



**ABCBC**

## **Design acceptance**

Model guidance on BCR recommendations  
13-16

2021

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# Preface

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The [Building Confidence Report](#) (BCR), published in April 2018, made 24 recommendations to Building Ministers to address systemic issues in the Australian building industry. Building Ministers established the BCR Implementation Team within the Office of the Australian Building Codes Board (ABCB) to work with governments and industry to respond to the recommendations with a focus on national consistency where possible.

The BCR Implementation Team's work aims to establish national best-practice models in response to BCR recommendations. If implemented, the responses will strengthen compliance with the National Construction Code (NCC), better protecting the interests of people who own, work in, live in and use Australian buildings.

All responses to BCR recommendations have been developed in accordance with the [Building Confidence National Framework](#) with input from industry and governments. Figure 1 lists the outputs developed under the Framework, and where to find them.

State and territory governments have agreed to consider implementation of all BCR endorsed responses. This process will take time depending on each government's regulatory reform agenda, and may be undertaken in stages.

The model guidance for Design Acceptance represents the nationally agreed response to BCR recommendations 13 through 16. These recommendations state:

**Recommendation 13:** That each jurisdiction requires *building approval* documentation to be prepared by appropriate categories of registered practitioners, demonstrating that the proposed building complies with the National Construction Code.

**Recommendation 14:** That each jurisdiction sets out the information which must be included in *Performance Solutions*, specifying in occupancy permits the circumstances in which *Performance Solutions* have been used and for what purpose.

**Recommendation 15:** That each jurisdiction provides a transparent and robust process for the approval of *Performance Solutions* for constructed building work.

**Recommendation 16:** That each jurisdiction provides for a building compliance process which incorporates clear obligations for the approval of amended documentation by the appointed building surveyor throughout a project.

Together these recommendations address the design documentation for *assessment* at the *building approval* stage, including the development and documentation of *Performance Solutions* and variations to the approved documentation. They seek to improve the standard of design documentation as part of the initial *building approval* process, for design variations made during the construction phase, and in some cases, for constructed building work.

Defined terms used in this document are shown in italics. The definitions can be found in the [Building Confidence Glossary](#).

Figure 1 – Building Confidence Implementation Framework - Outputs



**Next Steps**

**Implementation by state and territory governments**

Governments have agreed to consider implementation of the responses. Contact the building authority in your jurisdiction for information on progress.

Each of the outputs listed in Figure 1 can be accessed on the [ABCB website](#).

# Contents

<b>Preface</b> .....	<b>ii</b>
<b>Principles</b> .....	<b>1</b>
Principle 1 – Design documentation .....	2
Principle 2 – Declarations of Design Compliance .....	6
Principle 3 – Certificates of Design Compliance.....	8
Principle 4 – Project Product Register.....	12
Principle 5 – Performance Solutions .....	15
Principle 6 - Variations.....	17
Principle 7 – Occupancy Approval.....	20
Principle 8 - Assessment.....	21
<b>Appendix A: Performance Requirement Checklist - Example Template.....</b>	<b>24</b>

## Adoption of model guidance

As a model, this guidance does not have any force until adopted by a jurisdiction. States and territories may have regard to the content of the model. This may include amending or adopting the model for application in their jurisdiction.

The model guidance needs to be read in conjunction with the relevant legislation in a jurisdiction. It is written in generic terms and is not intended to override legislative requirements.

# Principles

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## Principles for Design Acceptance

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|---|--|
| 1 | Design documentation to confirm compliance                                     |
| 2 | All design practitioners to provide a declaration stating design compliance    |
| 3 | Design practitioners to certify compliance if required                         |
| 4 | A Project Product Register is created and maintained                           |
| 5 | Performance Solutions to be prepared and documented in accordance with the NCC |
| 6 | Design variations to be documented and approved                                |
| 7 | Performance Solutions to be recorded on the occupancy approval                 |
| 8 | Statutory building surveyors are responsible for assessment of designs         |

## Principle 1 – Design documentation

Design documentation to confirm compliance

### Objective

That documentation provided for the *building approval* process includes adequate information to:

- demonstrate how compliance with each regulatory requirement will be achieved and document the *assessment* methods employed in support of the design;
- allow the *statutory building surveyor* to conduct a holistic *assessment* of the project;
- enable the project to be constructed in accordance with the NCC and other prescribed requirements;
- inform the *statutory building surveyor* as to the appropriate compliance *assessment* to be conducted during construction; and
- provide information on each of the registered practitioners responsible for the design and certification of the building.

### Context

The BCR concluded that the design documentation presented for *building approval* must adequately demonstrate regulatory compliance and include relevant certificates of conformity, accreditations and other prescribed material. Where it is not possible to provide all the information at the *building approval* stage there needs to be an approved schedule detailing when the remaining information will be provided for assessment by the *statutory building surveyor*.

The BCR recommended that this should be implemented at a minimum for *building approvals* for higher risk buildings, such as commercial buildings being those of Class 2-9.

### Legislative provisions

It is recommended that:

1. Each project is to have a single building practitioner responsible for providing the complete documentation for the design of the building at *building approval*

stage (noting Stage Projects allowances detailed at 3 below) to the *statutory building surveyor* for *assessment*. This will usually be the *building approval applicant*.

2. The minimum documentation to be provided for each project is to include the following, as applicable to the project:
  - a. Site identification, characteristics and conditions impacting the design (e.g. title, survey plan, soil sampling, climate zone, easements, vegetation, known hazards, etc.).
  - b. Site plan including confirmed boundaries, setbacks, dimensions, levels, contours, north point, existing buildings and any other site features that may impact the design.
  - c. Any local government decision notice or other referral body that conditions the site.
  - d. Description of the building work to be carried out including the building Class, Type, Importance Level and if prescribed, complexity.
  - e. NCC Performance Requirement Checklist that identifies whether the Deemed-to-Satisfy or *Performance Solution* pathway was relied on for each relevant Performance Requirement and includes a reference to where the evidence in support can be found in the documentation. The checklist also records which version of the NCC has been used in the design. (An example template is provided at **Appendix A**.)
  - f. Complete construction drawings that are fully dimensioned and to a suitable scale, including but not limited to, as applicable:
    - i. floor plans, slab plan, floor framing plan, roof plan (including framing and bracing plan), drainage plan and elevations where applicable to the approval stage;
    - ii. each elevation with relevant floor levels and heights, design and finishes;

- iii. sections and details showing all building elements and construction methods; and
  - iv. provision for fire safety and fire resistance, showing which elements are fire resisting, the proposed level of fire resistance and any fire compartmentation including sealing and separation details.
- g. *Declaration of Design Compliance* from each designer responsible for an aspect of the design that is required to comply (Principle 2).
  - h. *Certificates of Design Compliance* where required, including for mandatory third party review (Principle 3).
  - i. *Specification* that describes the properties of the *building products* and assemblies to be used for compliance.
  - j. *Project Product Register* that details the *building products* selected to meet the required properties in the *Specification* for compliance with structural and fire Performance Requirements (Principle 4).
  - k. Performance Based Design Brief Final Report for each *Performance Solution* (Principle 5).
  - l. Any other Evidence of Suitability (NCC A5.1, A5.2 and A5.3) relied upon.
  - m. Any prescribed response to fire authority advice (See [Fire authorities in building approval process](#) responding to BCR recommendation 8).
  - n. Any determination made by an Appeal Tribunal (if applicable).
  - o. Where the proposed building work may impact on public safety or the safety of an adjoining property, information that demonstrates the adequacy of protection measures including engineering analysis, shoring design, safe work method statements and, where applicable, evidence of neighbouring owner's consent.
  - p. Any other documents relied on by the design team to establish regulatory compliance.

3. For staged projects or where any of the required detail cannot be provided with the initial *building approval* documentation, a Staged Approval Schedule (the Schedule) is to be provided as part of the *building approval* application:
  - a. The Schedule is to detail when the required information will be provided in the construction program. For example basement to ground, above ground structure, lift cores and final (acoustics, cladding etc.).
  - b. If approved by the *statutory building surveyor*, the Schedule will form part of the *building approval* documentation.
  - c. The documentation provided for each stage in the Schedule is to meet the same minimum documentation requirements (detailed at 2 above), where relevant at that stage.
  - d. *Declarations of Design Compliance* that cover the design components to the extent that they have been detailed are to be provided with the initial *building approval* documentation. Further *Declarations of Design Compliance* are required to address the design undertaken at each of the subsequent stages.
  - e. *Declarations of Design Compliance* for subsequent stages must state either that the new design aspect does not affect compliance of all previous stages or detail where there has been an impact and how the new Declaration supersedes any previous Declaration/s.

## Further Comment

Where legislation is adopted, it is important that there is the capacity in the industry to meet the requirements. Building practitioners are likely to need technical assistance in meeting the requirements. A Practice Guide and training materials would therefore support legislative requirements.

A Practice Guide could provide more detail on the principles and would have scope to include detailed checklists, forms and practice notes. It could provide guidance on the level of design detail expected for projects of different types and scale.

## Principle 2 – Declarations of Design Compliance

All design practitioners to provide a declaration stating design compliance

### Objective

That each design practitioner, as listed in the [National Registration Framework for building practitioners](#) (the NRF), declare in writing that, to the best of their knowledge, their design complies with the NCC and other prescribed requirements. The declaration will be known as a *Declaration of Design Compliance*.

### Context

The BCR recommends that legislation should expressly state design documentation presented for *building approval* must include a *Declaration of Design Compliance* by each responsible, registered practitioner confirming that they reasonably believe their documentation demonstrates regulatory compliance. The *Declarations* are to assist the *statutory building surveyor* in being able to conduct a *holistic assessment*.

### Legislative provisions

It is recommended that:

1. Each registered practitioner<sup>1</sup> who is responsible for producing a component of the building design must provide a *Declaration of Design Compliance* for the purposes of *building approval*.
2. The *Declaration of Design Compliance* must include:
  - a. details of the practitioner's registration and, if necessary, relevant qualifications and/or experience specific to the design work;
  - b. the practitioner's declaration that, to the best of their knowledge, their design complies with the NCC and other prescribed requirements; and

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<sup>1</sup> Includes all design disciplines included in the [BCR National Registration Framework for Building Practitioners](#).

- c. the dependencies and assumptions relied on in the design.
3. Where *Declarations of Design Compliance* are provided for subsequent stages in a Staged Approval Schedule, they must state either that the new design aspect does not affect compliance of all previous stages or detail where there has been an impact and how the new Declaration supersedes any previous Declaration/s.
4. The *statutory building surveyor* is informed by the information in the *Declaration of Design Compliance* but cannot rely on it and must conduct a holistic *assessment* in determining compliance.
5. The *statutory building surveyor* is to have full discretion as to whether they accept the *Declaration of Design Compliance*.
6. The *Declaration of Design Compliance* is to hold the practitioner who provided it liable for their work.
7. Where the design work is undertaken by a practitioner without the necessary registration, a practitioner registered in the appropriate category must supervise, check the work and provide the *Declaration of Design Compliance*.
8. Where a *statutory building surveyor* permits a practitioner to provide a *Certificate of Design Compliance* for their design, a *Declaration of Design Compliance* must still be provided.

## Principle 3 – Certificates of Design Compliance

Design practitioners to certify compliance if required
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### Objective

Where the *statutory building surveyor* does not have the necessary expertise and experience to assess the regulatory compliance of a component of design, they may request a registered and competent design practitioner to self-certify their design complies with the NCC and other prescribed requirements. In addition, the *statutory building surveyor* could accept a certificate from a registered and competent practitioner that someone else's design is compliant with the NCC and other prescribed requirements. The certificate will be known as a *Certificate of Design Compliance*.

### Context

A *Certificate of Design Compliance* is provided by a competent and registered building practitioner who has undertaken or examined and assessed a component of design work. A *Certificate of Design Compliance* will also need to be provided where the *statutory building surveyor* nominates a relevant registered practitioner to undertake a review of the design or a design component. Once assessed for regulatory compliance a *Certificate of Design Compliance* can be issued.

A Certificate will most commonly be required where a *statutory building surveyor* does not have the required competency to review a specific element of a design (such as the various sub-classes of engineering design, including fire safety, façade, civil, structural, mechanical, electrical and hydraulic engineering). It would generally not be requested from an architect or building designer as the *statutory building surveyor* is expected to have the necessary competency to assess compliance.

Unlike a *Declaration of Design Compliance*, a *Certificate of Design Compliance* may be relied on by the statutory building surveyor in good faith. Any errors or omissions in certifying a design relating to the *Certificate of Design Compliance* will be the responsibility of the person or entity issuing the *Certificate of Design Compliance*. The *statutory building surveyor* is responsible for ensuring the *Certificate of Design Compliance* was provided by an appropriately registered practitioner and that the

dependencies, assumptions, qualifiers and conditions included in the *Certificate of Design Compliance* are appropriate for the design as a whole.

*Certificates of Design Compliance* will be required for all mandatory independent third party reviews (see [Independent third party review](#) responding to BCR recommendation 17 for further details).

Figure 2 compares *Declarations of Design Compliance* and *Certificates of Design Compliance*.

## Legislative provisions

It is recommended that:

1. The *statutory building surveyor* has discretion to require a *Certificate of Design Compliance* from either the original designer or an independent designer where they are competent and registered in the relevant design discipline. Additional requirements may apply where mandatory independent third party review is required ([BCR recommendation 17](#)).
2. Where a *Certificate of Design Compliance* is provided by the original designer, it must be accompanied by a *Declaration of Design Compliance*.
3. Each practitioner providing a *Certificate of Design Compliance* must be appropriately registered under the [NRF](#) (BCR recommendations 1 and 2) and competent to prepare or inspect and assess the design type.
4. The *Certificate of Design Compliance* must include:
  - a. details of the practitioner's registration and, if necessary, relevant qualifications and/or experience specific to the design work;
  - b. that the practitioner confirms compliance of the design element with the relevant requirements of the NCC and other prescribed requirements;
  - c. the dependencies and assumptions relied on in the design; and
  - d. any qualifiers and conditions (such as inspections that should be undertaken during construction).

5. In carrying out their *assessment*, the *statutory building surveyor* may rely on a *Certificate of Design Compliance* once they satisfy themselves that:
- a. it contains all the prescribed information;
  - b. it was provided by a registered, competent practitioner who has adequate experience relevant to the building and requirements to which the *Certificate of Design Compliance* relates;
  - c. the dependencies and assumptions relied on in the design and any qualifiers and conditions imposed on the design are appropriate to the project; and
  - d. the individual components work together in the whole design.

Figure 2 - Declarations and Certificates

Document	Declaration of Compliance		Certificate of Compliance	
	Design	Construction / Installation	Design	Construction / Installation
Definition	<p>Is a document that:</p> <p>(a) is provided by the <i>registered</i> person who is responsible for the design work; and</p> <p>(b) states the design complies with the NCC and other prescribed requirements.</p>	<p>Is a document that:</p> <p>(a) is provided by the <i>registered</i> person who is responsible for the construction or installation work; and</p> <p>(b) states the construction or installation work complies with the <i>building approval</i> documentation and other prescribed requirements.</p>	<p>Is a document that:</p> <p>(a) is provided by an appropriately <i>registered</i> and, where necessary independent, person who has examined and assessed design work; and</p> <p>(b) states that the design complies with the NCC and other prescribed requirements.</p>	<p>Is a document that:</p> <p>(a) is provided by an appropriately <i>registered</i> and, where necessary, independent person who has examined and assessed construction or installation work; and</p> <p>(b) states that their examination and assessment confirms the construction or installation work complies with the <i>building approval</i> documentation, the NCC, and other prescribed requirements.</p>
Who provides?	A <i>registered</i> building practitioner responsible for the work.		A <i>registered</i> building practitioner at an appropriate level in the relevant occupation. Legislation may require an <i>assessment</i> to be undertaken by a <i>registered</i> practitioner who is independent to the design or construction process.	
Who receives?	A person who contracted the work or who will rely on the work.		A person who contracted the <i>assessment</i> or who will rely on the <i>assessment</i> . <sup>1</sup>	
How recorded?	Must be provided to the <i>building approval authority</i> <sup>2</sup> when seeking a <i>building approval</i> or <i>occupancy approval</i> and kept as part of the building records <sup>3</sup> .		Must be recorded by the <i>statutory building surveyor</i> or other person relying on the certificate to make a statutory assessment of building compliance <sup>4</sup> .	
Legal effect?	Holds the person responsible for the work liable for its compliance.		Holds an expert liable for advice. Indemnifies the <i>building surveyor</i> or other person relying on the advice.	

**Notes on figure**

1. A *statutory building surveyor* making a statutory *assessment* may rely on a Certificate of Compliance. A *statutory building surveyor* may choose not to rely on a Certificate of Compliance if not satisfied.
2. The legal entity that issues the *building approval*. This may be a private *building surveyor*, a local government or other body, depending on each jurisdiction’s relevant legislation.
3. The building records may be kept by a different legal entity from the *building approval authority*. In most jurisdictions the building records are kept by the relevant local, state or territory government.
4. *Building approval* legislation in each jurisdiction will state whether the *statutory building surveyor* keeps the *assessment* records or includes them in the building records.

## Principle 4 – Project Product Register

A *Project Product Register* is created and maintained

### Objective

To record each *building product* and its compliance information used on a project for compliance with the NCC's structural and fire safety Performance Requirements.

### Context

The BCR recommended that the design documentation presented for *building approval* should include relevant certificates of conformity, accreditations and other prescribed material.

The *Project Product Register* is compiled by the building practitioner with responsibility for the *building approval* documentation (usually the *Building Approval Applicant*).

It would list the *building products* selected to meet the properties detailed in the project's *Specification* for compliance with structural and fire NCC Performance Requirements. That is those *building products*, of a fire and structural nature, that contribute to life safety and for which test data is usually provided to the *statutory building surveyor* to satisfy the NCC's evidence of suitability requirements.

Preparing a *Project Product Register* at the design stage makes it clear to all practitioners involved in the design and construction of the building, the specific *building products* to be installed, including those used in higher risk applications. It is to be used to help ensure that products used in these higher risk applications are investigated thoroughly and evidence of suitability is sought early in the process.

It is also to provide the information necessary to identify when *building product* substitution is proposed to enable further *assessment*. Where changes are proposed, these are to be addressed as a variation (as per the process described in Principle 6) and the *Project Product Register* is to be updated accordingly.

The *statutory building surveyor* must be satisfied that the *Project Product Register* is complete and lists the required *building products*. It would not need to separately list each component that makes up a *building product*, just the final *building product*.

## Legislative provisions

It is recommended that:

1. A *Project Product Register* is required for all *building products* expected to be used for compliance with structural and fire NCC Performance Requirements. Specifically, Sections B, C and E of the NCC Volume One / Part 2.1 and 2.3 of NCC Volume Two.
2. The *Project Product Register* is to include the following information on each *building product*:
  - a. product description; application and intended use or location in the building (links to the *Specification*);
  - b. how it meets the NCC and other prescribed requirements including the supporting evidence of suitability and the required properties in the *Specification*;
  - c. relevant limitations and/or conditions of use;
  - d. installation and maintenance instructions; and
  - e. where to access further information.
3. The *Project Product Register* would not be required to include the individual products, materials and components that combine to make the *building product*.
4. The *statutory building surveyor* is to have the discretion to require the inclusion of additional *building products* on the *Project Product Register*.

### Further Comment

The required information for the *Project Product Register* is drawn from the Product Technical Statement template (ABCB's Evidence of Suitability Handbook 2018).

Corresponding information requirements on manufacturers and suppliers of *building products* are proposed to be included under the National Building Product Assurance Framework ([BCR recommendation 21](#)).

Any supporting Practice Guide should highlight the value of the *Project Product Register* not being limited to NCC Performance Requirements addressing structure and fire, but rather covering all areas of risk specific to the project.

## Principle 5 – Performance Solutions

*Performance Solutions* to be prepared and documented in accordance with the NCC

### Objective

To ensure a sound, well documented process for preparing and assessing *Performance Solutions*.

### Context

The BCR noted that the process for preparing and assessing *Performance Solutions* is to be sound and recommended that there should be a national best practice guide for documenting *Performance Solutions*.

In response there was an amendment to NCC 2019 to mandate the process for the development of Performance-Based Design Briefs (PBDBs). The amendment has effect from 1 July 2021.

#### ***NCC 2019 Amendment 1***

Where a Performance Requirement is proposed to be satisfied by a *Performance Solution* the following steps must be undertaken:

- a. Prepare a PBDB in consultation with relevant stakeholders.
- b. Carry out analysis, including modelling and/or testing, as proposed by the PBDB.
- c. Collate and evaluate results from (b) against the acceptance criteria in the PBDB.
- d. Prepare a final report that includes:
  - i. all Performance Requirements and/or Deemed-to-Satisfy Provisions identified through A2.2(3) or A2.4(3) as applicable; and
  - ii. identification of all Assessment Methods used; and
  - iii. details of steps (a) to (c); and
  - iv. confirmation that the Performance Requirement has been met; and
  - v. detail of any conditions or limitations.

The process is designed to facilitate and record the activities and agreed outcomes of the performance-based design process and is to result in a PBDB Final Report (Final Report).

The *building approval* documentation provided to the *statutory building surveyor* must include a Final Report covering each *Performance Solution* used in the design.

The *statutory building surveyor* must not participate in the design of the *Performance Solution* or the preparation of the Final Report. They may provide general advice on how to achieve NCC compliance.<sup>2</sup>

Further information on the process for developing the Final Report and the level of detail required is provided in the ABCB's [Handbook: Performance Solution Process](#).

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<sup>2</sup> This is consistent with responses to BCR recommendations 9 -11: [Code of conduct for Building Surveyors](#) and [Building surveyor integrity and their role in enforcement](#).

## Principle 6 - Variations

Design variations to be documented and approved
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### Objective

To ensure that design variations are documented and assessed so that the design remains compliant with the NCC and other prescribed requirements.

The retrospective approval of constructed building work is an option of last resort and therefore subject to additional requirements to provide a higher degree of transparency and oversight.

### Context

Variations to approved documentation can occur during construction, as well as after the building work is complete but prior to final sign-off by the *statutory building surveyor*. For example, the design may be further refined as sub-contractors participate in the construction. More information may become available that necessitates a departure from the original design. There may be mistakes or inaccuracies that need to be addressed.

Any departures from the approved building documentation need to be reassessed by the *statutory building surveyor*, compliance confirmed and new approval documentation issued.

Each variation needs careful consideration in the context of the assumptions that underpinned the original design, ideally prior to associated work being carried out. Any process to enable approval after construction needs careful consideration and additional transparency, particularly where *Performance Solutions* are involved.

It is expected that any departure from the *building approval* documentation be approved by the *statutory building surveyor* prior to construction, although it is recognised that this is not always the case and that a process is required to deal with this scenario.

## Legislative provisions

It is recommended that:

1. The *Building Approval Applicant* (or the building practitioner with responsibility for managing the approved documentation throughout construction) is to notify the *statutory building surveyor* if there are intended variations to the approved documentation prior to the work being carried out.
2. The *statutory building surveyor* is to assess whether the change affects the *building approval* and compliance with the NCC and other prescribed requirements.
3. If the *statutory building surveyor* determines the variation affects compliance, the following applies:
  - a. All relevant documentation must be updated and resubmitted to the *statutory building surveyor*.
  - b. Where a variation affects an area of the design that was subject to independent third party review ([BCR recommendation 17](#)) then the variation must be referred back to the reviewer for *assessment*.
  - c. Where a variation affects the elements of the design that were subject to fire authority advice, or approval, the variation must be referred back to the fire authority ([BCR recommendation 8](#)).
  - d. Where the variation impacts design covered in a *Declaration of Design Compliance*, *Certificate of Design Compliance* or a PBDB Final Report a new document must be provided that addresses the variation.
4. The variation must be assessed and approved by the *statutory building surveyor* prior to the work being carried out. In assessing the variation the *statutory building surveyor* must follow the same process used for the initial *building approval* (as appropriate). In making a determination, the *statutory building surveyor* will need to consider whether the amendment is consistent with the approved design as a whole.

5. If approved, the *building approval* documentation (including the *Project Product Register*, where applicable) is to be annotated to reflect the variation.

Where building work has been undertaken that is not in accordance with the *building approval* documentation and a **variation has not been approved prior to construction commencing**, the following must be undertaken in addition to the above requirements:

6. If approved, the *statutory building surveyor* must prepare a statement of reasons for accepting the variation to the *building approval* on constructed building work.
7. If the variation to the *building approval* for constructed building work includes a *Performance Solution*:
  - a. A PBDB Final Report must also be prepared and the owner or an agent of the owner must be included as a stakeholder in the process.
  - b. A copy of the documentation and statement of reasons is to be provided to the state or territory regulator to inform their audit program.
8. If the variation is not approved, the *statutory building surveyor* shall undertake the necessary enforcement action to bring about compliance.
9. If the enforcement action is not complied with, the *statutory building surveyor* is to inform the state or territory building regulator.

## Further Comment

State and territory building regulators should establish audit programs that include monitoring compliance with requirements for documentation and approval of variations. This would include targeting *Performance Solutions* as part of post-facto approvals of completed building work.

## Principle 7 – Occupancy Approval

*Performance Solutions* to be listed on the *occupancy approval*

### Objective

That all *Performance Solutions* forming part of the *building approval* documentation are listed on the *occupancy approval* to ensure the information is available to the relevant parties.

### Context

The BCR recommended that the *occupancy approval* must specify the circumstances in which *Performance Solutions* have been used and for what purpose. This will assist with the future maintenance of the building, particularly where the *Performance Solutions* require that specific maintenance be undertaken. It will also assist in any future building works that need to have regard for the context in which the *Performance Solutions* were developed and approved.

### Legislative provisions

It is recommended that:

1. All *Performance Solutions* in the *building approval* are recorded on the *occupancy approval* along with the location of detailed information on:
  - a. where *Performance Solutions* have been used and for what purpose; and
  - b. any ongoing maintenance or occupancy conditions relevant to the *Performance Solution*.

## Principle 8 - Assessment

*Statutory building surveyors* are responsible for *assessment* of designs

### Objective

The responsibility of the *statutory building surveyor* for the holistic *assessment* and approval of the design documentation is to be made clear.

### Context

The BCR highlighted that many *statutory building surveyors* accept and approve designs based on documentation that may be poor. To address this, there must be better support for the *statutory building surveyor* in their role to conduct an independent and holistic *assessment* of the project. This will in part be addressed by better documentation and process for variations to documentation covered under Principles 1 to 7 above. It is also necessary to be explicit on the *statutory building surveyor's* role in assessing the documentation.

### Legislative provisions

In addition to the responsibilities listed under Principles 1 to 7, it is recommended that:

1. The *statutory building surveyor* must not provide a *building approval* without having considered all documentation and information and having conducted a holistic *assessment* of the building design.
2. The *statutory building surveyor* must not supplement the application with additional material. If the *building approval* documentation is lacking in detail, a request for further information must be made and complied with before determining the application.
3. The *statutory building surveyor* may apply conditions to a *building approval* including, but not limited to:
  - a. requiring inspections and/or testing during installation to yield additional documentation to determine compliance, and

- b. confirming the basis of any assumption that is reasonably made by the *statutory building surveyor*.
4. Deficiencies in documentation must not be a reason for conditioning a *building approval*; instead further information should be requested so *assessment* can be made.
5. *Occupancy approvals* are not to be conditioned in order to achieve compliance.

# APPENDICES



# Appendix A: Performance Requirement Checklist - Example Template

NCC version \_\_\_\_\_

## Volume One

Performance Requirements		Deemed-to-Satisfy	Performance Solution
<b>Structure</b>	BP1.1		
	BP1.2		
	BP1.3		
	BP1.4		
<b>Fire Resistance</b>	CP1		
	CP2		
	CP3		
	CP4		
	CP5		
	CP6		
	CP7		
	CP8		
	CP9		
<b>Access &amp; Egress</b>	DP1		
	DP2		
	DP3		
	DP4		
	DP5		
	DP6		
	DP8		
	DP9		
	DP7		
<b>Services &amp; Equipment</b>	EP1.1		
	EP1.2		
	EP1.3		
	EP1.4		
	EP1.5		
	EP1.6		
	EP2.1		
	EP2.2		
	EP3.1		
	EP3.2		
	EP3.3		
	EP3.4		
	EP4.1		
	EP4.2		
	EP4.3		

Performance Requirements		Deemed-to-Satisfy	Performance Solution
<b>Health &amp; Amenity</b>	FP1.1		
	FP1.2		
	FP1.3		
	FP1.5		
	FP1.6		
	FP1.7		
	FP1.4		
	FP2.1		
	FP2.2		
	FP2.3		
	FP2.4		
	FP2.5		
	FP2.6		
	FP3.1		
	FP4.1		
	FP4.2		
	FP4.3		
	FP4.4		
	FP4.5		
	FP5.1		
	FP5.2		
	FP5.3		
	FP5.4		
	FP5.5		
	FP5.6		
	<b>Ancillary Provisions</b>	GP1.1	
GP1.2			
GP1.3			
GP1.4			
GP1.5			
GP2.1			
GP2.2			
GP4.1			
GP4.2			
GP4.3			
GP4.4			
GP5.1			
<b>Energy Efficiency</b>	JP1		
	JP3		

## Volume Two

Performance Requirements		Deemed-to-Satisfy	Performance Solution
<b>General Requirements</b>	Section 1		
<b>Structure</b>	P2.1.1		
	P2.1.2		
<b>Damp &amp; Weatherproofing</b>	P2.2.1		
	P2.2.2		
	P2.2.3		
	P2.2.4		
<b>Fire Safety</b>	P2.3.1		
	P2.3.2		
	P2.3.3		
	P2.3.4		
	P2.3.5		
	P2.3.6		
<b>Health &amp; Amenity</b>	P2.4.1		
	P2.4.2		
	P2.4.3		
	P2.4.4		
	P2.4.5		
	P2.4.6		
<b>Safe Movement &amp; Access</b>	P2.5.1		
	P2.5.2		
	P2.5.3		
	P2.5.4		
<b>Energy Efficiency</b>	P2.6.1		
	P2.6.2		