



AUSTRALIAN CAPITAL TERRITORY

## **Building Regulations<sup>1</sup> (Amendment)**

**Subordinate Law No. 33 of 1992<sup>2</sup>**

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The Australian Capital Territory Executive makes the following Regulations under the *Building Act 1972*.

Dated 7 December 1992.

TERRY CONNOLLY

Minister

BILL WOOD

Minister

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**Commencement**

1. These Regulations commence on the day on which section 4 of the *Building (Amendment) Act 1992* commences.

**Insertion**

2. After regulation 2 of the Building Regulations the following regulation is inserted:

**Prescribed buildings**

“3. (1) For the purposes of section 6AA of the Act, each of the following buildings is a prescribed building:

- (a) a fence or wall that—
  - (i) does not exceed 1.8 metres in height; and
  - (ii) does not form an integral part of an enclosure for a swimming pool;
- (b) a retaining wall the top of which does not exceed 1.2 metres above the lower ground level;
- (c) a carport or, subject to subregulation (2), a pergola—
  - (i) the plan area of which does not exceed 25 square metres;
  - (ii) the height of which does not exceed 3 metres;
  - (iii) the distance between any 2 adjacent supports of which does not exceed 4 metres; and
  - (iv) where it is attached to an approved building—that does not project above the line of any adjacent guttering on that building;
- (d) a shed, gazebo, greenhouse or similar structure the roof area of which does not exceed 10 square metres;
- (e) an external timber deck the height of the floor level of which does not exceed 1 metre above ground level;
- (f) an antenna or aerial not exceeding 5 metres in height;
- (g) a swimming pool the capacity of which does not exceed 10 cubic metres and designed to be assembled and installed above ground level;
- (h) an internal alteration to an approved building the effect of which does not alter the classification of the building;

- (j) an outdoor ornamental pond the depth of which does not exceed 300 millimetres;
  - (k) a barbeque, letterbox, or other structure, having a plan area not exceeding 2 square metres and which is not more than 1.8 metres high;
  - (m) a water tank—
    - (i) having a capacity not exceeding 17 kilolitres;
    - (ii) the top of which is not more than 2.4 metres above ground level; and
    - (iii) that is not connected to the water supply of the Electricity and Water Authority.
- “(2) Subparagraph (1) (c) (i) applies to a roofed pergola.
- “(3) Subregulation (1) does not apply if—
- (a) the building work in respect of the prescribed building affects—
    - (i) the structural sufficiency, soundness or stability of part of any approved building;
    - (ii) a fire rated wall, ceiling or floor;
    - (iii) any ventilation or air-handling system, fire protection system or other mechanical service; or
    - (iv) any fire escape, emergency lift, stairway, exit or passageway to an exit; or
  - (b) the building proposed to be built adversely affects the provision of natural light or ventilation to any approved building.”.

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**NOTE**

1. Reprinted as at 30 September 1991.
2. Notified in the ACT Gazette on 11 December 1992.

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