

Building Regulation News Update

Building Regulation News Update 14/09

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FIVE STAR ENERGY REQUIREMENTS FROM 1 JANUARY 2010

PURPOSE

The purpose of this Building Regulation News Update is to provide information to Permit Authorities, local government, industry and stakeholders about changes in relation to the introduction of 5 Star energy efficiency standards in the Building Code of Australia (BCA) that will commence on 1 January 2010.

BACKGROUND

The objective of the BCA Energy Provision is to reduce greenhouse gas omissions by efficiently using energy. From 1 January 2010 all Class 1 houses will have to comply with the Building Code of Australia Energy Efficiency requirements equivalent to 5 Stars. The current Tasmanian variation, which applies BCA 2005 (Four Star) requirements, ceases on that date.

CURRENT SITUATION

Industry representations to the Tasmanian Minister responsible for the *Building Act 2000* resulted in industry being given an extra eight months (1 May 2009 – 1 January 2010) to come up to speed with the changed requirements.

Building Control has been advised that there has been some confusion in the industry about when the 5 Star requirements were to become law. The BCA 2009 has been available since February 2009 and became law on 1 May 2009. Part 2.6 Energy Efficiency of the BCA 2009 indicates that the BCA 2005 Part 2.6 remains in force until 1 Jan 2010. Therefore the full (5 Star) provisions of BCA 2009 Part 2.6 apply from that date.

How do designs meet the BCA requirements?

The design and construction of a Class 1 building (and some conditioned class 10 buildings) must be shown to meet either:

- 5 Star energy rating (or better) determined by appropriate energy analysis software; or
- equivalent performance to a reference building using the thermal calculation method, or
- the Deemed-to-Satisfy acceptable construction requirements set out in Part 3.12 of the BCA Volume 2.

Many housing designs will be based on the Deemed-to Satisfy (prescriptive) requirements set out in the BCA. These cover requirements for the building fabric insulation, external glazing, building sealing, air movement and some services.

Because of the greater opportunity to take into account the specific detail of a design, other designers and builders will make use of the services of an appropriately qualified and experienced energy assessor to provide a thermal analysis using second generation AccuRate, FirstRate5, and BERS software. These software packages comply with the ABCB Protocol and determine star ratings. Using rating software for design purposes can also assist in developing the most cost effective solutions.

These energy assessors may give a Certificate of Others to owners, designers or builders which can be relied upon by the Building Surveyor. An energy assessor must have the qualification referred to in the Director of Building Control's Determination on Certificates of Others.

Training for 5 Star Energy Efficiency Compliance

The ABCB delivered training in Tasmania in 2006 on the 5 Star Energy requirements. The ABCB has also made available a resource kit for associations and others to develop appropriate training. The Building Control Branch is in discussion with industry associations to ensure training is delivered to those practitioners who require it.

Implementation

From 1 Jan 2010 all building designs for new or additions to houses (or a conditioned Class 10a building) submitted to Building Surveyors for a Certificate of Likely Compliance should include 5 Star energy efficiency measures in the design. If substantial progress on the design had been made prior to that date, the lower-standard 4 Star provisions may be accepted under s.55 of the *Building Act 2000*. However this is not recommended because owners will have expectations of the higher standard.

Building Control recommends that all designs should now be to the 5 Star requirements. This is because there has been a longer than usual notification of proposed changes and because of the proposed future Mandatory Notification requirements for housing under the National Strategy for Energy Efficiency (NSEE). The Council of Australian Governments (COAG) has decided that under the NSEE, before selling a house, owners must provide a current energy rating to prospective owners. Lower ratings may reduce selling prices.

What about the 6 Star requirements?

COAG has decided that the minimum energy efficiency requirements for dwellings will be increased in BCA 2010 to equivalent to 6 Stars. States and Territories have been given until 1 May 2011 to adopt the 6 Star provisions. COAG has also indicated that the stringency will be further increased over future years. The ABCB has published the proposals for all amendments to the BCA in 2010 (including energy efficiency) on their website and all BCA subscribers were advised. Tasmanian industry will be advised of implementation of the new minimum 6 Star requirements at a later date. Designers and builders are at liberty to adopt the 6 Star measures (or higher) as soon as they like.

MORE INFORMATION

For more details about building legislation contact the Workplace Standards Tasmanian Helpline:

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