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Please ensure you check with the Department of Mines, Industry Regulation and Safety for the latest information. The information in this presentation is intended as an explanatory guide and should not be relied upon as legal advice. If you are uncertain as to your legal obligations, you should obtain independent legal advice.



Government of **Western Australia**Department of **Mines**, **Industry Regulation and Safety**



Information Session

Bush fire changes and NCC 2019 Volume Two energy efficiency







Welcome to Country

The Department of Mines, Industry Regulation and Safety acknowledges Aboriginal and Torres Strait Islander people as the Traditional Custodians of this land on which we meet. We pay our respects to elders and leaders past, present and emerging





House Keeping & Overview

Topics

- Changes to bush fire requirements in the Building Regulations 2012.
- Changes to the approved forms BA3 Certificate of design compliance
 and BA18 Certificate of building compliance
- An overview of the changes in the 2018 edition of AS 3959 –
 Construction of buildings in bushfire prone areas.
- A summary of the NCC 2019, Volume 2 energy efficiency requirements.
- NatHERS Ratings

No Video or Audio Recording





Presenters

- Josclyn Sloan Policy Branch
- Allan Meikle Standards Branch
- Vicki Do Standards Branch
- Mark Fortey Standards Branch
- James Cross ABSA Board of directors deputy chair; BDAA Margaret River
 Chapter President



Government of **Western Australia**Department of **Mines, Industry Regulation and Safety**



Bush Fire Amendment Regulations

Presented by Joselyn Sloan







Building Amendment Regulations 2021

- Commenced operation on 1 May 2021
- www.legislation.wa.gov.au



Government of **Western Australia**Department of **Mines, Industry Regulation and Safety**



Regulation 31BA

Applicable building standard for bush fire prone areas





r. 31BA(1A)

Modified definition - 'Relevant building'

Means a Class 1, Class 2 or Class 3 building that was not required to comply or substantially comply with a bush fire standard at the latest of the following times —

- (a) when the building was constructed;
- (b) if 1 or more applications or notices under section 49(b) or 51(2) or (3) or regulation 47(1) have been made or given in respect of the building when the application or notice, or the last application or notice, was made or given;
- (c) if the building has been **relocated** when the building was last relocated.





r. 31BA(1A)

New definition - 'bush fire standard'

Means -

- (a) a **bush fire performance requirement**; or
- (b) to the extent not covered by paragraph (a), a requirement impose under **any written law** that is a requirement relating to
 - a technical aspect of the construction of a building or incidental structure; and
 - (ii) bush fires.

Note: Paragraph (b) includes, for example, requirements imposed under the Building Regulations 1989.





r. 31BA(1A)

Unchanged - 'excluded building work'

Means building work that is the **renovation**, **alteration**, **extension**, **improvement or repair** of a relevant building if —

- (a) the estimated value of the building work is less than \$20 000; or
- (b) the renovation, alteration, extension, improvement or repair **does not** increase the risk of ignition from bushfire attack for the relevant building.





r. 31BA(1)

New Table (examples) & Class 10 concession

Column 1 - Purposes	Column 2 - Applicable building standards
Section 19(3) in respect of all kinds of buildings and incidental structures located in a bush fire prone area	The requirements mentioned in regulation 31A(2) except that the bush fire performance requirements are not applicable building standards if — (a) the building or incidental structure is or will be located in an area that, at any time during the 4-month period ending on the day on which the application is made, was not a bush fire prone area; or (b) the building work that is proposed to be done in respect of the building or incidental structure is excluded building work only; or (c) the building or incidental structure is or will be — (i) a Class 10a building or deck; and (ii) associated with a relevant building.
	Section 19(3) in respect of all kinds of buildings and incidental structures located in a bush fire





r. 31BA(1)

New concessions - unauthorised work

Item	Column 1 - Purposes	Column 2 - Applicable building standards
6.	Section 57(3) for an application mentioned in section 51(3) in respect of all kinds of buildings and incidental structures located in a bush fire prone area	The requirements mentioned in regulation 31G(2) except that the bush fire performance requirements are not applicable building standards if — (a) the building or incidental structure is located in an area that, at any time during the 4-month period ending on the day on which the application is made, was not a bush fire prone area; or (b) the unauthorised work done in respect of the building or incidental structure is excluded building work only; or (c) the building or incidental structure is— (i) a Class 10a building or deck; and (ii) associated with a relevant building.





r. 31BA(1)

Overview of concession for bush fire

Item	Section of Building Act	4 month transition	Alterations and extensions	Class 10a buildings and decks
1	s.19(3): certificate of design compliance	✓	✓	✓
2	s.37(1): applicable building standards where building permit is required	✓	✓	✓
3	s.37(2): applicable building standards where building permit is not required	✓	✓	✓
4	s.57(3) for s.49(b) : certificate of building compliance for occupancy permit (change of classification)	✓		
5	s.57(3) for s.51(2): certificate of building compliance for occupancy permit (unauthorised building work)	✓	✓	
6	s.57(3) for s.51(3): certificate of building compliance for building approval certificate (unauthorised building work)	√	✓	✓





r. 31BA(2)

New – Clarify relocated buildings

(2) Item 1, 2 or 3 (as the case may be) of the Table to subregulation (1) does not apply if the building work is the assembly, reassembly or securing of a relocated building or a relocated incidental structure.

Note for this subregulation:

See also regulation 31D.





r. 31BA(3)

New – anti-avoidance clause

(3) Column 2 paragraph (b) of item 1, 2, 3, 5 or 6 (as the case may be) of the Table to subregulation (1) does not apply if the excluded building work is part of a larger project of building work that has been divided up for the sole or dominant purpose of taking advantage of that paragraph.

Government of **Western Australia**Department of **Mines, Industry Regulation and Safety**



Regulation 31D

Applicable building standard for relocated buildings and incidental structures





r. 31D(1AA) & (1A)

New definition added

- (1AA) In this regulation relevant building has the meaning given in regulation 31BA(1A).
- (1A) This regulation does not apply to a swimming pool.





r. 31D(1)

Purpose

(1) For the purposes of the definition of applicable building standard in section 3, the building standards set out in subregulation (2) are prescribed as applicable building standards for the purposes of sections 19(3) and 37(1) and (2) in respect of the assembly, reassembly or securing of a relocated building or a relocated incidental structure.





r. 31D(2)

Applicable building standard

For subregulation (1), the applicable building standards are the requirements in relation to the technical aspects of the construction of the relocated building or incidental structure that were imposed under the written law applicable at the time the relocated building or incidental structure was first assembled, except to the extent that subregulations (3), (4) and (5) of this regulation otherwise provide.





r. 31D(3)

Requirement to upgrade

- (3) The applicable building standards include those that relate to a performance requirement that is—
 - (a) listed in the Table; and
 - (b) **applicable to** buildings or incidental structures of **the classification** of the relocated building or incidental structure; and
 - (c) set out in the edition of the Building Code
 - (i) for **sections 19(3) or 37(1)** mentioned in regulation 31A(2)(a), (b) or (c), subject to regulation 31A(2A) and (3); or
 - (ii) for **section 37(2)** in effect at the time the assembly, reassembly or securing of the relocated building or incidental structure commenced.





r. 31D(3)

Requirement to upgrade – Continued

Section or part of Building Code	Performance requirements
Volume One, Section B — Structure	BP1.1, BP1.2, BP1.3, BP1.4
Volume One, Section C — Fire resistance	CP1, CP2, CP3, CP4, CP5, CP6, CP7, CP8, CP9
Volume One, Section D — Access and egress	DP2, DP3, DP4, DP5, DP6
Volume One, Section E — Services and equipment	EP1.1, EP1.2, EP1.3, EP1.4, EP1.5, EP1.6, EP2.1, EP2.2, EP4.1, EP4.2, EP4.3
Volume One, Section G — Ancillary provisions	GP2.1, GP2.2, GP5.1
Volume Two, Part 2.1 — Structure	P2.1.1, P2.1.2
Volume Two, Part 2.3 — Fire safety	P2.3.2
Volume Two, Part 2.5 — Safe movement and access	P2.5.1, P2.5.2
Volume Two, Part 2.7 — Ancillary provisions and additional construction requirements	P2.7.3, P2.7.5, P2.7.6





r. 31D(4)

Concession for energy efficiency

- (4) The applicable building standards include those that relate to a performance requirement that is
 - (a) listed in the Table; and

Section or part of Building Code	Performance requirements
Volume One, Section J — Energy Efficiency	JP1, JP2, JP3
Volume Two, Part 3.12 — Energy Efficiency	P2.6.1, P2.6.2





r. 31D(4)

Concession for energy efficiency

- (b) applicable to buildings or incidental structures
 - (i) of the classification of the relocated building or incidental structure; and
 - (ii) in the geographical area where the relocated building or incidental structure was first assembled; and





r. 31D(4)

- (c) set out in the edition of the Building Code in effect
 - if subparagraph (ii) does not apply at the time of, or 12 months before, the first application for a building permit to assemble the relocated building or incidental structure (whichever was applied by the building surveyor in respect of the building or incidental structure); or
 - (ii) if **no building permit** to assemble the relocated building or incidental structure has ever been required **at the time of the first assembly** of the relocated building or incidental structure.





r. 31D(5)

Concessions for bush fire (with example)

(5) The **bush fire performance requirements are not applicable building standards** for the purposes of the section set out in Column 1 of **the Table** in the circumstances set out in Column 2 of the Table opposite the section.

Column 1 - Section	Column 2 - Circumstances
s. 19(3)	If —
	(a) the relocated building or incidental structure will be relocated to an area that, at any time during the 4-month period ending on the day on which the application is made, was not a bush fire prone area; or
	(b) the relocated building or incidental structure —
	(i) is a Class 10a building or deck ; and
	(ii) will be associated with a relevant building once relocated.





r. 31BA(4) & r.31HB

Transitions - existing building permits

New r.31BA(4) – transition of the term 'relevant building' for building permits obtained or construction commenced before 1 May 2021;

New r.31HB — includes existing r.31BA transitional provisions for buildings in areas that were designated bushfire prone prior to 8 April 2015.



Minor amendments

Section 39 transitional bush fire applications extended to 1 September 2023.

Regulation 18A (for CDC) and regulation 36 (for CBC) updated to reflect changes to regulation 31BA and 31D.

Align language used in regulation 47 (for the 4-month transition) with regulation 31BA and 31D.





Industry bulletins



Industry Bulletin 136

Building Amendment Regulations 2021 for bush fire

The Building Amendment Regulations 2021 (the Amendment Regulations) were published in the Government Gazette on 13 April 2021 and commence operation on 1 May 2021.

The Amendment Regulations address administrative matters around the conclusion of transitional arrangements for bush fire in the Building Regulations 2012 (the Building Regulations), and other related A new anti-avoidance clause will be inserted at regulation 31BA to prevent misuse of the alterations and extensions concession for bush fire.



Government of Western Australia
Department of Mines, Industry Regulation and Safety



Industry Bulletin 137

Updated BA3 and BA18 certificate of compliance forms for building surveyors

New versions of the BA3 – Certificate of design compliance (CDC), and BA18 – Certificate of building compliance (CBC) forms have been approved and published by the Building Commissioner.

The changes to these forms are the result of the Building Amendment Regulations 2021 (the Amendment Regulations) that were published in the Government Gazette on 13 April 2021 and commence operation on 1 May 2021.

Where 'No' is selected, the building surveyor must nominate the relevant concession(s) provided under regulation 31BA or 31D. Examples of how to nominate concessions are provided at the end of this industry bulletin.



Government of **Western Australia**Department of **Mines**, **Industry Regulation and Safety**



Thank you



Government of **Western Australia**Department of **Mines**, **Industry Regulation and Safety**



Updated Forms BA3 (CDC) and BA18 (CBC)

Presented by Allan Meikle







Examples of nominating a concession on CDC

19. Certificate of design compliance

(3) A certificate must contain a statement of the building surveyor signing the certificate to the effect that if the building or incidental structure that is the subject of the application is completed in accordance with the plans and specifications that are specified in the certificate, the building (including each incidental structure associated with the building) or incidental structure will comply with each applicable standard.





Scenario 1

The proposal is for a new Class 1a building which is to be built in an area which has been a designated bush fire prone area for the last 2 years and is BAL-12.5.

With this example how would you complete the BA3 Form?





Table to regulation 31BA(1)

Item	Column 1 - Purposes	Column 2 - Applicable building standards
1.	respect of all kinds of buildings and incidental structures located in a bush fire	The requirements mentioned in regulation 31A(2) except that the bush fire performance requirements are not applicable building standards if —
		(a) the building or incidental structure is or will be located in an area that, at any time during the 4-month period ending on the day on which the application is made, was not a bush fire prone area; or
profile and	prone area	(b) the building work that is proposed to be done in respect of the building or incidental structure is excluded building work only; or
		(c) the building or incidental structure is or will be — (i) a Class 10a building or deck; and (ii) associated with a relevant building.





New Class 1A Building located in a designated bushfire area – BAL 12.5

Bush fire prone areas (only required for the types of buildings or incidental structures stated below)

In respect of a Class 1, Class 2 or Class 3 building or an a than six (6) metres from the Class 1, Class 2 or Class 3 bu		a building or deck that is located less		
Is the building or deck located in a bush fire prone area?	X Yes	No (if No, continue to part 3)		
Under regulation 31BA or 31D of the Building Regulations 2012, does a bush fire performance requirement apply to the building or deck?				
Yes. The Bushfire Attack Level or other measure is:	BAL - 12.5			
No. Does not apply because of:				
(if No, nominate the relevant o	oncession(s) provi	ded under regulation(s) 31BA or 31D)		





Scenario 2

This proposal is for a new extension to an existing house (relevant building) located in an area that has been designed as bush fire prone for 4 years and the value of the building work is under \$20,000.

With this example how would you complete the BA3 Form?





Table to regulation 31BA(1)

Item	Column 1 - Purposes	Column 2 - Applicable building standards	
1.	Section 19(3) in respect of all kinds of buildings and incidental structures located in a bush fire prone area	The requirements mentioned in regulation 31A(2) except that the bush fire performance requirements are not applicable building standards if —	
		(a) the building or incidental structure is or will be located in an area that, at any time during the 4-month period ending on the day on which the application is made, was not a bush fire prone area; or	
		(b) the building work that is proposed to be done in respect of the building or incidental structure is excluded building work only; or	
		(c) the building or incidental structure is or will be — (i) a Class 10a building or deck; and (ii) associated with a relevant building.	





Concession for excluded building works which has an estimated value of less than \$20,000.00.

Bush fire prone areas (only required for the types of buildings or incidental structures stated below)

In respect of a Class 1, Class 2 or Class 3 building or an associated Class 10a building or deck that is located less than six (6) metres from the Class 1, Class 2 or Class 3 building:			
the building or deck located in a bush fire prone area? Yes No (if No, continue to part 3)			
Under regulation 31BA or 31D of the Building Regulations 2012, does a bush fire performance requirement apply to the building or deck?			
Yes. The Bushfire Attack Level or other measure is:			
No. Does not apply because of: r.31BA(1) Item 1(b) excluded building work less than \$20,000			
(if No, nominate the relevant concession(s) provided under regulation(s) 31BA or 31D)			





Scenario 3

Proposal is for a new extension to an existing house (relevant building) in a bush fire prone area:

- that does not increase the risk of ignition to the existing house; and
- Includes the construction of a Class 10a shed within 6m of the existing house.

With this example how would you complete the BA3 Form?





Table to regulation 31BA(1)

Item	Column 1 - Purposes	Column 2 - Applicable building standards	
1.	Section 19(3) in respect of all kinds of buildings and incidental structures located in a bush fire prone area	The requirements mentioned in regulation 31A(2) except that the bush fire performance requirements are not applicable building standards if — (a) the building or incidental structure is or will be located in an area that, at any time during the 4-month period ending on the day on which the application is made, was not a bush fire prone area; or (b) the building work that is proposed to be done in respect of the building or incidental structure is excluded building work only; or	
		(c) the building or incidental structure is or will be — (i) a Class 10a building or deck; and (ii) associated with a relevant building.	





Extension to relevant building and a Class 10a building associated with the relevant building.

Bush fire prone areas (only required for the types of buildings or incidental structures stated below)

In respect of a Class 1, Class 2 or Class 3 building or an asso than six (6) metres from the Class 1, Class 2 or Class 3 building		0a building or deck that is located less	
Is the building or deck located in a bush fire prone area?	X Yes	No (if No, continue to part 3)	
Under regulation 31BA or 31D of the Building Regulations 2012, does a bush fire performance requirement apply to the building or deck?			
Yes. The Bushfire Attack Level or other measure is:			
No. Does not apply because of: r.31BA(1) Item1(b) excluded building work not increasing risk and r.31BA(1) Item1(c)			
(if No, nominate the relevant cond	ession(s) prov	ided under regulation(s) 31BA or 31D)	





Scenario 4

Proposal is to relocate a Class 10a building to a designated bush fire prone area. The relocated Class 10a building will be associated with a relevant building.

With this example how would you complete the BA3 Form?





Table to regulation 31D(5)

ny time s not a		
(b) the relocated building or incidental structure —		





Class 10a building relocated to designated bush fire prone area and associated with relevant building

Bush fire prone areas (only required for the types of buildings or incidental structures stated below)

	10a building or deck that is located less
X Yes	No (if No, continue to part 3)
, does a bus	sh fire performance requirement apply
– Class 10a a	associated with relevant building
ssion(s) prov	vided under regulation(s) 31BA or 31D)
	y: X Yes , does a bus





Example of nominating a concession on a CBC

57. Certificate of building compliance

(3) A certificate of building compliance that accompanies an application other than an application mentioned in section 48 or 52(1) or (2) must state that the building or incidental structure substantially complies with each applicable building standard.





Scenario 5

Unauthorised extension to a relevant building is constructed in a bush fire prone area and valued at under \$20,000.

With this example how would you complete the BA18 Form?





Table to regulation 31BA(1)

Item	Column 1 - Purposes	Column 2 - Applicable building standards
6.	Section 57(3) for an application mentioned in section 51(3) in respect of all kinds of buildings and incidental structures located in a bush fire prone area	The requirements mentioned in regulation 31G(2) except that the bush fire performance requirements are not applicable building standards if — (a) the building or incidental structure is located in an area that, at any time during the 4-month period ending on the day on which the application is made, was not a bush fire prone area; or
		(b) the unauthorised work done in respect of the building or incidental structure is excluded building work only; or
		(c) the building or incidental structure is— (i) a Class 10a building or deck; and (ii) associated with a relevant building.





Building approval certificate for unauthorised building work to a Class 1a building.

Bush fire prone areas (only required for the types of buildings or incidental structures stated below)

In respect of a Class 1, Class 2 or Class 3 bu than six (6) metres from the Class 1, Class 2	_		ouilding or deck that is located less
Is the building or deck located in a bush fire p	rone area?	X Yes	No (if No, continue to part 3)
Under regulation 31BA or 31D of the Building to the building or deck?	Regulations 2012	, does a bush fir	e performance requirement apply
Yes. The Bushfire Attack Level or othe	r measure is:		
No. Does not apply because of: _r.31B/	A(1) Item 6 (b) exclu	ided building wo	rk less than \$20,000
(if No, nominate t	the relevant conce	ssion(s) provided	d under regulation(s) 31BA or 31D)





Thank you



Government of **Western Australia**Department of **Mines, Industry Regulation and Safety**



AS 3959

Construction of buildings in bushfire prone areas

Presented by Vicki Do







Overview

- Changes from AS 3959:2009 to AS 3959:2018
- Section 2 Determining the BAL
- Section 3 General construction requirements
- Section 4 9 Construction requirements for specific BAL Level





Determining BAL

Section 2 – Determining the Bushfire Attack Level

Clause 2.1 – General

Building and attached or adjacent structure – within 6 metres

Method 1 – Simplified Procedure

Clause 2.2

Method 2 – Detailed Procedure

Appendix B





Simplified Method

Section 2 – Determining the Bushfire Attack Level (BAL)

- Step 1 Relevant FDI
- **Step 2** Vegetation classification types
- **Step 3** Distance from site to classifiable vegetation
- **Step 4** Effective slope of land under the classified vegetation
- **Step 5** Determination of Bushfire Attack Level (BAL)
- **Step 6** Construction requirements





Simplified Method

Section 2 – Determining the Bushfire Attack Level (BAL)

- Step 1 Relevant FDI
- **Step 2** Vegetation classification types
- **Step 3** Distance from site to classifiable vegetation
- **Step 4** Effective slope of land under the classified vegetation
- **Step 5** Determination of Bushfire Attack Level (BAL)
- **Step 6** Construction requirements





Vegetation classification

Step 2 – Vegetation classification types

Table 2.3 – Classification of Vegetation

- Woodland
- Grassland (G)
 - Open woodland, Low open woodland, Open shrubland

Clause 2.2.3.2 - Exclusions

- Mangroves and other saline wetlands
- Market gardens and other non-curing crops





Effective slope

Step 4 – Effective slope of land under the classified vegetation

Clause 2.2.5

- Each slope shall be individually assessed
- Tables 2.4 2.7 Determination of bushfire attack level





Determining BAL

Step 4 – Effective slope of land under the classified vegetation

Clause 2.2.6 (d) & (e)

- Assessed highest BAL applies
- Adjacent structures within 6 metres assessed separately





Building Construction Requirements

Section 3 – General construction requirements

- Specific construction requirements for openings
- Clarification of shielding provisions
- Clarification of protection of gaps and openings
- Allocation of Crib Class for testing to AS 1530.8.1





Protection of openings

Section 3 – General construction requirements

Clause 3.2 – Construction requirements for specific structures

- Doorways AS 1905.1 Part 1: Fire-resistant doorsets &
 AS 1530.4 Part 4: Fire-resistance test of elements of construction
- Windows AS 1530.4
- Other openings AS 1530.4





Protection of openings

Section 3 – General construction requirements

Clause 3.6.1 – Vents, weepholes, joints and the like

All gaps shall be screened

Clause 3.6.2 – Gaps to door and window openings

- Maximum aperture of 2.0 mm and tight fitting to frames
- Windows AS 2047 Windows and external glazed doors

Clause 3.7 – Bushfire Shutters

2 mm gaps and aperture





Shielding

Section 3 – General construction requirements

Clause 3.5 – Shielding

Shall not apply to subfloor or roofs





AS 1530.8.1 – Crib Class

Section 3 – General construction requirements

Clause 3.8 – Testing of materials, elements of construction and systems to the AS 1530.8 series

- BAL 12.5 to BAL 40 AS 1530.8.1 **Crib Class AA**
- BAL FZ AS 1530.8.2 Crib Class (Not applicable)

Acceptable

AS 1530.8.1 – 2007 – Crib Class A



Subfloors

BAL 12.5 & BAL 19

Enclosed subfloor space

 No construction requirements – enclosed with a wall, mesh or perforated sheet

Unenclosed subfloor space

- Non-combustible or bushfire resisting timber
- Timber lined with sarking-type material or mineral wool insulation
- A system conforming with 1530.8.1.





Translucent Sheeting

BAL 12.5 & BAL 19

5.6.4 & 6.6.4 – Veranda, carport and awning roof

- Translucent or transparent roof coverings
- Separated from the main roof space by an external wall





Veranda Posts

Veranda Post

5.7.5 & 6.7.5 - **BAL 12.5 & BAL 19**

 Timber mounted on galvanized mounted shoes or stirrups with a clearance of not less than 75 mm;

or

- Non-combustible material
- Bushfire resisting timber
- Timber species specified Appendix E





Veranda Posts

Veranda Post

7.7.5 – **BAL 29**

- Non-combustible material
- Bushfire resisting timber

8.7.5 & 9.7.5 – **BAL 40 & BAL FZ**

Non-combustible material





Vehicle Access Doors

Doors – Vehicle access doors (garage doors)

ALL BALS

Door assemblies fitted with guide tracks do not need edge gap protection

BAL 12.5, BAL 19 & BAL 29

Vehicle access doors with ventilation slots – Clause 3.6

BAL 19, BAL 29 & BAL FZ

Weather strips – Flammability index not exceeding 5





Evaporative Coolers

BAL 12.5, BAL 19 & BAL 29

Evaporative coolers

 AS/NZS 60335.2.98 – Part 2.98: Particular requirements for humidifiers





BAL – FZ Roofs

BAL FZ

Clause 9.6.2 & 9.6.3 - Tiled Roofs and Sheet Roofs

Appendix H – Generic Roof Systems

Or

• AS 1530.8.2





Thank you



Government of **Western Australia**Department of **Mines, Industry Regulation and Safety**



2019 NCC

Energy Efficiency Requirements for Residential Buildings

Presented by Mark Fortey







Changes in the 2019 BCA

Verification Method V2.6.2.2

Verification Method V2.6.2.3

Building Sealing Provisions Part 3.12.3

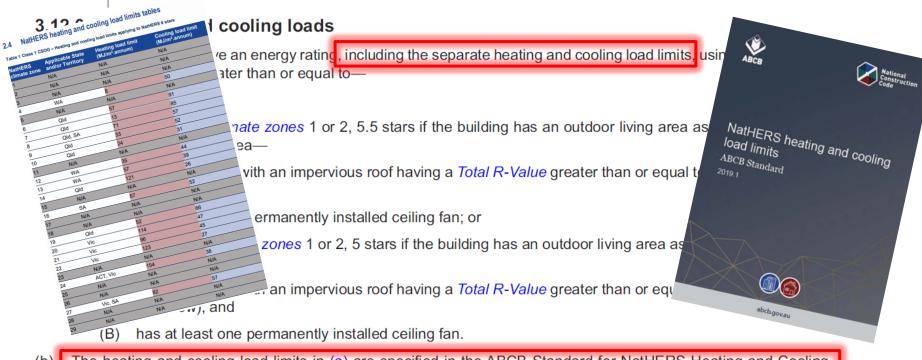








Changes to Part 3.12.0.1



(b) The heating and cooling load limits in (a) are specified in the ABCB Standard for NatHERS Heating and Cooling Load Limits.





Regulation 15C

The Building Code Volume Two Part 3.12.0.1 is modified as follows —

(a) in paragraph (a) delete "A building must achieve an energy rating, including the separate heating and cooling load limits, using house energy rating software, of greater than or equal to" and insert:

To reduce heating or cooling loads, a building must achieve an energy rating, using house energy rating software, of not less than

(b) delete paragraph (b).





Modified Text Outcome

3.12.0.1 Heating and cooling loads

- (a) To reduce heating or cooling loads, a building must achieve an energy rating using house energy rating software, of not less than—
 - 6 stars; or
 - (ii) for a building in *climate zones* 1 or 2, 5.5 stars if the building has an outdoor living area as described in (b) if the outdoor living area—
 - (A) is fully covered with an impervious roof having a *Total R-Value* of at least 1.5 (for downward heat flow); or
 - (B) has at least one permanently installed ceiling fan; or
 - (iii) for a building in *climate zones* 1 or 2, 5 stars if the building has an outdoor living area as described in **(b)** if the outdoor living area—
 - (A) is fully covered with an impervious roof having a *Total R-Value* of at least 1.5 (for downward heat flow); and
 - (B) has at least one permanently installed ceiling fan.





Changes to Part 3.12.3

Part 3.12.3 Building sealing

3.12.3.3 External windows and doors

(a) An external door, internal door between a Class 1 building and an unconditioned Class 10a building, openable window and other such opening must be sealed when serving—

3.12.3.5 Construction of ceilings, walls and floors

(a) Ceilings, walls, floors and any opening such as a *window* frame, door frame, *roof light* frame or the like must be constructed to minimise air leakage in accordance with (b) when forming part of the external fabric of—

3.12.3.5 Construction of roofs, walls and floors

(a) Roofs, external walls, external floors and any opening such as a window frame, door frame, roof light frame or the like must be constructed to minimise air leakage in accordance with (b) when forming part of the external fabric of—





V2.6.2.3

V2.6.2.3 Verification of building envelope sealing

Compliance with P2.6.1(f) is verified when a building *envelope* is sealed at an air permeability of not more than 10 m³/hr.m² at 50 Pa reference pressure when tested in accordance with AS/NZS ISO 9972 Method 1.

AS/NZS ISO 9972:2015 ISO 9972:2015

Australian/New Zealand Standard™

Thermal performance of buildings— Determination of air permeability of buildings—Fan pressurization method







V2.6.2.2

Must use a calculation method other than House Energy Rating Software

House energy rating software, for the purposes of Volume Two—

- (a) applied to V2.6.2.2—means software accredited or previously accredited under the Nationwide House Energy Rating Scheme and the additional functionality provided in non-regulatory mode; and
- (b) applied to 3.12.0.1—means software accredited under the Nationwide House Energy Rating Scheme.

The calculation method must comply with ANSI/ASHRAE Standard 140

- Internal heat gains from appliances and an air infiltration value have been specified
- The location and size of the windows is now required be the same in both buildings
- The reference building must be modelled using the modelling criteria in Table V2.6.2.2





Table V2.6.2.2

Item	Description	Minimum criteria to be modelled
1	Roof	Pitched roof (23 degrees) with Solar absorptance of 0.6
2	Ceiling	2.4 m high horizontal, 10mm plasterboard ceiling
3	Roof and ceiling insulation	In accordance with Tables 3.12.1.1a to 3.12.1.1g
4	Roof lights	No roof light, unless required by Part 3.8.4.2
5	External walls	Masonry veneer with 110mm thick masonry with a solar absorptance of 0.6
6	Wall insulation	The minimum Total R-Value specified in 3.12.1.4(b)
7	Internal walls	70 mm wide timber frame with 10mm internal plaster lining
8	Ground floor	Concrete slab-on-ground, insulated in accordance with 3.12.1.5(c)
9	Glazing	In accordance with 3.12.2
10	Air movement	In accordance with 3.12.4
11	Artificial lighting	In accordance with the maximum illumination power density allowed by 3.12.5.5 without any increase for a control device illumination power density adjustment factor

Item	Description	Minimum criteria to be modelled
1	Roof	Pitched roof (18 degrees)
2	Ceiling	2.4 m high horizontal ceiling
3	Roof insulation	In accordance with Table 3.12.1
4	Roof lights	Any roof light in the proposed building provided the roof light is the only means of complying with 3.8.4.2
5	External walls	Brick veneer with 110mm thick clay masonry
6	Wall insulation	The minimum Total R-Value specified in option (a) of Table 3.12.1.3
7	Internal walls	70 mm wide timber frame complying with 3.4.3
8	Internal linings	10 mm internal plaster linings
9	Ground floor	Concrete slab-on-ground
10	Glazing	In accordance with 3.12.2
11	Glazing coverings	Holland blinds operated in a comparable manner as, and using the same criteria applied to, the glazing coverings in the proposed building
12	Building Sealing	In accordance with 3.12.3
13	Air movement	In accordance with 3.12.4





STEP 1: SELECT CALCULATION METHOD

Must comply with V2.6.2.2 (d)

STEP 2: MODEL THE REFERENCE BUILDING

Reference Building must be modelled using the following criteria:

- Internal heat gains of 5 W/m²
- 0.6 ACH
- · 23 degree pitched roof with 0.6 SA
- 2.4m 10mm plasterboard ceilings
- Roof and/or ceiling insulation as per Table 3.12.1.1a to 3.12.1.1g
- No roof lights unless required by Part 3.8.4
- 110mm Brick Veneer with 0.6 SA
- Wall insulation as per 3.12.1.4(b)
- Internal walls 70 mm timber frame with 10 mm plasterboard lining
- Ground floors concrete slab on ground with insulation as per 3.12.1.5(c)
- Glazing as per 3.12.2
- Air movement as per 3.12.4
- Artificial lighting as 3.12.5.5

Refer V2.6.2.2 (b) and Table V2.6.2.2 for further information

STEP 3: CALCULATE REFERENCE BUILDING LOADS

Determine the heating and/or cooling loads

ABCB Flow Chart

STEP 5: CALCULATE PROPOSED BUILDING LOADS

Determine the heating and/or cooling loads

STEP 4: MODEL THE PROPOSED BUILDING

The following aspects of the proposed building CANNOT be changed when compared to the reference building:

- · Calculation method
- · Climate and location specific data
- Impact of adjoining structures and features
- Soil conditions
- Orientation
- Floor plan including location and size of glazing
- Number of storeys
- · Roof cladding and roof lights
- Separating walls
- · External non-glazed doors
- · Intermediate floors
- · Floor coverings
- Internal heat gains
- · Air infiltration and ventilation
- Function and use of building and spaces
- Space temperature settings
- Air conditioning and occupancy profiles

Refer V2.6.2.2 (c) for further information

STEP 6: COMPARE REFERENCE AND PROPOSED BUILDING HEATING AND/OR COOLING LOADS

- Climate zones 1 and 2: cooling load must be equal to or less than the reference building
- Climate zones 3, 4, 5 and 6: heating AND cooling loads must be equal to or less than the reference building
- Climate zones 7 and 8: heating load must be equal to or less than the reference building

Refer V2.6.2.2 (a)(i) for further information

ARE THE PROPOSED BUILDING LOADS EQUAL TO OR LESS THAN THE REFERENCE BUILDING LOADS?

NO

Proposed Building does not comply with V2.6.2.2

YES

Proposed Building complies with V2.6.2.2 (a)(i) provided other energy efficiency criteria are also satisfied - see V2.6.2.2 (a)(ii) for more information

Test additional design and/or specification changes for the proposed building

OR
Use an alternative
Assessment Method





Reference Building -

- Architectural plans
- Modelling report

Documentation

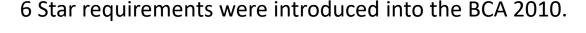
Proposed Building –

- Modelling report
- Where relevant, evidence of compliance with:
 - 3.12.1.1
 - 3.12.1.2(c) & 3.12.4(d)
 - 3.12.1.2(e)
 - 3.12.1.5 & 3.12.1.5(d)
 - 3.12.3 or V2.6.2.3
- Evidence of compliance with P2.6.2
 Services requirements & compliance with the WA Additions





Star Ratings



They were applied in WA from 1 May 2012.

Only a NatHERS Assessment can be assigned a Star Rating.

BCA Compliance achieved but no star rating assigned:



- Elemental approach
- Verification Method V2.6.2.2
- Other Performance Solutions







Compliance Options

P2.6.1: Energy efficiency – building compliance requirements

The overarching requirement of P2.6.1 is that the house must have certain features providing the required level of thermal performance in order to facilitate the efficient use of energy. There are various pathways for complying with Performance Requirement P2.6.1 of the NCC which include:

- following prescriptive elemental provisions;
- using NatHERS accredited house energy rating software to achieve a star rating with certain elemental provisions;
- 3. using Verification Method V2.6.2.2, Verification using a reference building (VURB); or
- 4. any other Performance Solution.

Note – every option must be supported by suitable evidence and/or adequate documentation to demonstrate that appropriate levels of compliance have been achieved. ABCB resources include:





For some time, the ABCB and the Department of Mines, Industry Regulation and Safety's Building and Energy Division (Building and Energy), have been encouraging practitioners to follow <u>a four step process</u> when <u>developing Performance Solutions</u>.

The development of Performance Solutions to address the energy efficiency provisions of the NCC should be consistent with this process which includes:

- Preparing a performance-based design brief (PBDB).
- Analysis as per the Assessment Methods agreed to in the PBDB.
- Evaluation of the analysis against the criteria agreed to in the PBDB.
- Generation of a report including the specifics as noted in the NCC and in accordance with the expectations of the PBDB.

Key to the process is the development of the PBDB which is to be carried out in consultation with all the relevant stakeholders.

The onus is on the professional(s) carrying out the Performance Solution to provide sufficient documentation, evidence and validation to the certifying building surveyor that the solution complies with the relevant performance requirements.





Building Other Performance Solutions

Use of renewable energy as part of Performance Solution

Building and Energy has become aware that some practitioners may be attempting to trade the thermal performance of a new house with the adoption of renewable energy sources such as PV panels.

They may also be attempting to trade Performance Solution P2.6.2 for services with the requirements in P2.6.1 for buildings.

The performance requirement P2.6.1 sets out the minimum requirements and relates only to facilitating the efficient use of energy for artificial heating and cooling appropriate to various listed matters.

Importantly the energy source is not an appropriate matter for the performance requirement P2.6.1.

It is therefore inappropriate to take into account a renewable source of energy when determining compliance with P2.6.1.

While the source of energy is a consideration for determining compliance with the performance requirement P2.6.2 for domestic services, the performance requirements P2.6.1 and P2.6.2 are independent from each other and must be evaluated accordingly.

It is not appropriate to trade-off between the two requirements.





Performance Solutions

P2.6.1 Building

A building must have, to the degree necessary, a level of thermal performance to facilitate the efficient use of energy for artificial heating and cooling appropriate to—

- (a) the function and use of the building; and
- (b) the internal environment; and
- (c) the geographic location of the building; and
- (d) the effects of nearby permanent features such as topography, structures and buildings; and
- (e) solar radiation being—
- (i) utilised for heating; and
- (ii) controlled to minimise energy for cooling; and
- (f) the sealing of the building envelope against air leakage; and
- (g) the utilisation of air movement to assist cooling.

P2.6.2 Services

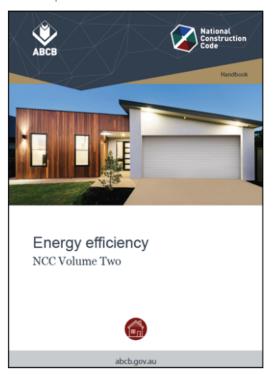
Domestic services, including any associated distribution system and components must, to the degree necessary—

- (a) have features that facilitate the efficient use of energy appropriate to—
- (i) the domestic service and its usage; and
- (ii) the geographic location of the building; and
- (iii) the location of the domestic service; and
- (iv) the energy source; and
- (b) obtain heating energy from—
- (i) a source that has a greenhouse gas intensity that does not exceed 100 g CO2e/MJ of thermal energy load; or
- (ii) an on-site renewable energy source; or
- (iii) another process such as reclaimed energy.





ABCB Handbook



Handbook

This non-mandatory Handbook provides details of the energy efficiency requirements of NCC Volume Two. It aims to provide practitioners with sufficient knowledge to successfully apply energy efficiency requirements for residential dwellings.

The Handbook has a practical focus, and is intended to provide an understanding of the policy objectives and the technical basis of the NCC requirements. This will enable practitioners to manage a range of situations where different design and assessment tools are needed.

This document provides guidance on the NCC 2019 Volume Two energy efficiency requirements.

Download PDF





Industry Bulletin 140

Industry Bulletin 140

National Construction Code 2019 Volume Two: Complying with energy efficiency requirements

This bulletin is intended for practitioners, energy efficiency assessors and permit authorities to provide a summary of the residential energy efficiency requirements that are applicable in Western Australia from 1 May 2021.

Please note, industry bulletins are intended for guidance only. As such this information does not replace or override the National Construction Code (NCC) and its application in accordance with the *Building Act 2011* and Building Regulations 2012.



NatHERS Ratings

Presented by James Cross





- 1 Member of a NatHERS Assessor Accrediting Organisation (AAO)
 - · ABSA (Australian Building Sustainability Association)
 - Design Matters (formerly BDAV)
 - HERA (Home Energy Raters Association)
- 2 Qualified completed a Certificate IV in NatHERS Thermal Assessment
 - · Continuing Professional Development requirements
- 3 Subject to:
 - · An AAO Code of Conduct
 - Assessment rules the NatHERS Technical Note
 - Oversight Quality Assurance and forensic auditing of submitted work
 - · Compulsory insurance
 - · Mentoring and support
- 4 Non-accredited assessors need none of this = greater risk





- Software Accredited for use under the NatHERS Scheme

 - Hero,Bers Pro
 - First Rate 5
 - Accurate
- **Software User Agreement**
 - The software user agreements dictate that the NatHERS certificate be produced for each file produced. This can be
 either the official NatHERS Accredited or Non Accredited Report. Failure to produce this report is a breach of the user
 license. The \$30 fee goes back to CSIRO and software companies to further develop the system.
- Possible PI risk of accepting star rating reports outside of the NatHERS scheme:
 - For accredited assessors this is a breach of the AAO Code of Conduct and can result in instant dismissal
 - If assessors work in breach of the signed software license, would their PI insurer cover the work?
 - Oversight Quality Assurance can only be completed on files in the NatHERS system.

Non NatHERS sanctioned reports = greater risk of not being covered by PI





NatHERS Certificates



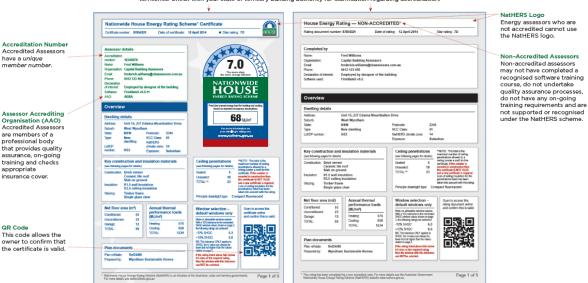




Features of the New NatHERS Energy Rating Certificate

Accredited Assessor Certificate or Non-Accredited Form

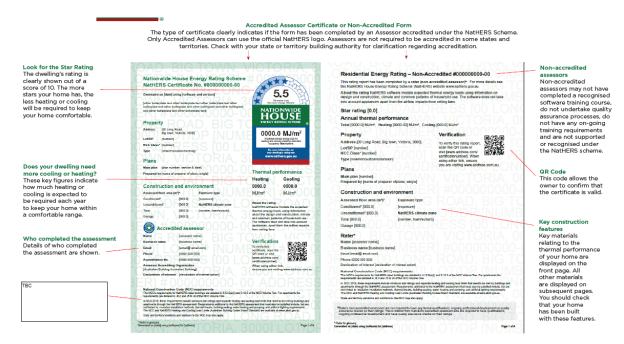
The type of certificate clearly indicates if the form has been completed by an Assessor accredited under the NatHERS Scheme. Only Accredited Assessors can use the official NatHERS logo. Assessors are not required to be accredited in some states and territories. Check with your state or territory building authority for clarification regarding accreditation.

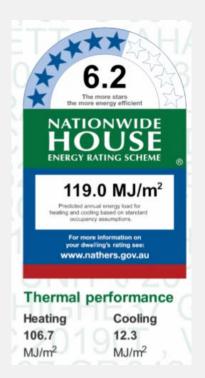


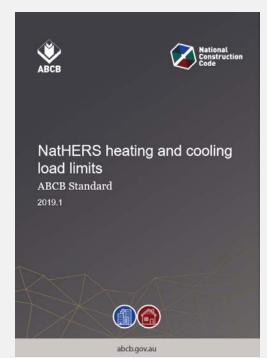




Features of the New NatHERS Energy Rating Certificate









NatHERS and the NCC