

Building (ACT Appendix to the Building Code) Determination 2019 (No 3)

Disallowable instrument DI2019—175

made under the

Building Act 2004, s 136 (Building code)

1 Name of instrument

This instrument is the *Building (ACT Appendix to the Building Code) Determination 2019 (No 3)*.

2 Commencement

(1) ACT DP0.1, ACT DP0.2, ACT DP0.3, ACT DP0.4, ACT DP0.5, ACT D3.4, and ACT 7 in schedule 1 are taken to have commenced on 1 June 2019.

(2) All other provisions commence on 1 July 2019.

3 Making of ACT appendix

I make the ACT Appendix to the Building Code of Australia at schedule 1.

Note The *Building Act 2004*, s 136 (Building code), provides that the building code means the a document prescribed by regulation, and the Building Code of Australia, prepared and published by the Australian Building Codes Board, as amended from time to time by that Board, and the ACT Appendix to the building code.

4 Disapplication of notification requirement

The *Legislation Act 2001*, section 47 (5) does not apply to this instrument.

5 Revocation

This instrument revokes the *Building (ACT Appendix to the Building Code) Determination 2019 (No 2)* (DI2019-55).

6 Access to the Australian Capital Territory appendix

A copy of the Australian Capital Territory Appendix is available for inspection by members of the public between 8:30am and 4.30pm on business days at the ACT Environment, Planning and Sustainable Development Directorate shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT.

7 Access to Building Code of Australia

A copy of the Building Code of Australia is available for inspection by members of the public between 8:30am and 4.30pm on business days at the ACT Environment, Planning and Sustainable Development Directorate shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT, or can be accessed for free at <https://ncc.abcb.gov.au/ncc-online/NCC> .

8 Access to Australian Standards

Australian Standards referenced in this document are available for inspection by members of the public between 8:30am and 4.30pm on business days at the ACT Environment, Planning and Sustainable Development Directorate shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT, or can be purchased at www.standards.org.au.

Gordon Ramsay MLA
Minister for Building Quality Improvement
27 June 2019

**Schedule 1 to the Building (ACT Appendix to the Building Code) Determination 2019
(No 3)**
(See section 3)

ACT Appendix to the Building Code of Australia – Volumes 1 and 2

July 2019

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Volume 1

Volume 1 of the Building Code of Australia is amended as follows.

Volume 1, History of adoption, 15.0 (a) Adoption of NCC Volume One 2019

Substitute

In the Australian Capital Territory—

- (1) All provisions, other than the provisions mentioned in section 2, are adopted on 1 June 2019.
- (2) Table E1.5, Row 3 in relation to class 2 and 3 buildings; Specification E1.5 2 (b) and (c); Specification E1.5a; and Part F6 are adopted on 1 September 2019.
- (3) Notwithstanding (1), for applications for a building approval determined from 1 June 2019 to 31 August 2019, proposed building work may comply with the provisions mentioned in (1) or the corresponding provisions in Volume 1 2016.
- (4) For (3), if a project demonstrates compliance using Volume 1 2016 and there is no corresponding provision for a particular provision in Volume 1 2019, the building work must comply with all relevant and applicable provisions in Volume 1 2016.

Note 1 These adoption dates and transitions were first made in DI2019-55 *Building (ACT Appendix to the Building Code) Determination 2019 (No 2)*, effective 9 May 2019. The adoption dates and transition periods are the same as in that instrument.

Note 2 Provisions of the 2016 edition of the BCA continue in force until the 2019 edition of the BCA is adopted.

Note 3 A transition is provided by section (3) for work commenced prior to the previous adoption date of 1 September 2019. During the transition period, compliance can be demonstrated either by complying with the 2016 edition, or the 2019 edition (other than those provisions yet to be adopted).

Note 4 The adoption dates do not affect the transitions and delayed adoption of certain provisions in Volume 1 2019.

Note 5 In the ACT the building code includes the Building Code of Australia prepared and published by the Australian Building Codes Board as amended from time to time by that Board. Therefore a reference to BCA 2016 is taken to include any amendments to BCA 2016.

Section D Access and egress

Add ACT DP0.1 to ACT DP0.5 as follows:

Performance requirements

ACT DP0.1 Existing passenger lift or existing toilet concession

Access to passenger lifts or toilets need not be provided in accordance with the requirements of Sections **D, E or F**, insofar as they relate to matters covered by **DP0.2 or DP0.3**, and specifically only relate to people with a disability, if the relevant concession in **DP0.2 or DP0.3** applies.

ACT DP0.2 Lift concession

- (a) The requirements in **Table E3.6(b)** that a lift is to have a floor dimension of not less than 1400 mm x 1600 mm does not apply to an existing passenger lift if that is in a new part, or an affected part, of a building, if the lift—
 - (i) travels more than 12 m; and
 - (ii) has a lift floor that is not less than 1100 mm x 1400 mm.

ACT DP0.3 Toilet concession

- (a) The requirements in **F2.4** Accessible sanitary fixtures, to the extent that they require compliance with AS 1428.1 - 2009, Design for access and mobility, Part 1: General requirements for access - New building work, do not apply to—
 - (i) existing *accessible sanitary compartments*; and
 - (ii) existing *sanitary compartments* suitable for use by people with a disability; and
- (b) the *sanitary compartment* mentioned in paragraph (i) or (ii) complies with AS1428.1-2001, Design for access and mobility, Part 1: General requirements for access - New building work.

ACT DP0.4 Application to Class 1b buildings

- (a) Where the BCA applies to the following kinds of Class 1b buildings, the provisions of Volume One that indicate they apply to Class 1b buildings, apply only to the following kinds of Class 1b buildings, insofar as they specifically only relate to people with a disability-
 - (i) a new building with 1 or more bedrooms used for rental accommodation; or
 - (ii) an existing building with 4 or more bedrooms used for rental accommodation; or
 - (iii) a building that comprises 4 or more single dwellings that are-
 - (A) on the same allotment; and
 - (B) used for short-term holiday accommodation.

ACT DP0.5 Meaning of certain terms

Terms in **ACT DP0.1**, **ACT DP0.2**, **ACT DP0.3** or **ACT DP 0.4** that also have their meaning defined in the Disability (Access to Premises - Buildings) Standards 2010, determined under the Disability Discrimination Act 1992 (Commonwealth), have that meaning.

Explanatory information:

ACT DP0.1 to ACT DP0.4 mirror the respective provisions of the Disability (Access to Premises - Buildings) Standards 2010, determined under the Disability Discrimination Act 1992 (Commonwealth). Where a provision of **ACT DP0.1**, **ACT DP0.2**, **ACT DP0.3** or **ACT DP0.4** indicates it applies to something in the NCC, insofar as the thing specifically only relates to people with a disability, the provision does not permit other relevant NCC provisions to not apply.

ACT legislation other than the BCA also regulates for access and mobility.

Practitioners should ensure they check the latest version of relevant legislation, and the latest version of this Appendix, available through the ACT legislation register at www.legislation.act.gov.au.

PART D1 Provision for escape

Add ACT D1.101 and ACT D1.102 as follows:

ACT D1.101 Notices on 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 Emergencies Act 2004 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; or**
- 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; and
- (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.

ACT D1.102 Access for people with disabilities

Other requirements must be considered in respect of requirements for people with disabilities, including the ACT Territory Plan under the Planning and Development Act 2008 (ACT) and the Disability Discrimination Act 2004 (Commonwealth), and any further applicable amendments to this Appendix. Where additional provisions of the ACT Appendix to Volume One have been made by instrument under the *Building Act 2004* (ACT), relevant building work or buildings may comply with the applicable provisions, as permitted by the provisions. Volume One users should check the latest ACT BCA appendices made under the Building Act 2004 (ACT) at <http://www.legislation.act.gov.au/a/2004-11/di.asp>.

Part D3 Access for people with a disability

Add ACT D3.4(d) as follows:

ACT D3.4 Exemptions

- (d) an area covered by, and in the respective circumstances covered by, and to the relevant extent provided for by, **ACT DP0.1**, **ACT DP0.2**, **ACT DP0.3** or **ACT DP0.4**.

Section E Services and equipment

Insert Note as follows:

Note:

ACT B4.2 *Identification of FPAA101D fire sprinkler systems for maintenance* in the ACT Appendix to the Plumbing Code of Australia requires tagging of the sprinkler/drinking water isolation valves installed in each floor level in accordance with FPAA101D 2.5.2.2 identifying that the valve isolates both the drinking water and fire sprinkler water supply in certain circumstances.

Section F Health and amenity

Add ACT F1 and ACT F2 as follows:

ACT F1 Control of litter on building sites

ACT F1.1 Performance requirement

Objective

The Objective is to prevent windblown litter from building sites fouling roads and public land.

Functional statement

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

Performance provisions

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

ACT F1.2 Deemed-to-Satisfy provision

- (a) The requirements of ACT 1.1 (Performance Requirement) 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.
- (b) For the purposes of this clause, building waste includes plastic containers and plastic and paper wrappings or any waste that can be carried by wind.

ACT F2 Waste management

ACT F2.1 Performance requirement

Objective

The Objective 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 provisions

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 F2.2 Deemed-to-Satisfy provision

The requirements of ACT 2.1 (Performance Requirement) are satisfied by garbage facilities must be designed and constructed in accordance with the Development Control Code for Best Practice Waste Management in the ACT.

ACT F6 Condensation management

Verification methods

In FV6 add:

Note

There is no specific Australian standard for this type of analysis. The ASHRAE 160 *Criteria for Moisture-Control Design Analysis in Buildings* methodology can be used appropriately in the Australian climate. That standard provides for analysis of rain penetration and moisture performance evaluation criteria. A comprehensive assessment includes specification of vapour permeability of waterproofing coatings, membranes, insulation, interior lining, paints and any other material layers in the construction.

Read only versions of certain ASHRAE Standards can be accessed for free at

<https://www.ashrae.org/technical-resources/standards-and-guidelines/read-only-versions-of-ashrae-standards>

Deemed-to-Satisfy provision

Insert:

Explanatory information

Thermal bridging can be a cause of condensation in buildings. Thermal bridging occurs where a more conductive or less insulated material provides a pathway for heat to flow across a thermal barrier. When warm air comes into contact with cooler air or cooler surfaces, the loss of energy causes the water vapour to condense. Condensation management should be considered in relation to ventilation of the building. For information about minimising thermal bridging and providing ventilation to prevent the build up of moisture in a building see the Condensation in Buildings – Tasmanian Designers' Guide at https://www.cbos.tas.gov.au/_data/assets/pdf_file/0004/463630/Condensation-in-buildings-guide-2019.pdf

Section G Ancillary provisions

Add ACT G1 and ACT G2 as follows:

ACT G1 Minor structures and components**ACT GP1.2 Performance requirement****Application:**

ACT GP1.2(a) only applies to a *swimming pool* associated with a Class 2 or 3 building or Class 4 part of a building, with a depth of water more than 300mm.

- (a) A barrier must be provided to a *swimming pool* and must-
- (i) be continuous for the full extent of the hazard; and
 - (ii) be of a strength and rigidity to withstand the foreseeable impact of people; and
 - (iii) restrict the access of young children to the pool and the immediate pool surrounds; and
 - (iv) have any gates and doors fitted with latching devices not readily operated by young children, and constructed to automatically close and latch.

After G1.1 (c), add ACT G1.1 as follows:

ACT G1.1 Swimming pools

- (d) Indoor or outdoor permanent bathing, wading and *swimming pools* must—
 - (i) where the capacity of the pool exceeds 10 m³—
 - (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; and
 - (B) have means of egress provided in the form of ladders, steps in the floor of the pool or a ramp; and
 - (ii) be capable of being completely emptied and any discharge or overflow and pool backwash filter must be connected to the sewer drainage system.

- (e) 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 1500mm, the floor grade must not exceed a slope of 1 in 20; and
 - (ii) Permanent signs must be displayed on the side of the pool (or adjacent concourse for flush concourse waterline pools), showing the depth at 300mm change intervals for the length of the pool and the depth at the deep and shallow ends.

Part G2 Heating appliances, chimneys and flues

After G2.2 (c), 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.

ACT G3 Building over drains

ACT G3.1 Performance requirement

Performance provisions

Existing drains, or parts of drains, in currently operational drainage systems must be sound and able to work effectively without leaking before any building that will be constructed over the drain or restrict access to the drain is constructed.

ACT G3.2 Deemed-to-Satisfy provision

- (a) The requirements of ACT 3.1 (Performance Requirement) are satisfied if—

- (i) Before building work that will result in a building, or part of a building, being constructed over, or restricting access to, an existing drain in currently operational drainage system is carried out, the relevant part of the drain, must be tested for soundness in accordance with section 15 of AS/NZS 3500.2.
- (ii) If the drain is found not be sound after testing in accordance with (i), it is made sound before the building work commences.

Section J Energy efficiency

These provisions are subject to a transition to 1 May 2020 as outlined in Section J. From 1 May 2019 to 30 April 2020 Section J of 2016 Volume One Amendment 1 may apply instead of Section J of NCC 2019. From 1 May 2020 Section J of NCC 2019 applies.

Verification methods

JV1 NABERS Energy for Offices

Delete JV1 and insert ACT JV1

ACT JV1 NABERS Energy for Offices

- (a) For a Class 5 building, compliance with JP1 is verified when—
 - (i) A *NABERS Energy for Offices* base building Commitment Agreement is obtained; and
 - (ii) the energy model required for (i) demonstrates—
 - (A) the base building's energy use, less energy use from renewable energy generated and used on site, complies with JP1 (f), excluding —
 - (aa) tenant supplementary heating and cooling systems; and
 - (bb) external lighting; and
 - (cc) *carpark services*; and
 - (B) the *thermal comfort level* of between a *Predicted Mean Vote* of -1 to +1 is achieved across not less than 95% of the *floor area* of all occupied zones for not less than 98% of the annual *hours of operation* of the building; and
 - (iii) the building complies with the additional requirements in Specification JVA.
- (a) The calculation method for (a) must comply with ANSI/ASHRAE Standard 140.

ACT JV2 Green Star

Delete JV2 and insert ACT JV2

ACT JV2 Green Star

- (a) For a Class 3, 5, 6, 7, 8 or 9 building, or common area of a class 2 building, compliance with JP1 is verified when—
 - (i) The building complies with the simulation requirements, and is registered, for a *Green Star – Design & As-Built* rating; and
 - (ii) the simulation of energy use in accordance with the requirements for (i) demonstrates the annual modelled energy use is less than 90% of the annual modelled energy use of the *reference building*; and
 - (iii) in the proposed building, a *thermal comfort level* of between a *Predicted Mean Vote* of -1 to +1 is achieved across not less than 95% of the *floor area* of all occupied zones for not less than 98% of the annual *hours of operation* of the building; and
 - (iv) the building complies with the additional requirements in Specification JVA.

- (b) The calculation method for (a) must comply with—
 - (i) ANSI/ASHRAE Standard 140; and
 - (ii) Specification JVb.

JV3 Verification using a reference building

Delete JV3 and insert ACT JV3

ACT JV3 Verification using a reference building

- (a) For a Class 3, 5, 6, 7, 8 or 9 building, or common area of a class 2 building, compliance with JP1 is verified when—
 - (i) it is determined that the annual modelled energy use of the proposed building is not more than the annual modelled energy use of a *reference building* when—
 - (A) the proposed building is modelled with the proposed *services*; and
 - (B) the proposed building is modelled with the same *services* as the *reference building*; and
 - (ii) in the proposed building, a *thermal comfort level* of between a *Predicted Mean Vote* of -1 to +1 is achieved across not less than 95% of the *floor area* of all occupied zones for not less than 98% of the annual *hours of operation* of the building; and
 - (iii) the building complies with the additional requirements in Specification JVA.

- (b) The annual modelled energy use of the proposed building may be offset by—
 - (i) renewable energy generated and used on site; and
 - (ii) another process such as reclaimed energy, used on site.

- (c) The calculation method for (a) and (b) must comply with—
 - (i) ANSI/ASHRAE Standard 140; and
 - (ii) Specification JVb.

Specification JVb Modelling Parameters

Replace all references to *annual greenhouse gas emissions* in the specification with “annual modelled energy use”.

Explanatory Information

Table 3 does not apply in the ACT. National emissions factors are not applicable to calculations for buildings in the ACT as they do not take into account investments in renewable electricity generation in the national electricity market made by the ACT. From 2020, the ACT’s electricity usage will either be renewable energy or offset with investments in renewable energy. Due to this, only energy metrics are allowable for verifications in the ACT.

Deemed-to-Satisfy provisions

Part J5 Air-conditioning and ventilation systems

Delete J5.9(a) and insert ACT J5.9(a)

ACT J5.9(a) Space heating

- (a) A heater used for *air-conditioning* or as part of an *air-conditioning* system must be—
 - (i) a solar heater; or
 - (ii) a gas heater; or
 - (iii) a heat pump heater; or
 - (iv) a heater using reclaimed heat from another process such as reject heat from a refrigeration plant; or
 - (v) an electric heater if the heating capacity is not more than the value specified in Table J5.9 for climate zone 7, and the in-duct heater complies with J5.2(a)(ii)(C); or
 - (vi) any combination of (i) to (v).

Schedule 3 Definitions

Insert the following definitions:

Corresponding provision is a provision in one edition of the BCA that covers the same subject matter as that in another edition of the BCA. Corresponding provisions do not need to have the same numbering or name. Corresponding provisions do not need to have the same numbering or name. For example the procedures for determining the 'fire resistance level' (FRL) of building elements are in Table 1 of Specification A2.3 in Volume 1 BCA 2016, but in Table 1 of Schedule 5 in Volume 1 BCA 2019. Where there is a new provision in the 2019 BCA, there may not be a corresponding provision in the 2016 BCA.

Schedule 4 Referenced documents

Schedule of referenced documents

In Table 1, insert additional references as follows:

No.	Date	Title	Volume One	Volume Two	Volume Three
AS 1375	2013	Industrial fuel-fired appliances	ACT G2.2	N/A	N/A
AS 1692	2006 Amdt 1	Tanks for flammable and combustible liquids	ACT G2.2	N/A	N/A
N/A		Development Control Code for Best Practice Waste Management in the ACT	ACT F2.2	ACT 2.2	N/A

Volume 2

History of adoption

Health and amenity

ACT 1 Control of litter on building sites

ACT 2 Waste management

ACT 3 Condensation management

Ancillary provisions and additional construction requirements

ACT 4 Swimming pool construction

ACT 5 Building over drains

Energy efficiency

ACT 6 Energy efficiency – building services

ACT 7 Energy efficiency – alterations and additions

Schedule 3 Definitions

Schedule 4 Referenced documents

Volume 2

Volume 2 of the Building Code of Australia is amended as follows.

History of Amendments, History of adoption, 15.0 (a) Adoption of NCC Volume Two 2019

Substitute

In the Australian Capital Territory—

- (1) All provisions, other than P2.4.7 and Part 3.8.7, are adopted on 1 June 2019.
- (2) P2.4.7 and Part 3.8.7 are adopted on 1 September 2019.
- (3) Notwithstanding (1), for applications for a building approval determined from 1 June 2019 to 31 August 2019, proposed building work may comply with the provisions mentioned in (1) or the corresponding provisions in Volume 2 2016.
- (4) For (3), if a project demonstrates compliance using Volume 2 2016 and there is no corresponding provision for a particular provision in Volume 2 2019, the building work must comply with all relevant and applicable provisions in Volume 2 2016.

Note 1 These adoption dates and transitions were first made in DI2019-55 *Building (ACT Appendix to the Building Code) Determination 2019 (No 2)*, effective 9 May 2019. The adoption dates and transition periods are the same as in that instrument.

Note 2 Provisions of the 2016 edition of the BCA continue in force until the 2019 edition of the BCA is adopted.

Note 3 A transition is provided by section (3) for work commenced prior to the previous adoption date of 1 September 2019. During the transition period, compliance can be demonstrated either by complying with the 2016 edition, or the 2019 edition (other than those provisions yet to be adopted).

Note 4 The adoption dates do not affect the transitions and delayed adoption of certain provisions in Volume 1 2019.

Health and amenity

Add ACT 1 and ACT 2 as follows:

ACT 1 Control of litter on building sites

ACT 1.1 Performance provisions

Objective

The Objective is to prevent windblown litter from building sites fouling roads and public land.

Functional statement

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

Performance provisions

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

ACT 1.2 Acceptable construction practices

- (a) The requirements of **ACT 1.1** (Performance Requirement) 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.
- (b) For the purposes of this clause, building waste includes plastic containers and plastic and paper wrappings or any waste that can be carried by wind.

ACT 2 Waste management

ACT 2.1 Performance provisions

Objective

The Objective 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 provisions

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 2.2 Deemed-to-Satisfy provisions

The requirements of **ACT 2.1** (Performance Requirement) 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 3 Condensation management

Verification methods

V2.4.7 Verification of condensation management

In V2.4.7 add ACT V2.4.7

ACT V2.4.7 Verification of condensation management

Note

There is no specific Australian standard for this type of analysis. The ASHRAE 160 *Criteria for Moisture-Control Design Analysis in Buildings* methodology can be used appropriately in the Australian climate. That standard provides for analysis of rain penetration and moisture performance evaluation criteria. A comprehensive assessment includes specification of vapour permeability of waterproofing coatings, membranes, insulation, interior lining, paints and any other material layers in the construction.

Read only versions of certain ASHRAE Standards can be accessed for free at

<https://www.ashrae.org/technical-resources/standards-and-guidelines/read-only-versions-of-ashrae-standards>

Acceptable construction practices

In 3.8.7.2 add ACT 3.8.7.2

Explanatory information

Thermal bridging can be a cause of condensation in buildings. Thermal bridging occurs where a more conductive or less insulated material provides a pathway for heat to flow across a thermal barrier. When warm air comes into contact with cooler air or cooler surfaces, the loss of energy causes the water vapour to condense. Condensation management should be considered in relation to ventilation of the building. For information about minimising thermal bridging and providing ventilation to prevent the build up of moisture in a building see the Condensation in Buildings – Tasmanian Designers’ Guide at

https://www.cbos.tas.gov.au/_data/assets/pdf_file/0004/463630/Condensation-in-buildings-guide-2019.pdf

Ancillary provisions and additional construction requirements

Add ACT 4 and ACT 5 as follows:

ACT 4 Swimming pool construction

Application:

This requirement is to be applied in conjunction with Part 3.10.1.

ACT 4.1 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 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.

ACT 5 Building over drains

ACT 6.1 Performance requirement

Existing drains, or parts of drains, in currently operational drainage systems must be sound and able to work effectively without leaking before any building that will be constructed over the drain or restrict access to the drain is constructed.

ACT F6.2 Deemed-to-Satisfy provision

- (b) The requirements of **ACT 6.1** (Performance Requirement) are satisfied if—
 - (i) Before building work that will result in a building, or part of a building, being constructed over, or restricting access to, an existing drain in a currently operational drainage system is carried out, the relevant part of the drain, must be tested for soundness in accordance with section 15 of AS/NZS 3500.2.
 - (ii) If the drain is found not be sound after testing in accordance with (i), it is made sound before the building work commences.

Energy Efficiency

Note:

ACT legislation other than the BCA also regulates for sustainability when constructing or altering buildings, including their services. For example, the *Water and Sewerage Act 2000* and Plumbing Code of Australia have relevant provisions about water heaters, water and sanitary plumbing, and sanitary drainage, which are intended to facilitate a reduction in water usage and energy used to heat water, and greenhouse gas emissions. If there is an inconsistency between requirements for the same aspect of water heaters in the BCA and the *Water and Sewerage Act 2000*, the latter prevails to the extent of the inconsistency.

The *Building (General) Regulation 2008* has provisions about applying certain BCA provisions and alternatives to those provisions, to pre-existing parts of certain buildings, aimed at increasing the energy efficiency of the pre-existing part, amongst other things, when the pre-existing building is substantially altered or extended.

Practitioners should ensure they check the latest version of relevant legislation, and the latest version of this appendix, available through the ACT legislation register at www.legislation.act.gov.au.

ACT 6 Energy efficiency – building services

Add ACT 6 as follows:

Explanatory information

The intent of these provisions is to reduce greenhouse gas emissions. From 2020, the ACT's electricity usage will either be renewable energy or offset with investments in renewable energy. Therefore, certain electric options are permitted in the ACT.

Corresponding changes have been made for water heaters in a heated water supply system (see 3.12.5.6 and ACTB2.2 in the ACT Appendix to the Plumbing Code of Australia).

For electric resistance space heating, the energy efficiency provisions in **3.12.5.4** continue to apply.

ACT 7 Energy efficiency – alterations and additions

ACT Part 7.1

Application:

ACT Part 7.1 applies to work in relation to adding to or extending a completed building that can be lawfully occupied or used, where there is not otherwise a requirement to bring the unaltered part of the building into compliance with the current BCA.

Certain substantial alterations or extensions to completed buildings can trigger a requirement under ACT law to bring the unaltered part of the building into BCA compliance. **ACT Part 7.1** does not relate to any mandatory requirements to change the otherwise unaltered part of a building, but **ACT Part 7.1** can apply to the addition or extension and to unaltered parts where permitted by this part.

The BCA's provisions generally are intended to apply to construction of entire new buildings and are not inherently intended to apply to altering or extending completed buildings. Nevertheless, ACT law requires certain alterations and additions to pre-existing buildings to be done only in a way that produces a building, or affected part, that complies with the BCA.

For the purposes of applying **ACT Part 7.1**, it is taken as providing additional BCA requirements that only apply in the case of relevant additions and alterations.

ACT 7.1.2(c) and **ACT 7.1.4(d)** prevent alterations and additions reducing the existing energy efficiency of certain buildings. Nothing in **ACT 7.1.2(c)** or **ACT 7.1.4(d)** necessarily requires an energy efficiency rating to demonstrate compliance. Compliance could be demonstrated, for example, through checking that the alteration or addition does not adversely impact on aspects of the existing building that contribute to assessment of its energy efficiency.

Note:

The ABCB publishes non-mandatory, non-regulatory information handbooks, about BCA energy efficiency provisions, which clarify that State and Territory laws apply, or vary the application of, BCA provisions to pre-existing buildings or to alterations or additions to buildings. Some jurisdictions permit hypothetical simulation of upgrading elements of pre-existing buildings to facilitate the energy efficiency of new elements in a building extension, without requiring construction to match the simulation. For example, to

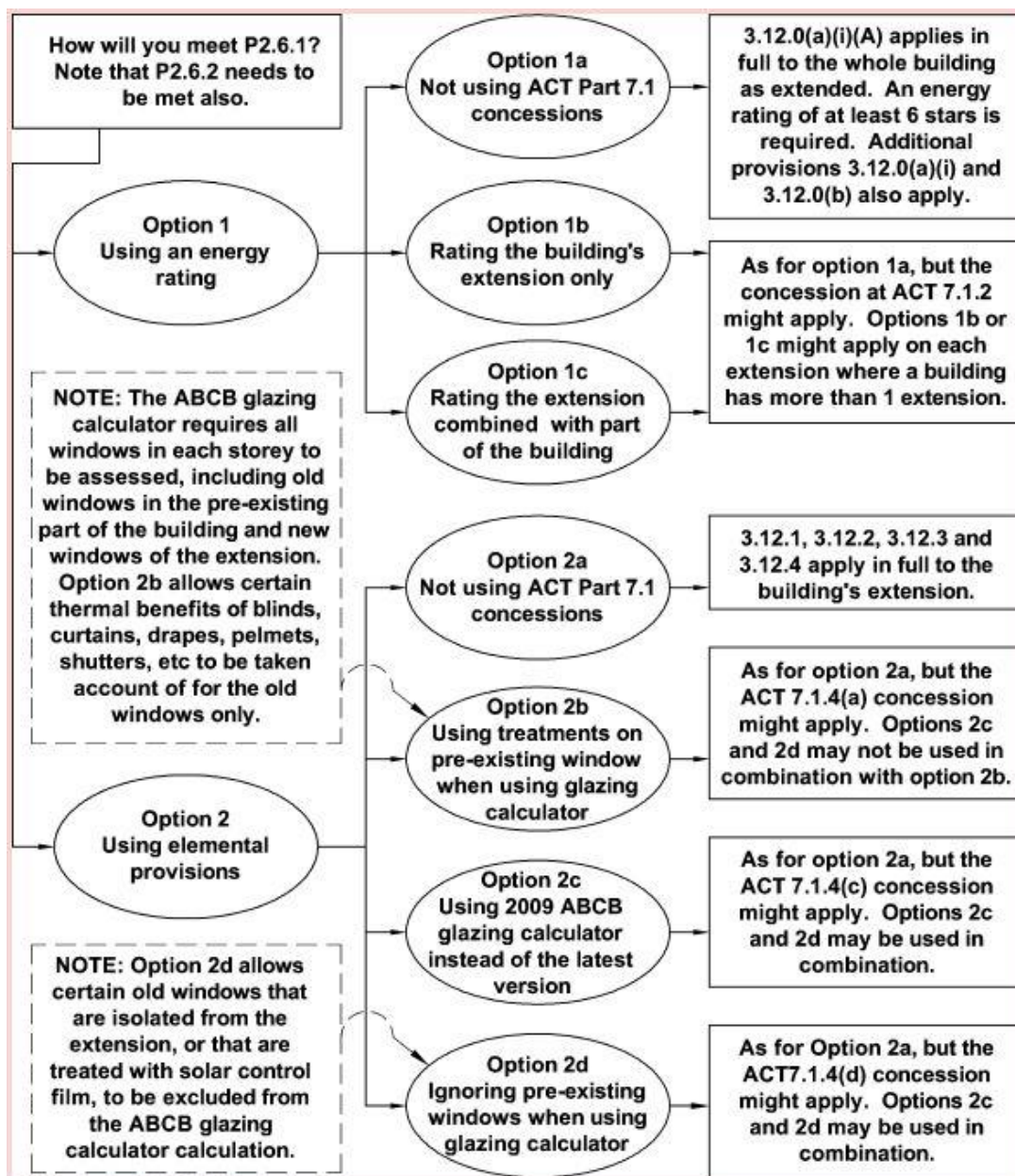
suppose that glazing units in a dwelling will be upgraded to comparable performance levels of new glazing units in an extension to the dwelling, in order to reduce the burden on the new glazing that arises from having to compensate for the poorer performance of the old glazing. That is not the case in the ACT, and the older glazing's actual performance must be assessed where applicable, unless a relevant law provides otherwise.

Explanatory information:

ACT Part 7.1 is intended to help make designs for house extensions comply with the intent of the BCA's main energy efficiency provisions, **P2.6.1** and **P2.6.2**. It provides a range of extra options to achieve, compliance, in addition to the BCA's options. Some of the options cannot be used in combination with others, but others can be used in combination, as explained in the respective clauses. The options are summarised below, and provide for:

- Allowing the extension to the house to be assessed using house energy rating software, rather than that software only being applicable to the whole of a house (see **ACT 7.1.2**).
- Allowing the house extension to meet the elemental provisions (insulation levels, window performance, sealing, etc) of the BCA's energy efficiency provisions, rather than the BCA's house energy rating requirements (see **ACT 7.1.3**).
- Allowing the effect of window treatments such as blinds, curtains and pelmets to be taken account of when assessing the thermal performance of pre-existing windows (see **ACT 7.1.4(a)**).
- Excluding assessment of thermal performance of a pre-existing window if it is treated with a solar control film (see **ACT 7.1.4(d)** and the dispensation under the ACT's *Building (General) Regulation 2008*, section 29 (1), which is about windows not having to comply with the BCA if they have the prescribed film applied).
- Excluding assessment of thermal performance of a pre-existing window if it is thermally isolated from windows that must be assessed (see **ACT 7.1.4(d)** and the dispensation under the ACT's *Building (General) Regulation 2008*, section 29 (2), which is about isolated windows not having to comply with the BCA if they are separated from windows that have to be assessed by prescribed walls, floors, ceilings and doors).
- Allowing the use of the ABCB 2009 glazing calculator or later to determine window thermal performance compliance where northerly glazing is impractical to provide in a house extension (see **ACT 7.1.4(c)**).
- Concessions on use of pre-existing building services, such as reuse of and sealing of ducted air conditioning and reuse of hot water services (see **ACT 7.1.6**).

This is explained in the following flow chart.



ACT 7.1.1 Application of Part 3.12 and ACT 7

Alterations, additions and extensions to pre-existing completed buildings that would be subject to Part 3.12 if built now, must comply with Part 3.12 except to the extent that ACT 7 permits otherwise.

ACT 7 provides concessions on certain aspects of Part 3.12. The BCA does not directly require unaltered parts of the pre-existing building to be brought into BCA compliance, but certain other requirements do. For example—

- the ACT Building Act 2004 requires certain buildings that have more than 50% of their floor area altered in a 3-year period to be brought into BCA compliance, subject to concessions in the *ACT Building (General) Regulation 2008*;
- use of the ABCB's glazing calculator requires all relevant glazing in each storey of a building to be assessed. In the case of an extension to a pre-existing building with pre-existing windows, any new windows in the extension as well as old windows in the pre-existing part of the

building need to be assessed together if they are on the same storey, subject to concessions in **ACT 7**; and

- certain discretionary concessions in **ACT 7** require certain energy efficiency measures to be in place in the pre-existing part of the building to be extended, such as thermal insulation to the pre-existing roof, or window blinds, curtains, drapes pelmets or shutters to pre-existing windows.

ACT 7.1.2 Heating & cooling loads

- (a) Subject to **(b)** to **(f)**, **3.12.0(a)(i)** may apply to—
- (v) a whole dwelling as added to or as extended; or
 - (vi) a house-like addition or extension as if **3.12.0.1** expressly indicated it applied to a large part of a building and as if the rating scheme and protocol mentioned in **3.12.0.1** applied to rating large additions or extensions to buildings rather than rating a whole building.
- (b) For **(a)(ii)**, an addition or extension is not house-like unless—
- (i) it has a contiguous floor area of at least 100 m² including any contiguous existing floor area up to no more than 50 m² of the unaltered part of the building, that needs to be incorporated into the rating to minimise inaccuracy due to the effect of nearby elements of the unaltered parts; and
 - (ii) it has at least 1 kitchen within the floor area mentioned in **(i)**; and
 - (iii) the floor area mentioned in **(i)** is isolated from other buildings and from the remainder of the unaltered part of the building by a draft-proof barrier such as walls, floor, ceiling and a draft-sealed door, all of which comply with **3.12.3**.
- (c) If **(a)(ii)** is applied, the following must be included as part of determining the rating mentioned in **(a)(ii)** —
- (i) the relevant properties of any existing and unaltered roof, internal wall, or external wall that is taken as being part of the thermal envelope of the contiguous floor area of the addition or extension; and
 - (ii) the remainder of the unaltered part of the building must be taken as a separate building adjoining the addition or extension, if it adjoins the part of the building being rated.
- (d) **ACT 7.1.2** does not apply if compliance with it would result in a building (or part thereof), as extended or altered, having its energy efficiency reduced below—
- (i) the relevant statutory minimum, which is the minimum energy efficiency requirement , if any, that all or part of the building, respectively, was required to achieve when constructed or altered; or
 - (ii) for a building that has not been altered or extended, the current energy efficiency of the building, which is the lesser of its energy efficiency determined using the factors **Part**

3.12 covers, or the energy efficiency it would be required to achieve under **Part 3.12** if it was to be built; or

- (iii) for the following parts of a building—an unaltered, unextended, altered, or extended part—the energy efficiency for the part as per **(ii)** as if **(ii)** applied to the part.

Example for ACT 7.1.2(d):

A house constructed in 1980 was not required to be energy efficient. However, recently R4.0 bulk thermal insulation batts were installed in the roof space. **Part 3.12** covers thermal insulation performance of roofs. **ACT 7.1.2** does not apply to removing the bulk thermal insulation for use in an extension to the house. The house was extended in 2008 (the first extension). The first extension was required to comply with BCA 2008. A proposed second extension will shade northerly glazing in the first extension, bringing the first extension out of compliance with BCA 2008. Therefore, **ACT 7.1.2** does not apply to shading the window without offsetting the detrimental effect that shading would have to the first extension's energy efficiency even though the first extension does not comply with the requirements of current **Part 3.12**.

- (e) Dispensations in an ACT building legislation, however described, that may allow existing elements to not comply with the BCA under a deemed-to-satisfy method must not be applied to an energy efficiency rating under **3.12.0.1** or **ACT 7.1.2**. All relevant existing elements must be assessed in respect of their actual performance without dispensation.
- (f) For **ACT 7.1.2**, the addition or extension need not comply with the separate heating and cooling load limits for **3.12.0.1 (a)**.

Explanatory information:

An alternative option to the EER provisions option is to make the relevant building elements comply with the respective energy efficiency provisions. That alternative option is referred to as the 'elemental provisions'. Elemental provisions are set out at **3.12.0(a)(ii)** and at **ACT 7.1.3** to **ACT 7.1.5**.

Explanatory information:

The energy rating scheme and protocol mentioned in **3.12.0.1** are intended to only apply to whole houses, not to only an addition or extension to a house, nor to part of a house that is less than the entire thermal envelope of the house. However, they can apply to attached houses to rate one or other attached house separately. Thus, they can produce reasonably reliable information about an extension to a house if the extension is comparable to adding an additional house to the pre-existing house to form 2 attached houses.

If only an addition or extension to a house is rated, the rating is not necessarily a reflection of the house's overall rating. Although area correction factors are included in relevant energy rating software, the accuracy of ratings can decrease with reduced size and number of rooms rated. Therefore, **ACT 7.1.2** limits use of a rating to large additions or extensions.

As the energy rating scheme mentioned in **3.12.0.1** is intended to apply to a whole building, an assessment in regulatory mode must include a kitchen zone. In order to avoid the pretence of applying false heating and cooling loads to a zone, **ACT 7.1.2** is limited to house additions or extensions containing a kitchen in the rated area. This can include a pre-existing or new kitchen area.

ACT 7.1.2 permits small parts of a pre-existing house to be incorporated into the addition or extension, to take account of draft-proof barriers that are not located at the interface between the pre-existing building and the addition or extension. The construction details of any pre-existing part incorporated into an

addition or extension for rating purposes must not be assessed as having the same relevant details as the remainder of the addition or extension unless they are actually the same in both. For example, if the pre-existing part is bounded by an internal wall with no bulk thermal insulation added, that wall must not be assessed as having the same properties as the remainder of the insulated bounding walls, unless they actually have the same relevant properties, (see **Figure ACT 7.1.1**).

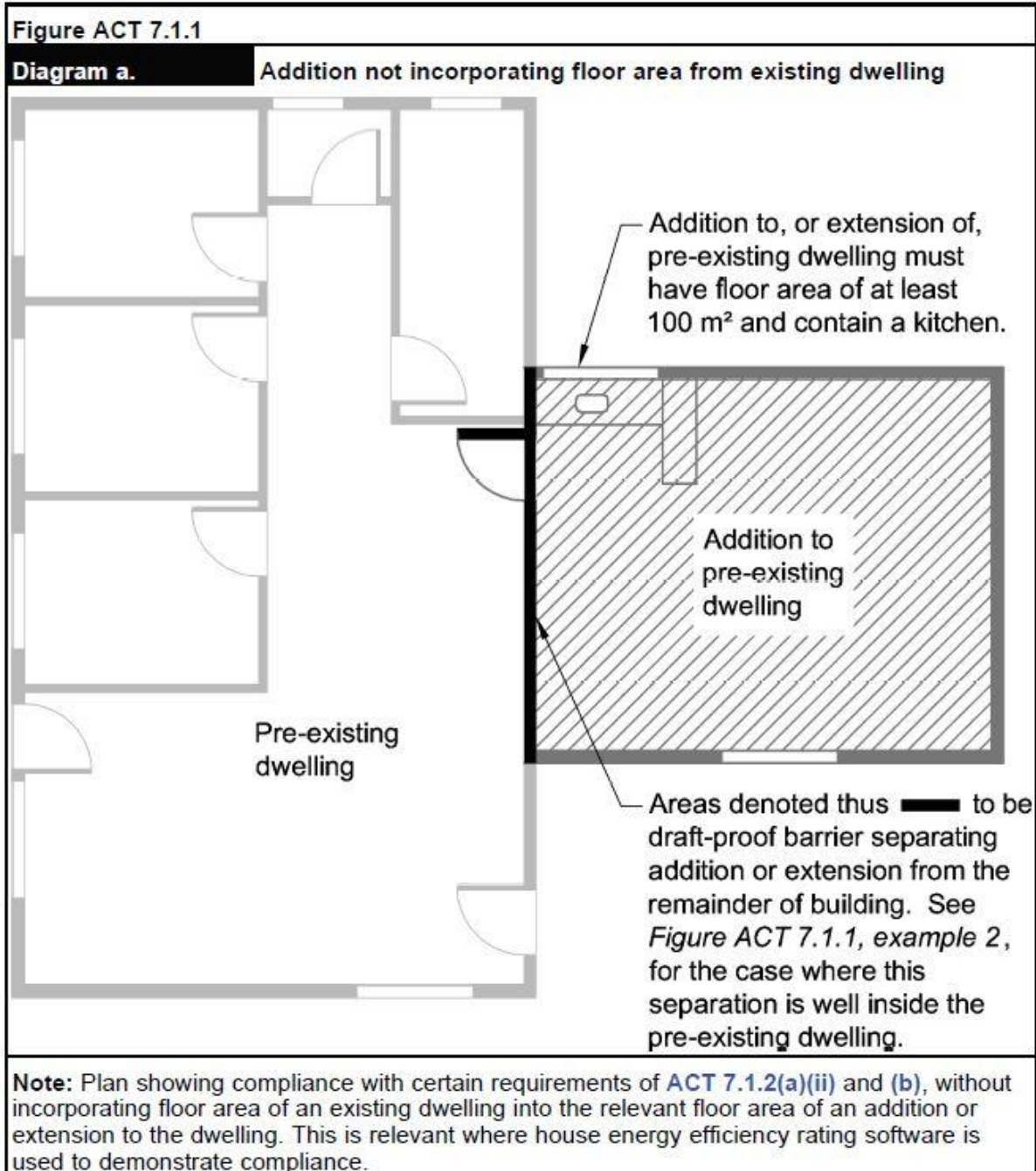
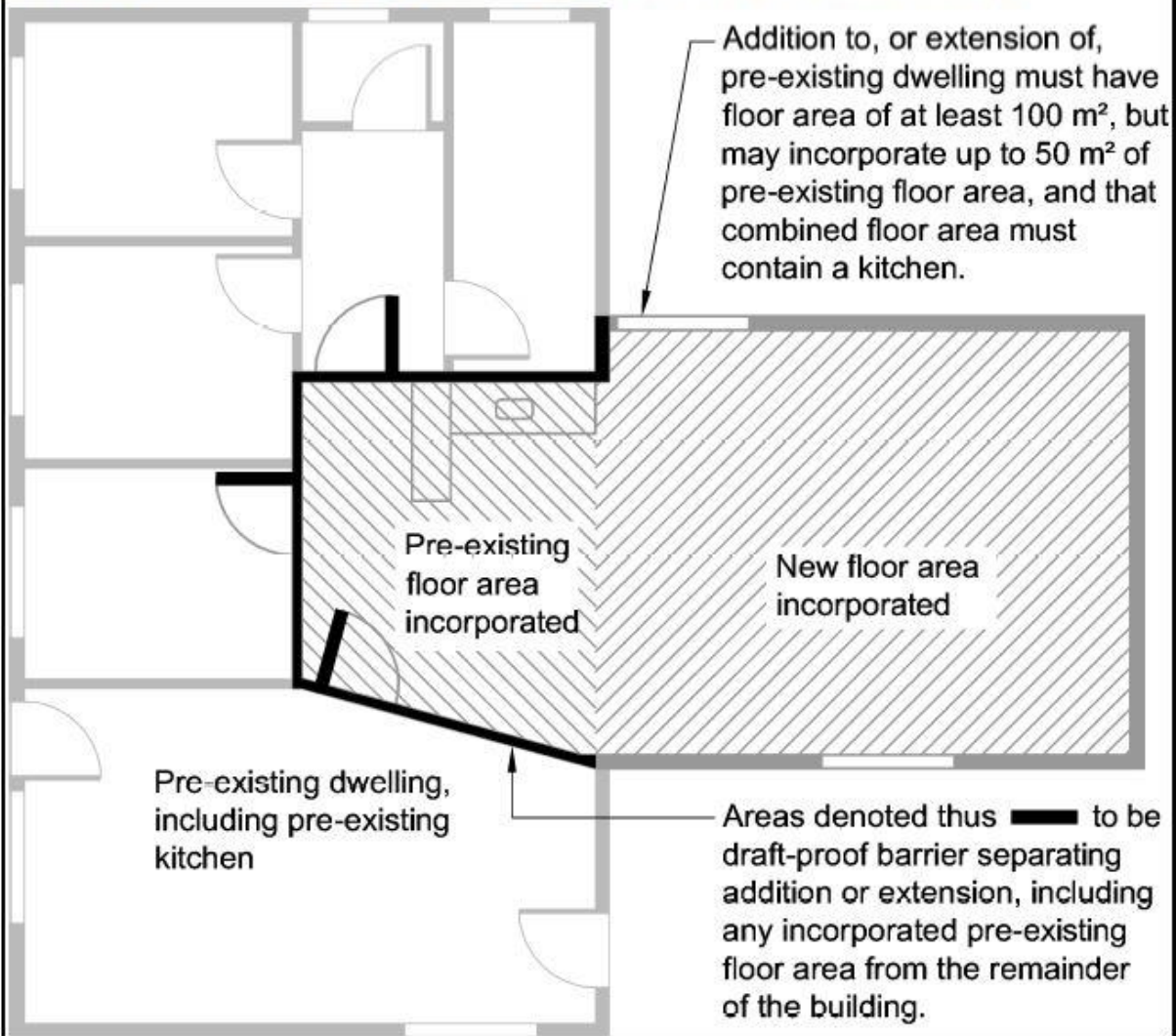


Figure ACT 7.1.1

Diagram b.

Addition incorporating floor area from existing dwelling



Note: Plan showing compliance with certain requirements of [ACT 7.1.2\(a\)\(ii\)](#) and [\(b\)](#), incorporating a small amount of floor area of an existing dwelling into the relevant floor area of an addition or extension to the dwelling. This is relevant where house energy efficiency rating software is used to demonstrate compliance.

ACT 7.1.3 Building fabric-application of Part 3.12.1

Where **Part 3.12.1** requires building elements such as walls to have thermal insulation that forms a continuous thermal barrier, but an addition or extension opens directly, or by a common door, onto the unaltered part of building, the thermal barrier need not extend into the unaltered part of the building, except where contrary intention appears in **Part 3.12.1**.

ACT 7.1.4 External glazing-application of Part 3.12.2

(a) Subject to (b), in applying **Part 3.12.2** to an addition or extension all glazing on the respective storey, including the addition or extension and any existing glazing in the unaltered part of the storey, must be assessed where **Part 3.12.2** indicates the whole storey must be assessed. However, the *Total System U-Value* of an existing glazing unit in the unaltered part of the building can take account of any of the following:

- (i) Window treatments listed in **Table ACT 7.1.4.1**, to the extent provided in that table, where the glazing unit incorporates the respective treatment in compliance with the notes to that table.
- (ii) Window shutters mentioned in Annex G of international standard ISO 10077-1, (Thermal performance of windows, doors and shutters - Calculation of thermal transmittance), where the glazing unit is readily closed in by the shutters, and the shutters can be readily opened so they do not shade the glazing of the unit, and the closed shutters comply with the respective construction, material and permeability provisions of that Annex G.

Note:

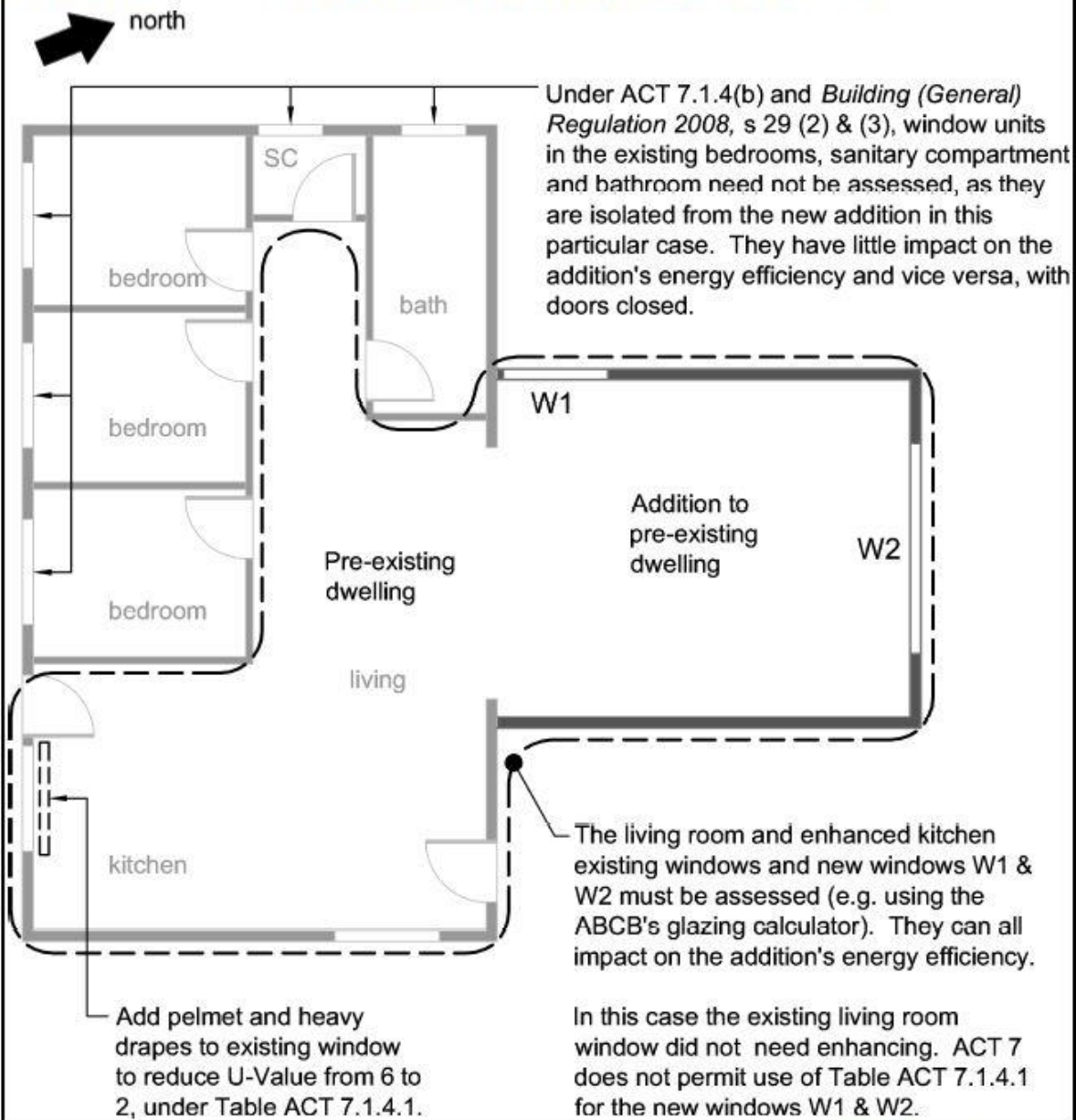
The *Total System U-Value* of the existing glazing unit, incorporating shutters, can be calculated by adding the inverse of the respective shutters' value of additional thermal resistance, ΔR , from Table G.1 (Additional thermal resistance for windows with closed shutters), of the above-mentioned Annex G.

- (b) **ACT 7.1.4(a)** does not apply to windows otherwise dealt with under (c) or (d).
- (c) If an addition or alteration fails to incorporate a wall that can contain translucent glazing with an area of at least 1 m² or 1% of the addition's or alteration's floor area, whichever is the greater, not overshadowed by a building in winter, and orientated within the north sector shown in **Figure 3.12.2.1**, then all glazing (existing or otherwise) in the storey need not comply with the requirements of **3.12.2.1** that relate to aggregate conductance of the glazing if-
- (i) the addition or alteration has a total floor area not exceeding 50 m²; and
 - (ii) compliance with the requirements of **3.12.2.1** that relate to aggregate conductance of the glazing would not result in a building (or part thereof), as extended or altered, having its energy efficiency reduced below-
 - (A) the relevant statutory minimum, which is the minimum energy efficiency requirement, if any, that all or part of the building, respectively, was required to achieve when constructed or altered; or

- (B) for a building that has not been altered or extended, the current energy efficiency of the building, which is the lesser of its energy efficiency determined using the factors **Part 3.12** covers, or the energy efficiency it would be required to achieve under **Part 3.12** if it was to be built; or
- (C) for the following parts of a building—an unaltered, unextended, altered, or extended part—the energy efficiency for the part as per **(ii)** as if **(ii)** applied to the part-
 - (aa) the aggregate conductance of the glazing is in accordance with BCA requirements that applied in the ACT immediately before or any time after the adoption of BCA 2010 in the ACT; and
 - (bb) bulk thermal insulation has been added to the roof of the unaltered part of the building, in accordance with the requirements of **3.12.1.2** that apply to roofs with an upper surface solar absorptance value of not more than 0.4.
- (d) The *Building (General) Regulation 2008*, section 29 (Unaltered parts need not comply with building code-alternative energy efficiency requirements for external glazing Act, s 29 (2) (b)) prescribes when windows with solar control film or when "isolated glazing" need not comply with the BCA, **Part 3.12.2**, in relation to a substantial alteration mentioned in the Building Act 2004, section 29 (Approval requirements.) Those alternative energy efficiency provisions may apply to existing windows that **ACT 7** applies to whether or not the window is in respect of a "substantial alteration" as defined in the Building (General) Regulation 2008, section 23 (Substantial alteration-Act 29 (2) (a)). However, the storey's area mentioned in **3.12.2.1(b)** must exclude the enclosed area, ΔA , that the isolated glazing unit is located in. Isolated units must be in an area enclosed by walls and doors (a "zone"), and all glazing units in the zone must be treated as isolated units. ΔA is the zone's area, and must be counted only once for a particular zone, even if the zone has more than one isolated unit. If the ABCB's glazing calculator is used to demonstrate compliance, isolated unit details need not be entered (they may be disregarded), and if so, the entry for the storey's area must be reduced by the sum of each ΔA value for each zone. The ΔA reduction does not apply to glazing units disregarded because of the solar control film, because they lack zone requirements.

Figure ACT 7.1.4

Diagram a. Addition incorporating a wall within the north sector



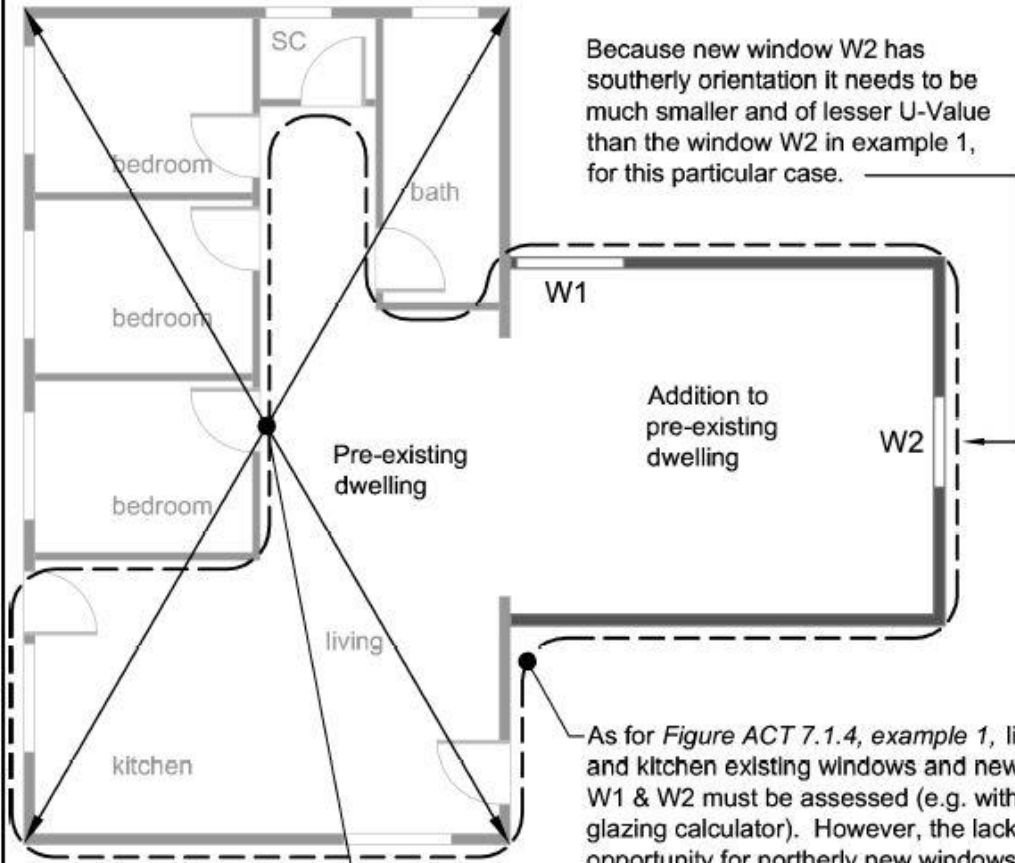
Note: Plan showing a method of compliance with certain requirements of [ACT 7.1.4\(a\)](#) and [\(b\)](#), in assessing window energy efficiency as part of a deemed-to-satisfy alternative to using house energy efficiency rating software.

Figure ACT 7.1.4

Diagram b. Addition not incorporating a wall within the north sector



This example is similar to *Figure ACT 7.1.4, example 1*, but instead shows a house extension to the south of an existing dwelling with no practical opportunity for northerly orientation of windows in the extension.



Because new window W2 has southerly orientation it needs to be much smaller and of lesser U-Value than the window W2 in example 1, for this particular case.

Ensure thermal insulation to existing roof meets ACT 7.1.4(3)(c)(iv). (Under ACT 7.1.4, this is a prerequisite to use of the ABCB's 2009 glazing calculator).

As for *Figure ACT 7.1.4, example 1*, living room and kitchen existing windows and new windows W1 & W2 must be assessed (e.g. with ABCB's glazing calculator). However, the lack of opportunity for northerly new windows meets the 1m² or 1% test under ACT 7.1.4(3)(c), and so the ABCB's 2009 glazing calculator may be used if the addition's floor area ≤ 50 m² and thermal insulation meets ACT 7.1.4(3)(c)(iv). It might be beneficial to also assess the bedroom windows with the calculator as they have northerly orientation, and could assist winter solar heat gain for the extended house, when bedroom doors are open.

Note: Plan showing a method of compliance with certain requirements of ACT 7.1.4(c), in assessing window energy efficiency as part of a deemed-to-satisfy alternative to using house energy efficiency rating software, where the ABCB's 2009 glazing calculator may be used rather than the current calculator, as a concession.

Table ACT 7.1.4.1 Glazing unit U-values

Glazing unit U-Values		Improved U-Values with window treatments				
		A	B	C	D	E
Glazing unit (not taking account of any window treatments)		Holland blinds only	Closed weave curtains only	Heavy drapes only	Closed weave curtains + pelmet	Heavy drapes + pelmet
U-Value	R-Value					
7.8	0.13	6.32	6.32	5.46	4.20	2.18
7.6	0.13	6.19	6.19	5.36	4.14	2.17
7.4	0.14	6.06	6.06	5.26	4.08	2.15
7.2	0.14	5.92	5.92	5.16	4.02	2.13
7.0	0.14	5.79	5.79	5.05	3.95	2.11
6.8	0.15	5.65	5.65	4.95	3.89	2.10
6.6	0.15	5.51	5.51	4.84	3.82	2.08
6.4	0.16	5.37	5.37	4.73	3.76	2.06
6.2	0.16	5.23	5.23	4.62	3.69	2.04
6.0	0.17	5.08	5.08	4.51	3.61	2.01
5.8	0.17	4.94	4.94	4.40	3.54	1.99
5.6	0.18	4.79	4.79	4.28	3.47	1.97
5.4	0.19	4.65	4.65	4.16	3.39	1.94
5.2	0.19	4.50	4.50	4.04	3.31	1.91
5.0	0.20	4.35	4.35	3.92	3.23	1.89
4.8	0.21	4.20	4.20	3.80	3.14	1.86
4.6	0.22	4.04	4.04	3.67	3.05	1.83
4.4	0.23	3.89	3.89	3.54	2.96	1.79
4.2	0.24	3.73	3.73	3.41	2.87	1.76
4.0	0.25	3.57	3.57	3.28	2.78	1.72
3.8	0.26	3.41	3.41	3.14	2.68	1.69
3.6	0.28	3.25	3.25	3.01	2.58	1.65
3.4	0.29	3.09	3.09	2.86	2.47	1.60
3.2	0.31	2.92	2.92	2.72	2.37	1.56
3.0	0.33	2.75	2.75	2.58	2.26	1.51
2.8	0.36	2.58	2.58	2.43	2.14	1.46
2.6	0.38	2.41	2.41	2.27	2.02	1.40
2.4	0.42	2.24	2.24	2.12	1.90	1.34
2.2	0.45	2.06	2.06	1.96	1.77	1.27
2.0	0.50	1.89	1.89	1.80	1.64	1.20
1.8	0.56	1.71	1.71	1.64	1.50	1.13
1.6	0.63	1.53	1.53	1.47	1.36	1.05
1.4	0.71	1.34	1.34	1.30	1.21	0.96
1.2	0.83	1.16	1.16	1.13	1.06	0.86
1.0	1.00	0.97	0.97	0.95	0.90	0.75
0.8	1.25	0.78	0.78	0.77	0.74	0.63
0.6	1.67	0.59	0.59	0.58	0.56	0.50

Notes to Table ACT 7.1.4.1:

1. Values in the table may be interpolated to more accurately reflect U-Values.
2. Closed weave curtains have threads or yarns that generally abut, producing a fabric with negligible interstices. Thus, light, air and water pass through a closed weaved cotton fabric, but with significant filtering, unless the fabric is treated to block their passage; and they prevent visual detail being seen by eye through their fabric if woven from opaque thread or yarn. Closed weave curtains do not include open weave curtains, as open weave fabric is woven so that warp threads rarely abut each other, leaving interstices in the fabric, which includes lace, sheer or net fabrics. Open weave curtains provide negligible change to window U-values.

3. Heavy drapes permit no or negligible visible or UV light to pass through their fabric, which may include a composite of layered materials. They also do not readily allow air to pass through. They include closed weave heavy fabrics, such as velvet or velour or heavy cotton or comparable synthetics, with a rubber, acrylic, or similar, solar blocking backing layer bonded to the fabric. The presence of a light source, including the sun, cannot be detected by eye through the fabric. A key requirement of heavy drapes is to have sufficient inertia to maintain a barrier to air movement by remaining relatively stationary in a draft.
4. Drapes or curtains must fully cover the window and form part of an enclosure of the layer of air between the drape or curtain and window to minimise air movement caused by convection air currents and air movement caused by HVAC systems, fans, or use of the room. That is achieved, where curtains or drapes—
 - (a) are fully within and abut the window recess (reveals) and abut the reveals, head and sill; or
 - (b) overlap side edges of the window by at least 150mm or abut a return wall if the window is in a re-entrant corner, and abut the floor; and
 - (c) close together (where openable) with no, or with negligible gaps.

For the purposes of this note, a drape or curtains is taken to abut a surface where the drape or curtain is not more than 10mm from that surface.

5. Pelmet must be box pelmet and must work in combination with the curtain or drape to enclose the top of a curtain or drape to prevent air plunging by convection from beside or above the pelmet to the window, and must extend to the width of the window plus any required curtain overlap of the window edge. It must overlap the top of the curtain by 50mm or more.

ACT 7.1.5 Building sealing—application of Part 3.12.3

- (a) In applying **Part 3.12.3.6** to an addition or extension all requirements of the part must be satisfied except as provided otherwise in (b) or (c) below.
- (b) If the addition or extension houses an evaporative cooler to which **3.12.3.6** applies, the cooler must comply with **3.12.3.6** unless it—
 - (i) has been relocated from the pre-existing part of the building as part of constructing the addition or extension; and
 - (ii) was not required to meet a provision like **3.12.3.6** when it was previously installed in the pre-existing part of the building; and
 - (iii) does not have a self-closing damper or the like; and
 - (iv) has all outlets serving a heated space or a habitable room, in the addition or extension, have an automatic means, or a readily accessible manual means, of closing the outlet or the duct serving the outlet, such as a closable baffle or closable louvers on an outlet register. For this provision, an outlet with a manual means of closure is readily accessible if it is mounted in the ceiling of a room, and can be closed by a reasonable person standing on a step ladder and activating a baffle closer or by closing movable louvers or the like, by hand without a tool.

- (c) If the addition or extension contains a heated space or habitable room to which **3.12.3.6** applies, that is served by an evaporative cooler, the cooler must comply with **3.12.3.6** unless—
- (i) the cooler served, and continues to serve, the pre-existing part of the building; and
 - (ii) the cooler was not required to meet a provision like **3.12.3.6** when it was previously installed in the pre-existing part of the building; and
 - (iii) the cooler does not have a self-closing damper or the like; and
 - (iv) all the cooler's outlets serving a heated space or a habitable room in the addition or extension have an automatic means, or readily accessible manual means, of closing the outlet, or the duct serving the outlet, such as a closable baffle or closable louvers on an outlet register. For this provision, an outlet with a manual means of closure is readily accessible if it is mounted in the ceiling of a room, and can be closed by a reasonable person standing on a step ladder and activating a baffle closer or by closing movable louvers or the like, by hand without a tool.

ACT 7.1.6 Services—application of Part 3.12.5

- (a) In applying **Part 3.12.5** to an addition or extension all requirements of the part must be satisfied except as provided otherwise in (b) or (c) below.
- (b) If the addition or extension houses or has mounted on it or in association with it, a heater or pump to which **3.12.5.4**, **3.12.5.6** or **3.12.5.7** applies, the heater or pump must comply with those provisions unless—
- (i) the service is a heater or pump that has been relocated from the pre-existing part of the building as part of constructing the addition or extension; and
 - (ii) the heater or pump was not required to meet a provision like **3.12.5.4**, **3.12.5.6** or **3.12.5.7** when it was previously installed in the pre-existing part of the building; and
 - (iii) the heater or pump does not comply with **3.12.5.4**, **3.12.5.6** or **3.12.5.7**; and
 - (iv) where the heater or pump serves the addition or extension through a hot water supply system, piping, or duct to which **Part 3.12.5** applies, the portion of the system, piping or duct that is within, or mounted on or in association with, the addition or extension complies with that part.
- (c) If the addition or extension is served by a heater or pump to which **3.12.5.4**, **3.12.5.6** or **3.12.5.7** applies, the heater or pump must comply with those provisions unless—
- (i) the heater or pump served, and continues to serve, the pre-existing part of the building; and
 - (ii) the heater or pump was not required to meet a provision like **3.12.5.4** when it was previously installed in the pre-existing part of the building; and

- (iii) the heater or pump does not comply with **3.12.5.4**, **3.12.5.6** or **3.12.5.7**; and
- (iv) where the heater or pump serves the addition or extension through a hot water supply system, piping, or duct to which **Part 3.12.5** applies, the portion of the system, piping or duct that is within, or mounted on or in association with, the addition or extension complies with that part.

Explanatory information:

Example for ACT 7.1.6.

A house has a pre-existing evaporative air conditioner, ducted gas central space heater, electric resistance storage water heater, and electric lighting. The house is to be extended by adding a new bedroom with ensuite bathroom, and a small section of hallway. The extension must comply fully with **Part 3.12.5**, except that the following approach to the use of concessions under **ACT 7** could apply.

A new duct will be run from the nearest pre-existing air conditioner duct to an outlet in the new bedroom. When the pre-existing air conditioner was installed in 2003 it was not required to have a self-closing damper or the like, and it does not have one. Such a damper or the like does not need to be provided as otherwise required by **3.12.3.6**, because of **ACT 7.1.5(b)**. The new outlet in the bedroom will be mounted in the ceiling. To comply with **ACT 7.1.5(b)**, the new outlet of the air conditioner duct will have an outlet register with manually closable baffle that is actuated by turning a knob on the register outlet while standing on a step ladder. When the space heating is operating, heat loss from hot air rising up through the register and out to the atmosphere through the air conditioner can be reduced by closing the register baffle. The extent of the new duct that is contained within the extension will have to comply with **3.12.5.3**, which is about insulation and sealing of heating and cooling ducts. That will reduce efficiency losses as cooled air travels along the new duct.

The new ensuite's shower and hand basin will be serviced with hot water from new piping connected to the nearest pre-existing hot water piping from the pre-existing water heater. **ACT 7.1.6** permits the pre-existing water heater to be used to serve the extension even if the water heater fails to comply with **3.12.5.6**, which is about energy source of water heaters and other matters. However, the portions of the new piping that are within the extension must comply with **3.12.5.0(a)**, which covers insulation of piping. That will reduce efficiency losses from hot water in the pipe losing heat.

Artificial lighting of a new hallway will rely on light from a pre-existing light fitting located in the pre-existing part of the house. Because of **ACT 7.1.6(b)**, artificial lighting of the new hallway does not have to comply with **3.12.5.5**, which includes limitations of the power density of lamps or illumination. However, new artificial lights in the form of electric light fittings in the new bedroom and new ensuite must comply with **3.12.5.5** insofar as it applies to the new extension, other than the new hallway.

Schedule 3 Definitions

Insert the following definition:

corresponding provision is a provision in one edition of the BCA that covers the same subject matter as that in another edition of the BCA. Corresponding provisions do not need to have the same numbering or name. Corresponding provisions do not need to have the same numbering or name. For example the procedures for determining the 'fire resistance level' (FRL) of building elements are in Table 1 of Specification A2.3 in Volume 1 BCA 2016, but in Table 1 of Schedule 5 in Volume 1 BCA 2019. Where there is a new provision in the 2019 BCA, there may not be a corresponding provision in the 2016 BCA.

Schedule 4 Referenced documents

Schedule of referenced documents

In Table 1, insert additional references as follows:

No.	Date	Title	Volume One	Volume Two	Volume Three
N/A		Development Control Code for Best Practice Waste Management in the ACT	ACT F2.2	ACT 2.2	N/A