

ADVISORY NOTICE BUILDING

01/16

Advisory Notices are issued to assist in the interpretation of the Development Act 1993

March 2016

ADMINISTRATION:

Withdrawal of the registration scheme for House Energy Rating Assessors

This Advisory Notice provides advice about the withdrawal of the scheme known as the Register of House Energy Rating Assessors (the Register) from 1 July 2015. **The current list will be withdrawn on 30 June 2016.** These people may independently certify another persons' design for the purposes of Regulation 88 of the *Development Regulations 2008* (the Regulations). However in some instances, such as reference building modelling, additional qualifications may be necessary for the person to be considered appropriate for the purposes of Regulation 85 (c).

BACKGROUND

In 2003 minimum energy efficiency provisions for Class 1 and 10a buildings were introduced into the then Building Code of Australia (BCA) and were required to comply with Part 2.6 of Volume Two. Compliance could be demonstrated by meeting the Deemed-to-Satisfy Provisions (DTS) or by way of an Alternative Solution. At that time a house energy rating produced in accordance with Verification Method V2.6.2.1 was an Alternative Solution.

An amendment was made to Regulation 88 to permit independent technical experts to certify compliance with Part 2.6 of Volume Two. The Building Advisory Committee (BAC), acting as the registration authority under delegation, was concerned that at the time there were no provisions for formal qualifications or training required and no established professional or membership bodies that could be considered appropriate for the purposes of Regulation 85 (c). The BAC established a voluntary Register as a substitute body for the purposes of Regulation 85 (c) of the then *Development Regulations 1993*.

DISCUSSION

The Register was voluntary and was not a list of designers as there are no powers in the *Development Act 1993* or the Regulations to register designers. Persons not listed on the Register were still permitted to produce house energy ratings to demonstrate compliance. These house energy ratings were then independently checked by the building surveyor.

In 2010, a house energy rating ceased to be an Alternative Solution for the purposes of the BCA. A house energy rating subsequently became a DTS requirement to demonstrate compliance with Performance requirement 2.6.1 (thermal performance), as long as the requirements for thermal breaks, compensation for loss of ceiling insulation, floor edge insulation and building sealing were also complied with.

This is the situation at the current time.

Specialised training has been developed in the form of a *Certificate IV in NatHERS Assessment* and there are also a number of professional / membership bodies that a relevant authority may consider appropriate for the purposes of Regulation 85 (c).

For these reasons, the Department will no longer be maintaining the Register or a list of persons who have attained the *Certificate IV in NatHERS Assessment*.

ADDITIONAL INFORMATION

More information about Independent Technical Experts can be found in [Advisory Notice Building 11/05 PROFESSIONAL PRACTICE – Independent Technical Experts](#)

This Advisory Notice is for general information only and should not be relied upon as legal advice or an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations you should obtain independent legal advice.

Further information

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