

ADVISORY NOTICE 02/20 **BUILDING**

Advisory Notices are issued to assist in the interpretation of the Planning, Development and Infrastructure Act 2016 and the Development Act 1993

April 2020

PROFESSIONAL PRACTICE:

Adoption of NCC 2019 deferred provisions

Practitioners are reminded that Volumes One and Two of the National Construction Code (NCC) as adopted on 1 May 2019, contained changes to the energy efficiency provisions and a new fire safety verification method that were subject to a one year transition period. That transition period ends on 30 April 2020 and the deferred provisions will apply from 1 May 2020.

Deferred Provisions - Energy Efficiency

Volume Two of NCC 2019 included changes to Part 3.12 Energy efficiency that allowed a 12 month transitional period for practitioners to continue to use the previous Part 3.12 Energy efficiency requirements contained in Volume Two of NCC 2016.

Volume One of NCC 2019 included a similar transitional arrangement for energy efficiency, which allowed practitioners to continue to apply Section J of NCC 2016 Volume One instead of Section J of NCC 2019 for 12 months.

These transitional periods for energy efficiency end on 30 April 2020 and from 1 May 2020 all applications lodged for building rules consent must comply with the energy efficiency provisions of Section J of Volume One of NCC 2019 and Part 3.12 of Volume Two of NCC 2019.

Heating and cooling loads

One of the changes to the energy efficiency provisions in NCC 2019 is the requirement for all energy efficiency star ratings produced by house energy rating software to include both the heating and cooling load limits that will be achieved for that building (refer to 3.12.0.1 in Volume Two and J0.2(a) in Volume One).

The load limits vary according to the applicable Nationwide House Energy Rating Scheme (NatHERS) climate zone but they must not exceed the acceptable heating and cooling load limits that are published in the [ABCB Standard NatHERS Heating and Cooling Load Limits](#), which is available from the ABCB website.

A [Regulation Impact Statement - Inclusion of heating and cooling energy load limits in NatHERS assessments](#), supporting the decision to implement separate heating and cooling load limits in the NCC is available from the ABCB website.

In South Australia, NCC 2019 Volume Two clause 3.12.0.1 has been varied for elevated buildings. For further information about the application of heating and cooling load limits to buildings that are subject to the variation, refer to [Advisory Notice – Building 03/20](#).

Improved NatHERS Certificates

The NatHERS Administrator has completed major updates to the NatHERS Certificate to improve its usability and structure. The Certificate comes in two formats:

- A Certificate that displays the NatHERS logo and can be printed in colour, which is produced by NatHERS **accredited** assessors.
- A Certificate without the NatHERS logo and only available in black and white, which is produced by **non-accredited** assessors.

Other improved outcomes include an easier to read format, unique watermark on each certificate, a check list for certifiers and the addition of key information including NCC requirements.

Further information about the new NatHERS certificates to be produced from 1 May 2020 can be found on the [Nationwide House Energy Rating Scheme](#) website.

Deferred Provisions - Fire Safety Verification Method

Schedule 7 of NCC 2019 includes a new, non-mandatory Fire Safety Verification Method (FSVM), which provides a documented process for the design of fire safety Performance Solutions. The Verification Method states that the Performance Solution is to be developed by a fire safety engineer and requires development of a Performance Based Design Brief to ensure collaboration between all stakeholders. It specifies a range of fire scenarios that must be considered and the level of safety achieved must be equivalent to that provided by the Deemed-to-Satisfy Provisions.

The following ABCB resources are available to assist practitioners using the FSVM:

Fire safety verification method – Handbook

The [Handbook](#) provides guidance for using the FSVM for buildings in NCC Volume One. The FSVM is a voluntary tool under a Performance Solution pathway and provides a documented process in the design of fire safety Performance Solutions. It is based on the International Fire Engineering Guidelines.

Fire safety verification method - Data sheets (Handbook Annex)

The Handbook Annex includes [Data Sheets](#) to support the use of the FSVM.

Additional resources

In February and March 2020 the ABCB hosted a series of free webinars aimed at providing practitioners with further support on the use of the Verification Method, prior to its 1 May 2020 adoption date.

These webinars are yet to be made available to practitioners however an awareness webinar was held in August 2019 and can be found in the ABCB's [Resource Library](#).

A [Frequently Asked Questions](#) fact sheet has also been published.

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**Department of Planning, Transport and Infrastructure**

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