Building and Development
Dispute Resolution Committees—Decision

Sustainable Planning Act 2009

Appeal Number:	**43-15**
Applicant:	Queensland Fire and Emergency Services (QFES)
Assessment Manager:	Steve Watson & Partners - Daniel Davrain, Building Certifier A1074817
Concurrence Agency: (if applicable)	Not Applicable
Site Address:	65 Mary Street, Brisbane and described as Lot 6 RP 193122 – the subject site

Appeal

Appeal by the Queensland Fire and Emergency Services (QFES) as an Advice Agency under section 528 of the *Sustainable Planning Act 2009* (SPA) against the decision of the Assessment Manager to approve the use of Alubond USA FR-B1 (Alubond), a form of aluminium composite panel as external cladding on a high rise student accommodation building as an alternative solution under the National Construction Code, Volume 1, 2013 (NCC 2013).

Date and time of hearing:	6 January 2016 – 10am
Place of hearing:	Meeting Rooms, Building Codes Queensland, Level 16 Mineral House, 41 George Street, Brisbane
Committee:	Danyelle Kelson – Chair Peter Rourke - Member Gregory Schonfelder - Member
Present:	**For the Assessment Manager:**

Assessment Manager:

Daniel Davrain	Steve Watson & Partners	State Manager
Stephen Watson (by phone)	Steve Watson & Partners	Managing Director

Builder:

Pieter Zeeman	Probuild Constructions	Design Director
Tom Nisbet	Probuild Constructions	IGLU Project Manager
Phil Peacock (observer only)	Probuild Constructions	Group General Counsel

Façade Installer (Subcontractor):

Frank Zimmermann	I&H Contract Fixing	Project Manager

Principal:

Jonathan Gliksten	IGLU	Director

Project Fire Engineer:

Trent De Maria	Olsson Fire & Risk	Associate Director
Per Olsson (by phone)	Olsson Fire & Risk	Managing Director

Peer Reviewers:

Stephen Grubits	Stephen Grubits and Associates	Chairman
Chris Sheeran	WSP Buildings Pty Ltd	Associate Fire Engineer
Wayne Bretherton	WSP Buildings Pty Ltd	Principal

For the Advice Agency/Applicant:

Ian Shepherd	QFES	Acting Executive Manager
Steven McKee	QFES	Manager
David Brazel	QFES	Inspector
Ted Simmonds	QFES	Fire Engineer

Observer:

Gary Stick - Queensland Building and Construction Commission

Decision:

In accordance with section 564 of the SPA, the Building and Development Dispute Resolution Committee (Committee) ***confirms*** the decision of the Assessment Manager.

Please note that the decision of the Committee does not take effect until such time as:

1. a party to the proceeding does not appeal against the decision—at the end of the period during which the Committee's decision may be appealed; or
2. an appeal is made to the court against the committee's decision—subject to the decision of the court, when the appeal is finally decided or withdrawn.

Background

This appeal was lodged by the QFES as advice agency against the decision of the Assessment Manager to approve the use of Alubond USA FR-B1 (Alubond) as external cladding on a high-rise student accommodation building at 65 Mary Street, Brisbane.

The concerns of the QFES relate to the use of combustible material being attached to the façade of a multi-storey building. QFES view the material has the potential for vertical fire spread between storeys in the same building and fire spread between buildings. The QFRS believe this can pose unacceptable risks for significant fire spread along the exterior of a building, and compromise exit paths and inhibit fire brigade intervention.

The external cladding in high-rise residential buildings should not sustain burning nor should it contribute to vertical fire spread between stories or horizontal spread between sole occupancy units. The QFES is of the opinion that the information submitted to support the use of the material as an alternative solution, including testing in other configurations indicates that in certain fire scenarios the materials will most definitely burn and contribute to the fire. The combustible external cladding material could potentially contribute to fire spread.

The subject cladding material is Alubond which is a 4mm thick aluminium composite panel comprised of a 3mm thick core material within two layers of coated aluminium sheeting of 0.5mm thickness treated with an 80 micron Polyvinylidene fluoride paint. The panel is attached to the external structural walls of the subject building.

The structural walls are required to achieve specific fire resistance levels. The Alubond cladding is for visual and weatherproofing purposes; it does not provide any structural support to the building; and is not required by NCC 2013 to achieve specific fire resistance levels. However, the deemed-to-satisfy provisions of NCC 2013 require that materials attached to the external walls of a building do not impair the fire resistance of the building or otherwise constitute an undue risk of fire spread via the facade of the building.

NCC 2013, Part A0.5 (Meeting the Performance Requirements) states:

> *Compliance with the Performance Requirements can only be achieved by—*
>
> *(a) complying with the Deemed-to-Satisfy Provisions; or*
> *(b) formulating an Alternative Solution which—*
> *(i) complies with the Performance Requirements; or*
> *(ii) is shown to be at least equivalent to the Deemed-to-Satisfy Provisions; or*
> *(c) a combination of **(a)** and **(b)**.*

In forming an alternative solution, the Alubond material has been compared with:

- the relevant deemed-to-satisfy provisions of NCC 2013;
- fire testing to international standards; and
- peer review by fire engineers.

The deemed-to-satisfy provisions of NCC 2013 do not prohibit the use of combustible materials in or on buildings. Materials used in buildings must be assessed against specific parts of NCC 2013. These include the following sections from Section C -Fire Resistance:

- Part C1.10 - Fire Hazard Properties (C1.10);
- Specification C1.10 – Fire Hazard Properties (Spec. C1.10);
- Specification C1.1 – Fire Resistant Construction (Spec. C1.1) and associated clause 2.4 – Attachments not to impair fire resistance (Clause 2.4);
- C1.12 – Non-combustible materials (C1.12).

C1.10 requires wall linings to satisfy the fire hazard properties of Spec. C1.10. Clause 4 of Specification C1.10 applies to Wall and Ceiling Linings

In addition to Clause C1.10, Clause 2.4 of Specification C1.1 states:

Attachments not to impair fire-resistance states:

> (a) A *combustible* material may be used as a finish or lining to a wall or roof, or in a sign, sunscreen or blind, awning, or other attachment to a building element which has the *required* FRL if—
>
> (i) the material is exempted under C1.10 or complies with the *fire hazard properties* prescribed in Specification C1.10; and

(ii) it is not located near or directly above a *required exit* so as to make the *exit* unusable in a fire; and

(iii) it does not otherwise constitute an undue risk of fire spread via the facade of the building.

(b) The attachment of a facing or finish, or the installation of ducting or any other service, to a part of a building *required* to have an FRL must not impair the *required* FRL of that part.

Clause 2.4(a)(iii) of Specification C1.1 does not provide any specific guidance as to how it can be proven that a finish or lining to an external wall of a building does or does not constitute an undue risk of fire spread via the facade of a building.

In the absence of any specific guidance as to how it might be proven that a finish or lining to an external wall of a building does not constitute an undue risk of fire spread, the steps taken by the Assessment Manager to ensure the product's suitability was subject to sufficiently rigorous consideration are considered reasonable. Guidance was sought from a qualified fire safety engineer, whose conclusions were further tested through a robust peer review process.

C1.12 of the NCC 2013 states that under specific circumstances combustible materials may be used where a non-combustible material is required. Specifically, C1.12(f) states:

Bonded laminate materials where –
(i) Each laminate is non-combustible; and
(ii) each adhesive layer does not exceed 1mm in thickness; and
(iii) the total thickness of the adhesive layers does not exceed 2mm ; and
(iv) the Spread-of-Flame Index and the Smoke- Developed- Index of the laminated material as a whole does not exceed 0 and 3 respectively.

The Alubond product is considered to be combustible pursuant to C1.12(f)(iii) because the single adhesive layer exceeds 1mm and the total thickness of the adhesive layer is 3mm.

The product required assessment of its combustibility and its likelihood to propagate fire spread to other levels of the building or adjacent buildings or present an increased danger or risk to the occupants, members of the public or fire fighters because of flaming debris.

Olsson Fire and Risk (Olsson), the fire engineers engaged for the subject building concluded that the Alubond product satisfied the relevant NCC 2013 requirements. The Olsson conclusions were peer reviewed by WSP Buildings Pty Ltd (WSP) and Steve Grubits & Associates (SGA), both of whom concurred with Olsson's conclusion that the Alubond product met the relevant NCC 2013 requirements.

The QFES was involved throughout the assessment and approval process as an Advice Agency having jurisdiction in the assessment of an alternative solution under section 250 of the SPA and the Sustainable Planning Regulation 2009 Table 1, Schedule 7. The QFES concern over the use of the product in the subject building centred on the combustibility of the cladding and its potential to contribute to fire spread via the facade of the building.

The QFES concerns primarily related to the building's height; high risk occupancy type; poor external access for firefighting due to its proximity to other neighbouring buildings; and the Alternative Solutions used in the building. The primary concern was that the cladding material is unsuitable in that it represents a serious risk to the occupants of the building.

The QFES ultimately considered the performance of the cladding material Alubond as installed was unknown in the event of a fire and required a full-scale testing of the as-constructed assembly. In its Advice Agency response dated 22 December 2015, the QFES assessed the

application (including all other fire services Alternative Proposals which had previously been approved) as “non-compliant” and recommended the Assessment Manager refuse the application for a changed approval.

The QFES indicated that testing should be carried out in accordance with the Australian Standard AS 1530.1-1994 *Methods for fire tests on building materials, components and structures.* Part 1 of the Standard refers to *Combustibility test for materials.* However, clause 1.4 of the Standard indicates that the test methods are not applicable to products that are coated, faced or laminated.

In addition, AS 1530.1 offers only a determination whether the material is combustible or not, not a measure of fire hazard. Under the Standard, material is combustible even if it has very low combustible content and would not be hazardous in a building fire.

In the absence of an Australian Standard that would test the combustibility of a coated, faced or laminated product to address QFES concerns, further testing of the product was undertaken, specifically a test by Exova Warringtonfire (Exova) to British Standard, BS 8414-2:2015 *Fire performance of external cladding systems – Part 2: Test method for non-loadbearing external cladding systems fixed to and supported by a structural steel frame.*

Based on the Exova testing, the assessments of the product undertaken by Olsson and the peer review results, the Assessment Manager decided not to follow the advice of the QFES and approved the use of Alubond as an Alternative Solution on 22 December 2015.

When informing the QFES of its decision, the Assessment Manager provided the QFES with access to the results of the Exova testing including a video of the actual fire test.

The QFES did not accept the Exova testing was sufficient to allay its concerns about the Alubond product’s performance and accordingly this appeal was lodged by the QFES with the Committee’s registry on 24 December 2015.

Material Considered

The material considered in arriving at this decision comprises:

Application and supporting material

1. ‘Form 10 – Appeal Notice’, grounds for appeal and correspondence accompanying the appeal lodged with the Committees Registrar on 24 December 2015, including:
    a. Application to Assess/Reassess Special Fire Service and/or Alternative Design submitted to QEFS on 8 December 2015;
    b. Letter dated 22 December 2015 QFES to Assessment Manager with attached “Non-Compliant Assessment”;
    c. Letter dated 22 December 2015 Assessment Manager to QFES attaching building approval;
    d. Form 6 – Decision Notice dated 22 December 2015 with attachments

Submissions and statements

2. Assessment Manger’s Submission (Stephen Watson/Daniel Davrain) dated 5 January 2016
3. Statement of Probuild dated 5 January 2016

4. Comments on the QFES Fire Engineering Report by Olsson Fire & Risk (Trent De Maria/Per Olsson) dated 3 January 2016
5. Verbal submissions at the hearing from all parties to the appeal
6. QFES submission dated 8 January 2016
7. Probuild submission dated 11 January 2016 attaching:
    a. *Review of QFES Submission and Discussion of Key Issues* Exova Warringtonfire dated 11 January 2016
    b. *65 Mary Street – Appeal 43-15 Response to QFES Comments* Olsson Fire & Risk dated 11 January 2016
    c. *65 Mary Street, Brisbane B&D Committee Appeal No 43-15* Stephen Grubits & Associates 11 January 2016
    d. *65 Mary Street, Brisbane Additional Submission – Peer Review response to Comments* WSP Buildings Pty Ltd dated 11 January 2016
    e. *Iglu – 65 Mary Street* I&H Contractors dated 11 January 2016
    f. *Further Submission IGLU Student Accommodation, 65 Mary Street Brisbane* Steve Watson & Partners dated 11 January 2016
8. QFES submission dated 13 January 2016

Reports

9. *Iglu Student Accommodation 65 Mary Street, Brisbane Fire Engineering Report (Rev: FER1.3)* Olsson Fire & Risk dated 14 January 2014
10. *65 Mary Street, Brisbane – Fire Engineering Addendum Report (Rev 1)* Olsson Fire & Risk dated 8 September 2015
11. *Draft Fire Engineering Addendum Report* Olsson Fire & Risk undated (circa 3 November 2015 – draft issued for Authority Comment incorporating QFES comments)
12. *Draft Fire Engineering Addendum Report* Olsson Fire & Risk dated 17 November 2015 (draft issued for Stakeholder Comment incorporating Peer Review Comments and QFES comments)
13. *65 Mary Street, Brisbane Fire Engineering Addendum Report (Rev 2.3)* Olsson Fire & Risk dated 25 November 2015 (Final issue incorporating Peer Review Comments and QFES comments)
14. *65 Mary Street, Brisbane Fire Engineering Addendum Report (Rev 2.4)* Olsson Fire & Risk dated 3 January 2016 (Final issue incorporating BS8414.2 2015 results)
15. *65 Mary Street – QFES Fire Engineering Report Comments* Olsson Fire & Risk dated 15 October 2015
16. *65 Mary Street – BS8414.2 Fire performance of external cladding systems. Test method for non-load bearing external cladding systems fixed to and supported by a structural steel frame* Olsson Fire & Risk dated 21 December 2015

17. *Draft IGLU Student Accommodation – Peer Review* WSP Buildings Pty Ltd dated 19 October 2015
18. *IGLU – 65 Mary Street, Brisbane Peer Review Report (Issue 3)* WSP Buildings Pty Ltd dated 25 November 2015 (Final Issue)
19. *IGLU – 65 Mary Street, Brisbane Peer Review Report (Issue 3)* WSP Buildings Pty Ltd dated 5 January 2016 (Final Issue)
20. *IGLU – 65 Mary Street, Brisbane Fire Engineering Opinion letter – Alubond USA FR-B1 Fire Test* WSP Buildings Pty Ltd dated 22 December 2015
21. *IGLU 65 Mary Street, Brisbane Peer Review Report (R1.0)* Stephen Grubits & Associates dated 10 December 2015
22. *IGLU – Fire test of façade cladding – Review of preliminary test results* Stephen Grubits & Associates dated 22 December 2015
23. *Test Report – Fire test of Alubond external cladding system in accordance with BS8414.2 – 2015* Exova Warringtonfire dated 21 December 2015

Other documents

24. Letter and attachments from Exova Warringtonfire to Probuild Constructions regarding accreditations dated 5 January 2016
25. Video and Photographs of Exova Warringtonfire BS8414.2 Test
26. Photographs of the IGLU Student Accommodation Building showing the Alubond product in situ
27. Construction issue drawings:

Facades Australia	IH-MS-WSD-2000 (Rev A)	East Façade Elevation	20.11.14
Facades Australia	IH-MS-WSD-2001 (Rev A)	North Façade Elevation	20.11.14
Facades Australia	IH-MS-WSD-2002 (Rev A)	West Façade Elevation	20.11.14
Facades Australia	IH-MS-WSD-2003 (Rev A)	South Façade Elevation	20.11.14
Facades Australia	IH-MS-WSD-3000 (Rev A)	Curtain Wall Panel Sections 1 of 2	20.11.14
Facades Australia	IH-MS-WSD-3001 (Rev A)	Curtain Wall Panel Sections 2 of 2	20.11.14
Facades Australia	IH-MS-WSD-4001 (Rev A)	Typical System Concept Details	20.11.14
Facades Australia	IH-MS-WSD-4011 (Rev A)	Typical System Concept Details	20.11.14
BatesSmart	A03.003 (Rev C)	Level 03 General Arrangement Plan Typical for Levels 3 and 7 Façade Type D Typical	27.08.14

Legislation

28. The *Sustainable Planning Act 2009* (SPA*);*
29. The *Building Act 1975 (*BA*)*;
30. The National Construction Code Volume 1, BCA 2013 (NCC 2013)
31. The Building Regulation 2006 (BR)

Standards

32. AS 1530.1-1994 *Methods for fire tests on building materials, components and structures Part 1: Combustibility test for materials*
33. AS/NZS 1530.3:1999 *Methods for fire tests on building materials, components and structures Part 3: Simultaneous determination of ignitability, flame propagation, heat release and smoke release*
34. DR AS 5113:2015 *Fire propagation testing and classification of external walls of buildings* (Standards Australia, Draft for Public Comment, August – November 2015)
35. BS 8414-2:2015 *Fire performance of external cladding systems – Part 2: Test method for non-loadbearing external cladding systems fixed to and supported by a structural steel frame*
36. NFPA 285 Test *Standard Method of Test for the Evaluation of Fire Propagation Characteristics of Exterior Non Load Bearing Wall Assemblies Containing Combustible Components.*

Findings of Fact

The Committee makes the following findings of fact:

The building

1. The building involved in this appeal is a 23 storey student accommodation facility situated at 65 Mary Street Brisbane on land more particularly described as Lot 6 RP 193122 to be known as the IGLU Student Accommodation.
2. The building is sprinkler protected in accordance with part E1 of NCC 2013.
3. The building is a Class 3 residential building of 11,775m^2 comprised of communal spaces on ground level and level 1 with residential accommodation on levels 2 to 22. The residential levels provide a number of accommodation options, to be individually rented by students, including self-contained studio apartments as well as arrangements or "clusters" of bedrooms with shared facilities.
4. The building is required to be Type A construction pursuant to NCC 2013.
5. The building is bounded by a two storey retail/commercial building to the east and an 18 storey commercial office building to the west.
6. Construction of the building commenced in or about July 2014 and has reached completion, subject to resolution of this appeal and the issue of a Certificate of Classification permitting occupation of the building as intended.

The Alubond product and its installation

7. Alubond is an aluminium composite panel intended for use as an external cladding material attached to the external structural wall. The cladding is required to comply with Clause 2.4 of Specification C1.1 of NCC 2013
8. Alubond is a 4mm thick panel constituted by 2 sheets of 0.5 thick aluminium surrounding a 3mm inner core comprising a mixture of around 70% inorganic non-combustible material and less than 30% binding agents with combustible characteristics treated with

fire retardants. The panel is coated with an 80-120 micron thick paint coating, which is combustible.

9. When assessed against C1.12(f) of NCC 2013, it is considered a combustible material.

10. The Alubond panels are attached to aluminium frames, which are fixed to the external walls of the building.

Approval and evidence of suitability process

11. The Assessment Manager originally approved the fire engineering aspects of the building based on Olsson's Fire Engineering Report dated 14 January 2014, which proposed a number of fire safety measures including the use of a fire sprinkler system.

12. The initial design of the building called for the installation of an aluminium cladding product, Alucobond, for aesthetics and weatherproofing purposes. The Committee understands Alucobond has been issued with a Certificate of Conformity pursuant to section 51 of the Building Regulation 2006.

13. During the detailed design process, the design team identified the Alubond product as an equivalent or better product to the highest grade Alcubond product, and a decision was made to use the Alubond product as an alternative cladding. Construction of the building progressed using the Alubond product.

14. On or about August 2015 the Assessment Manager was made aware of the use of the Alubond product and determined that the Alubond did not meet the deemed-to-satisfy requirements of NCC 2013. An application to change the approval to accommodate the use of the product was made which necessitated the involvement of the QFES as an Advice Agency.

15. In support of the change, an Addendum Report was prepared by Olsson on 8 September 2015 for assessment of the changes – including the changes to the façade material – this took into account concerns expressed by the QFES on 25 August 2015. The addendum report was peer reviewed by SGA and WSP to ensure the assessment was robustly tested. Olsson's addendum report and the peer reviews were submitted to the QFES.

16. On 22 December 2015, the QFES issued a non-compliant report on the as constructed Alubond cladding and withdrew its support for the other alternative fire safety solutions in the building. QFES recommended the Assessment Manager refuse the request to change the approval with respect to the use of Alubond.

17. A fire test, in accordance with BS 8414-2:2015 was undertaken on 21 December 2015 by Exova. There was agreement amongst the fire engineers (the project engineer and the peer reviewers) that the Alubond cladding satisfied the relevant test and therefore satisfied the NCC 2013 requirements.

18. On 22 December 2015 the Assessment Manager issued an approval of the change request authorising the use of the Alubond product. He was satisfied that the product met the relevant requirements of the NCC and was at least equivalent to the Deemed-to-Satisfy provisions on the basis of the testing, fire engineering reports and assessments by Olsson, and the peer reviews of Olsson's assessments by SGA and WSP.

Reasons for the Decision

1. Clause A0.9 of NCC 2013 allows the Assessment Manager to use a variety of assessment methods to determine that a product such as Alubond complies with the performance requirements of the NCC 2013. In doing this, a comparison was made using the deemed-to-satisfy provisions of the NCC and "expert judgement".

2. While it was not disputed by the Assessment Manager that Alubond is combustible when assessed against Clause C1.12 (f) of NCC 2013. The advice received at the hearing

indicates that Alubond, even though it has an adhesive layer exceeding 1mm and a total thickness of adhesive layers exceeding 2mm, has less combustible content than material deemed acceptable under C1.12 (f). The Alubond cladding is therefore considered at least equivalent to relevant deemed-to-satisfy provisions of C1.12 (f) of NCC 2013.

3. Expert Judgement is defined in NCC 2013 *as:*

   the judgement of an expert who has the qualifications and experience to determine whether a Building Solution complies with the Performance Requirements.

   Both the Principals of the peer review companies are well-known and respected fire engineers and therefore satisfy the above definition. Their qualifications also satisfy Clause A2.2 of NCC 2013 with regard to evidence of suitability.

4. **Part A2.2 of NCC 2013 Evidence of Suitability,** allows evidence, among other things, to be in the form of:

   . (i) A report issued by a Registered Testing Authority, showing that the material or form of construction has been submitted to the 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.

   . (iii) A certificate from a professional engineer or other appropriately qualified person which—

   (A) certifies that a material, design, or form of construction complies with the requirements of the BCA; and

   . (B) sets out the basis on which it is given and the extent to which relevant specifications, rules, codes of practice or other publications have been relied upon.

5. There are no current Australian Standards suitable for the testing of external wall cladding materials as a complete unit. In the absence of a suitable Australian Standard it is reasonable to rely on recognised international standards such as the British Standard BS 8414-2:2015 *Fire performance of external cladding systems – Part 2: Test method for non-loadbearing external cladding systems fixed to and supported by a structural steel frame* and NFPA 285 Test *Standard Method of Test for the Evaluation of Fire Propagation Characteristics of Exterior Non Load Bearing Wall Assemblies Containing Combustible Components*.

6. The Peer reviews of Olsson's report were carried out by fire engineers who are widely respected in the industry and the Committee is satisfied they would satisfy BCA 2013 Part A2.2(a)(iii). The facade fire test was carried out by Exova under BS8414-2: 2015. The test results were subsequently considered by the experts who concluded that the cladding is unlikely to propagate fire on the surface of the facade.

7. Exova are NATA certified and they are a "registered testing authority" under NCC 2013 Part A2.2 (a)(i) to carry out fire tests.

8. The Committee is of the view that the Fire Engineering Addendum Report by Olsson, the peer review submissions by SGA and WSP and the subsequent fire tests carried out by Exova, satisfy A2.2 of NCC 2013.

9. The building is sprinkler protected in accordance with Part E1 of the NCC 2013. At the hearing it was not disputed by the QEFS representatives, that sprinkler systems have a high degree of reliability and the likelihood of their failure is very low. Data presented at the hearing suggests that sprinklers are effective 97% of the time resulting in a combined performance of operating effectively in 91% of all reported fires where sprinklers were present in the fire area and the fire was large enough to activate them.

10. The QFES, after reviewing the video of the test were concerned that the cladding did in fact flame and that molten material was seen falling to the ground.

11. The Committee has viewed the video. It does not appear that the flaming was the result of the cladding catching fire and spreading up the façade as suggested by QFES but rather the fire source itself.
12. As far as molten material is concerned, there was no conclusive evidence it was the Alubond material. Given that for the duration of the test there was no other molten material it is feasible that it may have been the seals or aluminium beading that were part of the test rigging which would not be present in the in situ installation, as submitted by the Assessment Manager.
13. The fire test carried out by Exova replicates a fire originating inside a building where flashover has occurred and the fire has subsequently exited an opening. In a “real life” situation it is likely that the sprinklers would be activated which would suppress the fire in the room of origin and flaming would not occur to the extent in the test situation as shown in the video.
14. The Committee is satisfied that the weight of evidence submitted at the hearing by the Assessment Manager which includes peer reviews, product data, test reports and the results and analysis from a full scale fire test, supports a conclusion that the Alubond product is at least equivalent to a “deemed to satisfy” material applied in the same location.
15. The Committee is satisfied that the Alubond product meets the requirements of the NCC 2013 and therefore ***confirms*** the decision of the Assessment Manager to approve its use as external cladding on the subject building

Danyelle Kelson

Building and Development Committee Chair
Date: 23 February 2016

Appeal Rights

Section 479 of the *Sustainable Planning Act 2009* provides that a party to a proceeding decided by a Committee may appeal to the Planning and Environment Court against the Committee's decision, but only on the ground:

(a) of error or mistake in law on the part of the Committee or
(b) that the Committee had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.

The appeal must be started within 20 business days after the day notice of the Committee's decision is given to the party.

Enquiries

All correspondence should be addressed to:

The Registrar of Building and Development Dispute Resolution Committees
Building Codes Queensland
Department of Housing and Public Works
GPO Box 2457
Brisbane QLD 4001
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