Australian Capital Territory

Building (ACT Appendix to the Building Code of Australia) Determination 2002

Disallowable instrument DI2002—63

made under the

***Building Act 1972*, s 24 (2) (Building code)**

I determine the schedule to this instrument to be the Australian Capital Territory Appendix to the Building Code of Australia.

Simon Corbell
Minister for Planning
18 June 2002

APPENDIX

AUSTRALIAN CAPITAL TERRITORY

INTRODUCTION

The Australian Capital Territory BCA Appendix forms part of the ACT Building Code published in accordance with the provisions of the ACT Building Act 1972. This Appendix contains variations and additions to the Building Code of Australia which are necessary for the effective application of the Code in the Australian Capital Territory.

AUSTRALIAN CAPITAL TERRITORY - BCA APPENDIX

CONTENTS

This Appendix contains the BCA provisions that have been varied and additional provisions for application in Australian Capital Territory as follows:

ACT F6.1 Energy efficient design

ACT F6.2 Exemptions

ACT F6.3 Fire resistance

G - ANCILLARY PROVISIONS

ACT G1.1 Swimming pools

ACT G1.103 Awnings and projections

ACT G2.2 Installation of appliances

OTHER LEGISLATION AFFECTING BUILDINGS

SECTION A GENERAL PROVISIONS

PART A1 INTERPRETATION

ACT Specification A1.3

STANDARDS ADOPTED BY REFERENCE

Insert in Table 1 of Specification A1.3 the following:

ACT Table 1:
SCHEDULE OF REFERENCED DOCUMENTS

No.	Date	Title	BCA Clause(s)
AS 1375	1985	Industrial fuel-fired appliances	ACT G2.2
AS/NZS1530		Methods for fire tests on building materials components and structures	
Part 3	1999	Simultaneous determination of ignitability, flame propagation, heat release and smoke release	ACT F6.3
AS 1692	1989	Tanks for flammable and combustible liquids	ACT G2.2
AS 2890		Parking facilities	
Part 1	1993	Off-street car parking	ACT F3.101
		Work Safe Australia Asbestos Code of Practice and Guidance Notes, August 1988	ACT A2.101
		Development Control Code for Best Practice Waste Management in the ACT 1999	ACT A2.103

PART A2 ACCEPTANCE OF DESIGN AND CONSTRUCTION

Add ACT AO2 as follows:

OBJECTIVE

ACT AO2 The *Objective* of this Part is to-

(a) safeguard people from illness resulting from exposure to asbestos-based building materials during removal and disposal; and

(b) prevent wind blown litter from building sites fouling roads and public land; and

(c) safeguard people from injury caused by infection or contamination from solid waste.

Add ACT AF2.1 to ACT AF2.3 as follows:

FUNCTIONAL STATEMENTS

ACT AF2.1 Asbestos-based building material shall be removed and disposed of in a safe manner.

ACT AF2.2 Building litter must be prevented from spreading around and beyond the site boundary.

ACT AF2.3 Buildings must be provided with space and facilities for the collection, and safe, hygienic holding prior to disposal of solid waste arising from the intended use of the building.

Add ACT AP2.1 to ACT AP2.3 as follows:

PERFORMANCE REQUIREMENTS

ACT AP2.1 When asbestos-based material in any form or in any mixture thereof, or any material containing loose asbestos including asbestos fluff insulation, asbestos sheeting, lagging, fire protection and the like is removed, it must be handled and disposed of safely.

ACT AP2.2 Sufficient containers must be provided on building sites to store building waste that is likely to become windblown.

ACT AP2.3 Provision must be made within buildings for the collection and temporary holding of solid waste.

The design shall accommodate screening, volume of waste, disposal, logistics and access.

Add ACT A2.0 as follows:

ACT A2.0 Deemed-to-Satisfy Provisions

Performance Requirements ACT AP2.1 to ACT AP2.3 are satisfied by complying with ACT A2.101 to ACT A2.103.

Add ACT A2.101 to ACT A2.103 as follows:

ACT A2.101 Hazardous materials

Asbestos-based materials must be handled and disposed of in accordance with the Worksafe Australia Code of Practice and Guidance Notes.

ACT A2.102 Control of litter on building sites

(a) On site building waste must be stored in suitable size plastic or metal bins and removed from the site at regular intervals.

(b) For the purpose of this clause, building waste includes plastic containers, plastic and paper wrappings, or any waste that can be carried by wind.

ACT A2.103 Waste management

Garbage facilities must be designed and constructed in accordance with the Development Control Code for Best Practice Waste Management in the ACT.

SECTION D ACCESS AND EGRESS

PART D1 PROVISION FOR ESCAPE

Add ACT D1.101 as follows:

ACT D1.101 Notices in fire-isolated stairs

(a) Every fire-isolated stairway must have a notice displayed in a conspicuous position at the landing on each storey level to the effect of the following:

OFFENCES RELATING TO FIRE STAIRS

Under the Fire Brigade Act it is an offence to:

1. **Place anything in this stairway or any associated passageway leading to the exterior of the building which may impede the free passage of persons;**
2. **Interfere with or cause obstruction or impediment to the normal operation of fire doors providing access to this stairway; or**
3. **Remove, damage or otherwise interfere with this notice**

(b) In any notice displayed in accordance with (a)-

(i) the words "OFFENCES RELATING TO FIRE STAIRS" must be in letters not less than 20 mm in height;

(ii) all other letters and figures in the remainder of the notice must be not less than 3 mm in height; and

(iii) the notice must be clearly legible with lettering of a colour contrasting with the background embossed or cast into a permanent plate securely and permanently fixed to the wall.

SECTION F HEALTH AND AMENITY

PART F3 ROOM SIZES

Delete FO3 and insert ACT FO3 as follows:

OBJECTIVE

ACT FO3

The *Objective* of this Part is to-

(a) safeguard occupants from injury or loss of amenity caused by inadequate height of a room or space; and

(b) safeguard people from injury resulting from the movement of vehicles into, within and out of buildings.

After FF3.1 insert ACT FF3.2 as follows:

FUNCTIONAL STATEMENTS

ACT FF3.2

Buildings shall be provided with reasonable and adequate access to enable safe and easy movement of vehicles.

After FP3.1 insert ACT FP3.2 as follows:

PERFORMANCE REQUIREMENTS

ACT FP3.2

Vehicle access routes within buildings and on the *site* must enable people to safely and easily-

(a) manoeuvre vehicles; and

(b) manoeuvre and park cars.

Delete F3.0 and insert ACT F3.0 as follows:

ACT F3.0 Deemed-to-Satisfy Provisions

Performance Requirements FP3.1 and ACT FP 3.2 are satisfied by complying with F3.1 and ACT F3.101.

After F3.1 insert ACT F3.101 as follows:

ACT F3.101 Car parking facilities

Parking spaces, aisle dimensions, parking arrangements, access signage, vehicle turning paths, ramp gradients, access driveways, approaches, queuing areas and headroom clearances must be designed in accordance with AS 2890.1.

Add Part F6 as follows:

ACT PART F6 ENERGY EFFICIENCY

OBJECTIVE

ACT FO6 The *Objective* of this Part is to facilitate efficient use of energy in a building.

Application:
ACT FO6 only applies to a Class 2 or Class 3 building or a Class 4 part of a building.

FUNCTIONAL STATEMENT

ACT FF6.1 A building is to be designed to achieve efficient use of energy for internal heating and cooling.

Application:
ACT FF6.1 only applies to a Class 2 or Class 3 building or a Class 4 part of a building.

PERFORMANCE REQUIREMENT

ACT FP6.1 A building must have an adequate level of thermal performance to ensure efficient use of energy for internal heating and cooling.

Application:
ACT FP6.1 only applies to a Class 2 or Class 3 building or a Class 4 part of a building.

ACT F6.0 Deemed-to-Satisfy Provisions

Performance Requirement ACT FP6.1 is satisfied by complying with ACT F6.1 to F6.3.

ACT F6.1 Energy efficient design

(a) A building must achieve an ACT House Energy Rating of 4 Stars as assessed by an accredited ACT House Energy Assessor.

(b) An addition must-

(i) achieve an ACT House Energy Rating of 4 Stars as assessed by an accredited ACT House Energy Assessor; or

(ii) comply with all of ACT Table F6 and have a -

(A) concrete floor; or

(B) timber floor with an R rating of 1 including carpet.

ACT Table F6
MINIMUM INSULATION MATERIAL

Roofs	
(a)	R3 insulation material in the ceiling space; or
(b)	R2 insulation material in an exposed raked ceiling
Walls	R1.5 insulation material in the *external wall* space

ACT F6.2 Exemptions

The requirements of this Part do not apply to the following types of construction:

(a) Cavity brick, earthwall construction, ashlar stone or other masonry walls which have a thickness (excluding any cavity) of not less than 180 mm do not require wall insulation.

(b) Class 10 structures forming part of a Class 2 or 3 building or Class 4 part.

(c) * * * * *

This clause has been deliberately left blank.

ACT F6.3 Fire resistance

When tested in accordance with AS/NZS 1530.3 a thermal insulation material must have a *Spread-of-Flame Index* of 0 and a *Smoke-Developed Index* not greater than 4.

SECTION G ANCILLARY PROVISIONS

PART G1 MINOR STRUCTURES AND COMPONENTS

Add ACT G1.1(c) and (d) as follows:

ACT G1.1 Swimming Pools

(c) Indoor or outdoor permanent bathing, wading and *swimming pools* must-

(i) where the capacity of the pool exceeds 10 m 3 -

(A) be of the recirculation type in which the water circulation is maintained through the pool by pumps, the water drawn from the pool being clarified and disinfected before being returned to the pool;

(B) have an outlet sump with antivortex cover or grating and have a skimming weir or overflow gutter or channel at high water level; and

(C) have means of egress provided in the form of ladders, steps in the floor of the pool or a ramp;

(ii) be capable of being completely emptied and any discharge or overflow and pool backwash filter must be connected to the sewer drainage system;

(iii) be watertight with smooth surfaces of non-absorbent, non-slip material, light in colour and with rounded corners to facilitate cleaning;

(iv) have surrounding concourses graded away from the pool.

(d) Pools in or forming part of buildings other than Class 1 buildings-

(i) where in any part of the pool the depth is less than 1500 mm, the floor grade must not exceed a slope of 1 in 20;

(ii) permanent signs must be displayed on the side of the pool (or adjacent concourse for flush concourse waterline pools), showing the depth at 300 mm change intervals for the length of the pool and the depth at the deep and shallow ends.

Add ACT G1.103 as follows:

ACT G1.103 Awnings and projections

Every awning, projection or the like, attached to, or supported from a building other than a Class 1 or 10 building must-

(a) comply with Part B1;

(b) have all supporting members constructed of non-*combustible* material or be lined on the underside with *non-combustible* material;

(c) if it has a roof, be covered with non-combustible or fire-retardant material which is impervious to moisture;

(d) if projecting over a boundary onto or over unleased land-

(i) in no part be less than 2.7 m above finished pavement or finished ground level; and

(ii) be set back not less than 750 mm from any kerb or the edge of any place accessible to vehicles; and

(iii) where the height to the underside of the awning is at least 3.8 m above finished pavement or ground level, the awning may align with, but not project beyond, the kerb or the edge of any place accessible to vehicles; and

(e) not have any signs or other attachments projecting lower than 2.3 m above the finished pavement or ground surface.

PART G2 HEATING APPLIANCES, CHIMNEYS AND FLUES

Add ACT G2.2 as follows:

ACT G2.2 Installation of appliances

(d) An industrial fuel-fired appliance: AS 1375.

(e) Storage tanks and other associated fittings: AS 1692.

Footnote:

OTHER LEGISLATION AFFECTING BUILDINGS

In addition to the requirements of the ACT Building Act 1972 and the ACT Building Code, administered by ACT Building, Electrical and Plumbing Control, (BEPCON) builders and designers should be aware of other legislation which contains building requirements.

The following is a list of some of the other relevant legislation:

1. Building Control Legislation

Public Health Regulations 2000 (Department of Health, Housing and Community Care (ACT Health))

2. Fire Safety Regulations

Dangerous Goods Regulations (ACT WorkCover)

Fire Brigade Act 1957 (ACT Fire Brigade, Justice and Community Safety (JACS))

Fire Brigade Regulations (ACT Fire Brigade, JACS)

3. Environmental Control and Emission Standards

Environmental Protection Act 1997 (DUS)

4. Licensed Premises

Food Act 1992 (ACT Health)

Liquor Act 1975 (JACS)

Licensing Standards Manual (JACS)

5. Occupational Health and Safety

ACT Safe Demolition Work Code of Practice (ACT WorkCover)

Occupational Health and Safety Act 1989 (ACT WorkCover)

6. Public Housing

Housing Assistance Act 1987 (ACT Housing, ACT Health)

7. Scaffolding and Temporary Works

Scaffolding and Lifts Regulations (ACT WorkCover)

8. Urban Design Standards, Land Title and Tenure

ACT (Planning and Land Management) Act 1988 (National Capital Authority (NCA))

City Area Leases Act 1936 (For leases before the Land Act commenced) (DUS)

Common Boundaries Act 1981 (DUS)

Land (Planning and Environment) Act 1991 (DUS)

Leases (Special Purposes) Act 1925 (For leases before the Land Act commenced) (DUS)

National Land Ordinance 1989 (NCA)

Unit Titles Act 1970 (DUS)

9. Utility Services and Urban Infrastructure

Gas Supply Act 1998 (ActewAGL)

Protection of Lands Act 1937 (DUS)

Roads and Public Places Act 1937 (DUS)

Utilities Act 2000 (Department of Treasury, DUS)

Water and Sewerage Act 2000 (BEPCON, DUS)

AUSTRALIAN CAPITAL TERRITORY ADDITIONS

Application of Australian Capital Territory additions

This Appendix contains additional provisions for application in the Australian Capital Territory as follows:

ACT 1 - * * * * *

This clause has been deliberately left blank.

HEALTH AND AMENITY

ACT 2 - HAZARDOUS MATERIALS

ACT 2.1 PERFORMANCE PROVISIONS

Objective

The *Objective* is to safeguard people from illness resulting from exposure to asbestos building materials during removal and disposal.

Functional Statement

Asbestos building material shall be removed and disposed of in a safe manner.

Performance Requirement

When asbestos-based material in any form or in any mixture thereof, or any material containing loose asbestos including asbestos fluff insulation, asbestos sheeting, lagging, fire protection and the like is removed, it must be handled and disposed of safely.

ACT 2.2 ACCEPTABLE CONSTRUCTION PRACTICE

The requirements of ACT P2 are satisfied when asbestos-based materials are handled and disposed of in accordance with the Worksafe Australia Code of Practice and Guidance Notes.

ACT 3 - CONTROL OF LITTER ON BUILDING SITES

ACT 3.1 PERFORMANCE PROVISIONS

Objective

The *Objective* of this provision is to prevent wind blown litter from building sites fouling roads and public land.

Functional Statement

Building litter must be prevented from spreading around the site and beyond the site boundary.

Performance Requirement

Sufficient containers must be provided on building sites to store building waste that is likely to become windblown.

ACT 3.2 ACCEPTABLE CONSTRUCTION PRACTICE

The requirements of ACT P3 are satisfied by:

On site building waste that is stored in suitable size plastic or metal bins and removed from the site at regular intervals.

Note: Building Waste includes: plastic containers and plastic and paper wrappings or any waste that can be carried by wind.

ACT 4 - WASTE MANAGEMENT

ACT 4.1 PERFORMANCE PROVISIONS

Objective

The *Objective* of this provision is to safeguard people from injury caused by infection or contamination from solid waste.

Functional Statement

Buildings must be provided with space and facilities for the collection, and safe hygienic holding prior to disposal of solid waste arising from the intended use of the building.

Performance Requirement

Where provision is made within buildings for the collection and temporary holding of solid waste, the design shall accommodate screening, volume of waste, disposal, logistics and access.

ACT 4.2 ACCEPTABLE CONSTRUCTION PRACTICE

The requirements of ACT P4 are satisfied by garbage facilities that are designed and constructed in accordance with the Development Control Code for Best Practice Waste Management in the ACT.

ACT 5 – ENERGY EFFICIENCY

Limitation:

ACT 5 applies to Class 1 buildings only.

ACT 5.1 PERFORMANCE PROVISIONS

Objective

The *Objective* of this Part is to facilitate efficient use of energy in a building.

Functional Statement

A building is to be designed to achieve efficient use of energy for internal heating and cooling.

Performance Requirement

A building must have an adequate level of thermal performance to ensure efficient use of energy for internal heating and cooling.

ACT 5.2 ACCEPTABLE CONSTRUCTION PRACTICE

ACT 5.2.1 Energy efficiency

The requirements of ACT P5 are satisfied by-

(a) A building that achieves an ACT House Energy Rating of 4 Stars as assessed by an accredited ACT House Energy Assessor; or

(b) by any other assessment method, satisfying P5; and

(c) in the case of an addition to an existing building, by-

  (i) complying with P5 or (a); or

  (ii) complying with ACT Table 1 and having-

    (A) a concrete floor; or

    (B) a timber floor with an R rating of 1 including carpets.

ACT Table 1
MINIMUM INSULATION MATERIAL

ACT Table 1 **MINIMUM INSULATION MATERIAL**
Roofs
(a) R3 insulation material in the ceiling space; or
(b) R2 insulation material in exposed raked ceiling (concession).
Walls
R1.5 insulation material in the external wall space.

ACT 5.2.2 Exemptions

The requirements of this Part do not apply to the following types of construction:

(a) Cavity brick, earthwall construction, ashlar stone or other masonry walls which have a thickness (excluding any cavity) of not less than 180 mm do not require wall insulation.

(b) Class 10 structures forming part of a Class 1 building.

(c) Moveable dwellings and mobile homes where their form of prefabricated construction does not readily permit achievement of optimal insulation requirements.

ACT 5.2.3 Fire resistance of insulation materials

When tested in accordance with AS/NZS 1530.3 a thermal insulation material must have a *Spread-of-Flame Index* of 0 and a *Smoke-Developed Index* not greater than 4.

ACT 6 - SWIMMING POOL CONSTRUCTION

Application:

This requirement is to be applied in conjunction with Part 3.9.3.

ACT 6.1 Swimming pool construction

Indoor or outdoor permanent bathing, wading and *swimming pools* must-

(a) where the capacity of the pool exceeds 10 m3-

(i) be of the recirculation type in which the water circulation is maintained through the pool by pumps,

the water drawn from the pool being clarified and disinfected before being returned to the pool; and

(ii) have an outlet sump with antivortex cover or grating and have a skimming weir or overflow gutter or channel at high water level; and;

(iii) have means of egress provided in the form of ladders, steps in the floor of the pool or a ramp; and

(b) be capable of being completely emptied and any discharge or overflow and pool backwash filter must be connected to the sewer drainage system; and

(c) be watertight with smooth surfaces of non-absorbent, non-slip material, light in colour and with rounded corners to facilitate cleaning; and

(d) have surrounding concourses graded away from the pool.

OTHER LEGISLATION AFFECTING BUILDINGS

In addition to the requirements of the ACT Building Act 1972 and the ACT Building Code, administered by ACT Building Electrical and Plumbing Control, (BEPCON) builders and designers should be aware of other legislation which contains building requirements.

The following is a list of some of the other relevant legislation:

1. Health Legislation

Public Health Regulations 2000 (Dept of Health, Housing and Community Care)

2. Environmental Control and Emission Standards

Environment Protection Act 1997 (Department of Urban Services (DUS))

3. Occupational Health and Safety

ACT Demolition Code of Practice (ACT WorkCover)

Occupational Health and Safety Act 1989 (ACT WorkCover)

4. Public Housing

Housing Assistance Act 1987 (ACT Housing, ACT Health Trust)

5. Scaffolding and Temporary Works

Scaffolding and Lifts Regulations 1950 (ACT WorkCover)

6. Urban Design Standards, Land Title and Tenure

ACT (Planning and Land Management) Act 1988 (National Capital Authority) (NCA)

City Area Leases Act 1936 (For leases before the Land Act commenced) (DUS)

Common Boundaries Act 1981 (DUS)

Land (Planning and Environment) Act 1991 (DUS)

Leases (Special Purposes) Act 1925 (For leases before the Land Act commenced) (DUS)

National Land Ordinance 1989 (NCA)

Unit Titles Act 1970 (DUS)

7. Utility Services and Urban Infrastructure

Electricity Safety Act 1971 (BEPCON, DUS)

Gas Supply Act 1998 (ActewAGL, ACT WorkCover)

Protection of Lands Act 1937 (DUS)

Roads and Public Places Act 1937 (DUS)

Utilities Act 2000 (Department of Treasury, DUS)

Water and Sewerage Act 2000 (DUS)

8. Urban Design Standards, Land Title and Tenure

ACT (Planning and Land Management) Act 1988 (National Capital Authority (NCA))

City Area Leases Act 1936 (For leases before the Land Act commenced) (DUS)

Common Boundaries Act 1981 (DUS)

Land (Planning and Environment) Act 1991 (DUS)

Leases (Special Purposes) Act 1925 (For leases before the Land Act commenced) (DUS)

National Land Ordinance 1989 (NCA)

Unit Titles Act 1970 (DUS)

9. Utility Services and Urban Infrastructure

Gas Supply Act 1998 (ActewAGL)

Protection of Lands Act 1937 (DUS)

Roads and Public Places Act 1937 (DUS)

Utilities Act 2000 (Department of Treasury, DUS)

Water and Sewerage Act 2000 (BEPCON, DUS)