services.	Energy management in buildings
Environmental	Environmental engineer	Licensed as an Engineer – Civil.	Environmental engineering
Fire detection and suppression systems – <i>Design and commissioning</i>	Building services engineer; or Building services designer	Licensed as an Engineer - Building Services (fire safety); or Licensed as a Building Services Designer - Fire – Restricted	Design and commissioning of fire detection and suppression systems
Fire suppression systems - <i>Certification of design and commissioning</i>	Building services engineer; or Building services designer	A Licensed Building Services Provider in the categories of: Engineer - Building Services (fire safety); or Building Services Designer – Fire – Restricted; and who is approved by the Australian Fire Practitioner’s Accreditation Board and accepted by the Chief Officer as a certifier for specific types of fire suppression systems.	Certification of fire suppression systems

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
Fire Safety	Fire safety engineer	Licensed as an Engineer – Fire Safety.	Fire safety engineering
Fire Safety Systems	Building services engineer	Licensed as an Engineer – Building Services (fire safety).	Fire safety systems
Food Premises Verification Analysis	Environmental health officer	Appointed as an Environmental Health Officer under the <i>Public Health Act 1997</i> .	Food safety in food premises
	Environmental health professional	Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.	
Foundation classification - AS 2870 and Stability Report in accordance with Foundation and Footings Society (Tasmania) Code of Practice.	Soil scientist	Certified Professional Soil Scientist (Stage 2 or Stage 3) accredited by the Australian Society of Soil Science Inc. and has PI insurance.	Foundation classification in accordance with AS 2870
	Engineering geologist	BSc major in geology and has PI insurance.	
	Geo-technical engineer	Licensed as an Engineer – Civil.	
Geological	Engineering geologist	BSc major in geology and has PI insurance.	Engineering geology

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
Geo-technical including landslide risk assessment in accordance with “ <i>Practice Note Guidelines for Landslide Risk Management 2007</i> ” published by the Australian Geomechanics Society.	Geo-technical engineer	Licensed as an Engineer – Civil.	Geo-technical reports
	Engineering geologist	BSc major in geology with core competencies in landslide risk assessment and has PI insurance.	
Structural	Structural engineer	Licensed as an Engineer – Civil.	Structural engineering

Part B – Plumbing work

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
On-site wastewater management - <i>Site and soil evaluation (and land application system design)</i>	Civil engineer; or Environmental engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Registered on the NER as an Environmental Engineer and has PI insurance.	Site and soil evaluation and land application system design.
	Soil scientist	Certified Professional Soil Scientist (Stage 2 or Stage 3) licensed by the Australian Society of Soil Science Inc. and has PI insurance.	
	Environmental geologist; or Geoscientist	BSc major in geology and experience in environmental geology and has PI insurance.	
	Environmental health professional	Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.	
On-site wastewater management - <i>Assessment of system suitability</i>	Civil engineer; or Environmental engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Registered on the NER as an Environmental Engineer and has PI insurance.	Assessment of on-site wastewater management system suitability.

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
	Environmental health professional	Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.	
On-site wastewater management - <i>System design</i>	Civil engineer; or Environmental engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance. or Registered on the NER as an Environmental Engineer and has PI insurance.	Design of on-site wastewater management systems. Certification of installation to design.
On-site domestic-wastewater management - <i>System design to AS/NZS 1547 (Deemed to Satisfy)</i>	Civil engineer; or Environmental engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance. or Registered on the NER as an Environmental Engineer and has PI insurance.	Design of on-site domestic-wastewater management systems to AS/NZS 1547 Certification of installation to AS/NZS 1547
	Environmental health professional	Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.	

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
	Plumber Practitioner (Certifier) – Drainage	Licensed under the <i>Occupational Licensing Act 2005</i> as a Plumber Practitioner (Certifier) – Drainage, endorsed ‘On Site Domestic-Waste Water Management Systems Maintenance’ and has obtained a qualification at Certificate IV level in on-site domestic wastewater management and has PI insurance.	
On-site wastewater management system - <i>Performance monitoring</i>	Civil engineer; or Environmental engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Registered on the NER as an Environmental Engineer and has PI insurance.	Performance monitoring of on-site wastewater management systems
	Environmental health professional	Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.	

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
<p>On-site domestic-wastewater management system - Performance monitoring of a system designed to AS/NZS 1547 (Deemed to Satisfy)</p>	<p>Civil engineer; or Environmental engineer</p>	<p>Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Registered on the NER as an Environmental Engineer and has PI insurance.</p>	<p>Performance monitoring of on-site domestic wastewater management systems to AS/NZS 1547</p>
	<p>Environmental health professional</p>	<p>Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.</p>	
	<p>Plumber Practitioner (Certifier) - Drainage</p>	<p>Licensed under the <i>Occupational Licensing Act 2005</i> as a Plumber Practitioner (Certifier) - Drainage endorsed 'On Site Domestic-Waste Water Management Systems Maintenance' and has obtained a qualification at Certificate IV level in on-site domestic-waste water management and has PI insurance.</p>	

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
On-site wastewater management - Installation, Commissioning or Maintenance	Civil engineer; or Environmental engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Registered on the NER as an Environmental Engineer and has PI insurance.	On-site wastewater management system installation, commissioning and maintenance
	Environmental health professional	Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.	
On-site domestic-wastewater management - Installation, Commissioning or Maintenance to AS/NZS 1547 (Deemed to Satisfy)	Civil engineer; or Environmental engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Registered on the NER as an Environmental Engineer and has PI insurance.	On-site domestic wastewater-management system installation, commissioning and maintenance to AS/NZS 1547
	Environmental health professional	Approved qualifications to be appointed as an Environmental Health Officer under <i>Public Health Act 1997</i> and has PI insurance.	

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
	Plumber Practitioner (Certifier) - Drainage	Licensed under the <i>Occupational Licensing Act 2005</i> as a Plumber Practitioner (Certifier) – Drainage endorsed ‘On Site Domestic-Waste Water Management Systems Maintenance’ and has Public Liability insurance.	
Plumbing or drainage - <i>System design</i>	Civil engineer; or Building services engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Licensed as an Engineer – Building Services; or Registered on the NER as a Building Services Engineer and has PI insurance.	Plumbing and drainage design
Plumbing or drainage design - <i>System design to AS/NZ S3500 (Deemed to Satisfy)</i>	Civil engineer; or Building services engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance; or Licensed as an Engineer - Building Services; or Registered on the NER as a Building Services Engineer and has PI insurance.	Plumbing and drainage design to AS/NZS 3500
	Building services designer	Licensed as a Building Services Designer - Hydraulic - Restricted	

Column 1	Column 2	Column 3	Column 4
Certificate type	Given by	Qualifications	Speciality area of expertise
	Plumber Practitioner (Certifier)	Licensed under the <i>Occupational Licensing Act 2005</i> as a Plumber Practitioner (Certifier) in the appropriate class of work and has PI insurance.	
	Architect	Licensed as an Architect; or Registered under the <i>Architects Registration Act 1929</i> and has PI insurance.	
Wastewater treatment plant - Design, construction, supervision testing, management or operation	Civil engineer	Licensed as an Engineer – Civil; or Registered on the NER as a Civil Engineer and has PI insurance.	Design, construction, supervision testing, management or operation of wastewater treatment plant.
	Mechanical engineer	Registered on the NER as a Professional Mechanical Engineer and has PI insurance.	
Wastewater treatment plant - Process	Chemical engineer	Registered on the NER as a Professional Chemical Engineer and has PI insurance.	Processes in sewage and wastewater treatment.
	Civil engineer	Licensed as an Engineer - Civil; or Registered on the NER as a Civil Engineer and has PI insurance.	
Plumbing Work - Substantial Compliance	Permit Authority (Plumbing)	Licensed as a Permit Authority.	Compliance of plumbing work with the Act