

Class 2-9 Technical Committee Update

Hi AAC Member,

Welcome to our first edition of the AAC Class 2-9 Technical Committee Newsletter.

Our committee meets regularly to discuss the regulatory and technical challenges in Class 2-9 building certification. Our goal is simple: to provide clear guidance to our members, to develop Member guidelines and best practices, and to align, where practicable, certification processes for our members.

Driven by member enquiries, we've discussed various issues with careful consideration. While some topics are still a work in progress, we would like to share a snapshot of the groundwork and discussions undertaken by our Technical Committee.

Steve Watson

AAC Board Member & Chair of 2-9 Technical Committee

Committee Highlights

Structural engineering completion

There has been some recent high profile structural failures in large residential buildings. It is considered appropriate to develop a recommended system for the structural sign off of these projects to create an industry practice guideline that certifiers can refer to.

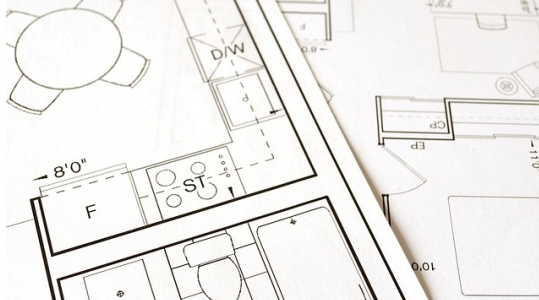
The Committee has developed a draft guideline for the structural sign off of significant projects in NSW.

The Draft Guideline is currently under review by the Committee before submission to the AAC Board for finalising.

Master Certificate template List

A Master Certificate template list of measures and standards of performance is being finalised for Class 2-9 buildings.

The next step is to share the Master Certificate template list with both NSW Fair Trading and Building Commission NSW (BCNSW). We expect confirmation that this is the long list of items requiring component certification, and that all other items such as those falling outside of the BCA, are not expected to be pursued by Certifiers. Once this has occurred the template list will be available to members.



Seismic requirements

The appropriate level of certification needed to close out the seismic requirements of AS1170.1 for secondary and tertiary structural elements that the Structural Engineer would not normally to sign off on was discussed. We are looking at appropriate inclusions for the relevant certification standards of performance in accordance with the Master Certificate List above.



Importance Level on High Rise Residential buildings

The Committee considered that there is an argument high rise residential and other high rise buildings should be considered IL3 as is the case in NZ.



The AAC is seeking clarification from Engineers Australia on the importance level specific to high rise residential and other high rise buildings.

BCA Compliance issues

The committee notes there are potential BCA compliance issues raised from the lack of detailing for fire rated wall and floor junctions with an external façade.



Façade junction issues

The committee notes the lack of prescription around the detailing for fire rated wall and floor junctions with an external façade could potentially result in a design outcome that could unduly permit smoke or fire spread within the building. Until such time as specific measures are written into the BCA, the Committee considers that the detailing of these junctions require specific attention. Some certifiers are of the view that a tested system is non-compliant if it terminates against a non-rated external wall and that it should be a Performance Solution. An alternative view is that the lack of prescription in the BCA means that these junctions should be considered a special hazard under E2D21 of the BCA, requiring appropriate detail(s) to be developed so the issue is not just ignored. The Technical Committee considers either approach to be acceptable.

EV Charging stations in buildings

The committee has also noted industry concerns regarding fire safety and EV charging stations in buildings. We consider that an appropriate approach would be to also consider these as Special Hazards under E2D21 of the BCA. An assessment should therefore be undertaken in each instance. Various position papers and guidance notes have been published including the following:

- [https://www.afac.com.au/auxiliary/article/electric-vehicles-\(ev\)-and-ev-charging-equipment-in-the-built-environment](https://www.afac.com.au/auxiliary/article/electric-vehicles-(ev)-and-ev-charging-equipment-in-the-built-environment)
- <https://www.evfiresafe.com/ev-fires-buildings>
- <https://electricvehiclecouncil.com.au/wp-content/uploads/2023/06/230308-Arup-Fire-Safety-EVs-EV-Council14.pdf>

Other Guidance documents also exist.

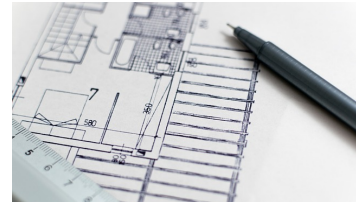
Until such time as specific measures are written into the BCA, Certifiers may consider it appropriate that a fire-safety engineer assess the installation and make suitable recommendations under E2D21.

Annual Fire safety Statement within 6 months of fitout works or exemptions

Clauses 74 and 83/84 of the EP&A (DC and Fire safety) Reg require an annual Fire Safety Statement to have been issued within the last six months to permit certain exemptions. If the view is taken that a final fire safety certificate for even minor works must address every measure in the building unless the Annual is <6 months old then this becomes a defacto requirement for an annual every six months in large office or retail buildings. We are aware that "...Fair Trading have confirmed it a (fineable) offence if the FFSC for a tenancy is issued where the AFSS is more than six months old."

We are of the view that this interpretation is unworkable and hence is not current practice. It would only be workable if it becomes common practice to issue an AFSS twice yearly in large commercial and retail buildings.

This makes a nonsense out of the concept that the safe and appropriate period to conduct the audits required to issue the AFSS is annually. The AAC wrote to **FPA, the Property Council and the Department of Fair Trading**.



Edition of the Building Code of Australia (BCA) that applies to a construction certificate application

The committee notes that there has been some discussion regarding the delayed adoption of Section J in BCA 2022 and whether this exclusion of Section J is 'locked in' if a CC for the ground floor is applied for before 1 October 2023.

The opinion of the Committee is that the exclusion of the new Section J should be locked in for the project id the CC is applied for before 1 October 2023. We sought legal advice.

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Lithium Battery fire risk in car parks

There is an expectation that certifiers make an adjudication on the risk of battery fires in car park charging stations.

The committee recommends that AAC members follow the process in the **AFAC** guideline

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Illegal works - issuing an OC with BIC?

An age old problem is what to do with an OC if there are unauthorised works. Is issuing an OC with BIC covering part of the scope of the DA legally acceptable?

We sought a generic legal opinion from Anthony Hudson of Wiltshire Webb Lawyers

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Have a question?

Reach out to the Committee if you have a question relating to Class 2-9 buildings.

[Ask the 2-9 Committee](#)



Regards

Association of Australian Certifiers

T 1300 735 935 | M 0411 392 554

E technical@aacertifiers.com.au | www.aacertifiers.com.au



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