Composite Cladding
The Building Surveyor’s experience

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Snap Shot Summary of the Development Approval Process

The SA development legislation is made up of the:

- SA Development Legislation
- The National Construction Code
  - BCA Volume 1
  - The Past
  - The Present
  - The Future
12 March 2018 amendments to Development Regulations 2008

Regulation 3 amended to include the following definitions

"designated building" means a building, or class of building, designated by the Minister in a notice under Schedule 5 clause 1(1)(h);

"designated building product" means a building product, or kind of building product, designated by the Minister in a notice under Schedule 5 clause 1(1)(h);
1—Plans for building work

(1) An application for building rules consent must be accompanied by—

(h) if the building work—

(i) relates to a building, or class of building, designated by the Minister by notice published in the Gazette; and

(ii) involves the use of a building product, or kind of building product, designated by the Minister in the notice in circumstances specified in that notice,
The SA Govt Gazzette issued the 15 March 2018 reflected the following in relation to the changes in the Regs:

**Designated building:**
For the purposes of Regulation 3 of the Development Regulations 2008 a designated building is a building with a Building Code classification of:
(a) Class 2, 3, or 9 consisting of two or more storeys; or a
(b) Class 5, 6, 7 or 8 consisting of three or more storeys

**Designated building product:**
For the purposes of Regulation 3 of the Development Regulations 2008 a designated building product is a building product that consists of a metal panel or lining formed with an aluminium, or similar thin metal sheet material, with any type of core material.
Details relating to the designated building product:

For the purposes of Schedule 5 of the Development Regulations 2008, the following information must be provided with an application for building rules consent for building work that involves the installation or alteration of this designated building product on this designated building:

Details of the designated building products used, including:

a) Product name/s;
b) Product exterior and core material composition;
c) Proposed location/s of the product/s on the building;
d) Proposed installation/fixing method/s; and

e) If the designated building products form part of a Performance Solution (as defined by the Building Code), the details identified in a) through d) above and the completion of Attachment A of this Notice.
Example of what needs to be submitted with an application

Attachment A

PERFORMANCE SOLUTION

PART 1 - GENERAL INFORMATION

Development No: .................................................................................................................................
Address of project: .............................................................................................................................
Description of project: ..........................................................................................................................

..............................................................
Applicant: ........................................................................................................................................
Owner: ...........................................................................................................................................
Classification/s: ......................... Type of construction: .............. No. of storeys: ..............

PART 2 - ASSESSMENT METHOD/S

A designated building product/s is being used to achieve the following Building Code Performance Requirement/s:

..............................................................

The Building Code Assessment Method/s being used to demonstrate compliance with the above Performance Requirements are (Please tick)

☐ Evidence (as described in A2.2) to support that the designated building product/s meets
the Performance Requirement/s identified (supporting evidence to be provided).
☐ Verification Methods -
  ☐ The Verification Methods in the Building Code (supporting evidence to be provided)
  ☐ Other Verification Methods (supporting evidence to be provided)
☐ Expert Judgement (supporting evidence to be provided)
☐ Comparison with the Deemed-to-Satisfy Provisions (supporting evidence to be provided)

PART 3 - DESIGNER / CONSULTANT DETAILS

Name of designer/consultant: .............................................................................................................
Occupation/specialty: ..........................................................................................................................

.............................................................. / .............................................................
Signature of designer / consultant Date
Regs cont.

Reg 74 was amended to include a “prescribed supervisors check list”

74—Notifications during building work

(1) The following periods and stages are prescribed for the purposes of section 59(1) of the Act:

   (cc) without limiting a preceding paragraph—in relation to building work involving the use of a designated building product on a designated building, 1 business day's notice of the intended commencement of the installation of the designated building product;
Example of a supervisors checklist

NOTICE B

REGULATION 74
PRESCRIBED SUPERVISOR’S CHECKLIST

This checklist must be completed by a registered building work supervisor responsible for the installation of a designated building product on a designated building in accordance with Regulation 74(7a) of the Development Regulations 2008.

PART 1 - GENERAL
Development No: .................................................................
Address of project: ..............................................................
Description of project: ...........................................................

Classification/s: ........................................ Type of construction: .............. No. of storeys: ........

PART 2 – APPROVAL (details of the relevant authorities responsible for issuing consents / approvals)
Name of private certifier (including registration number) ...........................................................
Council name (if applicable): ...................................................

PART 3 - INSTALLATION
On the day of installation commencement, list the designated building product, the location/s of the product and the installation and/or fixing method used:

<table>
<thead>
<tr>
<th>Product name/s:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location/s of product/s:</td>
</tr>
<tr>
<td>Installation/fixing method/s:</td>
</tr>
</tbody>
</table>

Notes:
1. Product name/s, location/s and installation/fixing method/s listed must match those detailed on the approved plans and documentation
2. When the installation of other designated building products on this building will commence at a later date, notification must occur in accordance with Regulation 74(1c) and additional checklists must be completed and submitted upon installation commencement in accordance with Regulation 74(7a)

Please tick all that apply:
- [ ] The designated building product listed above has been installed in accordance with the approved documentation
- [ ] Installation of the designated building product listed above did not commence on the intended day (list reasons why) .................................................................
- [ ] Additional checklists will be submitted for this or other designated building products on this building

Name of registered building work supervisor: .................................................................
Company name (if applicable): .................................................................
Builders licence number (if applicable): .................................................................

................................................. / .................................................
Signature of building supervisor Date

This checklist must be provided to the council in accordance with Regulation 74(7a).
BCA-1990 to BCA 1996 to NCC BCA 2016 – snap shot

BCA 1990
- No performance requirements or performance solutions were referenced in the BCA
- Spec C1.1 – Clause 2.4 existed similar to today's requirements
- Definition of non combustible similar to today's requirements
- Spec 1.10 – only drew reference to spread of flame and smoke developed index of a material

BCA 1996 introduced 1 July 1997 in SA –
- Introduced performance requirements and the approval process of either DTS or Alt Soln (as known then)
- Saw the introduction of Certificate of Conformity under A2.2
- Clause C1.12 – non combustible linings was amended to be a stand alone clause
- Spec C1.1 – Clause 2.4 still referred to spread of flame and smoke developed index of a material
- By Amdt 13 (2003) saw the introduction of group numbers
BCA 2004-2010

- Similar to previous versions however Specification C1.10 and C1.10a held the key to how a composite panel could be applied to a building

NCC BCA 2011

- Fundamental change to Spec C1.10 and start of the confusion in the industry around what method was appropriate to use when applying composite panels

NCC BCA 2011-BCA 2016 – remained unchanged

NCC BCA 2016 Amdt 1

- First change to BCA as a result of external façade fires
- New provisions such as CV3 introduced, clarification again around CodeMark products,
- Load bearing definition introduced, Clause C1.9 introduced and C1.12 deleted,
- New Clause C1.14 Ancillary elements introduced, Spec C1.1 Clause 2.4 modified

NCC BCA 2019 – Draft

- No major change to either CV3 or the clauses amended under 2016 version other than Clause C1.9
- An ABCB Handbook is up for review and referenced NCC Fire Safety Verification Method. This has a particular section on external wall cladding but refers you back to CV3 as the method of validation
One key note is the change in Spec C1.10 which formalised notes 2 & 3 as compared to BCA 2010 – it has the potential to be interpreted that prior to this date “exposed edges” may not needed to have been considered when looking at it from an installation perspective and making a determination about vertical spread up the face of the building.
BCA 2016 Amdt 1 – key changes

**Loadbearing** means intended to resist vertical forces additional to those due to its own weight.

**C1.9 Non-combustible building elements**

(a) In a building **required** to be of Type A or B construction, the following building elements and their components must be **non-combustible**:

(i) **External walls** and common walls, including all components incorporated in them including the facade covering, framing and insulation.

(ii) The flooring and floor framing of lift pits.

(iii) Non-loadbearing internal walls where they are **required** to be fire-resisting.

(b) A **shaft**, being a lift, ventilating, pipe, garbage, or similar **shaft** that is not for the discharge of hot products of combustion, that is **non-loadbearing**, must be of **non-combustible** construction in—

(i) a building **required** to be of Type A construction; and

(ii) a building **required** to be of Type B construction, subject to **C2.10**, in—

(A) a Class 2, 3 or 9 building; and

(B) a Class 5, 6, 7 or 8 building if the shaft connects more than 2 storeys.

(c) A **loadbearing internal wall** and a **loadbearing fire wall**, including those that are part of a **loadbearing shaft**, must comply with **Specification C1.1**.

(d) The requirements of (a) and (b) do not apply to gaskets, caulking, sealants and demoproof courses.

(e) The following materials may be used wherever a **non-combustible** material is **required**:

(i) Plasterboard.

(ii) Perforated gypsum lath with a normal paper finish.

(iii) Fibrous-plaster sheet.

(iv) Fibre-reinforced cement sheeting.

(v) Pre-finished metal sheeting having a **combustible** surface finish not exceeding 1 mm thickness and where the **Spread-of-Flame Index** of the product is not greater than 0.

(vi) Bonded laminated materials where—

(A) each lamina, including any core, is **non-combustible**; and

(B) each adhesive layer does not exceed 1 mm in thickness and the total thickness of the adhesive layers does not exceed 2 mm; and

(C) the **Spread-of-Flame Index** and the **Smoke-Developed Index** of the bonded laminated material as a whole do not exceed 0 and 3 respectively.

I believe this was introduced as a result of confusion in the industry. Some were stating that if a wall was only supporting the cladding then it was to be deemed loadbearing.

This change is significant as it now requires all elements in an external wall to comply with AS5113 including insulation – does this overrides Spec C1.10 Clause 7 – Insulation – some are viewing this to be the case.

This clause can still be applied – its been the basis on several CodeMark certificate assessments/validations.
Key note here is that bonded laminate has been removed – this may have a direct impact on the validity on existing CodeMark certifications.
The Present

- People are still trying to use ACP, timber and even plastic on facades of Type A & B buildings!

- The whole country is watching LaCrosse play out in court
- Builders and owners are re-cladding – even without BFSC pressure

- Most of the existing ACP CodeMark certificates don’t comply with the BCA. Six have already been suspended
- The industry has lost faith in CodeMark
- Some ACP manufacturers are spreading misinformation.
The present (continued)

- Every BFSC in SA is reviewing their building stock. The level of risk is being assessed using SALSA
- Buildings assessed as High or Extreme risk will receive a notice
- Insurers are placing cladding exclusions on PI policies for most practitioners in the industry
- Building Ministers are seeking a National approach but have identified zero initiatives to entice insurers back.
- The Senate Enquiry is still inactive.
The future

- LaCrosse will set the scene for future litigation

- Even buildings assessed as low may be subject to litigation as owners are aggrieved at the cost of building insurance

- Class actions have been reported in the media – but who are they suing?

- Affordable PI insurance may be unattainable and private certification may collapse. \( \Sigma \) premiums = $25-30 m