



Australian
Institute of
Architects

TAS

ABN 72 000 023 012

The Royal Australian Institute of Architects
trading as Australian Institute of Architects

1/19a Hunter Street
nipaluna/Hobart, Tasmania 7000

P: (03) 6214 1500

tas@architecture.com.au

architecture.com.au

CBOS
Department of Justice
30 Gordons Hill Road
Rosny Park TAS 7018

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By email to: cbos.info@justice.tas.gov.au

Re: Director's Determination – Prescribed Maintenance of Essential Building Services

To whom this may concern,

The Tasmanian Chapter of the Australian Institute of Architects (the Institute) thanks Consumer, Building and Occupational Services (CBOS) for the opportunity to provide input into the Director's Determination – Prescribed Maintenance of Essential Building Services (the Determination).

The Institute supports the intent of the determination to strengthen ongoing maintenance obligations for building safety systems, recognising their critical role in protecting occupants and maintaining compliance with the Building Act 2016 (Tasmania). However, the Institute wishes to highlight areas where the draft Determination and associated Form 46 maintenance schedule may not fully address contemporary building performance requirements, particularly regarding moisture and condensation management.

ALIGNMENT WITH NATIONAL CONSTRUCTION CODE (NCC) REQUIREMENTS

While the draft determination focuses appropriately on traditional life-safety systems, such as fire detection, smoke hazard management, emergency lighting, and lifts, it does not explicitly account for systems required to comply with NCC condensation provisions.

Recent NCC amendments (2019–2022) require passive and mechanical ventilation systems to control moisture accumulation within building envelopes. These systems are essential for maintaining building performance, durability, and occupant health. Failure of these systems over time may result in buildings no longer complying with the NCC, yet under the current draft determination, these elements are not captured as maintainable services.

Recommendation:

The determination should explicitly recognise that ventilation and condensation mitigation systems required under the NCC are to be included in maintenance schedules, where relevant. This should include inspection of drainage battens where used for integrity to maintain the required ventilation gap between roof sheeting and roofing membranes, and other passive ventilation systems.

INCLUSION OF PASSIVE BUILDING ENVELOPE SYSTEMS IN FORM 46

Form 46 currently lists standard EBS categories primarily reflecting mechanical or life-safety systems. Passive systems critical to condensation management (e.g., roof ventilation openings, cavity ventilation, ridge/eave vents, and mesh vents) cannot be easily included, limiting surveyors' ability to document maintenance obligations for these elements.

Recommendation:

Introduce a category in Form 46 such as:

“Building ventilation and condensation management systems”

This would allow surveyors to list passive ventilation and condensation mitigation systems where required for NCC compliance, ensuring they are maintained throughout the life of the building.

COMPETENCY AND GUIDANCE

The Institute also notes that maintenance is required to be undertaken by a “competent person.” Greater clarity on competencies for systems beyond traditional life-safety elements, including moisture management and ventilation systems, would assist both surveyors and building owners in implementing effective maintenance programs.

Provision of guidance material or templates for maintenance schedules would also support compliance and ensure consistency across the building sector.

CONCLUSION

Strengthening maintenance requirements for essential building services is critical to improving safety and building performance outcomes. To fully realise this objective, the determination and associated Form 46 should:

- Recognise systems required to achieve NCC compliance for moisture and condensation management as maintainable elements.
- Provide surveyors with a practical mechanism to include these systems in Form 46.
- Include clear competency requirements and guidance for building owners

The Institute recommends the following considerations:

1. Clarity and guidance for building owners

Many building owners may not have technical knowledge of essential building systems. Clear guidance materials should accompany the determination to help owners understand their

responsibilities, including the preparation and review of maintenance schedules. The associated fact sheet¹ should be updated to provide clarity for building owners.

2. Competency requirements for maintenance personnel

The determination should clearly define the level of competency required to undertake inspection, testing and maintenance of essential building services. Where specialist skills are required (such as fire protection or mechanical systems), this should explicitly require appropriately qualified practitioners. Consideration of bi-annual (or once every three-to-four yearly) recertification for elements that manage condensation, as required by the NCC, should be considered.

The Institute is concerned that if ventilation systems are obstructed, altered, or not properly maintained over the life of a building, there is an increased risk of condensation forming within concealed spaces. This can lead to moisture accumulation that may compromise the integrity of the building fabric, including deterioration of materials, reduced durability, and potential impacts on occupant health. Ensuring that ventilation pathways remain functional and are not inadvertently blocked is therefore critical to maintaining long-term building performance.

3. Consistency with national standards

Maintenance requirements should align with relevant Australian Standards and the NCC to ensure consistency across jurisdictions and reduce confusion for industry.

4. Record-keeping and compliance processes

Clear expectations around record-keeping, documentation, and auditing will help support compliance and enforcement. Digital record systems may also help improve transparency and accessibility.

5. Transition arrangements

Where changes to maintenance frequency or requirements are introduced, adequate transition periods should be provided to allow building owners and service providers time to adapt.

These changes would ensure maintenance obligations support both life-safety and building performance outcomes, protecting occupants and the long-term durability of buildings.

The Institute thanks CBOS for the opportunity to provide feedback and remain available for further consultation or technical clarification.

Kind regards,



Daniel Lane
President, Tasmanian Chapter
Australian Institute of Architects



Jennifer Nichols
Executive Director, Tasmanian Chapter
Australian Institute of Architects

The Australian Institute of Architects (Institute) is the peak body for the architectural profession in Australia. It is an independent, national member organisation with over 14,000 members across Australia and overseas. The Institute exists to advance the interests of members, their professional standards and contemporary practice, and expand and advocate the value of architects and architecture to the sustainable growth of our communities, economy and culture. The Institute actively works to maintain and improve the quality of our built environment by promoting better, responsible and environmental design. To learn more about the Institute, log on to www.architecture.com.au.